

OHIO

SENATE

JOURNAL

WEDNESDAY, NOVEMBER 12, 2014

TWO HUNDRED THIRTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, November 12, 2014, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Tim Muller, Ascension Lutheran Church, Columbus, 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 Faber recognized Brian Perera for his service to the Ohio Senate and the State of Ohio.

Senator Faber recognized Andrew Pusateri for his service to the Ohio Senate and the State of Ohio.

**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:

H. C. R. No. 54-Representative Perales, et al.

To urge the Congress of the United States to continue the full funding and production of the F-35 Joint Strike Fighter's technology.

To the Committee on Finance.

Am. Sub. H. B. No. 10-Representative Hagan, C., et al.

To amend sections 3.16, 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, to create fiscal accountability requirements for counties, townships, municipal corporations, and public schools, to revise the procedure for appointing an interim replacement official to perform the duties of a suspended elected county official, and to authorize the board of county commissioners to appoint an acting officer to perform such suspended official's duties before an interim replacement official is appointed.

To the Committee on Public Safety, Local Government, and Veterans Affairs.

Sub. H. B. No. 131-Representatives Johnson, Stinziano, et al.

To amend sections 4713.01, 4713.08, and 4713.64 and to enact sections 4713.50 and 4713.51 of the Revised Code regarding the use and regulation of tanning facilities.

To the Committee on Commerce and Labor.

H. B. No. 175-Representative Dovilla, et al.

To enact sections 113.50 to 113.61 of the Revised Code to require the Treasurer of State to establish the Ohio State Government Expenditure Database.

To the Committee on State Government Oversight and Reform.

Am. H. B. No. 430-Representatives Kunze, Stinziano, et al.

To amend sections 3905.01, 3905.06, and 3905.40 and to enact section 3905.063 of the Revised Code to regulate self-service storage facilities.

To the Committee on Commerce and Labor.

Am. H. B. No. 449-Representative Gonzales, et al.

To enact section 3333.311 of the Revised Code with respect to residency status for certain veterans, spouses, and dependents at state institutions of higher education.

To the Committee on State Government Oversight and Reform.

Sub. H. B. No. 463-Representative Johnson, et al.

To amend sections 3333.61, 4715.031, 4715.037, 4715.10, 4715.13, 4715.22, 4715.23, 4715.24, 4715.363, 4715.366, 4715.371, 4715.373, 4715.39, 4715.56, 4715.64, and 4715.66 and to enact sections 3702.96, 3702.961, 3702.962, 3702.963, 3702.964, 3702.965, 3702.966, 3702.967, 3702.968, 3702.969, and 4715.421 of the Revised Code to make changes to the laws governing dental professionals.

To the Committee on Medicaid, Health and Human Services.

H. B. No. 474-Representatives Dovilla, Pelanda, et al.

To amend section 4501.21 and to enact section 4503.576 of the Revised Code to create the "Ohio State Beekeepers Association" license plate.

To the Committee on Transportation.

Am. H. B. No. 506-Representatives Thompson, Cera, et al.

To enact section 3704.20 of the Revised Code to require the Director of Environmental Protection to adopt rules establishing standards of performance for carbon dioxide emissions from existing coal-fired and natural gas-fired electric generating units and to specify factors on which the standards must be based.

To the Committee on Energy and Natural Resources.

Am. Sub. H. B. No. 575-Representatives Baker, Anielski, et al.

To enact sections 193.01, 193.02, 193.03, and 193.04 of the Revised Code to create the Ohio Economic Council on Women.

To the Committee on State Government Oversight and Reform.

S. C. R. No. 42-Senator Kearney.

To encourage the Cleveland Indians baseball franchise to retire their nickname and mascot and to adopt a new nickname and a new mascot free of racial insensitivity.

To the Committee on State Government Oversight and Reform.

S. R. No. 410-Senator Schaffer, et al.

To urge the United States Department of Commerce to utilize all available resources to prevent dumping and the subsidization of imported glass products in the United States finished glass market.

