

OHIO

SENATE

JOURNAL

THURSDAY, MARCH 27, 2014

ONE HUNDRED SIXTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Thursday, March 27, 2014, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Coley was selected to preside according to the rule.

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

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 302-Senator Schiavoni.

Cosponsor: Senator Lehner.

To amend sections 4511.093, 4511.81, and 4513.263 of the Revised Code to allow the enforcement of child car seat, booster seat, and seat belt requirements as a primary offense and to repeal a provision of law that declares that the failure of an operator of a motor vehicle to secure a child in a car seat, in a booster seat, or with a seatbelt is inadmissible in certain civil and criminal proceedings.

S. B. No. 303-Senator Brown.

Cosponsors: Senators Cafaro, Kearney, Sawyer, Smith, Turner.

To amend sections 5739.02 and 5739.05 of the Revised Code to provide a three-day sales tax "holiday" each April during which sales of qualifying Energy Star products are exempt from sales and use taxes.

S. B. No. 304-Senator Skindell.

Cosponsor: Senator Tavares.

To amend section 3715.99 and to enact section 3715.522 of the Revised Code to prohibit the sale of microbeads.

S. B. No. 305-Senator Kearney.

To amend sections 4715.03, 4715.10, 4715.22, and 4715.30 of the Revised Code to limit the term of office of the Executive Director of the State Dental Board.

S. B. No. 306-Senator Kearney.

To require the Department of Job and Family Services to conduct a

feasibility study of current trends in the placement of children by public children services agencies into relative caregiver homes.

S. B. No. 307-Senator Kearney.

To amend section 2927.12 of the Revised Code to include in the offense of ethnic intimidation the commission of specified offenses by reason of disability of the victim.

S. B. No. 308-Senator Kearney.

To enact section 125.083 of the Revised Code to generally require that state agencies set aside a certain amount of purchases for which only small business enterprises may compete.

OFFERING OF RESOLUTIONS

Senator Kearney offered the following resolution:

S. R. No. 296-Senator Kearney.

To encourage local community emergency response teams to incorporate training for agricultural emergencies and disasters in their training programs.

The question being, "Shall the resolution, **S. R. No. 296**, be adopted?"

On the motion of Senator Balderson, **S. R. No. 296**, was referred to the Committee on Reference.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Am. H. B. No. 45 -Representative Johnson

Cosponsors: Representatives Terhar, Retherford, Dovilla, Maag, Grossman, Ruhl, Rosenberger, Gonzales, Scherer, Landis, Derickson, Cera, Mallory, Buchy, Brenner, Pillich, Hackett, Strahorn, Damschroder, Celebrezze, Green, Adams, R., Anielski, Antonio, Barborak, Beck, Blair, Blessing, Boose, Boyce, Boyd, Brown, Budish, Burkley, Butler, Carney, Duffey, Fedor, Gerberry, Hagan, R., Hall, Hayes, Hill, Kunze, Letson, McClain, Milkovich, Patterson, Perales, Phillips, Ramos, Reece, Rogers, Romanchuk, Schuring, Sears, Sheehy, Slaby, Smith, Sprague, Stinziano, Thompson, Wachtmann, Young, Speaker Batchelder

To enact section 4503.549 of the Revised Code to create "Military

Sacrifice" license plates.

Sub. H. B. No. 162 -Representatives Dovilla, Anielski

Cosponsors: Representatives Buchy, Thompson, Hackett, Ruhl, Grossman, Becker, Patmon, Baker, Johnson, Hagan, C., Perales, Antonio, Blair, Brown, Budish, Burkley, Carney, Conditt, Derickson, DeVitis, Green, Hall, Hayes, McClain, Romanchuk, Rosenberger, Smith, Sprague, Terhar, Wachtmann, Winburn, Young, Speaker Batchelder

To amend sections 145.27, 145.572, 145.573, 145.581, 742.41, 742.463, 742.464, 742.53, 2329.66, 2901.43, 2929.192, 2929.193, 3305.08, 3305.11, 3305.12, 3305.20, 3307.20, 3307.372, 3307.373, 3309.22, 3309.672, 3309.673, 3309.691, 5505.04, 5505.262, 5505.263, and 5505.33, and to enact sections 2901.432, 2901.433, 2901.434, and 2927.28 of the Revised Code to add extortion and perjury and certain federal offenses to the offenses committed by a public retirement system member in the context of the member's public employment in a position of honor, trust, or profit that may result in forfeiture of retirement system benefits or the termination of retirement system disability benefits and to make the establishment of a long term care insurance program by a public retirement system discretionary.

