

JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO

SENATE

JOURNAL

WEDNESDAY, MAY 8, 2019

FIFTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Wednesday, May 8, 2019, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Rod Parsley, World Harvest Church in Canal Winchester, 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 McColley honored the Crestview High School boys basketball team as the 2019 Division IV State Champion.

Senator Lehner honored Kevin Leibold as a 2019 Division II State Swimming Champion.

Senators Craig and Thomas honored Joe Macklin on being named the 2019 Ohio Big Brother of the Year and Kristi Winkler as the 2019 Big Sister of the Year for Ohio.

Senator Maharath honored the Harvest Preparatory School boys basketball team as the 2019 Division III State Champion.

Senator Kunze honored Pat Murphy on being named the 2019 All-Ohio Coach of the Year in hockey.

Senator Kunze honored Trent Belli as a member of the 2018-2019 All-Ohio first team in ice hockey as its Offensive Player of the Year.

Senator Gavarone honored Malakii Pinkelton as a 2019 Ohio Athletic Committee Wrestling Champion.

Senator Matt Huffman the Minster High School girls basketball team on winning the 2019 Division IV State Championship.

Senator Kunze honored Gia Napoleon as a 2019 Division I State Indoor Track and Field Champion.

Senator Kunze honored 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.

Senator Lehner honored Jade Eilers on being crowned Miss Teen Ohio International for 2019.

President Obhof recognized the Medina County Leadership Signature Program and Junior Leadership Medina County on visiting the Statehouse for their State Government Day.

Senators Kunze and Fedor recognized Teacher Appreciation Day in Ohio.

Senator Gavarone recognized Monica and Parker Deering, the daughter and grandson of former Representative Fred Deering.

Senator Roegner recognized Boy Scout Troop 223 from Twinsburg, Ohio, on their visit to the Statehouse.

On the motion of Senator Peterson, the Senate advanced to the ninth order of business, Offering of Resolutions.

OFFERING OF RESOLUTIONS

Senator Peterson offered the following resolution:

S. R. No. 194-Senators Obhof, Peterson.

Relative to the election of Tim Schaffer, to fill the vacancy in the membership of the Senate created by the resignation of Brian Hill of the 20th Senatorial District.

WHEREAS, Section 11 of Article II of the Ohio Constitution, provides for the filling of a vacancy in the Senate by election by the members of the Senate who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Brian Hill of the 20th Senatorial District has resigned as a member of the Senate effective April 3, 2019, thus creating a vacancy in the Senate; now therefore be it

RESOLVED, By the members of the Senate who are affiliated with the Republican party, that Tim Schaffer (Republican), having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the Senate from the 20th Senatorial District, is hereby elected, pursuant to Section 11 of Article II of the Ohio Constitution, as a member of the Senate from the 20th Senatorial District, to fill the vacancy created by Brian Hill; and be it further

RESOLVED, That a copy of this Resolution be spread upon the journal of the Senate together with the yeas and nays of the members of the Senate affiliated with the Republican party voting on the Resolution, and that the Clerk of the Senate shall certify the Resolution and the vote on its adoption to the Secretary of State.

The question being, "Shall the resolution, **S. R. No. 194**, be adopted?"

The yeas and nays were taken and resulted – yeas 23, nays 0, as follows:

Those who voted in the affirmative were: Senators

Brenner	Burke	Coley	Dolan
Eklund	Gavarone	Hackett	Hoagland
Hottinger	Huffman, M.	Huffman, S.	Kunze
Lehner	Manning	McColley	Peterson
Roegner	Rulli	Schuring	Terhar
Uecker	Wilson		Obhof-23

So the resolution was adopted.

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

The title was agreed to.

Senator Schaffer appeared at the bar of the Senate and was administered the oath of office by the Honorable Larry Obhof, President of the Ohio Senate.

On the motion of Senator Peterson, the Senate reverted to the second order of business, Reports of Standing and Select Committees.

