

OHIO

SENATE

JOURNAL

WEDNESDAY, MARCH 8, 2017

TWENTY-FOURTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 8, 2017, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Paul Wilson, First United Methodist Church in Wellington, Ohio, 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 Hite recognized the Convoy Crestview High School softball team as the 2016 Division IV State Champion.

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. 57**-Senator Kunze, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Lehner, Tavares, Gardner.

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

NO - 0.

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 10**-Senator LaRose, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 11: BOB PETERSON, FRANK LAROSE, KRIS JORDAN, MATT HUFFMAN, WILLIAM P. COLEY, II, JOE UECKER, TROY BALDERSON, KEVIN BACON, KENNY YUKO, EDNA BROWN, MICHAEL J. SKINDELL

NO - 0.

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 44**-Senator LaRose, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Uecker.

YES - 11: BOB PETERSON, FRANK LAROSE, KRIS JORDAN,
MATT HUFFMAN, WILLIAM P. COLEY, II, JOE
UECKER, TROY BALDERSON, KEVIN BACON, KENNY
YUKO, EDNA BROWN, MICHAEL J. SKINDELL

NO - 0.

Senator Eklund submitted the following report:

The standing committee on Ways and Means, to which was referred **H. B. No. 11**-Representative Scherer, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

Co-Sponsors: Eklund, Williams, Terhar, Beagle, Peterson, Wilson.

YES - 10: JOHN EKLUND, SANDRA WILLIAMS, CECIL THOMAS,
LOU TERHAR, BILL BEAGLE, BOB D. HACKETT,
PEGGY LEHNER, BOB PETERSON, STEVE WILSON,
KRIS JORDAN

NO - 0.

In line 4 of the title, after "law" insert "and to declare an emergency"

After line 43, insert:

"Section 3. 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 enable taxpayers to avoid making miscellaneous adjustments on their 2016 tax returns that increase tax liabilities. Therefore, this act shall go into immediate effect."

In line 9, delete "B." and insert "H.B. 11"

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

BILLS FOR THIRD CONSIDERATION

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. Senators Eklund, Williams, Terhar, Beagle, Peterson, Wilson.

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, 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 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	Oelslager
Peterson	Schiavoni	Skindell	Sykes
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

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 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	Oelslager
Peterson	Schiavoni	Skindell	Sykes
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

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

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

Senator Peterson moved to amend the title as follows:

Add the names: "Senators Balderson, Coley, Dolan, Hackett, Hite, Hoagland, Hottinger, Huffman, LaRose, Lehner, Manning, Obhof, Oelslager, Tavares, Thomas, Uecker."

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

The motion was agreed to and the title so amended.

S. B. No. 10-Senator LaRose.

Cosponsors: Senators Gardner, Beagle, Coley, Uecker, Hottinger, Peterson, Sykes, Jordan, Hite, Oelslager, Bacon, Manning, Yuko, Eklund, Huffman, Brown, Hackett, Williams, Hoagland.

To amend sections 102.02, 3513.02, 3513.30, 3513.301, and 3513.312 of the Revised Code to expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election, was considered the third time.

The question being, "Shall the bill, **S. B. No. 10**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	Oelslager
Peterson	Schiavoni	Skindell	Sykes
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

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

Senator LaRose moved to amend the title as follows:

Add the names: "Senators Balderson, Dolan, Obhof, Schiavoni, Tavares, Terhar, Thomas, Wilson."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 29-Senators Coley, Oelslager.

Cosponsors: Senators Gardner, Beagle, Eklund, Hottinger, Terhar, Hackett.

To amend sections 102.02, 109.572, 111.15, 119.01, 121.07, 131.11, 135.03, 135.032, 135.182, 135.32, 135.321, 135.51, 135.52, 135.53, 323.134, 339.06, 513.17, 749.081, 755.141, 902.01, 924.10, 924.26, 924.45, 1101.01, 1101.02, 1101.03, 1101.15, 1101.16, 1103.01, 1103.02, 1103.03, 1103.06, 1103.07, 1103.08, 1103.09, 1103.11, 1103.13, 1103.14, 1103.15, 1103.16,

