

OHIO

SENATE

JOURNAL

CORRECTED VERSION
THURSDAY, MARCH 2, 2017

TWENTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Thursday, March 2, 2017, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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 Eklund recognized the fourth grade students from Big Walnut Elementary in Galena.

Senator Huffman recognized the fourth grade students from Fairfax Elementary in Cleveland Heights.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Burke submitted the following report:

The standing committee on Health, Human Services and Medicaid, to which was referred **S. B. No. 27**-Senator Beagle, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Tavares, Burke, Kunze, Hackett.

YES - 12: RANDY GARDNER, PEGGY LEHNER, MATT HUFFMAN, STEPHANIE KUNZE, BOB D. HACKETT, CHARLETA B. TAVARES, EDNA BROWN, VERNON SYKES, BILL BEAGLE, DAVE BURKE, SCOTT OELSLAGER, JAY HOTTINGER

NO - 0.

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 18**-Senator Thomas, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Coley, Uecker, Brown.

YES - 10: BOB PETERSON, KRIS JORDAN, MATT HUFFMAN, WILLIAM P. COLEY, II, JOE UECKER, TROY BALDERSON, KEVIN BACON, KENNY YUKO, EDNA

BROWN, MICHAEL J. SKINDELL

NO - 0.

Senator Hottinger submitted the following report:

The standing committee on Insurance and Financial Institutions, to which was referred **S. B. No. 24**-Senator Terhar, having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Beagle, Hackett.

YES - 12: BOB D. HACKETT, JAY HOTTINGER, LOU TERHAR, BILL BEAGLE, EDNA BROWN, STEPHANIE KUNZE, KEVIN BACON, DAVE BURKE, MATT DOLAN, KRIS JORDAN, STEVE WILSON, KENNY YUKO

NO - 1: SANDRA WILLIAMS

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

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

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

S. B. No. 78 - Senator Hoagland.

Cosponsors: Senators Coley, Eklund, Hackett, Terhar, Brown, Yuko, Schiavoni, Williams.

To enact section 5534.45 of the Revised Code to designate a portion of State Route 7 in Jefferson County as the "U.S. Air Force Staff Sergeant Yvonne Marie Fair Memorial Highway."

S. B. No. 79 - Senator Jordan.

Cosponsors: Senators Obhof, Hite, Huffman, Terhar.

To amend section 117.46 and to enact sections 101.88, 101.881, 101.882, and 101.89 of the Revised Code to require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review.

S. B. No. 80 - Senator Huffman.

Cosponsors: Senators Terhar, Eklund, Uecker, Coley.

To amend sections 5101.33 and 5101.542 and to enact section 5101.331 of

the Revised Code to establish requirements for electronic benefit transfer cards issued under the Supplemental Nutrition Assistance Program.

S. B. No. 81 - Senator Terhar.

To amend section 2923.125 of the Revised Code to waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans, to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience, to permit a licensee to renew a concealed handgun license at any time before the expiration of the license, and to require the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be waived at \$1.5 million.

S. B. No. 82 - Senators Williams, Lehner.

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

To amend sections 3313.205, 3314.03, 3326.11, and 3328.24 and to enact section 3321.141 of the Revised Code to require a public school to place a telephone call within one hour of the start of the school day to a parent whose child is absent without legitimate excuse.

S. B. No. 83 - Senator Williams.

Cosponsor: Senator Thomas.

To enact section 109.021 of the Revised Code to establish the duties and authority of the Attorney General to investigate and prosecute cases relating to the death of a person caused by a peace officer.

S. B. No. 84 - Senators Williams, Tavares.

Cosponsors: Senators Thomas, Brown, Hite.

To amend sections 109.73, 109.77, 109.79, 109.80, and 5503.05 and to enact sections 109.748, 109.749, and 2933.84 of the Revised Code to require the Ohio Peace Officer Training Commission to develop a course to train peace officers in performing their duties without biased policing or status-based profiling; to prohibit law enforcement officers and officials from engaging in biased policing or status-based profiling; to require each law enforcement agency to develop and provide annually to its officers an educational training program on how to perform law enforcement duties without engaging in biased policing or status-based profiling; to create the racial and identity profiling advisory board; to provide a civil cause of action for an individual who is a victim of biased policing or status-based profiling; and to permit the Attorney General to seek injunctive relief against a law enforcement agency served by an officer who commits biased policing or status-based profiling.

S. B. No. 85 - Senator Huffman.

Cosponsors: Senators Terhar, Bacon, Coley, Uecker.

To amend sections 3301.0711, 3301.0714, 3301.163, 3302.036, 3302.10,

3310.51, 3317.03, 3365.07, and 5727.84; to enact new sections 3310.01, 3310.02, 3310.03, 3310.04, 3310.06, 3310.07, 3310.08, 3310.09, 3310.10, 3310.11, 3310.12, 3310.13, 3310.14, 3310.15, 3310.16, and 3310.17; and to repeal sections 3310.01, 3310.02, 3310.03, 3310.031, 3310.032, 3310.035, 3310.04, 3310.05, 3310.06, 3310.07, 3310.08, 3310.09, 3310.10, 3310.11, 3310.12, 3310.13, 3310.14, 3310.15, 3310.16, 3310.17, 3313.974, 3313.975, 3313.976, 3313.977, 3313.978, and 3313.979 of the Revised Code to eliminate the Educational Choice Scholarship Pilot Program and Pilot Project Scholarship Program and to create the Opportunity Scholarship Program.

S. B. No. 86 - Senator Hackett.

Cosponsors: Senators Brown, Eklund, Schiavoni, Skindell, Sykes, Tavares, Terhar, Williams, Yuko.

