

OHIO

SENATE

JOURNAL

WEDNESDAY, MARCH 27, 2019

THIRTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 27, 2019, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Rich Hayes, World Harvest Ministers Network, Ohio, a guest of Senator Hackett, 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 Craig honored The Ohio State University dance team as a 2019 Universal Dance and Cheer Association College National Champion.

Senator Craig honored Brutus Buckeye as the 2019 Universal Cheerleader's Association D1A Mascot National Champion.

Senator Matt Huffman honored Lora Current as the 2019 Ohio Fairs' Queen.

President Obhof and Senator Kunze honored Jennifer A. Parker on her retirement from the Ohio Legislative Service Commission.

Senator Coley honored James E. Hutchinson as the 2018 Ohio State Highway Patrol Trooper of the Year.

Senator Yuko recognized Hannah Earles from Westerville, Ohio for her visit to the Statehouse.

Senator Burke recognized students from North Central Electric Cooperative and Lorain-Medina Cooperative who were visiting the Statehouse.

Senator Thomas recognized John Smith, the mayor of Silverton, Ohio, for his visit to the Statehouse.

Senator Dolan recognized Dustin Kolsen, an Ohio State University student from Solon, Ohio, for shadowing him with the Ohio Credit Union League.

Senator Sykes recognized Summit County Child and Family Leadership Exchange Class for their civic engagement and exemplary leadership.

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. H. B. No. 50 -Representative Greenspan, et al.

To enact section 339.062 of the Revised Code to require that all rights to and interests in charter county hospital employee discoveries, inventions, or patents are the property of the charter county hospital.

To the Committee on Government Oversight and Reform.

S. B. No. 61 -Senator Burke, et al.

To amend sections 4723.07, 4723.28, 4723.43, 4723.44, 4723.50, and 4729.01, to amend the version of section 4729.01 that is scheduled to take effect March 22, 2020, and to enact section 4723.484 of the Revised Code regarding the authority of certified registered nurse anesthetists to select, order, and administer certain drugs.

To the Committee on General Government and Agency Review.

S. B. No. 82 -Senator Maharath

To enact section 5.2521 of the Revised Code to designate March 31 as "Cesar E. Chavez Day" in Ohio.

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 103 -Senators Dolan, Yuko, et al.

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.

To the Committee on Judiciary.

S. B. No. 104 -Senator Hill

To amend sections 3313.64, 3313.98, 3313.981, 3314.08, 3326.31, 3326.33, and 3326.39 and to enact sections 3313.984, 3314.088, and 3326.42 of the Revised Code regarding funding for students enrolled in community schools, STEM schools, and other districts through interdistrict open enrollment.

To the Committee on Education.

S. B. No. 112 -Senator Eklund, et al.

To amend sections 9.45, 2925.01, 4710.01, 4710.03, 4710.04, 4712.01, and 4712.99; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4710.01 (4712.50), 4710.02 (4712.51), 4710.03 (4712.52), and 4710.04 (4712.53); to enact section 4712.54; and to repeal section 4710.99 of the Revised Code regarding debt adjusting.

To the Committee on Insurance and Financial Institutions.

S. B. No. 113 -Senator Eklund, et al.

To amend section 5739.02 of the Revised Code to exempt the sale of incontinence products to Medicaid recipients from sales tax.

To the Committee on Ways and Means.

S. B. No. 114 -Senator Hottinger

To amend section 505.172 of the Revised Code to expand the authority of a township to regulate noise within the unincorporated area of the township.

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

S. B. No. 115 -Senator Maharath

To amend section 4301.69 of the Revised Code to prohibit a person under 21 years old from entering or being allowed to enter a bar.

To the Committee on Government Oversight and Reform.

S. B. No. 116 -Senator Maharath

To enact section 3902.50 of the Revised Code to require that health benefit plans provide coverage for maternity services.

To the Committee on Insurance and Financial Institutions.

S. B. No. 117 -Senator Maharath

To amend section 2907.29 and to enact sections 3727.61, 3727.611, and 3727.612 of the Revised Code to require hospitals to provide specified services to victims of sexual assault.

To the Committee on Health, Human Services and Medicaid.

