

OHIO

SENATE

JOURNAL

WEDNESDAY, APRIL 2, 2014

ONE HUNDRED SIXTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, April 2, 2014, 1:30 p.m.

The Senate met pursuant to adjournment. Prayer was offered by Pastor Matthew Nihiser, Calvary Baptist Church, Lancaster, Ohio. The Pledge of Allegiance was led by the scouts of Boy Scout Troop 501, from Medina, Ohio.

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 Obhof recognized Boy Scout Troop 501 on their visit to the Statehouse.

Senator Tavares recognized Josh, Kohlschmidt, Allison Hoyle and Kate Hallihan on their visit to the Statehouse.

Senator Manning recognized Judge Bennett of the Elyria Municipal Court.

Senator Oelslager recognized Judge Curt Werren of the Stark County Common Pleas Court.

**REPORTS OF REFERENCE AND BILLS FOR SECOND
CONSIDERATION**

Senator Jordan reports for the Standing Committee on Reference, recommending that the following bills and resolutions, standing in order for second consideration, be referred to committee as recommended:

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

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

To the Committee on Medicaid, Health and Human Services.

S. C. R. No. 38-Senators Lehner, Beagle, et al.

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

To the Committee on Medicaid, Health and Human Services.

S. R. No. 300-Senators Skindell, Gardner.

To designate the week of May 4, 2014, to May 10, 2014, as "Ohio Junior Chamber International Senate Week."

To the Committee on State Government Oversight and Reform.

S. B. No. 313-Senator Kearney, et al.

To amend sections 2925.11, 2925.12, 2925.14, and 2925.141 and to enact section 2925.142 of the Revised Code to provide a qualified immunity from arrest, prosecution, conviction, penalizing, and supervised release sanctioning for a minor drug possession offense or a drug paraphernalia possession or use offense for a person who seeks assistance for self or another person who is experiencing an emergency drug overdose.

To the Committee on Criminal Justice.

S. B. No. 314-Senator Kearney, et al.

To enact section 5120.71 of the Revised Code to require the Director of Rehabilitation and Correction to establish programs in state correctional institutions to teach and promote entrepreneurship.

To the Committee on Criminal Justice.

S. B. No. 315-Senators Kearney, Hughes, et al.

To enact section 5.2296 of the Revised Code to designate May as "Asthma Awareness Month" and to designate May 5 as "Childhood Asthma Awareness Day."

To the Committee on Medicaid, Health and Human Services.

S. B. No. 316-Senator Cafaro, et al.

To amend sections 109.573 and 2933.82 of the Revised Code to require a law enforcement agency to review the agency's records pertaining to sexually oriented offenses within one year and to forward the contents of a sexual assault examination kit in the agency's possession to the Bureau of Criminal Identification and Investigation or another crime laboratory for DNA analysis

based on the outcome of the agency's review, to require a law enforcement agency to forward the contents of a sexual assault examination kit to the Bureau of Criminal Identification and Investigation or another crime laboratory for DNA analysis within twenty days after the agency determines that one or more persons may have committed or participated in a sexually oriented offense or another offense committed during the course of a sexually oriented offense, and to prioritize the order in which the DNA specimens forwarded by law enforcement agencies undergo DNA analysis.

To the Committee on Criminal Justice.

S. B. No. 317-Senator Tavares.

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

To the Committee on State Government Oversight and Reform.

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.

To the Committee on Civil Justice.

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.

To the Committee on Civil Justice.

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.

To the Committee on State Government Oversight and Reform.

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.

To the Committee on Finance.

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.

To the Committee on Ways and Means.

YES - 8: KRIS JORDAN, CHRIS WIDENER, LARRY OBHOF,
LOU GENTILE, MICHAEL J. SKINDELL, JOSEPH
SCHIAVONI, RANDY GARDNER, TOM PATTON.

NO - 0.

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

The report of the committee was accepted.

