

OHIO

SENATE

JOURNAL

TUESDAY, DECEMBER 4, 2018

TWO HUNDRED FORTIETH DAY
Senate Chamber, Columbus, Ohio
Tuesday, December 4, 2018, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 38**-Representative Greenspan, et. al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

Co-Sponsor: Eklund.

YES - 7: MATT DOLAN, JOHN EKLUND, PEGGY LEHNER,
SCOTT OELSLAGER, MICHAEL J. SKINDELL, KEVIN
BACON, CECIL THOMAS

NO - 0.

In line 1 of the title, delete ", 2903.11,"

In line 6 of the title, delete "felonious assault or"

In line 9, delete ", 2903.11,"

Delete lines 60 through 162

In line 234, delete ", 2903.11,"

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 92**-Representative Schaffer, et. al., having had the same under consideration, reports it back and recommends its passage.

YES - 9: JOHN EKLUND, MATT HUFFMAN, PEGGY LEHNER,
MATT DOLAN, SCOTT OELSLAGER, CECIL THOMAS,
SEAN O'BRIEN, MICHAEL J. SKINDELL, KEVIN
BACON

NO - 0.

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 296**-Representative Gavarone, et. al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 7: MATT DOLAN, JOHN EKLUND, MATT HUFFMAN,
PEGGY LEHNER, SCOTT OELSLAGER, SEAN O'BRIEN,
KEVIN BACON

NO - 2: CECIL THOMAS, MICHAEL J. SKINDELL

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 451**-Representative Retherford, et. al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 9: MATT DOLAN, JOHN EKLUND, PEGGY LEHNER,
MATT HUFFMAN, MICHAEL J. SKINDELL, SEAN
O'BRIEN, CECIL THOMAS, SCOTT OELSLAGER,
KEVIN BACON

NO - 0.

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 511**-Representatives Lanese, Rogers, et. al., having had the same under consideration, reports it back and recommends its passage.

YES - 9: MATT DOLAN, JOHN EKLUND, PEGGY LEHNER,
MATT HUFFMAN, SCOTT OELSLAGER, CECIL
THOMAS, SEAN O'BRIEN, MICHAEL J. SKINDELL,
KEVIN BACON

NO - 0.

Senator Bacon submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 138**-Senator Eklund having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 7: MATT DOLAN, JOHN EKLUND, PEGGY LEHNER,
MICHAEL J. SKINDELL, CECIL THOMAS, SCOTT
OELSLAGER, KEVIN BACON

NO - 0.

Senator Hottinger submitted the following report:

The standing committee on Insurance and Financial Institutions, to which was referred **Sub. H. B. No. 156**-Representative Schuring, et. al., having had the same under consideration, reports it back and recommends its passage.

YES - 12: LOU TERHAR, DAVE BURKE, SANDRA WILLIAMS,
SEAN O'BRIEN, STEVE WILSON, STEPHANIE KUNZE,
KRIS JORDAN, MATT DOLAN, BILL BEAGLE, KEVIN
BACON, JAY HOTTINGER, BOB D. HACKETT

NO - 0.

Senator Hottinger submitted the following report:

The standing committee on Insurance and Financial Institutions, to which was referred **Sub. H. B. No. 572**-Representatives Scherer, Howse, et. al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hottinger, Beagle, Bacon, Hackett.

YES - 12: STEVE WILSON, STEPHANIE KUNZE, KRIS JORDAN,
MATT DOLAN, BILL BEAGLE, KEVIN BACON, JAY
HOTTINGER, BOB D. HACKETT, LOU TERHAR, DAVE
BURKE, SANDRA WILLIAMS, SEAN O'BRIEN

NO - 0.

Senator Uecker submitted the following report:

The standing committee on Local Government, Public Safety and Veterans Affairs, to which was referred **Sub. H. B. No. 291**-Representative Wiggam, et. al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 10: JOE UECKER, LOU TERHAR, CECIL THOMAS, SEAN

O'BRIEN, STEVE WILSON, FRANK HOAGLAND,
GAYLE MANNING, BOB PETERSON, BOB D.
HACKETT, VERNON SYKES

NO - 0.

