

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

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**OHIO**

**SENATE**

**JOURNAL**

WEDNESDAY, JANUARY 24, 2018

ONE HUNDRED THIRTY-EIGHTH DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, January 24, 2018, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Dr. Stephen Swisher, Etna United Methodist Church in Etna, 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 Bacon recognized Congressman Pat Tiberi for twenty-five years of exemplary service to the State of Ohio.

Senator LaRose recognized the Hudson High School boys cross country team on winning the 2017 Division I State Championship.

Senator Obhof recognized the Fife family, winners of the Choices in Education National Video contest, sponsored by The Foundation for Excellence in Education.

Senator Dolan recognized the Independence High School girls golf team as the 2017 Division II State Champion.

Senator Coley recognized Sarah Proctor Carrothers.

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

Senator Burke submitted the following report:

The standing committee on Health, Human Services and Medicaid, to which was referred **H. B. No. 145**-Representatives Huffman, Sprague, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Gardner, Hottinger, Brown, Beagle, Oelslager, Tavares.

YES - 12: JAY HOTTINGER, RANDY GARDNER, PEGGY LEHNER, VERNON SYKES, MATT HUFFMAN, STEPHANIE KUNZE, EDNA BROWN, BOB D. HACKETT, DAVE BURKE, BILL BEAGLE, SCOTT OELSLAGER, CHARLETA B. TAVARES

NO - 0.

Senator Eklund submitted the following report:

The standing committee on Ways and Means, to which was referred **S. B.**

**No. 226**-Senator Bacon, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Terhar, Beagle, Hackett, Wilson.

YES - 11: JOHN EKLUND, LOU TERHAR, SANDRA WILLIAMS, CECIL THOMAS, BILL BEAGLE, BOB D. HACKETT, KRIS JORDAN, PEGGY LEHNER, BOB PETERSON, STEVE WILSON, JOSEPH SCHIAVONI

NO - 0.

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

The reports of the committees 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:

**Kristen Scott**, from Dublin, Franklin County, Ohio, as a Member of the Credit Union Council for a new term beginning September 23, 2017 and ending at the close of business September 22, 2020, replacing Kristen Scott, whose term expired.

**Robin D. Thomas**, from Bedford, Cuyahoga County, Ohio, as a Member of the Credit Union Council for a term beginning September 23, 2017 and ending at the close of business September 22, 2020, replacing Janice L. Thomas, 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, WILLIAM P. COLEY, II, JOHN EKLUND, RANDY GARDNER, MATT HUFFMAN, STEPHANIE KUNZE, 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	Hoagland	Hottinger
Huffman	Jordan	Kunze	LaRose
Lehner	Manning	McColley	O'Brien
Oelslager	Peterson	Schiavoni	Skindell

Sykes  
Uecker

Tavares  
Williams

Terhar  
Wilson

Thomas  
Yuko  
Obhof-33

So the Senate advised and consented to said appointments.

**BILLS FOR THIRD CONSIDERATION**

**H. B. No. 145**-Representatives Huffman, Sprague.

Cosponsors: Representatives Seitz, Blessing, Butler, Clyde, Faber, Anielski, Antonio, Ashford, Barnes, Boyd, Carfagna, Craig, Cupp, Duffey, Fedor, Galonski, Ginter, Green, Greenspan, Hambley, Holmes, Johnson, Kent, Leland, Lepore-Hagan, Manning, O'Brien, Patterson, Patton, Pelanda, Reineke, Roegner, Rogers, Ryan, Sheehy, Stein, Strahorn, Sweeney, Sykes, West, Wiggam Senators Gardner, Hottinger, Brown, Beagle, Oelslager, Tavares.

To amend sections 4730.32, 4731.224, 4731.25, 4760.16, 4762.16, and 4774.16 and to enact sections 4731.251, 4731.252, 4731.253, and 4778.17 of the Revised Code to provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 5, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 32, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hoagland	Hottinger
Huffman	Jordan	Kunze	LaRose
Lehner	Manning	McColley	O'Brien
Oelslager	Peterson	Schiavoni	Sykes
Tavares	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

Senator Skindell voted in the negative-1.

So the section, Section 5, 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	Hoagland	Hottinger
Huffman	Jordan	Kunze	LaRose
Lehner	Manning	McColley	O'Brien
Oelslager	Peterson	Schiavoni	Skindell

Sykes  
Uecker

Tavares  
Williams

Terhar  
Wilson

Thomas  
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 Burke moved to amend the title as follows:

Add the names: "Senators Coley, Eklund, Hoagland, Huffman, Sykes, 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. 249** - Senator Tavares.

