

**JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES**

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**OHIO**

**SENATE**

**JOURNAL**

WEDNESDAY, MARCH 22, 2017

THIRTIETH DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, March 22, 2017, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Dave Bever, The Crosslink Community Church in Grove City, 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 Gardner recognized Larry Isaak, President of the Midwest Higher Education Compact and Tim Flakoll, Vice Chair of the Midwest Higher Education Compact and former North Dakota Senator.

Senator Obhof recognized Brady Long on being named the 2017 Best Bagger by the National Grocers Association.

**REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 1-** Senator LaRose, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: O'Brien.

YES - 8: SEAN O'BRIEN, PEGGY LEHNER, MATT HUFFMAN,  
JOHN EKLUND, WILLIAM P. COLEY, II, MATT DOLAN,  
KEVIN BACON, SCOTT OELSLAGER

NO - 2: MICHAEL J. SKINDELL, CECIL THOMAS

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 20-** Senator Hackett, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Bacon, O'Brien.

YES - 9: SCOTT OELSLAGER, SEAN O'BRIEN, MATT DOLAN,  
JOHN EKLUND, MATT HUFFMAN, KEVIN BACON,

CECIL THOMAS, PEGGY LEHNER, WILLIAM P. COLEY,  
II

NO - 1: MICHAEL J. SKINDELL

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 32-** Senator Eklund, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

Co-Sponsors: Bacon, O'Brien.

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

NO - 0.

In line 53, after "section" insert "or for purposes of computing the fourteen-day period specified in section 2945.73 of the Revised Code"

In line 89, strike through "discharge"

In line 90, after "~~conduct~~" insert "release from detention"

In line 95, after "trial," insert "but not sooner than fourteen days before the day the person would become eligible for release pursuant to division (C) (1) of this section."

In line 97, after "is" insert "filed and"; after "served" insert "on the prosecuting attorney"; after the underlined period insert "If no motion is filed, the charges shall be dismissed with prejudice unless the person is brought to trial on those charges within fourteen days after it is determined by the court that the time for trial required by sections 2945.71 and 2945.72 of the Revised Code has expired."

In line 98, after "extended" insert "at the request of the accused or"

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 33-** Senator Eklund, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

Co-Sponsors: Coley, Thomas, O'Brien.

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

NO - 0.

In line 308, after "system" insert "pursuant to division (A) of this section"

In line 312, after "(C)" insert "Upon a motion made by a prosecutor, the court hearing a traffic or criminal case may order the redaction from information to be disclosed or provided pursuant to division (A) or (B) of this section pursuant to the rules of discovery in the case of the residential address, date of birth, social security number, and photograph of any witness, law enforcement officer, or prosecutor.

(D)"

In line 317, delete "(D)" and insert "(E)"

In line 323, delete "(E)" and insert "(F)"

In line 327, delete "(F)" and insert "(G)"

Senator LaRose submitted the following report:

The standing committee on Transportation, Commerce and Workforce, to which was referred **S. B. No. 6**-Senator Hoagland, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Tavares, Kunze, Hottinger, Uecker, Yuko, Beagle.

YES - 11: EDNA BROWN, MATT DOLAN, FRANK HOAGLAND, CHARLETA B. TAVARES, FRANK LAROSE, STEPHANIE KUNZE, JAY HOTTINGER, GAYLE MANNING, JOE UECKER, KENNY YUKO, BILL BEAGLE

NO - 0.

Senator LaRose submitted the following report:

The standing committee on Transportation, Commerce and Workforce, to which was referred **Am. Sub. H. B. No. 26**-Representative McColley, et al.,

having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: LaRose.

YES - 11: BILL BEAGLE, EDNA BROWN, MATT DOLAN, FRANK HOAGLAND, JAY HOTTINGER, CHARLETA B. TAVARES, STEPHANIE KUNZE, GAYLE MANNING, JOE UECKER, KENNY YUKO, FRANK LAROSE

NO - 0.

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

### BILLS FOR THIRD CONSIDERATION

**S. B. No. 6**-Senator Hoagland.

Cosponsors: Senators LaRose, Obhof, Gardner, Tavares, Kunze, Hottinger, Uecker, Yuko, Beagle.

To enact section 5501.491 of the Revised Code to extend the Ohio Bridge Partnership Program through the end of fiscal year 2019 and to require the Director of Transportation to submit a report to the Governor, Senate, and House of Representatives recommending ways to continue to fund the program, was considered the third time.

