

OHIO

SENATE

JOURNAL

TUESDAY, FEBRUARY 14, 2017

SIXTEENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, February 14, 2017, 1:30 o'clock p.m.

The Senate met pursuant to adjournment.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 25-** Senator Hottinger, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Coley, Bacon.

YES - 10: CECIL THOMAS, SEAN O'BRIEN, MICHAEL J. SKINDELL, PEGGY LEHNER, MATT HUFFMAN, WILLIAM P. COLEY, II, MATT DOLAN, KEVIN BACON, JOHN EKLUND, SCOTT OELSLAGER

NO - 0.

The question being, "Shall the report of the committee be accepted?"
The report of the committee was accepted.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered for the first time:

S. B. No. 45 - Senator Williams.

Cosponsor: Senator Brown.

To amend sections 169.13 and 169.14 of the Revised Code regarding payment to a registered finder of unclaimed funds.

S. B. No. 46 - Senator Williams.

Cosponsors: Senators O'Brien, Brown, Hite, Beagle, Yuko, Tavares, Schiavoni, Sykes, Skindell.

To enact section 5534.60 of the Revised Code to designate portions of United States Route 422 within the municipal corporations of Cleveland and Youngstown as the "Arnold R. Pinkney Memorial Way."

S. B. No. 47 - Senator Williams.

Cosponsors: Senators Huffman, Tavares.

To enact section 4113.66 of the Revised Code to prohibit the use of

noncompete provisions in employment contracts in the broadcasting industry.

S. B. No. 48 - Senator Williams.

Cosponsors: Senators Thomas, Yuko, Beagle, Skindell, Schiavoni, Brown, Hite, Tavares.

To amend sections 4506.07, 4506.11, 4507.06, 4507.13, 4507.51, and 4507.52 and to enact section 4503.441 of the Revised Code to create a special license plate for hearing-impaired individuals and to require the Registrar to include an identifying symbol on a driver's license, commercial driver's license, or state-issued identification card of a hearing-impaired individual, if requested.

S. B. No. 49 - Senator Williams.

Cosponsors: Senators Thomas, Yuko, Brown, Tavares, Skindell.

To enact section 4113.13 of the Revised Code to prohibit private employers from including on an employment application any question concerning whether an applicant has been convicted of or pleaded guilty to a felony.

S. B. No. 50 - Senator Skindell.

To amend sections 1509.01, 1509.02, 1509.03, 1509.05, 1509.06, 1509.08, 1509.21, 1509.22, 1509.222, 1509.223, 1509.224, and 1509.99, to enact section 1509.051, and to repeal section 1509.226 of the Revised Code to to prohibit land application and deep well injection of brine, to prohibit the conversion of wells, and to eliminate the injection fee that is levied under the Oil and Gas Law.

S. B. No. 51 - Senators Skindell, Eklund.

Cosponsors: Senators Thomas, Schiavoni, Williams, Hite.

To amend sections 1710.01 and 1710.02 of the Revised Code to authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement.

S. B. No. 52 - Senator Skindell.

Cosponsors: Senators Thomas, Schiavoni.

To amend sections 3101.08, 3101.10, 3101.11, and 3101.12 of the Revised Code to allow any person or entity that registers with the secretary of state to solemnize marriages.

S. B. No. 53 - Senator Skindell.

To amend section 1505.07 of the Revised Code to ban the taking or removal of oil or natural gas from and under the bed of Lake Erie.

S. B. No. 54 - Senators Brown, Lehner.

Cosponsors: Senators Gardner, Thomas, Skindell, Terhar, Eklund, Schiavoni, Hite, Yuko, Tavares.

To amend section 3313.813 of the Revised Code to require school districts

to allow approved summer food service program sponsors to use school facilities to provide food service for summer intervention services under certain conditions.

S. B. No. 55 - Senator Skindell.

Cosponsor: Senator Williams.

