

JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO

SENATE

JOURNAL

WEDNESDAY, FEBRUARY 5, 2020

ONE HUNDRED FIFTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Wednesday, February 5, 2020, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Brian Solomon, Capitol Ministries in Columbus, 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:

President Obhof recognized Representatives from the Pioneer Career and Technology Center 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 and resolution, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 262 -Senator Williams, et al.

To amend sections 3301.0714, 3302.20, 3310.08, 3310.41, 3310.54, 3314.08, 3314.084, 3314.087, 3314.088, 3314.091, 3314.11, 3314.20, 3317.017, 3317.02, 3317.022, 3317.029, 3317.0212, 3317.0217, 3317.0218, 3317.0219, 3317.03, 3317.051, 3317.163, 3326.31, 3326.33, and 3326.42 and to repeal section 3310.55 of the Revised Code and to amend Sections 265.10, 265.170, 265.210, 265.220, 265.230, and 265.235 of H.B. 166 of the 133rd General Assembly to require the direct payment of state funding to community schools and science, technology, engineering, and mathematics schools; to require the direct payment of K-12 state scholarships; and to make an appropriation.

To the Committee on Finance Subcommittee on Primary and Secondary Education.

S. B. No. 263 -Senator Hackett, et al.

To amend sections 5164.751 and 5167.01 and to enact sections 3902.50, 3902.51, 4729.49, and 5167.123 of the Revised Code to prohibit a pharmacy benefit manager from taking certain actions with respect to reimbursements made to health care providers that participate in the federal 340B Drug

Pricing Program.

To the Committee on Finance.

S. B. No. 264 -Senator Williams, et al.

To amend sections 5725.98, 5726.98, 5729.98, 5747.98, and 5751.98 and to enact section 3333.93 of the Revised Code to authorize a nonrefundable tax credit for a business that assists an employee with the repayment of education loans.

To the Committee on Ways and Means.

S. B. No. 265 -Senator Kunze, et al.

To amend section 2919.25 of the Revised Code to increase the penalty for the offense of domestic violence when the victim is a functionally impaired person.

To the Committee on Judiciary.

S. B. No. 266 -Senator Hottinger

To enact section 5534.409 of the Revised Code to designate a portion of State Route 93, in Perry County, as the "Crooksville Firefighters David Theisen and Stephen Carletti Memorial Highway."

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 267 -Senator Huffman, S., et al.

To enact section 5.2521 of the Revised Code to designate August as "Bone Marrow Donation Awareness Month."

To the Committee on Health, Human Services and Medicaid.

S. B. No. 268 -Senator Sykes

To amend Section 207.320 of H.B. 529 of the 132nd General Assembly to modify the purpose of a capital appropriation.

To the Committee on Finance.

S. B. No. 269 -Senator Roegner, et al.

To amend section 4501.21 and to enact section 4503.596 of the Revised Code to create the "Cuyahoga Valley Scenic Railroad" license plate.

To the Committee on Transportation, Commerce and Workforce.

S. B. No. 270 -Senator Antonio, et al.

To amend section 5120.10 and to enact section 5120.101 of the Revised Code to adopt several jail reform procedures related to compliance with the Minimum Standards for Jails in Ohio.

To the Committee on Judiciary.

S. B. No. 271 -Senator Antonio, et al.

To enact section 5120.101 of the Revised Code to enact Sean's Law to establish rules and procedures for an inmate who is found to be at risk of withdrawal from benzodiazepines, alcohol, and other addictive drugs.

To the Committee on Judiciary.

S. R. No. 454 -Senator Roegner

To respectfully urge Congress and President Donald Trump to amend the Federal Clean Air Act to eliminate the requirement to implement the E-Check Program and direct the Administrator of USEPA to begin new rule-making procedures under the Administrative Procedures Act to repeal and replace the 2015 National Ambient Air Quality Standards; to respectfully urge Congress and President Donald Trump to pass legislation to achieve improvements in air quality more efficiently while allowing companies to innovate and help the economy grow; to urge the Administrator of USEPA to alleviate burdensome requirements of the E-Check Program and the Clean Air Act if Congress and the President fail to act; and to encourage OEPA to explore alternatives to E-Check in Ohio.

To the Committee on Agriculture and Natural Resources.

