

**OHIO**

**SENATE**

**JOURNAL**

WEDNESDAY, OCTOBER 17, 2007

NINETY-SEVENTH DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, October 17, 2007, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Father Michael Lumpe, Saint Catharine's Church, Bexley, Ohio, 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 Harris submitted the following report:

The standing committee on Rules, to which was referred **Am. Sub. H. B. No. 177**-Representative Blessing, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 547, delete "machine" and insert "device"

Between lines 585 and 586, insert:

" (4) For purposes of division (AAA)(1) of this section, the mere presence of a device, such as a pin-setting, ball-releasing, or scoring mechanism, that does not contribute to or affect the outcome of the play of the game does not make the device a skill-based amusement machine."

Co-Sponsor: Jacobson.

YES - 9: J. KIRK SCHURING, JOHN A. CAREY, STEPHEN C. AUSTRIA, ROBERT F. SPADA, RANDY GARDNER, JEFF JACOBSON, BILL HARRIS, TERESA FEDOR, RAY MILLER.

NO - 2: LANCE T. MASON, TOM ROBERTS.

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

The report of the committee was accepted.

On the motion of Senator Jacobson, the Senate recessed.

The Senate met pursuant to the recess.

**BILLS FOR THIRD CONSIDERATION**

**Am. Sub. H. B. No. 177-Representative Blessing.**

Cosponsors: Representatives Adams, Yuko, Webster. Senator Jacobson.

To amend sections 2915.01 and 3769.07 and to enact sections 2915.06 and 2915.061 of the Revised Code to allow the same person, association, trust, or corporation to own and operate two separate race tracks in Ohio, to modify the definition of "slot machine" and "skill-based amusement machine" for purposes of the Gambling Law, to create a limit on the redemption value of prizes associated with skill-based amusement machines, and to clarify regulatory authority pertaining to skill-based amusement machines and to declare an emergency , 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?"

The yeas and nays were taken and resulted - yeas 25, nays 8, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Kearney	Mason	Miller R
Morano	Niehaus	Padgett	Roberts
Schaffer	Schuring	Spada	Stivers
			Harris-25.

Senators Cafaro, Miller D, Mumper, Sawyer, Schuler, Seitz, Smith, and Wilson voted in the negative-8.

So the section, Section 3, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 26, nays 7, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Mason	Miller R	Morano
Niehaus	Padgett	Roberts	Sawyer
Schaffer	Schuring	Spada	Stivers
Wilson			Harris-26.

Senators Cafaro, Kearney, Miller D, Mumper, Schuler, Seitz, and Smith voted in the negative-7.

So the bill having received the required constitutional majority passed as an emergency measure.

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

Senator Jacobson moved to amend the title as follows:

Add the names: "Harris, Amstutz."

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

The motion was agreed to and the title so amended.

### MOTIONS

Senator Austria moved that Senators absent the week of Sunday, October 14, 2007, 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.

### 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 bill and concurrent resolution:

**S. B. No. 40** -Senator Schuler - et al.

**S. C. R. No. 5** -Senator Padgett - et al.

Attest:

Laura P. Clemens,  
Clerk.

The President signed said bill and concurrent resolution.

On the motion of Senator Jacobson, the Senate adjourned until Thursday, October 18, 2007 at 11:00 o'clock a.m.

Attest:

DAVID A. BATTOCLETTI,  
Clerk.