To the Committee on Commerce and Labor.

S. B. No. 346-Senator Beagle, et al.

To amend section 4511.46 of the Revised Code to increase the penalties for failing to yield the right-of-way to a pedestrian who is crossing a roadway within a crosswalk when the crosswalk is located within a school zone.

To the Committee on Criminal Justice.

S. B. No. 347-Senator Lehner, et al.

To amend sections 2133.02, 2133.21, 2133.211, 2133.23, 2133.24, 2133.25, 2133.26, 3795.03, and 4730.09; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2133.211 (2133.23), 2133.23 (2133.24), 2133.24 (2133.25), 2133.25 (2133.26), and 2133.26 (2133.27); to enact new section 2133.22 and sections 2133.28 to 2133.47; and to repeal section 2133.22 of the Revised Code to establish procedures for the use of medical orders for life-sustaining treatment and to make changes to the laws governing DNR identification and orders.

To the Committee on Civil Justice.

S. B. No. 348-Senator Tavares.

To enact section 5533.641 of the Revised Code to designate a portion of United States Route 33 within Columbus as the "John W. Bowen Memorial Roadway."

To the Committee on Transportation.

S. B. No. 349-Senator Seitz, et al.

To amend sections 4112.02 and 4112.05 of the Revised Code to make permissive actual damages and attorney's fees, to limit certain punitive damages, to allow respondents to recover attorney's fees in certain instances, to prohibit actual or punitive damages from being awarded to a fair housing agency, and to exempt certain landlords from the housing provisions of the Ohio Civil Rights Law.

To the Committee on Civil Justice.

S. B. No. 350-Senator Widener, et al.

To enact section 5534.36 of the Revised Code to designate a portion of Interstate Route 70 within Madison and Franklin counties as the "LCpl Josh McDaniels Memorial Highway."

To the Committee on Transportation.

S. B. No. 351-Senator Patton, et al.

To amend sections 715.27, 3781.102, 4740.01, 4740.02, 4740.04, and 4740.12 of the Revised Code to require roofing contractors to have a license.

To the Committee on Commerce and Labor.

S. B. No. 352-Senators Skindell, Patton.

To enact section 5534.37 of the Revised Code to designate a portion of Interstate Route 71 within the municipal corporation of Cleveland as the "Specialist Angel L. Lopez Memorial Highway."

To the Committee on Transportation.

S. B. No. 353-Senator LaRose, et al.

To amend section 3301.0714 of the Revised Code to require the Education Management Information System to include information regarding persons at whom a student's violent behavior that resulted in discipline was directed and to require the Department of Education to submit a one-time report to the General Assembly regarding that information.

To the Committee on Education.

S. B. No. 354-Senators Gentile, Cafaro, et al.

To enact section 4999.09 of the Revised Code to require the crews of freight trains to consist of at least two individuals.

To the Committee on Commerce and Labor.

S. B. No. 355-Senators Tavares, Turner, et al.

To amend section 4112.02 and to enact sections 1751.68 and 3923.84 of the Revised Code to require health insurers to provide coverage for contraceptive drugs and devices approved by the United States Food and Drug Administration and to prohibit employment discrimination under the Ohio Civil Rights Law on the basis of reproductive health decisions made by a person or a person's dependent or on the basis of the employer's personal beliefs about drugs, devices, and services related to reproductive health.

To the Committee on Insurance and Financial Institutions.

S. B. No. 356-Senator Brown, et al.

To amend section 905.321 of the Revised Code to include manure as fertilizer for purposes of fertilizer applicator certification, to revise the operation date of the fertilizer applicator certification requirements, and to declare an emergency.

To the Committee on Agriculture.

S. B. No. 357-Senator Schiavoni.

To enact section 5534.04 of the Revised Code to designate a portion of I-76 in Mahoning County as the "Marine Sergeant James Prommersberger and Army Second Lieutenant Charles W. Brown Memorial Highway."

