# OHIO

# SENATE

# JOURNAL

WEDNESDAY, APRIL 26, 2023

THIRTY-SIXTH DAY
Senate Chamber, Columbus, Ohio
**Wednesday, April 26, 2023, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Austin Schafer of St. Elizabeth Healthcare, 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 Brenner recognized the Olentangy Liberty High School boys ice hockey team as the 2023 State Champion.

Senator Brenner recognized Dylan Russo, of Olentangy Liberty High School, as the 2023 Division I State Wrestling Champion in the 215 weight class.

Senator Kunze recognized Eli Stoll as the 2023 Division II State Swimming Champion in the 100 yard backstroke event.

Senator Hackett recognized Provost, Dr. Erick Brooks, and students, Danielle Darkenwald, Kayla Smith and Daquan Neal of Central State University on their visit to the Statehouse.

Senator Sykes recognized Traevon Leak, Minority Policy Advisor, on his outstanding service to the Ohio Senate.

Leader Antonio requested a moment of silence in honor of Gayle Channing Tenenbaum, who dedicated over 40 years of her life to all aspects of human services.

## 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:

**Am. H. B. No. 31**-Representative Edwards, et al.

To amend sections 4121.021, 4123.30, 4123.34, 4123.341, 4123.342, and 4123.36 of the Revised Code to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2023, and ending June 30, 2025, to provide authorization and conditions for the operation of the Department's programs, and to make changes to the Workers' Compensation Law.

To the Committee on Insurance.

**H. B. No. 32**-Representative Edwards, et al.
To make appropriations for the Industrial Commission for the biennium beginning July 1, 2023, and ending June 30, 2025, and to provide authorization and conditions for the operation of Commission programs.

To the Committee on Insurance.

**S. B. No. 110**-Senator Lang
To enact section 5534.877 of the Revised Code to designate a portion of State Route 129 in Butler County as the "Sgt. Anthony Kress Vinnedge Memorial Highway."

To the Committee on Transportation.

**S. B. No. 111**-Senator Hicks-Hudson, et al.
To amend sections 3781.06, 3781.061, and 5713.30 of the Revised Code relating to temporary greenhouses and building codes, to establish the Urban Farmer Youth Initiative Pilot Program, to codify certain property tax requirements for agricultural land, and to make an appropriation.

To the Committee on Agriculture and Natural Resources.

**S. B. No. 112**-Senator Rulli
To enact sections 3737.74 and 3781.50 of the Revised Code to require school buildings to comply with national life safety standards and to name this act the Ohio Childhood Safety Act.

To the Committee on Education.

**S. B. No. 113**-Senator Hoagland
To amend section 4117.10 and to enact sections 3.19 and 124.95 of the Revised Code to prohibit a person who fails to comply with the Military Selective Service System from holding a public office or employment with the state.

To the Committee on Veterans and Public Safety.

**S. B. No. 114**-Senator Schaffer
To enact section 5534.873 of the Revised Code to designate a portion of

State Route 33 in Fairfield County as the "Lance Corporal James F. Kimple Memorial Highway."

To the Committee on Transportation.

**S. B. No. 115**-Senator Schuring, et al.

To amend sections 1751.85, 1753.09, 3901.21, 3923.86, 3963.01, 3963.02, 3963.03, and 4715.30 of the Revised Code regarding limitations imposed by health insurers on dental care services.

To the Committee on Insurance.

YES - 14: 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, KIRK SCHURING, 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 Roegner submitted the following report:

The standing committee on Government Oversight, to which was referred **S. B. No. 53-**Senators Reynolds, Roegner having had the same under consideration, reports it back and recommends its passage.

YES - 4: KRISTINA D. ROEGNER, NIRAJ ANTANI, GEORGE F. LANG, ROB MCCOLLEY

NO - 1: PAULA HICKS-HUDSON

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:

**Barney, Gregory**, from Tipp City, Montgomery County, Ohio, as a Member of the Board of Building Standards for a term beginning March 10, 2023, ending at the close of business October 13, 2026, replacing Gregory S. Barney, whose term expired.