To enact section 5.291 of the Revised Code to designate the twenty-fifth day of May as "Ohio National Missing Children's Day."

S. B. No. 87 - Senators Hackett, Huffman.

To amend sections 1753.09, 3901.21, 3963.01, 3963.02, and 3963.03 of the Revised Code to prohibit a health insurer from establishing a fee schedule for dental providers for services that are not covered by any contract or participating provider agreement between the health insurer and the dental provider.

S. B. No. 88 - Senator Terhar.

Cosponsors: Senators Eklund, Huffman.

To amend sections 118.05, 118.06, 118.11, 118.12, 118.13, and 118.99 and to repeal the version of section 118.023 of the Revised Code that is scheduled to take effect September 29, 2017, to modify the composition and powers of the financial planning and supervision commission of a political subdivision that is in a state of fiscal emergency and to clarify the duties of that political subdivision.

OFFERING OF RESOLUTIONS

Senator LaRose offered the following joint resolution:

S. J. R. No. 3-Senator LaRose.

Proposing to amend the versions of Sections 1, 2, 3, 4, 6, 8, and 9 of Article XI that are scheduled to take effect January 1, 2021; to amend, for the purpose of adopting new section numbers as indicated in parentheses, the versions of Sections 1(2), 2(3), 3(5), 4(6), 5(7), 6(8), 7(9), 8(10), 9(11), and 10(12) of Article XI that are scheduled to take effect January 1, 2021; and to enact new Sections 1 and 4 of Article XI of the Constitution of the State of Ohio to revise the redistricting process for congressional districts.

The question being, "Shall the joint resolution, **S. J. R. No. 3**, be adopted?"

On the motion of Senator Huffman, **S. J. R. No. 3**, was referred to the Committee on Rules and Reference.

Senator Schiavoni offered the following joint resolution:

S. J. R. No. 4-Senator Schiavoni.

Cosponsors: Senators Thomas, Brown, Skindell, Sykes, O'Brien, Yuko, Williams, Eklund.

Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements.

The question being, "Shall the joint resolution, **S. J. R. No. 4**, be adopted?"

On the motion of Senator Huffman, **S. J. R. No. 4**, was referred to the Committee on Rules and Reference.

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 46 - Senator Hackett.

Honoring Central State University on its One Hundred Thirtieth Anniversary.

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

So the resolution was 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, Jeffrey T. Caswell, Republican, from Columbus, Franklin County, Ohio, as a Member of the Board of Tax Appeals for a term beginning February 10, 2017 and ending at the close of business February 8, 2023, replacing James Robert Williamson, 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, Lawrence K. Friedeman, Democrat, from Waterville, Lucas County, Ohio, as a Member of the Public Utilities Commission of Ohio for a term beginning February 27, 2017 and ending at the close of business April 10, 2020, replacing M. Howard Petricoff, 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 16th day of February 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:

Sub. H. B. No. 1 -Representatives Sykes, Manning

Cosponsors: Representatives Riedel, O'Brien, Kent, Craig, Lanese, Boyd, Smith, R., Hill, Ashford, Dever, Holmes, Leland, McColley, Perales, Johnson, G., Antonio, West, Cera, Rogers, Retherford, Sheehy, Pelanda, Ramos, Butler, Henne, Boccieri, Sprague, Boggs, Fedor, Householder, DeVitis, Celebrezze, Rezabek, Anielski, Arndt, Brenner, Carfagna, Clyde, Cupp, Duffey, Edwards, Gavarone, Green, Greenspan, Hagan, Hambley, Howse, Ingram, Kelly, Koehler, Landis, Lepore-Hagan, Miller, Patterson, Reece, Reineke, Ryan, Scherer, Slaby, Smith, K., Stein, Strahorn, Sweeney

To amend sections 109.42, 2151.34, 2903.214, 2919.26, 2919.27, 3113.31, and 3113.33 and to enact section 3113.311 of the Revised Code to authorize the issuance of dating violence protection orders with respect to conduct directed at a petitioner alleging dating violence, to provide access to domestic violence shelters for victims of dating violence, and to require the Attorney General's victim's bill of rights pamphlet to include a notice that a petitioner alleging dating violence has the right to petition for a civil protection order.

Sub. H. B. No. 34 -Representatives Hambley, Ryan

Cosponsors: Representatives Wiggam, Greenspan, Blessing, Hill, Becker, Riedel, Goodman, Bishoff, Arndt, Anielski, Antani, Antonio, Ashford, Boyd, Carfagna, Conditt, Craig, Dever, Edwards, Faber, Fedor, Ginter, Green, Henne, Holmes, Howse, Huffman, Kick, Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Lipps, McColley, Miller, O'Brien, Patterson, Patton, Pelanda, Perales, Reineke, Rogers, Romanchuk, Scherer, Seitz, Sheehy, Slaby, Smith, K., Smith, R., Stein, Sweeney, Thompson, Vitale, West, Young

To amend sections 9.312, 124.327, 128.07, 149.30, 303.14, 307.204, 307.699, 340.02, 343.01, 505.109, 505.266, 505.391, 505.511, 519.14, 902.04, 931.03, 940.20, 3517.01, 3517.11, 3791.12, 4301.39, 5713.082, 5715.12, 5715.19, 5715.20, 5717.01, 5721.30, 5721.31, 5721.32, 5721.33, and 5727.75 of the Revised Code to authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail.

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

On the motion of Senator Eklund, the Senate adjourned until Tuesday, March 7, 2017 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.