1103.18, 1103.19, 1103.20, 1103.21, 1105.01, 1105.02, 1105.03, 1105.04, 1105.08, 1105.10, 1105.11, 1107.03, 1107.05, 1107.07, 1107.09, 1107.11, 1107.13, 1107.15, 1109.01, 1109.02, 1109.03, 1109.05, 1109.08, 1109.10, 1109.15, 1109.16, 1109.17, 1109.22, 1109.23, 1109.24, 1109.25, 1109.26, 1109.31, 1109.32, 1109.33, 1109.34, 1109.35, 1109.36, 1109.39, 1109.40, 1109.43, 1109.44, 1109.45, 1109.47, 1109.48, 1109.49, 1109.53, 1109.54, 1109.55, 1109.59, 1109.61, 1109.63, 1109.64, 1109.65, 1109.69, 1111.01, 1111.02, 1111.03, 1111.04, 1111.06, 1111.07, 1111.08, 1111.09, 1113.01, 1113.03, 1113.05, 1113.06, 1113.08, 1113.09, 1115.01, 1115.05, 1115.06, 1115.07, 1115.11, 1115.111, 1115.14, 1115.15, 1115.20, 1115.23, 1115.27, 1117.01, 1117.02, 1117.04, 1117.05, 1119.11, 1119.17, 1119.23, 1119.26, 1121.01, 1121.02, 1121.05, 1121.06, 1121.10, 1121.12, 1121.13, 1121.15, 1121.16, 1121.17, 1121.18, 1121.21, 1121.23, 1121.24, 1121.26, 1121.30, 1121.33, 1121.34, 1121.38, 1121.41, 1121.43, 1121.45, 1121.47, 1121.48, 1121.50, 1121.56, 1123.01, 1123.02, 1123.03, 1125.01, 1125.03, 1125.04, 1125.05, 1125.06, 1125.09, 1125.10, 1125.11, 1125.12, 1125.13, 1125.14, 1125.17, 1125.18, 1125.19, 1125.20, 1125.21, 1125.22, 1125.23, 1125.24, 1125.25, 1125.26, 1125.27, 1125.28, 1125.29, 1125.30, 1125.33, 1181.01, 1181.02, 1181.03, 1181.04, 1181.05, 1181.06, 1181.07, 1181.10, 1181.11, 1181.21, 1181.25, 1349.16, 1509.07, 1509.225, 1510.09, 1514.04, 1707.03, 1901.31, 2335.25, 3351.07, 3767.41, 4303.293, and 5814.01; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1103.01 (1113.01), 1103.06 (1113.04), 1103.08 (1113.12), 1103.09 (1113.13), 1103.11 (1113.11), 1103.13 (1113.14), 1103.14 (1113.15), 1103.15 (1113.16), 1103.16 (1113.17), 1103.21 (1117.07), and 1113.01 (1113.02) and to enact new section 1121.52 and sections 1101.05, 1103.99, 1109.021, 1109.04, 1109.151, 1109.441, 1109.62, 1114.01, 1114.02, 1114.03, 1114.04, 1114.05, 1114.06, 1114.07, 1114.08, 1114.09, 1114.10, 1114.11, 1114.12, 1114.16, 1115.02, 1115.03, 1115.24, 1116.01, 1116.02, 1116.05, 1116.06, 1116.07, 1116.08, 1116.09, 1116.10, 1116.11, 1116.12, 1116.13, 1116.16, 1116.18, 1116.19, 1116.20, 1116.21, 1121.19, and 1121.29, and to repeal sections 1105.06, 1107.01, 1109.60, 1115.18, 1115.19, 1115.25, 1121.52, 1133.01, 1133.02, 1133.03, 1133.04, 1133.05, 1133.06, 1133.07, 1133.08, 1133.09, 1133.10, 1133.11, 1133.12, 1133.13, 1133.14, 1133.15, 1133.16, 1151.01, 1151.02, 1151.03, 1151.04, 1151.05, 1151.051, 1151.052, 1151.053, 1151.06, 1151.07, 1151.08, 1151.081, 1151.09, 1151.091, 1151.10, 1151.11, 1151.12, 1151.13, 1151.14, 1151.15, 1151.16, 1151.17, 1151.18, 1151.19, 1151.191, 1151.192, 1151.20, 1151.201, 1151.21, 1151.22, 1151.23, 1151.231, 1151.24, 1151.25, 1151.26, 1151.27, 1151.28, 1151.29, 1151.291, 1151.292, 1151.293, 1151.294, 1151.295, 1151.296, 1151.297, 1151.298, 1151.299, 1151.2910, 1151.2911, 1151.30, 1151.31, 1151.311, 1151.312, 1151.32, 1151.321, 1151.323, 1151.33, 1151.34, 1151.341, 1151.342, 1151.343, 1151.344, 1151.345, 1151.346, 1151.347, 1151.348, 1151.349, 1151.35, 1151.36, 1151.361, 1151.37, 1151.38, 1151.39, 1151.40, 1151.41,

