

OHIO

SENATE

JOURNAL

THURSDAY, NOVEMBER 20, 2014

TWO HUNDRED FORTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Thursday, November 20, 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 Obhof 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 Bacon submitted the following report:

The standing committee on Commerce and Labor, to which was referred **S. B. No. 232**-Senator Uecker, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Bacon.

YES - 9: KEVIN BACON, BILL SEITZ, JOE UECKER, JOHN EKLUND, EDNA BROWN, NINA TURNER, SHANNON JONES, ERIC H. KEARNEY, SCOTT OELSLAGER.

NO - 0.

Senator Bacon submitted the following report:

The standing committee on Commerce and Labor, to which was referred **S. R. No. 410**-Senator Schaffer, et al., having had the same under consideration, reports it back and recommends its adoption.

Co-Sponsors: Bacon, Brown, Turner.

YES - 10: JOE UECKER, BILL SEITZ, SHANNON JONES, KEVIN BACON, JOHN EKLUND, EDNA BROWN, ERIC H. KEARNEY, NINA TURNER, KRIS JORDAN, SCOTT OELSLAGER.

NO - 0.

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

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. 258 -Senator Balderson

Cosponsors: Senators Beagle, Brown, Coley, Gentile, Hite, LaRose, Lehner, Oelslager, Patton, Peterson, Schaffer, Uecker Representatives Brown, Bishoff, Wachtmann, Antonio, Barnes, Burkley, Cera, Green, Hackett, Hayes, Hill, Maag, McClain, Milkovich, Ruhl, Sears, Smith

To amend sections 4725.01 and 4725.091 and to enact sections 3901.81, 3901.811, 3901.812, 3901.813, 3901.814, and 3901.815 of the Revised Code to establish standards for the performance of pharmacy audits in Ohio and to authorize the continued use of certain analgesic controlled substances in the practice of optometry.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 67, delete " on or"

In line 68, delete " after January 1, 2015"

In line 239, delete " analgesic drugs that are"; strike through "controlled"

In line 240, strike through "substances"; delete " and" and insert " . to the extent"

In line 241, after "Code" insert " . analgesic controlled substances"

In line 293, delete " drugs that"

In line 294, delete " are"

In line 301, delete " drug"

In line 302, delete " that is a"; delete " that is either of"

Delete line 303

In line 304, delete " (a) A drug that is"; strike through the remainder of the line

Strike through line 305

In line 306, strike through "category"; delete the underlined semicolon

Delete lines 307 through 313

In line 314, delete " control laws, as defined in section 3719.01 of the Revised Code" and insert " product that is used for the treatment of pain and meets one of

the following conditions:

(a) The product is a preparation that contains an amount of codeine per dosage unit, as specified by the board, and also contains other active, nonnarcotic ingredients, such as acetaminophen or aspirin, in a therapeutic amount.

(b) The product is a preparation that contains an amount of hydrocodone per dosage unit, as specified by the board, and also contains other active, nonnarcotic ingredients, such as acetaminophen, aspirin, or ibuprofen, in a therapeutic amount.

(c) The product contains or consists of a drug or dangerous drug that was an analgesic included in the practice of optometry under a therapeutic pharmaceutical agents certificate immediately prior to the effective date of this amendment, was not a controlled substance at that time, and subsequently becomes a schedule II, III, IV, or V controlled substance"

In line 315, delete " drugs"

In line 316, delete " that are"

In line 321, delete " drugs that are"

In line 328, delete " drugs that are"

Attest:

Bradley J. Young,
Clerk.

Said amendments were laid over under the rule.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 52 -Representatives Stautberg, Sears

Cosponsors: Representatives Baker, Becker, Blair, Blessing, Brenner, Brown, Buchy, Curtin, Derickson, Duffey, Green, Hackett, Hagan, C., Hayes, Henne, Huffman, Retherford, Roegner, Romanchuk, Ruhl, Smith, Sprague, Stebelton, Terhar, Wachtmann, Schuring, Burkley, Conditt, Hill, Hood, Hottinger, Maag, McClain, McGregor, Pelanda, Scherer, Speaker Batchelder

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

Attest: Bradley J. Young,
Clerk.

The question being, "Shall the resolution, **H. C. R. No. 52**, be adopted?"

On the motion of Senator Burke, **H. C. R. No. 52**, was referred to the Committee on Reference.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 55 -Representative McGregor
Cosponsors: Representatives Brenner, Amstutz, Blessing, Boose, Brown, Butler, Conditt, Green, Huffman, Letson, Milkovich, O'Brien, Pelanda, Retherford, Ruhl, Schuring, Sears, Sprague, Stebelton, Terhar, Wachtmann, Young, Speaker Batchelder

To declare that the Ohio General Assembly is opposed to the enactment of a state law, pursuant to a federal mandate, which would require the suspension or revocation of the driver's license of any individual convicted of any violation of the federal Controlled Substances Act or another drug law; to urge the Governor of Ohio to submit a written certification stating the Governor's opposition to such a law along with this resolution to the United States Secretary of Transportation; and accordingly to prevent the United States Secretary of Transportation from withholding a specified percentage of federal transportation apportionments pursuant to 23 U.S.C. 159.

