

JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO

SENATE

JOURNAL

TUESDAY, MARCH 12, 2019

TWENTY-FIFTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, March 12, 2019, 11:30 o'clock a.m.

The Senate met pursuant to adjournment.

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 Brenner recognized Catherine and Joe Broski of Phoenix, Arizona on their visit to the Statehouse.

**REPORTS OF REFERENCE AND BILLS FOR SECOND
CONSIDERATION**

Senator Obhof reports for the Standing Committee on Rules and Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

Am. Sub. H. B. No. 62 -Representative Oelslager, et al.

To amend sections 119.14, 122.14, 164.04, 164.08, 306.32, 306.321, 306.35, 306.54, 306.70, 505.267, 505.71, 1349.61, 1509.02, 1509.11, 1901.18, 1901.20, 1907.02, 1907.031, 3327.012, 4111.03, 4111.14, 4121.01, 4123.01, 4141.01, 4301.62, 4501.01, 4501.031, 4501.042, 4501.043, 4503.038, 4503.10, 4503.103, 4503.19, 4503.21, 4503.23, 4504.10, 4504.201, 4505.101, 4506.17, 4509.01, 4511.01, 4511.092, 4511.093, 4511.096, 4511.097, 4511.098, 4511.0910, 4511.204, 4511.205, 4511.21, 4511.54, 4511.68, 4511.84, 4511.991, 4513.34, 4513.60, 4513.601, 4513.61, 4513.62, 4513.63, 4513.64, 4513.65, 4513.66, 4513.69, 4549.10, 4582.12, 4582.31, 5501.21, 5501.41, 5577.044, 5577.15, 5735.01, 5735.011, 5735.05, 5735.051, 5735.053, 5735.142, 5735.27, 5736.01, 5739.02, 5739.023, 5747.51, 5747.53, and 5749.02; to enact new sections 4511.099 and 5747.502 and sections 3.112, 306.051, 321.50, 321.51, 505.96, 3944.01, 3944.02, 3944.03, 3944.04, 3944.05, 3944.06, 3944.07, 3944.08, 3944.09, 3944.10, 4503.193, 4504.173, 4504.181, 4511.514, 4516.01, 4516.02, 4516.03, 4516.04, 4516.05, 4516.06, 4516.07, 4765.302, 5501.09, and 5517.07; and to repeal sections 4511.099, 4511.0915, and 5747.502 of the Revised Code and to amend Section 213.20 of H.B. 529 of the 132nd General Assembly, as subsequently amended, to increase the rate of and modify the distribution of revenue from motor fuel excise taxes, to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2019, and ending June

30, 2021, and to provide authorization and conditions for the operation of those programs.

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 72 -Senator Burke, et al.

To amend sections 3743.04, 3743.08, 3743.17, 3743.21, 3743.25, 3743.44, 3743.45, 3743.57, 3743.60, 3743.61, 3743.63, 3743.65, 3743.75, 3743.99, and 5703.21 and to enact sections 3743.22, 3743.46, 3743.47, 3743.591, and 3743.67 of the Revised Code to revise the Fireworks Law.

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 73 -Senator Brenner

To amend section 4511.46 of the Revised Code to alter the law governing yielding to pedestrians in crosswalks.

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

S. B. No. 75 -Senator Williams, et al.

To enact section 4113.66 of the Revised Code to prohibit the use of noncompete provisions in employment contracts in the broadcasting industry.

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 78 -Senator Maharath

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

To the Committee on Judiciary.

S. B. No. 79 -Senator Maharath

To enact section 5534.79 of the Revised Code to designate a portion of the eastbound lanes of I-70 in Franklin County as the "Judge Robert Duncan Memorial Highway."

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 80 -Senator Maharath

To enact section 5.246 of the Revised Code to designate the last week of

September as "Diaper Need Awareness Week."

To the Committee on Health, Human Services and Medicaid.

S. B. No. 81 -Senator Maharath

To amend section 3319.46 of the Revised Code to prohibit the use of seclusion in public schools.

To the Committee on Education.

S. B. No. 83 -Senator Maharath

To enact section 5534.90 of the Revised Code to designate the entrance ramp from West Broad Street onto Interstate Highway 70 in Franklin County as the "G. Thomas Turner, Sr. I-70 East Entrance Ramp."

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 84 -Senator Maharath

To enact section 3313.675 of the Revised Code to allow an individual enrolling a student to voluntarily state if student's parent or guardian is a member of the Armed Forces.

