

OHIO

SENATE

JOURNAL

WEDNESDAY, SEPTEMBER 27, 2023

EIGHTY-FIFTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, September 27, 2023, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Terry Johnson, 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 Gavarone and Senator Hicks-Hudson recognized the Toledo-Lucas County Public Library for receiving the National Medal for Museum and Library Service.

Senator Blessing recognized the Society for the Prevention of Cruelty to Animals Cincinnati on its 150th anniversary.

Senator Landis recognized the Waynedale High School Baseball team as the 2023 OHSAA Division III State Champions.

Senator Roegner recognized Francesca Jordan as the 2023 National American Miss Ohio Princess.

Senator Cirino and Senator O'Brien recognized the family of former Ohio State Senator and President of the United States, James A. Garfield, for his legacy of public service.

Senator Antonio recognized members of parliament from Nepal and Sri Lanka on their visit to the Statehouse while in the United States on a study mission.

Senator Craig recognized the family of Reverend Leon Troy on their visit to the Statehouse and requested a moment of silence in his honor.

Senator Kunze recognized Senior Legislative Aide, Maggie Wolf, for her outstanding service to the residents of the 16th Senate District.

**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. 160-Senators Antonio, Smith, et al.

To amend section 4501.21 and to enact section 4503.59 of the Revised

Code to create the "Equality Ohio" license plate.

To the Committee on Transportation.

S. B. No. 161-Senators Craig, Smith, et al.

To amend section 4501.21 and to enact section 4503.585 of the Revised Code to create the "Ohio NAACP" license plate.

To the Committee on Transportation.

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 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 Manning submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 35**-Representatives Seitz, Miranda, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

Co-Sponsor: Manning.

In line 1 of the title, delete "sections" and insert "section"

In line 13 of the title, delete "and"

In line 17 of the title, after "period" insert "; and to declare an emergency"

After line 374, insert:

"Section 7. Section 2305.111 of the Revised Code, as amended by this act, is hereby declared to be an emergency measure necessary for the

immediate preservation of the public peace, health, and safety. The reason for such necessity is to ensure the maximum number of individuals receive the maximum amount of each individual's claim in the bankruptcy settlement. Therefore, section 2305.111 of the Revised Code, as amended by this act, shall go into immediate effect."

YES - 7: NATHAN H. MANNING, MICHELE REYNOLDS, PAULA HICKS-HUDSON, MATT DOLAN, THERESA GAVARONE, ROB MCCOLLEY, KENT SMITH

NO - 0.

Senator Rulli submitted the following report:

The standing committee on General Government, to which was referred **S. B. No. 158**-Senator Cirino having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

After line 25, insert:

"(D) Division (B) of this section does not prohibit a municipal corporation from soliciting input from its residents related to the disbursement of funds."

YES - 5: MICHAEL A. RULLI, WILLIAM P. DEMORA, THERESA GAVARONE, ROB MCCOLLEY, JERRY C. CIRINO

NO - 0.

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:

Adams, Mark, from Bellville, Richland County, Ohio, as a Member of the Ohio Standardbred Development Commission for a term beginning July 1, 2023, ending at the close of business June 30, 2027, replacing George R. Berlin, whose term expired.

Benjamin, Ann, Republican, from Aurora, Portage County, Ohio, as a Member of the Ohio Tuition Trust Authority Investment Board for a term

beginning May 5, 2023, ending at the close of business January 30, 2027, replacing Ann H. Womer Benjamin, whose term expired.

Borgemenke, Scott, from Columbus, Franklin County, Ohio, as Chair of the State Racing Commission for a term beginning May 31, 2023, ending at the close of business March 31, 2027, replacing Scott P. Borgemenke, whose term expired.

Boyle, John, from Chillicothe, Ross County, Ohio, as a Member of the State Medical Board for a term beginning April 27, 2023, ending at the close of business December 27, 2027, replacing Bruce R. Saferin, whose term expired.

Brumby, Jennifer, from Dayton, Montgomery County, Ohio, as a Member of the State Medical Board for a term beginning August 1, 2023, ending at the close of business July 31, 2028, replacing Robert P. Giacalone, whose term expired.

Cosgrove, Timothy, Republican, from Kirtland, Lake County, Ohio, as a Member of the Capitol Square Review and Advisory Board for a term beginning April 27, 2023, ending at the close of business April 22, 2026, replacing Timothy J. Cosgrove, whose term expired.

Griffin, Steven, from Lewis Center, Delaware County, Ohio, as a Member of the State Speech and Hearing Professionals Board for a term beginning May 5, 2023, ending at the close of business March 22, 2026, replacing Steven M. Griffin, whose term expired.

