

OHIO

SENATE

JOURNAL

THURSDAY, APRIL 10, 2014

ONE HUNDRED SEVENTIETH DAY
Senate Chamber, Columbus, Ohio
Thursday, April 10, 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.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Schaffer submitted the following report:

The standing committee on Ways and Means, to which was referred **H. C. R. No. 27**-Representatives Johnson, Mallory, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Schaffer, Beagle.

YES - 7: CHRIS WIDENER, TIMOTHY O. SCHAFFER, BOB PETERSON, BILL BEAGLE, JOHN EKLUND, CLIFF HITE, LARRY OBHOF.

NO - 2: MICHAEL J. SKINDELL, CAPRI S. CAFARO.

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. 172-Senator Patton.

Cosponsors: Senators Seitz, Hughes, Schiavoni, Skindell, LaRose, Bacon, Beagle, Eklund, Lehner, Manning, Tavares. Representatives Brown, Adams, R., Anielski, Antonio, Beck, Bishoff, Blessing, Boyce, Budish, Celebrezze, Curtin, Damschroder, Driehaus, Foley, Hagan, R., Heard, Letson, Lundy, O'Brien, Patterson, Phillips, Pillich, Ramos, Reece, Stinziano, Strahorn, Williams, Winburn, Speaker Batchelder.

To amend sections 317.32, 319.203, 319.54, 321.261, 323.131, 323.25, 323.28, 323.47, 323.65, 323.69, 323.70, 323.71, 323.72, 323.73, 323.78, 323.79, 715.261, 743.04, 1724.02, 1724.10, 2744.01, 5709.12, 5721.01, 5721.03, 5721.14, 5721.18, 5721.19, 5721.36, 5722.01, 5722.03, 5722.04, 5722.07, 5722.10, 5722.11, 5723.01, 5723.04, 5723.12, and 6119.06 and to enact sections 323.691 and 5722.031 of the Revised Code to modify the laws

governing land reutilization programs and property tax foreclosures and to make changes to the county auditor's review of real property conveyances, were taken up.

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

Senator Peterson moved that the House amendments to **Sub. S. B. No. 172**, be informally passed and that they be taken up for consideration on Wednesday, May 7, 2014.

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

The motion was agreed to.

OFFERING OF RESOLUTIONS

Senator Burke offered the following resolution:

S. C. R. No. 39-Senator Burke.

Cosponsors: Senators Eklund, Lehner, Hughes, Brown, Manning, Patton, Hite, Beagle, Oelslager, Widener.

To designate October 2014 as "Start Talking Month."

The question being, "Shall the resolution, **S. C. R. No. 39**, be adopted?"

On the motion of Senator Peterson, **S. C. R. No. 39**, was referred to the Committee on Reference.

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

S. R. No. 309-Senator Hughes.

Recognizing The Ohio State University Student Motorsports Day at the Ohio Statehouse, April 17, 2014.

S. R. No. 310-Senator Eklund.

Honoring Andy Fetchik as the Ohio Association of Secondary School Administrators' 2015 High School Principal of the Year.

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

So the resolutions were adopted.

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. Sub. S. B. No. 150 -Senators Hite, Peterson

Cosponsors: Senators Coley, Eklund, Hughes, Kearney, Lehner, Manning, Sawyer, Turner, Uecker Representatives Cera, Hagan, C., Barborak, Buchy, Damschroder, Landis, O'Brien, Patterson, Ruhl, Scherer, Rosenberger, Hayes, McClain, Antonio, Anielski, Ashford, Baker, Beck, Blessing, Brown, Burkley, Carney, Derickson, Hall, Letson, Lynch, Maag, Milkovich, Pillich, Ramos, Redfern, Retherford, Rogers, Slaby, Sprague, Stinziano, Strahorn, Thompson, Winburn, Speaker Batchelder

To amend sections 903.25, 905.31, 905.32, 905.34, 905.36, 905.39, 905.41, 905.45, 905.46, 905.47, 905.48, 905.49, 905.50, 905.99, 907.111, 1511.01, 1511.02, 1511.021, 1511.07, 1511.071, 1515.01, 1515.02, 1515.08, 3717.53, 6111.03, 6111.04, and 6111.44; to amend for the purpose of adopting a new section number as indicated in parentheses section 905.501 (905.503); and to enact new section 905.501 and sections 905.321, 905.322, 905.323, 905.324, 905.325, 905.502, and 1511.023 of the Revised Code to revise the law governing the abatement of agricultural pollution, to require a person that applies fertilizer for the purposes of agricultural production to be certified to do so by the Director of Agriculture, to make other changes to the Agricultural Additives, Lime, and Fertilizer Law.

