

JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO

SENATE

JOURNAL

WEDNESDAY, APRIL 26, 2017

FORTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Wednesday, April 26, 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 Balderson recognized Abigail Skinner on being named the 2017 Ohio Military Youth of the Year.

Senator Balderson recognized Molly Frey on being named the 2017 National Guard Military Child of the Year.

Senator Huffman recognized the Mechanicsburg High School wrestling team on winning the 2017 Division III State Championship.

Senator Huffman recognized Kaleb Romero as a 2017 Division III State Wrestling Champion.

Senator Hoagland recognized the Ohio University Speaking Bobcats as a 2017 Division II Public Communications Speech and Debate League National Champion.

Senator Obhof recognized Nick Miller as a 2017 New Balance National Indoor Track Meet Champion.

The President announced that the floor was open to accept nominations for the position of Minority Leader.

Senator Brown nominated Senator Kenny Yuko of the Twenty-Fifth District for the office of Minority Leader.

Senator Thomas seconded the nomination.

On the motion of Senator Schiavoni, the nominations were closed.

The question being, "Shall Senator Kenny Yuko be elected Minority Leader?"

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	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Sykes	Tavares	Terhar	Thomas
Uecker	Williams	Wilson	Obhof-32

Senator Kenny Yuko having received a majority of the votes cast was declared the elected Minority Leader.

Senator Yuko appeared at the bar of the Senate and was administered the oath of office by the Honorable Larry Obhof, Senate President.

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 resolution, standing in order for second consideration, be referred to committee as recommended:

H. B. No. 12 -Representative Gonzales, et al.

To enact section 5.074 of the Revised Code to designate the barn as the official historical architectural structure of the state.

To the Committee on Agriculture.

H. B. No. 44 -Representative Patmon, et al.

To enact section 5.261 of the Revised Code to designate May 24 as First Responders' Appreciation Day.

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

Am. H. B. No. 52 -Representative Rezabek, et al.

To amend section 1345.99 and to enact section 1345.023 of the Revised Code to regulate the solicitation of certain deeds.

To the Committee on Insurance and Financial Institutions.

Sub. H. B. No. 73 -Representatives Rezabek, Koehler, et al.

To enact section 2925.62 of the Revised Code to prohibit sales of dextromethorphan without a prescription to persons under age 18.

To the Committee on Health, Human Services and Medicaid.

H. B. No. 103 -Representative Reineke, et al.

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.

To the Committee on Government Oversight and Reform.

H. B. No. 111 -Representatives Carfagna, Ryan, et al.

To amend sections 5122.01 and 5122.10 of the Revised Code to authorize certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination.

To the Committee on Health, Human Services and Medicaid.

Sub. H. B. No. 114 -Representative Blessing, et al.

To amend sections 4928.01, 4928.142, 4928.143, 4928.20, 4928.61, 4928.62, 4928.64, 4928.641, 4928.643, 4928.644, 4928.645, 4928.65, 4928.66, 4928.662, 4928.6610, 4928.6611, and 5727.75 and to enact sections 4928.647, 4928.664, 4928.665, 4928.666, 4928.667, 4928.6620, and 4928.6621 of the Revised Code and to amend Section 257.80 of Am. Sub. H.B. 64 of the 132nd General Assembly and to repeal Sections 5, 6, 7, 8, 9, 10, and 11 of Sub. S.B. 310 of the 130th General Assembly to revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program.

To the Committee on Energy and Natural Resources.

S. C. R. No. 5 -Senator Jordan

To urge Congress to continue its efforts to fully repeal the Affordable Care Act and to recommend that future federal health care policies pursue free market solutions, restore power to patients, health care providers, and the states, fund the Medicaid program through block grants to individual states, and permit the sale of health insurance across state lines.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 101 -Senator Skindell, et al.

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.

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 103 -Senator Coley, et al.

To amend sections 5502.26 and 5502.261 of the Revised Code to permit a board of county commissioners, as an alternative to entering into an agreement to establish a countywide emergency management agency, to enter into a contract of not longer than four years with the county sheriff or a chief of a fire department that has countywide authority to implement a countywide emergency management program.

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

S. B. No. 105 -Senator Tavares, et al.

To enact section 5.2315 of the Revised Code to designate the month of October as "Ohio Principals Month."

To the Committee on Education.