Am. H. B. No. 336 -Representatives O'Brien, Hall

Cosponsors: Representatives Stautberg, Celebrezze, Ashford, Baker, Barborak, Barnes, Beck, Bishoff, Blair, Boose, Boyd, Brown, Buchy, Burkley, Butler, Cera, Clyde, Conditt, Curtin, Damschroder, Derickson, DeVitis, Dovilla, Duffey, Fedor, Gerberry, Green, Grossman, Hackett, Hagan, C., Hagan, R., Henne, Hill, Hottinger, Johnson, Landis, Letson, Lundy, Maag, Mallory, McClain, Patmon, Patterson, Pelanda, Phillips, Ramos, Redfern, Retherford, Roegner, Rogers, Romanchuk, Ruhl, Schuring, Sheehy, Slaby, Slesnick, Smith, Stinziano, Thompson, Williams, Winburn, Amstutz, Hayes, Antonio, Anielski, Budish, Carney, Foley, Milkovich, Perales, Pillich, Rosenberger, Sears, Stebelton, Terhar, Speaker Batchelder

To amend sections 5735.01, 5735.012, 5739.025, 5747.98, and 5751.98 and to enact sections 122.079, 5735.015, 5735.016, 5747.78, and 5751.55 of the Revised Code to create the Gaseous Fuel Vehicle Conversion Program, to allow a credit against the income or commercial activity tax for the purchase or conversion of an alternative fuel vehicle, to reduce the amount of sales tax due on the purchase or lease of a qualifying electric vehicle by up to \$500, to apply the motor fuel tax to the distribution or sale of compressed natural gas, to authorize a temporary, partial motor fuel tax exemption for sales of compressed natural gas used as motor fuel, and to make an appropriation.

Sub. H. B. No. 352 -Representatives Hayes, Thompson

Cosponsors: Representatives McClain, Derickson, Amstutz, Wachtmann, Buchy, Hill, Huffman, Retherford, Ruhl, Sears, Terhar

To amend sections 2151.011, 2151.421, and 5103.02 and to enact sections 5103.50, 5103.51, 5103.52, 5103.53, 5103.54, and 5103.55 of the Revised Code to license private, nonprofit therapeutic wilderness camps.

H. B. No. 373 -Representative Terhar

Cosponsors: Representatives Grossman, Reece, Mallory, Retherford, Blessing, Landis, Milkovich, Barborak, Stautberg, Johnson, Fedor, Damschroder, Ruhl, Celebrezze, Green, Perales, Adams, R., Amstutz, Anielski, Antonio, Baker, Barnes, Beck, Blair, Boose, Boyce, Brenner, Brown, Buchy, Budish, Burkley, Butler, Carney, Conditt, Curtin, Derickson, DeVitis, Dovilla, Driehaus, Gerberry, Hackett, Hagan, C., Hall, Hayes, Henne, Hill, Hood, Huffman, Letson, Lynch, Pillich, Ramos, Roegner, Rogers, Romanchuk, Rosenberger, Scherer, Schuring, Sheehy, Slaby, Smith, Stebelton, Stinziano, Strahorn, Young, Speaker Batchelder

To enact section 5533.471 of the Revised Code to designate a portion of State Route 264 within the city of Cincinnati as the "Elder High School Vietnam Veterans Memorial Highway"; to authorize the Director of Transportation to erect suitable markers along the highway indicating its name; and to authorize Elder High School, subject to approval by the Director, to erect auxiliary markers on a periodic basis indicating the name of one of the eleven Elder High School graduates who died during the Vietnam conflict.

