

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, NOVEMBER 16, 2021

NINETY-SEVENTH DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, November 16, 2021, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Senator Kristina D. Roegner, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

**REPORTS OF REFERENCE AND BILLS FOR SECOND  
CONSIDERATION**

Senator Huffman, M. reports for the standing committee on Rules and Reference, recommending that the following resolution, standing in order for second consideration, be referred to committee as recommended:

**S. R. No. 211**-Senators Gavarone, Yuko

To urge the President of the United States to make all efforts to keep Enbridge Line 5 operating.

To the Committee on Energy and Public Utilities.

YES - 14: NICKIE J. ANTONIO, 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 resolution was considered a second time and referred to committee as recommended.

**REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Hackett submitted the following report:

The standing committee on Insurance, to which was referred **H. B. No. 188**-Representatives Lampton, Cross, et. al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Maharath.

YES - 12: BOB D. HACKETT, JAY HOTTINGER, STEPHANIE KUNZE, STEPHEN A. HUFFMAN, MATT DOLAN, ANDREW O. BRENNER, MARK ROMANCHUK, TIM SCHAFFER, STEVE WILSON, HEARCEL F. CRAIG, TINA MAHARATH, CECIL THOMAS

NO - 1: GEORGE F. LANG

Senator Gavarone submitted the following report:

The standing committee on Local Government and Elections, to which was referred **S. B. No. 258**-Senator McColley having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: THERESA GAVARONE, NATHAN H. MANNING, STEPHANIE KUNZE, JERRY C. CIRINO, SANDRA O'BRIEN

NO - 2: VERNON SYKES, TINA MAHARATH

The question being, "Shall the reports of the committee be accepted?"  
The reports of the committee were accepted.

### **BILLS FOR THIRD CONSIDERATION**

**Am. H. B. No. 215**-Representatives Wilkin, Cross.

Cosponsors: Representatives Jones, Merrin, Carfagna, Richardson, Edwards, Seitz, Bird, Stoltzfus, Kick, Riedel, Stewart, McClain, Powell, Click, Loychik, Koehler, Manchester, Young, T., Hall, Fowler Arthur, Schmidt, Swearingen, LaRe, Carruthers, Miller, J., Gross, Pavliga, Lampton, Abrams, Baldrige, Callender, Creech, Cutrona, Dean, Fraizer, Ghanbari, Ginter, Grendell, Hillyer, Holmes, Hoops, Householder, John, Johnson, Jordan, Lanese, Lipps, Miranda, Plummer, Roemer, Stein, Stephens, White, Wiggam, Young, B., Zeltwanger. Senator Schuring.

To enact section 3701.353 of the Revised Code to enact The Business Fairness Act, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 215**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	Dolan	Gavarone
Hackett	Hoagland	Hottinger	Huffman, S.
Johnson	Kunze	Lang	Maharath

Manning	McColley	O'Brien	Peterson
Reineke	Roegner	Rulli	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Brenner, Cirino, Craig, Dolan, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Kunze, Lang, Maharath, Manning, McColley, O'Brien, Peterson, Reineke, Roegner, Rulli, Schaffer, Sykes, Thomas, Williams, 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. 210**-Senator Gavarone.

Cosponsor: Senator Manning.

To amend sections 2106.22, 3103.05, 3103.06, 3105.17, 3105.171, 3113.31, and 3113.33; to enact section 3103.061; and to repeal section 3105.72 of the Revised Code regarding agreements affecting legal relations between spouses; domestic violence protection orders in a dating relationship; and courts maintaining Social Security numbers of parties in divorce, dissolution, annulment, or spousal support proceedings, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 210**, pass?"

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

Those who voted in the affirmative were: Senators

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

Senator Antani voted in the negative-1.

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Cirino, Hackett, Johnson, Maharath, McColley, Reineke, Schuring, Williams, Yuko."

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

The motion was agreed to and the title so amended.

