

OHIO

SENATE

JOURNAL

WEDNESDAY, MARCH 29, 2017

THIRTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 29, 2017, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, Grace Baptist in Cedarville, 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 Thomas recognized Kimber L. Fender, from Cincinnati, for receiving the A. Chapman Parsons Award.

Senator Eklund recognized Liam Leskovec for shadowing him.

Senator Manning recognized Kayla Lenahan for shadowing her.

Senator Brown recognized students from the University of Toledo and Wittenberg University for shadowing her.

Senator Kunze recognized office intern Chris McCarthy.

Senator Kunze recognized student intern for Greater Ohio Policy Center Nick Livingston.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **H. B. No. 32**-Representative Seitz, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Huffman.

YES - 10: 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. 62**-Senator Yuko, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Coley, Uecker, Skindell.

YES - 10: 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. 88**-Senator Terhar, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Coley.

YES - 10: 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.

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

Senator Obhof submitted the following report:

The Standing Committee on Rules and Reference to which were referred the appointments by the Governor of:

Randall T. Barengo, from Marietta, Washington County, Ohio, as a Member of the Washington State Community College Board of Trustees for a new term beginning February 24, 2017 and ending at the close of business February 17, 2023, replacing Randall T. Barengo, whose term expired.

Connie Jean Bauer, from Wellsville, Columbiana County, Ohio, as a Member of the Financial Planning and Supervision Commission for the City of Wellsville for a term beginning February 21, 2017 and continuing at the

pleasure of the Governor.

Phillip R. Buell, from Ottawa, Putnam County, Ohio, as a Member of the Credit Union Council for a term beginning March 3, 2017 and ending at the close of business September 22, 2019, replacing Gregory W. Harper, whose term expired.

Stephanie E. Green, from Columbus, Franklin County, Ohio, as a Member of the Ohio Higher Educational Facility Commission for a term beginning March 2, 2017 and ending at the close of business January 1, 2020, replacing Kenneth Lee Kutina, who passed away.

Clyde E. Henry, from Orient, Pickaway County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 8, 2017 and ending at the close of business January 14, 2020, replacing Clyde E. Henry, whose term expired.

Hallie Jankura, from Uniontown, Stark County, Ohio, as a Member of the Miami University Board of Trustees for a term beginning March 8, 2017 and ending at the close of business February 28, 2019, replacing Ciara R. Lawson, whose term expired.

Amy Lynn Kramb, from Dublin, Franklin County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 8, 2017 and ending at the close of business January 14, 2020, replacing Amy Lynn Kramb, whose term expired.

Rudolph John Lehman, from Marietta, Washington County, Ohio, as a Member of the Washington State Community College Board of Trustees for a new term beginning February 22, 2017 and ending at the close of business February 17, 2023, replacing Rudolph John Lehman, whose term expired.

Daniel Lee Pennock, from Beverly, Morgan County, Ohio, as a Member of the Washington State Community College Board of Trustees for a new term beginning February 22, 2017 and ending at the close of business February 17, 2023, replacing Daniel L. Pennock, whose term expired.

Frank Sevier Quinn, IV, from Circleville, Pickaway County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 8, 2017 and ending at the close of business January 14, 2020, replacing Frank Sevier Quinn, IV, whose term expired.

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

YES – 13: EDNA BROWN, DAVE BURKE, WILLIAM P. COLEY, II, JOHN EKLUND, RANDY GARDNER, CLIFF HITE, MATT HUFFMAN, GAYLE MANNING, LARRY OBHOF, SCOTT OELSLAGER, 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.

REPORTS OF CONFERENCE COMMITTEES

Senator LaRose submitted the following report:

The committee of Conference to which the matters of difference between the two houses were referred on Sub. H. B. No. 26, Representative McColley - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

Managers on the Part of the House of Representatives	Managers on the Part of the Senate
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/S/ RYAN SMITH
RYAN SMITH

/S/ FRANK LAROSE
FRANK LAROSE

/S/ ROBERT MCCOLLEY
ROBERT MCCOLLEY

/S/ SCOTT OELSLAGER
SCOTT OELSLAGER

/S/ _____
ALICIA REECE

/S/ _____
CHARLETA B. TAVARES

The question being, "Shall the report of the committee of Conference be agreed to?"

