

OHIO

SENATE

JOURNAL

THURSDAY, MAY 27, 2010

ONE HUNDRED NINETIETH DAY
Senate Chamber, Columbus, Ohio
Thursday, May 27, 2010, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Vicar Bob Swanson, 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.

**REPORTS OF REFERENCE AND BILLS FOR SECOND
CONSIDERATION**

Senator Goodman reports for the Standing Committee on Reference, recommending that the following joint resolution, standing in order for second consideration, be referred to committee as recommended:

S. J. R. No. 11-Senators Grendell, Seitz, et al.

Proposing to amend Section 13 of Article IV of the Constitution of the State of Ohio to make an appointment to fill a vacancy on the Supreme Court subject to the advice and consent of the Senate.

To the Committee on Judiciary - Civil Justice.

YES - 5: KEITH L. FABER, TOM NIEHAUS, SHIRLEY A. SMITH, BILL HARRIS, CAPRI S. CAFARO.

NO - 0.

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

The report of the committee was accepted.

Said joint resolution was considered a second time and referred to committee as recommended.

On the motion of Senator Niehaus, the Senate recessed until 12:58 p.m.

The Senate met pursuant to the recess.

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. 250**-Senators Gillmor, Wilson, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 12: TOM NIEHAUS, KAREN GILLMOR, JOHN A. CAREY, JIMMY STEWART, DALE MILLER, THOMAS SAWYER, CHRIS WIDENER, KEITH L. FABER, JIM HUGHES, SHIRLEY A. SMITH, ERIC H. KEARNEY, TOM PATTON.

NO - 0.

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

The report of the committee was accepted.

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. B. No. 243**-Senator Buehrer, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: KEVIN J. COUGHLIN, KAREN GILLMOR, STEPHEN BUEHRER, SHANNON JONES, JIMMY STEWART.

NO - 4: SUSAN L. MORANO, RAY MILLER, SHIRLEY A. SMITH, DAVID GOODMAN.

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

The report of the committee was accepted.

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **Am. Sub. H. B. No. 215**-Representatives Letson, Mecklenborg, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Morano, Smith.

YES - 9: RAY MILLER, KEVIN J. COUGHLIN, KAREN GILLMOR, SHANNON JONES, JIMMY STEWART,

SUSAN L. MORANO, SHIRLEY A. SMITH, STEPHEN
BUEHRER, DAVID GOODMAN.

NO - 0.

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

The report of the committee was accepted.

Senator Grendell submitted the following report:

The standing committee on Judiciary - Criminal Justice, to which was referred **S. B. No. 239**-Senators Jones, Schaffer, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 6: TIMOTHY J. GRENDALL, JIM HUGHES, KEITH L.
 FABER, BILL HARRIS, BILL SEITZ, JOSEPH
 SCHIAVONI.

NO - 2: NINA TURNER, SHIRLEY A. SMITH.

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

The report of the committee was accepted.

Senator Grendell submitted the following report:

The standing committee on Judiciary - Criminal Justice, to which was referred **S. B. No. 247**-Senator Wilson, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 8, strike through " , solely by reason of the"

Strike through line 9

In line 10, strike through "2923.13 of the Revised Code,"

In line 11, strike through the comma

In line 19, after "case" insert " . or, if the disability is based upon a factor other than an indictment, a conviction, or an adjudication, the factor upon which the disability is based and all details related to that factor"

In line 28, strike through "The" and insert " One of the following applies:

(a) If the disability is based upon an indictment, a conviction, or an adjudication, the"

Between lines 31 and 32, insert:

" (b) If the disability is based upon a factor other than an indictment, a conviction, or an adjudication, that factor no longer is applicable to the applicant."

In line 43, after "adjudications" insert " , or to the other factor."; after "application" insert " as the basis for the applicant's disability"

YES - 5: TIMOTHY J. GRENDALL, KEITH L. FABER, BILL HARRIS, BILL SEITZ, JOSEPH SCHIAVONI.

