

OHIO

SENATE

JOURNAL

TUESDAY, MAY 1, 2012

ONE HUNDRED SEVENTY-FOURTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, May 1, 2012, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Michael Grose, Withamsville Church of Christ, Cincinnati, 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 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:

H. B. No. 375-Representative Butler, et al.

To amend section 3313.41 of the Revised Code to allow school districts to sell real property to private, nonprofit institutions of higher education.

To the Committee on Education.

Sub. H. B. No. 405-Representative Rosenberger, et al.

To amend sections 124.23, 124.26, 3319.085, 3737.881, 3781.10, 5321.04, 5903.10, 5903.11, 5911.07, 5923.12, 5924.01, 5924.02, 5924.03, 5924.06, 5924.07, 5924.08, 5924.09, 5924.10, 5924.11, 5924.13, 5924.14, 5924.15, 5924.16, 5924.17, 5924.18, 5924.19, 5924.20, 5924.22, 5924.23, 5924.24, 5924.25, 5924.26, 5924.27, 5924.28, 5924.29, 5924.30, 5924.31, 5924.32, 5924.33, 5924.34, 5924.35, 5924.36, 5924.37, 5924.38, 5924.39, 5924.41, 5924.42, 5924.43, 5924.44, 5924.45, 5924.46, 5924.47, 5924.48, 5924.49, 5924.50, 5924.51, 5924.52, 5924.54, 5924.56, 5924.57, 5924.58, 5924.59, 5924.60, 5924.63, 5924.72, 5924.73, 5924.74, 5924.75, 5924.76, 5924.77, 5924.78, 5924.82, 5924.83, 5924.84, 5924.85, 5924.86, 5924.87, 5924.88, 5924.89, 5924.90, 5924.91, 5924.92, 5924.93, 5924.94, 5924.95, 5924.96, 5924.97, 5924.98, 5924.103, 5924.108, 5924.109, 5924.111, 5924.113, 5924.115, 5924.128, 5924.131, 5924.132, 5924.133, and 5924.146, to enact new sections 5924.21, 5924.61, 5924.62, 5924.64, 5924.65, 5924.66, 5924.70, 5924.71, and 5924.120 and sections 4743.04, 5924.501, 5924.502, 5924.503, 5924.504, 5924.505, 5924.506, 5924.581, 5924.582, 5924.67, 5924.68, 5924.69, 5924.761, and 5924.1121, and to repeal sections 5924.04, 5924.12, 5924.21, 5924.61, 5924.62, 5924.64, 5924.65, 5924.66, 5924.70, 5924.71, 5924.99, 5924.100, 5924.101, 5924.102, 5924.104, 5924.105, 5924.106, 5924.110, 5924.114, 5924.118, 5924.119, 5924.120, 5924.122, 5924.1231,

5924.124, 5924.125, 5924.126, 5924.129, 5924.130, 5924.145, and 5924.147 of the Revised Code to allow extra credit to military veterans and reserve component members on state civil service examinations, to provide for the reemployment of nonteaching school employees following military service in accordance with federal law, to extend the period of time within which persons serving in the Ohio National Guard may meet continuing education requirements for occupational licenses and renew their licenses, to require landlords to observe the rights of tenants who are service members under federal law, to modify the order of priority in which veterans may participate in job training programs, to permit but not require the use of armories by patriotic and national organizations, to update references in the Revised Code to federal statutes relating to the National Guard, to conform the Ohio Code of Military Justice to the United States Code of Military Justice, and to make other changes to the Ohio Code of Military Justice.

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

H. B. No. 423-Representative Gonzales, et al.

To amend section 755.181 of the Revised Code to provide for the dissolution of a joint recreation district.

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

H. B. No. 437-Representatives Roegner, Patmon, et al.

To amend section 3327.15 of the Revised Code to increase the number of miles a school district board may authorize its motor vehicles for out-of-state travel.

To the Committee on Education.

Am. H. B. No. 473-Representative Wachtmann, et al.

To amend sections 1501.32, 1501.33, 1521.04, 1522.03, and 1522.05, to enact sections 1522.10, 1522.101, 1522.11 to 1522.13, 1522.131, and 1522.14 to 1522.21, and to repeal section 1522.07 of the Revised Code to establish a program for the issuance of permits for the withdrawal and consumptive use of waters from the Lake Erie basin and to establish other requirements related to the implementation of the Great Lakes-St. Lawrence River Basin Water Resources Compact.

To the Committee on Agriculture, Environment and Natural Resources.

H. B. No. 490-Representatives Dovilla, Landis, et al.

To amend sections 149.01, 317.24, 3333.31, and 5902.02 of the Revised Code to change the law regarding a County Recorder's release of a veteran's record of discharge, to modify the duties of the Director of Veterans Services with respect to publishing information about Veterans Services offices, to modify the composition of the Veterans Advisory Committee, and to grant in-state tuition for nonresident spouses and dependents of veterans who served on active duty and are deceased.