The yeas and nays were taken and resulted – yeas 28, nays 5, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland

Hottinger	Huffman	Kunze	LaRose
Lehner	Manning	O'Brien	Oelslager
Peterson	Schiavoni	Sykes	Terhar
Thomas	Uecker	Wilson	Obhof-28

Senators Jordan, Skindell, Tavares, Williams, and Yuko voted in the negative-5.

So the report of committee of Conference was agreed to.

Senator LaRose moved to amend the title as follows:

Remove the names: "Senators Tavares, Yuko."

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

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Am. H. B. No. 9-Representative Koehler.

Cosponsors: Representatives O'Brien, Ashford, Riedel, Green, Sheehy, Johnson, T., Antani, Arndt, Faber, Gavarone, Ginter, Hambley, Holmes, Miller, Patterson, Patton, Rogers, Sweeney, Thompson, West.

To amend section 4511.132 of the Revised Code to specify that the alternative protocol for proceeding into an intersection with malfunctioning traffic lights due to a failure of a vehicle detector applies only to bicycles, and to declare an emergency, 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 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 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 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 having received the required constitutional majority passed as an emergency measure.

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

Senator Uecker moved to amend the title as follows:

Add the names: "Senators Beagle, Oelslager, Tavares, Uecker, Wilson."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 1-Senator LaRose.

Cosponsors: Senators Gardner, Hoagland, Bacon, Hottinger, Beagle, Oelslager, Yuko, Hite, Eklund, Manning, Burke, Terhar, Hackett, O'Brien.

To amend sections 2925.01, 2925.02, 2925.03, 2925.04, 2925.05, 2925.11, 2925.13, 2925.36, 2929.01, 2929.13, 2929.14, 2941.1410, 3719.41, 3719.99, and 4729.99 of the Revised Code to increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marihuana or a Schedule III, IV, or V controlled substance and the total amount of the combination drug is less than 40 unit doses or 4 grams and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 1**, pass?"

Senator LaRose moved to amend as follows:

In line 2356, delete the underlined comma; after "or" insert "a combination of a fentanyl-related compound and"

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

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. Sub. S. B. No. 1**, pass?"

The yeas and nays were taken and resulted – yeas 27, nays 6, as follows: Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
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Coley	Dolan	Eklund	Gardner
Hackett	Hite	Hoagland	Hottinger
Huffman	Jordan	Kunze	LaRose
Lehner	Manning	O'Brien	Oelslager
Peterson	Schiavoni	Terhar	Uecker
Wilson	Yuko		Obhof-27

Senators Brown, Skindell, Sykes, Tavares, Thomas, and Williams voted in the negative-6.

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, Huffman, Kunze, Lehner, Obhof, Peterson, Uecker, Wilson."

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

The motion was agreed to and the title so amended.

OFFERING OF RESOLUTIONS

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

S. R. No. 89 - Senators Kunze, Thomas.

Recognizing April 2017 as Child Abuse and Neglect Prevention Month in Ohio.

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

So the resolution was adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 2151.57(B)(3) of the Ohio Revised Code, the President of the Senate appoints Senator John Eklund to serve on the Interstate Compact for Juveniles State Council.

MESSAGE FROM THE PRESIDENT

Pursuant to H.J.R. 1, the President of the Senate appoints the following members to serve on the Committee to Wait Upon the Governor at the State of the State on April 4 in Sandusky, Ohio:

Senator Bob Peterson
Senator Gayle Manning

Senator Randy Gardner
Senator Dave Burke
Senator Joe Schiavoni
Senator Edna Brown
Senator Cecil Thomas
Senator Kenny Yuko

On the motion of Senator Peterson, the Senate adjourned until Thursday, March 30, 2017 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.