To the Committee on Transportation.

S. B. No. 358-Senator Schaffer, et al.

To amend sections 2907.09 and 2950.01 of the Revised Code to require an

offender who purposely commits the offense of public indecency under certain circumstances involving conduct likely to be viewed by minors to register as a Tier I sex offender/child-victim offender.

To the Committee on Criminal Justice.

S. B. No. 359-Senators Beagle, Lehner, et al.

To amend sections 3737.82, 3781.10, 3781.104, and 4740.14 of the Revised Code to require a separate, exterior means of egress for dwelling areas above the second story of certain residential rental properties.

To the Committee on Commerce and Labor.

S. B. No. 360-Senator Schiavoni.

To enact section 5534.40 of the Revised Code to designate the bridge spanning the Meander Creek Reservoir on Interstate Route 80 in Mahoning County, as the "Fire Chief Andrew R. Frost, Jr., Bridge."

To the Committee on Transportation.

S. B. No. 361-Senator Seitz, et al.

To amend sections 2901.21 and 2901.22 and to enact section 2901.20 of the Revised Code to clarify when strict criminal liability is imposed or a degree of culpability is required for the commission of an offense, to modify the concept of acting recklessly, and to require that future acts creating criminal offenses specify the requisite degree of culpability.

To the Committee on Criminal Justice.

S. B. No. 362-Senators Kearney, Turner, et al.

To amend sections 3509.01, 3509.03, 3511.02, and 3511.10 of the Revised Code to extend the period for in-person absent voting and to specify the days and hours for in-person absent voting.

To the Committee on State Government Oversight and Reform.

S. B. No. 363-Senator Jones, et al.

To enact section 5534.70 of the Revised Code to designate a portion of State Route 123 within Warren County as the "Neil Armstrong Memorial Way."

To the Committee on Transportation.

S. B. No. 364-Senator Cafaro, et al.

To amend section 1739.05 and to enact sections 1751.691 and 3923.851 of the Revised Code to limit the out-of-pocket cost to an individual covered by a health plan for drugs used to treat rare diseases.

To the Committee on Insurance and Financial Institutions.

S. B. No. 365-Senator Jones, et al.

To enact section 2111.011 of the Revised Code to provide a ward's bill of rights and to require that a guardian receive the Ohio Guardianship Guide prepared by the Attorney General and acknowledge such receipt.

To the Committee on Civil Justice.

S. B. No. 366-Senator Turner, et al.

To amend sections 149.43, 149.45, 319.28, 319.54, 2903.213, 2903.214, 3113.31, 3503.15, and 3509.03 and to enact sections 111.31, 111.32, 111.321, 111.33 to 111.40, 2901.44, and 3503.151 of the Revised Code to establish an address confidentiality program for individuals who reasonably believe that they are in danger of being threatened or physically harmed by another person, to exclude the residential and familial information of a federal law enforcement officer from the definition of a public record, to include federal law enforcement officers among the protected individuals who are authorized to request a public office other than the county auditor to redact the person's address from any record made available to the general public on the internet, and to include those officers among the protected individuals who may request the county auditor to replace the person's name with the person's initials on the general tax list and duplicate, and to amend the version of section 149.43 of the Revised Code that is scheduled to take effect on March 20, 2015, to continue the provisions of this act on and after that effective date.

To the Committee on State Government Oversight and Reform.

