

OHIO

SENATE

JOURNAL

WEDNESDAY, DECEMBER 7, 2005

ONE HUNDRED TWENTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Wednesday, December 7, 2005, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Robert F. Spada, Twenty-fourth District, followed by the Pledge of Allegiance to the Flag.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Carey submitted the following report:

The standing committee on Finance and Financial Institutions, to which was referred **S. B. No. 236**-Senator Carey, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Roberts.

YES - 11: JOHN A. CAREY, STEPHEN C. AUSTRIA, PATRICIA M. CLANCY, TOM ROBERTS, STEVE STIVERS, JOY PADGETT, RAY MILLER, RANDY GARDNER, RON AMSTUTZ, TOM NIEHAUS, GARY W. CATES.

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Senator Schuring submitted the following report:

The standing committee on Rules to which were referred the appointments by the Attorney General of:

Dorothy Leslie, Republican, Upper Sandusky, Wyandot County, representing family farmers on the Ohio Consumers' Counsel Governing Board, term beginning September 1, 2005 and ending September 1, 2008.

Jerome Solove, Republican, Powell, Delaware County, representing residential consumers on the Ohio Consumers' Counsel Governing Board, term beginning September 1, 2005 and ending September 1, 2008.

Randy Beane, Independent, Dayton, Montgomery County, representing organized labor on the Ohio Consumers' Counsel Governing Board, term beginning September 1, 2005 and ending September 1, 2008.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 11: BILL HARRIS, RANDY GARDNER, JEFF JACOBSON, ROBERT F. SPADA, STEPHEN C. AUSTRIA, JAY HOTTINGER, J. KIRK SCHURING, ROBERT F. HAGAN, TERESA FEDOR, KIMBERLY A. ZURZ, C. J. PRENTISS.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Attorney General?"

The yeas and nays were taken and resulted - yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Fedor
Fingerhut	Gardner	Goodman	Grendell
Hagan	Hottinger	Jacobson	Jordan
Kearney	Miller	Niehaus	Padgett
Prentiss	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	Wilson
Zurz			Harris-30.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 236-Senators Carey, Roberts.

To amend sections 151.01, 151.02, 184.01, 184.02, and 184.03 and to enact sections 122.013, 122.085, 122.086, 122.087, 122.088, 122.089, 122.0810, 122.0811, 122.0812, 122.0813, 122.0814, 122.0815, 122.0816, 122.0817, 122.0818, 122.0819, 122.0820, 151.10, 151.11, 184.10, 184.11, 184.111, 184.112, 184.113, 184.114, 184.115, 184.116, 184.12, 184.13, 184.14, 184.15, 184.151, 184.16, 184.17, 184.171, 184.172, 184.173, and 184.18 of the Revised Code, and to amend sections 203.99, 203.99.33, 203.99.51, and 209.99 of Am. Sub. H.B. 66 of the 126th General Assembly to implement certain provisions of Article VIII, Section 2p of the Ohio Constitution regarding the issuance of obligations to support research and development projects and the development of certain sites and facilities and to make an appropriation, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 236**, pass?"

Senator Carey moved to amend as follows:

In line 1230, after the underlined period insert "The commission, on completion of that process, shall make a recommendation to the controlling board asking for approval to award support for the research and development projects selected by the commission."

In line 1236, delete "commission selects" and insert "controlling board approves"

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

The amendment was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 236**, pass?"

Senator Carey moved to amend as follows:

In line 24, delete "and"

In line 25, after "184.18" insert ", and 184.19"

In lines 432, 916, 1053, 1114, 1178, 1521, and 1526, delete "184.18" and insert "184.19"

In line 1382, after "**184.18.**" insert "(A) As used in this section:

(1) "Metropolitan statistical area" means an area of this state that is designated a metropolitan statistical area or primary metropolitan statistical area in United States office of management and budget bulletin No. 04-03, February 18, 2004, and its attachments, and the designated area is located entirely within this state. An area of this state that is designated a metropolitan statistical area or primary metropolitan statistical area, but the designated area includes areas of one or more other states, shall be considered a metropolitan statistical area only if that area of this state could be designated a metropolitan statistical area or primary metropolitan statistical area without including the areas located in the other state or states.

(2) "Rural area" means any area of this state not located within a metropolitan statistical area.

(B) The third frontier commission shall conduct outreach activities that seek to include rural areas in the various projects and initiatives sponsored, funded, encouraged, or otherwise promoted by the commission. Those activities shall include the following:

(1) Working with all institutions of higher education in the state to support faculty and students involved in science and engineering who focus on third frontier projects and initiatives in rural areas;

(2) Developing a plan to contact by telephone businesses and entrepreneurs in rural areas to notify them of and encourage them to participate in the various third frontier projects and initiatives;

(3) Identifying professional and technical trade associations and economic development assistance organizations in rural areas and notifying them of the various third frontier projects and initiatives;

(4) Partnering with regional technology councils to foster local efforts to support technology businesses in rural areas or otherwise identify networks of technology businesses, entrepreneurs, and individuals operating in rural areas;

(5) Identifying technology firms in rural areas and marketing them to the investment community including the Ohio venture capital authority created under section 150.02 of the Revised Code and the managers of all investment funds receiving third frontier project support.

Sec. 184.19."

In line 1388, delete "184.173" and insert "184.18"

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

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

- | | | | |
|----------|------------|-----------|------------|
| Amstutz | Armbruster | Austria | Carey |
| Cates | Clancy | Coughlin | Dann |
| Fedor | Fingerhut | Gardner | Goodman |
| Grendell | Hagan | Hottinger | Jacobson |
| Jordan | Kearney | Miller | Niehaus |
| Padgett | Prentiss | Roberts | Schuler |
| Schuring | Spada | Stivers | Wachtmann |
| Wilson | Zurz | | Harris-31. |

The amendment was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 236**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

- | | | | |
|----------|------------|-----------|------------|
| Amstutz | Armbruster | Austria | Carey |
| Cates | Clancy | Coughlin | Dann |
| Fedor | Fingerhut | Gardner | Goodman |
| Grendell | Hagan | Hottinger | Jacobson |
| Jordan | Kearney | Miller | Niehaus |
| Padgett | Prentiss | Roberts | Schuler |
| Schuring | Spada | Stivers | Wachtmann |
| Wilson | Zurz | | Harris-31. |

So the bill passed.

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

Senator Carey moved to amend as follows:

In line 9 of the title, delete "and"; after "184.18" insert ", and 184.19"

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

The amendment was agreed to.

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

Senator Carey moved to amend the title as follows:

Add the names: "Zurz, Harris, Padgett, Kearney, Spada, Armbruster, Prentiss, Fingerhut, Wilson, Austria, Miller."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Hottinger moved that Senators absent the week of Sunday, December 4, 2005, 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 Clancy offered the following resolution:

S. R. No. 145-Senators Clancy, Cates, Kearney, Niehaus, Schuler.

Honoring the St. Xavier High School football team as the 2005 Division I State Champion.

The question being, "Shall the resolution, **S. R. No. 145**, be adopted?"

So the resolution was adopted.

On the motion of Senator Gardner, the Senate adjourned until Thursday, December 8, 2005 at 11:00 o'clock a.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.