OHIO

SENATE

JOURNAL

WEDNESDAY, JUNE 21, 2023

FIFTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, June 21, 2023, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Solomon, Capitol Ministries in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

The following guests were recognized by the Senate prior to the commencement of business:

Senator Gavarone recognized the Hirzel Canning Company and Farms on their 100th Anniversary.

Senator McColley recognized Alexa Fortman, Olivia Fenbert, Corinne Closson, and Averie Fox from Ottawa-Glandorf High School as the 2023 Track and Field State Champion in the 1600 meter relay team State Champion.

Senator Brenner recognized Jaxson Eckert from Olentangy Liberty High School as the 2023 Division I Track and Field State Champion in the 800 meter run.

Senator Reineke recognized Seneca County Commissioner, Bill Frankart, and citizens with Residents Against Trash on their visit to the Statehouse.

Senator Kunze recognized members from Cub Scout Pack 3331 on their visit to the Statehouse.

Senator Ingram requested a moment of silence in honor of former State Representative, Catherine Barrett.

REPORTS OF REFERENCE AND BILLS FOR SECOND CONSIDERATION

Senator Huffman, M. reports for the standing committee on Rules and Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

H. B. No. 17-Representatives Schmidt, Swearingen, et al.
To enact section 125.183 of the Revised Code to prohibit state officials, employees, and contractors from using TikTok, WeChat, or any other application or service owned by an entity located in China.

To the Committee on Financial Institutions and Technology.

Am. H. B. No. 47-Representatives Brown, Bird, et al.

To amend sections 755.13, 3313.5310, 3313.6021, 3313.6023, 3313.717, 3314.16, 3326.11, 3328.24, 3701.85, and 3707.58 and to enact section 3701.851 of the Revised Code to require the placement of automated external defibrillators (AEDs) in each public and chartered nonpublic school and each public recreational facility and to require the Ohio Department of Health to develop a model emergency action plan for the use of AEDs.

To the Committee on Health.

Sub. H. B. No. 76-Representatives Hall, White, et al.

To amend sections 127.15, 173.03, 753.19, 1121.38, 1509.06, 1513.071, 1513.08, 1513.16, 1565.12, 1571.05, 1571.08, 1571.10, 1571.14, 1571.15, 1571.16, 1707.02, 1707.04, 1707.042, 1707.091, 1707.11, 1707.43, 1733.16, 2941.401, 3111.23, 3301.05, 3302.04, 3310.521, 3313.41, 3313.818, 3314.21, 3319.081, 3319.11, 3319.16, 3319.291, 3319.311, 3321.13, 3321.21, 3704.03, 3734.02, 3734.021, 3734.575, 3746.09, 3752.11, 3772.031, 3772.04, 3772.11, 3772.12, 3772.13, 3772.131, 3781.08, 3781.11, 3781.25, 3781.29, 3781.342, 3904.08, 3905.72, 3951.03, 4121.19, 4123.512, 4123.52, 4125.03, 4141.09, 4141.47, 4167.10, 4301.17, 4301.30, 4303.24, 4503.04, 4507.081, 4508.021, 4509.101, 4510.03, 4510.41, 4701.04, 4735.13, 4735.14, 4751.23, 4755.01, 5107.161, 5120.14, 5123.081, 5123.169, 5165.193, 5165.86, 5166.303, 5168.08, 5168.22, 5168.23, 5516.10, 5525.01, 5703.37, 5709.83, 5736.041, and 5751.40; to enact sections 1509.031 and 3745.019; and to repeal section 5123.195 of the Revised Code to modify the law governing data storage and notifications issued by state agencies, and to amend the version of section 3951.03 of the Revised Code scheduled to take effect on December 29, 2023, to continue the changes on and after that date.

To the Committee on Government Oversight.

Am. H. B. No. 100-Representative Miller, K., et al.