To amend sections 3727.50, 3727.51, 3727.52, and 3727.53 and to enact sections 3727.80 to 3727.88 of the Revised Code to establish minimum ratios of direct-care registered nurses to patients in hospitals, to specify rights of registered nurses working in hospitals, and to prohibit retaliatory actions by hospitals against registered nurses.

S. B. No. 56 - Senators Lehner, Tavares.

Cosponsors: Senators Thomas, Beagle, Brown, Terhar, Williams, Schiavoni, Yuko.

To amend section 5167.12 and to enact sections 3901.82, 3901.821, 3901.822, 3901.823, 5164.7512, 5164.7513, and 5164.7514 of the Revised Code to adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid.

OFFERING OF RESOLUTIONS

Senator Skindell offered the following resolution:

S. R. No. 37-Senator Skindell.

Cosponsors: Senators Brown, Schiavoni.

To call on legislators at the state and federal level and other communities and jurisdictions to support an amendment to the United States Constitution that would abolish corporate personhood and the doctrine of money as speech.

The question being, "Shall the resolution, **S. R. No. 37**, be adopted?"

On the motion of Senator Manning, **S. R. No. 37**, was referred to the Committee on Rules and Reference.

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

S. R. No. 38 - Senator Tavares.

Honoring Tiffany Tynes Curry as a 2016 Milken Educator Award recipient.

S. R. No. 39 - Senator Lehner.

Honoring Richard Palmer as the 2016 Ohio Certified Public Manager of the Year.

S. R. No. 40 - Senator Hite.

Honoring Brooke Mangas on winning a 2016 Division III State Track and

Field Championship.

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, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Lewis W. Adkins, Jr., from Copley, Summit County, Ohio, as a Member of the University of Akron Board of Trustees for a term beginning February 3, 2017 and ending at the close of business July 1, 2025, replacing Jonathan T. Pavloff, 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 February in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, William G. Blazer, from London, Madison County, Ohio, as a Member of the Hearing Aid Dealers and Fitters Licensing Board for a term beginning December 6, 2016 and ending at the close of business January 25, 2018, replacing Carole Donnellon, 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 6th day of December in the year of our Lord, Two Thousand and Sixteen.

[Seal]

John R. Kasich,

Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Kathleen Borges, from Bexley, Franklin County, Ohio, as a Member of the State Board of Psychology for a term beginning January 20, 2017 and ending at the close of business October 4, 2021, replacing Amy Hess, 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 20th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Carl F. Brun, Democrat, from Dayton, Montgomery County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a new term beginning December 22, 2016 and ending at the close of business October 10, 2019, replacing Carl F. Brun, 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 22nd day of December in the year of our Lord, Two Thousand and Sixteen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Capri S. Cafaro, Democrat, from Hubbard, Trumbull County, Ohio, as a Member of the Ohio Turnpike and Infrastructure Commission for a term beginning

January 27, 2017 and ending at the close of business June 30, 2018, replacing James M. Gasior, who resigned.

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 27th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, NeCole P. Cumberlander, from Pepper Pike, Cuyahoga County, Ohio, as a Member of the State Board of Cosmetology for a term beginning January 5, 2017 and ending at the close of business October 31, 2021, replacing Valerie J. Benfer, 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 5h day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Michael F. Curtin, Democrat, from Marble Cliff, Franklin County, Ohio, as a Member of the Ohio Air Quality Development Authority for a term beginning January 20, 2017 and ending at the close of business June 30, 2017, replacing Jeffrey M. Jacobson, who resigned.

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 20th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Joseph F. Denk Jr., from Fairview Park, Cuyahoga County, Ohio, as a Member of the Board of Building Standards for a new term beginning December 12, 2016 and ending at the close of business October 13, 2018, replacing Joseph F. Denk Jr., who resigned.

