

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, JANUARY 31, 2012

ONE HUNDRED THIRTY-NINTH DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, January 31, 2012, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Clarence Wallace, Carmel Presbyterian Church, Cincinnati, Ohio, followed by the Pledge of Allegiance to the Flag.

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

**MESSAGE FROM THE PRESIDENT**

January 27, 2012

Senator Tom Niehaus  
Senate President  
Ohio Senate  
The Ohio Statehouse, Room 201  
Columbus, Ohio 43215

Dear President Niehaus,

I hereby resign my position as Senate Minority Leader as of Tuesday, January 31, 2012. I am proud of all of the accomplishments the Senate Democratic Caucus has achieved during my tenure as Leader.

Sincerely,  
/s/ CAPRI S. CAFARO

Capri S. Cafaro  
Ohio Senate Minority Leader - 32nd District

**MESSAGE FROM THE PRESIDENT**

January 31, 2012

Senator Capri Cafaro  
Senate Building  
Columbus, Ohio 43215

Senator Cafaro,

I hereby acknowledge receipt of your letter of resignation as Senate Minority Leader effective January 31, 2012.

Sincerely,  
/s/ TOM NIEHAUS

Senator Tom Niehaus  
Senate President  
14th District

**MESSAGE FROM THE PRESIDENT**

January 30, 2012

The Honorable Tom Niehaus  
President, the Ohio Senate  
1 Capital Square  
Columbus, Ohio 43215

Dear President Niehaus,

I hereby resign my position as Senate Assistant Minority Leader as of Tuesday, January 31, 2012.

Sincerely,  
/s/ SHIRLEY SMITH

Shirley A. Smith  
State Senator, 21st District

**MESSAGE FROM THE PRESIDENT**

January 31, 2012

Senator Shirley Smith  
Senate Building  
Columbus, Ohio 43215

Senator Smith,

I hereby acknowledge receipt of your letter of resignation as Senate Assistant Minority Leader effective January 31, 2012.

Sincerely,  
/s/ TOM NIEHAUS

Senator Tom Niehaus  
Senate President  
14th District

**MESSAGE FROM THE PRESIDENT**

January 30, 2012

The Honorable Thomas E. Niehaus  
President, Ohio Senate  
Statehouse  
1 Capital Square, 2nd Floor  
Columbus, Ohio 43215

Dear President Niehaus,

I hereby resign my position as Senate Minority Whip as of Tuesday, January 31, 2012. I am proud of the accomplishments of the Senate Democratic Caucus during my tenure in this position.

Sincerely,  
/s/ EDNA BROWN

Edna Brown  
Senate Minority Whip

**MESSAGE FROM THE PRESIDENT**

January 31, 2012

Senator Edna Brown  
Senate Building  
Columbus, Ohio 43215

Senator Brown,

I hereby acknowledge receipt of your letter of resignation as Senate Minority Whip effective January 31, 2012.

Sincerely,  
/s/ TOM NIEHAUS

Senator Tom Niehaus  
Senate President  
14th District

**MESSAGE FROM THE PRESIDENT**

January 31, 2012

The Honorable Tom Niehaus  
Ohio Senate President  
Statehouse, Room 201  
Columbus, Ohio 43215

Dear President Niehaus,

I hereby resign my position as Senate Assistant Minority Whip effective Tuesday, January 31, 2012. Nevertheless, I look forward to continue serving as Senator of the 33rd District and in my new capacity as Senate Assistant Minority Leader for the great State of Ohio.

Sincerely,  
/s/ JOE SCHIAVONI

Joe Schiavoni  
Ohio Senate  
33rd District

**MESSAGE FROM THE PRESIDENT**

January 31, 2012

Senator Joe Schiavoni  
Senate Building  
Columbus, Ohio 43215

Senator Schiavoni,

I hereby acknowledge receipt of your letter of resignation as Senate Assistant Minority Whip effective January 31, 2012.

Sincerely,  
/s/ TOM NIEHAUS

Senator Tom Niehaus  
Senate President  
14th District

Senator Cafaro nominated Senator Eric H. Kearney of the Ninth District for the office of Minority Leader.

Senator Schiavoni seconded the nomination.

On the motion of Senator Sawyer, the nominations were closed.