To the Committee on Education.

S. B. No. 85 -Senator Maharath

To amend section 4511.21 of the Revised Code to establish signage requirements for indicating school zones for speed limit purposes, and to make an appropriation.

To the Committee on Finance.

S. B. No. 86 -Senator Maharath

To enact sections 4934.01, 4934.02, 4934.03, 4934.031, 4934.05, 4934.07, 4934.09, 4934.11, 4934.30, and 4934.32 of the Revised Code to regulate certain resellers of utility service.

To the Committee on Energy and Public Utilities.

S. B. No. 87 -Senator Maharath

To amend sections 4507.50 and 4507.52 of the Revised Code to allow any veteran and any unemployed mobility impaired person to obtain a free

identification card that is valid for eight years.

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

S. B. No. 88 -Senator Maharath

To amend section 4743.08 of the Revised Code to require certain health care professionals to complete instruction in cultural competency.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 89 -Senator Huffman, M., et al.

To amend sections 3302.03, 3313.14, 3313.482, 3313.618, 3313.903, 3317.023, 3319.226, 3326.032, 3333.162, 3333.94, 3365.01, 3365.02, 5709.62, 5709.63, 5709.632, 5709.82, and 5709.83, to enact sections 3301.0730, 3317.037, and 3319.2211, and to repeal section 3313.6113 of the Revised Code with regard to career-technical education and the compensation of joint vocational school districts located in enterprise zones.

To the Committee on Education.

S. B. No. 90 -Senators Thomas, Craig, et al.

To amend sections 4111.02, 4111.09, and 4111.14 and to repeal section 4111.07 of the Revised Code to increase the state minimum wage and to allow municipalities, townships, and counties to establish higher minimum wage requirements.

To the Committee on Government Oversight and Reform.

S. B. No. 91 -Senator Maharath

To amend sections 4117.10 and 5747.01 and to enact sections 4143.01, 4143.02, 4143.03, 4143.04, 4143.05, 4143.06, 4143.07, 4143.08, 4143.09, 4143.10, 4143.11, 4143.12, 4143.13, 4143.14, and 4143.99 of the Revised Code to establish family and medical leave insurance benefits.

To the Committee on Insurance and Financial Institutions.

S. B. No. 92 -Senator Maharath

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 (4112.17) 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 General Government and Agency Review.

S. B. No. 93 -Senator Maharath

To amend sections 4111.02, 4111.08, 4111.10, 4111.13, 4111.14, 4111.99, 4112.01, and 4112.05 and to enact sections 4111.021, 4111.031, and 4112.025 of the Revised Code regarding wages, overtime, and other matters related to the employment of domestic workers.

To the Committee on General Government and Agency Review.

S. B. No. 94 -Senator Maharath

To amend sections 4112.01, 4112.05, 4112.07, and 4113.71 and to enact section 4112.025 of the Revised Code to enact the "Ohio Pregnant Workers Fairness Act" to generally require employers to make reasonable accommodations for employees who are pregnant or breastfeeding.

To the Committee on Government Oversight and Reform.

S. B. No. 95 -Senators Peterson, Kunze, et al.

To amend sections 122.17, 3735.65, 3735.67, 3735.671, 5709.61, 5709.62, 5709.63, 5709.631, 5709.632, and 5751.01 of the Revised Code to enhance state and local tax inducements for businesses making substantial fixed asset and employment investments and their suppliers.

To the Committee on Ways and Means.

S. B. No. 96 -Senators Dolan, Yuko, et al.

To amend section 1901.181 of the Revised Code to grant the Cleveland Housing Court jurisdiction in any review or appeal of a final order of an administrative body that relates to a local building, health, or safety code.

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

S. B. No. 97 -Senator Huffman, S., et al.

To enact sections 3726.01, 3726.02, 3726.03, 3726.04, and 3726.05 and to repeal section 5162.80 of the Revised Code regarding the provision of cost estimates for scheduled health care services and health care services requiring insurer preauthorization.

To the Committee on Health, Human Services and Medicaid.

S. B. No. 98 -Senator Maharath

To amend section 121.30 and to enact sections 121.34 and 121.341 of the Revised Code to create the Ohio Asian-American and Pacific Islander Affairs Commission and the Office of Asian-American and Pacific Islander Affairs and to make an appropriation.