**Sub. S. B. No. 258**-Senator McColley.

To enact new section 3521.01 and sections 3521.011, 3521.012, 3521.013, 3521.014, 3521.015, 3521.016, 3521.017, 3521.018, 3521.019, 3521.0110, 3521.0111, 3521.0112, 3521.0113, 3521.0114, and 3521.0115 and to repeal section 3521.01 of the Revised Code to establish congressional district boundaries for the state based on the 2020 decennial census and to delay certain deadlines related to the 2022 congressional primary election, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 258**, 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
Hottinger	Huffman, S.	Johnson	Kunze
Lang	Manning	McColley	O'Brien
Peterson	Reineke	Roegner	Rulli
Schaffer	Schuring	Wilson	Huffman, M.-24

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

So the bill passed.

The title was amended as follows:

Add the names: "Antani, Blessing, Brenner, Cirino, Gavarone, Hackett, Hoagland, Huffman, S., Johnson, Lang, Reineke, Roegner, Wilson."

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, November 14, 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. 263** - Senator Maharath.

To amend sections 3.04, 3.05, 101.01, 101.11, 101.26, 101.43, 101.79, 102.04, 107.01, 107.05, 107.15, 108.01, 109.01, 109.03, 109.121, 109.13,

109.16, 109.24, 109.29, 109.361, 109.365, 109.40, 109.84, 111.01, 111.03, 111.04, 111.05, 111.06, 111.10, 111.19, 113.01, 113.04, 113.08, 113.14, 113.15, 113.16, 113.17, 113.18, 113.19, 117.02, 117.08, 117.15, 117.17, 117.24, 117.28, 117.33, 119.10, 120.41, 121.23, 121.69, 126.13, 131.03, 135.46, 141.11, 144.06, 149.03, 161.03, 161.09, 161.10, 309.15, 501.11, 703.06, 901.25, 1331.03, 1331.11, 1334.07, 1334.08, 1345.06, 1503.32, 1703.191, 1703.25, 1715.34, 1716.04, 1716.11, 1719.12, 1726.03, 1733.324, 1735.03, 2307.40, 2503.19, 2503.25, 2503.26, 2503.282, 2701.04, 2701.05, 2727.03, 2733.05, 2743.14, 2963.07, 2963.14, 2963.19, 3307.12, 3309.12, 3333.41, 3377.03, 3379.02, 3505.021, 3505.33, 3505.34, 3505.35, 3505.38, 3505.39, 3513.06, 3519.15, 3599.10, 3704.032, 3727.22, 3734.101, 3734.43, 3752.12, 3752.13, 3907.03, 3925.01, 3939.02, 3939.03, 4123.42, 4123.752, 4503.032, 4503.033, 4509.62, 4549.47, 4549.48, 4715.04, 4901.07, 4901.17, 4953.03, 4961.05, 5301.16, 5301.254, 5505.11, 5521.05, 5711.26, 5725.08, 5727.54, 5733.20, 5743.09, 5743.58, 5923.231, and 6161.02 of the Revised Code to remove gender-specific references to statewide officeholders.

**S. B. No. 264** - Senator Brenner.

Cosponsor: Senator Maharath.

To amend section 1322.43 of the Revised Code to regulate remote work by mortgage loan originators and other persons working for entities subject to the Residential Mortgage Lending Act.

**S. B. No. 265** - Senator Schaffer.

Cosponsors: Senators Johnson, Antani, Roegner.

To amend section 5739.02 of the Revised Code to exempt from sales and use taxes the sale of certain firearms and ammunition.

**S. B. No. 266** - Senator Schaffer.

To amend section 2923.126 of the Revised Code to generally grant civil immunity for certain injuries to a person who acts in self-defense or defense of another during the commission, or imminent commission, of an offense of violence to protect the members or guests of a nonprofit corporation under certain circumstances.

