

OHIO

SENATE

JOURNAL

WEDNESDAY, SEPTEMBER 22, 2021

SEVENTY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, September 22, 2021, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, 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 Dolan recognized Katie Nageotte for winning the Gold Medal in the Women's Pole Vault at the Tokyo Olympics.

Senator Schaffer recognized the Muskingum University Esports team on winning two Eastern College Athletic Conference National Championships.

Senator Kunze recognized Senior Legislative Aide, Henry Thomas, for his outstanding service to the Ohio Senate.

Senator Hackett recognized Legislative Aide, Ben Allison, for his service to his office as he moves to Senator Kunze's office to become her Senior Legislative Aide.

**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:

S. B. No. 230-Senator Roegner

To amend sections 317.32, 1337.11, 1337.12, 1337.22, 1337.25, 2107.01, 2107.03, 2107.07, 2107.17, 2107.18, 2107.24, 2107.27, 2107.29, 2107.30, 2107.31, 2107.33, 2107.60, 2107.63, 2129.05, 2133.01, 2133.02, 5302.22, 5817.01, and 5817.05 and to enact sections 1337.121 and 2107.031 of the Revised Code to expand the laws on wills, declarations or living wills, durable powers of attorney for health care, and transfer on death designation affidavits by providing for their execution electronically.

To the Committee on Judiciary.

S. B. No. 231-Senator Hottinger, et al.

To amend section 5747.11 of the Revised Code to expressly authorize the issuance of an income tax refund in the name of a deceased taxpayer's fiduciary.

To the Committee on Ways and Means.

S. B. No. 232-Senators Fedor, Antonio, et al.

To amend sections 3517.01, 3517.08, 3517.10, 3517.102, 3517.105, 3517.106, 3517.107, 3517.13, 3599.03, 3921.22, and 4503.03 of the Revised Code to modify the campaign finance law and to name this act the Ohio Anti-Corruption Act.

To the Committee on Local Government and Elections.

S. B. No. 233-Senator Blessing, et al.

To amend sections 3307.01, 3309.01, 3313.68, 3313.7110, 3313.7113, 3313.721, 3319.221, and 3319.222 and to enact section 3319.2212 of the Revised Code regarding licensure and state retirement system membership for school nurses.

To the Committee on Primary and Secondary Education.

YES - 13: ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, JAY HOTTINGER, MATT HUFFMAN, STEPHANIE KUNZE, TINA MAHARATH, ROB MCCOLLEY, BOB PETERSON, KIRK SCHURING, KENNY YUKO

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 Hoagland submitted the following report:

The standing committee on Veterans and Public Safety, to which was referred **Am. H. B. No. 92**-Representatives Abrams, Loychik, et. al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 7: BOB PETERSON, BOB D. HACKETT, STEVE WILSON,
FRANK HOAGLAND, TERRY JOHNSON, CECIL
THOMAS, TERESA FEDOR

NO - 0.

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **H. B. No. 21**-Representative Koehler, et. al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 12: STEPHANIE KUNZE, NIRAJ ANTANI, TIM SCHAFFER,
MICHAEL A. RULLI, KRISTINA D. ROEGNER, SANDRA
R. WILLIAMS, TINA MAHARATH, BILL REINEKE,
LOUIS W. BLESSING, III, NATHAN H. MANNING,
SANDRA O'BRIEN, FRANK HOAGLAND

NO - 0.

Senator Huffman, S. submitted the following report:

The standing committee on Health, to which was referred Sub. **H. B. No. 176**-Representatives Carfagna, Hall, et. al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: STEPHEN A. HUFFMAN, TERRY JOHNSON, KRISTINA
D. ROEGNER, MARK ROMANCHUK, CECIL THOMAS

NO - 1: NIRAJ ANTANI

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:

Beavers, Karen, from Sidney, Shelby County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning July 30, 2021, ending at the close of business November 12, 2023, replacing Karen Lee Beavers, whose term expired.

Bowers, Tim, from Hilliard, Franklin County, Ohio, as a Member of the Advisory Board on Amusement Ride Safety for a term beginning March 3, 2021, ending at the close of business January 1, 2027, replacing Tim Bowers, whose term expired.

Meinert, Natasha, from Rocky River, Cuyahoga County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning June 21, 2021, ending at the close of business November 12, 2021, replacing Herbert de la Porte, who resigned.

Miller, Diane, from Toledo, Lucas County, Ohio, as a Member of the Ohio Lake Erie Commission for a term beginning March 3, 2021, ending at the close of business September 1, 2023, replacing J. Kevin Cogan, whose term expired.

Morley, Brian, from Louisville, Stark County, Ohio, as a Member of the Technical Advisory Council on Oil and Gas for a term beginning April 9, 2021, ending at the close of business January 31, 2024, replacing Brian D. Morley, whose term expired.

Weimer, John, from Piqua, Miami County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning March 3, 2021, ending at the close of business November 12, 2023, replacing Glen H. Tinkoff, whose term expired.

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

YES – 13: ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, JAY HOTTINGER, MATT HUFFMAN, STEPHANIE KUNZE, TINA MAHARATH, ROB MCCOLLEY, BOB PETERSON, KIRK SCHURING, KENNY YUKO

NO – 0.

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

Pursuant to Senate Rule No. 98, Senator Fedor moved that the appointment of Diane Miller be removed from the list and voted on separately.

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

The motion was agreed to.