S. B. No. 367-Senators Kearney, Lehner, et al.

To amend sections 1.02, 121.22, 121.37, 135.801, 145.012, 145.298, 149.431, 152.04, 173.25, 305.07, 307.02, 313.12, 325.07, 711.23, 1751.01, 1751.14, 2101.17, 2101.24, 2108.521, 2109.01, 2111.01, 2111.10, 2111.49, 2151.011, 2151.281, 2151.353, 2151.414, 2151.415, 2151.421, 2151.425, 2151.651, 2152.02, 2152.12, 2152.14, 2152.811, 2305.111, 2311.14, 2317.021, 2503.37, 2721.05, 2744.01, 2901.13, 2903.341, 2919.23, 2929.04, 2929.06, 2930.061, 2930.16, 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 2945.482, 2945.491, 2949.29, 2967.22, 3107.02, 3301.52, 3301.53, 3301.55, 3301.57, 3301.58, 3314.022, 3317.02, 3317.024, 3317.03, 3317.032, 3317.07, 3317.15, 3317.20, 3323.01, 3323.02, 3323.021, 3323.03, 3323.04, 3323.05, 3323.09, 3323.091, 3323.12, 3323.141, 3323.142, 3707.20, 3721.01, 3763.06, 3791.031, 3923.24, 3923.241, 4112.01, 4303.272, 4399.05, 4723.071, 4757.41, 4971.16, 5101.46, 5101.611, 5103.02, 5119.44, 5120.051, 5120.11, 5120.17, 5120.173, 5121.04, 5122.01, 5123.01, 5123.012, 5123.014, 5123.02, 5123.03, 5123.033, 5123.04, 5123.044, 5123.0410, 5123.0412, 5123.0413, 5123.0418, 5123.081, 5123.092, 5123.093, 5123.122, 5123.165, 5123.169, 5123.17, 5123.171, 5123.18, 5123.19, 5123.196, 5123.20, 5123.27, 5123.34, 5123.351, 5123.36, 5123.37, 5123.374, 5123.375, 5123.40, 5123.41, 5123.42, 5123.421, 5123.422, 5123.43, 5123.44, 5123.441, 5123.45, 5123.451, 5123.47, 5123.50, 5123.51, 5123.52, 5123.541, 5123.542, 5123.55, 5123.57, 5123.58, 5123.601, 5123.61, 5123.611, 5123.612, 5123.614, 5123.62, 5123.63, 5123.64, 5123.65, 5123.651, 5123.67, 5123.69, 5123.701, 5123.71, 5123.74, 5123.75, 5123.76, 5123.79, 5123.80, 5123.81, 5123.82, 5123.83, 5123.84, 5123.85, 5123.86, 5123.87, 5123.88, 5123.89, 5123.91, 5123.92, 5123.93, 5123.95, 5123.96, 5123.99, 5126.01, 5126.022, 5126.023, 5126.04, 5126.041, 5126.042, 5126.043, 5126.046, 5126.05, 5126.051, 5126.054, 5126.055, 5126.058, 5126.059, 5126.0510, 5126.08, 5126.082, 5126.11, 5126.15, 5126.22, 5126.25, 5126.30, 5126.31, 5126.33, 5126.333, 5126.40, 5126.46, 5126.49, 5126.52, 5126.55, 5126.58, 5139.06, 5139.08, 5139.27, 5139.39, 5139.54, 5164.25, 5164.342, 5164.881, 5165.01, 5166.20, 5166.22, 5168.68, 5301.22, 5305.17, 5307.19, 5310.12, 5705.05, 5705.091, 5705.19, 5705.222, 5709.40, 5709.73, 5709.78, 5711.07, 5747.03, 5815.28, and 5815.35 of the Revised Code to replace "mental retardation" and similar terms with "intellectual disability" and similar terms, to specify that an intellectual disability is a form of developmental disability, and to amend the version of section 2101.24 of the Revised Code that is scheduled to take effect March 20, 2015, to continue the provisions of this act on and after that effective date.

To the Committee on State Government Oversight and Reform.

S. B. No. 368-Senator Schiavoni.

To amend sections 4123.57 and 4123.58 of the Revised Code to make an individual who has lost the use of a body part due to a brain injury or spinal cord injury eligible for partial disability and permanent total disability compensation under the Workers' Compensation Law.

To the Committee on Commerce and Labor.

