

OHIO

SENATE

JOURNAL

WEDNESDAY, MARCH 15, 2017

TWENTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 15, 2017, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Thomas Wise, Valleyview Church in Dayton, 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 LaRose requested a moment of silence for fallen Serviceman Captain Brian A. Stillman.

Senator Hoagland recognized the Ohio University School of Music on its Centennial.

Senator Tavares recognized the Bishop Hartley High School football team on winning the 2016 Division IV State Championship.

Senator Obhof recognized Madison Butler as a 2016 Division I State Champion in girls golf.

Alva Alicia and Jesús Ricardo Cárdenas from San Antonio, Texas thanked the Senate and State of Ohio for the hospitality.

**REPORTS OF REFERENCE AND BILLS FOR SECOND
CONSIDERATION**

Senator Obhof reports for the standing committee on Rules and Reference, recommending that the following bills and resolutions, standing in order for second consideration, be referred to committee as recommended:

H. B. No. 5 -Representatives Pelanda, Gavarone, et al.

To enact section 166.50 of the Revised Code to create a statutory definition of "microbusiness."

To the Committee on Transportation, Commerce and Workforce.

Sub. H. B. No. 31 -Representative Cupp, et al.

To amend section 9.23, to revive and amend section 5139.44, and to repeal section 9.239 of the Revised Code, and to repeal Section 7 of Am. Sub. H.B. 52 of the 131st General Assembly, Section 3 of Sub. H.B. 463 of the 130th

General Assembly, Sections 745.10, 751.20, 751.37, 751.120, 751.130, and 751.140 of Am. Sub. H.B. 483 of the 130th General Assembly, and Section 4 of Sub. S.B. 310 of the 130th General Assembly to revive the RECLAIM Advisory Committee, to formally abolish certain defunct boards, and to abolish the Government Contracting Advisory Council.

To the Committee on Government Oversight and Reform.

H. B. No. 54 -Representatives Blessing, Gavarone, et al.

To enact sections 158.01, 158.02, 158.03, 158.04, 158.05, 158.06, 158.07, 158.08, 158.09, 158.10, and 158.11 of the Revised Code to authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities.

To the Committee on Finance.

H. B. No. 59 -Representatives Leland, West, et al.

To enact section 5.242 of the Revised Code to designate October 7 as "Moses Fleetwood Walker Day."

To the Committee on Local Government, Public Safety and Veterans Affairs.

S. R. No. 59 -Senators Dolan, LaRose, et al.

To encourage the President and the Congress of the United States and the United States Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and encourage the United States Army Corps of Engineers to take expeditious action in preparing an Economic Reevaluation Report.

To the Committee on Energy and Natural Resources.

S. R. No. 60 -Senator Tavares.

Designating International Women's Day in Ohio, March 8, 2017.

To the Committee on Government Oversight and Reform.

S. B. No. 89 -Senators Skindell, Yuko, et al.

To amend sections 4907.01 and 4907.99 and to enact sections 4907.70 and 4907.71 of the Revised Code to establish standards for lighting in a rail yard

and to establish penalties for railroad companies that are in violation of those standards.

To the Committee on Public Utilities.

S. B. No. 90 -Senators Skindell, Yuko, et al.

To amend sections 4907.01 and 4907.99 and to enact sections 4907.70 and 4907.71 of the Revised Code to establish standards for walkways in a rail yard and to establish penalties for railroad companies that are in violation of those standards.

To the Committee on Public Utilities.

S. B. No. 91 -Senators Skindell, Tavares, et al.

To amend section 109.02 and to enact sections 3920.01, 3920.02, 3920.03, 3920.04, 3920.05, 3920.06, 3920.07, 3920.08, 3920.09, 3920.10, 3920.11, 3920.12, 3920.13, 3920.14, 3920.15, 3920.21, 3920.22, 3920.23, 3920.24, 3920.25, 3920.26, 3920.27, 3920.28, 3920.31, 3920.32, and 3920.33 of the Revised Code to establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

To the Committee on Insurance and Financial Institutions.

S. B. No. 92 -Senator Thomas, et al.

To amend sections 4503.21 and 4511.043 of the Revised Code to specify that failure to display a license plate on the front of a motor vehicle that is required to display a front license plate is a secondary traffic offense, to establish a maximum fine of \$25 for such an offense, and to name this act the "DuBose Was A Beacon Act."

To the Committee on Local Government, Public Safety and Veterans Affairs.

S. B. No. 93 -Senator Brown, et al.

To amend section 1739.05 and to enact sections 1751.76 and 3923.86 of the Revised Code to require health insurers to offer coverage for hearing aids.

To the Committee on Insurance and Financial Institutions.