**Cates, Gary**, from West Chester, Butler County, Ohio, as a Member of the Midwestern Higher Education Compact Commission for a term beginning March 10, 2023, ending at the close of business January 8, 2027, replacing Gary Wayne Cates, whose term expired.

**Frangos, Ann**, from Westlake, Cuyahoga County, Ohio, as a Member of the Cuyahoga Community College Board of Trustees for a term beginning March 10, 2023, ending at the close of business October 12, 2027, replacing Ann Marie Frangos, whose term expired.

**Kirk, David**, from Loveland, Hamilton County, Ohio, as a Member of the Ohio Architects Board for a term beginning March 10, 2023, ending at the close of business October 2, 2027, replacing John P. Rademacher, whose term expired.

**Lahoski, James**, from Bellevue, Sandusky County, Ohio, as a Member of the Terra State Community College Board of Trustees for a term beginning February 24, 2023, ending at the close of business December 30, 2028, replacing Uwe D. Eickert, whose term expired.

**Maguschak, Kathy**, from Mingo Junction, Jefferson County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning January 18, 2023, ending at the close of business October 16, 2026, replacing Kathy A. Maguschak, whose term expired.

**Marchetta, Mark**, from Hopedale, Harrison County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning March 10, 2023, ending at the close of business November 12, 2025, replacing Mark L. Marchetta Sr., whose term expired.

**Mehaffie, Darryl**, from Greenville, Darke County, Ohio, as a Member of the Edison State Community College Board of Trustees for a term beginning March 10, 2023, ending at the close of business January 17, 2029, replacing Darryl D. Mehaffie, whose term expired.

**Needles, Thomas**, from Whitehall, Franklin County, Ohio, as a Member of the Ohio Higher Educational Facility Commission for a term beginning February 24, 2023, ending at the close of business January 1, 2031, replacing Thomas F. Needles, whose term expired.

**Prince, Kenji**, from Columbus, Franklin County, Ohio, as a Member of the State Cosmetology and Barber Board for a term beginning January 6, 2023, ending at the close of business October 31, 2027, replacing Kenji Christopher

Prince, whose term expired.

**Regoli, Steven**, from Worthington, Franklin County, Ohio, as a Member of the Board of Building Appeals for a term beginning January 6, 2023, ending at the close of business October 13, 2023, replacing Paul R. Beegan, who resigned.

**Rucker, Jodi**, from Bellevue, Sandusky County, Ohio, as a Member of the Terra State Community College Board of Trustees for a term beginning February 24, 2023, ending at the close of business December 30, 2028, replacing Pamela M. Jensen, whose term expired.

**Sheipline, Tasha**, from Wapakoneta, Auglaize County, Ohio, as a Member of the State Cosmetology and Barber Board for a term beginning January 6, 2023, ending at the close of business October 31, 2027, replacing Tasha Sheipline, whose term expired.

**Viola, David**, from Minerva, Stark County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning March 10, 2023, ending at the close of business November 12, 2025, replacing David DeVore, whose term expired.

**Winkle, Kimberly**, from Crestline, Crawford County, Ohio, as a Member of the North Central State College Board of Trustees for a term beginning February 24, 2023, ending at the close of business January 16, 2026, replacing Kimberly A. Winkle, whose term expired.

**Wolfe, Jennifer**, from Westerville, Franklin County, Ohio, as a Member of the State Cosmetology and Barber Board for a term beginning January 6, 2023, ending at the close of business October 31, 2027, replacing Jennifer S. Wolfe, whose term expired.

**Wright, Dudley**, from Westerville, Franklin County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning March 10, 2023, ending at the close of business November 12, 2025, replacing Dudley H.A. Wright II, whose term expired.

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

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 Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 32, 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 |
| Romanchuk | Rulli | Schaffer | Smith |
| Sykes | Wilkin | Wilson | Huffman, M.-32 |

So the Senate advised and consented to said appointments.