The question being, "Shall Senator Eric H. Kearney be elected Minority Leader?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Tavares	Turner	Wagoner
Widener			Niehaus-30.

Senator Eric H. Kearney having received a majority of the votes cast was declared the elected Minority Leader.

Senator Gentile nominated Senator Joseph Schiavoni of the Thirty-Third District for the office of Assistant Minority Leader.

Senator Cafaro seconded the nomination.

On the motion of Senator Sawyer, the nominations were closed.

The question being, "Shall Senator Joseph Schiavoni be elected Assistant Minority Leader?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Seitz
Skindell	Smith	Tavares	Turner
Wagoner	Widener		Niehaus-31.

Senator Joseph Schiavoni having received a majority of the votes cast was declared the elected Assistant Minority Leader.

Senator Tavares nominated Senator Nina Turner of the Twenty-Fifth District for the office of Minority Whip.

Senator Kearney seconded the nomination.

On the motion of Senator Sawyer, the nominations were closed.

The question being, "Shall Senator Nina Turner be elected Minority Whip?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Wagoner	Widener		Niehaus-31.

Senator Nina Turner having received a majority of the votes cast was declared the elected Minority Whip.

Senator Kearney nominated Senator Edna Brown of the Eleventh District for the office of Assistant Minority Whip.

Senator Schiavoni seconded the nomination.

On the motion of Senator Sawyer, the nominations were closed.

The question being, "Shall Senator Edna Brown be elected Assistant Minority Whip?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Cafaro	Coley	Eklund	Faber
Gentile	Hite	Hughes	Jones
Jordan	Kearney	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Smith	Tavares	Turner
Wagoner	Widener		Niehaus-31.

Senator Edna Brown having received a majority of the votes cast was declared the elected Assistant Minority Whip.

The duly elected officers of the Democrat party appeared at the bar of the Senate and were administered oath of office by the Honorable Judge Fanon A. Rucker.

## REPORTS OF REFERENCE AND BILLS FOR SECOND CONSIDERATION

Senator Niehaus reports for the Standing Committee on Rules and Reference, recommending that the following bills and resolutions, standing in order for second consideration, be referred to committee as recommended:

**Am. H. B. No. 244**-Representatives Gonzales, Roegner, et al.

To enact section 4765.391 of the Revised Code to permit authorized paramedics to administer immunizations for influenza to firefighters or emergency medical technicians.

To the Committee on Health, Human Services and Aging.

**Am. H. B. No. 380**-Representative Blessing, et al.

To enact sections 2307.951, 2307.952, 2307.953, and 2307.954 of the Revised Code to require claimants in asbestos tort actions to make certain disclosures pertaining to asbestos trust claims that have been submitted to asbestos trust entities for the purpose of compensating the claimant for asbestos exposure.

To the Committee on Judiciary.

**S. C. R. No. 24**-Senators Obhof, Faber, et al.

To reassert the principles of federalism found throughout the Constitution of the United States of America and embodied in the Tenth Amendment, to notify Congress to limit and end certain mandates, and to insist that federal legislation contravening the Tenth Amendment be prohibited or repealed.

To the Committee on State and Local Government and Veterans Affairs.

**S. C. R. No. 25**-Senator Tavares, et al.

To recognize the week of January 22 - 28, 2012 as Reproductive Rights Awareness Week to encourage public awareness, conversation, and support for reproductive rights and justice.

To the Committee on Health, Human Services and Aging.



**S. B. No. 284**-Senator Jordan, et al.

To amend sections 323.17, 3501.01, 5705.194, 5739.021, and 5739.026 of the Revised Code to eliminate the ability to conduct special elections in February and August.

To the Committee on Government Oversight and Reform.

**S. B. No. 285**-Senator Patton, et al.

To amend section 5747.113 and to enact section 3701.601 of the Revised Code to allow taxpayers to contribute a portion of their income tax refunds to the Ohio Breast and Cervical Cancer Project.

To the Committee on Ways and Means and Economic Development.

YES - 8: THOMAS E. NIEHAUS, KEITH L. FABER, TOM PATTON, SHANNON JONES, CHRIS WIDENER, SCOTT OELSLAGER, JOSEPH SCHIAVONI, EDNA BROWN.