The question being, "Shall the Senate advise and consent to the remaining 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	Blessing	Brenner	Cirino
Craig	Dolan	Fedor	Gavarone
Hackett	Hoagland	Hottinger	Huffman, S.
Johnson	Kunze	Lang	Maharath
Manning	McColley	O'Brien	Peterson
Reineke	Roegner	Romanchuk	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Huffman, M.-32

So the Senate advised and consented to said appointments.

The question being, "Shall the Senate advise and consent to the appointment of Diane Miller?"

The yeas and nays were taken and resulted – yeas 26, nays 6, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Cirino
Craig	Dolan	Gavarone	Hackett
Hoagland	Hottinger	Huffman, S.	Johnson
Kunze	Lang	Manning	McColley
O'Brien	Peterson	Reineke	Roegner
Romanchuk	Rulli	Schaffer	Schuring
Wilson			Huffman, M.-26

Senators Fedor, Maharath, Sykes, Thomas, Williams, and Yuko voted in the negative-6.

So the Senate advised and consented to said appointment.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 92-Representatives Abrams, Loychik.

Cosponsors: Representatives Grendell, Miller, A., Seitz, Kick, Riedel, Gross, Stoltzfus, Merrin, LaRe, Lampton, Richardson, Troy, Weinstein, Carruthers, Ginter, Sheehy, Cutrona, Liston, Click, Edwards, John, Baldrige, Bird, Brent, Brown, Crawley, Cross, Crossman, Fraizer, Galonski, Ghanbari, Holmes, Hoops, Householder, Howse, Jarrells, Johnson, Jones, Jordan, Leland, Lepore-Hagan, Lightbody, Manning, Miller, J., O'Brien, Oelslager, Patton, Plummer, Robinson, Roemer, Russo, Schmidt, Smith, M., Sobecki, Stephens, West, White, Wiggam, Wilkin, Young, T., Speaker Cupp.

To amend sections 2151.421 and 2151.423 and to enact sections 2151.4210 and 3521.04 of the Revised Code and to amend Section 317.20 of H.B. 110 of the 134th General Assembly to require public children services agencies to report child abuse or neglect in military families to the appropriate military authorities, to modify the earmark promoting judicial candidate information, to create procedures for the public to submit plans to the Ohio Redistricting Commission, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 6, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Cirino
Craig	Dolan	Fedor	Gavarone
Hackett	Hoagland	Hottinger	Huffman, S.
Johnson	Kunze	Lang	Maharath
Manning	McColley	O'Brien	Peterson
Reineke	Roegner	Romanchuk	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Huffman, M.-32

So the section, Section 6, 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 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Cirino
Craig	Dolan	Fedor	Gavarone
Hackett	Hoagland	Hottinger	Huffman, S.
Johnson	Kunze	Lang	Maharath
Manning	McColley	O'Brien	Peterson
Reineke	Roegner	Romanchuk	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Huffman, M.-32

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

The title was amended as follows:

Add the names: "Fedor, Hackett, Johnson, Schaffer."

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

The motion was agreed to and the title so amended.

S. B. No. 47-Senators Brenner, Peterson.

To amend section 4111.03 and to enact section 4111.031 of the Revised Code to except traveling to and from a worksite and performing certain routine tasks from the overtime pay requirement, was considered the third time.

The question being, "Shall the bill, **S. B. No. 47**, pass?"

The yeas and nays were taken and resulted – yeas 25, nays 7, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Cirino
Dolan	Gavarone	Hackett	Hoagland
Hottinger	Huffman, S.	Johnson	Kunze

Lang	Manning	McColley	O'Brien
Peterson	Reineke	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Wilson
			Huffman, M.-25

Senators Craig, Fedor, Maharath, Sykes, Thomas, Williams, and Yuko voted in the negative-7.

So the bill passed.

The title was amended as follows:

Add the names: "Cirino, Dolan, Hackett, Hoagland, Johnson, Lang, McColley, Reineke, Romanchuk, Schaffer."

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

The motion was agreed to and the title so amended.

Senator Hottinger, having voted on the prevailing side, moved that the vote, whereby the Senate advised and consented to the appointment of Diane Miller be reconsidered.

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

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Cirino
Craig	Dolan	Fedor	Gavarone
Hackett	Hoagland	Hottinger	Huffman, S.
Johnson	Kunze	Lang	Maharath
Manning	McColley	O'Brien	Peterson
Reineke	Roegner	Romanchuk	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Huffman, M.-32

The motion to reconsider was agreed to.

The question being, "Shall the Senate advise and consent to the appointment of Diane Miller?"

The yeas and nays were taken and resulted – yeas 25, nays 7, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Cirino
Dolan	Gavarone	Hackett	Hoagland
Hottinger	Huffman, S.	Johnson	Kunze
Lang	Manning	McColley	O'Brien
Peterson	Reineke	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Wilson
			Huffman, M.-25

Senators Craig, Fedor, Maharath, Sykes, Thomas, Williams, and Yuko voted in the negative-7.

So the Senate advised and consented to said appointment.

MOTIONS

Senator Rob McColley moved that Senators absent the week of Sunday, September 19, 2021, 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. 234 - Senator Lang.

To authorize grants for certain performing arts organizations and operators of cultural arts museums impacted by the COVID-19 pandemic and to make an appropriation.

S. B. No. 235 - Senator Roegner.

To amend sections 5739.01, 5739.02, and 5739.03 of the Revised Code to exempt documentary service charges and income tax electronic filing fees from sales and use taxation.

On the motion of Senator Hottinger, the Senate adjourned until Thursday, September 23, 2021 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.