OHIO

SENATE

JOURNAL

THURSDAY, MARCH 23, 2023

TWENTY-FIFTH DAY
Senate Chamber, Columbus, Ohio
Thursday, March 23, 2023, 10:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Hearcel F. Craig, 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 Manning and Senator Brenner recognized Legislative Service Commission employees, Dennis Papp for his 46.5 years of service and Mike O'Neill for his 32 years of service as they retire this month.

Senator Craig recognized the Africentric High School Girls Basketball team as the Division III State Champions.

Senator Kunze recognized Judith Resnik in honor of Women's History Month. Judith graduated from Akron Firestone High School. She was an American electrical engineer, software engineer, biomedical engineer, pilot and NASA astronaut who died in the Space Shuttle Challenger disaster.

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 and resolutions, standing in order for second consideration, be referred to committee as recommended:

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.

To the Committee on Government Oversight.

S. J. R. No. 2-Senators McColley, Gavarone, et al.
Proposing to amend Sections 1b, 1e, and 1g of Article II and Sections 1 and 3 of Article XVI of the Constitution of the State of Ohio to require a vote of at least 60% of the electors to approve any constitutional amendment.

To the Committee on General Government.

S. B. No. 86-Senator Brenner

To enact sections 3702.3012 and 3727.25 of the Revised Code regarding surgical smoke.

To the Committee on Health.

S. B. No. 87-Senator Smith, et al.
To amend sections 1.14, 5.20, 124.19, 325.19, 511.10, 1345.21, 3313.63, and 3319.087 of the Revised Code to establish the day of each general election as a legal holiday for which government employees receive paid leave.

To the Committee on General Government.

S. B. No. 88-Senators Smith, Cirino, et al.
To amend section 2903.21 of the Revised Code to expand the offense of aggravated menacing to prohibit threatening a utility worker, cable operator worker, or broadband worker with intent to obstruct the operation of a utility.

To the Committee on Judiciary.

S. B. No. 89-Senator Roegner
To amend section 4713.37 and to enact sections 4713.33 and 4713.331 of the Revised Code to enter into the Cosmetology Licensure Compact and to amend the version of section 4713.37 of the Revised Code that is scheduled to take effect on December 29, 2023, to continue the changes on and after that date.

To the Committee on Government Oversight.

S. B. No. 90-Senator Roegner
To enact sections 4757.52 and 4757.521 of the Revised Code to enter into the Social Work Licensure Compact.

To the Committee on Community Revitalization.

S. B. No. 91-Senator Schaffer, et al.
To amend sections 117.103, 124.341, 126.47, 1347.15, and 4113.52 of the Revised Code regarding fraud, waste, and abuse of public funds.

To the Committee on Government Oversight.

S. B. No. 92-Senators McColley, Gavarone

To amend section 3501.022 of the Revised Code to allow a special election to be held in August for certain purposes and to make an appropriation.

To the Committee on General Government.

YES - 13: MATT HUFFMAN, NICKIE J. ANTONIO, ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, PAULA HICKS-HUDSON, STEPHANIE KUNZE, ROB MCCOLLEY, 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 and resolutions were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **Am. Sub. H. B. No. 23-**Representative Edwards, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hoagland, Hackett, Brenner, Kunze.

YES - 11: STEPHANIE KUNZE, BILL REINEKE, NIRAJ ANTANI, ANDREW O. BRENNER, WILLIAM P. DEMORA, BOB D. HACKETT, FRANK HOAGLAND, SANDRA O'BRIEN, KRISTINA D. ROEGNER, TIM SCHAFFER, KENT SMITH

NO - 0.

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

The report of the committee was 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:

Davis, Kristie Lynn, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Arts Council for a term beginning January 6, 2023, ending at the close of business July 1, 2026, replacing Monica A. Kridler, whose term expired.

Lisy, John J., Democrat, from Cleveland Heights, Cuyahoga County, Ohio, as a Member of the Chemical Dependency Professionals Board for a new term beginning January 6, 2023, ending at the close of business December 23, 2025, replacing John J. Lisy, whose term expired.

McCloud, Stephanie, Republican, from Reynoldsburg, Franklin County, Ohio, as a Member of the Capitol Square Review and Advisory Board for a term beginning January 6, 2023, and continuing at the pleasure of the Governor, replacing Michael Hall.