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 12th day of December in the year of our Lord, Two Thousand and Sixteen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Earl R. Dohner, from New Lebanon, Montgomery County, Ohio, as a Member of the Ohio Board of Motor Vehicle Repair for a new term beginning January 6, 2017 and ending at the close of business January 1, 2020, replacing Earl R. Dohner, 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 6th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Kenneth P. Drude, from Dayton, Montgomery County, Ohio, as a Member of the State Board of Psychology for a new term beginning January 20, 2017 and ending at the close of business October 4, 2021, replacing Kenneth P. Drude, 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 20th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Nancy E. Fellows, from Willoughby Hills, Lake County, Ohio, as a Member of the Board of Nursing for a new term beginning January 12, 2017 and ending at the close of business December 31, 2020, replacing Nancy E. Fellows, 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 12th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Deanna L. Harris, from Medina, Medina County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a new term beginning December 16, 2016 and ending at the close of business November 12, 2019, replacing Deanna L. Harris, 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 16h day of December in the year of our Lord, Two Thousand and Sixteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT**

**OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Laura Elaine Kohler, from New Albany, Franklin County, Ohio, as a Member of the State Board of Education for a term beginning February 10, 2017 and ending at the close of business December 31, 2020, replacing C. Todd Jones, 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 10th day of February in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Emily J. Passias, from Dublin, Franklin County, Ohio, as a Member of the Ohio Peace Officer Training Commission for a term beginning January 26, 2017 and ending at the close of business September 20, 2017, replacing Willis “Rick” Amweg, who resigned.

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 26th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Matthew J. Paylo, Ph.D, Independent, from Canfield, Mahoning County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a new term beginning December 22, 2016 and ending at the close of business October 10, 2019, replacing Matthew J. Paylo, Ph.D, 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 22nd day of December in the year of our Lord, Two Thousand and Sixteen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Eric Richter, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Rail Development Commission for a term beginning January 12, 2017 and ending at the close of business October 20, 2021, replacing Robert E. Greenlese, who passed away.

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 12th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Kimberly A. Riker-Brown, from Monclova, Lucas County, Ohio, as a Member of the State Veterinary Medical Licensing Board for a new term beginning January 9, 2017 and ending at the close of business December 31, 2019, replacing Kimberly A. Riker-Brown, 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 9th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

COLUMBUS

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Julie A. Rutter, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ethics Commission for a term beginning January 27, 2017 and ending at the close of business January 1, 2023, replacing Michael A. Flack, 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 27th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Alan A. Stockmeister, from Jackson, Jackson County, Ohio, as a Member of the The Ohio State University Board of Trustees for a term beginning February 3, 2017 and ending at the close of business May 13, 2025, replacing Algenon L. Marbley, 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 February in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Thomas A. Tallman, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a new term beginning December 15, 2016 and ending at the close of business November 12, 2019, replacing Thomas A. Tallman, 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

15th day of December in the year of our Lord, Two Thousand and Sixteen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Frederick J. Treuhaft, from Toledo, Lucas County, Ohio, as a Member of the Bureau of Workers' Compensation Board of Directors for a term beginning January 27, 2017 and ending at the close of business June 11, 2018, replacing Frank A. Guglielmi, who resigned.

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 27th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Dudley H.A. Wright, II, from Johnstown, Licking County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a new term beginning November 23, 2016 and ending at the close of business November 12, 2019, replacing Dudley H.A. Wright, II, 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 23rd day of November in the year of our Lord, Two Thousand and Sixteen.

[Seal]

John R. Kasich,
Governor.

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

COLUMBUS

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Rowena Yeager, from Aurora, Portage County, Ohio, as a Member of the State Board of Cosmetology for a term beginning January 5, 2017 and ending at the close of business October 31, 2018, replacing Dolores A. Gillis, 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 5th day of January in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

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

MESSAGE FROM THE PRESIDENT

Pursuant to Section 729.10(A)(1) of Am. Sub. H.B. 483, the President of the Senate appoints the following senator to serve on the Criminal Justice Recodification Committee:

Senator Matt Huffman

On the motion of Senator Manning, the Senate adjourned until Wednesday, February 15, 2017 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.