S. B. No. 106 -Senator Tavares, et al.

To enact section 4511.80 of the Revised Code to prohibit smoking in a motor vehicle in which a child under six years of age is a passenger.

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

S. B. No. 107 -Senator Tavares, et al.

To amend section 4507.52 of the Revised Code to provide that any nondriver identification card that is issued to a veteran who is disabled or blind may be issued without an expiration date.

To the Committee on Local Government, Public Safety and Veterans

Affairs.

S. B. No. 108 -Senator Tavares, et al.

To enact section 5.242 of the Revised Code to designate the month of June as "Pride Month."

To the Committee on Government Oversight and Reform.

S. B. No. 109 -Senator Tavares, et al.

To enact section 5502.59 of the Revised Code to establish the "Yellow Dot" motor vehicle medical information program within the Department of Public Safety.

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

S. B. No. 110 -Senator Tavares, et al.

To enact sections 4715.43, 4723.94, 4725.62, 4729.71, 4730.55, 4731.33, 4732.35, 4734.58, 4743.09, 4753.17, 4755.72, 4757.47, 4758.73, 4759.13, 4760.23, 4761.19, 4762.24, 4765.60, 4773.10, 4774.23, 4778.26, and 4779.35 of the Revised Code to require a health care professional to wear identification when providing care or treatment in the presence of a patient.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 111 -Senator Tavares, et al.

To amend section 4511.21 of the Revised Code to require school zones to be indicated by signs equipped with flashing or other lights or that indicate the times during which the restrictive speed limit is enforced, and to make an appropriation.

To the Committee on Government Oversight and Reform.

S. B. No. 112 -Senator Schiavoni, et al.

To enact section 164.11 of the Revised Code to establish the green infrastructure fund and to make an appropriation.

To the Committee on Finance.

S. B. No. 113 -Senator Coley, et al.

To amend sections 4503.10, 5735.06, and 5735.10 and to enact sections

4501.50, 4503.106, and 5735.50 of the Revised Code to levy an additional registration tax on passenger cars, noncommercial motor vehicles, and commercial cars and trucks beginning on January 1, 2020; to authorize a per-gallon motor fuel retail price reduction for consumers that is equal to the state per-gallon motor fuel tax of \$.28; and to exempt each gallon of motor fuel that is sold at the reduced retail price from the state motor fuel tax.

To the Committee on Ways and Means.

S. B. No. 114 -Senator Hite, et al.

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.

To the Committee on Ways and Means.

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.

To the Committee on Government Oversight and Reform.

S. B. No. 116 -Senators LaRose, Williams, et al.

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.

To the Committee on Finance.

S. B. No. 117 -Senator Hite, et al.

To enact section 5.292 of the Revised Code to designate May as "Drive Ohio Byways Month."

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 118 -Senators LaRose, Brown, et al.

To amend sections 4123.01, 4123.026, and 4123.46 and to enact sections 145.364, 742.391, 3309.402, 4123.87, and 5505.182 of the Revised Code to make peace officers, firefighters, and emergency medical workers diagnosed with post-traumatic stress disorder arising from employment without an accompanying physical injury eligible for compensation and benefits under

Ohio's Workers' Compensation Law for up to one year and to prohibit such a person from receiving a disability benefit from a state retirement system for post-traumatic stress disorder arising from employment without an accompanying physical injury during the time period the person receives compensation and benefits under the Workers' Compensation Law for the disorder.

To the Committee on Insurance and Financial Institutions.

S. B. No. 119 -Senators Hackett, Hottinger

To amend sections 4715.302, 4729.75, 4729.77, 4729.79, 4731.052, and 4731.055 and to enact sections 4715.303, 4731.058, 4731.059, and 5119.373 of the Revised Code regarding addiction treatment and opioid prescribing by physicians and dentists.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 120 -Senator Eklund, et al.

To amend section 4710.01 and to enact section 4710.05 of the Revised Code regarding debt adjusting.

To the Committee on Insurance and Financial Institutions.

S. B. No. 121 -Senator Eklund, et al.

To amend sections 1751.62, 3923.52, and 3923.54 of the Revised Code to include tomosynthesis as part of required screening mammography benefits under health insurance policies.

To the Committee on Insurance and Financial Institutions.

