

OHIO

SENATE

JOURNAL

WEDNESDAY, OCTOBER 27, 2021

NINETY-FIRST DAY
Senate Chamber, Columbus, Ohio
Wednesday, October 27, 2021, 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 Antani, Senator Steve Huffman, Senator Hackett and Senator Brenner recognized Jim Otte, an investigative reporter and news anchor for Dayton News Center 7, on his retirement after more than 40 years in broadcasting.

Senator Schaffer recognized the Fairfield-Athens-Pickaway Major Crimes Unit for being named the 2021 Ohio Drug Task Force of the Year by the Ohio Narcotics Association of Regional Coordinating Officers.

Senator Roegner recognized Poonam Harvey, President of Wooster Products, on the company's 100th Anniversary.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Blessing submitted the following report:

The standing committee on Ways and Means, to which was referred **Sub. H. B. No. 228**-Representative Roemer, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Roegner.

YES - 5: LOUIS W. BLESSING, III, SANDRA R. WILLIAMS,
KRISTINA D. ROEGNER, JERRY C. CIRINO, MATT
DOLAN

NO - 0.

Senator Hoagland submitted the following report:

The standing committee on Veterans and Public Safety, to which was referred **Sub. H. B. No. 172**-Representatives Baldrige, O'Brien, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: STEVE WILSON, TERRY JOHNSON, FRANK HOAGLAND, BOB D. HACKETT, CECIL THOMAS, BOB PETERSON

NO - 0.

Senator Roegner submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 157**-Senators Johnson, Huffman, S., et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Roegner.

YES - 4: KRISTINA D. ROEGNER, TIM SCHAFFER, GEORGE F. LANG, FRANK HOAGLAND

NO - 2: CECIL THOMAS, HEARCEL F. CRAIG

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:

Dackin, Stephen, from Columbus, Franklin County, Ohio, as a Member of the State Board of Education for a term beginning January 1, 2021, ending at the close of business December 31, 2024, replacing Stephen D. Dackin, whose term expired.

Manchester, Martha, from Lakeview, Auglaize County, Ohio, as a Member of the State Board of Education for a term beginning January 1, 2021, ending at the close of business December 31, 2024, replacing Martha A. Manchester, whose term expired.

Miller, J. Timothy, from Akron, Summit County, Ohio, as the District 7 representative on the State Board of Education for a term beginning January 8, 2021 and ending the next general election at which members of the state board of education are elected, at which time a qualified elector residing in the district in which the vacancy occurred shall be elected for the unexpired term, replacing Sarah Fowler, who resigned.

Mixon, Lawrence, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Wildlife Council for a term beginning March 3, 2021, ending at the close of business January 31, 2025, replacing Lawrence B. Mixon, Sr.,

whose term expired.

Schrader, Lee, Independent, from Wash. Court House, Fayette County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a term beginning April 16, 2021, ending at the close of business January 15, 2024, replacing James A. Tomaszewski, Jr., whose term expired.

Siomka, Alexis, Independent, from Findlay, Hancock County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a term beginning March 19, 2021, ending at the close of business January 15, 2024, replacing Lisa R. Bielke, whose term expired.

Specht, Terri, Republican, from Johnstown, Licking County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a term beginning March 19, 2021, ending at the close of business January 15, 2024, replacing Jerry P. Lahmers, whose term expired.

Stickney, Linda, from Columbus, Franklin County, Ohio, as a Member of the Commercial Dog Breeding Advisory Board for a term beginning June 21, 2021, ending at the close of business March 12, 2024, replacing Linda A. Stickney, whose term expired.

Whiting, David, from Grove City, Franklin 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 David K. Whiting, whose term expired.

Williams, Kimpton, from Waynesville, Warren County, Ohio, as a Member of the Ohio Thoroughbred Race Fund Advisory Council for a term beginning March 3, 2021, ending at the close of business January 31, 2024, replacing Kimpton E. Williams, whose term expired.

Zenk, David, Democrat, from Whitehouse, Lucas County, Ohio, as a Member of the Wildlife Council for a term beginning March 3, 2021, ending at the close of business January 31, 2025, replacing Joshua Demas Atkinson, 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?"

The yeas and nays were taken and resulted – yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Cirino	Craig
Dolan	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.-30

Senator Antani voted in the negative-1.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 172-Representatives Baldrige, O'Brien.

Cosponsors: Representatives Seitz, Riedel, Click, Kick, Lipps, Miller, J., Cutrona, Bird, Carruthers, Lepore-Hagan, Loychik, McClain, Miller, A., Roemer, Stewart, Speaker Cupp.

