

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, APRIL 17, 2012

ONE HUNDRED SIXTY-EIGHTH DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, April 17, 2012, 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 Obhof was selected to preside according to the rule.

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

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

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

**Sub. H. B. No. 265**-Representatives Slaby, O'Brien, et al.

To amend sections 1901.24, 1907.29, 2152.67, 2938.04, 2938.05, 2945.05, and 2945.06 of the Revised Code to authorize prosecuting attorneys to demand a jury trial in a felony case, notwithstanding a defendant's waiver of trial by jury and over a defendant's objection.

To the Committee on Judiciary.

**Sub. H. B. No. 280**-Representatives Dovilla, Wachtmann, et al.

To amend sections 5910.01, 5910.02, and 5919.34 and to enact section 5910.07 of the Revised Code to qualify for a War Orphans Scholarship, children of military veterans who participated in an operation for which the Armed Forces Expeditionary Medal was awarded, and to authorize the administrators of the Ohio National Guard Scholarship Program and the Ohio War Orphans Scholarship Program to apply for, and receive and accept, grants, and to receive and accept gifts, bequests, and contributions, from public and private sources.

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

**H. B. No. 322**-Representative Brenner, et al.

To enact sections 1121.051, 1155.181, 1163.221, and 1733.413 of the Revised Code to permit Ohio banks, savings and loan associations, savings banks, and credit unions to charge the same interest rate and other charges that

out-of-state banks may charge Ohio customers.

To the Committee on Financial Institutions.

**H. B. No. 367**-Representative Maag, et al.

To amend sections 109.57, 1337.11, 2133.01, 2317.54, 3701.881, 3712.01, 3712.03, 3712.09, 3721.01, 3795.01, 3963.01, 4719.01, 4752.02, 5119.70, and 5119.71 and to enact sections 3712.031, 3712.041, 3712.051, and 3712.061 of the Revised Code regarding licensure of pediatric respite care programs.

To the Committee on Health, Human Services and Aging.

**Am. H. B. No. 436**-Representatives Grossman, Anielski, et al.

To enact sections 122.97 and 122.971 of the Revised Code to create the SiteOhio certification program within the Department of Development to certify and market eligible commercial, industrial, and manufacturing sites and facilities.

To the Committee on Ways and Means and Economic Development.

**S. B. No. 317**-Senator Schiavoni.

To amend sections 2915.01, 2915.03, 3772.01, 3772.03, 3772.032, 3772.033, 3772.04, 3772.06, 3772.07, 3772.09, 3772.10, 3772.17, 3772.21, 3772.23, 3772.24, 3772.30, 3772.31, and 3772.99 and to enact sections 2915.062, 3772.071, 3772.301, 3772.35, and 3772.36 of the Revised Code to provide for the licensing and regulation of sweepstakes terminal device operators, vendors, and key employees.

To the Committee on Government Oversight and Reform.

**S. B. No. 318**-Senator Cafaro, et al.

To amend sections 1345.01, 1345.02, 1345.07, 1509.02, 1509.021, 1509.06, 1509.19, 1509.22, 1509.23, and 1509.29, to enact sections 1509.231 and 1509.80, and to repeal section 1509.27 of the Revised Code to require wells in urbanized areas to comply with zoning requirements, to revise the setback distances of a well from an occupied dwelling, to require the disclosure of all chemicals and substances used in hydraulic fracturing, to eliminate mandatory

pooling, to apply the Consumer Sales Practices Act to lease agreements for the exploration for or development of oil and gas on residential property, to require a surety bond for an injection well, to make other changes in the Oil and Gas Law, and to make appropriations to support oil and gas training programs, including employee training grants to oil or gas well owners.

To the Committee on Agriculture, Environment and Natural Resources.

**S. B. No. 319**-Senator Hite.

To enact section 5533.689 of the Revised Code to designate the interchange of State Route 15 and State Route 37 in Hancock County as the "Patrolman David L. Sterner Memorial Interchange."

To the Committee on Highways and Transportation.

**S. B. No. 320**-Senator Eklund, et al.

To amend sections 5709.62, 5709.63, and 5709.632 of the Revised Code to extend the time during which local governments may enter into enterprise zone agreements to October 15, 2013.