Hansen, Beth, Republican, from Bexley, Franklin County, Ohio, as a Member of the State Racing Commission for a term beginning April 27, 2023, ending at the close of business March 31, 2027, replacing Beth Hansen, whose term expired.

Johnson, Sherry, from Cincinnati, Hamilton County, Ohio, as a Member of the State Medical Board for a term beginning April 27, 2023, ending at the close of business April 25, 2028, replacing Sherry Johnson, whose term expired.

Johnson, Elizabeth, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a term beginning May 5, 2023, ending at the close of business January 14, 2026, replacing Frank Sevier Quinn, IV, whose term expired.

Lewis, Elaine, from Groveport, Franklin County, Ohio, as a Member of the State Medical Board for a term beginning May 11, 2023, ending at the close of business March 18, 2028, replacing Michael Schottenstein, whose term expired.

McCarthy, Daniel, Democrat, from Columbus, Franklin County, Ohio, as a Member of the State Racing Commission for a term beginning May 26, 2023, ending at the close of business March 31, 2027, replacing William W. Patmon, Jr., whose term expired.

McPeek, Randy, from Pataskala, Licking County, Ohio, as a Member of the Ohio Private Investigation and Security Services Commission for a term beginning May 5, 2023, ending at the close of business December 31, 2027, replacing Randy Carroll McPeek, whose term expired.

Mills, Nancy, from Cincinnati, Hamilton County, Ohio, as a Member of the State Speech and Hearing Professionals Board for a term beginning May 5, 2023, ending at the close of business March 22, 2026, replacing Nancy Louise Mills, whose term expired.

Pratt, Michael, from Perrysburg, Wood County, Ohio, as a Member of the State Speech and Hearing Professionals Board for a term beginning May 5, 2023, ending at the close of business March 22, 2026, replacing Michael R. Pratt, whose term expired.

Soin, Amol, from Dayton, Montgomery County, Ohio, as a Member of the State Medical Board for a term beginning April 27, 2023, ending at the close of business March 18, 2028, replacing Amol Soin, .

Staley, Michael, from Olmsted Township, Cuyahoga County, Ohio, as a Member of the Ohio Private Investigation and Security Services Commission for a term beginning May 5, 2023, ending at the close of business December 31, 2027, replacing Michael J. Staley, whose term expired.

Townsley, J. Michael, Independent, from Columbus, Franklin County, Ohio, as a Member of the Ohio Expositions Commission for a term beginning May 5, 2023, ending at the close of business December 1, 2028, replacing Angela Petro, whose term expired.

Trout, Kimberly, from Albany, Athens County, Ohio, as a Member of the Ohio Private Investigation and Security Services Commission for a term beginning May 5, 2023, ending at the close of business December 31, 2027, replacing Kimberly Ann Trout, 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 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

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.-31

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Am. Sub. H. B. No. 35-Representatives Seitz, Miranda.

Cosponsors: Representatives Russo, Baker, Brown, Brennan, Denson, Forhan, Isaacsohn, Weinstein, Upchurch, Click, Gross, Hillyer, Lipps, Williams, White, Young, T., Galonski, Schmidt, Abdullahi, Abrams, Barhorst, Brent, Brewer, Carruthers, Claggett, Cross, Dell'Aquila, Dobos, Grim, Hoops, Humphrey, Jarrells, Johnson, Jones, Lightbody, Liston, Mathews, McNally, Miller, A., Miller, J., Mohamed, Patton, Pavliga, Robb Blasdel, Robinson, Roemer, Rogers, Somani, Stein, Thomas, C., Thomas, J., Willis. Senator Manning.

To amend section 2305.111 and to enact section 2950.021 of the Revised Code to enact the Scout's Honor Law to eliminate the limitations period for a civil action based on a claim of childhood sexual abuse only for purposes of filing claims against a bankruptcy estate of an organization chartered under federal law; to provide with respect to sex offenders and child-victim offenders who committed their offense prior to January 1, 2008, mechanisms for reclassifying or classifying the offenders in specified circumstances under the SORN Law in effect prior to that date; to subsequently amend section 2305.111 of the Revised Code five years after the effective date of that section to remove the described elimination of the limitations period; and to declare an emergency, was considered the third time.

The question being, “Shall the section, Section 7, setting forth the emergency features of the bill, stand as a part of the bill?”

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

Those who voted in the affirmative were: Senators

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.-31

So the section, Section 7, 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 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

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.-31

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

The title was amended as follows:

Add the names: "Antonio, Blessing, Brenner, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Hoagland, Huffman, S., Ingram, Johnson, Kunze, Landis, McColley, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Smith, Sykes, Wilkin."

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

The motion was agreed to and the title so amended.