NO - 0.

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

The report of the committee was accepted.

Said bills and resolutions were considered a second time and referred to committee as recommended.

**REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Schaffer submitted the following report:

The standing committee on Ways and Means and Economic Development, to which was referred **S. C. R. No. 19**-Senator Widener, et al., having had the same under consideration, reports it back with the following amendments and recommends its adoption when so amended.

In line 53, delete all after "WHEREAS,"

Delete line 54

In line 55, delete "years 2011 through 2014 and" and insert "The National Defense Authorization Act for Fiscal Year 2012, Pub. L. No. 122-81,"

Delete lines 59 through 61

Co-Sponsors: Beagle, Skindell, Tavares, Turner, Brown, Schaffer.

YES - 8: TIMOTHY O. SCHAFFER, BILL BEAGLE, TOM PATTON, MICHAEL J. SKINDELL, CHARLETA B. TAVARES, NINA TURNER, GAYLE MANNING, KEVIN BACON.

NO - 0.

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

The report of the committee was accepted.

Senator Niehaus submitted the following report:

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

**Bruce E. Babcock**, from Amanda, Fairfield County, Ohio, as a Member of the Historical Boilers Licensing Board for a new term beginning December 8, 2011 and ending at the close of business October 22, 2016.

**Thomas J. Caldwell**, from Galena, Delaware County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a new term beginning November 9, 2011 and ending at the close of business August 27, 2014.

**Jennifer P. Hadden**, from Bexley, Franklin County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a term beginning November 8, 2011 and ending at the close of business October 10, 2014, replacing Jennifer Lynn Riesbeck-Lee, whose term expired.

**Brian Hartz, Ph.D.**, from Pataskala, Licking County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a new term beginning November 9, 2011 and ending at the close of business August 27, 2014.

**Linda O'Connor**, from Pickerington, Franklin County, Ohio, as a Member of the Ohio Peace Officer Training Commission for a new term beginning November 3, 2011 and ending at the close of business September 20, 2014.

**Rufus Slade**, from Camden, Preble County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning November 21, 2011 and ending at the close of business July 1, 2012, replacing Robert Shenefield, who resigned.

**Kay C. Wick**, from Centerville, Montgomery County, Ohio, as a Member of

the Ohio Cemetery Dispute Resolution Commission for a term beginning October 27, 2011 and ending at the close of business July 1, 2014, replacing Marguerite Cox Molk, whose term expired.

**Robert L. Winter**, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning November 21, 2011 and ending at the close of business July 1, 2015, replacing Richard, D. Finn, whose term expired.

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

YES - 8: THOMAS E. NIEHAUS, KEITH L. FABER, TOM PATTON, SHANNON JONES, CHRIS WIDENER, SCOTT OELSLAGER, JOSEPH SCHIAVONI, EDNA BROWN.

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 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the Senate advised and consented to said appointments.

**RESOLUTIONS REPORTED BY COMMITTEE**

**Am. S. C. R. No. 19**-Senator Widener.

Cosponsors: Senators Bacon, Balderson, Beagle, Burke, Daniels, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Patton, Seitz, Schaffer, Skindell, Tavares, Turner, Brown.

To urge the Administrator of the Federal Aviation Administration to select Ohio as a site for testing the integration of Unmanned Aerial Systems into the National Airspace System.

WHEREAS, The race to design, develop, test, manufacture, and safely integrate and deploy Unmanned Aerial Systems for full operational use in a cooperative manned and remotely piloted operational environment has the potential to reward the United States with a leadership position in emerging domestic and international growth markets; and

WHEREAS, In the next 15 years, more than 23,000 jobs could be created in the United States as a result of integration of Unmanned Aerial Systems in the National Airspace System, according to the Association of Unmanned Vehicle Systems International; and

WHEREAS, Ohio has a long history of involvement with Unmanned Aerial Systems, including the development of the world's first Unmanned Aerial System, the "Kettering Bug" in 1918 by the Dayton-Wright Airplane Company, and the founding of the Association of Unmanned Vehicle Systems International in Dayton in 1972; and