Said bills and resolutions were considered a second time and referred to committee as recommended.

Senator Jordan reports for the Standing Committee on Reference, recommending that the following bill, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 312-Senators Jones, LaRose, et al.

To require the Facilities Construction Commission to establish a school security grant program for nonpublic schools and certain local law enforcement agencies and to make an appropriation.

To the Committee on Finance.

YES - 7: KRIS JORDAN, LARRY OBHOF, LOU GENTILE,
MICHAEL J. SKINDELL, JOSEPH SCHIAVONI,
RANDY GARDNER, TOM PATTON.

NO - 0.

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

The report of the committee was accepted.

Said bill was considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **Am. Sub. H. B. No. 232**-Representatives Sears, Milkovich, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: RANDY GARDNER, PEGGY B. LEHNER, DAVE
BURKE, SHANNON JONES, SCOTT OELSLAGER,
EDNA BROWN, CHARLETA B. TAVARES.

NO - 0.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **Sub. H. B. No. 315**-Representative Wachtmann, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 9: RANDY GARDNER, PEGGY B. LEHNER, DAVE
BURKE, SHANNON JONES, SCOTT OELSLAGER,
CAPRI S. CAFARO, EDNA BROWN, CHARLETA B.
TAVARES, KRIS JORDAN.

NO - 0.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to

which was referred **S. B. No. 278**-Senators Jones, Tavares, having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 9: RANDY GARDNER, PEGGY B. LEHNER, SHANNON JONES, SCOTT OELSLAGER, CAPRI S. CAFARO, EDNA BROWN, CHARLETA B. TAVARES, DAVE BURKE, KRIS JORDAN.

NO - 0.

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

The reports of the committee were accepted.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 232-Representatives Sears, Milkovich.

Cosponsors: Representatives Gonzales, Hackett, Stebelton, Smith, Johnson, DeVitis, Letson, Stinziano, Wachtmann, Cera, Pelanda, Stautberg, Barnes, Bishoff, Brown, Amstutz, Anielski, Beck, Buchy, Burkley, Damschroder, Green, Grossman, Hagan, C., McClain, Sears, Slaby, Speaker Batchelder.

To amend sections 1701.03, 1705.03, 1705.04, 1705.53, 1785.01, 1785.02, 1785.03, 2152.72, 2305.234, 2305.51, 2317.02, 2921.22, 2925.01, 2951.041, 3107.014, 3701.046, 3701.74, 3709.161, 3721.21, 3923.28, 3923.281, 3923.282, 3923.29, 3923.30, 3963.01, 4723.16, 4725.33, 4729.161, 4731.226, 4731.65, 4732.28, 4734.17, 4734.41, 4755.471, 4757.01, 4757.02, 4757.03, 4757.04, 4757.10, 4757.11, 4757.16, 4757.21, 4757.22, 4757.23, 4757.26, 4757.27, 4757.28, 4757.29, 4757.30, 4757.31, 4757.33, 4757.34, 4757.36, 4757.38, 4757.41, 4757.43, 4758.40, 4758.41, 4758.55, 4758.561, 4758.59, 4758.61, 4769.01, 5101.61, and 5123.61; to enact sections 4755.111, 4757.13, 4757.321, and 4757.37; and to repeal section 4757.12 of the Revised Code to modify the laws governing professional counselors, social workers, and marriage and family therapists, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 232**, pass?"

Senator Cafaro moved that she 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, **Sub. H. B. No. 232**, pass?"

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	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-31.

So the bill passed.

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

Senator Jones moved to amend the title as follows:

Add the names: "Brown, Burke, Eklund, Hite, LaRose, Lehner, Manning, Patton, Sawyer, Skindell, Smith, Tavares, Widener."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 315-Representative Wachtmann.