YES - 12: DAVE BURKE, MATT DOLAN, JOHN EKLUND, 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 and resolution were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Hackett submitted the following report:

The standing committee on Insurance and Financial Institutions, to which was referred **S. B. No. 148**-Senator Schuring, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

In line 38, delete "upon your"

In line 39, delete "request"

In line 538, delete "upon your"

In line 539, delete "request"

In line 995, delete "Upon the request of" and insert "Provide to"

In line 996, delete ", provide to the"

In line 997, delete "enrollee"

In line 1016, delete "upon your request"

Co-Sponsor: Hackett.

YES - 7: STEPHEN A. HUFFMAN, DAVE BURKE, ANDREW O.
 BRENNER, LOUIS W. BLESSING, III, BOB D. HACKETT,
 STEVE WILSON, BOB PETERSON

NO - 5: STEPHANIE KUNZE, MATT DOLAN, HEARCEL F.
 CRAIG, CECIL THOMAS, SANDRA R. WILLIAMS

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

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Sub. S. B. No. 9-Senator Huffman, M.

Cosponsors: Senators Terhar, Roegner, Eklund, Brenner, Hottinger, Antonio, Burke, Coley, Craig, Dolan, Gavarone, Hackett, Hill, Hoagland, Kunze, Lehner, Maharath, Manning, McColley, Obhof, O'Brien, Peterson, Rulli, Schuring, Thomas, Wilson, Yuko. Representatives Antani, Cupp, Dean, DeVitis, Edwards, Fraizer, Grendell, Hambley, Holmes, A., Patton, Perales, Reineke, Riedel, Roemer, Romanchuk, Scherer, Seitz, Stoltzfus, Wiggam.

To amend sections 3904.13 and 4125.03 and to enact section 3901.89 of the Revised Code to require health plan issuers to release certain claim information to group plan policyholders and to allow a professional employer organization to file federal payroll taxes entirely under a client employer's tax identification number, was taken up.

Senator Peterson moved that the amendments of the House of Representatives to **Sub. S. B. No. 9**, be informally passed and retain their place on the calendar.

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

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 134-Senator Gavarone.

Cosponsors: Senators Kunze, Hottinger, Hoagland, Maharath, Manning.

To amend sections 2743.51, 2903.06, 2903.08, 2929.14, 4510.17, 4511.181, 4511.75, 4511.751, and 4511.76 and to enact sections 5.501 and 2903.082 of the Revised Code to make changes to the law governing passing a school bus, including creating the new offense of vehicular harm, to create a new offense for vehicular homicide and vehicular assault related to improperly passing a stopped school bus, to align the penalty enhancements for vehicular homicide and vehicular assault, to make an appropriation, and to designate this the School Bus Safety Act, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 134**, pass?"

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

Those who voted in the affirmative were: Senators

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

So the bill passed.

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

Senator Gavarone moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Brenner, Burke, Craig, Dolan, Eklund, Fedor, Hackett, Huffman, S., Johnson, Lehner, McColley, O'Brien, Peterson, Roegner, Rulli, Schaffer, Schuring, Sykes, Thomas, Williams, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

S. B. No. 163-Senator Kunze.

Cosponsors: Senators Williams, Yuko, Schaffer, Fedor, Antonio, Johnson, Manning, Hoagland, Sykes, Maharath.

To amend section 4501.21 and to enact section 4503.725 of the Revised Code to create the "ALS Awareness" license plate, was considered the third time.

The question being, "Shall the bill, **S. B. No. 163**, pass?"

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

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Roegner	Rulli
Schaffer	Schuring	Sykes	Thomas
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 Blessing, Brenner, Burke, Craig, Dolan, Eklund, Gavarone, Hackett, Hottinger, Huffman, M., Huffman, S., Lehner, McColley, Obhof, O'Brien, Peterson, Rulli, Thomas, Wilson."

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 Wednesday, February 05, 2020, 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 bill was introduced and considered for the first time:

S. B. No. 272 - Senators Roegner, Blessing.

Cosponsors: Senators Huffman, M., Huffman, S.

To amend section 4755.48 and to enact sections 4755.57 and 4755.571 of the Revised Code to enter into the Physical Therapy Licensure Compact.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 464 - Senator Kunze.

Honoring Patrick J. Murphy as the 2018-2019 All-Ohio Coach of the Year in hockey.

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

So the resolution was adopted.

On the motion of Senator Peterson, the Senate recessed until 7:15 p.m.

The Senate met pursuant to the recess.

On the motion of Senator Peterson, the Senate adjourned until Thursday, February 6, 2020 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.