S. B. No. 369-Senator Hughes, et al.

To amend section 3705.23 of the Revised Code and to amend the version of section 3705.23 of the Revised Code that is scheduled to take effect March 20, 2015, to continue the provisions of this act on and after that effective date, for the purpose of restricting to whom a certified copy of a death certificate containing the decedent's social security number may be issued.

To the Committee on Medicaid, Health and Human Services.

S. B. No. 370-Senator LaRose, et al.

To enact section 5.2296 of the Revised Code to designate the fourth Tuesday in September as "Voter Registration Awareness Day."

To the Committee on State Government Oversight and Reform.

S. B. No. 371-Senators Turner, Eklund, et al.

To enact section 5533.464 of the Revised Code to designate State Route 306 within the municipal corporation of Kirtland as the "U.S.M.C. LCpl. Daniel G. Zegarac Memorial Highway."

To the Committee on Transportation.

S. B. No. 372-Senator Eklund, et al.

To amend sections 119.03, 3719.01, 3719.41, and 3719.43 and to enact sections 109.44, 3719.45, and 3719.46 of the Revised Code authorizing the Ohio Attorney General to place certain substances on controlled substances schedule I.

To the Committee on Criminal Justice.

S. B. No. 373-Senator Schiavoni.

To require the State Board of Education to establish criteria and procedures for the awarding of bullying prevention and education funds to school districts and to make an appropriation.

To the Committee on Finance.

S. B. No. 374-Senator Kearney.

To enact section 5534.52 of the Revised Code to designate State Route 562 within Hamilton County the "Barack Obama Norwood Lateral Highway."

To the Committee on Transportation.

S. B. No. 375-Senator Jones, et al.

To amend section 5321.05 of the Revised Code to include the duty to pay utility bills to the list of duties of a tenant who is party to a rental agreement.

To the Committee on Commerce and Labor.

S. B. No. 376-Senator Schiavoni.

To amend sections 319.302, 3318.032, and 3318.37 of the Revised Code to revise the law governing classroom facilities assistance programs and to restore the application of the 10% and 2.5% property tax rollbacks to school district tax levies approved on or after the effective date of Am. Sub. H.B. 59 of the 130th General Assembly.

To the Committee on Ways and Means.

S. B. No. 377-Senator Kearney.

To increase the school year to two hundred twenty days.

To the Committee on Education.

S. B. No. 378-Senator Coley, et al.

To amend section 3781.25 and to enact sections 3781.34, 3781.341, 3781.342, 3781.36, 4905.041, 4913.01, 4913.03, 4913.05, 4913.07, 4913.09, 4913.13, 4913.15, 4913.151, 4913.152, 4913.16, 4913.17, 4913.171, 4913.19, 4913.21, 4913.22, 4913.23, 4913.25, 4913.27, 4913.29, 4913.31, 4913.45, 4913.47, 4913.50, and 4913.52 of the Revised Code regarding the enforcement of the law governing the protection of underground utility facilities.

To the Committee on Public Utilities.

S. B. No. 379-Senator Jones, et al.

To enact section 1349.83 of the Revised Code to ban the sale of products intended for use in electronic cigarettes that are not in child-resistant packaging.

To the Committee on Commerce and Labor.

S. B. No. 380-Senator Jones.

To amend sections 4928.54 and 4928.55 and to enact sections 4928.541, 4928.542, and 4928.543 of the Revised Code to modify the funding process for the percentage of income payment plan program.

To the Committee on Public Utilities.

S. B. No. 381-Senator Jones, et al.

To amend sections 5104.015, 5104.017, and 5104.018 and to enact section 5104.014 of the Revised Code to require children enrolled in licensed child care facilities to be immunized against specified diseases, subject to certain exceptions.

To the Committee on Medicaid, Health and Human Services.