1151.411, 1151.42, 1151.44, 1151.45, 1151.46, 1151.47, 1151.471, 1151.48, 1151.49, 1151.51, 1151.52, 1151.53, 1151.54, 1151.55, 1151.60, 1151.61, 1151.62, 1151.63, 1151.64, 1151.66, 1151.71, 1151.72, 1151.99, 1153.03, 1153.05, 1153.06, 1153.07, 1153.99, 1155.01, 1155.011, 1155.02, 1155.021, 1155.03, 1155.05, 1155.07, 1155.071, 1155.08, 1155.09, 1155.091, 1155.10, 1155.11, 1155.12, 1155.15, 1155.16, 1155.17, 1155.18, 1155.20, 1155.21, 1155.23, 1155.24, 1155.25, 1155.26, 1155.27, 1155.28, 1155.31, 1155.35, 1155.37, 1155.41, 1155.42, 1155.43, 1155.44, 1155.45, 1155.46, 1155.47, 1157.01, 1157.03, 1157.04, 1157.05, 1157.06, 1157.09, 1157.10, 1157.11, 1157.12, 1157.13, 1157.14, 1157.17, 1157.18, 1157.19, 1157.20, 1157.21, 1157.22, 1157.23, 1157.24, 1157.25, 1157.26, 1157.27, 1157.28, 1157.29, 1157.30, 1157.33, 1161.01, 1161.02, 1161.03, 1161.04, 1161.05, 1161.06, 1161.07, 1161.071, 1161.08, 1161.09, 1161.10, 1161.11, 1161.111, 1161.12, 1161.13, 1161.14, 1161.15, 1161.16, 1161.17, 1161.18, 1161.19, 1161.20, 1161.21, 1161.22, 1161.23, 1161.24, 1161.25, 1161.26, 1161.27, 1161.28, 1161.29, 1161.30, 1161.31, 1161.32, 1161.33, 1161.34, 1161.35, 1161.36, 1161.37, 1161.38, 1161.39, 1161.40, 1161.41, 1161.42, 1161.43, 1161.44, 1161.441, 1161.45, 1161.46, 1161.47, 1161.48, 1161.49, 1161.50, 1161.51, 1161.52, 1161.53, 1161.54, 1161.55, 1161.56, 1161.57, 1161.58, 1161.59, 1161.60, 1161.601, 1161.61, 1161.62, 1161.63, 1161.631, 1161.64, 1161.65, 1161.66, 1161.67, 1161.68, 1161.69, 1161.70, 1161.71, 1161.72, 1161.73, 1161.74, 1161.75, 1161.76, 1161.77, 1161.78, 1161.79, 1161.80, 1161.81, 1163.01, 1163.02, 1163.03, 1163.04, 1163.05, 1163.07, 1163.09, 1163.10, 1163.11, 1163.12, 1163.121, 1163.13, 1163.14, 1163.15, 1163.19, 1163.20, 1163.21, 1163.22, 1163.24, 1163.25, 1163.26, 1163.27, 1165.01, 1165.03, 1165.04, 1165.05, 1165.06, 1165.09, 1165.10, 1165.11, 1165.12, 1165.13, 1165.14, 1165.17, 1165.18, 1165.19, 1165.20, 1165.21, 1165.22, 1165.23, 1165.24, 1165.25, 1165.26, 1165.27, 1165.28, 1165.29, 1165.30, 1165.33, 1181.16, 1181.17, and 1181.18 of the Revised Code for the purpose of enacting a new banking law for the State of Ohio, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 29**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	Oelslager
Peterson	Schiavoni	Skindell	Sykes
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

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

Senator Coley moved to amend the title as follows:

Add the names: "Senators Balderson, Brown, Dolan, Hite, Hoagland, Jordan, Kunze, LaRose, Lehner, Manning, Obhof, Peterson, Schiavoni, Sykes, Tavares, Thomas, Uecker, Wilson."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Manning moved that Senators absent the week of Sunday, March 5, 2017, 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. 95 - Senator Terhar.

