

OHIO

SENATE

JOURNAL

WEDNESDAY, OCTOBER 20, 2021

EIGHTY-NINTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, October 20, 2021, 1:30 p.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 Roegner recognized the Woodridge High School Boys Track & Field team on winning the 2021 Division II State Championship.

Senator Schaffer recognized Ken Kulver for being named the 2021 Big Brother of the Year by the Ohio Big Brothers Big Sisters State Association.

Senator Brenner recognized Beverly Laubert on her retirement after serving as the Ohio Long Term Care Ombudsman.

Senator Craig requested a moment of silence to honor Colin Powell, former United State Secretary of State.

Senator Dolan recognized Max Yost on his visit to the Statehouse.

Senator O'Brien recognized Christina Keeler on her visit to the Statehouse.

Senator Roegner recognized the Steiner family (Dan, Melissa, Ruth and Joshua) on their visit to the Statehouse.

**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:

Sub. H. B. No. 101-Representatives Stephens, Edwards, et al.

To amend sections 307.01, 307.021, 2301.51, and 5120.10 and to enact sections 342.01, 342.02, 342.03, 342.04, 342.05, 342.06, 342.07, 342.08, 342.09, 342.10, 342.11, 342.12, 342.13, 342.14, 342.15, 342.16, and 5705.234 of the Revised Code to establish new processes for funding the construction, acquisition, improvement, operation, and maintenance of jail facilities.

To the Committee on Finance.

H. B. No. 178-Representatives Schmidt, Miller, A., et al.

To amend section 3749.03 and to enact section 3749.08 of the Revised Code to limit the water pressure of water features at swimming pools and to name this act Makenna's Law.

To the Committee on General Government Budget Committee.

S. B. No. 253-Senators Fedor, Antonio, et al.

To amend section 109.02 and to enact sections 3920.01, 3920.02, 3920.03, 3920.04, 3920.05, 3920.06, 3920.07, 3920.08, 3920.09, 3920.10, 3920.11, 3920.12, 3920.13, 3920.14, 3920.15, 3920.21, 3920.22, 3920.23, 3920.24, 3920.25, 3920.26, 3920.27, 3920.28, 3920.31, 3920.32, and 3920.33 of the Revised Code to establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

To the Committee on Insurance.

S. B. No. 254-Senators Maharath, Fedor, et al.

To enact section 2151.317 of the Revised Code to establish a foster youth bill of rights.

To the Committee on Judiciary.

S. B. No. 255-Senators Antonio, Williams, et al.

To enact section 5534.917 of the Revised Code to designate a portion of Lorain Avenue in Cleveland as the "Officer Wayne A. Leon Memorial Highway."

To the Committee on Transportation.

S. B. No. 256-Senator Wilson

To amend sections 3905.051, 3905.06, and 3905.064 and to enact sections 3905.065, 3905.066, 3905.067, 3905.068, 3905.069, 3905.0610, and 3905.0611 of the Revised Code to amend the law related to travel insurance.

To the Committee on Insurance.

YES - 11: ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, JAY HOTTINGER, MATT HUFFMAN, 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 Brenner submitted the following report:

The standing committee on Primary and Secondary Education, to which was referred **S. B. No. 229**-Senator Blessing, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: SANDRA O'BRIEN, MICHAEL A. RULLI, ANDREW O. BRENNER, LOUIS W. BLESSING, III, TERESA FEDOR, VERNON SYKES

NO - 0.

Senator Hoagland submitted the following report:

The standing committee on Veterans and Public Safety, to which was referred **S. B. No. 156**-Senator Roegner having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 4: BOB PETERSON, STEVE WILSON, TERRY JOHNSON, FRANK HOAGLAND

NO - 2: CECIL THOMAS, TERESA FEDOR

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:

Beach, Bradley, from North Canton, Stark County, Ohio, as a Member of the Holocaust and Genocide Memorial and Education Commission for a term beginning July 21, 2021, ending at the close of business July 20, 2024.

Blevins, Jimmie, from Columbus, Franklin County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning July 2, 2021, ending at the close of business July 1, 2025, replacing Jimmie J. Blevins, whose term expired.

Brantingham, William, from Winona, Columbiana County, Ohio, as a Member of the State Emergency Response Commission for a term beginning April 16, 2021, ending at the close of business January 13, 2023, replacing William G. Brantingham, whose term expired.

Brook, Cara, Republican, from Logan, Hocking County, Ohio, as a Member of the Ohio Air Quality Development Authority for a term beginning July 1, 2021, ending at the close of business June 30, 2029, replacing Cara Dingus Brook, whose term expired.

Christmann, Holly, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio River Valley Water Sanitation Commission for a term beginning July 21, 2021, ending at the close of business June 29, 2026, replacing Stuart F. Bruny, who resigned.

Dadosky, Edward, from Blue Ash, Hamilton County, Ohio, as a Member of the State Emergency Response Commission for a term beginning July 30, 2021, ending at the close of business January 13, 2022, replacing Kevin Crist, whose term expired.