The question being, "Shall the bill, **S. B. No. 6**, 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 Hoagland moved to amend the title as follows:

Add the names: "Senators Bacon, Balderson, Brown, Burke, Coley, Dolan, Eklund, Hackett, Hite, Huffman, Lehner, Manning, Oelslager, Peterson,

Schiavoni, Terhar, Thomas, Wilson."

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

The motion was agreed to and the title so amended.

**Sub. H. B. No. 26**-Representative McColley.

Cosponsors: Representatives Cera, Rogers, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Celebrezze, DeVitis, Ginter, Green, Hambley, Hill, Manning, Miller, Patton, Pelanda, Perales, Reineke, Ryan, Scherer, Seitz, Smith, R., Stein, Strahorn, Sweeney, Thompson, West.

To amend sections 122.14, 126.06, 127.14, 164.14, 303.40, 307.152, 2935.27, 2937.221, 3123.59, 3737.84, 4501.03, 4501.044, 4501.045, 4501.06, 4501.10, 4501.26, 4501.34, 4503.03, 4503.04, 4503.042, 4503.07, 4503.10, 4503.102, 4503.13, 4503.182, 4503.19, 4503.191, 4503.192, 4503.233, 4503.24, 4503.26, 4503.31, 4503.311, 4503.312, 4503.40, 4503.42, 4503.44, 4503.47, 4503.471, 4503.49, 4503.491, 4503.492, 4503.493, 4503.494, 4503.495, 4503.496, 4503.497, 4503.498, 4503.499, 4503.50, 4503.501, 4503.502, 4503.503, 4503.504, 4503.505, 4503.51, 4503.513, 4503.514, 4503.515, 4503.52, 4503.521, 4503.522, 4503.523, 4503.524, 4503.525, 4503.526, 4503.527, 4503.528, 4503.529, 4503.531, 4503.534, 4503.535, 4503.545, 4503.55, 4503.551, 4503.552, 4503.553, 4503.554, 4503.555, 4503.556, 4503.56, 4503.561, 4503.562, 4503.563, 4503.564, 4503.565, 4503.573, 4503.574, 4503.575, 4503.576, 4503.577, 4503.58, 4503.591, 4503.592, 4503.67, 4503.68, 4503.69, 4503.70, 4503.701, 4503.702, 4503.71, 4503.711, 4503.712, 4503.713, 4503.715, 4503.72, 4503.721, 4503.722, 4503.73, 4503.731, 4503.732, 4503.733, 4503.74, 4503.75, 4503.751, 4503.752, 4503.76, 4503.761, 4503.762, 4503.763, 4503.83, 4503.85, 4503.86, 4503.87, 4503.871, 4503.874, 4503.877, 4503.89, 4503.90, 4503.901, 4503.902, 4503.903, 4503.904, 4503.91, 4503.92, 4503.93, 4503.94, 4503.95, 4503.96, 4503.97, 4503.98, 4505.061, 4505.09, 4505.11, 4505.111, 4505.14, 4506.08, 4506.09, 4507.011, 4507.091, 4507.1612, 4507.23, 4507.24, 4507.45, 4507.50, 4508.05, 4508.06, 4508.10, 4509.05, 4509.101, 4509.81, 4510.13, 4510.22, 4511.04, 4511.103, 4511.191, 4511.21, 4511.212, 4513.263, 4513.53, 4517.11, 4517.17, 4519.10, 4519.11, 4519.56, 4519.59, 4519.63, 4519.69, 4521.10, 4738.021, 4738.06, 4738.13, 4907.472, 5501.53, 5501.55, 5513.04, 5516.15, 5525.14, 5529.05, 5531.08, 5531.101, 5531.149, 5703.053, 5703.70, 5703.80, 5705.14, 5728.06, 5728.08, 5735.01, 5735.021, 5735.022, 5735.023, 5735.025, 5735.026, 5735.04, 5735.041, 5735.044, 5735.05, 5735.053, 5735.06, 5735.062, 5735.063, 5735.064, 5735.07, 5735.09, 5735.10, 5735.101, 5735.11, 5735.12, 5735.122, 5735.123, 5735.124, 5735.13, 5735.14, 5735.142, 5735.18, 5735.19, 5735.20, 5735.27, 5735.28, 5735.34, 5735.99, and 5736.01; to enact new sections 5735.011, 5735.02, 5735.024, 5735.03, 5735.051, 5735.052, and 5735.061 and section 306.50; and to repeal sections 4501.25, 5735.011, 5735.012, 5735.013,

5735.02, 5735.024, 5735.03, 5735.043, 5735.051, 5735.052, 5735.061, 5735.141, 5735.145, 5735.23, 5735.25, 5735.26, 5735.29, 5735.291, 5735.292, and 5735.30 of the Revised Code; and to amend Sections 512.20 and 751.40 of Am. Sub. H.B. 64 of the 131st General Assembly and Section 245.20 of S.B. 310 of the 131st General Assembly to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 26**, pass?"