S. B. No. 94 -Senator Brown, et al.

To amend sections 9.07, 120.03, 120.06, 120.14, 120.16, 120.18, 120.24, 120.26, 120.28, 120.33, 120.34, 149.43, 1901.183, 2152.13, 2152.67,

2301.20, 2307.60, 2317.02, 2701.07, 2743.51, 2901.02, 2909.24, 2929.02, 2929.13, 2929.14, 2929.20, 2929.61, 2930.03, 2930.06, 2930.16, 2930.19, 2937.222, 2941.021, 2941.14, 2941.148, 2941.401, 2941.43, 2941.51, 2945.06, 2945.10, 2945.13, 2945.21, 2945.25, 2945.33, 2945.38, 2949.02, 2949.03, 2953.02, 2953.07, 2953.08, 2953.09, 2953.10, 2953.21, 2953.23, 2953.71, 2953.72, 2953.73, 2953.81, 2967.03, 2967.05, 2967.12, 2967.13, 2967.19, 2967.193, 2967.26, 2967.28, 2971.03, 2971.07, 5120.113, 5120.53, 5120.61, 5139.04, 5149.101, and 5919.16 and to repeal sections 109.97, 120.35, 2725.19, 2929.021, 2929.022, 2929.023, 2929.024, 2929.03, 2929.04, 2929.05, 2929.06, 2945.20, 2947.08, 2949.21, 2949.22, 2949.221, 2949.222, 2949.24, 2949.25, 2949.26, 2949.27, 2949.28, 2949.29, 2949.31, and 2967.08 of the Revised Code to abolish the death penalty and to declare an emergency.

To the Committee on Judiciary.

S. B. No. 95 -Senator Terhar, et al.

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.

To the Committee on Energy and Natural Resources.

S. B. No. 96 -Senator Coley, et al.

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.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 97 -Senators LaRose, Yuko, et al.

To establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances.

To the Committee on Government Oversight and Reform.

S. B. No. 98 -Senators Lehner, Thomas, et al.

To amend sections 1751.01, 2305.234, 2925.01, 3701.245, 3701.74, 3709.161, 3715.872, 3721.21, 4715.01, 4715.02, 4715.03, 4715.05, 4715.22, 4715.23, 4715.231, 4715.25, 4715.30, 4715.301, 4715.33, 4715.39, 4715.42, 4715.421, 4715.52, 4715.56, 4715.61, 4715.64, 4715.66, 4715.99, 4769.01, and 4773.02, to enact sections 4715.221, 4715.232, 4715.70, 4715.71,

4715.72, 4715.73, 4715.74, 4715.75, 4715.751, 4715.752, 4715.76, 4715.761, 4715.77, 4715.78, 4715.79, and 4715.80, and to repeal sections 4715.36, 4715.361, 4715.362, 4715.363, 4715.364, 4715.365, 4715.366, 4715.367, 4715.368, 4715.369, 4715.37, 4715.371, 4715.372, 4715.373, 4715.374, and 4715.375 of the Revised Code to establish licensing requirements for dental therapists.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 99 -Senator Coley, et al.

To amend sections 5163.01, 5166.40, and 5166.405 and to enact section 5163.15 of the Revised Code to prohibit the Medicaid program from newly enrolling individuals as part of the expansion eligibility group.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 100 -Senators Skindell, Tavares, et al.

To amend sections 9.03, 124.93, 125.111, 153.59, 153.591, 340.12, 511.03, 717.01, 1501.012, 1751.18, 2927.03, 3113.36, 3301.53, 3304.15, 3304.50, 3314.06, 3332.09, 3721.13, 3905.55, 4111.17, 4112.01, 4112.02, 4112.021, 4112.024, 4112.04, 4112.05, 4112.08, 4117.19, 4735.16, 4735.55, 4757.07, 4758.16, 4765.18, 5104.09, 5107.26, 5123.351, 5126.07, 5165.08, 5515.08, and 5709.832 of the Revised Code to prohibit discrimination on the basis of sexual orientation or gender identity or expression, to add mediation to the list of informal methods by which the Ohio Civil Rights Commission must attempt to induce compliance with Ohio's Civil Rights Law before instituting a formal hearing, and to eliminate certain religious exemptions from the Ohio Civil Rights Law.

To the Committee on Government Oversight and Reform.

YES - 14: EDNA BROWN, DAVE BURKE, WILLIAM P. COLEY, II, JOHN EKLUND, RANDY GARDNER, CLIFF HITE, MATT HUFFMAN, GAYLE MANNING, LARRY OBHOF, SCOTT OELSLAGER, BOB PETERSON, JOSEPH SCHIAVONI, CHARLETA B. TAVARES, CECIL THOMAS

NO - 0.

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

The report of the committee was accepted.

Said bills and resolutions were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Obhof submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

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.

Marcia A. Emerson, from Dublin, Franklin County, Ohio, as a Member of the Ohio Optical Dispensers Board for a term beginning January 25, 2017 and ending at the close of business March 21, 2020, replacing Paul R. King, whose term expired.

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.

Susan J. Pohler, J.D., from Columbus, Franklin County, Ohio, as a Member of the Ohio Optical Dispensers Board for a term beginning January 24, 2017 and ending at the close of business March 21, 2020, replacing James O. Ashenhurst, whose term expired.