Esty, Senena, from Utica, Licking County, Ohio, as a Member of the Ohio Standardbred Development Commission for a term beginning July 8, 2021, ending at the close of business June 30, 2025, replacing Senena Joy Esty, whose term expired.

Funke, Mark, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning July 2, 2021, ending at the close of business July 1, 2025, replacing Mark A. Funke, whose term expired.

Hartschuh, Francine, Republican, from Sycamore, Crawford County, Ohio, as a Member of the Ohio Expositions Commission for a term beginning June 4, 2021, ending at the close of business December 1, 2026, replacing Steve E. Reinhard, whose term expired.

Klein, Yona, from University Heights, Cuyahoga County, Ohio, as a Member of the Holocaust and Genocide Memorial and Education Commission for a term beginning June 30, 2021, ending at the close of business June 29, 2024.

Lipot, Amista, Republican, from Beverly, Washington County, Ohio, as a Member of the Ohio Commission on Service and Volunteerism for a term beginning June 4, 2021, ending at the close of business April 21, 2024, replacing Amista N. Lipot, whose term expired.

Lucas, Will, Democrat, from Toledo, Lucas County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning March 19, 2021,

ending at the close of business February 21, 2025, replacing Will Lucas, whose term expired.

Lukas, Anne, from South Euclid, Cuyahoga County, Ohio, as a Member of the Holocaust and Genocide Memorial and Education Commission for a term beginning June 30, 2021, ending at the close of business June 29, 2024.

Martinez, Maria, from Hamler, Henry County, Ohio, as a Member of the Commission on Hispanic-Latino Affairs for a term beginning March 3, 2021, ending at the close of business October 7, 2021, replacing Maria Cruz-Lucio, who resigned.

Metz, James, from Eaton, Preble County, Ohio, as a Member of the Environmental Education Council for a term beginning April 9, 2021, ending at the close of business October 1, 2022, replacing James W. Metz, whose term expired.

Meyer, Ann, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning March 3, 2021, ending at the close of business July 1, 2024, replacing Rufus Slade, who resigned.

Miller, Timothy, Democrat, from North Royalton, Cuyahoga County, Ohio, as a Member of the Ohio Commission on Service and Volunteerism for a term beginning June 4, 2021, ending at the close of business April 21, 2024, replacing Timothy L. Miller, whose term expired.

Old, Mathew, from Berlin Heights, Erie County, Ohio, as a Member of the Materials Management Advisory Council for a term beginning March 3, 2021, ending at the close of business July 1, 2022, replacing John F. Bayliss, who resigned.

Puff, Ronald, from Mansfield, Richland County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning March 3, 2021, ending at the close of business July 1, 2022, replacing Holly Hollingsworth, who resigned.

Strahorn, Fredrick, Democrat, from Dayton, Montgomery County, Ohio, as a Member of the State Personnel Board of Review for a term beginning June 4, 2021, ending at the close of business February 8, 2027, replacing Dwight Tillery, whose term expired.

Weiss, Sarah, from Cincinnati, Hamilton County, Ohio, as a Member of the Holocaust and Genocide Memorial and Education Commission for a term beginning June 30, 2021, ending at the close of business June 29, 2024.

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

DOLAN, THERESA GAVARONE, JAY HOTTINGER, MATT HUFFMAN, 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?"

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

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|-------------|----------------|
| Antani | Blessing | Brenner | Cirino |
| Craig | Dolan | Fedor | Gavarone |
| Hoagland | Hottinger | Huffman, S. | Johnson |
| Lang | Maharath | Manning | McColley |
| O'Brien | Peterson | Reineke | Roegner |
| Romanchuk | Rulli | Schaffer | Schuring |
| Sykes | Thomas | Williams | Wilson |
| Yuko | | | Huffman, M.-30 |

So the Senate advised and consented to said appointments.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 35 -Representative Callender

Cosponsors: Representatives Carruthers, Creech, Cross, Cutrona, Edwards, Ferguson, Fowler Arthur, Fraizer, Ginter, Grendell, Gross, Hall, Hillyer, Hoops, John, Johnson, Jones, Kick, Koehler, Lampton, LaRe, Lipps, Loychik, McClain, Oelslager, Plummer, Richardson, Schmidt, Seitz, Sheehy, Sobbecki, Stephens, Stewart, Stoltzfus, White, Wiggam, Wilkin, Young, T., Speaker Cupp

To invalidate the proposed amendments to rule 3301-35-04 of the Administrative Code, the latest version of which was filed by the Department of Education with the Joint Committee on Agency Rule Review on August 20, 2021.

Attest:

Bradley J. Young,
Clerk.

The question being, "Shall the concurrent resolution, **H. C. R. No. 35**, be adopted?"