Senator Uecker submitted the following report:

The standing committee on Local Government, Public Safety and Veterans Affairs, to which was referred **Sub. H. B. No. 297**-Representative Hagan, et. al., having had the same under consideration, reports it back and recommends its passage.

YES - 10: JOE UECKER, LOU TERHAR, CECIL THOMAS, SEAN
O'BRIEN, STEVE WILSON, FRANK HOAGLAND,
GAYLE MANNING, BOB PETERSON, BOB D.
HACKETT, VERNON SYKES

NO - 0.

Senator Uecker submitted the following report:

The standing committee on Local Government, Public Safety and Veterans Affairs, to which was referred **Sub. H. B. No. 300**-Representative Barnes, et. al., having had the same under consideration, reports it back with the following amendment and recommend its passage when so amended.

YES - 10: JOE UECKER, LOU TERHAR, CECIL THOMAS, SEAN
O'BRIEN, STEVE WILSON, FRANK HOAGLAND,
GAYLE MANNING, BOB PETERSON, BOB D.
HACKETT, VERNON SYKES

NO - 0.

In line 5 of the title, delete "a 15-year" and insert "an 8-year"

In line 137, delete "fifteenth" and insert "eighth"

Senator Uecker submitted the following report:

The standing committee on Local Government, Public Safety and Veterans Affairs, to which was referred **Sub. H. B. No. 454**-Representatives Patterson, Arndt, et. al., having had the same under consideration, reports it back and recommends its passage.

YES - 10: JOE UECKER, LOU TERHAR, CECIL THOMAS, SEAN O'BRIEN, STEVE WILSON, FRANK HOAGLAND, GAYLE MANNING, BOB PETERSON, BOB D. HACKETT, VERNON SYKES

NO - 0.

Senator Uecker submitted the following report:

The standing committee on Local Government, Public Safety and Veterans Affairs, to which was referred **Sub. H. B. No. 500**-Representative Carfagna, et. al., having had the same under consideration, reports it back with the following amendments and recommed its passage when so amended.

Co-Sponsor: Uecker.

YES - 10: JOE UECKER, LOU TERHAR, CECIL THOMAS, SEAN O'BRIEN, STEVE WILSON, FRANK HOAGLAND, GAYLE MANNING, BOB PETERSON, BOB D. HACKETT, VERNON SYKES

NO - 0.

In line 1269, after "," insert "when"

In line 2100, delete " ." and insert "H"; delete " ." and insert "500"

In line 1 of the title, delete "303.21,"

In line 3 of the title, delete "519.21,"

In line 9, delete "303.21,"

In line 11, delete "519.21,"

Delete lines 14 through 112

Delete lines 844 through 948

In line 2335, delete "303.21,"

In line 2337, delete "519.21,"

Delete lines 2349 and 2350

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

The reports of the committees were accepted.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Sub. S. B. No. 20-Senator Hackett

Cosponsors: Senators Gardner, Uecker, Yuko, Wilson, Bacon, O'Brien, Balderson, Beagle, Burke, Hite, Hoagland, Hottinger, Huffman, Kunze, LaRose, Manning, Obhof, Oelslager, Peterson, Terhar Representatives Manning, Anielski, Antani, Antonio, Arndt, Boccieri, Boggs, Boyd, Brenner, Brown, Butler, Carfagna, Celebrezze, Cupp, Dean, Dever, Duffey, Edwards, Faber, Fedor, Gavarone, Ginter, Greenspan, Hambley, Hill, Holmes, Hoops, Householder, Hughes, Johnson, Kent, Kick, Koehler, Landis, Lanese, Leland, Lipps, Merrin, Miller, O'Brien, Patterson, Patton, Perales, Riedel, Rogers, Romanchuk, Schaffer, Scherer, Sheehy, Slaby, Smith, T., Stein, Strahorn, Wiggam, Wilkin, Young, Zeltwanger, Speaker Smith

To amend sections 2903.11, 2929.01, 2929.13, and 2929.14 and to enact section 2941.1426 of the Revised Code to require an additional prison term of 6 years for an offender who is convicted of or pleads guilty to felonious assault if the offender is convicted of or pleads guilty to a specification that the victim suffered permanent disabling harm and that the victim was under 10 years of age at the time of the offense., was taken up.