With the following additional amendments, in which the concurrence of the Senate is requested.

In line 2153, delete "Any" and insert "Upon the effective date of this section, soil and water conservation districts shall remit to the Director any"

In line 2154, after "section" delete the balance of the line and insert a period

Delete line 2155

In line 2156, delete everything before "shall" and insert "Upon receipt, the Director shall deposit these funds into the Healthy Lake Erie Fund, which is hereby created in the state treasury. These funds"

In line 2157, after "used" insert "by the Director"; delete "appropriation item" and insert "fund"

In line 17 of the title, delete everything after "Law" and insert a period

Delete line 18 of the title

In line 161, delete " contiguous"

Attest:

Bradley J. Young,
Clerk.

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

Senator Peterson moved that the House amendments to **Am. Sub. S. B. No. 150**, be informally passed and that they be taken up for consideration on Wednesday, May 7, 2014.

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

The motion was agreed to.

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:

Sub. H. B. No. 369 -Representative Sprague

Cosponsors: Representatives Antonio, Boose, Buchy, Butler, Letson, Patterson, Scherer, Sears, Sheehy, Smith, Wachtmann, Amstutz, Anielski, Beck, Brown, Damschroder, Green, Grossman, Henne, McClain, Rosenberger, Ruhl, Stebelton, Speaker Batchelder

To amend sections 340.01, 340.02, 340.021, 340.03, 340.08, 340.09, 340.15, 2945.402, 3701.74, 4511.191, 4758.01, 4758.02, 4758.06, 4758.16, 4758.20, 4758.21, 4758.23, 4758.24, 4758.26, 4758.28, 4758.29, 4758.30, 4758.31, 4758.35, 4758.36, 4758.50, 4758.51, 4758.60, 4758.71, 5119.21, 5119.22, 5119.23, and 5119.25 and to enact sections 340.092, 340.093, 340.20, 4758.48, 4758.62, 4758.63, 4758.64, 5119.362, 5119.363, 5119.364, 5119.365, and 5122.36 of the Revised Code, to amend Section 751.10 of Am. Sub. H.B. 59 of the 130th General Assembly, and to repeal Section 327.83 of Am. Sub. H.B. 59 of the 130th General Assembly, with respect to the administration, funding, and provision of mental health and addiction services.

Am. Sub. H. B. No. 483 -Representative Amstutz

Cosponsors: Representatives Sprague, McGregor, Grossman, Hackett, McClain, Sears, Stebelton, Wachtmann, Speaker Batchelder

To amend sections 9.37, 9.482, 9.90, 9.91, 103.63, 121.084, 122.12, 122.121, 122.861, 124.32, 124.82, 125.13, 126.21, 126.25, 133.07, 149.30, 149.311, 149.38, 150.05, 150.07, 153.56, 163.15, 163.53, 163.54, 163.55, 164.26, 175.04, 175.05, 175.06, 191.01, 306.04, 307.982, 340.01, 340.02, 340.021, 340.03, 340.08, 340.09, 340.15, 757.03, 757.04, 757.05, 757.06,

