

OHIO

SENATE

JOURNAL

THURSDAY, SEPTEMBER 7, 2017

EIGHTY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Thursday, September 7, 2017, 9:30 a.m.

The Senate met pursuant to adjournment.

The journal of the last legislative day was read and approved.

**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:

S. C. R. No. 13 -Senator Yuko, et al.

To urge the United States Congress, the Attorney General of the United States, and the United States Drug Enforcement Administration to reclassify marijuana, or cannabis.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 170 -Senator LaRose, et al.

To require the Director of Public Safety to seek approval from the United States Federal Motor Carrier Safety Administration to implement a temporary pilot program regarding the waiver of the skills test for a commercial driver's license that applies to present and former military personnel.

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

S. B. No. 171 -Senator Hottinger, et al.

To amend section 2919.27 of the Revised Code to increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies.

To the Committee on Judiciary.

S. B. No. 172 -Senator Yuko, et al.

To amend sections 3314.03, 3326.11, and 3328.24 and to enact section 3313.818 of the Revised Code to establish the Hunger-Free Students' Bill of Rights Act to require schools to provide certain services to students who are eligible for free or reduced price meals.

To the Committee on Education.

S. B. No. 173 -Senator Hottinger, et al.

To enact section 5534.493 of the Revised Code to designate a portion of U.S. Route 40 in the Village of Kirkersville as the "The Steven Eric Disario Memorial Highway."

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 174 -Senator Tavares, et al.

To amend sections 3314.03, 3326.11, 4111.04, 4111.05, 4111.06, 4111.07, 4111.09, 4111.11, 4111.12, 4111.13, 4111.17, 4111.99, and 4112.01; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 4111.17 (4112.16) of the Revised Code to enact the "Fair and Acceptable Income Required (FAIR) Act" and to revise the enforcement of the prohibitions against discrimination in the payment of wages.

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 175 -Senator Schiavoni, et al.

To enact section 3314.52 of the Revised Code regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school.

To the Committee on Government Oversight and Reform.

S. B. No. 176 -Senator Jordan

To amend sections 709.023, 718.01, 718.02, 718.03, 718.04, 718.05, and 718.16 and to repeal sections 718.011 and 718.50 of the Revised Code to prohibit municipal corporations from levying an income tax on nonresidents' compensation for personal services or on net profits from a sole proprietorship owned by a nonresident.

To the Committee on Ways and Means.

S. B. No. 177 -Senator Lehner, et al.

To amend sections 2305.234, 3701.071, and 5119.44, to enact section 3701.074, and to repeal section 2305.2341 of the Revised Code to expand the circumstances in which qualified immunity from civil liability applies with respect to volunteer health care services provided to indigent and uninsured persons.

To the Committee on Judiciary.

S. B. No. 178 -Senator Lehner

To amend sections 2133.02, 2133.21, 2133.211, 2133.23, 2133.24, 2133.25, 2133.26, 3795.03, 4730.20, 4765.35, 4765.37, 4765.38, and 4765.39; to amend, for the purpose of adopting new section numbers as

indicated in parentheses, sections 2133.211 (2133.23), 2133.23 (2133.24), 2133.24 (2133.25), 2133.25 (2133.26), and 2133.26 (2133.27); to enact new section 2133.22 and sections 2133.28, 2133.29, 2133.30, 2133.31, 2133.32, 2133.33, 2133.34, 2133.35, 2133.36, 2133.37, 2133.38, 2133.39, 2133.40, 2133.41, 2133.42, 2133.43, 2133.44, 2133.45, 2133.46, 2133.47, and 2133.48; and to repeal section 2133.22 of the Revised Code to establish procedures for the use of medical orders for life-sustaining treatment and to make changes to the laws governing DNR identification and orders.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 179 -Senator LaRose, et al.

To amend section 1705.06 and to enact section 111.35 of the Revised Code to automatically dissolve a limited liability company under certain circumstances and to authorize the Secretary of State to implement an electronic notification system to alert a person if a business name containing a specific word has been registered.

To the Committee on Government Oversight and Reform.

S. B. No. 180 -Senators Uecker, Hottinger, et al.

To amend sections 307.932, 2307.601, 2901.05, 2901.09, 2923.12, 2923.126, 2923.16, and 2953.37 and to repeal section 2923.1212 of the Revised Code to assign to the prosecution the burden of disproving a self-defense or related claim, to expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and to modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and the posting of warning signs regarding the possession of weapons on specified premises.

To the Committee on Judiciary.

S. B. No. 181 -Senator O'Brien, et al.

To amend section 701.10 of the Revised Code to authorize all municipal corporations that charge a garbage collection fee to certify unpaid amounts to the county auditor, who must enter the fees on the property tax list to be collected in the same manner as real property taxes.

To the Committee on Ways and Means.

S. B. No. 182 -Senator Coley, et al.

To enact section 3717.14 of the Revised Code to generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 183 -Senator LaRose, et al.

To create the Joint Committee to Study Ohio Business Courts.

To the Committee on Judiciary.

S. B. No. 184 -Senator Skindell, et al.

To amend sections 4906.20 and 4906.201 of the Revised Code to alter the minimum setback requirement for wind farms of five or more megawatts.

To the Committee on Energy and Natural Resources.

S. B. No. 185 -Senator Terhar, et al.

To enact section 5534.76 of the Revised Code to designate a portion of Interstate Route 75 in Hamilton County as the "Lance Corporal Christopher J. Dyer USMC, Lima Co, 3/25 Marines Memorial Highway."