NO - 3: JIM HUGHES, NINA TURNER, SHIRLEY A. SMITH.

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

The report of the committee was accepted.

Senator Hughes submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 240**-Senator Husted, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: JIMMY STEWART, JOHN A. CAREY, KEVIN J. COUGHLIN, JIM HUGHES, NINA TURNER, TERESA FEDOR, BILL SEITZ, TIMOTHY J. GRENDALL.

NO - 1: RAY MILLER.

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

The report of the committee was accepted.

Senator Hughes submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 270**-Senators Hughes, Miller, R., having had the same under consideration, reports it back and recommends its passage.

YES - 9: BILL SEITZ, TIMOTHY J. GRENDALL, JIMMY STEWART, JIM HUGHES, NINA TURNER, RAY MILLER, TERESA FEDOR, JOHN A. CAREY, KEVIN J. COUGHLIN.

NO - 0.

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

The report of the committee was accepted.

Senator Patton submitted the following report:

The standing committee on Highways and Transportation, to which was referred **H. B. No. 330**-Representative Patten, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: TOM PATTON, STEPHEN BUEHRER, DAVID GOODMAN, BOB GIBBS, TIMOTHY O. SCHAFFER, NINA TURNER, JASON H. WILSON, TERESA FEDOR.

NO - 0.

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

The report of the committee was accepted.

Senator Seitz submitted the following report:

The standing committee on Judiciary - Civil Justice, to which was referred **Sub. H. B. No. 292**-Representatives Letson, Oelslager, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Kearney.

YES - 9: BILL SEITZ, DAVID GOODMAN, STEPHEN BUEHRER, KEITH L. FABER, TIMOTHY J. GRENDELL, J. KIRK SCHURING, ERIC H. KEARNEY, JOSEPH SCHIAVONI, DALE MILLER.

NO - 0.

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

The report of the committee was accepted.

Senator Seitz submitted the following report:

The standing committee on Judiciary - Civil Justice, to which was referred **S. B. No. 242**-Senators Grendell, Gillmor, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

Between lines 127 and 128, insert:

" (9) Nothing in division (C) of this section shall constitute a waiver of any testimonial privilege provided under the Revised Code or at common law."

Co-Sponsors: Faber, Schuring, Buehrer, Seitz.

YES - 6: BILL SEITZ, DAVID GOODMAN, STEPHEN BUEHRER, KEITH L. FABER, TIMOTHY J. GRENDALL, J. KIRK SCHURING.

NO - 3: ERIC H. KEARNEY, JOSEPH SCHIAVONI, DALE MILLER.

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

The report of the committee was accepted.

Senator Harris submitted the following report:

The Standing Committee on Rules to which were referred the appointments by the Governor of:

Gary Z. Lindgren, Republican, from Loveland, Warren County, Ohio, as a Member of the Third Frontier Commission for a term beginning March 15, 2010 and ending at the close of business April 1, 2012, replacing John Kraeutler, whose term expired.

Lisa M. Patt-McDaniel, from Dublin, Franklin County, Ohio, as Director of the Department of Development for a term beginning September 16, 2009 and continuing at the pleasure of the Governor.

David Scholl, Ph.D., Republican, from Athens, Athens County, Ohio, as a Member of the Third Frontier Commission for a term beginning March 29, 2010 and ending at the close of business March 31, 2012, replacing Robert Kirkbride, whose term expired.

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

YES - 10: BILL HARRIS, TOM NIEHAUS, KEITH L. FABER, STEPHEN BUEHRER, JON A. HUSTED, JOHN A. CAREY, KEVIN J. COUGHLIN, JASON H. WILSON, SHIRLEY A. SMITH, CAPRI S. CAFARO.

NO - 0.

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

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Sawyer	Schaffer	Schiavoni	Schuring
Seitz	Smith	Stewart	Strahorn
Turner	Wagoner	Widener	Wilson
			Harris-33.