## BILLS FOR THIRD CONSIDERATION

**S. B. No. 16**-Senator Wilson.

To amend section 2305.37 of the Revised Code to alter the law governing immunity from liability for donations of perishable food, was considered the third time.

The question being, "Shall the bill, **S. B. No. 16**, pass?"

The yeas and nays were taken and resulted – yeas 32, 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 |
| Romanchuk | Rulli | Schaffer | Smith |
| Sykes | Wilkin | Wilson | Huffman, M.-32 |

So the bill passed.

The title was amended as follows:

Add the names: "Senators Antonio, Brenner, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Huffman, S., Ingram, Johnson, Kunze, Landis, Lang, Manning, McColley, Reineke, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Sykes."

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

The motion was agreed to and the title so amended.

**Sub. S. B. No. 49**-Senator Reynolds.
Cosponsors: Senators Cirino, Roegner, Lang, Romanchuk, Schaffer, Huffman, S., Brenner.

To amend sections 3314.03, 3326.11, and 3328.24 and to enact section 3320.04 of the Revised Code to enact the Religious Expression Days "R.E.D." Act to require each kindergarten through 12 public school to adopt a policy providing students with religious accommodations, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 49**, pass?"

The yeas and nays were taken and resulted – yeas 32, 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 |
| Romanchuk | Rulli | Schaffer | Smith |
| Sykes | Wilkin | Wilson | Huffman, M.-32 |

So the bill passed.

The title was amended as follows:

Add the names: "Antani, Antonio, Craig, Gavarone, Johnson, McColley, O'Brien, Reineke, Roegner, Rulli."

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

The motion was agreed to and the title so amended.

**S. B. No. 58**-Senators Johnson, Gavarone.
Cosponsors: Senators Schaffer, Cirino, Brenner, O'Brien, Romanchuk, Hoagland.

To amend section 9.68 of the Revised Code to prohibit requiring fees or firearms liability insurance for the possession of firearms, or fees for the possession of knives, was considered the third time.

The question being, "Shall the bill, **S. B. No. 58**, pass?"

Senator Lang moved that he be excused from voting under Senate Rule No. 59.

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

The motion was agreed to.

The question recurred, "Shall the bill, **S. B. No. 58**, pass?"

The yeas and nays were taken and resulted – yeas 24, nays 7, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|---|---|---|---|
| Antani | Blessing | Brenner | Cirino |
| Dolan | Gavarone | Hackett | Hoagland |
| Huffman, S. | Johnson | Kunze | Landis |
| Manning | McColley | O'Brien | Reineke |
| Reynolds | Roegner | Romanchuk | Rulli |

Schaffer Wilkin Wilson Huffman, M.-24

Senators Antonio, Craig, DeMora, Hicks-Hudson, Ingram, Smith, and Sykes voted in the negative-7.

So the bill passed.

The title was amended as follows:

Add the names: "Antani, Hackett, Landis, McColley, Roegner, Wilkin, Wilson."

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

The motion was agreed to and the title so amended.

## MOTIONS

Senator McColley moved that Senators absent the week of Sunday, April 23, 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. 116 -** Senators Lang, Romanchuk.

To amend sections 4141.01, 4141.29, 4141.30, 4141.43, and 4141.53 and to enact section 4141.02 of the Revised Code to make changes to Ohio's Unemployment Compensation Law.

## OFFERING OF RESOLUTIONS

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

**S. R. No. 110** - Senator Brenner.
Honoring Hudson Williams as a 2023 Division I State Swimming Champion.

**S. R. No. 111** - Senator Brenner.
Honoring the Olentangy High School cheerleading team as a 2023 OASSA Division I State Champion.

**S. R. No. 112** - Senator Romanchuk.
Honoring Stoodt’s Fresh Market on its One Hundredth Anniversary.

The question being, "Shall the resolutions listed under the President's

prerogative be adopted?"
So the resolutions were adopted.

On the motion of Senator McColley, the Senate adjourned until Thursday, April 27, 2023 at 9:30 a.m.

Attest: VINCENT L. KEERAN,
Clerk.