To amend sections 4781.40, 5301.072, 5311.191, and 5321.131 of the Revised Code to prohibit manufactured home park operators, condominium associations, neighborhood associations, and landlords from restricting the display of the thin blue line flag and to name this act the Chief Steven DiSario Act.

To the Committee on General Government.

Sub. H. B. No. 101-Representatives Bird, Schmidt, et al.

To amend sections 118.27, 118.31, 317.18, 703.20, 703.201, 703.23, 1724.07, and 5705.14; to amend, for the purpose of adopting new section

numbers as indicated in parentheses, sections 703.20 (703.33) and 703.201 (703.34); to enact sections 317.115, 703.31, 703.32, 703.35, 703.36, 703.361, 703.362, 703.37, 703.371, 703.372, 703.373, 703.374, 703.375, 703.376, 703.377, 703.378, 703.379, 703.38, and 703.39; and to repeal section 703.21 of the Revised Code to modify the law regarding village dissolution.

To the Committee on Local Government.

H. B. No. 114-Representatives Humphrey, Seitz, et al.

To amend section 3517.13 of the Revised Code to allow a candidate to use campaign funds to pay certain child care costs.

To the Committee on General Government.

Am. H. B. No. 121-Representatives Robb Blasdel, Mathews, et al.

To amend sections 718.02 and 718.82; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 718.021 (718.17); and to enact new section 718.021 and section 718.821 of the Revised Code to allow businesses with remote workers to use a modified municipal income tax apportionment formula.

To the Committee on Ways and Means.

YES - 12: MATT HUFFMAN, NICKIE J. ANTONIO, ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, PAULA HICKS-HUDSON, STEPHANIE KUNZE, MICHELE REYNOLDS, TIM SCHAFFER, KENT SMITH

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bills were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Schaffer submitted the following report:

The standing committee on Agriculture and Natural Resources, to which was referred **S. B. No. 119-**Senator Reineke having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: TIM SCHAFFER, AL LANDIS, PAULA HICKS-HUDSON, SANDRA O'BRIEN, SHANE WILKIN

NO - 0.

Senator Manning submitted the following report:

The standing committee on Judiciary, to which was referred **Am. H. B. No. 191-**Representatives Swearingen, Seitz, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 7: NATHAN H. MANNING, MICHELE REYNOLDS, PAULA HICKS-HUDSON, MATT DOLAN, THERESA GAVARONE, ROB MCCOLLEY, KENT SMITH

NO - 0.

Senator Roegner submitted the following report:

The standing committee on Government Oversight, to which was referred **S. C. R. No. 5-**Senators Craig, Lang having had the same under consideration, reports it back and recommends its adoption.

YES - 4: KRISTINA D. ROEGNER, PAULA HICKS-HUDSON, GEORGE F. LANG, ROB MCCOLLEY

NO - 0.

Senator Roegner submitted the following report:

The standing committee on Government Oversight, to which was referred **S. B. No. 91-**Senator Schaffer, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 4: KRISTINA D. ROEGNER, PAULA HICKS-HUDSON, GEORGE F. LANG, ROB MCCOLLEY

NO - 0.

The question being, "Shall the reports of the committee be accepted?"
The reports of the committee were accepted.

Senator Huffman, M. submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

Good, Edward, Democrat, from Shadyside, Belmont County, Ohio, as a Member of the Unemployment Compensation Review Commission for a term beginning April 27, 2023, ending at the close of business February 26, 2029, replacing Edward Douglas Good, whose term expired.

Lemmie, Valerie, Independent, from Dayton, Montgomery County, Ohio, as a Member of the Ohio Civil Rights Commission for a term beginning May 1, 2023, ending at the close of business July 28, 2025, replacing Julia McNeil Danish, who resigned.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 12: MATT HUFFMAN, NICKIE J. ANTONIO, ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, PAULA HICKS-HUDSON, STEPHANIE KUNZE, MICHELE REYNOLDS, TIM SCHAFFER, KENT SMITH

NO – 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Schaffer	Smith	Sykes	Wilkin
Wilson			Huffman, M.-30

So the Senate advised and consented to said appointments.

