

OHIO

SENATE

JOURNAL

TUESDAY, OCTOBER 1, 2013

NINETY-FIFTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, October 1, 2013, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

BILLS FOR THIRD CONSIDERATION

Am. H. B. No. 12-Representative Roegner.

Cosponsors: Representatives Young, Butler, Terhar, Stebelton, Lynch, McGregor, Gonzales, Thompson, Hood, Scherer, Adams, J., Baker, Beck, Becker, Boose, Buchy, Burkley, Conditt, Damschroder, Duffey, Green, Hackett, Hagan, C., Hall, Henne, Landis, Maag, Perales, Retherford, Ruhl, Wachtmann, Speaker Batchelder.

To amend sections 4104.02 and 4104.05 of the Revised Code to eliminate the licensed operator requirement for boilers directly fired with gas, oil, gas-oil, or electricity or stationary steam engines that comply with standards established by the Board of Building Standards, having been informally passed, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 12**, pass?"

On the motion of Senator Obhof, **Am. H. B. No. 12** was informally passed and retained its place on the calendar.

Am. Sub. H. B. No. 98-Representatives Gonzales, Retherford.

Cosponsors: Representatives Terhar, Pillich, Stinziano, Fedor, Becker, Ruhl, Dovilla, Young, Johnson, Landis, Anielski, Barborak, Bishoff, Milkovich, Perales, Rosenberger, Adams, J., Adams, R., Amstutz, Antonio, Ashford, Baker, Beck, Blair, Blessing, Boose, Boyce, Brenner, Brown, Buchy, Budish, Burkley, Butler, Celebrezze, Cera, Clyde, Conditt, Curtin, Damschroder, Derickson, DeVitis, Duffey, Foley, Gerberry, Green, Grossman, Hackett, Hagan, C., Hall, Hayes, Heard, Henne, Hill, Hood, Hottinger, Huffman, Kunze, Letson, Lundy, Lynch, Maag, Mallory, McClain, McGregor, Patmon, Patterson, Pelanda, Phillips, Ramos, Reece, Roegner, Rogers, Romanchuk, Scherer, Schuring, Sears, Slaby, Smith, Sprague, Stautberg, Stebelton, Strahorn, Sykes, Szollosi, Thompson, Wachtmann, Williams, Winburn, Speaker Batchelder. Senators Uecker, LaRose, Skindell, Brown, Tavares, Schaffer.

To amend sections 4506.09, 4713.60, 4723.24, 4725.16, 4725.51, 4732.14, 4733.15, 4743.04, 5903.10, 5903.12, and 5903.121 and to enact section 5903.03 of the Revised Code to revise the Occupational Licensing Law regarding military service members and veterans and to declare an emergency, having been informally passed, was considered the third time.

The question being, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

On the motion of Senator Obhof, **Am. Sub. H. B. No. 98** was informally passed and retained its place on the calendar.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 197-Senator Cafaro.

To enact sections 5533.781 and 5533.782 of the Revised Code to designate the "Persian Gulf Veterans Bridge" and the "Iraq and Afghanistan Veterans Bridge" within the municipal corporation of Niles in Trumbull County.

S. B. No. 198-Senators Jones, Tavares.

Cosponsors: Senators Bacon, Beagle, Burke, Lehner, Manning, Seitz, Uecker, Cafaro, Turner, Schiavoni, Smith, Brown, Kearney.

To amend section 313.121 and to enact section 5.2290 of the Revised Code to designate October as "Sudden Infant Death Syndrome Awareness Month" and to encourage 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 whenever a child one year of age or younger dies suddenly when in apparent good health.

OFFERING OF RESOLUTIONS

Senator Beagle offered the following resolution:

S. C. R. No. 22-Senator Beagle.

Cosponsors: Senators Bacon, Eklund, Hite, Jones.

To urge Ohio members of the Congress of the United States to seek a legislative solution to ensure public access to e-book materials through public libraries.

The question being, "Shall the resolution, **S. C. R. No. 22**, be adopted?"

On the motion of Senator Obhof, **S. C. R. No. 22**, was referred to the Committee on Reference.

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

S. R. No. 195-Senators Hughes, Jordan, Bacon, Tavares.

Honoring Jack Hanna on thirty-five years of service to the Columbus Zoo and Aquarium.

S. R. No. 196-Senator Widener.

Honoring Sydney Kinne as the 2013 Miss Ohio Pre-Teen Queen.