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 186 -Senator Peterson

To amend section 5733.40 of the Revised Code to provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income.

To the Committee on Ways and Means.

YES - 12: 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

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 LaRose submitted the following report:

The standing committee on Transportation, Commerce and Workforce, to which was referred **S. R. No. 175**-Senators Bacon, Kunze, et al., having had

the same under consideration, reports it back with the following amendments and recommends its adoption when so amended.

Co-Sponsors: Uecker, Tavares, Hottinger.

YES - 10: JOE UECKER, CHARLETA B. TAVARES, JAY HOTTINGER, STEPHANIE KUNZE, FRANK LAROSE, FRANK HOAGLAND, MATT DOLAN, BILL BEAGLE, JOSEPH SCHIAVONI, GAYLE MANNING

NO - 0.

In line 30, delete "would" and insert "could"

In line 35, delete "and the potential"

In line 36, delete everything before the comma

In line 37, delete "development" and insert "consideration"; after the second "the" insert "Hyperloop Transportation"

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

OFFERING OF RESOLUTIONS

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

S. R. No. 278 - Senators Schiavoni, Obhof, Hottinger, Beagle, Yuko, LaRose, Terhar, O'Brien, Coley, Williams, Sykes, Brown, Lehner, Tavares, Bacon, Eklund, Skindell, Gardner, Thomas, Hackett, Dolan, Manning, Balderson, Hoagland, Peterson, Wilson, Hite, Oelslager.

In memory of Harry Meshel.

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

So the resolution was adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint,

Dennis B. Brommer, Democrat, from Akron, Summit County, Ohio, as a Member of the Ohio Elections Commission for a term beginning August 16, 2017 and ending at the close of business December 31, 2021, replacing Terrance J. Conroy, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 16th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Stephen P. Casciani, from Delaware, Delaware County, Ohio, as a Member of the Ohio University Board of Trustees for a term beginning August 18, 2017 and ending at the close of business May 13, 2026, replacing David A. Wolfort, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 18th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Joshua M. Cox, PharmD., from Beavercreek, Greene County, Ohio, as a Member of the State Board of Pharmacy for a new term beginning August 22, 2017 and ending at the close of business June 30, 2021, replacing Joshua M. Cox, PharmD., whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 22nd day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

STATE OF OHIO

**EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Catherine A. Cunningham, Republican, from Hilliard, Franklin County, Ohio, as a Member of the Ohio Elections Commission for a term beginning August 16, 2017 and ending at the close of business December 31, 2021, replacing Kimberly G. Allison, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 16th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Stephanie Davidson, Ph.D., from Columbus, Franklin County, Ohio, as a Member of the Midwestern Higher Education Compact Commission for a term beginning August 11, 2017 and continuing at the pleasure of the Governor, replacing Richard A. Ross, Ph.D.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, John A. R. DeMarco, from Avon, Lorain County, Ohio, as a Member of the Cleveland State University Board of Trustees for a term beginning August 11, 2017 and ending at the close of business May 1, 2019, replacing Paul T. All, II, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Michael L. Gonidakis, from Dublin, Franklin County, Ohio, as a Member of the State Medical Board for a new term beginning August 8, 2017 and ending at the close of business July 31, 2022, replacing Michael L. Gonidakis, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 8th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, John W. (Jack) Hershey, from Upper Arlington, Franklin County, Ohio, as a Member of the Midwestern Higher Education Compact Commission for a term beginning August 11, 2017 and ending at the close of business January 8, 2021, replacing William Napier, Ph.D., whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Robert K. Larrimer, from Upper Arlington, Franklin County, Ohio, as a Member of the Ohio Architects Board for a term beginning August 28, 2017 and ending at the close of business October 2, 2021, replacing Richard L. Bowen, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 28th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Megan Elizabeth Marchal, PharmD., from Dublin, Delaware County, Ohio, as a Member of the State Board of Pharmacy for a new term beginning August 22, 2017 and ending at the close of business June 30, 2021, replacing Megan Elizabeth Marchal, PharmD., whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 22nd day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Lawrence B. Mixon, Sr. Ph.D., Democrat, from Columbus, Franklin County, Ohio, as a Member of the Wildlife Council for a new term beginning August 11, 2017 and ending at the close of business January 31, 2021, replacing Lawrence B. Mixon, Sr. Ph.D., whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint,

Nicholas R. Pottmeyer, from Marietta, Washington County, Ohio, as a Member of the Technical Advisory Council on Oil and Gas for a term beginning August 14, 2017 and ending at the close of business January 31, 2020, replacing Douglas W. Gonzalez, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 14th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Sarah Beth Spence, from Columbus, Franklin County, Ohio, as a Member of the Public Benefits Advisory Board for a term beginning August 14, 2017 and ending at the close of business June 30, 2019, replacing Nolan M. Moser, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 14th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Christopher A. Whistler, Republican, from New Albany, Franklin County, Ohio, as a Member of the Ohio Water Development Authority for a term beginning August 25, 2017 and ending at the close of business June 30, 2025, replacing James P. Joyce, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 25th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

STATE OF OHIO

**EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Lisa Zimmerman, from Marysville, Union County, Ohio, as a Member of the Commercial Dog Breeding Advisory Board for a term beginning August 14, 2017 and ending at the close of business March 12, 2019, replacing Carol A. Sanger, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 14th day of August in the year of our Lord, Two Thousand and Seventeen.

[Seal]

John R. Kasich,
Governor.

On the motion of Senator Bacon, the Senate adjourned until Monday, September 11, 2017 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.