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

Senator Gardner moved that the amendments of the House of Representatives to **Sub. S. B. No. 20**, be informally passed and retain its place on the calendar.

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

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered for the first time:

S. B. No. 342 - Senator Williams.

To amend sections 2743.51, 2743.59, 2743.60, and 2743.65 and to enact section 2743.602 of the Revised Code to specify that any disqualifying felony conviction, contributory misconduct, or other offense in the Reparations Fund Law be attributed only to the victim and to reduce the look-back period for such conviction, misconduct, or other offense from ten to three years and the ongoing criminal conduct from five years or less to three years or less.

S. B. No. 343 - Senator Williams.

To amend sections 959.133 and 2151.88 of the Revised Code to grant a person immunity from prosecution for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or animal is in imminent danger of suffering harm.

OFFERING OF RESOLUTIONS

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

S. R. No. 762 - Senators Obhof, Bacon, Beagle, Brown, Burke, Coley, Dolan, Eklund, Gardner, Hackett, Hoagland, Hottinger, Huffman, Jordan, Kunze, Lehner, Manning, McColley, O'Brien, Oelslager, Peterson, Schiavoni, Skindell, Sykes, Tavares, Terhar, Thomas, Uecker, Williams, Wilson, Yuko.

Honoring Senator Frank LaRose for outstanding service in the Ohio Senate

S. R. No. 763 - Senators Obhof, Bacon, Beagle, Brown, Burke, Coley, Dolan, Eklund, Gardner, Hackett, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, McColley, O'Brien, Oelslager, Peterson, Schiavoni, Skindell, Sykes, Tavares, Terhar, Thomas, Uecker, Williams, Wilson, Yuko.

Honoring Senator Gayle Manning for outstanding service to the Ohio Senate

S. R. No. 764 - Senators Obhof, Bacon, Beagle, Brown, Burke, Coley, Dolan, Eklund, Gardner, Hackett, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, McColley, O'Brien, Peterson, Schiavoni, Skindell, Sykes, Tavares, Terhar, Thomas, Uecker, Williams, Wilson, Yuko.

Honoring Senator Scott Oelslager for outstanding service to the Ohio Senate

S. R. No. 765 - Senators Obhof, Bacon, Beagle, Brown, Burke, Coley, Dolan, Eklund, Gardner, Hackett, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, McColley, O'Brien, Oelslager, Peterson, Skindell, Sykes, Tavares, Terhar, Thomas, Uecker, Williams, Wilson, Yuko.

Honoring Senator Joseph Schiavoni for outstanding service to the Ohio Senate

S. R. No. 766 - Senators Obhof, Bacon, 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.

Honoring Senator Michael Skindell for outstanding service to the Ohio Senate

S. R. No. 767 - Senators Obhof, Bacon, Beagle, Brown, Burke, Coley, Dolan, Eklund, Gardner, Hackett, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, McColley, O'Brien, Oelslager, Peterson, Schiavoni, Skindell, Sykes, Terhar, Thomas, Uecker, Williams, Wilson, Yuko.
Honoring Senator Charleta B. Tavares for outstanding service to the Ohio Senate

S. R. No. 768 - Senator Kunze.
Honoring the Hilliard Davidson High School boys cross country team as the 2018 Division I State runner-up

S. R. No. 769 - Senator Huffman.
Honoring the Lima Central Catholic High School girls golf team as the 2018 Division II State Champion