Cosponsors: Representatives Antonio, Bishoff, Adams, R., Amstutz, Anielski, Ashford, Baker, Barborak, Barnes, Beck, Blair, Blessing, Boose, Brown, Buchy, Burkley, Celebrezze, Cera, Conditt, Derickson, DeVitis, Driehaus, Duffey, Foley, Green, Grossman, Hackett, Hagan, R., Hall, Hayes, Henne, Hill, Huffman, Johnson, Kunze, Landis, Letson, Maag, McClain, Milkovich, O'Brien, Patmon, Patterson, Pelanda, Perales, Pillich, Ramos, Reece, Retherford, Rogers, Rosenberger, Ruhl, Sears, Sheehy, Slaby, Smith, Stautberg, Stebelton, Stinziano, Sykes, Thompson, Williams, Winburn, Young, Speaker Batchelder.

To amend sections 3711.12 and 3719.41 and to enact sections 3711.13 and 3711.30 of the Revised Code to require reports to the Department of Health regarding newborns diagnosed as opioid dependent, to update the chemical name for a type of controlled substance, and to specify procedures for granting variances or waivers of any requirement in the rules governing operation of maternity homes, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 315**, 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 Jones moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Eklund, Faber, Gardner, Hite, Hughes, Jones, LaRose, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Seitz, Smith, 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. 6-Senator Schaffer.

Cosponsors: Senators Jordan, LaRose, Smith, Brown, Uecker, Lehner, Widener, Tavares, Skindell.

To amend sections 305.03, 319.04, 319.26, 321.37, 321.46, 507.02, 2921.13, 2921.44, and 3314.023; to enact sections 117.45, 507.12, 507.13, 733.78, 733.81, 3313.30, 3314.50, 3326.211, 3328.16, and 3328.37; and to repeal sections 319.25 and 321.38 of the Revised Code; to amend Section 267.50.70 of Am. Sub. H.B. 153 of the 129th General Assembly; and to amend Section 267.50.70 of Am. Sub. H.B. 153 of the 129th General Assembly for the purpose of codifying it as section 3314.51 of the Revised Code to establish initial education programs and continuing education requirements for the fiscal officers of townships and municipal corporations, to establish procedures for removing those officers, county treasurers, and county auditors from office, and to create fiscal accountability requirements for counties, townships, municipal corporations, and public schools, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 6**, 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
Turner

Skindell
Uecker

Smith
Widener

Tavares
Faber-32.

So the bill passed.

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

Senator Schaffer moved to amend the title as follows:

Add the names: "Beagle, Coley, Eklund, Hughes, Jones, Obhof, Oelslager, Peterson, Sawyer, Turner."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 78-Senator Hughes.

Cosponsor: Senator Brown.

To amend sections 4740.01, 4740.02, 4740.04, 4740.05, 4740.06, 4740.07, 4740.08, 4740.09, 4740.13, and 4740.16, to enact new section 4740.10 and section 4740.131, and to repeal section 4740.10 of the Revised Code to make changes to the law regulating specialty construction contractors, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 78**, 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 Hughes moved to amend the title as follows:

Add the names: "Bacon, Burke, Eklund, Gentile, Patton, Peterson, Sawyer, Schiavoni."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 278-Senators Jones, Tavares.

To amend section 313.121 of the Revised Code to require the completion of a sudden unexplained infant death investigation reporting form (SUIDI reporting form) developed by the United States Centers for Disease Control and Prevention, or an alternative reporting form developed by the Director of Health, whenever a child one year of age or younger dies suddenly and unexpectedly and to require that the appropriate child fatality review board receive a copy of each completed form, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 278**, 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 Jones moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Skindell, Smith, Turner, Uecker, Widener."

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

The motion was agreed to and the title so amended.

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. H. B. No. 497 -Representative Amstutz - et al.

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

Attest: Bradley J. Young,
Clerk.

The President signed said bills.

On the motion of Senator Widener, the Senate adjourned until Monday, April 7, 2014 at 11:00 o'clock a.m.

Attest: VINCENT L. KEERAN,
Clerk.