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. 1**-Senators McColley, Roegner, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: KRISTINA D. ROEGNER, MATT HUFFMAN, FRANK HOAGLAND, JOE UECKER, THERESA GAVARONE, ROB MCCOLLEY, BOB PETERSON, WILLIAM P. COLEY, II

NO - 3: TERESA FEDOR, CECIL THOMAS, HEARCEL F. CRAIG

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **Am. H. B. No. 50**-Representative Greenspan, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Coley, Hoagland.

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

NO - 0.

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 107**-Senator Rulli, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

In line 2026, delete "on" and insert "one year after"

In line 2027, delete "at least one hundred eighty days"

Co-Sponsors: Roegner, Coley, Hoagland, Huffman, M..

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

NO - 0.

Senator Terhar submitted the following report:

The standing committee on Ways and Means, to which was referred **S. B. No. 37**-Senator Schuring having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hackett, Manning, Wilson.

YES - 10: LOU TERHAR, KRISTINA D. ROEGNER, JOHN EKLUND, SANDRA R. WILLIAMS, NICKIE J. ANTONIO, VERNON SYKES, BOB D. HACKETT, NATHAN H. MANNING, KIRK SCHURING, STEVE WILSON

NO - 0.

Senator Terhar submitted the following report:

The standing committee on Ways and Means, to which was referred **S. B. No. 26**-Senator Kunze, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Manning.

YES - 10: LOU TERHAR, JOHN EKLUND, KRISTINA D. ROEGNER, NICKIE J. ANTONIO, VERNON SYKES, BOB D. HACKETT, NATHAN H. MANNING, KIRK SCHURING, STEVE WILSON, SANDRA R. WILLIAMS

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:

Major General (Retired) Deborah A. Ashenhurst, from Franklin County, Ohio, as the Director of the Department of Veterans Services for a term beginning January 14, 2019 and continuing at the pleasure of the Governor.

James M. Hughes, J.D., Republican, from Upper Arlington, Franklin County, Ohio, as a Member of the Industrial Commission of Ohio for a term beginning July 1, 2019 and ending at the close of business June 30, 2025, replacing Thomas H. (Tim) Bainbridge, whose term expired.

Thomas J. Stickrath, from Delaware County, Ohio, as Director of the Department of Public Safety for a term beginning January 14, 2019, and continuing at the pleasure of the Governor.

Judy C. Wolford, J.D., Republican, from Ashville, Pickaway County, Ohio, as a Member of the Ohio Organized Crime Investigations Commission for a term beginning March 13, 2019 and ending at the close of business September 3, 2020, replacing Carol A. Hamilton O'Brien, who resigned.

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

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 Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Kunze	Lehner
Maharath	Manning	McColley	Peterson
Roegner	Rulli	Schaffer	Schuring
Sykes	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 1-Senators McColley, Roegner.

Cosponsors: Senators Obhof, Brenner, Coley, Hackett, Hoagland, Hottinger, Huffman, S., Huffman, M., Lehner, Rulli, Peterson, Wilson, Terhar.

To amend sections 106.021, 106.03, and 106.031 and to enact sections 101.354, 101.355, 107.57, 121.031, 121.95, 121.951, 121.952, and 121.953 of the Revised Code to require certain agencies to reduce the number of regulatory restrictions in their administrative rules, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 1**, pass?"

The yeas and nays were taken and resulted – yeas 24, nays 8, as follows:

Those who voted in the affirmative were: Senators

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

Senators Antonio, Craig, Fedor, Maharath, Sykes, Thomas, Williams, and Yuko voted in the negative-8.

So the bill passed.

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

Senator McColley moved to amend the title as follows:

Add the names: "Senators Gavarone, Manning, Schaffer, Schuring,

Uecker."

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

The motion was agreed to and the title so amended.

S. B. No. 26-Senator Kunze.

Cosponsors: Senators Maharath, Thomas, Roegner, Sykes, Williams, Fedor, Manning.

To amend section 5747.01 of the Revised Code to authorize a state income tax deduction for teachers' out-of-pocket expenses for professional development and classroom supplies, was considered the third time.