S. B. No. 122 -Senator Jordan

To amend section 2923.126 of the Revised Code to permit concealed handgun licensees to carry concealed handguns in the statehouse and on its grounds.

To the Committee on Judiciary.

S. B. No. 123 -Senator Coley, et al.

To amend sections 307.699, 3735.67, 5715.19, 5715.27, and 5717.01 of the Revised Code to limit the right to initiate most types of property tax complaints to the property owner and the county recorder of the county in which the property is located.

To the Committee on Ways and Means.

S. B. No. 124 -Senator Williams, et al.

To amend sections 3333.122 and 3333.20 and to enact section 3333.166 of the Revised Code to qualify students in noncredit community college and career and technical programs for Ohio College Opportunity Grants and to require the awarding of academic credit for community colleges' career certification programs.

To the Committee on Finance - Higher Education Subcommittee.

S. B. No. 125 -Senator Beagle, et al.

To amend sections 3119.01, 3119.02, 3119.021, 3119.04, 3119.05, 3119.06, 3119.22, 3119.23, 3119.24, 3119.29, 3119.30, 3119.302, 3119.31, 3119.32, 3119.61, 3119.63, 3119.76, 3119.79, 3119.89, 3121.36, and 3123.14 and to enact new sections 3119.022 and 3119.023 and sections 3119.051, 3119.231, and 3119.303, and to repeal sections 3119.022, 3119.023, and 3119.024 of the Revised Code to make changes to the laws governing child support.

To the Committee on Judiciary.

S. B. No. 126 -Senator Tavares, et al.

To enact sections 4723.93, 4731.92, 4732.34, 4743.09, and 4757.46 of the Revised Code to prohibit certain health care professionals from engaging in conversion therapy when treating minor patients.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 127 -Senator LaRose, et al.

To amend sections 4511.01, 4511.213, and 4513.17 of the Revised Code to require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.

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

S. B. No. 128 -Senators Eklund, LaRose

To amend section 4928.02 and to enact sections 4928.75, 4928.751, 4928.752, 4928.753, 4928.754, 4928.755, 4928.756, 4928.757, 4928.7511, 4928.7513, 4928.7514, 4928.7515, 4928.7520, 4928.7521, 4928.7522, 4928.7523, 4928.7524, 4928.7525, 4928.7526, 4928.7527, 4928.7530, 4928.7532, 4928.7533, 4928.7534, and 4928.7540 of the Revised Code

regarding the zero-emissions nuclear resource program.

To the Committee on Public Utilities.

S. B. No. 129 -Senators Jordan, Tavares, et al.

To amend sections 2925.01, 4709.03, 4713.01, 4713.02, 4713.07, 4713.08, 4713.081, 4713.09, 4713.10, 4713.14, 4713.16, 4713.17, 4713.24, 4713.28, 4713.31, 4713.32, 4713.34, 4713.35, 4713.36, 4713.41, 4713.44, 4713.45, 4713.55, 4713.56, 4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 4713.64, and 4713.69, to enact new section 4713.39 and sections 4713.70, 4713.71, and 4713.72, and to repeal sections 4713.25, 4713.30, and 4713.39 of the Revised Code to make changes to the Cosmetology Licensing Law.

To the Committee on Government Oversight and Reform.

S. B. No. 130 -Senator Tavares

To amend sections 2301.02 and 2301.03 of the Revised Code to add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas to be elected in 2018.

To the Committee on Judiciary.

S. B. No. 131 -Senator Dolan, et al.

To amend section 122.17 of the Revised Code to provide that compensation paid to certain home-based employees may be counted for purposes of an employer qualifying for and complying with the terms of a Job Creation Tax Credit.

To the Committee on Ways and Means.

S. B. No. 132 -Senator Dolan, et al.

To amend section 5751.98 and to enact section 5751.15 of the Revised Code to establish a five-year pilot program whereby taxpayers with facilities in this state with activated foreign trade zone status may claim a nonrefundable commercial activity tax credit equal to the amount redeployed by the taxpayer to job creation and renewable energy resources.

To the Committee on Ways and Means.

S. B. No. 133 -Senator LaRose, et al.

To amend section 3301.0714 of the Revised Code to require the Education Management Information System to include information regarding persons at

whom a student's violent behavior that resulted in discipline was directed and to require the Department of Education to submit a one-time report to the General Assembly regarding that information.

To the Committee on Education.