Senator Tavares moved to amend as follows:

Between lines 20097 and 20098, insert:

**"Section 755.60.** It is the intent of the General Assembly to prioritize multi-modal transportation, specifically including passenger rail, in recognition of the desire of the citizens of this state to have various transportation options and the benefits that multi-modal transportation systems provide."

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

Senator Peterson moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted – yeas 24, nays 9, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Dolan	Eklund	Gardner
Hackett	Hite	Hoagland	Hottinger
Huffman	Jordan	Kunze	LaRose
Lehner	Manning	Oelslager	Peterson
Terhar	Uecker	Wilson	Obhof-24

Those who voted in the negative were: Senators

Brown	O'Brien	Schiavoni	Skindell
Sykes	Tavares	Thomas	Williams
			Yuko-9

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 26**, pass?"

Senator Tavares moved to amend as follows:

Between lines 20097 and 20098 insert:

"**Section 755.60.** (A) It is the intent of the General Assembly to prioritize the establishment of a dedicated state public transit fund to provide funding for public transportation to all of Ohio's eighty-eight counties, the need for which is indicated in the Department of Transportation's 2015 Ohio Statewide Transit Needs Study.

(B) The Director of Transportation shall commission a study to determine how Ohio can establish a dedicated state public transit fund to provide funding for public transportation to all of Ohio's eighty-eight counties. The Director shall publish the study not later than December 31, 2018."

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

Senator Peterson moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted – yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Dolan	Eklund	Gardner
Hackett	Hite	Hoagland	Hottinger
Huffman	Jordan	Kunze	LaRose
Manning	Oelslager	Peterson	Terhar
Uecker	Wilson		Obhof-23

Those who voted in the negative were: Senators

Brown	Lehner	O'Brien	Schiavoni
Skindell	Sykes	Tavares	Thomas
Williams			Yuko-10

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 26**, 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, Brown, Dolan, Eklund, Gardner, Hackett, Hite, Hoagland, Lehner, Manning, O'Brien, Oelslager, Peterson, Sykes, Tavares, Thomas, Yuko."

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

The motion was agreed to and the title so amended.

**S. B. No. 37**-Senator Hite.

Cosponsors: Senators Uecker, Thomas, Sykes, Yuko, Williams, Brown, Wilson, Hackett.

To amend sections 505.49, 737.052, and 737.15 and to enact section 109.804 of the Revised Code to require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course for newly appointed village, city, and township chiefs of police, was considered the third time.

The question being, "Shall the bill, **S. B. No. 37**, 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, Coley, Dolan, Gardner, Hoagland, Huffman, Kunze, LaRose, Manning, O'Brien, Oelslager, Peterson, Schiavoni, Tavares, Terhar."

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. 114** - Senator Hite.

Cosponsors: Senators Beagle, Gardner, Yuko.

To amend sections 5747.98 and 5751.98 and to enact sections 122.91, 5747.82, and 5751.55 of the Revised Code to authorize a tax credit for expenses incurred by an employer to train a commercial vehicle operator.

**S. B. No. 115** - Senators Bacon, Hackett.

To enact sections 4740.20, 4740.21, 4740.22, 4740.23, 4740.24, 4740.25, 4740.26, 4740.27, and 4740.28 of the Revised Code to require the registration of roofing contractors.

**S. B. No. 116** - Senators LaRose, Williams.

Cosponsors: Senators Terhar, Eklund, Hackett, Schiavoni, Hite, Hoagland, Beagle, Sykes, Yuko, Skindell, Tavares.

To amend section 4141.29 of the Revised Code to permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits.

### **OFFERING OF RESOLUTIONS**

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

**S. R. No. 75** - Senator Hottinger.

Honoring Zoar Village on its Bicentennial.

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

So the resolution was adopted.

On the motion of Senator Peterson, the Senate recessed until 3:37 p.m.

The Senate met pursuant to the recess.

Senator Peterson recognized Eric and Franz Kiekeben from Westerville.

### **Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has refused to concur in the Senate amendments to:

**Sub. H. B. No. 26** -Representative McColley – et al.

Attest:

Bradley J. Young,  
Clerk.

Senator Peterson moved that the Senate insist on the Senate amendments to

**Sub. H. B. No. 26**, and ask for a committee of conference.

On the motion of Senator Peterson, the Senate adjourned until Thursday, March 23, 2017 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.