Cosponsor: Senator Sykes.

To enact section 153.75 of the Revised Code to require a public authority to consider all piping materials that meet the engineering specifications for a state-funded water or waste water project.

S. B. No. 96 - Senator Coley.

Cosponsors: Senators Huffman, Hite.

To amend sections 5101.47 and 5101.54 and to enact sections 5162.137 and 5163.04 of the Revised Code regarding eligibility and benefits under the Supplemental Nutrition Assistance program and the Medicaid program.

OFFERING OF RESOLUTIONS

Senator Peterson offered the following resolution:

S. R. No. 52-Senator Peterson.

Permitting the use of the Ohio Senate Chambers by the Ohio Junior State of America on April 29-30, 2017.

WHEREAS, The members of the Senate of the 132nd General Assembly of Ohio are pleased to learn that the Ohio Junior State of America has requested permission to use the Ohio Senate Chambers and four

committee rooms during its annual Spring State Convention, April 29-30, 2017; and

WHEREAS, A beneficial educational organization, the Ohio Junior State of America provides students with the opportunity to better appreciate and understand government and its components. The knowledge gained through this event will certainly be of value to participants in the years to come; and

WHEREAS, Utilizing the facilities that accommodate those involved in the state legislative process, the Ohio Junior State of America, sponsored by The Junior Statesmen Foundation, will effectively offer students an accurate depiction of state government and the manner in which legislation is processed; and

WHEREAS, Through participation in the Ohio Junior State of America's annual Spring State Convention, students will be better prepared to become productive members of our complex and ever-changing society. The maturity and experience participants will gain through their involvement in this program will not only enrich their total educational experience but also enable them to make better-informed decisions as they assume the responsibilities of adult citizenship; therefore be it

RESOLVED, That we, the members of the Senate of the 132nd General Assembly of Ohio, in adopting this Resolution, grant the Ohio Junior State of America permission to use the Ohio Senate Chambers and its committee rooms for its 2017 Spring State Convention, contingent upon the availability of those facilities, and salute the participants as some of Ohio's finest young citizens; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to the Ohio Junior State of America.

The question being, "Shall the resolution, **S. R. No. 52**, be adopted?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	Oelslager
Peterson	Schiavoni	Skindell	Sykes
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the resolution was adopted.

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

Senator Peterson moved to amend the title as follows:

Add the names: "Senators Bacon, Balderson, Coley, Hackett, Hite, Hoagland, Huffman, LaRose, Manning, Obhof, Wilson."

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

The motion was agreed to and the title so amended.

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

S. R. No. 53 - Senator Obhof.

Honoring Madison Butler as a 2016 Division I State Champion in girls golf.

S. R. No. 54 - Senator Hoagland.

Honoring the Belmont Volunteer Fire Department on its One Hundred Twentieth Anniversary.

S. R. No. 55 - Senator Hoagland.

Honoring Peoples Bank on its One Hundred Fifteenth Anniversary.

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

So the resolutions were adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 128.02(A)(1)(c) of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the Statewide Emergency Services Internet Protocol Network Steering Committee:

Senator Frank Hoagland
Senator Sean O'Brien

MESSAGE FROM THE PRESIDENT

Pursuant to Section 5540.02(C)(2) of the Ohio Revised Code, the President of the Senate appoints Senator Cliff Hite to serve as a non-voting member on the Williams County Transportation Improvement District.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 3773.33(A) of the Ohio Revised Code, the President of the Senate appoints Senator Matt Dolan to serve as a non-voting member of the Ohio Athletic Commission.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 3301.61(A)(6)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Lou Terhar to serve on the State Council on Educational Opportunity for Military Children.

Pursuant to Section 3301.61(A)(6)(d) of the Ohio Revised Code, the Minority Leader of the Senate appoints Senator Kenny Yuko to serve on the State Council on Educational Opportunity for Military Children.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 3718.03(A)(2) of the Ohio Revised Code, the President of the Senate appoints the following public members to serve on the Sewage Treatment System Technical Advisory Committee:

Chas Kaiser (Delaware County), representing installers and service providers
Chris Mandich (Cuyahoga County), representing manufacturers
Kim Cupp (Fulton County), representing health commissioners
David Kronister (Columbiana County), representing designers

On the motion of Senator Peterson, the Senate adjourned until Thursday, March 9, 2017 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.