S. B. No. 382-Senators Jones, Smith, et al.

To amend sections 3119.01, 3119.02, 3119.021, 3119.022, 3119.023, 3119.03, 3119.04, 3119.05, 3119.06, 3119.22, 3119.23, 3119.24, 3119.29,

3119.30, 3119.302, 3119.31, 3119.32, 3119.61, 3119.63, 3119.76, 3119.79, 3119.89, 3121.36, and 3123.14; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3119.022 (3119.024) and 3119.023 (3119.025); to enact new sections 3119.022 and 3119.023 and sections 3119.026, 3119.027, 3119.028, 3119.041, 3119.051, 3119.231, and 3119.303; and to repeal section 3119.024 of the Revised Code to make changes to the laws governing child support; and to amend section 3119.021 of the Revised Code on the date that is four years after the bill's effective date, to make conforming changes on that date.

To the Committee on Medicaid, Health and Human Services.

S. B. No. 383-Senator LaRose, et al.

To enact section 1541.50 of the Revised Code to establish the State Recreational Vehicle Fund Advisory Board for the purpose of providing advice to the Department of Natural Resources regarding the use of state recreational vehicle money and studying the feasibility of establishing a grant program to fund recreational vehicle projects.

To the Committee on Energy and Natural Resources.

S. B. No. 384-Senator Hughes, et al.

To amend section 2903.21 of the Revised Code to increase the penalty for aggravated menacing when the victim of the offense is a law enforcement officer.

To the Committee on Criminal Justice.

S. B. No. 385-Senator Brown.

To amend section 145.58 of the Revised Code to provide that Public Employees Retirement System members retiring on or after January 1, 2015, who have attained age sixty with fifteen or more years but less than twenty years of service credit on that date, are treated as retiring on or before December 1, 2014, for purposes of qualifying for any retiree health care coverage provided by the Retirement System and to declare an emergency.

To the Committee on State Government Oversight and Reform.

S. B. No. 386-Senator Burke, et al.

To amend sections 1705.48, 3737.51, 3737.71, 3737.99, 3743.04, 3743.17, 3743.44, 3743.45, 3743.60, 3743.61, 3743.63, 3743.65, 3743.75, 3743.99, 5703.052, 5703.053, 5703.19, 5703.70, and 5703.77 and to enact sections 3737.04 to 3737.12, 3743.46, and 3743.47 of the Revised Code to enable individuals to purchase and use consumer grade fireworks, to extend to December 15, 2018, the moratorium on issuing fireworks manufacturer and wholesaler licenses, and to impose a fee on the retail sale of consumer grade fireworks in this state.

To the Committee on Commerce and Labor.

YES - 10: KRIS JORDAN, SCOTT OELSLAGER, CHRIS WIDENER, TOM PATTON, LARRY OBHOF, KEVIN BACON, RANDY GARDNER, JOSEPH SCHIAVONI, LOU GENTILE, MICHAEL J. SKINDELL.

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.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Beagle submitted the following report:

The standing committee on Workforce and Economic Development, to which was referred **H. B. No. 218**-Representatives Rosenberger, Dovilla, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Beagle.

YES - 8: BILL BEAGLE, CHARLETA B. TAVARES, ERIC H. KEARNEY, GAYLE MANNING, RANDY GARDNER, CHRIS WIDENER, TIMOTHY O. SCHAFFER, PEGGY B. LEHNER.

NO - 0.

Senator Faber submitted the following report:

Pursuant to Senate Rule No. 37, the standing committee on Rules recommends that **H. B. No. 5** - Representatives Grossman and Henne, having been referred to the standing committee on Finance, be re-referred to the standing committee on Ways and Means.

YES - 12: KEITH L. FABER, CHRIS WIDENER, EDNA BROWN, DAVE BURKE, BILL COLEY, LOU GENTILE, JIM HUGHES, LARRY OBHOF, SCOTT OELSLAGER, TOM PATTON, JOSEPH SCHIAVONI, CHARLETA B. TAVARES.

