

JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO

SENATE

JOURNAL

THURSDAY, MARCH 28, 2019

THIRTY-FOURTH DAY
Senate Chamber, Columbus, Ohio
Thursday, March 28, 2019, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Brian Hanson, Grace Baptist Church in Cedarville, Ohio, followed by the Pledge of Allegiance to the Flag.

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

**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:

S. B. No. 118 -Senator Roegner.

To amend section 2903.13 of the Revised Code to increase the penalty for assault if the victim is acting as a sports official or the assault is committed in retaliation for the victim's actions as a sports official.

To the Committee on Judiciary.

S. B. No. 119 -Senators Roegner, Peterson, et al.

To amend section 1.04 of the Revised Code to exempt Ohio from daylight savings time.

To the Committee on General Government and Agency Review.

S. B. No. 120 -Senators McColley, Rulli, et al.

To amend section 117.46 of the Revised Code to authorize the Auditor of State to conduct performance audits of any and all state institutions of higher education.

To the Committee on Higher Education.

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

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

To the Committee on Government Oversight and Reform.

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 Hoagland submitted the following report:

The standing committee on Agriculture and Natural Resources, to which was referred **S. B. No. 57**-Senators Hill, Huffman, S., et. al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hoagland.

YES - 9: FRANK HOAGLAND, BRIAN HILL, STEPHANIE KUNZE, ROB MCCOLLEY, JOE UECKER, BOB D. HACKETT, TERESA FEDOR, SEAN J. O'BRIEN, STEPHEN A. HUFFMAN

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:

Barry J. Alexin, MBA, from Westerville, Franklin County, Ohio, as a Member of the Ohio Reclamation Forfeiture Fund Advisory Board for a new term beginning January 11, 2019 and ending at the close of business January 10, 2023, replacing Barry J. Alexin, MBA, whose term expired.

Nicholas D. Blois, from Strongsville, Cuyahoga County, Ohio, as a Member of the Advisory Board on Amusement Ride Safety for a term beginning January 2, 2019 and ending at the close of business January 1, 2023, replacing

Timothy John Lisko, who resigned.

William G. Brantingham, from Winona, Columbiana County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning January 14, 2019 and ending at the close of business January 13, 2021, replacing William G. Brantingham, whose term expired.

James E. Carnes, Republican, from St. Clairsville, Belmont County, Ohio, as a Member of the Liquor Control Commission for a term beginning February 9, 2019 and ending at the close of business February 8, 2025, replacing James E. Carnes, whose term expired.

Michael H. Fitchet, from Conneaut, Ashtabula County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning January 14, 2019 and ending at the close of business January 13, 2021, replacing Michael H. Fitchet, whose term expired.

Lamond H. Jasper, Jr., from Sandusky, Erie County, Ohio, as a Member of the Advisory Board on Amusement Ride Safety for a new term beginning January 3, 2019 and ending at the close of business January 1, 2025, replacing Lamond H. Jasper, Jr., whose term expired.

Dianne E. (Annie) Jones, from Ostrander, Delaware County, Ohio, as a Member of the State Veterinary Medical Licensing Board for a new term beginning January 10, 2019 and ending at the close of business December 31, 2021, replacing Dianne E. (Annie) Jones, whose term expired.

G. Gary Kaster, from McConnelsville, Morgan County, Ohio, as a Member of the Ohio Reclamation Forfeiture Fund Advisory Board for a new term beginning January 11, 2019 and ending at the close of business January 10, 2023, replacing G. Gary Kaster, whose term expired.

Larry L. Lindrose, Jr., from Mentor, Lake County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning January 14, 2019 and ending at the close of business January 13, 2021, replacing Larry L. Lindrose, Jr., whose term expired.

Paul P. Mechling, II, DVM, Democrat, from Pierpont, Ashtabula County, Ohio, as a Member of the Wildlife Council for a term beginning February 1, 2019 and ending at the close of business January 31, 2023, replacing Paul P. Mechling, II, DVM, whose term expired.