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

H. B. No. 491-Representatives Young, Kozlowski, et al.

To enact section 5.2282 of the Revised Code to designate June as "Ohio Wines Month."

To the Committee on Insurance, Commerce and Labor.

Am. Sub. H. B. No. 487-Representative Amstutz (By Request), et al.

To amend sections 7.10, 7.16, 9.34, 9.90, 9.91, 102.02, 103.51, 105.41, 109.57, 109.572, 121.04, 121.08, 121.083, 121.084, 122.07, 123.01, 123.011, 123.07, 123.09, 123.10, 123.101, 123.13, 123.14, 123.15, 123.152, 123.17, 123.21, 123.48, 123.77, 124.04, 124.06, 124.11, 124.12, 124.14, 124.231, 124.241, 124.25, 124.26, 124.27, 124.30, 124.31, 125.05, 125.082, 125.14, 126.14, 140.01, 140.03, 140.05, 140.08, 145.01, 145.012, 149.43, 152.09, 152.18, 152.24, 153.01, 153.011, 153.013, 153.02, 153.04, 153.06, 153.07, 153.08, 153.09, 153.11, 153.12, 153.14, 153.16, 153.17, 153.502, 153.503, 153.53, 154.25, 167.04, 169.01, 169.02, 169.03, 169.06, 169.08, 169.13, 169.14, 169.16, 173.14, 173.21, 173.23, 173.26, 173.27, 173.391, 173.394, 173.40, 173.42, 173.45, 173.46, 185.01, 185.02, 185.03, 185.05, 185.06, 185.07, 185.09, 185.12, 306.04, 306.36, 306.55, 307.05, 307.051, 307.055, 309.09, 313.121, 313.122, 313.16, 339.091, 340.03, 340.091, 505.37, 505.375, 505.44, 505.72, 705.18, 901.54, 955.16, 955.26, 991.02, 1121.23, 1155.03, 1163.05, 1315.141, 1321.37, 1321.53, 1321.531, 1322.03, 1322.031, 1345.05, 1501.04, 1502.01, 1502.02, 1502.03, 1502.04, 1502.05, 1502.06, 1502.12, 1502.99, 1503.012, 1503.43, 1506.42, 1509.071, 1509.36, 1533.10, 1541.26, 1551.33, 1555.02, 1555.03, 1555.04, 1555.05, 1555.06, 1571.14, 1707.08, 1707.391, 1733.47, 1751.01, 1751.02, 1751.13, 1761.26, 1901.18, 1909.11, 1923.01, 1923.02, 1923.061, 1923.15, 2151.86, 2152.121, 2152.22, 2301.03,