NO - 0.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **S. C. R. No. 37**-Senator Tavares, et al., having had the same under consideration, reports it back and recommends its adoption.

Co-Sponsors: Cafaro, Brown.

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

NO - 0.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **H. B. No. 27**-Representatives Derickson, Letson, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Tavares, Brown.

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

NO - 0.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **Am. H. B. No. 465**-Representative Johnson, et al., having had the same under consideration, reports it back and recommends its passage.

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

NO - 0.

The question being, "Shall the reports of the committees be accepted?"
The reports of the committees were accepted.

RESOLUTIONS REPORTED BY COMMITTEE

S. C. R. No. 37-Senator Tavares.
Cosponsors: Senators Cafaro, Brown.

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

WHEREAS, Breastfeeding is an important part of preventative health care for both infants and mothers. Scientific studies demonstrate that breast milk helps protect infants from infections and allergies and provides the nutrients necessary for optimum growth and development. Infants who are breastfed for at least six months may be less likely to become overweight or obese during later phases of childhood or as adults. Women who breastfeed their infants have decreased risks of breast and ovarian cancer, anemia, and osteoporosis; and

WHEREAS, Despite the benefits of breastfeeding, the United States Centers for Disease Control and Prevention (CDC) reports that only 13.6 per cent of babies in the United States are exclusively breastfed at six months of age; and

WHEREAS, The CDC's Maternity Practices in Infant Nutrition and Care, a national survey of maternity care practices and procedures, found that barriers to breastfeeding are widespread in hospitals and birthing facilities. The CDC also found that 96 per cent of hospitals and birthing facilities lack maternity care policies and practices that fully support breastfeeding; and

WHEREAS, A review by the United States Preventive Services Task Force determined that education on breastfeeding is an effective intervention for

increasing breastfeeding rates; now therefore be it

RESOLVED, That we, the members of the 130th General Assembly of the State of Ohio, encourage hospitals and freestanding birthing centers to adopt policies and procedures that promote breastfeeding, including, but not limited to, (1) being designated a "Baby Friendly Hospital" by the United Nations Children's Fund and the World Health Organization Baby Friendly Hospital Initiative, (2) developing breastfeeding education for women, including education on the health benefits of breastfeeding, (3) providing breastfeeding education and training for health care professionals who provide maternal and child care, (4) providing new mothers with access to lactation consultants, and (5) providing information on alternatives to breastfeeding for mothers who cannot or choose not to breastfeed or for mothers for whom breastfeeding is contraindicated; and be it further

RESOLVED, That we, the members of the 130th General Assembly of the State of Ohio, in acknowledging the importance of breastfeeding, recognize the right of a mother to choose the method she will use to feed her infant. Therefore, we encourage hospitals and freestanding birthing centers to do all of the following: (1) provide pregnant patients with complete information, written materials, and support on available infant feeding methods, (2) support the feeding method a new mother chooses for her infant, (3) provide health care providers and new mothers with access to infant feeding educational information and infant feeding materials regarding various methods for feeding infants, including breast pumps, infant feeding supplies, infant formula samples, and preparation instructions, and (4) distribute infant formula samples and infant feeding supplies to a breastfeeding mother on request of the mother or when ordered by the mother's physician; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the news media of Ohio.

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

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	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Tavares
Turner	Uecker	Widener	Faber-32.

So the resolution was adopted.

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

Senator Tavares moved to amend the title as follows:

Add the names: "Bacon, Balderson, Burke, Coley, Eklund, Hite, Hughes, Jones, Jordan, Kearney, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Skindell, Turner, Uecker, Widener."