757.07, 757.08, 1321.535, 1321.55, 1322.03, 1322.031, 1322.04, 1322.041, 1322.051, 1322.06, 1533.10, 1533.11, 1533.12, 1711.50, 1711.53, 2151.421, 2305.11, 2915.08, 2945.402, 3123.89, 3313.617, 3314.08, 3317.01, 3317.02, 3317.0217, 3318.36, 3333.04, 3701.132, 3701.34, 3701.74, 3701.83, 3702.59, 3702.71, 3702.74, 3702.75, 3702.91, 3702.95, 3730.09, 3737.02, 3772.02, 4141.01, 4141.09, 4141.11, 4141.131, 4141.20, 4141.25, 4141.26, 4141.35, 4511.191, 4729.03, 4729.54, 4729.541, 4729.65, 4729.83, 4731.15, 4731.155, 4731.24, 4731.241, 4737.045, 4758.01, 4758.02, 4758.06, 4758.16, 4758.20, 4758.21, 4758.23, 4758.24, 4758.26, 4758.28, 4758.29, 4758.30, 4758.31, 4758.35, 4758.36, 4758.50, 4758.51, 4758.60, 4758.71, 4905.911, 4923.02, 4928.64, 5104.03, 5104.34, 5104.341, 5104.38, 5119.21, 5119.22, 5119.23, 5119.25, 5123.01, 5123.011, 5123.012, 5123.16, 5123.162, 5123.19, 5123.191, 5123.21, 5123.61, 5123.75, 5123.76, 5123.89, 5124.01, 5124.106, 5124.21, 5124.60, 5124.61, 5124.62, 5124.67, 5126.01, 5126.02, 5126.0219, 5126.041, 5126.046, 5126.051, 5126.08, 5126.21, 5126.25, 5126.42, 5126.43, 5126.45, 5513.01, 5531.10, 5533.051, 5709.17, 5709.40, and 5713.012; to enact sections 5.074, 5.077, 9.911, 164.261, 175.053, 306.14, 307.678, 307.6910, 307.863, 340.092, 340.093, 340.20, 3123.90, 3313.902, 3314.38, 3317.036, 3317.23, 3317.24, 3345.56, 3345.86, 3702.595, 3721.122, 4715.15, 4723.433, 4730.093, 4731.77, 4741.49, 4758.48, 4758.62, 4758.63, 4758.64, 4928.641, 4928.642, 5119.362, 5119.363, 5119.364, 5119.365, 5123.0420, 5139.12, 5139.45, and 5533.831; to repeal sections 3125.191, 3702.93, 4171.03, 4171.04, 5124.63, 5124.64, and 5126.037 of the Revised Code; to amend Sections 207.10, 209.30, 211.10, 221.10, 241.10, 257.10, 257.20, 257.50, 259.10, 263.10, 263.40, 263.160, 263.230, 263.240, 263.250, 263.270, 263.325, 275.10, 282.10, 282.30, 285.10, 285.20, 301.10, 301.143, 301.40, 323.10, 327.10, 333.10, 340.10, 349.10, 359.10, 363.10, 365.10, 395.10, 403.10, 512.80, and 751.10 of Am. Sub. H.B. 59 of the 130th General Assembly; to amend Sections 207.100, 207.250, 207.340, 207.440, 223.10, 239.10, and 701.50 of Am. H.B. 497 of the 130th General Assembly; and to repeal Sections 327.83 and 747.40 of Am. Sub. H.B. 59 of the 130th General Assembly to make operating and other appropriations and to provide authorization and conditions for the operation of state programs.

Sub. H. B. No. 484 -Representatives Rosenberger, Brown

Cosponsors: Representatives Dovilla, Amstutz, Adams, R., Anielski, Antonio, Baker, Beck, Boose, Buchy, Burkley, Clyde, Damschroder, Derickson, DeVitis, Duffey, Foley, Green, Grossman, Hackett, Hall, Hayes, Hill, McClain, McGregor, O'Brien, Patterson, Pillich, Ramos, Redfern, Rogers, Sears, Sprague, Stebelton, Stinziano, Winburn, Speaker Batchelder

To amend sections 3333.048 and 3358.06; to enact sections 3333.0413, 3333.171, 3333.33, 3333.44, and 3333.90; and to repeal section 3345.19 of the Revised Code; and to amend Sections 363.120, 363.190, and 363.200 of Am.

Sub. H.B. 59 of the 130th General Assembly with respect to the coordination and administration of higher education programs.

Sub. H. B. No. 485 -Representatives Smith, Johnson

Cosponsors: Representatives Amstutz, Anielski, Baker, Beck, Brown, Buchy, Burkley, Grossman, Hall, Hayes, Hill, McClain, Perales, Scherer, Schuring, Sears, Sprague, Stebelton, Terhar, Wachtmann, Speaker Batchelder