**S. B. No. 267** - Senator Williams.

To amend section 3313.666 and to enact section 2903.23 of the Revised Code to require a tiered disciplinary procedure for and student instruction on preventing harassment, intimidation, or bullying in school and to create the offense of aggravated bullying as a third-degree misdemeanor.

### OFFERING OF RESOLUTIONS

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

**S. R. No. 214** - Senators Blessing, Thomas.

Honoring Michael Fisher on his retirement from Cincinnati Children's Hospital Medical Center.

**S. R. No. 215** - Senator Kunze.

Honoring the Upper Arlington High School girls water polo team as the 2021 State Champion.

**S. R. No. 216** - Senator Kunze.

Honoring the Upper Arlington High School boys water polo team on winning the 2021 State Championship.

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

So the resolutions were adopted.

### Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bills:

**H. B. No. 177**-Representatives Carfagna, Fraizer – et al.

**Sub. S. B. No. 36**-Senators Manning, Huffman, S. – et al.

Attest:

Bradley J. Young,  
Clerk.

The President signed said bills.

### MESSAGE FROM THE PRESIDENT

Pursuant to Section 4906.02(A) of the Ohio Revised Code, the President of the Senate temporarily removes Senator Jay Hottinger and appoints Senator Jerry Cirino for the purposes of the November 18, 2021 meeting of the Power Siting Board.

### MESSAGE FROM THE PRESIDENT

According to the One Ohio Memorandum of Understanding entered into by Governor Mike DeWine and Attorney General Dave Yost on behalf of Ohio citizens, and pursuant to section (D)(4) of the One Ohio Memorandum of

Understanding, the President of the Senate selects Senator Rob McColley to serve as a board member on The Foundation created in section (D) of the One Ohio Memorandum of Understanding.

**COMMUNICATIONS FROM THE GOVERNOR**

The President handed down the following messages from the Governor which were read by the Clerk:

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Joshua D. Auten, from Pickerington, Franklin County, Ohio, as a Member of the Bowling Green State University Board of Trustees for a term beginning June 4, 2021 and ending at the close of business May 17, 2023, replacing Remington C. Schneider, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 4th day of June in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Anita A. Hackstedde, from Columbiana, Columbiana County, Ohio, as a Member of the Youngstown State University Board of Trustees for a new term beginning June 4, 2021 and ending at the close of business April 30, 2030, replacing Anita A. Hackstedde, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 4th day of June in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Sanjay Jinka, from Rootstown, Portage County, Ohio, as a Member of the Northeast Ohio Medical University Board of Trustees for a term beginning July 30, 2021 and ending at the close of business June 29, 2023, replacing AuBree LaForce, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th day of July in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Elsa Khan, from Youngstown, Mahoning County, Ohio, as a Member of the Youngstown State University Board of Trustees for a term beginning June 4, 2021 and ending at the close of business April 30, 2023, replacing Victoria M. Woods, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 4th day of June in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Keith D. Meredith, from Lisbon, Columbiana County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a new term beginning March 3, 2021 and ending at the close of business October 16, 2025, replacing Keith D. Meredith, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 3rd day of March in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Djimon Smith, from Wilberforce, Greene County, Ohio, as a Member of the Central State University Board of Trustees for a term beginning March 3, 2021 and ending at the close of business June 30, 2021, replacing Nygeria Hicks, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 3rd day of March in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Cassidy Lynn Starnes, from Patriot, Gallia County, Ohio, as a Member of the Shawnee State University Board of Trustees for a term beginning July 30, 2021 and ending at the close of business June 30, 2023, replacing Audrey Schiesser, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th day of July in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Andrew John Wessel, from Cincinnati, Hamilton County, Ohio, as a Member of the University of Cincinnati Board of Trustees for a term beginning July 30, 2021 and ending at the close of business May 13, 2023, replacing Abigail J. Klare, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th day of July in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,  
Governor.

Said appointments were referred to the committee on Rules and Reference.

On the motion of Senator Hottinger, the Senate adjourned until Wednesday, November 17, 2021 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.