Mary C. Mertz, from Franklin County, Ohio, as the Director of the Department of Natural Resources for a term beginning January 14, 2019 and continuing at the pleasure of the Governor.

Nancy O'Connor, D.V.M., from Akron, Summit County, Ohio, as a Member of the State Veterinary Medical Licensing Board for a new term beginning January 10, 2019 and ending at the close of business December 31, 2021, replacing Nancy O'Connor, D.V.M., whose term expired.

Dorothy Pelanda, from Union County, Ohio, as the Director of the Department of Agriculture for a term beginning January 14, 2019 and continuing at the pleasure of the Governor.

William J. Siplivy, PE, CPG, from Stow, Summit County, Ohio, as a Member of the Ohio Reclamation Forfeiture Fund Advisory Board for a new term beginning January 11, 2019 and ending at the close of business January 10, 2023, replacing William J. Siplivy, PE, CPG, whose term expired.

Laurie A. Stevenson, from Franklin County, Ohio, as the Director of the Environmental Protection Agency for a term beginning January 14, 2019 and continuing at the pleasure of the Governor.

J. Randal Van Dyne, from Findlay, Hancock County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning January 14, 2019 and ending at the close of business January 13, 2021, replacing J. Randal Van Dyne, whose term expired.

Matthew P. Verbsky, DVM, MS, from West Liberty, Logan County, Ohio, as a Member of the State Veterinary Medical Licensing Board for a new term beginning January 8, 2019 and ending at the close of business December 31, 2021, replacing Matthew P. Verbsky, DVM, MS, whose term expired.

David K. Whiting, from Grove City, Franklin County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning January 14, 2019 and ending at the close of business January 13, 2021, replacing David K. Whiting, whose term expired.

Cynthia L. Emerick-Whitson, from Camden, Preble County, Ohio, as a Member of the Advisory Board on Amusement Ride Safety for a new term beginning January 3, 2019 and ending at the close of business January 1, 2025, replacing Cynthia L. Emerick-Whitson, whose term expired.

Donald P. Woodward, Democrat, from Geneva-on-the-Lake, Ashtabula County, Ohio, as a Member of the Advisory Board on Amusement Ride Safety for a new term beginning January 3, 2019 and ending at the close of business January 1, 2025, replacing Donald P. Woodward, 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 30, 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
Thomas	Uecker	Williams	Wilson
Yuko			Obhof-30

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 57-Senators Hill, Huffman, S.

Cosponsors: Senators O'Brien, Uecker, Eklund, Schuring, Hackett, Brenner, Fedor, Antonio, Hoagland

To amend sections 924.01, 3719.01, and 3719.41, to enact sections 924.212, 928.01, 928.02, 928.03, 928.04, 928.05, 928.06, 928.07, and 928.99 of the Revised Code, and to amend the versions of sections 3719.01 and 3719.41 of the Revised Code that are scheduled to take effect on March 22, 2020, to decriminalize hemp and hemp products, to establish a hemp cultivation and processing licensing program, and to establish a hemp marketing program, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 57**, pass?"

The yeas and nays were taken and resulted – yeas 30, 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
Thomas	Uecker	Williams	Wilson
Yuko			Obhof-30

So the bill passed.

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

Senator Hill moved to amend the title as follows:

Add the names: "Senators Coley, Craig, Dolan, Gavarone, Huffman, M., Kunze, Lehner, Manning, Peterson, Sykes, Thomas, Williams, Wilson, Yuko"

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

The motion was agreed to and the title so amended.

OFFERING OF RESOLUTIONS

Senator Kunze offered the following resolution:

S. R. No. 95-Senator Kunze

To urge Congress to maintain federal funding for Special Olympics.