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

Those who voted in the affirmative were: Senators

| | | | |
|-----------|-----------|-------------|----------------|
| Antani | Blessing | Brenner | Cirino |
| Craig | Dolan | Fedor | Gavarone |
| Hoagland | Hottinger | Huffman, S. | Johnson |
| Lang | Maharath | Manning | McColley |
| O'Brien | Peterson | Reineke | Roegner |
| Romanchuk | Rulli | Schaffer | Schuring |
| Sykes | Thomas | Williams | Wilson |
| Yuko | | | Huffman, M.-30 |

So the concurrent resolution was adopted.

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

The title was amended as follows:

Add the names: "Brenner, Cirino, Dolan, Gavarone, Hottinger, Johnson, Lang, Manning, McColley, O'Brien, Peterson, Reineke, Roegner, Romanchuk, Schaffer, Schuring, Thomas, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 156-Senator Roegner.

To amend section 9.68 of the Revised Code regarding the regulation of knives, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 156**, pass?"

The yeas and nays were taken and resulted – yeas 23, nays 7, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-------------|-----------|----------|----------------|
| Antani | Blessing | Brenner | Cirino |
| Dolan | Gavarone | Hoagland | Hottinger |
| Huffman, S. | Johnson | Lang | Manning |
| McColley | O'Brien | Peterson | Reineke |
| Roegner | Romanchuk | Rulli | Schaffer |
| Schuring | Wilson | | Huffman, M.-23 |

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: "Senators Blessing, Brenner, Cirino, Gavarone, Hoagland, Huffman, S., Johnson, Lang, McColley, O'Brien, Peterson, Romanchuk, Rulli, Schaffer, Wilson."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 185-Senator Schaffer.

Cosponsors: Senators Johnson, Brenner, Rulli, Lang, Antani, Kunze, Peterson, O'Brien, Romanchuk, Roegner, Hottinger, Hoagland.

To amend section 3761.16 and to enact section 5502.411 of the Revised Code regarding a political subdivision's emergency powers when suppressing a riot, mob, or potential riot or mob and the preservation of rights regarding deadly weapons and firearms during an emergency, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 185**, pass?"

The yeas and nays were taken and resulted – yeas 23, nays 7, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|-------------|-----------|----------|----------------|
| Antani | Blessing | Brenner | Cirino |
| Dolan | Gavarone | Hoagland | Hottinger |
| Huffman, S. | Johnson | Lang | Manning |
| McColley | O'Brien | Peterson | Reineke |
| Roegner | Romanchuk | Rulli | Schaffer |
| Schuring | Wilson | | Huffman, M.-23 |

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: "Blessing, Cirino, Gavarone, McColley, Wilson."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 229-Senator Blessing.

Cosponsor: Senator Brenner.

To amend sections 3301.079, 3302.03, 3302.039, 3313.6412, 3314.262, and 5502.262 and to enact section 3313.174 of the Revised Code with regard to the use of blended or remote learning during the 2021-2022 school year, the state report card, the sale of real property leased to certain schools, emergency management plans, the withdrawal of untested students from internet- or computer-based schools, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 8, 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

| | | | |
|--------|----------|---------|--------|
| Antani | Blessing | Brenner | Cirino |
|--------|----------|---------|--------|

| | | | |
|-----------|-----------|-------------|----------------|
| Craig | Dolan | Fedor | Gavarone |
| Hoagland | Hottinger | Huffman, S. | Johnson |
| Lang | Maharath | Manning | McColley |
| O'Brien | Peterson | Reineke | Roegner |
| Romanchuk | Rulli | Schaffer | Schuring |
| Sykes | Thomas | Williams | Wilson |
| Yuko | | | Huffman, M.-30 |

So the section, Section 8, 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

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

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Rob McColley moved that Senators absent the week of Sunday, October 17, 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.

OFFERING OF RESOLUTIONS

Senator Reineke offered the following concurrent resolution:

S. C. R. No. 10-Senator Reineke.

Cosponsors: Senators Brenner, Cirino, Dolan, Gavarone, Hottinger, Johnson, Lang, McColley, O'Brien, Romanchuk, Schaffer, Rulli.

To urge that the federal proposal to require financial institutions and other financial service providers to report most customer net account inflows and outflows not be passed or implemented by government officials.

The question being, "Shall the concurrent resolution, **S. C. R. No. 10**, be adopted?"

On the motion of Senator Hottinger, **S. C. R. No. 10**, was referred to the Committee on Rules and Reference.

Senator Hoagland offered the following resolution:

S. R. No. 204-Senator Hoagland.

To urge the President of the United States not to allow members of the United States Armed Forces to be punished or reprimanded in any way for refusing to submit to a COVID-19 vaccine.

The question being, "Shall the resolution, **S. R. No. 204**, be adopted?"

On the motion of Senator Hottinger, **S. R. No. 204**, was referred to the Committee on Rules and Reference.

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 205 - Senator Peterson.

Honoring the Fayette County Special Olympics Dragons flag football team as the 2021 Ohio Division 1 Champion.

The question being, "Shall the resolution listed under the President's prerogative be adopted?"

So the resolution was adopted.

On the motion of Senator Hottinger, the Senate adjourned until Monday, October 25, 2021 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.