YES - 14: DAVE BURKE, WILLIAM P. COLEY, II, MATT DOLAN,
JOHN EKLUND, JAY HOTTINGER, MATT HUFFMAN,
STEPHANIE KUNZE, SEAN J. O'BRIEN, 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 McColley submitted the following report:

The standing committee on Transportation, Commerce and Workforce, to which was referred **S. B. No. 7**-Senators Lehner, Hackett, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Uecker, Hottinger, Kunze.

YES - 10: ROB MCCOLLEY, JOE UECKER, FRANK HOAGLAND,
JAY HOTTINGER, STEPHANIE KUNZE, MICHAEL A.
RULLI, NICKIE J. ANTONIO, TINA MAHARATH,
VERNON SYKES, NATHAN H. MANNING

NO - 0.

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

The report of the committee was accepted.

Senator Obhof submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

Maureen M. Corcoran, from Franklin County, Ohio, as the Director of the Department of Medicaid for a term beginning January 22, 2019 and continuing at the pleasure of the Governor.

Lori Criss, from Franklin County, Ohio, as the Director of the Department of Mental Health and Addiction Services for a term beginning February 4, 2019

and continuing at the pleasure of the Governor.

Jeff Davis, from Franklin County, Ohio, as the Director of the Department of Developmental Disabilities for a term beginning January 18, 2019 and continuing at the pleasure of the Governor.

Jillian Froment, from Franklin County, Ohio, as the Director of the Department of Insurance for a term beginning January 14, 2019 and continuing at the pleasure of the Governor.

David Goodman, Republican, from New Albany, Franklin County, Ohio, as a Member of the Unemployment Compensation Review Commission for a term beginning February 27, 2019, and ending at the close of business February 26, 2025, replacing Sylvester Patton, whose term expired.

Kimberly Lowe Hall, from Franklin County, Ohio, as the Director of the Department of Jobs and Family Services for a term beginning January 31, 2019 and continuing at the pleasure of the Governor.

David R. Harbarger, Republican, from Lakewood, Cuyahoga County, Ohio, as a Member of the Board of Tax Appeals for a term beginning February 9, 2019, and ending at the close of business February 8, 2025, replacing David R. Harbarger, whose term expired.

Erin L. Keels, DNP, APRN, from Columbus, Franklin County, Ohio, as a Member of the Board of Nursing for a new term beginning January 2, 2019 and ending at the close of business December 31, 2022, replacing Erin L. Keels, DNP, APRN, whose term expired.

Stephanie B. McCloud, from Franklin County, Ohio, as the Administrator of the Bureau of Workers' Compensation for a term beginning January 14, 2019 and continuing at the pleasure of the Governor.

Ursel J. McElroy, from Franklin County, Ohio, as the Director of the Department of Aging for a term beginning January 14, 2019 and continuing at the pleasure of the Governor.

Ross W. McGregor, Republican, from Springfield, Clark County, Ohio, as a Member of the State Personnel Board of Review for a term beginning February 9, 2019, and ending at the close of business February 5, 2025, replacing James W. McGregor, whose term expired.

Sandra A. Ranck, MSN, RN, from Ashtabula, Ashtabula County, Ohio, as a Member of the Board of Nursing for a new term beginning January 2, 2019 and ending at the close of business December 31, 2022, replacing Sandra A. Ranck, MSN, RN, whose term expired.

Joanna G. Ridgeway, LPN, from Hilliard, Franklin County, Ohio, as a Member of the Board of Nursing for a new term beginning January 2, 2019 and ending at the close of business December 31, 2022, replacing Joanna G. Ridgeway, LPN, whose term expired.

Jen Thrasher, from Grandview Heights, Franklin County, Ohio, as a Member of the Sunset Review Committee for a term beginning February 5, 2019, and ending at the close of business December 31, 2020, replacing Megan Fitzmartin, whose term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 14: DAVE BURKE, WILLIAM P. COLEY, II, MATT DOLAN, JOHN EKLUND, JAY HOTTINGER, MATT HUFFMAN, STEPHANIE KUNZE, SEAN J. O'BRIEN, LARRY OBHOF, BOB PETERSON, CECIL THOMAS, SANDRA R. WILLIAMS, STEVE WILSON, 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 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hill	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Kunze
Lehner	Manning	McColley	O'Brien
Peterson	Rulli	Schuring	Sykes
Terhar	Thomas	Uecker	Williams
Wilson	Yuko		Obhof-31

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

S. B. No. 4-Senators Rulli, Kunze

Cosponsor: Senator Hottinger

To amend Section 237.30 of H.B. 529 of the 132nd General Assembly and Section 237.10 of H.B. 529 of the 132 General Assembly, as subsequently amended, to make a capital appropriation for school facilities assistance, was considered the third time.