WHEREAS, For more than fifty years, Special Olympics has helped foster the acceptance and inclusion of individuals with intellectual disabilities through training, competition, education, health screenings, and community events; and

WHEREAS, The mission of Special Olympics is to provide year-round sports training and athletic competition in a variety of sports for children and adults with intellectual disabilities, giving them opportunities to develop physical fitness, demonstrate courage, experience joy, and participate in sharing gifts, skills, and friendship with their families, other athletes, and the community; and

WHEREAS, Special Olympics involves more than 4.4 million athletes in 170 countries, including more than 900,000 in North America; and

WHEREAS, Special Olympics Ohio has approximately 200 community partners and serves more than 27,000 athletes; and

WHEREAS, Students with and without intellectual disabilities are also playing and competing together, on the same team, through Special Olympics Unified Sports; and

WHEREAS, Special Olympics offers health events where athletes receive free health screenings and health education, and where health professionals are trained to offer year-round health access to people with intellectual disabilities in their communities; and

WHEREAS, Special Olympics has provided over 58,000 health screenings and trained over 10,000 health care professionals in the United States. Globally, Special Olympics has provided over 1.9 million health screenings in over 130 countries and trained over 220,000 health care professionals; and

WHEREAS, Federal funding represents approximately 10% of the organization's budget; now therefore be it

RESOLVED, That we, the members of the 133rd General Assembly of the State of Ohio, urge Congress to maintain federal funding for Special Olympics; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated

copies of this resolution to the Speaker and Minority Leader of the United States House of Representatives, to the Majority Leader and Minority Leader of the United States Senate, to Ohio's congressional delegation, and to the news media of Ohio.

The question being, "Shall the resolution, **S. R. No. 95**, be adopted?"

On the motion of Senator Peterson, **S. R. No. 95**, was referred to the Committee on Rules and Reference.

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

S. R. No. 96 - Senator Kunze

Honoring Gia Napoleon as a 2019 Division I State Indoor Track and Field Champion

S. R. No. 97 - Senator Kunze

Honoring Ellie Andrews on winning the 2019 Division I State Championship in the 200-yard individual medley

S. R. No. 98 - Senator Kunze

Honoring the Thomas Worthington High School girls 3,200-meter relay team on placing first at the 2019 Division I State Indoor Track and Field Meet

S. R. No. 99 - Senator Kunze

Honoring Seth Shumate as the 2019 Division I State Wrestling Champion in the 195-pound weight class

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 passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 18 -Representatives Vitale, Crawley

Cosponsors: Representatives Antani, Becker, Boggs, DeVitis, Hambley, Hicks-Hudson, Hood, Jones, Jordan, Keller, Lang, Manning, G., Miller, A., Miller, J., Perales, Riedel, Russo, Upchurch, Weinstein, Zeltwanger, Schaffer, Rogers, Sobecki, Arndt, Baldridge, Blessing, Boyd, Brent, Brown, Butler, Callender, Carfagna, Carruthers, Cera, Clites, Cross, Crossman, Cupp, Dean, Denson, Edwards, Galonski, Ghanbari, Ginter, Green, Greenspan, Hillyer, Holmes, A., Holmes, G., Hoops, Howse, Ingram, Kelly, Kent, Kick, Koehler,

Lanese, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Manning, D., McClain, Merrin, Miranda, O'Brien, Oelslager, Patterson, Plummer, Powell, Reineke, Richardson, Robinson, Roemer, Romanchuk, Ryan, Scherer, Seitz, Sheehy, Skindell, Smith, K., Smith, R., Smith, T., Stein, Stoltzfus, Strahorn, Sweeney, Sykes, West, Wiggam, Wilkin

To amend section 5747.01 of the Revised Code to exempt from the income tax disability severance payments received by honorably discharged veterans.

Attest:

Bradley J. Young,
Clerk.

Said bill was considered the first time.

On the motion of Senator Peterson, the Senate recessed until 5:49 p.m.

The Senate met pursuant to the recess.

MOTIONS

Senator Hottinger moved that Senators absent the week of Sunday, March 10, 2019, 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.

On the motion of Senator Hottinger, the Senate adjourned until Friday, March 29, 2019 at 10:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.