Am. H. B. No. 402 -Representatives Duffey, Landis

Cosponsors: Representatives Letson, McClain, Schuring, Beck, Barnes, Green, Blair, Amstutz, Adams, R., Anielski, Antonio, Baker, Barborak, Blessing, Boose, Boyce, Brown, Buchy, Budish, Burkley, Butler, Carney, Conditt, Curtin, Damschroder, Derickson, DeVitis, Dovilla, Driehaus, Gerberry, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hill, Huffman, Lundy, Lynch, Mallory, Milkovich, Patmon, Patterson, Pelanda, Perales, Phillips, Pillich, Reece, Retherford, Roegner, Rogers, Romanchuk, Ruhl, Scherer, Sears, Slaby, Slesnick, Smith, Stautberg, Stebelton, Stinziano, Strahorn, Wachtmann, Winburn, Young, Speaker Batchelder

To amend section 5703.05 and to enact section 5703.77 of the Revised Code to require the Tax Commissioner to notify taxpayers of tax or fee overpayments, to authorize the Commissioner to either apply an overpayment to future tax liabilities or issue a refund, and to make an appropriation.

Am. H. B. No. 497 -Representative Amstutz

Cosponsors: Representatives Sprague, Adams, R., Anielski, Antonio, Baker, Barborak, Barnes, Beck, Blessing, Boyce, Boyd, Brown, Buchy, Burkley, Butler, Carney, Celebrezze, Clyde, Dovilla, Driehaus, Fedor, Foley, Gerberry, Green, Grossman, Hackett, Hagan, R., Hall, Hayes, Heard, Hill, Landis, Letson, Mallory, McClain, Milkovich, Patmon, Patterson, Pelanda, Phillips, Pillich, Ramos, Retherford, Rogers, Romanchuk, Rosenberger, Ruhl, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, Smith, Stebelton, Stinziano, Strahorn, Terhar, Winburn, Speaker Batchelder

To amend sections 9.981, 105.41, 111.26, 123.01, 125.29, 126.03, 126.11, 154.06, 154.24, 307.021, 307.022, 5120.102, 5120.104, 5120.29, 5120.47, 5139.23, and 5139.36 of the Revised Code and to make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2016.

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Am. S. B. No. 202 -Senators Obhof, Kearney

Cosponsors: Senators Seitz, Coley, Bacon, Eklund, Hughes, Oelslager, Schiavoni Representatives Anielski, Blessing, Burkley, Butler, Carney, Green, Grossman, Hall, Huffman, Letson, Mallory, Milkovich, Patmon, Perales, Stinziano, Terhar, Speaker Batchelder

To amend sections 1701.01, 1701.11, 1701.71, 1704.01, and 1704.05 of the Revised Code to provide exceptions to the applicability of the Control Share Acquisition Act, to require board approval for Act opt-out amendments of a corporation's regulations or articles of incorporation, and to apply a three-year look-back period to ownership of shares for purposes of determining applicability of certain shareholder transaction laws.

Attest:

Bradley J. Young,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the Senate amendments to:

Am. Sub. H. B. No. 261 -Representatives Butler, Stinziano - et al.

Attest:

Bradley J. Young,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following concurrent resolution:

H. C. R. No. 32 -Representative Gonzales - et al.

Attest:

Bradley J. Young,
Clerk.

The President signed said resolution.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bills:

Am. Sub. H. B. No. 261 -Representatives Butler, Stinziano - et al.

Am. S. B. No. 82 -Senators Balderson, Gentile - et al.

Am. S. B. No. 155 -Senator Burke - et al.

Am. S. B. No. 161 -Senator Hughes - et al.

S. B. No. 222 -Senator LaRose - et al.

Attest: Bradley J. Young,
Clerk.

The President signed said bills.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules No. 19 and 20, the President of the Senate makes the following temporary change to the Ohio Senate standing committee on Reference for the purpose of the committee's meeting on Monday, March 31, 2014:

- Appoint Senator Shirley Smith to replace Senator Lou Gentile

On the motion of Senator Balderson, the Senate adjourned until Friday, March 28, 2014 at 11:00 o'clock a.m.

Attest: VINCENT L. KEERAN,
Clerk.