H. B. No. 61-Representatives Troy, Callender.

Cosponsors: Representatives Stewart, Hillyer, Fowler Arthur, Klopfenstein, Young, T., Galonski, Brennan, Miller, A., Forhan, Upchurch, McNally, Abrams, Baker, Barhorst, Brent, Carruthers, Claggett, Click, Cross, Dell'Aquila, Demetriou, Dobos, Grim, Gross, Hoops, Humphrey, Jarrells, John, Jones, Lightbody, Lipps, Mathews, McClain, Miller, J., Oelslager, Patton, Peterson, Ray, Robinson, Rogers, Russo, Schmidt, Seitz, Skindell, Weinstein, White, Williams, Willis, Young, B. Senator Kunze.

To enact section 5.2316 of the Revised Code to designate November 19th as "James A. Garfield Day", was considered the third time.

The question being, "Shall the bill, **H. B. No. 61**, pass?"

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

Those who voted in the affirmative were: Senators

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.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Brenner, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Hoagland, Ingram, Johnson, Kunze, Landis, Lang, McColley, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Smith, Sykes, Wilkin, Wilson."

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

The motion was agreed to and the title so amended.

Am. S. B. No. 158-Senator Cirino.

To amend section 705.19 of the Revised Code regarding the disbursement of municipal funds by residents and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 25, nays 6, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Cirino	DeMora
Dolan	Gavarone	Hackett	Hoagland
Huffman, S.	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Wilkin	Wilson
			Huffman, M.-25

Senators Antonio, Craig, Hicks-Hudson, Ingram, Smith, and Sykes voted in the negative-6.

So the section, Section 3, 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 25, nays 6, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Cirino	DeMora
Dolan	Gavarone	Hackett	Hoagland
Huffman, S.	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Wilkin	Wilson
			Huffman, M.-25

Senators Antonio, Craig, Hicks-Hudson, Ingram, Smith, and Sykes voted in the negative-6.

So the bill having received the required constitutional majority passed as an

emergency measure.

The title was amended as follows:

Add the names: "Senators Brenner, Hackett, Johnson, Lang, O'Brien, Rulli, Schaffer, Wilson."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Gavarone moved that Senators absent the week of Sunday, September 24, 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. 162 - Senator Brenner.

To amend sections 3314.03 and 3326.11 and to enact section 3313.6030 of the Revised Code with regard to academic intervention services at each public school and to amend the version of section 3314.03 of the Revised Code that is scheduled to take effect January 1, 2025, to continue the changes on and after that effective date.

OFFERING OF RESOLUTIONS

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

S. R. No. 209 - Senators Cirino, Dolan.

Recognizing the late President James A. Garfield for his legacy of public service.

S. R. No. 210 - Senator O'Brien.

Honoring Mark Belaney as the 2023 APPA Line Officer of the Year.

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

So the resolutions were adopted.

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, Leah Carol Dorman, Republican, from Croton, Licking County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a term beginning June 30, 2023 and ending at the close of business January 25, 2026, replacing Kimberly S. McConville, 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 June in the year of our Lord, Two Thousand and Twenty-Three.

[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, Daniel L. Frobose, Republican, from Pemberville, Wood County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a new term beginning June 30, 2023 and ending at the close of business January 25, 2026, replacing Daniel L. Frobose, 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 June in the year of our Lord, Two Thousand and Twenty-Three.

[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, Bradford L. Garrison, Republican, from West Salem, Wayne County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a new term

beginning June 30, 2023 and ending at the close of business January 25, 2026, replacing Bradford L. Garrison, 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 June in the year of our Lord, Two Thousand and Twenty-Three.

[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, Cathann A. Kress, Independent, from Powell, Delaware County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a new term beginning June 30, 2023 and ending at the close of business January 25, 2026, replacing Cathann A. Kress, 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 June in the year of our Lord, Two Thousand and Twenty-Three.

[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, Scott M. Wesbecher, from Columbus, Franklin County, Ohio, as a Member of the Board of Nursing for a term beginning September 1, 2023 and ending at the close of business December 31, 2026, replacing Joanna G. Ridgeway, 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 1st day of September in the year of our Lord, Two Thousand and Twenty-Three.

[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, Mick D. Zwyer, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Tuition Trust Authority Investment Board for a term beginning September 1, 2023 and ending at the close of business January 30, 2027, replacing David A. Kosanovic, 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 1st day of September in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine,
Governor.

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

MESSAGE FROM THE PRESIDENT

Pursuant to Rules No. 19 and 20, the President of the Senate removes Senator Kirk Schuring and temporarily appoints Senator Jerry C. Cirino as a member of the General Government Committee for the purposes of the September 27, 2023 meeting.

On the motion of Senator McColley, the Senate adjourned until Tuesday, October 3, 2023 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.