So the Senate advised and consented to said appointments.

RESOLUTIONS REPORTED BY COMMITTEE

S. C. R. No. 25-Senator Gibbs.

Cosponsors: Senators Buehrer, Seitz, Schuring, Schaffer.

To memorialize the Congress and the Administration of the United States to maintain the current capital gains tax treatment or classification for tax purposes of promoted or carried interest used by real estate partnerships.

WHEREAS, We, the members of the 128th General Assembly of the State of Ohio, are committed to providing Ohioans with economic growth and opportunity; and

WHEREAS, Commercial and residential redevelopment and revitalization provide important opportunities for economic growth, job creation, and infrastructure and environmental improvements in Ohio communities; and

WHEREAS, Public-private partnerships play an important role in commercial development, affordable housing, and mixed-use projects; and

WHEREAS, Current legislative proposals in the Congress of the United States would change the taxation of promoted interest, currently treated as capital gains, to ordinary income, thereby discouraging real estate partnerships from investing in the State of Ohio, especially in distressed communities; and

WHEREAS, Partnerships are widely used in real estate projects to allow the developer to carry the risk of investing in real estate projects; and

WHEREAS, There is entrepreneurial risk in urban revitalization and returning brownfields and other blighted or economically distressed areas to productive use; now therefore be it

RESOLVED, That we, the members of the 128th General Assembly of the State of Ohio, respectfully urge the Congress of the United States and the

Administration of the United States to maintain the current capital gains tax treatment or classification for tax purposes of promoted or carried interest used by real estate partnerships; and be it further

RESOLVED, That we, the members of the 128th General Assembly of the State of Ohio, are prepared to work with the Congress of the United States and the Administration of the United States to further address the economic challenges facing our nation's cities and states; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the United States, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, the members of the Ohio Congressional delegation, the Governor of Ohio, and the news media of Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 25**, be adopted?"

Senator Cafaro moved that she be excused from voting under Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the concurrent resolution, **S. C. R. No. 25**, be adopted?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the concurrent resolution was adopted.

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

Senator Gibbs moved to amend the title as follows:

Add the names: "Carey, Coughlin, Gillmor, Goodman, Grendell, Harris, Hughes, Jones, Patton, Wagoner, Widener."

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

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION**Sub. H. B. No. 215**-Representatives Letson, Mecklenborg.

Cosponsors: Representatives Hagan, Luckie, Fende, Mallory, Gardner, Lehner, Garland, Boyd, Yuko, Snitchler, Huffman, Bacon, Winburn, Amstutz, Batchelder, Beck, Belcher, Blair, Bolon, Book, Boose, Brown, Bulp, Burke, Combs, DeBose, DeGeeter, Derickson, Domenick, Dyer, Evans, Garrison, Gerberry, Goodwin, Hackett, Hall, Harris, Hite, Jordan, Lundy, McClain, McGregor, Newcomb, Oelslager, Patten, Ruhl, Sayre, Sears, Stebelton, Stewart, Uecker, Wagner, Zehringer. Senators Morano, Smith.

To amend sections 119.12, 4715.03, 4715.031, 4715.06, 4715.14, 4715.141, 4715.30, and 4753.06 and to enact sections 4715.032, 4715.033, 4715.034, 4715.035, 4715.036, 4715.037, 4715.038, 4715.039, 4715.0310, 4753.091, and 5111.0211 of the Revised Code and to contingently amend Section 3 of Sub. H.B. 190 of the 128th General Assembly to modify the laws governing investigations and hearings conducted by the State Dental Board, to modify the laws specifying when certain continuing education requirements for dental hygienists are applicable, to modify the laws governing the licensure of audiologists and speech-language pathologists, to modify the laws governing appeals of administrative adjudications, and to specify a situation in which a nursing facility is not required to submit a Medicaid claim for Medicare cost-sharing expenses, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 215**, pass?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Sawyer	Schaffer	Schiavoni	Schuring
Seitz	Smith	Stewart	Strahorn
Turner	Wagoner	Widener	Wilson
			Harris-33.