Anissa D. Siefert, from New Washington, Crawford County, Ohio, as a Member of the 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.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 14: EDNA BROWN, DAVE BURKE, WILLIAM P. COLEY, II, JOHN EKLUND, RANDY GARDNER, CLIFF HITE, MATT HUFFMAN, GAYLE MANNING, LARRY OBHOF, SCOTT OELSLAGER, BOB PETERSON, JOSEPH SCHIAVONI, CHARLETA B. TAVARES, CECIL THOMAS

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 33, 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	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Sykes	Tavares	Terhar	Thomas
Uecker	Williams	Wilson	Yuko
			Obhof-33

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Am. S. B. No. 2-Senator Hite.

Cosponsors: Senators Gardner, Manning, Yuko, Williams, Brown, Sykes, LaRose.

To amend sections 1506.21, 1506.23, 3714.01, 3714.02, 3714.051, 3714.06, 3714.062, 3714.082, 3734.061, 3734.19, 3734.20, 3734.21, 3734.22, 3734.23, 3734.30, 5301.80, 6109.02, 6109.08, 6109.24, 6111.03, 6111.04, 6111.07, and 6111.30 and to enact sections 3714.022, 6109.25, 6111.052, 6111.33, and 6111.34 of the Revised Code to revise specified laws relating to environmental protection, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 2**, pass?"

The yeas and nays were taken and resulted – yeas 33, 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	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Sykes	Tavares	Terhar	Thomas
Uecker	Williams	Wilson	Yuko
			Obhof-33

So the bill passed.

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

Senator Hite moved to amend the title as follows:

Add the names: "Senators Bacon, Balderson, Beagle, Burke, Dolan, Eklund, Hackett, Hoagland, Hottinger, Huffman, Kunze, Lehner, Obhof, O'Brien, Oelslager, Peterson, Schiavoni, 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. 44-Senator LaRose.

Cosponsors: Senators Oelslager, Gardner, Brown, Williams, Hoagland, Coley, Thomas, Tavares, Yuko, Hite, Terhar, Hackett, Eklund, Beagle, Sykes, Uecker.

To amend sections 3517.10, 3517.105, 3517.106, 3517.1011, and 3517.11 of the Revised Code to allow certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online, was considered the third time.

The question being, "Shall the bill, **S. B. No. 44**, pass?"

The yeas and nays were taken and resulted – yeas 33, 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	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Sykes	Tavares	Terhar	Thomas
Uecker	Williams	Wilson	Yuko
			Obhof-33

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 Bacon, Balderson, Burke, Dolan, Hottinger, Huffman, Kunze, Lehner, Manning, Obhof, O'Brien, Peterson, Schiavoni, Wilson."

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

The motion was agreed to and the title so amended.

S. B. No. 57-Senator Kunze.

Cosponsors: Senators Coley, Brown, Beagle, Eklund, Schiavoni, Oelslager, Yuko, Hackett, Lehner, Tavares, Gardner.

To enact section 5.291 of the Revised Code to designate the seventeenth day of May as "Diffuse Intrinsic Pontine Glioma Awareness Day", was considered the third time.

The question being, "Shall the bill, **S. B. No. 57**, pass?"

The yeas and nays were taken and resulted – yeas 33, 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	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Sykes	Tavares	Terhar	Thomas
Uecker	Williams	Wilson	Yuko
			Obhof-33

So the bill passed.

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

Senator Kunze moved to amend the title as follows:

Add the names: "Senators Bacon, Balderson, Burke, Dolan, Hite, Hoagland, Huffman, LaRose, Manning, Obhof, O'Brien, Peterson, Skindell, Sykes, Terhar, Thomas, Uecker, Williams, Wilson."

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

The motion was agreed to and the title so amended.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

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

S. B. No. 101 - Senator Skindell.

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

To amend sections 121.083 and 121.084 and to enact sections 4119.01, 4119.02, 4119.03, 4119.04, 4119.05, 4119.06, 4119.07, 4119.08, 4119.09, 4119.10, 4119.11, 4119.12, 4119.13, 4119.14, 4119.15, 4119.16, 4119.17, and 4119.18 of the Revised Code to regulate certain employment practices of formula retail establishment employers, food services establishment employers, and contractors and to require the purchaser of a formula retail establishment or food services establishment to retain certain employees of the establishment on transfer of ownership.

S. B. No. 102 - Senator Yuko.

Cosponsors: Senators Brown, Tavares.

To amend sections 3707.48, 3707.99, 3721.04, and 3721.99 and to enact sections 3707.061 and 3721.026 of the Revised Code regarding outbreaks of *Clostridium difficile* in nursing homes.

OFFERING OF RESOLUTIONS

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

S. R. No. 62 - Senator Schiavoni.

Honoring the Youngstown State University women's track and field team as the 2017 Horizon League Indoor Champion.

S. R. No. 63 - Senator Schiavoni.

Honoring the Youngstown State University men's track and field team as the 2017 Horizon League Indoor Champion.

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 5540.02(C)(2) of the Ohio Revised Code, the President of the Senate appoints Senator Dave Burke to serve as a non-voting member on the Wyandot County Transportation Improvement District for a term of two years.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 5540.02(C)(2) of the Ohio Revised Code, the President of the Senate appoints Senator Joe Uecker to serve as a non-voting member on the Clermont County Transportation Improvement District for a term of two years.

On the motion of Senator Peterson, the Senate adjourned until Thursday, March 16, 2017 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.