The question being, "Shall the bill, **S. B. No. 4**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hill	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Kunze
Lehner	Manning	McColley	O'Brien

Peterson
Terhar
Wilson

Rulli
Thomas
Yuko

Schuring
Uecker

Sykes
Williams
Obhof-31

So the bill passed.

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

Senator Rulli moved to amend the title as follows:

Add the names: "Senators Antonio, Brenner, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hill, Hoagland, Huffman, S., Lehner, Manning, Obhof, O'Brien, Peterson, Sykes, Terhar, Thomas, Uecker, Williams, Yuko"

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 House of Representatives has refused to concur in the Senate amendments to:

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

Attest:

Bradley J. Young,
Clerk.

Senator Hottinger moved that the Senate insist on the Senate amendments to **Am. Sub. H. B. No. 62**, and ask for a committee of conference.

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

The motion was agreed to.

Sub. S. B. No. 7-Senators Lehner, Hackett

Cosponsors: Senators McColley, Hoagland, Huffman, S., Roegner, Fedor, Maharath, Craig, Uecker, Hottinger, Kunze

To amend sections 4731.299, 4734.281, 4734.285, 4734.49, 4743.04, 4759.02, 4759.10, 4761.03, 4762.03, 4778.07, 4778.08, and 5903.04 and to enact sections 4730.121, 4731.153, 4731.57, 4743.041, 4759.063, 4760.041, 4761.052, 4762.041, 4774.041, 4778.051, and 4778.081 of the Revised Code regarding temporary state occupational licenses for members of the military and their spouses and regarding the state medical board issuing expedited licenses or certificates by endorsement to those individuals under certain

circumstances, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 7**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hill	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Kunze
Lehner	Manning	McColley	O'Brien
Peterson	Rulli	Schuring	Sykes
Terhar	Thomas	Uecker	Williams
Wilson	Yuko		Obhof-31

So the bill passed.

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

Senator Lehner moved to amend the title as follows:

Add the names: "Senators Antonio, Brenner, Burke, Coley, Dolan, Eklund, Gavarone, Hill, Huffman, M., Manning, Obhof, O'Brien, Peterson, Rulli, Sykes, Terhar, Thomas, Williams, Wilson, Yuko"

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

The motion was agreed to and the title so amended.

Am. S. B. No. 27-Senator Uecker

Cosponsors: Senators Terhar, Brenner, Roegner, Huffman, M., McColley, Wilson, Hottinger, Huffman, S.

To amend sections 2317.56, 3701.341, and 3701.79 and to enact sections 3726.01, 3726.02, 3726.03, 3726.04, 3726.041, 3726.042, 3726.05, 3726.09, 3726.10, 3726.11, 3726.12, 3726.13, 3726.14, 3726.15, 3726.16, 3726.95, 3726.99, and 4717.271 of the Revised Code to impose requirements on the final disposition of fetal remains from surgical abortions, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 27**, pass?"

The yeas and nays were taken and resulted – yeas 24, nays 7, as follows:

Those who voted in the affirmative were: Senators

Brenner	Burke	Coley	Dolan
Eklund	Gavarone	Hackett	Hill
Hoagland	Hottinger	Huffman, M.	Huffman, S.
Kunze	Lehner	Manning	McColley
O'Brien	Peterson	Rulli	Schuring
Terhar	Uecker	Wilson	Obhof-24

Senators Antonio, Craig, Fedor, Sykes, Thomas, Williams, and Yuko voted in the negative-7.

So the bill passed.