S. B. No. 134 -Senator Gardner

To enact section 5534.151 of the Revised Code to designate a portion of State Route 795 in Wood County as the "Lt Col Thomas P. Belkofer Memorial Highway."

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 135 -Senator LaRose, et al.

To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program.

To the Committee on Finance.

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, CHARLETA B. TAVARES, CECIL THOMAS, KENNY YUKO

NO - 0.

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

The report of the committee was accepted.

Said bills and resolution 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:

Terry L. Casey, Republican, from Columbus, Franklin County, Ohio, as a Member of the State Personnel Board of Review for a new term beginning February 10, 2017 and ending at the close of business February 8, 2023,

replacing Terry L. Casey, whose term expired.

Will Lucas, Democrat, from Toledo, Lucas County, Ohio, as a Member of the Ohio Casino Control Commission for a new term beginning March 17, 2017 and ending at the close of business February 21, 2021, replacing Will Lucas, whose term expired.

Henry Roderick Robinson, from Mason, Warren County, Ohio, as a Member of the Miami University Board of Trustees for a term beginning March 14, 2017 and ending at the close of business February 28, 2026, replacing Harry Wilks, whose term expired.

Rodney Williams, from Cincinnati, Hamilton County, Ohio, as a Member of the University of Cincinnati Board of Trustees for a term beginning March 10, 2017 and ending at the close of business January 1, 2026, replacing Robert E. Richardson Jr., 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, CHARLETA B. TAVARES, CECIL THOMAS, KENNY YUKO

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

H. B. No. 84-Representatives Arndt, Patton.

Cosponsors: Representatives Greenspan, Anielski, Hambley, Bishoff,

Antonio, Blessing, Brenner, Celebrezze, Dever, DeVitis, Fedor, Gavarone, Ginter, Holmes, Hood, Hughes, Johnson, Landis, Leland, Lepore-Hagan, Manning, Ramos, Reineke, Riedel, Rogers, Schaffer, Sheehy, Smith, K., Stein, Strahorn, Sweeney, West, Young Senators Gardner, Williams, Skindell, Hite, Hottinger, LaRose.

To enact section 5.47 of the Revised Code to designate June as "Ohio Goes Boating Month", was considered the third time.

The question being, "Shall the bill, **H. B. No. 84**, 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 Gardner moved to amend the title as follows: Add the names:

"Senators Bacon, Balderson, Beagle, Brown, Burke, Coley, Dolan, Eklund, Hackett, Hoagland, Huffman, Kunze, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Schiavoni, Sykes, Tavares, Thomas, Uecker, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 3-Senators Beagle, Balderson.

Cosponsors: Senators Bacon, Brown, Gardner, Hite, Hoagland, Manning, Tavares, Terhar, LaRose, Hottinger, Uecker.

To amend sections 107.35, 131.33, 307.984, 329.04, 329.06, 763.01, 763.07, 2329.66, 2953.25, 3121.03, 3304.11, 3304.12, 3304.14, 3304.15, 3304.17, 3304.171, 3304.18, 3304.182, 3304.19, 3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 3304.29, 3304.30, 3304.31, 3304.41, 3309.23, 3313.603, 3313.618, 3313.6110, 3313.89, 3314.03, 3326.01, 3326.03, 3326.032, 3326.04, 3326.09, 3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 5101.23, 5101.241, 5108.01, 5123.60, 5166.40, 5166.408, 5709.64, 5903.11, 6301.01, 6301.02, 6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 6301.18; to enact sections 5.281, 3313.6112, 3313.904, and 6301.20; and to repeal sections 330.01, 330.02, 330.04, 330.05, 330.07, 763.02, and 763.05

of the Revised Code to revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week, was considered the third time.

The question being, "Shall the bill, **S. B. No. 3**, 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 Beagle moved to amend the title as follows:

Add the names: "Senators Coley, Dolan, Eklund, Hackett, Huffman, Kunze, Lehner, Obhof, O'Brien, Oelslager, Peterson, Sykes, Williams, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 107.12(D)(1)(d) of the Ohio Revised Code, the President of the Senate appoints the following public members to serve on the Governor's Advisory Board of Faith-Based Community Initiatives for a one-year term:

Bob Burney (Franklin County)

On the motion of Senator Peterson, the Senate adjourned until Thursday, April 27, 2017 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.