So the bill passed.

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

Senator Coughlin moved to amend the title as follows:

Add the names: "Fedor, Gibbs, Goodman, Harris, Hughes, Patton, Schaffer, Schiavoni, Schuring, Seitz, Wagoner, Wilson, Miller, R., Strahorn."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 292-Representatives Letson, Oelslager.

Cosponsors: Representatives Yuko, Phillips, Ujvagi, Harwood, Domenick, Stebelton, Chandler, Luckie, Foley, Batchelder, Blessing, Boose, Boyd, Brown, Bubp, Carney, Combs, DeBose, Evans, Garland, Garrison, Hackett, Harris, Huffman, Maag, Mallory, Mecklenborg, Murray, Pillich, Sayre, Snitchler, Stewart, Wagner, Winburn. Senator Kearney.

To amend sections 119.01, 1125.19, 1125.28, 1157.01, 1165.01, 5307.11, 5307.12, 5307.13, 5307.14, and 5307.16; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1157.01 (1157.09) and 1165.01 (1165.09); to enact new sections 1157.01, 1157.03 to 1157.06, 1157.10 to 1157.14, 1157.17 to 1157.29, 1165.01, 1165.03 to 1165.06, 1165.10 to 1165.14, and 1165.17 to 1165.29 and sections 1157.30, 1157.33, 1165.30, 1165.33, and 5301.057; and to repeal sections 1157.02 to 1157.29 and 1165.02 to 1165.29 of the Revised Code relative to liquidations and conservatorships of banks, savings and loan associations, and savings banks, to prohibit transfer fee covenants in certain real estate transactions, and to enable a court of common pleas to order a licensed auctioneer to conduct a sale of real property pursuant to a writ of partition, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 292**, pass?"

Senator Cafaro moved that she be excused from voting under Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 292**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the bill passed.

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

Senator Seitz moved to amend the title as follows:

Add the names: "Buehrer, Carey, Faber, Fedor, Gibbs, Gillmor, Harris, Hughes, Niehaus, Patton, Schaffer, Schiavoni, Seitz, Turner, Wagoner, Wilson, Miller, R.."

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

The motion was agreed to and the title so amended.

S. B. No. 238-Senator Seitz.

Cosponsors: Senators Grendell, Cates, Stewart, Jones, Niehaus, Schaffer, Gibbs, Schuring, Buehrer, Hughes.

To amend sections 2743.02, 2744.02, 4123.01, and 4123.511 and to enact sections 2307.82, 4123.513, 4123.514, and 4123.515 of the Revised Code to prohibit illegal and unauthorized aliens from receiving compensation and benefits under Ohio's Workers' Compensation Law, was considered the third time.

The question being, "Shall the bill, **S. B. No. 238**, pass?"

The yeas and nays were taken and resulted - yeas 21, nays 12, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Gibbs	Gillmor	Goodman
Grendell	Hughes	Husted	Jones
Niehaus	Patton	Schaffer	Schuring
Seitz	Stewart	Wagoner	Widener
			Harris-21.

Those who voted in the negative were: Senators

Cafaro	Fedor	Kearney	Miller D
Miller R	Morano	Sawyer	Schiavoni
Smith	Strahorn	Turner	Wilson-12.

So the bill passed.

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

Senator Seitz moved to amend the title as follows:

Add the names: "Harris, Patton, Widener."

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

The motion was agreed to and the title so amended.

S. B. No. 239-Senators Jones, Schaffer.

Cosponsors: Senators Buehrer, Carey, Cafaro, Faber, Gibbs, Grendell, Husted, Niehaus, Seitz, Wagoner.