RESOLUTIONS REPORTED BY COMMITTEE

S. C. R. No. 5-Senators Craig, Lang.

To support and encourage the work of the Ohio Commission for the United States Semiquincentennial in celebrating the nation's 250th anniversary.

WHEREAS, The 250th anniversary of the United States of America will be observed nationally in 2026; and

WHEREAS, Every state will observe the nation's 250th anniversary in a myriad of ways to suit each state's history and contributions to the national narrative; and

WHEREAS, The 134th Ohio General Assembly created the Ohio Commission for the U.S. Semiquincentennial (Section 149.309 of the Revised Code) in 2021 to help prepare Ohio to "plan, encourage, develop, and coordinate the commemoration of the two hundred fiftieth anniversary of the founding of the United States and the impact of Ohioans on the nation's past, present, and future"; and

WHEREAS, The Ohio Commission for the U.S. Semiquincentennial has produced a report entitled "Recommendations to the People of Ohio," which includes more than 40 substantive ideas to engage Ohioans and Ohio communities in the nation's upcoming anniversary; and

WHEREAS, Ohioans desire to play a leading role in the nation's anniversary not just in 2026, but also in the years leading up to 2026; now therefore be it

RESOLVED, That we, the members of the 135th General Assembly of the State of Ohio, are committed to supporting the work of the Ohio Commission of the U.S. Semiquincentennial and participating fully and enthusiastically in the nation's 250th anniversary, which culminates on July 4, 2026; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the Governor and news media of Ohio.

The question being, “Shall the concurrent resolution, **S. C. R. No. 5**, be adopted?

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Schaffer	Smith	Sykes	Wilkin
Wilson			Huffman, M.-30

So the concurrent resolution was adopted.

The title was amended as follows:

Add the names: "Senators Antonio, Blessing, Brenner, Cirino, DeMora, Gavarone, Hackett, Hicks-Hudson, Hoagland, Ingram, Kunze, Landis, Manning, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Smith, Sykes, Wilkin, Wilson."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Am. H. B. No. 191-Representatives Swearingen, Seitz.
Cosponsors: Representatives Hillyer, Carruthers, White, Miller, K., Abrams, Williams, LaRe, Brennan, Brent, Brown, Claggett, Creech, Cutrona, Dobos, Forhan, Fowler Arthur, Galonski, Grim, Gross, Hall, Hoops, Humphrey, Isaacsohn, Jarrells, Jones, Lampton, Mathews, Miller, M., Mohamed, Oelslager, Patton, Pavliga, Ray, Robb Blasdel, Rogers, Schmidt, Stein, Thomas, C., Upchurch, Willis.

To amend sections 2743.70, 2903.212, 2903.213, 2907.41, 2919.251, 2937.40, 2949.02, 2949.04, 2949.093, 2953.03, and 2953.09 and to enact section 2937.011 of the Revised Code to make changes regarding bail and to declare an emergency, was considered the third time.

The question being, “Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?”

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Schaffer	Smith	Sykes	Wilkin
Wilson			Huffman, M.-30

So the section, Section 3, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Schaffer	Smith	Sykes	Wilkin

Wilson Huffman, M.-30

So the bill having received the required constitutional majority passed as an emergency measure.

The title was amended as follows:

Add the names: "Antonio, Blessing, Cirino, DeMora, Gavarone, Hackett, Hicks-Hudson, Ingram, Johnson, Landis, Lang, Manning, Reineke, Reynolds, Wilson."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

Sub. S. B. No. 28-Senator Roegner.
Cosponsors: Senators Johnson, Huffman, S.

To enact sections 4730.70 and 4730.71 of the Revised Code to enter into the Physician Assistant Licensure Compact, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 28**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Schaffer	Smith	Sykes	Wilkin
Wilson			Huffman, M.-30

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Cirino, Craig, DeMora, Gavarone, Hackett, Hicks-Hudson, Hoagland, Ingram, Kunze, Landis, Lang, McColley, O'Brien, Reineke, Reynolds, Romanchuk, Wilson."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

Sub. S. B. No. 119-Senator Reineke.