WHEREAS, The Air Force Research Laboratory, headquartered at Wright-Patterson Air Force Base in Ohio, is a major Department of Defense center for Unmanned Aerial Systems research, which maintains specialized equipment, including a unique array of research radars, and employs trained scientific and engineering personnel who can assist with Unmanned Aerial Systems-related airspace integration issues; and

WHEREAS, The Air Force Research Laboratory conducts research related to Unmanned Aerial Systems for airframes, propulsion systems, sensors, communications, and man-machine interfaces; and

WHEREAS, The United States Air Force acquisition management for major Unmanned Aerial Systems aircraft is located at the Aeronautical Systems Center, Wright-Patterson Air Force Base in Ohio; and

WHEREAS, The Ohio National Guard maintains Brush Creek and Buckeye Military Operating Areas, formerly restricted airspace, which are well suited for small Unmanned Aerial Systems Research, Development, Test, and Evaluation and which could be used safely for testing the integration of Unmanned Aerial Systems in the National Airspace System with minimal disruption to air traffic flow; and

WHEREAS, The Wilmington Airpark, Springfield Air National Guard Base, Brush Creek Military Operating Area, and Buckeye Military Operating Area have the infrastructure, facilities, and excess capacity that make adaptation to specific Unmanned Aerial Systems test needs efficient, timely, safe, and inexpensive; and

WHEREAS, Collaborative relationships are well established in Ohio for research, development, testing, training, and manufacturing of Unmanned Aerial Systems including universities, manufacturers, researchers, workforce developers, the Ohio National Guard, the State of Ohio, and military, commercial, and private airspace users; and

WHEREAS, The National Defense Authorization Act for Fiscal Year 2012, Pub. L. No. 122-81, requires the Administrator of the Federal Aviation Administration to develop a plan to integrate Unmanned Aerial Systems into the National Airspace System and to select test ranges as part of that program; now therefore be it

RESOLVED, That we, the members of the 129th General Assembly of the State of Ohio, conclude that the convergence in Ohio of human capital, technology, test capabilities, facilities, and airspace will create the environment for the breakthrough discoveries that will advance the safe use of Unmanned Aerial Systems in the National Airspace System; and be it further

RESOLVED, That we, the members of the 129th General Assembly of the State of Ohio, urge the Administrator of the Federal Aviation Administration to select Ohio as a site for testing the integration of Unmanned Aerial Systems into the National Airspace System; 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 Administrator of the Federal Aviation Administration, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, and the members of the Ohio Congressional delegation.

The question being, "Shall the concurrent resolution, **Am. S. C. R. No. 19**, be adopted?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the concurrent resolution was adopted.

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

Senator Widener moved to amend the title as follows:

Add the names: "Cafaro, Coley, Faber, Gentile, Hite, Kearney, Niehaus, Sawyer, Schiavoni, Wagoner."

The motion was agreed to.

The motion was agreed to and the title so amended.

**BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 14**-Representative Sears.

Cosponsors: Representatives Winburn, Garland, Bulp, Duffey, Gardner, Lundy, Szollosi, Wachtmann, Speaker Batchelder. Senators Wagoner, LaRose.

To amend sections 955.08, 955.11, 955.22, 955.99, 1901.18, and 1907.031 and to enact sections 955.222 and 955.54 of the Revised Code to remove pit bulls from the definition of "vicious dog" in state law, to establish a process by which owners, keepers, or harborers of dogs that have been designated as nuisance, dangerous, or vicious may appeal that designation, to define a "nuisance dog," to change the definitions of a "dangerous dog" and a "vicious dog," to require the owner of a dangerous dog to obtain a dangerous dog registration certificate, to prohibit certain felons from owning dogs under certain conditions, and to change the penalties involving ownership of nuisance, dangerous, and vicious dogs, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 14**, pass?"

The yeas and nays were taken and resulted - yeas 27, nays 5, as follows:

Those who voted in the affirmative were: Senators

Balderson	Brown	Burke	Cafaro
Coley	Eklund	Faber	Gentile
Hite	Jones	Jordan	Kearney
LaRose	Lehner	Manning	Obhof
Oelslager	Sawyer	Schiavoni	Seitz
Skindell	Smith	Tavares	Turner
Wagoner	Widener		Niehaus-27.

