

**OHIO**

**SENATE**

**JOURNAL**

WEDNESDAY, SEPTEMBER 20, 2017

NINETY-SECOND DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, September 20, 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 Manning recognized the Elyria High School softball team on winning the 2017 Division I state championship.

Senator Kunze recognized The Ohio State University Aviation Education Program on its One Hundredth Anniversary.

Senator Huffman requested a moment of silence in memory of Jacob Drake, Navy Electronics Technician 2nd Class, from Cable, Ohio, who was killed in action August 21st in the South China Sea when the USS John McCain collided with a merchant vessel.

Senator Peterson requested a moment of silence in memory of the victims of Hurricane Harvey and Hurricane Irma.

Senator Schiavoni requested a moment of silence in memory of former Senate President Harry Meshel.

Senator Hackett recognized Central State University as the 2017 Historically Black College/University of the Year.

Senator Hackett recognized Sheba Harris on being named the 2017 Female Coach of the Year.

Senator Hackett recognized Juan Scott as a 2017 NCAA Division II Outdoor Track and Field Champion.

Senator Uecker recognized the Williamsburg High School softball team on winning the 2017 Division IV State Championship.

**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:

**Sub. H. B. No. 233** -Representative Becker, et al.

To amend sections 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.126, and 2923.1212 and to enact section 2923.1214 of the Revised Code to enact the "Decriminalization Effort For Ending Notorious Deaths (DEFEND)" to provide an opportunity for a concealed handgun licensee or qualified military member to avoid charges for carrying a deadly weapon into a prohibited place if the person leaves upon request, and to penalize failure to leave upon request or returning with a firearm.

To the Committee on Government Oversight and Reform.

**S. C. R. No. 14** -Senator Hoagland, et al.

To urge the Congress of the United States and the President of the United States to take certain actions to counter manipulation of the oil market by the Organization of Petroleum Exporting Countries (OPEC).

To the Committee on Energy and Natural Resources.

**S. C. R. No. 15** -Senators O'Brien, Wilson, et al.

To designate 2018 as "Ohio's Year of the Trails."

To the Committee on Energy and Natural Resources.

**S. B. No. 187** -Senator Eklund, et al.

To amend section 718.27 of the Revised Code to allow municipal corporations to charge delinquent taxpayers the costs of collecting municipal income taxes regardless of whether the costs are incurred before or after a judgment is entered against the taxpayer.

To the Committee on Finance.

**S. B. No. 188** -Senator Hite, et al.

To amend sections 4906.20 and 4906.201 of the Revised Code to revise wind turbine setback provisions for economically significant wind farms.

To the Committee on Energy and Natural Resources.

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

### **REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 163**-Senator Wilson, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Coley, Uecker, Brown.

YES - 11: FRANK LAROSE, MATT HUFFMAN, WILLIAM P. COLEY, II, JOE UECKER, TROY BALDERSON, KEVIN BACON, EDNA BROWN, MICHAEL J. SKINDELL, KRIS JORDAN, JOSEPH SCHIAVONI, BOB PETERSON

NO - 0.

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

The report of the committee was accepted.

### **HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS**

The amendments of the House of Representatives to:

**Am. Sub. S. B. No. 8**-Senators Gardner, Terhar.

Cosponsors: Senators Beagle, Eklund, Hite, Brown, Manning, Oelslager, Uecker, Bacon, Balderson, Dolan, Hackett, Hoagland, Hottinger, Huffman, Kunze, LaRose, Lehner, Obhof, O'Brien, Peterson, Schiavoni, Sykes, Tavares, Thomas, Wilson, Yuko Representatives Gavarone, Hambley, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Brenner, Brown, Butler, DeVitis, Fedor, Galonski, Hughes, Ingram, Landis, Manning, O'Brien, Patterson,

Patton, Pelanda, Perales, Riedel, Rogers, Seitz, Sheehy, West, Sweeney.

