

OHIO

SENATE

JOURNAL

TUESDAY, FEBRUARY 21, 2017

NINETEENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, February 21, 2017, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

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

S. B. No. 62 - Senator Yuko.

Cosponsors: Senators Thomas, Brown, Williams, Huffman, Hackett, Eklund, Tavares, Schiavoni, Beagle, Sykes, LaRose.

To enact section 5.236 of the Revised Code to designate July 8 as "Harrison Dillard Day."

S. B. No. 63 - Senator Thomas.

Cosponsors: Senators Skindell, Brown, Tavares.

To amend section 2152.18 of the Revised Code to revise the procedures for determining the delinquent child confinement credit.

S. B. No. 64 - Senator Thomas.

Cosponsors: Senators Yuko, Brown, Tavares, Williams, Lehner.

To amend sections 109.57, 2151.23, 2152.02, 2152.021, 2152.10, 2152.12, 2152.13, 2152.14, 2152.26, and 2505.02 and to repeal section 2152.121 of the Revised Code to eliminate mandatory bindovers and reverse bindovers, and modify the rules and procedures regarding a discretionary bindover, of an alleged juvenile offender from a juvenile court to a criminal court.

S. B. No. 65 - Senator Brown.

Cosponsors: Senators Williams, Thomas, Yuko, Schiavoni, Tavares.

To amend sections 5739.02 and 5739.05 of the Revised Code to provide a three-day sales tax "holiday" each April during which sales of qualifying Energy Star products are exempt from sales and use taxes.

S. B. No. 66 - Senators Eklund, Tavares.

Cosponsors: Senators Schiavoni, Terhar, Thomas, Coley, Williams.

To amend sections 2929.11, 2929.13, 2929.15, 2929.16, 2929.19, 2951.041, 2953.31, 2967.16, and 2967.28 of the Revised Code to modify criminal sentencing and corrections law by including rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting intervention in lieu of

conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation.

S. B. No. 67 - Senators Gardner, Hite.

To enact section 109.561 of the Revised Code to require the Attorney General to establish a violent offender registry and to name this act "Sierah's Law."

S. B. No. 68 - Senators LaRose, Hite.

Cosponsors: Senators Manning, Bacon, Brown, Yuko, Williams, Tavares, Sykes, O'Brien.

To amend section 1345.99 and to enact section 1345.022 of the Revised Code to prohibit the installation of unsafe used tires on certain motor vehicles.

OFFERING OF RESOLUTIONS

Senator Huffman offered the following joint resolution:

S. J. R. No. 1-Senator Huffman.

Cosponsors: Senators Terhar, Coley, Hottinger.

Application to the Congress of the United States for a Convention of the States under Article V of the Constitution of the United States that is limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and Members of Congress.

The question being, "Shall the joint resolution, **S. J. R. No. 1**, be adopted?"

On the motion of Senator Wilson, **S. J. R. No. 1**, was referred to the Committee on Rules and Reference.

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

S. R. No. 41 - Senator Hite.

Honoring the American Red Cross North Central Ohio Chapter on its Centennial.

S. R. No. 42 - Senators Gardner, Huffman.

Honoring Dan VanVorhis on being named the 2016 ODRC Parole 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, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Andrew D. Bowers, Republican, from Blacklick, Franklin County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a term beginning February 8, 2017 and ending at the close of business October 10, 2018, replacing Jennifer Lee Brunner, whose term expired.

IN WITNESS WHEREOF, I have here unto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 8th 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, Daniel J. Guttman, from Bexley, Franklin County, Ohio, as a Member of the Ohio Thoroughbred Race Fund Advisory Council for a new term beginning February 8, 2017 and ending at the close of business January 31, 2020, replacing Daniel J. Guttman, whose term expired.

IN WITNESS WHEREOF, I have here unto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 8th 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, Renu Kotwal, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Chemical Dependency Professionals Board for a term beginning January 9, 2017 and ending at the close of business December 23, 2017, replacing Billy Oral Barclay, who resigned.