Senators Bacon, Beagle, Hughes, Patton, and Schaffer voted in the negative-5.

So the bill passed.

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

Senator Wagoner moved to amend the title as follows:

Add the names: "Coley, Jordan, Seitz."

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

The motion was agreed to and the title so amended.

**H. B. No. 185**-Representatives Carey, O'Brien.

Cosponsors: Representatives Johnson, Rosenberger, Grossman, Landis, Thompson, Antonio, Martin, Buchy, Adams, J., Hottinger, Adams, R., Fende, Schuring, Letson, Mecklenborg, Anielski, Beck, Boose, Brenner, Bulp, Clyde, Combs, Dovilla, Fedor, Garland, Gentile, Gerberry, Hackett, Hall, Heard, Lundy, Mallory, McClain, McGregor, Milkovich, Newbold, Peterson,

Phillips, Roegner, Ruhl, Slaby, Slesnick, Stinziano, Sykes, Uecker, Wachtmann, Young, Yuko, Speaker Batchelder. Senator Schaffer.

To enact section 5.2267 of the Revised Code to designate the third week of July as "Ohio Aggregates and Industrial Minerals Awareness Week", was considered the third time.

The question being, "Shall the bill, **H. B. No. 185**, pass?"

Senator Hite moved to amend as follows:

In line 5, delete "5.2267" and insert "5.2274"

In line 7, delete " 5.2267" and insert " 5.2274"

In line 1 of the title, delete "5.2267" and insert "5.2274"

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

The motion was agreed to.

The question recurred, "Shall the bill, **H. B. No. 185**, pass?"

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

Those who voted in the affirmative were: Senators

- |         |           |          |             |
|---------|-----------|----------|-------------|
| Bacon   | Balderson | Beagle   | Brown       |
| Burke   | Cafaro    | Coley    | Eklund      |
| Faber   | Gentile   | Hite     | Hughes      |
| Jones   | Jordan    | Kearney  | LaRose      |
| Lehner  | Manning   | Obhof    | Oelslager   |
| Patton  | Sawyer    | Schaffer | Schiavoni   |
| Seitz   | Skindell  | Tavares  | Turner      |
| Wagoner | Widener   |          | Niehaus-31. |

So the bill passed.

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

Senator Hite moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hughes, Jones, Jordan, Kearney, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Schiavoni, Tavares, Turner, Wagoner, Widener."

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

The motion was agreed to and the title so amended.

**Am. H. B. No. 212**-Representative Grossman.

Cosponsors: Representatives Murray, Young, Stinziano, Blair, Stebelton, Hayes, Bubp, Letson, Szollosi, Mecklenborg, Huffman, Slaby, McKenney, Baker, Barnes, Blessing, Boose, Brenner, Carey, Carney, Combs, DeGeeter, Fedor, Fende, Garland, Goyal, Hackett, Hagan, C., Hill, Hollington, Luckie, Martin, Milkovich, Newbold, O'Brien, Phillips, Pillich, Ruhl, Yuko, Speaker Batchelder. Senators Wagoner, Faber, LaRose, Obhof, Turner, Skindell.

To amend section 5103.16 of the Revised Code to extend to legal custodians the exemption from certain adoptive placement requirements, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 212**, pass?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Tavares	Turner
Wagoner	Widener		Niehaus-31.

So the bill passed.

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

Senator Obhof moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Coley, Eklund, Hite, Hughes, Jones, Kearney, Lehner, Manning, Niehaus, Oelslager, Patton, Sawyer, Schiavoni, Seitz, Tavares, Widener."

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

The motion was agreed to and the title so amended.

**Sub. H. B. No. 267**-Representative McKenney.

Cosponsors: Representatives Combs, Letson, Stebelton, Murray, Adams, R., Barnes, Beck, Blair, Blessing, Carney, Dovilla, Duffey, Gardner, Garland, Gonzales, Grossman, Hackett, Hayes, Huffman, Luckie, O'Brien, Patmon, Pillich, Sears, Slaby, Sprague, Terhar, Weddington, Winburn, Young, Speaker Batchelder. Senator Beagle.