To enact section 3318.39 of the Revised Code and to amend Sections 337.50 and 381.371 of Am. Sub. H.B. 49 of the 132nd General Assembly to establish the 1:1 School Facilities Option Program as an alternative to assist certain school districts in constructing, acquiring, reconstructing, or making additions or repairs to any feature of a classroom facility, to make appropriations, to modify an earmark, and to remove an earmark, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 0, nays 32, as follows:

Those who voted in the negative 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
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So, the Senate did not concur in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

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

Cosponsors: Senators Uecker, Thomas, Sykes, Yuko, Williams, Brown, Wilson, Hackett, Bacon, Balderson, Coley, Dolan, Gardner, Hoagland, Huffman, Kunze, LaRose, Manning, O'Brien, Oelslager, Peterson, Schiavoni, Tavares, Terhar Representatives Hambley, Perales, Antonio, Ashford, Barnes, Boggs, Boyd, Brown, Celebrezze, Craig, Cupp, Galonski, Gavarone, Greenspan, Holmes, Howse, Ingram, Kent, Leland, Manning, Miller, O'Brien, Patterson, Ramos, Reece, Rogers, Sheehy, Smith, K., Strahorn, Sweeney, West, Speaker Rosenberger.

To enact section 109.804 of the Revised Code and to amend Section 243.20 of Am. Sub. H.B. 49 of the 132nd General Assembly to require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course for certain newly appointed chiefs of police, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

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
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Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the Senate concurred in the amendments of the House of Representatives.

### **RESOLUTIONS REPORTED BY COMMITTEE**

**Am. S. R. No. 175**-Senators Bacon, Kunze.

Cosponsors: Senators Brown, LaRose, Uecker, Tavares, Hottinger.

To express support for the Hyperloop Transportation Initiative.

WHEREAS, The State of Ohio is the birthplace of aviation, one of the original locations for the electric long distance railway, the location of the first traffic light and service station, and a long-standing supporter of innovation and ingenuity in transportation technology; and

WHEREAS, Ohio is the nation's leader in transportation innovation and modernization, as demonstrated recently through the ongoing development of smart mobility corridors and initiatives by the Ohio Department of Transportation and local partners; and

WHEREAS, Hyperloop corridors in Ohio will increase connectivity between regions of Ohio and the nation, connecting businesses to market and people to employment; and

WHEREAS, Hyperloop technology could be part of a solution for addressing the transportation needs of Ohio by increasing capacity for cargo movement and passenger travel and providing a new safe, quick, and efficient transportation option; and

WHEREAS, New corridors under consideration in Ohio, including the Midwest Connect corridor connecting the Midwest region, would create new economic and social opportunities for Ohio's companies and citizens; and

WHEREAS, Ohio has an opportunity to further benefit from Hyperloop technology by leveraging Ohio's corporate and institutional talent and resources to participate in the research and development of the technology and the supply chain needed to produce and construct Hyperloop corridors in Ohio and internationally; and

WHEREAS, The Hyperloop Transportation Initiative could have a significant positive impact on Ohio's economy and infrastructure; now therefore be it

RESOLVED, That we, the members of the Senate of the 132nd General Assembly of the State of Ohio, recognizing Ohio's role as a leader in the field of transportation, express support for the consideration of the Hyperloop Transportation Initiative; and be it further

RESOLVED, That the State of Ohio, its agencies, political subdivisions, and private sector partners are encouraged to work collaboratively to evaluate and explore opportunities for the potential development of Hyperloop corridors in Ohio; and be it further

RESOLVED, That the State of Ohio, its agencies, political subdivisions, and private sector partners are encouraged to work collaboratively to give Ohio companies, institutions, and talent the opportunity to participate in the research, development, production, and construction of Hyperloop corridors internationally; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the members of the Ohio Congressional delegation and the news media of Ohio.

The question being, "Shall the resolution resolution, **Am. S. R. No. 175**, be adopted?

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
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the resolution was adopted.

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

Senator Kunze moved to amend the title as follows:

Add the names: "Senators Hackett, Hite, Hoagland, Lehner, Manning, Obhof, O'Brien, Peterson, Schiavoni, Terhar, Thomas, Williams, Wilson."

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

The motion was agreed to and the title so amended.