IN WITNESS WHEREOF, I have here unto 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, Darryl D. Mehaffie, from Greenville, Darke County, Ohio, as a Member of the Edison State Community College Board of Trustees for a new term beginning January 20, 2017 and ending at the close of business January 17, 2023, replacing Darryl D. Mehaffie, whose term expired.

IN WITNESS WHEREOF, I have here unto 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, Thomas P. Milligan, from Sidney, Shelby County, Ohio, as a Member of the Edison State Community College Board of Trustees for a new term beginning January 30, 2017 and ending at the close of business January 17, 2023, replacing Thomas P. Milligan, whose term expired.

IN WITNESS WHEREOF, I have here unto subscribed my name and

caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th 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, Edwin J. Nagle, III, from Perrysburg, Wood County, Ohio, as a Member of the Owens State Community College Board of Trustees for a new term beginning February 3, 2017 and ending at the close of business September 21, 2022, replacing Edwin J. Nagle, III, whose term expired.

IN WITNESS WHEREOF, I have here unto 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, Anissa D. Siefert, from New Washington, Crawford County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board for a term beginning February 2, 2017 and ending at the close of business August 27, 2019, replacing Rebecca L. Finni, whose term expired.

IN WITNESS WHEREOF, I have here unto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 2nd 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 J. Siplivy, from Stow, Summit County, Ohio, as a Member of the Ohio Reclamation Forfeiture Fund Advisory Board for a term beginning January 12, 2017 and ending at the close of business January 10, 2019, replacing Nelson L. Kidder, who resigned.

IN WITNESS WHEREOF, I have here unto 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, Susan E. Tate, from Grove City, Franklin County, Ohio, as a Member of the Ohio Higher Educational Facility Commission for a new term beginning January 17, 2017 and ending at the close of business January 1, 2025, replacing Susan E. Tate, whose term expired.

IN WITNESS WHEREOF, I have here unto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 17th 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, James A. Tomaszewski, Jr., Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Dangerous and Restricted Animals Advisory Board for a term beginning January 27, 2017 and ending at the close of business January 15, 2020, replacing Harold F. Dates, whose term expired.

IN WITNESS WHEREOF, I have here unto 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.**Message from the House of Representatives**

Mr. President:

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

Am. H. B. No. 4 -Representatives Cupp, Rogers

Cosponsors: Representatives Becker, Butler, Carfagna, Dever, Faber, Gavarone, Ginter, Goodman, Hambley, Hill, Johnson, G., Riedel, Schaffer, Scherer, Slaby, Stein, Young, Manning, Rezabek, Conditt, Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Blessing, Boyd, Brenner, Dean, DeVitis, Edwards, Fedor, Green, Greenspan, Hagan, Henne, Holmes, Householder, Huffman, Hughes, Ingram, Johnson, T., Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Lipps, McColley, Miller, O'Brien, Patterson, Patton, Pelanda, Perales, Reineke, Romanchuk, Ryan, Schuring, Seitz, Smith, R., Sprague, Sweeney, Thompson, West, Wiggam, Speaker Rosenberger

To amend sections 2925.03 and 2925.11 of the Revised Code to provide that in determining the amount of cocaine for trafficking and possession offenses, it also includes a compound, mixture, preparation, or substance containing cocaine, and to declare an emergency.

H. B. No. 11 -Representative Scherer

Cosponsors: Representatives Schaffer, Rogers, Blessing, Hambley, Henne, Retherford, Anielski, Antonio, Ashford, Barnes, Boyd, Craig, Dever, Ginter, Green, Holmes, Householder, Johnson, T., McColley, Miller, O'Brien, Patterson, Patton, Reineke, Riedel, Ryan, Seitz, Smith, R., Sprague, Sweeney, Thompson, Wiggam, Young, Speaker Rosenberger

To amend section 5701.11 of the Revised Code to expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law.

H. B. No. 32 -Representative Seitz

Cosponsors: Representatives Greenspan, Riedel, Hughes, Young, Kent, Bishoff, Blessing, Manning, McColley, Rogers, Miller, Patton, Reece, Retherford, Rezabek, Sheehy, Speaker Rosenberger

To amend section 3772.99 of the Revised Code to specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility.

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

On the motion of Senator LaRose, the Senate adjourned until Wednesday, February 22, 2017 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.