To amend sections 9.231, 169.01, 1702.01, 1702.05, 1702.41, 1702.42, 1702.43, 1702.44, 1702.46, 1702.462, 2901.23, 3955.06, 3956.06, 4121.70, 4303.201, 4303.204, 4303.207, 5111.151, and 5701.13; to enact sections



1702.411, 1745.05 to 1745.46, 1745.461, and 1745.47 to 1745.57; and to repeal sections 1702.45, 1745.01, 1745.02, and 1745.04 of the Revised Code to adopt the Revised Uniform Unincorporated Nonprofit Association Act and to revise the merger and consolidation provisions of the Nonprofit Corporation Law, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 267**, pass?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Tavares	Turner
Wagoner	Widener		Niehaus-31.

So the bill passed.

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

Senator Bacon moved to amend the title as follows:

Add the names: "Bacon, Coley, Eklund, Faber, Hite, Hughes, Jones, Obhof, Oelslager, Patton, Sawyer, Wagoner."

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

The motion was agreed to and the title so amended.

**INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bills were introduced and considered the first time:

**S. B. No. 286**-Senator Jones.

Cosponsors: Senators Bacon, Seitz.

To enact section 4731.297 of the Revised Code to create a visiting clinical professional development certificate for certain physicians who are not licensed in Ohio.

**S. B. No. 287**-Senators LaRose, Cafaro.

Cosponsor: Senator Seitz.

To amend sections 4757.41, 4758.01, 4758.02, 4758.10, 4758.20, 4758.21, 4758.22, 4758.23, 4758.24, 4758.26, 4758.27, 4758.30, 4758.40, 4758.41, 4758.42, 4758.43, 4758.44, 4758.45, 4758.51, 4758.55, 4758.56, 4758.59,

4758.61, and 4758.70; to enact sections 4758.221, 4758.241, 4758.39, 4758.46, 4758.47, 4758.52, 4758.54, and 4758.561; and to repeal sections 3793.07, 4758.04, 4758.53, and 4758.58 of the Revised Code to revise the law governing the professions of chemical dependency counseling and alcohol and other drug prevention.

### OFFERING OF RESOLUTIONS

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

**S. R. No. 192**-Senator Jones.

Honoring the Warren County Child Support Enforcement Agency on being recognized by the ODJFS Office of Child Support.

**S. R. No. 193**-Senator Jordan.

Honoring the Ohio Wesleyan University men's soccer team as the 2011 NCAA Division III Champion.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"

So the resolutions were adopted.

### Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives insists on its amendments to:

**Am. Sub. S. B. No. 165** -Senators Obhof, Grendell - et al.

and asks for a Committee of Conference.

Attest:

Thomas L. Sherman,  
Deputy Clerk.

On the motion of Senator Faber, the Senate acceded to the request of the House of Representatives.

### MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rule 30, the President of the Senate appoints the following members to serve on the conference committee for Amended Substitute Senate Bill 165:

Senator Obhof  
Senator Lehner  
Senator Sawyer

### CLERK'S NOTATION

January 27, 2012

The Honorable William G. Batchelder  
Speaker, Ohio House of Representatives  
77 South High St., 14th Floor  
Columbus, Ohio 43215

The Honorable Armond Budish  
Minority Leader, Ohio House of Representatives  
77 South High St., 14th Floor  
Columbus, Ohio 43215

The Honorable Thomas E. Niehaus  
President, Ohio Senate  
Statehouse, 2nd Floor  
Columbus, Ohio 43215

The Honorable Capri S. Cafaro  
Minority Leader, Ohio Senate  
Statehouse, 2nd Floor  
Columbus, Ohio 43215

RE: Dog Auction Proposed Initiated Statute

Dear Speaker Batchelder, President Niehaus, and Minority Leaders Budish and Cafaro:

I previously forwarded the dog auction petition on January 3, 2012, the day the General Assembly convened. As I noted in that letter, the petition purported to contain the number of signatures required by law. Although the initial petition did not contain sufficient valid signatures, the petitioners filed a supplemental petition and now have satisfied the valid number of signatures required by Ohio Constitution Article II, Section 1b and 1g.

Sincerely,  
/s/ JON HUSTED

Jon Husted

On the motion of Senator Faber, the Senate adjourned until Wednesday, February 1, 2012 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,  
Clerk.