To the Committee on Ways and Means and Economic Development.

**S. B. No. 321**-Senator Beagle, et al.

To amend sections 133.10, 3375.01, 3375.05, 3375.06, 3375.12, 3375.121, 3375.15, 3375.32, 3375.40, 3375.41, 3375.42, 5705.01, 5705.19, 5705.191, 5705.21, 5705.23, 5705.25, 5705.26, 5705.261, 5705.281, 5705.34, 5705.341, and 5705.49, to enact sections 3375.151 and 3375.152, and to repeal section 3375.03 of the Revised Code to authorize the State Library Board to establish library districts for association libraries, to make other changes to the law governing the organization, governance, and operation of public libraries, and to declare an emergency.

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

**S. B. No. 322**-Senator Gentile, et al.

To amend sections 122.17, 122.171, and 5747.07 and to enact section 5747.073 of the Revised Code to authorize an income tax withholding credit

for a manufacturer that expands production or that restarts production at an idle facility.

To the Committee on Ways and Means and Economic Development.

**S. B. No. 323**-Senator Seitz, et al.

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

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 324**-Senator Seitz, et al.

To amend sections 1753.07, 1753.09, 3901.21, 3963.01, 3963.02, and 3963.03 of the Revised Code to prohibit a health insurer from reimbursing dental providers based upon a fee schedule if the dental services provided are not covered by any contract or participating provider agreement between the health insurer and the dental provider.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 326**-Senator Coley.

To amend sections 5725.18 and 5729.03 and to enact sections 126.51 and 126.52 of the Revised Code to authorize the Director of Budget and Management to arrange for the sale of prepaid insurance premium tax certificates to insurers in exchange for offsets against future tax payments and use revenue so generated on projects to increase efficiency or reduce costs of state or local government.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 327**-Senators Beagle, Tavares, et al.

To amend sections 5725.33, 5729.16, and 5733.58 of the Revised Code to prohibit the New Markets Tax Credit from increasing a claimant's retaliatory tax on foreign insurance companies, to increase the total annual and individual amount of credits that may be awarded, to give a noncompliant entity six

months to cure its noncompliance before claimed credits are recaptured, to allow community development entities to make credit-eligible investments in a business that derives 15% or more of its annual revenue from renting or selling real estate, and to prescribe an application process for the credits in which approval is based on the date an application is submitted.

To the Committee on Ways and Means and Economic Development.

YES - 9: THOMAS E. NIEHAUS, SHANNON JONES, TOM PATTON, SCOTT OELSLAGER, EDNA BROWN, NINA TURNER, KEITH L. FABER, CHRIS WIDENER, ERIC H. KEARNEY.

NO - 0.

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

The report of the committee was accepted.

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

#### **INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bills were introduced and considered the first time:

**S. B. No. 328**-Senator Balderson.

Cosponsors: Senators Seitz, Patton, LaRose.

To enact section 1509.80 of the Revised Code to establish the Governor's Award for Environmental Stewardship to be awarded annually to the company or person involved in the oil and gas industry that best represented wise environmental stewardship during the previous one-year period.

**S. B. No. 329**-Senators Seitz, Burke.

Cosponsor: Senator Tavares.

To amend sections 2925.02, 2925.03, 2925.11, 2925.12, 2925.14, 2925.23, 2925.36, 3719.06, 3719.81, 4729.01, 4729.51, and 4732.01 and to enact sections 4732.29, 4732.291, 4732.292, 4732.293, 5120.052, and 5120.053 of the Revised Code to authorize the Director of Rehabilitation and Correction to implement a program to improve prisoners' access to psychotropic drugs and a program authorizing the provision of medical and behavioral health care to prisoners through telecommunication methods.

**OFFERING OF RESOLUTIONS**

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

**S. R. No. 233**-Senator Beagle.

Honoring the Dunbar High School boys basketball team on winning the 2012 Division II State Championship.

**S. R. No. 234**-Senator Schaffer.

Honoring the Pickerington High School Central boys basketball team as the 2012 Division I State Champion.

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

So the resolutions were adopted.

On the motion of Senator Brown, the Senate adjourned until Wednesday, April 18, 2012 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,  
Clerk.