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

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

H. B. No. 27-Representatives Derickson, Letson.

Cosponsors: Representatives Adams, J., Grossman, Brown, Retherford, Ruhl, Strahorn, Antonio, Young, Mallory, Johnson, Ramos, Adams, R., Anielski, Ashford, Baker, Barborak, Barnes, Beck, Becker, Bishoff, Blair, Blessing, Brenner, Buchy, Budish, Burkley, Carney, Celebrezze, Cera, Curtin, DeVitis, Dovilla, Driehaus, Fedor, Foley, Gerberry, Green, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Hill, Hottinger, Huffman, Landis, Lundy, McClain, Milkovich, O'Brien, Patmon, Patterson, Pelanda, Perales, Phillips, Reece, Rogers, Romanchuk, Rosenberger, Sears, Slaby, Slesnick, Smith, Sprague, Stautberg, Stebelton, Stinziano, Terhar, Thompson, Williams, Winburn, Speaker Batchelder. Senators Tavares, Brown.

To enact section 5.2280 of the Revised Code to designate the last day of February as "Rare Disease Day", was considered the third time.

The question being, "Shall the bill, **H. B. No. 27**, 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	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	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, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Skindell, Uecker, Widener."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 218-Representatives Rosenberger, Dovilla.

Cosponsors: Representatives Scherer, Reece, Smith, Baker, Fedor, Buchy, Barnes, Burkley, Hagan, C., Adams, R., Amstutz, Anielski, Antonio, Beck, Blair, Blessing, Boose, Brown, Budish, Butler, Celebrezze, Damschroder, Derickson, DeVitis, Green, Grossman, Hackett, Hall, Hayes, Henne, Hill, Johnson, Landis, Mallory, McClain, McGregor, Milkovich, O'Brien, Patterson, Perales, Pillich, Ramos, Retherford, Romanchuk, Ruhl, Sears, Sheehy, Sprague, Stebelton, Stinziano, Thompson, Wachtmann, Young, Speaker Batchelder. Senator Beagle.

To amend section 102.02 and to enact section 125.65 of the Revised Code to require the LeanOhio Office in the Department of Administrative Services to establish an entrepreneur in residence pilot program, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 218**, 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	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Tavares
Turner	Uecker	Widener	Faber-32.

So the bill passed.

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

Senator LaRose moved to amend the title as follows:

Add the names: "Bacon, Balderson, Brown, Burke, Coley, Eklund, Faber, Gardner, Hite, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Peterson, Schaffer, Seitz, Tavares, Uecker, Widener."

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, November

9, 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.

OFFERING OF RESOLUTIONS

Senator Kearney offered the following resolution:

S. C. R. No. 43-Senator Kearney.

To memorialize the Congress to amend the Military Selective Service Act to require women also to register for the selective service.

The question being, "Shall the resolution, **S. C. R. No. 43**, be adopted?"

On the motion of Senator Widener, **S. C. R. No. 43**, was referred to the Committee on Reference.

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 418-Senators Seitz, Jones, Obhof, Tavares.

Recognizing World Prematurity Awareness Month in Ohio, November 2014.

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

So the resolution was adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 745.10 of Am. Sub. H. B. 483, the President of the Senate appoints the following members to the Maritime Port Funding Study Committee:

Senator Randy Gardner
Senator Capri Cafaro

On the motion of Senator Faber, the Senate recessed until 3:40 p.m.

The Senate met pursuant to the recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives insists on its amendments to:

Sub. S. B. No. 261 -Senators Bacon, Manning - et al.

and asks for a Committee of Conference.

Attest:

Bradley J. Young,
Clerk.

On the motion of Senator Obhof, the Senate acceded to the request of the House of Representatives.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rule No. 30, the President of the Senate appoints the following members to serve on the Conference Committee for Sub. S. B. No. 261:

Senator Kevin Bacon
Senator Gayle Manning
Senator Eric Kearney

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House has appointed as managers on the part of the House on matters of difference between the two Houses on:

Sub. S. B. No. 261 -Senators Bacon, Manning - et al.

Representatives Butler, Hayes, and Celebrezze.

Attest:

Bradley J. Young,
Clerk.

On the motion of Senator Obhof, the Senate adjourned until Thursday, November 13, 2014 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.