To amend sections 355.01, 355.03, 355.04, 2151.011, 2151.421, 3712.04, 3712.99, 4715.14, 4715.30, 4715.302, 4723.28, 4723.481, 4723.486, 4723.487, 4725.092, 4725.16, 4725.19, 4729.12, 4729.75, 4729.80, 4729.86, 4730.25, 4730.41, 4730.48, 4730.53, 4731.055, 4731.22, 4731.281, and 5103.02; to amend for the purpose of adopting a new section number as indicated in parentheses, section 4729.87 (4729.91); and to enact new section 4729.87 and sections 121.25, 121.26, 121.27, 121.28, 3712.062, 3719.061, 4121.443, 4723.283, 4725.191, 4729.861, 4730.252, 4731.229, 5101.061, 5103.50, 5103.51, 5103.52, 5103.53, 5103.54, and 5103.55 of the Revised Code to require hospice care programs to establish policies to prevent diversion of controlled substances that contain opioids; to require a prescriber to obtain written informed consent from a minor's parent, guardian, or other person responsible for the minor before issuing a prescription for a controlled substance that contains an opioid to the minor and to establish sanctions for a prescriber's violation of this requirement; to establish requirements to be followed by prescribers in reviewing patient information in the State Board of Pharmacy's Ohio Automated Rx Reporting System; to license private, nonprofit therapeutic wilderness camps; to authorize the collection of additional health information through OARRS; to establish the Office of Human Services Innovation in the Department of Job and Family Services; to establish the Ohio Healthier Buckeye Council and the Ohio Healthier Buckeye Grant Program; and to authorize the State Medical Board to conduct a pilot program regarding the use of teleconferencing at its committee meetings.

Sub. H. B. No. 486 -Representatives Baker, Stebelton

Cosponsors: Representatives Adams, R., Anielski, Antonio, Beck, Blessing, Boose, Brown, Buchy, Burkley, Carney, Damschroder, Derickson, Dovilla, Duffey, Hackett, Hagan, C., Hayes, Henne, Landis, McClain, McGregor, Perales, Romanchuk, Rosenberger, Ruhl, Scherer, Schuring, Smith, Sprague, Stebelton, Stinziano, Terhar, Wachtmann, Speaker Batchelder

To amend sections 121.08, 122.136, 122.21, 122.25, 122.37, 122.64, 122.89, 122.94, 122.941, 149.311, 150.10, 166.13, 166.18, 184.02, 1551.34, 3731.02, and 4740.06 and to enact sections 107.35, 3333.91, and 6301.11 of the Revised Code to revise the coordination of workforce development and

economic development programs; to synchronize the due dates of several reports due from the Development Services Agency, the Ohio Venture Capital Authority, and the Third Frontier Commission; to revise the law regarding innovation financial assistance and research and development financial assistance; to require the Governor's executive workforce board and the Department of Job and Family Services to identify and create a list of high-demand jobs in this state; and to permit the Director of Commerce, the State Fire Marshal, and the Ohio Construction Industry Licensing Board to establish compliance incentive programs.

Sub. H. B. No. 487 -Representative Brenner

Cosponsors: Representatives Anielski, Grossman, Henne, Stebelton, Terhar, Speaker Batchelder

To amend sections 133.06, 921.06, 3301.0712, 3301.0714, 3301.0715, 3302.03, 3302.10, 3310.03, 3310.031, 3310.032, 3311.24, 3311.38, 3311.86, 3313.372, 3313.537, 3313.603, 3313.6013, 3313.6016, 3313.612, 3313.843, 3313.90, 3313.975, 3314.015, 3314.016, 3314.02, 3314.03, 3314.08, 3317.03, 3319.22, 3319.26, 3324.07, 3326.11, 3326.36, 3328.24, 3331.04, 3333.041, 3333.35, 3333.43, 3333.86, 3345.06, 3365.04, 3365.041, 3365.05, 3365.06, 3365.08, 3365.11, 5747.08, and 5747.98; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3365.04 (3365.06), 3365.041 (3365.032), 3365.05 (3365.12), 3365.06 (3365.031), and 3365.11 (3365.09); to enact new sections 3310.05, 3365.01, 3365.02, 3365.03, 3365.04, 3365.05, 3365.07, 3365.11, and 3365.15 and sections 3301.163, 3311.241, 3313.6020, 3313.94, 3314.191, 3314.352, 3324.09, 3324.11, 3365.033, 3365.071, 3365.13, and 5747.64; and to repeal sections 3310.05, 3345.062, 3365.01, 3365.02, 3365.021, 3365.022, 3365.03, 3365.07, 3365.09, 3365.10, 3365.12, and 3365.15 of the Revised Code; and to amend the version of section 3314.016 of the Revised Code that is scheduled to take effect on January 1, 2015, to continue the provisions of this act on and after that effective date with regard to education provisions for students in grades kindergarten through twelve.

