

**OHIO**

**SENATE**

**JOURNAL**

**TUESDAY, APRIL 1, 2014**

ONE HUNDRED SIXTY-SIXTH DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, April 1, 2014, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Thomas Wise, Valleyview Church, Dayton, 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 Oelslager recognized visiting members from the American Cancer Society.

Senator Hite recognized James Pepple, who was shadowing him at the Statehouse.

Senator Hite recognized Vickie Pendergast, Amy Morman, and Becky Schindler from the American Cancer Society, Cancer Action Network.

#### **REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Oelslager submitted the following report:

The standing committee on Finance, to which was referred **Am. H. B. No. 497**-Representative Amstutz, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Sawyer, Tavares.

YES - 13: BILL COLEY, TOM PATTON, JIM HUGHES,  
SHANNON JONES, FRANK LAROSE, DAVE BURKE,  
SCOTT OELSLAGER, BOB PETERSON, RANDY  
GARDNER, THOMAS SAWYER, MICHAEL J.  
SKINDELL, SHIRLEY A. SMITH, CHARLETA B.  
TAVARES.

NO - 0.

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

The report of the committee was accepted.

Senator Faber submitted the following report:

The Standing Committee on Rules to which were referred the appointments by the Governor of:

**Lance D. Himes**, from Franklin, Franklin County, Ohio, as Interim Director of the Ohio Department of Health for a term beginning February 21, 2014, and continuing at the pleasure of the Governor.

**Christopher L. Miller**, from Dublin, Franklin County, Ohio, as Member of the Board of Building Standards for a term beginning November 6, 2013, ending at the close of business October 13, 2017, replacing Robert B. Gilbert, Ph.D., Term expired.

**A. Bailey Stanbery**, from Toledo, Lucas County, Ohio, as Member of the Board of Building Standards for a term beginning November 20, 2013, ending at the close of business October 13, 2017, replacing Robert Yost, Term expired.

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

YES - 11: KEITH L. FABER, TOM PATTON, LARRY OBHOF,  
SCOTT OELSLAGER, DAVE BURKE, BILL COLEY,  
JIM HUGHES, LOU GENTILE, EDNA BROWN,  
CHARLETA B. TAVARES, JOSEPH SCHIAVONI.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

Senator Widener moved that he be excused from voting pursuant to Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "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

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton

Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker		Faber-31.

So the Senate advised and consented to said appointments.

## HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

**Sub. S. B. No. 173**-Senator Hughes.

Cosponsors: Senators Seitz, Uecker, Schiavoni, Balderson, Coley, Eklund, Hite, Jordan, Kearney, Oelslager. Representatives Dovilla, Buchy, Gerberry, Amstutz, Barnes, Beck, Blessing, Boyd, Brenner, Brown, Burkley, Cera, Conditt, DeVitis, Duffey, Hackett, McClain, Milkovich, Pelanda, Ramos, Retherford, Rogers, Ruhl, Stebelton, Young.

To amend sections 4301.171, 4303.184, 4303.208, and 4303.251 of the Revised Code to modify the law governing tasting samples of beer and intoxicating liquor and to allow an F-6 liquor permit to be issued for the same location as an F-8 liquor permit, provided that the two permits are not exercised concurrently, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

Senator LaRose moved that he be excused from voting pursuant to Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the Senate concur in the amendments of the House of Representatives?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Lehner	Manning
Obhof	Oelslager	Patton	Peterson
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Smith	Tavares	Turner
Uecker	Widener		Faber-31.

So the Senate concurred in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

**Am. S. B. No. 179**-Senator Eklund.

Cosponsors: Senators Seitz, Coley, Hite, Kearney, Oelslager, Patton, Sawyer, Schiavoni, Turner, Uecker. Representatives Anielski, Antonio, Baker, Beck, Blair, Boose, Boyd, Brown, Carney, Celebrezze, Conditt, Damschroder, DeVitis, Green, Grossman, Hackett, Letson, Mallory, McClain, Milkovich, Roegner, Rogers, Slaby, Stinziano, Winburn, Young, Speaker Batchelder.

To amend section 3701.344 of the Revised Code to include recycled water as a private water system for purposes of regulation by the Department of Health and boards of health, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the Senate concurred in the amendments of the House of Representatives.

**BILLS FOR THIRD CONSIDERATION**

**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. Senators Sawyer, Tavares.

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, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 497**, pass?"

Senator Widener moved that he be excused from voting pursuant to Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the bill, **Am. H. B. No. 497**, pass?"

The yeas and nays were taken and resulted - yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	LaRose	Lehner	Manning
Obhof	Oelslager	Patton	Peterson
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Smith	Tavares	Turner
Uecker			Faber-30.

Senator Jordan voted in the negative-1.

So the bill passed.