To amend sections 343.01, 343.011, 343.012, 343.022, 343.08, 3714.07, 3714.073, 3734.521, 3734.53, 3734.57, and 3734.574 and to enact section 3734.579 of the Revised Code to make changes to the laws governing the transfer and disposal of solid waste and construction and demolition debris, including the revision and establishment of certain fees, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 119**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Schaffer	Smith	Sykes	Wilkin
Wilson			Huffman, M.-30

So the bill passed.

The title was amended as follows:

Add the names: "Senators Cirino, Johnson, Schaffer."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

MOTIONS

Senator Gavarone moved that Senators absent the week of Sunday, June 18, 2023, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered for the first time:

S. B. No. 128 - Senator Ingram.
Cosponsors: Senators Hicks-Hudson, Craig, DeMora, Sykes, Antonio, Smith.

To amend sections 3332.031, 3333.046, 4709.05, and 4713.07 and to enact section 3314.033 of the Revised Code to require disclosure of the for-profit status of community school operators and post-secondary educational institutions on various promotional materials and contracts for employment.

OFFERING OF RESOLUTIONS

Senator Gavarone offered the following resolution:

S. R. No. 155-Senator Gavarone.

To express support for consumer choice in the automotive marketplace and against government-preferred vehicle technology mandates that will harm Ohio's consumers by prematurely requiring the transition of the automotive fleet from internal combustion powered vehicles to all-electric vehicles.

On the motion of Senator McColley, **S. R. No. 155**, was referred to the Committee on Rules and Reference.

Pursuant to Senate Rule No. 55, the following resolutions were offered:

S. R. No. 156 - Senator Huffman, M.
Honoring the Marion Local High School boys track and field team on placing first at the 2023 Division III State Meet.

S. R. No. 157 - Senator Huffman, M.
Honoring the Allen East High School boys 4x200-meter relay team on winning the 2023 Division III State Championship.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"
So the resolutions were adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Cheri Hottinger, Republican, from Newark, Licking County, Ohio, as a Member of the Industrial Commission of Ohio for a term beginning July 1, 2023 and ending at the close of business June 30, 2029, replacing Karen L. Gillmor, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of April in the year of our Lord, Two Thousand and Twenty-Three.

[Seal] Mike DeWine,
Governor.

On the motion of Senator McColley, the appointment was referred to the committee on Insurance.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 3319.60 (A)(4) of the Revised Code, the President of the Senate appoints the following individuals to serve on the Educator Standards Board for a two-year term, commencing on July 1, 2023 and ending on June 30, 2025.

Andrea Helfrich (Franklin County)
Christopher Knight (Lucas County)

On the motion of Senator McColley, the Senate recessed until 3:35 p.m.

The Senate met pursuant to the recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has refused to concur in the Senate amendments to:

Sub. H. B. No. 33-Representative Edwards – et al.

Attest: Bradley J. Young,
Clerk.

Senator Landis moved that the Senate insist on the Senate amendments to **Sub. H. B. No. 33**, and ask for a committee of conference.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives accedes to the request of the Senate for a committee of conference on matters of difference between the two Houses on:

Sub. H. B. No. 33-Representative Edwards – et al.
The Speaker and Minority Leader of the House have appointed as managers on the part of the House on such matters of difference:

Representatives Edwards, LaRe, Sweeney

Attest: Bradley J. Young,
Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules 19 and 20, the President of the Senate appoints the following members to serve on the Conference Committee for Sub. H.B. 33:

Senator Matt Dolan
Senator Jerry Cirino
Senator Vernon Sykes

On the motion of Senator Landis, the Senate adjourned until Thursday, June 22, 2023 at 9:30 a.m.

Attest: VINCENT L. KEERAN,
Clerk.