

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, NOVEMBER 25, 2014

TWO HUNDRED FORTY-SECOND DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, November 25, 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 Hite was selected to preside according to the rule.

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

**HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS**

The amendments of the House of Representatives to:

**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, were taken up.

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

Senator Obhof moved that the House amendments to **Am. Sub. S. B. No. 258**, be informally passed and that they retain their place on the calendar.

**INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bill was introduced and considered the first time:

**S. B. No. 391**-Senator Balderson.

To enact sections 4929.16, 4929.161, 4929.162, 4929.163, 4929.164, 4929.165, 4929.166, and 4929.167 of the Revised Code to permit natural gas companies to apply for an infrastructure development rider to recover costs of certain economic development projects.

**OFFERING OF RESOLUTIONS**

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

**S. R. No. 421**-Senator Balderson.

Honoring Heidi Jo McGrady on winning a 2014 National Archery in the Schools Program World Championship.

**S. R. No. 422**-Senator Hughes.

Honoring Audrey Berger and Kyra Jung as the 2014 Division I State Champions in girls doubles tennis.

**S. R. No. 423**-Senators Hughes, Burke.

Honoring the Dublin Jerome High School girls golf team on winning the 2014 Division I State Championship.

**S. R. No. 424**-Senator Hughes.

Honoring the Upper Arlington High School girls water polo team on winning the 2014 State Championship.

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, Eric A. Braun, Independent, from Portsmouth, Scioto County, Ohio, as a Member of the Ohio Tuition Trust Authority Board for a term beginning October 23, 2014, and ending at the close of business January 30, 2018, replacing Chas Withers, 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 23rd day of October in the year of our Lord, two thousand and fourteen.

[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, Tammy H. Brown, from Loveland, Clermont County, Ohio, as a Member of the Ohio Board of Speech Language Pathology and Audiology for a new term beginning September 30, 2014, and ending at the close of business September 26, 2017, replacing Tammy H. Brown, 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 September in the year of our Lord, two thousand and fourteen.

[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, Steven A. Cohen, from Blacklick, Franklin County, Ohio, as a Member of the Central Ohio Technical College Board of Trustees for a term beginning October 14, 2014, and ending at the close of business September 30, 2015, replacing Jill H. Griesse, who passed away.

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 14th day of October in the year of our Lord, two thousand and fourteen.

[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, James C. Evans, Democrat, from Canfield, Mahoning County, Ohio, as a Member of the Ethics Commission for a term beginning October 10, 2014, and ending at the close of business January 1, 2016, replacing Diana L. Swoope, 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 10th day of October in the year of our Lord, two thousand and fourteen.

[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, Stephanie E. Green, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Fair Plan Underwriting Association of Governors for a new term beginning September 19, 2014, and ending at the close of business September 18, 2016, replacing Stephanie E. Green, 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 19th day of September in the year of our Lord, two thousand and fourteen.

[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, Jean M. Halpin, from Westerville, Franklin County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a term beginning August 28, 2014, and ending at the close of business August 27, 2017, replacing Jean M. Halpin, 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 28th day of August in the year of our Lord, two thousand and fourteen.

[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, Srinivas K. Hejeebu, from Sylvania, Lucas County, Ohio, as a Member of the Owens State Community College Board of Trustees for a new term beginning October 8, 2014, and ending at the close of business September 21, 2020, replacing Srinivas K. Hejeebu, 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 8th day of October in the year of our Lord, two thousand and fourteen.

[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, Thomas Johnson, Republican, from Columbus, Franklin County, Ohio, as a Member of the Public Utilities Commission for a term beginning April 11, 2014, and ending at the close of business April 10, 2019, replacing Hon. Todd A. Snitchler, 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 28th day of February in the year of our Lord, two thousand and fourteen.

[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, David A. Kosanovic, Democrat, from Gahanna, Franklin County, Ohio, as a Member of the Ohio Tuition Trust Authority Board for a term beginning October 24, 2014, and ending at the close of business January 30, 2017, replacing William E. Brown, 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 14th day of October in the year of our Lord, two thousand and fourteen.