To amend sections 3743.01, 3743.04, 3743.08, 3743.17, 3743.21, 3743.25, 3743.44, 3743.45, 3743.57, 3743.59, 3743.60, 3743.61, 3743.63, 3743.65, 3743.75, 3743.80, 3743.99, and 5703.21 and to enact sections 3743.021, 3743.041, 3743.151, 3743.171, 3743.22, 3743.26, 3743.27, 3743.28, 3743.29, 3743.451, 3743.46, 3743.47, and 3743.67 of the Revised Code to revise the Fireworks Law and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 5, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 27, nays 4, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Cirino	Dolan
Gavarone	Hackett	Hoagland	Hottinger
Huffman, S.	Johnson	Kunze	Lang
Maharath	Manning	McColley	O'Brien
Peterson	Reineke	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Thomas
Wilson	Yuko		Huffman, M.-27

Senators Antani, Craig, Sykes, and Williams voted in the negative-4.

So the section, Section 5, 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 26, nays 5, as follows:

Those who voted in the affirmative were: Senators

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

Senators Antani, Craig, Maharath, Sykes, and Williams voted in the negative-5.

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

The title was amended as follows:

Add the names: "Brenner, Cirino, Hoagland, Huffman, S., Johnson, Lang, McColley, O'Brien, Reineke, Rulli, Schaffer, Schuring."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 228-Representative Roemer.

Cosponsors: Representatives Fowler Arthur, Seitz, Young, T., Riedel, McClain, Baldridge, Bird, Brown, Carruthers, Crossman, Cutrona, Edwards, Fraizer, Galonski, Gross, Hoops, Lanese, Merrin, Pavliga, Plummer, Richardson, Stephens. Senator Roegner.

To amend sections 718.01, 718.80, 718.81, 718.83, 718.85, 718.90, and 5703.77 and to enact section 718.841 of the Revised Code to make changes related to the state administration of municipal net profits taxes and the municipal taxation of retirement benefits and to authorize the conveyance of state-owned land, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 228**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, 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	Maharath	Manning
McColley	O'Brien	Peterson	Reineke
Roegner	Romanchuk	Rulli	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Blessing, Brenner, Cirino, Gavarone, Hackett, Johnson, Lang, Reineke, Romanchuk, Rulli, Sykes, Thomas, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 157-Senators Johnson, Huffman, S.

Cosponsors: Senators Cirino, Brenner, Lang, Hottinger, Antani, Romanchuk, Hoagland, Wilson, O'Brien, Schaffer, Roegner.

To amend sections 2919.13, 3701.79, 3701.99, 3702.3010, and 4731.22; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3702.305 (3702.3011); and to enact new section 3702.305 and sections 3701.792 and 4731.90 of the Revised Code to require reports to be made after a child is born alive following an abortion or attempted abortion, to establish certain civil or criminal penalties for failing to preserve the health or life of such a child, and to make changes regarding variances from written transfer agreements, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 157**, pass?"

The yeas and nays were taken and resulted – yeas 25, nays 6, 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, Maharath, Sykes, Thomas, Williams, and Yuko voted in the negative-6.

So the bill passed.

The title was amended as follows:

Add the names: "Blessing, Gavarone, Hackett, McColley, Peterson, Reineke."

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 24, 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. 257 - Senator Hoagland.

To amend sections 2744.01 and 5747.98 and to enact section 5747.77 of the Revised Code to authorize a refundable income tax credit for donations of cash, property, or services to townships.

S. B. No. 258 - Senator McColley.

To declare the General Assembly's intent to enact legislation establishing congressional district boundaries for the state based on the 2020 decennial census.

MOTIONS

Senator Hottinger moved that Article II, Section 15(c) of the Ohio Constitution, requiring a bill to be considered on three different days, be suspended with respect to **S. B. No. 258**, and that said bill be considered the second time.

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

The yeas and nays were taken and resulted – yeas 31, nays 0, 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	Maharath	Manning
McColley	O'Brien	Peterson	Reineke
Roegner	Romanchuk	Rulli	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Huffman, M.-31

The motion was agreed to.

Senator Hottinger moved that **S. B. No. 258** be referred to the Committee on Local Government and Elections.

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

The motion was agreed to.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolutions were offered:

S. R. No. 206 - Senator Fedor.

Honoring Zonta Club of Toledo 1 on its Centennial.

S. R. No. 207 - Senator Antani.

Cosponsors: Senators Brenner, Huffman, S., Hackett.

Honoring Jim Otte on his retirement from NewsCenter 7.

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

So the resolutions were adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Rules No. 19 and 20, the President of the Senate temporarily removes Senator Nickie Antonio and appoints Senator Tina Maharath for the purpose of the Wednesday, October 27, 2021 Health Committee meeting.

On the motion of Senator Hottinger, the Senate adjourned until Thursday, October 28, 2021 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.