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

So the resolutions were adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint John T. Born, from Fairfield County, Ohio, as Director of the Department of Public Safety for a term beginning July 31, 2013, and continuing at the pleasure of the Governor.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of July in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Ronald D. Brown, from Cincinnati, Hamilton County, Ohio, as a Member of the University of Cincinnati Board of Trustees for a term beginning June 6, 2013, and ending at the close of business January 1, 2018, replacing Stanley Chesley, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 6th day of June in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Jason A. Dominguez, from Franklin County, Ohio, as Interim Director of the Department of Veterans Services for a term beginning July 22, 2013, and continuing at the pleasure of the Governor.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 19th day of July in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Kenneth E. Flierl, from Milford, Clermont County, Ohio, as a Member of the Banking Commission for a term beginning June 11, 2013, and ending at the close of business January 31, 2016, replacing Benedict Weissenrieder, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of June in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Asim

Z. Haque, from Springfield, Clark County, Ohio, as a Member of the Public Utilities Commission of Ohio for a term beginning June 6, 2013, and ending at the close of business April 10, 2016, replacing Andre T. Porter, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 6th day of June in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Ricky D. Hoffman, from Bremen, Fairfield County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning May 30, 2013, and ending at the close of business January 13, 2015, replacing Ricky D. Hoffman, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th day of May in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Maninder Singh Kalra, from Mason, Warren County, Ohio, as a Member of the Ohio Respiratory Care Board for a term beginning June 11, 2013, and ending at the close of business March 14, 2016, replacing Robert C. Cohn, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of June in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint John B. McCarthy, from Franklin County, Ohio, as Director of the Department of Medicaid for a term beginning July 1, 2013, and continuing at the pleasure of the Governor.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th day of January in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Donald A. McDonald, from Doylestown, Wayne County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning May 31, 2013, and ending at the close of business January 13, 2015, replacing Nancy C. Osborn, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of May in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Brian

Keith Michael, from Hillsboro, Highland County, Ohio, as a Member of the Southern Ohio Agricultural and Community Development Foundation for a new term beginning June 3, 2013, and ending at the close of business June 2, 2018, replacing Brian Keith Michael, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 3rd day of June in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Rebecca Culbertson Nesbitt, from Gallipolis, Gallia County, Ohio, as a Member of the Southern Ohio Agricultural and Community Development Foundation for a new term beginning June 3, 2013, and ending at the close of business June 2, 2018, replacing Rebecca Culbertson Nesbitt, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 3rd day of June in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Tracy J. Plouck, from Delaware County, Ohio, as Director of the Department of Mental Health and Addiction Services for a term beginning July 1, 2013, and continuing at the pleasure of the Governor.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th day of June in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint Michael G. Verich, Democrat, from Warren, Trumbull County, Ohio, as a Member of the Environmental Review Appeals Commission for a term beginning June 7, 2013, and ending at the close of business October 22, 2018, replacing Lisa Eschleman, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 7th day of June in the year of our Lord, two thousand and thirteen.

[Seal]

John R. Kasich,
Governor.

Said appointments were referred to the Committee on Rules.

COMMUNICATIONS FROM THE ATTORNEY GENERAL

The President handed down the following message from the Attorney General which was read by the Clerk:

September 25, 2013

The Honorable Keith Faber
Ohio Senate
1 Capitol Square, 2nd Floor
Columbus, Ohio 43215

Dear President Faber:

It is my pleasure to present to you for the advice and consent of the Ohio Senate the appointment of Fred Cooke to the Ohio Consumers' Counsel Governing Board pursuant to Ohio Revised Code Section 4911.17.

The Governing Board appoints the Consumers' Counsel and Deputy Consumers' Counsel. The Governing Board consists of nine members, three each representing the following groups: organized labor, residential consumers, and family farmers. Mr. Cooke is a Democrat and represents

family farmers. He will replace Joe Logan.

The request for appointment is respectfully submitted to both you and the Ohio Senate for your advice and consent. If you have any questions, please do not hesitate to contact me.

Very respectfully yours,

/s/ **MIKE DeWINE**

Mike DeWine
Ohio Attorney General

Said appointment was referred to the Committee on Rules.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 323.234 (B)(8) of Am. Sub. H.B. No. 59 of the 130th General Assembly, the President of the Senate appoints the following senators to the Direct Care Worker Advisory Workgroup:

Senator Shannon Jones
Senator Capri Cafaro

MESSAGE FROM THE PRESIDENT

Pursuant to Section 4121.70 (A)(4) of the Ohio Revised Code, the President of the Senate appoints the following public member to serve on the Labor Management Government Advisory Council:

Jared Weiser
10 West Broad Street, Suite 2450
Columbus, OH 43215

(Representing employers. Term beginning immediately, replacing Gregory M. Saul.)

MESSAGE FROM THE PRESIDENT

Pursuant to Section 1513.29 of the Ohio Revised Code, the President of the Senate appoints the following senator to serve on the Council on Unreclaimed Strip Mined Lands:

Senator Troy Balderson

On the motion of Senator Obhof, the Senate adjourned until Wednesday, October 2, 2013 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.