[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, Mary J. Santiago, from Lorain, Lorain County, Ohio, as a Member of the Commission on Hispanic-Latino Affairs for a new term beginning October 20, 2014, and ending at the close of business October 7, 2017, replacing Mary J. Santiago, 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 20th day of October in the year of our Lord, two thousand and fourteen.

[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, Denise Ann Shockley, Republican, from Gallipolis, Gallia County, Ohio, as a Member of the Ohio Advisory Council for Aging for a term beginning October 20, 2014, and ending at the close of business November 21, 2016, replacing John Thatcher, 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 20th day of October in the year of our Lord, two thousand and fourteen.

[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 E. Spurlock, Republican, from West Chester, Butler County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning October 27, 2014, and ending at the close of business October 4, 2017, replacing Donald E. Spurlock, 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 27th day of October in the year of our Lord, two thousand and fourteen.

[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, Susan W. Stevens, from Findlay, Hancock County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a term beginning August 28, 2014, and ending at the close of business August 27, 2017, replacing Susan W. Stevens, 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 28th day of August in the year of our Lord, two thousand and fourteen.

[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, Daniel A. Yaussy, from Sunbury, Delaware County, Ohio, as a Member of the Forestry Advisory Council for a term beginning October 16, 2014, and ending at the close of business February 27, 2015, replacing Clint C. Manns, 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 16th day of October in the year of our Lord, two thousand and fourteen.

[Seal]

John R. Kasich,  
Governor.

Said appointments were referred to the Committee on Rules.

**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:

**Am. Sub. H. B. No. 228** -Representatives Brenner, Gonzales  
Cosponsors: Representatives Beck, Boose, Burkley, Derickson, Duffey, Fedor, Green, Grossman, Hayes, Kunze, Letson, Patterson, Pelanda, Perales, Phillips, Rogers, Ruhl, Schuring, Sheehy, Slaby, Stebelton, Young, Speaker Batchelder

To amend sections 3301.0710 and 3301.0715 and to enact sections 3301.132 and 3313.903 of the Revised Code, and to amend Section 10 of Am. Sub. H.B. 487 of the 130th General Assembly with regard to the administration of state primary and secondary education assessments and to reform the system of funding elementary and secondary education.

**Sub. H. B. No. 276** -Representative Stautberg  
Cosponsors: Representatives Becker, Blair, Blessing, Hackett, Hottinger, Johnson, Scherer, Sears, Smith, Buchy, Butler, Green, Maag, Pelanda, Speaker Batchelder

To amend section 2317.43 and to enact sections 2317.44 and 2317.45 of the Revised Code to provide that certain statements and communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under certain federal laws, and an insurer's reimbursement policies and determination regarding health care services are inadmissible as evidence in a medical claim.

**Sub. H. B. No. 324** -Representatives Duffey, Hagan, C.  
Cosponsors: Representatives Amstutz, Blair, Butler, Henne, Landis, Roegner, Schuring, Sears, Terhar, Bishoff, Hackett, Young, Brown, Adams, R., Beck, Blessing, Brenner, Buchy, Burkley, Curtin, Damschroder, Derickson, DeVitis, Dovilla, Green, Hagan, R., Maag, McClain, McGregor, Patterson, Pelanda,

Pillich, Redfern, Retherford, Ruhl, Scherer, Sheehy, Thompson, Speaker Batchelder

To amend section 149.43 and to enact sections 117.432, 149.60, 149.62, and 149.65 of the Revised Code to create the DataOhio Board, to specify requirements for posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.Ohio.gov, to establish the Local Government Information Exchange Grant Program, 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.

**H. B. No. 425** -Representative Rosenberger

Cosponsors: Representatives Green, Grossman, Boose, Hackett, Duffey, Gerberry, Stebelton, Ruhl, Ramos, Perales, Barborak, Mallory, Pillich, Derickson, Strahorn, Reece, Scherer, Lundy, Maag, Sprague, Damschroder, Celebrezze, DeVitis, Hagan, R., Milkovich, Patmon, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Barnes, Beck, Blessing, Boyce, Brenner, Brown, Buchy, Budish, Burkley, Butler, Clyde, Curtin, Dovilla, Driehaus, Fedor, Foley, Hagan, C., Hall, Hayes, Hill, Hood, Huffman, Johnson, Landis, Letson, Lynch, McClain, McGregor, Patterson, Pelanda, Phillips, Redfern, Roegner, Rogers, Romanchuk, Sears, Sheehy, Slaby, Slesnick, Smith, Stautberg, Stinziano, Terhar, Thompson, Wachtmann, Williams, Young, Speaker Batchelder

To enact section 5533.053 of the Revised Code to designate a portion of United States Route 23, within Pike County only, as the "Captain Everett 'Butch' Keaton, Vietnam, SSM and BSM with OLC PH, Memorial Highway."