## BILLS FOR THIRD CONSIDERATION

**H. B. No. 59**-Representatives Leland, West.

Cosponsors: Representatives Ramos, Brenner, Cera, Romanchuk, Thompson, Boggs, Rogers, Johnson, G., Boyd, Craig, Kent, Riedel, Smith, K., Faber,

Sykes, Sheehy, Arndt, Fedor, Ashford, Hambley, Carfagna, Dean, Hill, Anielski, Antonio, Barnes, Blessing, Boccieri, Celebrezze, Clyde, Cupp, Dever, Gavarone, Ginter, Green, Hagan, Henne, Holmes, Householder, Howse, Ingram, Johnson, Kelly, Landis, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Patton, Perales, Reineke, Ryan, Scherer, Schuring, Smith, R., Sprague, Stein, Strahorn, Sweeney, Young Senator Hackett.

To enact section 5.242 of the Revised Code to designate October 7 as "Moses Fleetwood Walker Day", was considered the third time.

The question being, "Shall the bill, **H. B. No. 59**, pass?"

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
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

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

Senator Brown moved to amend the title as follows:

Add the names: "Senators Bacon, Balderson, Beagle, Brown, Burke, Coley, Dolan, Eklund, Gardner, Hite, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Schiavoni, Skindell, Tavares, Terhar, Thomas, Uecker, Williams, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

**S. B. No. 163**-Senator Wilson.

Cosponsors: Senators Terhar, Beagle, Williams, Eklund, Huffman, Hackett, Coley, Uecker, Brown.

To amend section 135.35 of the Revised Code to modify the qualifications regarding notes eligible for investment of county inactive moneys, was considered the third time.

The question being, "Shall the bill, **S. B. No. 163**, pass?"

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  
Oelslager  
Tavares  
Williams

Lehner  
Peterson  
Terhar  
Wilson

Manning  
Schiavoni  
Thomas  
Yuko

O'Brien  
Skindell  
Uecker  
Obhof-32

So the bill passed.

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

Senator Wilson moved to amend the title as follows:

Add the names: "Senators Bacon, Balderson, Burke, Dolan, Gardner, Hite, Hoagland, Hottinger, Jordan, Kunze, Lehner, Manning, Obhof, O'Brien, Oelslager, Schiavoni, Skindell, Tavares, Thomas."

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

The motion was agreed to and the title so amended.

## MOTIONS

Senator Manning moved that Senators absent the week of Sunday, September 17, 2017, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

## INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered for the first time:

**S. B. No. 198** - Senator Yuko.

Cosponsors: Senators Tavares, Thomas, Sykes, O'Brien, Schiavoni.

To amend sections 3101.01, 3101.02, 3101.03, 3101.04, and 3101.05, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3101.02 (3101.023) and 3101.03 (3101.024), and to enact new section 3101.02 and sections 3101.021 and 3101.022 of the Revised Code to make changes to the laws governing the ages for which persons may marry.

## OFFERING OF RESOLUTIONS

Senator Hite offered the following resolution:

**S. R. No. 288**-Senator Hite.

To recognize the existence of two alfalfa products in light of the recent action of the Ingredient Definition Committee of the Association of American Feed Control Officials.

The question being, "Shall the resolution, **S. R. No. 288**, be adopted?"

On the motion of Senator Peterson, **S. R. No. 288**, was referred to the Committee on Rules and Reference.

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

**S. R. No. 289** - Senators Tavares, Bacon.

Honoring Van Chambers for heroism.

**S. R. No. 290** - Senator Yuko.

Honoring the Notre Dame College men's rugby team as the 2017 D1AA Collegiate National Champion.

**S. R. No. 291** - Senator Yuko.

Honoring Jason Fox as the 2016 USA Rugby National Competitive Coach of the Year.

**S. R. No. 292** - Senator Yuko.

Honoring the Notre Dame College wrestling team as the 2017 NCAA Division II National Champion.

**S. R. No. 293** - Senator Yuko.

Honoring the Notre Dame College women's rugby team as the 2017 NCAA Division I national runner-up.

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

So the resolutions were adopted.

On the motion of Senator Peterson, the Senate adjourned until Thursday, September 21, 2017 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.