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

Senator Oelslager moved to amend the title as follows:

Add the names: "Bacon, Beagle, Brown, Eklund, Hite, Hughes, Lehner, Manning, Oelslager, Patton, Turner, Uecker."

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

The motion was agreed to and the title so amended.

**Sub. H. B. No. 206**-Representative Retherford.

Cosponsors: Representatives Grossman, Hood, Thompson, Stinziano, Adams, J., Derickson, Fedor, Bishoff, Gonzales, Terhar, Reece, Beck, Milkovich, Buchy, Barborak, Butler, Burkley, Brenner, Dovilla, Damschroder, Celebrezze, Johnson, Perales, Adams, R., Anielski, Antonio, Ashford, Barnes, Blair, Blessing, Boose, Boyce, Brown, Carney, Cera, Clyde, DeVitis, Driehaus, Duffey, Foley, Green, Hackett, Hagan, C., Hall, Hayes, Hill, Hottinger, Huffman, Kunze, Landis, Letson, Lundy, Lynch, McClain, Patmon, Patterson, Pelanda, Phillips, Pillich, Ramos, Roegner, Rogers, Romanchuk,

Rosenberger, Ruhl, Scherer, Schuring, Sheehy, Slesnick, Smith, Sprague, Stautberg, Stebelton, Strahorn, Sykes, Wachtmann, Winburn, Young, Speaker Batchelder. Senators Manning, LaRose, Gentile, Cafaro.

To amend sections 4501.21 and 5101.98 and to enact sections 4503.527, 4503.534, and 4503.535 of the Revised Code to create the "Ohio Statehouse" license plate, the "Disabled American Veteran" license plate, and the "POW/MIA Awareness" license plate, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 206**, pass?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the bill passed.

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

Senator Manning moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Hite, Hughes, Jones, Jordan, Lehner, Obhof, Patton, Peterson, Schaffer, Schiavoni, Seitz, Skindell, Tavares, Turner, Uecker, Widener."

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

The motion was agreed to and the title so amended.

**Sub. S. B. No. 260**-Senator Patton.

Cosponsors: Senators Balderson, Hite, Coley.

To amend section 4517.12 of the Revised Code to generally prohibit the Registrar of Motor Vehicles from issuing a motor vehicle dealer's license or motor vehicle leasing dealer's license to a motor vehicle manufacturer for the retail sale or lease of new or used motor vehicles, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 260**, pass?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the bill passed.

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

Senator Patton moved to amend the title as follows:

Add the names: "Hughes, Jones."

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

The motion was agreed to and the title so amended.

### MOTIONS

Senator Obhof moved that Senators absent the week of Sunday, March 30, 2014, 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 the first time:

**S. B. No. 317**-Senator Tavares.

To enact section 5.2290 of the Revised Code to designate the month of June as "Pride Month."

**S. B. No. 318**-Senator Tavares.

To amend sections 2743.51, 2743.56, and 2743.71 of the Revised Code to allow an award of reparations for psychiatric care and counseling to all immediate family members of a crime victim and to extend the time within which a minor victim of crime may file a claim for reparations.

**S. B. No. 319**-Senator Tavares.

To amend section 2923.20 and to enact section 2923.26 of the Revised Code to generally prohibit storage of firearms where minors can get access to



them and to require the transferor of a firearm to inform the transferee of the requirements for storage of the firearm.

**S. B. No. 320**-Senator Tavares.

To enact section 9.318 of the Revised Code to require state agencies to purchase only uniforms and other apparel items that are made with American textiles, materials, and supplies.

**S. B. No. 321**-Senator Tavares.

To amend section 5119.41 of the Revised Code to set the countable resource limit for the Residential State Supplement program at \$2,000.

**S. B. No. 322**-Senator Tavares.

To amend section 5709.07 of the Revised Code to exempt church day-care centers from property taxation, provided the day-care center does not produce over \$30,000 in income for the church per year.

#### OFFERING OF RESOLUTIONS

Senator Tavares offered the following resolution:

**S. C. R. No. 37**-Senator Tavares.

To encourage hospitals and freestanding birthing centers to adopt policies and procedures that promote breastfeeding.

The question being, "Shall the resolution, **S. C. R. No. 37**, be adopted?"

On the motion of Senator Widener, **S. C. R. No. 37**, was referred to the Committee on Reference.

Senators Lehner and Beagle offered the following resolution:

**S. C. R. No. 38**-Senators Lehner, Beagle.

Cosponsors: Senators Gardner, Burke, Seitz, Jones, Hite, LaRose.

To recognize the valuable work of pregnancy resource centers and their positive, life-affirming impact on women, men, babies, and communities.

The question being, "Shall the resolution, **S. C. R. No. 38**, be adopted?"

On the motion of Senator Widener, **S. C. R. No. 38**, was referred to the Committee on Reference.

On the motion of Senator Widener, the Senate adjourned until Wednesday, April 2, 2014 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,  
Clerk.