To amend sections 2923.121, 2923.128, and 2923.16 of the Revised Code to permit a concealed carry licensee to possess a firearm in liquor permit premises, or an open air arena, for which a D permit has been issued if the licensee is not consuming liquor or under the influence of alcohol or a drug of abuse and to modify the offense of improperly handling firearms in a motor vehicle as it applies to concealed carry licensees, was considered the third time.

The question being, "Shall the bill, **S. B. No. 239**, pass?"

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Grendell	Hughes	Husted
Jones	Niehaus	Patton	Schaffer
Schiavoni	Seitz	Stewart	Wagoner
Widener	Wilson		Harris-23.

Those who voted in the negative were: Senators

Goodman	Kearney	Miller D	Miller R
Morano	Sawyer	Schuring	Smith
Strahorn			Turner-10.

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: "Cates, Coughlin, Harris, Widener, Wilson."

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

The motion was agreed to and the title so amended.

Am. S. B. No. 247-Senator Wilson.

Cosponsors: Senators Niehaus, Cafaro, Grendell, Buehrer, Coughlin, Seitz.

To amend section 2923.14 of the Revised Code to conform the restoration of civil firearm rights with federal law and U.S. Supreme Court case law and to allow restoration of civil firearm rights for firearms that are dangerous ordnance, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 247**, pass?"

Senator Wilson moved to amend as follows:

In line 6, delete "section" and insert "sections 2923.13 and"

Between lines 7 and 8, insert:

"**Sec. 2923.13.** (A) Unless relieved from disability as provided in section 2923.14 of the Revised Code, no person shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance, if any of the following apply:

(1) The person is a fugitive from justice.

(2) The person is under indictment for or has been convicted of any felony offense of violence or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence.

(3) The person is under indictment for or has been convicted of any felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been ~~an~~ a felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse.

(4) The person is drug dependent, in danger of drug dependence, or a chronic alcoholic.

(5) The person is under adjudication of mental incompetence, has been adjudicated as a mental defective, has been committed to a mental institution, has been found by a court to be a mentally ill person subject to hospitalization by court order, or is an involuntary patient other than one who is a patient only for purposes of observation. As used in this division, "mentally ill person subject to hospitalization by court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.

(B) Whoever violates this section is guilty of having weapons while under disability, a felony of the third degree."

In line 60, delete "section" and insert "sections 2923.13 and"

In line 61, delete "is" and insert "are"

In line 1 of the title, delete "section" and insert "sections 2923.13 and"

In line 3 of the title, after the second "law" insert "; to eliminate the prohibition against persons with certain misdemeanor drug offense convictions acquiring or possessing firearms or dangerous ordnance;"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Am. S. B. No. 247**, pass?"

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Grendell	Husted	Jones
Kearney	Miller D	Miller R	Niehaus
Sawyer	Schiavoni	Seitz	Wagoner
Widener	Wilson		Harris-23.

Those who voted in the negative were: Senators

Goodman	Hughes	Morano	Patton
Schaffer	Schuring	Smith	Stewart
Strahorn			Turner-10.

So the bill passed.

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

Senator Wilson moved to amend the title as follows:

Add the names: "Cates, Harris, Sawyer."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 240-Senator Husted.

Cosponsors: Senators Grendell, Wagoner, Jones.

To amend sections 3517.01, 3517.105, 3517.1011, 3517.13, 3517.992, 3599.03, 5727.61, and 5733.27 of the Revised Code to permit domestic corporations and labor organizations to make independent expenditures and electioneering communications in support of or opposition to candidates for nomination or election, to require a domestic corporation or labor organization that makes such expenditures to file related campaign finance statements, to require reporting of independent expenditures only for expenditures of five hundred dollars or more, to require independent expenditures of ten thousand dollars or more to be reported as electioneering communications, and to revise the definition of a political action committee for the purpose of the Campaign Finance Law, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 240**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Kearney	Miller R
Morano	Niehaus	Patton	Sawyer

Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the bill passed.