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

Senator Uecker moved to amend the title as follows:

Add the names: "Senators Burke, Coley, Eklund, Gavarone, Hill, Hoagland, Lehner, Obhof"

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. 122 - Senator Wilson

To amend sections 125.66 and 125.661; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 125.66 (113.60) and 125.661 (113.61); and to enact section 113.62 of the Revised Code; and to amend Section 207.71 of Am. Sub. H.B. 49 of the 132nd General Assembly to require the Treasurer of State to administer the Pay for Success Contracting Program and to expand the purposes of the Program.

S. B. No. 123 - Senators Dolan, Manning

Cosponsors: Senators Obhof, Peterson, Craig, Thomas, Antonio, Fedor

To enact section 5.078 of the Revised Code to designate the *Dunkleosteus terrelli* as the official state fossil fish.

OFFERING OF RESOLUTIONS

Senator Huffman, S. offered the following resolution:

S. R. No. 92-Senator Huffman, S..

Permitting the use of the Ohio Senate Chambers by the Chaminade Julianne Catholic High School government class on April 1, 2019.

WHEREAS, The members of the Senate of the 133rd General Assembly of Ohio are pleased to learn that the Chaminade Julianne Catholic High School government class has requested permission to use the Ohio Senate Chambers, April 1, 2019; and

WHEREAS, A beneficial educational endeavor, the Chaminade Julianne Catholic High School government class legislative experience provides students with the opportunity to better appreciate and understand government and its components. The knowledge gained through this event will certainly be of value to participants in the years to come; and

WHEREAS, By utilizing the facilities that accommodate those involved in the state legislative process, the Chaminade Julianne Catholic High School government class, led by CJCHS Social Studies Department

chair Angela Ruffolo, will effectively offer students an accurate depiction of state government and the manner in which legislation is processed; and

WHEREAS, Through the use of the Senate Chambers, the Chaminade Julianne Catholic High School government class students will be better prepared to become productive members of our complex and ever-changing society. The maturity and experience participants will gain through their involvement in this program will not only enrich their total education but also enable them to make better-informed decisions as they assume the responsibilities of adult citizenship; therefore be it

RESOLVED, That we, the members of the Senate of the 133rd General Assembly of Ohio, in adopting this Resolution, grant the Chaminade Julianne Catholic High School government class permission to use the Ohio Senate Chambers, contingent upon the availability of those facilities, and salute the participants as some of Ohio's finest young citizens; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to the Chaminade Julianne Catholic High School government class.

The question being, "Shall the resolution, **S. R. No. 92**, be adopted?"

So the resolution was adopted.

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

Senator S. Huffman moved to amend the title as follows:

Add the names: "Senators Coley, Gavarone, Hackett, Huffman, M., Lehner, McColley, Peterson, Terhar"

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

The motion was agreed to and the title so amended.

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

S. R. No. 93 - Senator Lehner

Honoring the Vandalia-Butler High School boys bowling team on winning the 2019 Division I State Championship.

S. R. No. 94 - Senator Lehner

Honoring Drew Sacks on winning the 2019 Division I State Championship in boys bowling.

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 message from the Governor which was read by the Clerk:

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Samuel Charles Randazzo, Independent, from Columbus, Franklin County, Ohio, as a Member of the Public Utilities Commission of Ohio for a term beginning April 11, 2019 ending at the close of business April 10, 2024, replacing Thomas W. Johnson, 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 March in the year of our Lord, Two Thousand and Nineteen.

[Seal]

Mike DeWine,
Governor.

Said appointments were referred to the committee on Rules and Reference.

On the motion of Senator Peterson, the Senate recessed until 3:03 p.m.
The Senate met pursuant to the recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives accedes to the request of the Senate for a committee of conference on matters of difference between the two Houses on:

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

The Speaker of the House has appointed as managers on the part of the House on such matters of difference:

Representatives Oelslager, Greenspan, Cera.

Attest:

Bradley J. Young,
Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rule 30, the President of the Senate appoints the following members to serve on the Conference Committee for Am. Sub. H.B. 62:

Senator Bob Peterson
Senator Matt Dolan
Senator Nickie Antonio

On the motion of Senator Peterson, the Senate recessed until 4:59 p.m.
The Senate met pursuant to the recess.

On the motion of Senator Dolan, the Senate adjourned until Thursday,
March 28, 2019 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.