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

YES – 12: NICKIE J. ANTONIO, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, PAULA HICKS-HUDSON, MATT HUFFMAN, STEPHANIE KUNZE, ROB MCCOLLEY, 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

Antani	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
Schaffer	Smith	Sykes	Wilkin
Wilson			Huffman, M.-30

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 23-Representative Edwards.
Cosponsors: Representatives Abdullahi, Baker, Blackshear, Brennan, Brent, Brewer, Brown, Callender, Carruthers, Cross, Cutrona, Dell'Aquila, Dobos, Forhan, Galonski, Ghanbari, Grim, Hillyer, Hoops, Humphrey, Isaacsohn, Jarrells, Johnson, Jones, LaRe, Lightbody, Liston, Loychik, Mathews, McNally, Miller, A., Miller, J., Miranda, Mohamed, Oelslager, Patton,

Pavliga, Ray, Richardson, Robb Blasdel, Robinson, Roemer, Rogers, Russo, Schmidt, Seitz, Somani, Swearingen, Sweeney, Thomas, C., Thomas, J., Troy, Upchurch, Weinstein, Williams, Young, B., Speaker Stephens. Senators Hoagland, Hackett, Brenner, Kunze.

To amend sections 117.16, 124.152, 303.02, 306.353, 519.02, 723.52, 723.53, 4503.10, 4503.103, 4503.11, 4503.191, 4503.29, 4503.44, 4504.22, 4511.093, 4513.34, 4981.02, 4981.04, 5503.031, 5517.011, 5525.16, 5540.01, 5540.02, 5540.03, 5540.06, 5543.19, 5575.01, 5577.044, 5595.01, 5595.03, 5595.04, 5595.05, 5595.06, 5595.11, 5709.48, 5709.481, 5709.49, 5709.50, and 5709.83; to enact sections 4503.107, 4505.131, 4511.765, 4517.262, 4955.50, 4955.51, 4999.09, 5501.521, 5595.041, and 5595.042; and to repeal section 5501.09 of the Revised Code and to amend Section 265.325 of H.B. 110 of the 134th General Assembly and Sections 223.15 as subsequently amended, 243.10, and 243.20 of H.B. 687 of the 134th General Assembly to make current expense appropriations for fiscal year 2023, to make appropriations for programs related to transportation for the biennium beginning July 1, 2023, and ending June 30, 2025, and to provide authorization and conditions for the operation of those programs, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 23**, pass?"

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

Those who voted in the affirmative were: Senators

Antani	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
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, Hicks-Hudson, Huffman, S., Ingram, Johnson, Landis, Lang, Manning, Reineke, Reynolds, Schaffer, Smith, Sykes, Wilkin."

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, March 19, 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 bills were introduced and considered for the first time:

S. B. No. 93 - Senators Reynolds, Hicks-Hudson.
Cosponsors: Senators Antonio, Sykes, Smith, Ingram, Craig, DeMora.

To enact sections 4723.89, 4723.90, 5120.658, and 5164.071 of the Revised Code regarding doula services.

S. B. No. 94 - Senators Brenner, Landis.

To amend sections 113.05, 113.11, 113.12, 113.13, 113.40, 113.60, 131.01, 135.01, 135.02, 135.04, 135.05, 135.06, 135.08, 135.10, 135.12, 135.143, 135.15, 135.182, 135.47, 317.13, 317.32, 317.321, 317.36, 1113.13, 1337.04, 2329.02, 3366.05, 3737.945, 4513.61, 4513.62, 4513.63, 4513.64, 4513.66, 4749.01, and 5323.02; to enact sections 113.22 and 5301.234; and to repeal sections 113.07, 144.01, 144.02, 144.03, 144.04, 144.05, 144.06, and 144.07 of the Revised Code to make various changes regarding the Treasurer of State, recorded instruments, powers of attorney, judgment liens, mortgage subrogation, law enforcement towing laws, and state stock banks, and to make an appropriation.

S. B. No. 95 - Senator Reynolds.

To amend section 4729.285 and to enact section 4729.554 of the Revised Code to authorize the operation of remote dispensing pharmacies.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 107.12(D)(1)(d) of the Ohio Revised Code, the President of the Senate appoints the following public member to serve on the Governor's Advisory Board of Faith-Based and Community Initiatives for a one-year term commencing on March 22, 2023 and ending on March 22, 2024.

Jerry Freewalt (Franklin County)

On the motion of Senator McColley, the Senate recessed until 12:05 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. 23-Representative Edwards – et al.

Attest: Bradley J. Young,
Clerk.

Senator Reynolds moved that the Senate insist on the Senate amendments to **Sub. H. B. No. 23**, and ask for a committee of conference.

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

The motion was agreed to.

On the motion of Senator Reynolds the Senate adjourned until Tuesday, March 28, 2023 at 9:00 a.m.

Attest: VINCENT L. KEERAN,
Clerk.