To the Committee on Finance.

S. B. No. 99 -Senator Thomas, et al.

To amend sections 109.57, 2151.23, 2152.02, 2152.021, 2152.10, 2152.12, 2152.13, 2152.14, 2152.26, and 2505.02 and to repeal section 2152.121 of the Revised Code to eliminate mandatory bindovers and reverse bindovers, and modify the law governing a discretionary bindover, of an alleged juvenile offender from a juvenile court to a criminal court.

To the Committee on Judiciary.

S. B. No. 100 -Senator Thomas, et al.

To amend sections 2929.02, 2929.14, 2967.13, 2971.03, and 5149.101 and to enact section 2967.132 of the Revised Code relative to parole eligibility for persons with an indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age.

To the Committee on Judiciary.

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

To enact section 5.2316 of the Revised Code to designate May as "Preeclampsia Awareness Month."

To the Committee on Health, Human Services and Medicaid.

YES - 13: DAVE BURKE, WILLIAM P. COLEY, II, MATT DOLAN, JOHN EKLUND, JAY HOTTINGER, MATT HUFFMAN, STEPHANIE KUNZE, LARRY OBHOF, BOB PETERSON, CECIL THOMAS, SANDRA R. WILLIAMS, STEVE WILSON, KENNY YUKO

NO - 0.

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

The report of the committee was accepted.

Said bills 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. 10**-Senator Wilson, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

Co-Sponsors: Coley, Hoagland, Gavarone.

YES - 11: TERESA FEDOR, CECIL THOMAS, HEARCEL F. CRAIG, BOB PETERSON, KRISTINA D. ROEGNER, WILLIAM P. COLEY, II, FRANK HOAGLAND, JOE UECKER, THERESA GAVARONE, ROB MCCOLLEY, MATT HUFFMAN

NO - 0.

After line 211, insert:

"(c) Consistent with the ruling of the supreme court of the United States in Kelly v. Robinson, 479 U.S. 36 (1986), restitution imposed under division (C)(2)(a) of this section is not dischargeable under Chapter 7 of the United States Bankruptcy Code pursuant to 11 U.S.C. 523, as amended."

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 22**-Senator Uecker, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

Co-Sponsors: Coley, Hoagland, Gavarone.

YES - 11: TERESA FEDOR, CECIL THOMAS, HEARCEL F. CRAIG, BOB PETERSON, KRISTINA D. ROEGNER, WILLIAM P. COLEY, II, FRANK HOAGLAND, JOE UECKER, THERESA GAVARONE, ROB MCCOLLEY, MATT HUFFMAN

NO - 0.

In line 79, after "precinct" insert ", so long as the board approves the

decision to reduce the number of precinct election officials by the affirmative vote of at least three of its members"

The question being, "Shall the reports of the committee be accepted?"
The reports of the committee were accepted.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

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

S. B. No. 102 - Senators Brenner, Lehner
Cosponsors: Senators Eklund, Fedor, Rulli, Sykes

To enact new section 3323.25 and to repeal section 3323.25 of the Revised Code to establish the Dyslexia Screening Program for school districts and other public schools.

S. B. No. 103 - Senators Dolan, Yuko
Cosponsors: Senators Eklund, Thomas, Williams

To amend section 1901.181 of the Revised Code to grant the Housing Division of the Cleveland Municipal Court concurrent jurisdiction with the Court of Common Pleas in criminal cases related to environmental pollution.

OFFERING OF RESOLUTIONS

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

S. R. No. 47 - Senator Peterson
Honoring the Chillicothe Fire Department on its One Hundred Fortieth Anniversary.

S. R. No. 48 - Senator Gavarone
Honoring Tara J. Barnhart as the 2018 Dispatcher of the Year.

S. R. No. 49 - Senator Obhof
Honoring Felicia Pasadyn on winning a 2019 Division I State Swimming Championship.

S. R. No. 50 - Senator Gavarone
Honoring the Bowling Green Philharmonia on its Centennial.

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

MESSAGE FROM THE PRESIDENT

Pursuant to Section 122.98 (A)(1) of the Ohio Revised Code, the President of the Senate appoints the following senators to the Ohio Aerospace and Aviation Technology Committee:

Senator Bob Hackett
Senator Joe Uecker
Senator Sean O'Brien

On the motion of Senator Brenner, the Senate adjourned until Wednesday, March 13, 2019 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.