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

Senator Husted moved to amend the title as follows:

Add the names: "Cafaro, Faber, Gibbs, Harris, Miller, R., Morano, Sawyer, Schaffer, Smith, Strahorn, Turner, Widener, Wilson, Carey, Kearney."

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

The motion was agreed to and the title so amended.

S. B. No. 250-Senators Gillmor, Wilson.

Cosponsors: Senators Buehrer, Cafaro, Carey, Faber, Gibbs, Seitz, Strahorn, Turner.

To amend sections 135.631, 135.73, 135.74, and 135.75 of the Revised Code to modify the Agricultural Linked Deposit Program with respect to the maximum amount the Treasurer of State may invest in agricultural linked deposits, the interest rate at which loans are made under the Program, and the maximum loan amount, was considered the third time.

The question being, "Shall the bill, **S. B. No. 250**, pass?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Sawyer	Schaffer	Schiavoni	Schuring
Seitz	Smith	Stewart	Strahorn
Turner	Wagoner	Widener	Wilson
			Harris-33.

So the bill passed.

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

Senator Gillmor moved to amend the title as follows:

Add the names: "Coughlin, Fedor, Grendell, Harris, Hughes, Jones,

Kearney, Miller, D., Miller, R., Schaffer, Schiavoni, Schuring, Stewart, Wagoner, Widener, Sawyer, Morano, Niehaus, Smith, Husted, Patton."

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

The motion was agreed to and the title so amended.

S. B. No. 270-Senators Hughes, Miller, R.

To establish a dam construction permit pilot program that, with respect to an eligible dam project, establishes permit fee and bonding requirements that are different from the permit fee and bonding requirements otherwise required under applicable law, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 2, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Hughes moved to amend as follows:

Delete lines 59 through 65

In line 6 of the title, delete ", and to declare an emergency"

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

The motion was agreed to.

The question being, "Shall the bill, **S. B. No. 270**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Sawyer	Schaffer	Schiavoni	Schuring
Seitz	Smith	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the bill passed.

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

Senator Hughes moved to amend the title as follows:

Add the names: "Goodman, Harris, Schiavoni, Strahorn, Turner, Cates."

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

The motion was agreed to and the title so amended.

Am. S. B. No. 242-Senators Grendell, Gillmor.

Cosponsors: Senators Buehrer, Schaffer, Husted, Seitz, Widener, Faber, Schuring.

To amend section 2919.121 of the Revised Code to revise the procedures governing a hearing by which a court may permit a pregnant minor to consent to an abortion or by which a court may give judicial consent for a pregnant minor to have an abortion and to require a court to make its findings with respect to such a hearing by clear and convincing evidence, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 242**, pass?"

The yeas and nays were taken and resulted - yeas 22, nays 11, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Gibbs	Gillmor	Goodman
Grendell	Hughes	Husted	Jones
Niehaus	Patton	Schaffer	Schuring
Seitz	Stewart	Wagoner	Widener
Wilson			Harris-22.

Those who voted in the negative were: Senators

Cafaro	Fedor	Kearney	Miller D
Miller R	Morano	Sawyer	Schiavoni
Smith	Strahorn		Turner-11.

So the bill passed.

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

Senator Grendell moved to amend the title as follows:

Add the names: "Carey, Cates, Gibbs, Harris, Hughes, Jones, Patton, Wagoner."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Buehrer moved that Senators absent the week of Sunday, May 23, 2010, 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 PRESIDENT

Pursuant to Senate Rule No. 19, the President of the Senate makes the following temporary change to the following Standing Committee on May 26, 2010:

Removes Senator David Goodman from the Standing Committee on Judiciary- Criminal Justice.

Appoints Senator Bill Harris to the Standing Committee on Judiciary- Criminal Justice.

On the motion of Senator Niehaus, the Senate adjourned until Friday, May 28, 2010 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.