S. R. No. 770 - Senators Obhof, Peterson, Bacon, Beagle, Coley, Dolan, Gardner, Hackett, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, McColley, O'Brien, Schiavoni, Skindell, Thomas, Uecker, Williams, Yuko.
Honoring the Ohio Farm Bureau Federation on its One Hundredth Anniversary

S. R. No. 771 - Senator Obhof.
Honoring Nova Community United Methodist Church on its One Hundred Eighty-fifth Anniversary

S. R. No. 772 - Senator Dolan.
Honoring Ella Gilson as a 2018 Ohio High School Cross Country Champion

S. R. No. 773 - Senators Coley, Wilson.
Honoring Conant Smith as the 2018 Division I State Boys Cross Country Champion

S. R. No. 774 - Senators Gardner, McColley.
Honoring the Owens Community College women's volleyball team as the 2018 NJCAA Division III Champion

S. R. No. 775 - Senators Gardner, McColley.
Honoring the Archbold High School boys soccer team as the 2018 Division III State Champion

S. R. No. 776 - Senator Sykes.

Honoring the Archbishop Hoban High School football team on winning the 2018 Division II State Championship

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

So the resolutions were 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, Louis M. Borowicz, J.D., Democrat, from Powell, Delaware County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a new term beginning November 22, 2018 and ending at the close of business November 21, 2021, replacing Louis M. Borowicz, J.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 21st day of November in the year of our Lord, Two Thousand and Eighteen.

[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, Jose Camerino, LISW-S, IMFT, Democrat, from University Heights, Cuyahoga County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a term beginning November 21, 2018 and ending at the close of business October 10, 2021, replacing Alan D. Demmit, 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

21st day of November in the year of our Lord, Two Thousand and Eighteen.

[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 R. Corlett, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a term beginning November 22, 2018 and ending at the close of business November 21, 2021, replacing William R. Demjan, 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 21st day of November in the year of our Lord, Two Thousand and Eighteen.

[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, Patrick R. Ferguson, EFO, EMT, from West Jefferson, Madison County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning November 19, 2018 and ending at the close of business November 12, 2020, replacing James E. Davis, who resigned.

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 19th day of November in the year of our Lord, Two Thousand and Eighteen.

[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, Andrea L. Fricks, MBA, MAED, from Westerville, Franklin County, Ohio, as a Member of the State Board of Career Colleges and Schools for a new term beginning November 21, 2018 and ending at the close of business November 20, 2023, replacing Andrea L. Fricks, MBA, MAED, 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 20th day of November in the year of our Lord, Two Thousand and Eighteen.

[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 S. Mattox, Doctorate, Democrat, from Flushing, Belmont County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a term beginning November 22, 2018 and ending at the close of business November 21, 2021, replacing Virginia D. Ragan, 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 21st day of November in the year of our Lord, Two Thousand and Eighteen.

[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, Roger Lee Osborne, BCE, Republican, from Fleming, Washington County, Ohio, as a Member of the Reclamation Commission for a term beginning November 19, 2018 and ending at the close of business June 28, 2023, replacing Sean A. McCarter, 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 19th day of November in the year of our Lord, Two Thousand and Eighteen.

[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, Manish Srivastava, M.D., Independent, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a new term beginning November 22, 2018 and ending at the close of business November 21, 2021, replacing Manish Srivastava, M.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 21st day of November in the year of our Lord, Two Thousand and Eighteen.

[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, Lori Wengerd, from Upper Arlington, Franklin County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a new term beginning November 22, 2018 and ending at the close of business November 21, 2021, replacing Lori Wengerd, 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 21st day of November in the year of our Lord, Two Thousand and Eighteen.

[Seal]

John R. Kasich,
Governor.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules No. 19 and 20, the President of the Senate appoints Senator Cecil Thomas to the Senate's standing committee on Health, Human Services and Medicaid as a temporary replacement for Senator Edna Brown for the purpose of the committee's meeting on Tuesday, December 4, 2018.

On the motion of Senator Gardner, the Senate adjourned until Wednesday, December 5, 2018 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.