Attest: Bradley J. Young,
Clerk.

The question being, "Shall the resolution, **H. C. R. No. 55**, be adopted?"

On the motion of Senator Burke, **H. C. R. No. 55**, was referred to the Committee on Reference.

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. 490 -Representatives Hall, Thompson

Cosponsors: Representatives Hagan, C., Ruhl, Boose, Brown, Burkley, Grossman, Hackett, Maag, McClain, Retherford, Scherer, Sears, Smith, Wachtmann, Young, Speaker Batchelder

To amend sections 901.22, 903.01, 903.03, 903.07, 903.082, 903.09, 903.10, 903.11, 903.12, 903.13, 903.16, 903.17, 903.25, 941.14, 953.22, 956.03, 956.04, 1501.011, 1509.01, 1509.06, 1509.07, 1509.11, 1509.16, 1509.222, 1509.223, 1509.23, 1509.27, 1509.28, 1509.33, 1509.99, 1511.01, 1511.02, 1511.021, 1511.022, 1511.023, 1511.05, 1511.07, 1511.99, 1514.09, 1514.11, 1515.01, 1515.08, 1522.10, 1522.13, 1533.081, 1533.12, 1548.07, 1561.24, 1711.13, 3704.05, 3734.02, 3734.029, 3745.70, 3750.081, 3750.13, 3769.21, 3781.10, 4507.03, 4707.02, 4905.71, 4927.01, 4927.02, 4927.07, 4927.11, 4927.15, 5713.051, 6109.10, 6111.03, 6111.04, 6111.30, 6111.44, 6111.99, 6112.01, and 6112.03; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1511.022 (939.04) and 1511.023 (1511.022); to enact new section 1511.023 and sections 901.80, 901.801, 905.326, 905.327, 939.01, 939.02, 939.03, 939.05, 939.06, 939.07, 939.08, 939.09, 939.10, 939.11, 1509.051, 1509.211, 1509.231, 1511.024, 1511.025, 1511.09, 1522.25, 4507.021, 4927.10, 4927.101, 6111.32, and 6112.06; to repeal sections 903.04, 1511.071, 1514.40, 1514.41, 1514.42, 1514.43, 1514.44, 1514.45, 1514.46, and 1514.47 of the Revised Code; and to amend sections 1511.024 and 1511.025 as they result from Section 1 of this act for the purpose of adopting new section numbers 939.11 and 939.12 of the Revised Code on January 1, 2017, to revise certain laws governing agriculture, natural resources, environmental protection, telecommunications, video lottery terminals, and driver's licenses.

Am. H. B. No. 531 -Representative Gonzales

Cosponsors: Representatives DeVitis, Wachtmann, Amstutz, Anielski, Blessing, Brown, Duffey, Fedor, Green, Letson, Mallory, McClain, McGregor, Milkovich, Smith, Terhar, Speaker Batchelder

To amend sections 4730.14, 4731.22, 4731.222, 4731.225, 4731.24, 4731.281, and 4778.06 and to enact sections 4730.252, 4760.133, 4762.133, 4774.133, and 4778.141 of the Revised Code to authorize the State Medical Board to fine certain professionals it regulates for failing to comply with continuing education requirements without suspending the individual's license or certificate to practice, to authorize the Board to fine the professionals it regulates for violating law administered by the Board, and to impose additional terms and conditions for physician certificate restoration.

H. B. No. 652 -Speaker Batchelder, Representative Hackett

Cosponsors: Representatives Brenner, Brown, Antonio, Barnes, Boyce, Buchy, Celebrezze, Fedor, Gerberry, Green, Hagan, C., Hall, Letson, Mallory, Milkovich, O'Brien, Reece, Retherford, Ruhl, Schuring, Sears, Sprague

To amend sections 1761.05, 1761.06, 1761.08, 1761.09, 1761.10, 1761.12, 1761.13, and 1761.17 of the Revised Code relative to the operation of credit union share guaranty corporations, including with respect to the primary guaranteed amount, license renewals, reinsurance and lines of credit, corrective action agreements with participating credit unions, special premium assessments, and investments.

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. 218-Representatives Rosenberger, Dovilla - et al.

Attest: Bradley J. Young,
Clerk.

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:

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

Sub. S. B. No. 69-Senator Beagle - et al.

S. B. No. 301 -Senator Bacon - et al.

Attest: Bradley J. Young,

Clerk.

The President signed said bills.

On the motion of Senator Burke, the Senate adjourned until Tuesday, November 25, 2014 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.