Cosponsors: Senators Yuko, Schiavoni.

To amend sections 3795.03 and 3795.04 and to enact sections 3792.01, 3792.02, 3792.03, 3792.04, 3792.05, 3792.06, 3792.07, 3792.08, 3792.09, 3792.10, 3792.11, 3792.12, 3792.13, 3792.14, 3792.15, 3792.16, 3792.17, 3792.18, 3792.19, 3792.20, 3792.21, 3792.22, 3792.23, 3792.24, 3792.25, 3792.26, 3792.27, 3792.28, 3792.29, and 4729.97 of the Revised Code to authorize an individual with a terminal condition and the capacity to make medical decisions to request a prescription for an aid-in-dying medication.

**S. B. No. 250** - Senator Hoagland.

Cosponsors: Senators Beagle, Huffman, Wilson.

To amend sections 2307.61, 2909.07, 2909.10, 2911.21, and 2911.211 of the Revised Code to prohibit criminal mischief, criminal trespass, and aggravated trespass on a critical infrastructure facility, to impose fines for organizations that are complicit in those offenses, and to impose civil liability for damage caused by trespass on a critical infrastructure facility.

### **OFFERING OF RESOLUTIONS**

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

**S. R. No. 392** - Senator Dolan.

Honoring the Independence High School girls golf team as the 2017 Division II State Champion.

**S. R. No. 393** - Senators Bacon, Hottinger, Kunze, Balderson, Beagle, Burke, Coley, Dolan, Eklund, Gardner, Hackett, Hoagland, Huffman, LaRose,

Lehner, Manning, McColley, Obhof, Oelslager, Peterson, Terhar, Uecker, Wilson.

Honoring Congressman Pat Tiberi on twenty-five years of exemplary service to the State of Ohio.

**S. R. No. 394** - Senator LaRose.

Honoring the Hudson High School boys cross country team on winning the 2017 Division I State Championship.

**S. R. No. 395** - Senator Beagle.

Honoring the Trotwood-Madison High School football team on winning the 2017 Division III State Championship.

**S. R. No. 396** - Senator Beagle.

Honoring Jianna Nichols as a 2017 National Invention Convention and Entrepreneurship Expo winner.

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

So the resolutions were adopted.

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

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

**H. J. R. No. 13** -Representative Gonzales

Authorizing a joint session of the Ohio General Assembly to meet at the Fritsche Theatre in Westerville, Ohio, for the purpose of receiving a message from the Governor and calling for a committee to wait upon the Governor in anticipation of his State of the State Address.

Attest:

Bradley J. Young,  
Clerk.

The question being, "Shall the joint resolution, **H. J. R. No. 13**, be adopted?"

The yeas and nays were taken and resulted – yeas 31, nays 2, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund

Gardner	Hackett	Hoagland	Hottinger
Huffman	Jordan	Kunze	LaRose
Lehner	Manning	McColley	O'Brien
Oelslager	Peterson	Schiavoni	Sykes
Terhar	Thomas	Uecker	Williams
Wilson	Yuko		Obhof-31

Senators Skindell and Tavares voted in the negative-2.

So the joint resolution was adopted

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

Senator Bacon moved to amend the title as follows:

Add the names: "Senators Bacon, Beagle, Eklund, Gardner, Hackett, Hottinger, Huffman, Kunze, Lehner, Manning, Obhof, Oelslager, Peterson, Wilson."

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

The motion was agreed to and the title so amended.

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

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bill:

**H. B. No. 44** - Representative Patmon – et al.

Attest:

Bradley J. Young,  
Clerk.

The President signed said bill.

### **MESSAGE FROM THE PRESIDENT**

Pursuant to Senate Rules No. 19 and 20, the President of the Senate makes the following temporary appointment change to the Senate's standing committee on Government Oversight and Reform, for the purpose of the committee's meeting on Tuesday, January 23, 2018:

Remove Senator Joe Schiavoni and temporarily appoint Senator Vernon Sykes

### **MESSAGE FROM THE PRESIDENT**

Pursuant to Senate Rules No. 19 and 20, the President of the Senate appoints Senator Rob McColley as the vice chair of the Public Utilities committee.

On the motion of Senator Peterson, the Senate adjourned until Thursday, January 25, 2018 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.