The question being, "Shall the bill, **S. B. No. 26**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Kunze	Lehner
Maharath	Manning	McColley	Peterson
Roegner	Rulli	Schaffer	Schuring
Sykes	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

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

Senator Kunze moved to amend the title as follows:

Add the names: "Senators Antonio, Coley, Craig, Eklund, Gavarone, Hackett, Hoagland, Hottinger, Huffman, S., Lehner, McColley, Obhof, Peterson, Rulli, Schaffer, Schuring, Terhar, Uecker, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 37-Senator Schuring.

Cosponsors: Senators Hackett, Manning, Wilson.

To amend sections 107.036, 122.85, 5726.98, 5733.98, 5747.98, and 5751.98 of the Revised Code to extend eligibility for and make other changes to the motion picture tax credit, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 37**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Kunze	Lehner
Maharath	Manning	McColley	Peterson

Roegner	Rulli	Schaffer	Schuring
Sykes	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

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

Senator Schuring moved to amend the title as follows:

Add the names: "Senators Antonio, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hoagland, Kunze, Lehner, Maharath, Obhof, Peterson, Rulli, Schaffer, Sykes, Terhar, Thomas, Williams, Yuko."

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

The motion was agreed to and the title so amended.

Am. S. B. No. 107-Senator Rulli.

Cosponsors: Senators Brenner, Eklund, Antonio, Sykes, Fedor, Roegner, Coley, Hoagland, Huffman, M.

To amend sections 3517.10, 3517.105, 3517.106, 3517.1011, and 3517.11 of the Revised Code to allow certain entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 107**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Kunze	Lehner
Maharath	Manning	McColley	Peterson
Roegner	Rulli	Schaffer	Schuring
Sykes	Terhar	Thomas	Uecker
Williams	Wilson	Yuko	Obhof-32

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 Burke, Craig, Gavarone, Hackett, Huffman, S., Kunze, Lehner, Maharath, Manning, McColley, Obhof, Schaffer, Thomas, Uecker, Williams, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Hottinger moved that Senators absent the week of Sunday, May 5, 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.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

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

S. B. No. 145 - Senator Burke.

Cosponsors: Senators Rulli, Roegner, Terhar, Wilson, Uecker.

To enact section 2913.50 of the Revised Code to create the offenses of theft or conversion of a telephone number or exchange and providing misleading caller identification information.

S. B. No. 146 - Senators Kunze, Antonio.

To amend sections 2919.25, 2929.13, and 2929.14 of the Revised Code to expand the offense of domestic violence to also prohibit a person from knowingly impeding the normal breathing or circulation of the blood of a family or household member by applying pressure to the family or household member's throat or neck or blocking the family or household member's nose or mouth.

OFFERING OF RESOLUTIONS

Senator Peterson offered the following resolution:

S. R. No. 195-Senator Peterson.

Relative to mileage reimbursement.

RESOLVED, Pursuant to section 101.27 of the Revised Code and S.R. No. 2--Senator Peterson, Relative to mileage reimbursement, adopted January 7, 2019, the Clerk of the Senate is authorized to add the mileage for Tim Schaffer of 64 miles round trip.

The question being, "Shall the resolution, **S. R. No. 195**, be adopted?"

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	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Kunze	Lehner
Maharath	Manning	McColley	Peterson
Roegner	Rulli	Schuring	Sykes

Terhar
Wilson

Thomas
Yuko

Uecker

Williams
Obhof-31

So the resolution was adopted.

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

The title was agreed to.

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

S. R. No. 196 - Senator Antonio.

Honoring the Joseph M. Gallagher School chess team as a 2019 Ohio Scholastic Chess Association Champion.

S. R. No. 197 - Senator Thomas.

Honoring Kristi Winkler on being named the 2019 Ohio Big Sister of the Year.

S. R. No. 198 - Senator McColley.

Honoring Zack Mattin as a 2019 Division III State Wrestling Champion.

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 3301.61 (A)(6)(d) of the Ohio Revised Code, the Minority Leader of the Senate appoints Senator Kenny Yuko to serve on the State Council on Educational Opportunity for Military Children for the 133rd General Assembly.

On the motion of Senator Peterson, the Senate adjourned until Thursday, May 9, 2019 at 9:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.