**Am. H. B. No. 594** -Representatives Gerberry, Buchy

Cosponsors: Representatives Adams, R., Amstutz, Anielski, Antonio, Baker, Boyce, Driehaus, Duffey, Grossman, Hayes, Huffman, Letson, Mallory, McGregor, Milkovich, Patmon, Pelanda, Reece, Rogers, Sears, Sheehy, Slaby, Smith, Stinziano, Strahorn, Young, Speaker Batchelder

To amend sections 4301.62 and 4303.182 and to enact section 4301.71 of the Revised Code to prohibit the sale or offering for sale for human consumption of powdered or crystalline alcohol, to allow a person to possess beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder that is located in the market, and to require the D-6 liquor permit to be issued to a specified D liquor permit holder that is located in a state park that has a working farm on the state park's property.

**Am. H. B. No. 663** -Representatives Buchy, Huffman  
Cosponsors: Representatives Brenner, Maag, Scherer, Wachtmann, Speaker  
Batchelder

To amend section 149.43 and to enact sections 2949.221, 2949.222, and 2949.223 of the Revised Code to provide confidentiality and license protection for persons and entities involved in executing a sentence of capital punishment by lethal injection and to void as against public policy any agreement that prevents the supplying of any drug or drugs to be used in executing a sentence of capital punishment by lethal injection, 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 date.

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 passage of the following bill:

**S. B. No. 148** -Senators Turner, Patton  
Cosponsors: Senators Obhof, Brown, Lehner, Uecker, Seitz, Kearney, LaRose, Hughes, Sawyer, Cafaro, Bacon, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hite, Jones, Jordan, Manning, Oelslager, Peterson, Schaffer, Schiavoni, Skindell, Smith, Tavares, Widener Representatives Damschroder, Ruhl, Celebrezze, Green, Adams, R., Anielski, Antonio, Ashford, Baker, Barborak, Barnes, Beck, Becker, Blessing, Boose, Boyce, Brenner, Brown, Buchy, Budish, Burkley, Butler, Carney, Clyde, Curtin, Derickson, DeVitis, Dovilla, Driehaus, Fedor, Foley, Gerberry, Grossman, Hagan, C., Hagan, R., Hall, Hayes, Hill, Hood, Huffman, Johnson, Landis, Lundy, Lynch, Mallory, McClain, McGregor, Milkovich, O'Brien, Patmon, Patterson, Pelanda, Perales, Phillips, Pillich, Redfern, Reece, Retherford, Roegner, Rogers, Romanchuk, Rosenberger, Sears, Sheehy, Slaby, Smith, Sprague, Stautberg, Stebelton, Stinziano, Strahorn, Terhar, Thompson, Wachtmann, Williams, Winburn, Young, Speaker Batchelder

To enact section 5533.324 of the Revised Code to designate a portion of Interstate 271 in Bedford Heights as the "Army Pvt. Brandon Sloan Memorial Highway."

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:

**Sub. H. B. No. 218**-Representatives Rosenberger, Dovilla - et al.

**Am. H. B. No. 465** -Representative Johnson - et al.

Attest: Bradley J. Young,  
Clerk.

The President signed said bills.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Senate Rules No. 19 and 20, the President of the Senate appoints Senator Michael Skindell as a member of the Standing Committee on Agriculture, replacing Shirley Smith.

The President also temporarily appoints Senator Nina Turner replacing Senator Capri Cafaro, for the purpose of the committee's meeting on November 25, 2014.

On the motion of Senator Obhof, the Senate adjourned until Wednesday, November 26, 2014 at 9:30 a.m.

Attest: VINCENT L. KEERAN,  
Clerk.