Sub. H. B. No. 488 -Representatives Dovilla, Landis

Cosponsors: Representatives Johnson, Pillich, Barborak, Bishoff, Milkovich, Perales, Retherford, Rosenberger, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Beck, Blair, Blessing, Boose, Boyce, Brown, Buchy, Budish, Burkley, Butler, Carney, Celebrezze, Cera, Clyde, Curtin, Damschroder, Derickson, DeVitis, Duffey, Fedor, Foley, Gerberry, Green, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Henne, Huffman, Letson, Lundy, Lynch, Maag, McClain, McGregor, O'Brien, Patmon, Patterson, Pelanda, Ramos, Redfern, Rogers, Romanchuk, Ruhl, Scherer, Schuring, Sears,

Sheehy, Smith, Sprague, Stautberg, Stebelton, Stinziano, Strahorn, Terhar, Wachtmann, Winburn, Speaker Batchelder

To amend sections 2913.01, 2913.02, 2913.43, 2913.49, 2913.61, 4729.12, 4729.13, 4729.15, 4731.36, 4743.04, 5902.02, 5903.03, 5903.10, 5903.11, 5903.12, 5903.121, 5907.01, and 5907.04 and to enact sections 2305.112, 2307.611, 3333.164, 3345.42, 3345.43, 3345.44, 3345.46, 5903.01, 5903.04, 5903.05, and 5903.15 of the Revised Code to require state institutions of higher education to award credit for military training, to increase penalties for certain theft, deception, and identity fraud offenses when the victim is an active duty service member, to allow for a civil action for victims of identity fraud, and to make other changes regarding state support and benefits for veterans and their spouses.

Am. H. B. No. 492 -Representative Scherer

Cosponsors: Representatives Amstutz, McClain, Anielski, Beck, Blessing, Boose, Brown, Budish, Burkley, Carney, Celebrezze, Damschroder, Duffey, Green, Hackett, Hagan, C., Henne, Huffman, Letson, McGregor, Milkovich, O'Brien, Patmon, Pelanda, Rogers, Ruhl, Sears, Sprague, Stebelton, Stinziano, Terhar, Thompson, Speaker Batchelder

To amend sections 122.17, 122.171, 122.86, 166.21, 718.15, 718.151, 3734.905, 4921.13, 4921.19, 5703.056, 5703.059, 5703.21, 5715.49, 5715.50, 5727.47, 5727.91, 5735.01, 5735.062, 5735.07, 5735.12, 5735.141, 5735.23, 5736.06, 5736.09, 5736.13, 5743.01, 5743.021, 5743.024, 5743.025, 5743.03, 5743.04, 5743.05, 5743.051, 5743.112, 5743.52, 5743.65, 5747.08, 5747.98, and 5751.20, to enact sections 5703.212, 5736.041, and 5736.50, and to repeal sections 183.35, 5726.08, 5733.30, 5735.16, 5743.06, and 5745.10 of the Revised Code to provide authorization and conditions for the levy and administration of taxes in this state.

Am. Sub. H. B. No. 493 -Representatives Sears, Henne

Cosponsors: Representatives Hackett, Huffman, Stebelton, Wachtmann

To amend sections 1561.31, 2305.25, 2305.252, 4121.129, 4121.45, 4123.01, 4123.26, 4123.27, 4123.29, 4123.291, 4123.292, 4123.32, 4123.322, 4123.34, 4123.35, 4123.353, 4123.36, 4123.37, 4123.40, 4123.41, 4123.411, 4123.47, 4123.511, 4123.512, 4123.54, 4123.542, 4123.66, 4123.82, 4123.83, 4125.05, 4729.80, and 4729.86; to enact sections 4121.443, 4121.447, and 4123.323; to repeal section 4121.419 of the Revised Code; and to amend Section 1 of Sub. H.B. 34 of the 130th General Assembly, as subsequently amended, to make changes to Ohio's Workers' Compensation Law.

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 Senate amendments to:

Sub. H. B. No. 296-Representatives Johnson, Duffey - et al.

Sub. H. B. No. 477-Representative Brown - et al.

Attest: Bradley J. Young,
Clerk.

On the motion of Senator Peterson, the Senate adjourned until Tuesday, April 15, 2014 at 10:00 o'clock a.m.

Attest: VINCENT L. KEERAN,
Clerk.