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(123.15), 123.77 (123.17), 185.01 (3701.92), 185.02 (3701.923), 185.03 (3701.924), 185.05 (3701.925), 185.06 (3701.926), 185.07 (3701.927), 185.09 (3701.928), 185.12 (3701.929), 1502.01 (3736.01), 1502.02 (3736.03), 1502.03 (3736.02), 1502.04 (3736.04), 1502.05 (3736.05), 1502.06 (3736.06), 1502.07 (3736.07), 1502.12 (3734.822), 1502.99 (3736.99), 3333.90 (3333.59), 3353.01 (3333.89), 3353.05 (3333.91), 3353.06 (3333.92), 3353.07 (3333.93), 3353.11 (3333.94), 3702.522 (3702.521), 3702.523 (3702.522), 3702.524 (3702.523), 3702.525 (3702.524), 3702.526 (3702.525), 3733.02 (4781.26), 3733.021 (4781.31), 3733.022 (4781.32), 3733.024 (4781.33), 3733.025 (4781.34), 3733.03 (4781.27), 3733.04 (4781.28), 3733.05 (4781.29), 3733.06 (4781.30), 3733.07 (4781.301), 3733.08 (4781.35), 3733.09 (4781.36), 3733.091 (4781.37), 3733.10 (4781.38), 3733.101 (4781.39), 3733.11 (4781.40), 3733.12 (4781.41), 3733.121 (4781.42), 3733.122 (4781.43), 3733.123 (4781.44), 3733.13 (4781.45), 3733.14 (4781.46), 3733.15 (4781.47), 3733.16 (4781.48), 3733.17 (4781.49), 3733.18 (4781.50), 3733.19 (4781.51), 3733.20 (4781.52), 5123.169 (5123.1610), 5503.21 (5502.05), 5503.22 (5502.06), and 5503.23 (5502.07); to enact new sections 123.21, 3333.90, 3702.526, 4905.80, 4905.81, 4921.01, 4921.03, 4921.05, 4921.07, 4921.09, 4921.11, 4921.13, 4921.15, 4921.16, 4921.19, 4921.25, 4921.30, 4921.32, 4921.36, 4921.38, 4923.01, 4923.02, 4923.04, 4923.06, 4923.07, 4923.09, 4923.11, 4923.99, 5123.169, and 5123.192 and sections 121.35, 122.862, 123.20, 123.201, 123.23, 123.26, 191.01, 191.02, 191.04, 191.06, 505.59, 1533.081, 3301.75, 3305.031, 3305.032, 3701.77, 3701.771, 3701.772, 3701.773, 3701.774, 3701.775, 3701.921, 3701.922, 3701.93, 3701.931, 3701.932, 3701.933, 3701.934, 3701.935, 3701.936, 3701.937, 3701.938, 3701.9310, 3701.9311, 3701.9312, 3701.9314, 3702.511, 3702.527, 3793.041, 3798.01, 3798.02, 3798.03, 3798.04, 3798.06, 3798.07, 3798.08, 3798.10, 3798.12, 3798.13, 3798.14, 3798.15, 3798.16, 4730.411, 4731.297, 4781.121, 4781.54, 4921.21, 4921.34, 4923.15, 5111.246, 5111.946, 5111.96, 5112.331, 5139.511, 5705.252, 5705.72, and 5713.012; and to repeal sections 103.144, 103.145, 103.146, 183.28, 185.04, 185.08, 185.10, 185.11, 340.05, 2301.19, 2909.32, 2909.33, 2909.34, 3301.68, 3333.049, 3333.0411, 3333.33, 3333.70, 3333.80, 3334.111, 3353.02, 3353.03, 3353.04, 3353.09, 3353.15, 3353.20, 3354.23, 3701.02, 3701.032, 3701.12, 3701.33, 3701.34, 3701.35, 3702.521, 3702.5210, 3702.5211, 3702.5212, 3702.5213, 3702.58, 3702.591, 3733.01, 3733.031, 3745.111, 3781.183, 3791.043, 4113.11, 4121.18, 4730.401, 4766.02, 4766.20, 4905.80, 4905.801, 4905.81, 4905.82, 4905.83, 4919.75, 4919.76, 4919.77, 4919.78, 4919.79, 4919.99, 4921.01, 4921.02, 4921.03, 4921.04, 4921.05, 4921.06, 4921.07, 4921.08, 4921.09, 4921.10, 4921.101, 4921.11, 4921.12, 4921.13, 4921.14, 4921.15, 4921.16, 4921.17, 4921.18, 4921.19, 4921.20, 4921.23, 4921.24, 4921.25, 4921.26, 4921.27, 4921.28, 4921.30, 4921.31, 4921.32, 4921.35, 4921.36, 4921.37, 4921.38, 4921.39, 4921.40, 4921.99, 4923.01, 4923.02, 4923.03, 4923.04, 4923.05, 4923.06, 4923.07, 4923.08, 4923.09, 4923.10, 4923.11, 4923.12, 4923.13, 4923.14, 4923.17, 4923.20, 4923.26, 4923.99, 5101.97, 5111.651, 5119.614, 5119.70, 5119.701, 5119.71,

5119.711, 5119.712, 5119.72, 5119.73, 5119.731, 5119.74, 5119.75, 5119.76, 5119.77, 5119.78, 5119.79, 5119.80, 5119.81, 5119.82, 5119.83, 5119.84, 5119.85, 5119.86, 5119.87, 5119.88, 5123.082, 5123.083, 5123.192, 5126.0222, 5126.252, 5126.26, 5126.27, 5126.28, 5126.281, 5126.29, and 5501.09 of the Revised Code; to amend Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly, as subsequently amended, Section 201 of Sub. H.B. 123 of the 129th General Assembly, Section 1 of H.B. 124 of the 129th General Assembly, Sections 205.10, 207.10, 207.10.80, 207.20.10, 207.20.30, 207.20.90, 209.10, 209.20, 209.30, 211.10, 215.10, 215.20, 223.10, 229.10, 243.10, 261.10.40, 261.10.70, 261.20.10, 261.20.40, 261.20.50, 261.20.60, 261.20.80, 261.20.90, 261.30.10, 261.30.20, 261.30.30, 261.30.40, 261.30.60, 261.30.70, 261.30.80, 261.30.90, 261.40.10, 263.10, 263.10.30, 263.10.90, 263.20.40, 263.20.70, 267.10, 267.10.10, 267.10.20, 267.10.40, 267.30.20, 267.30.40, 279.10, 283.10, 283.20, 283.30, 291.10, 307.10, 309.10, 309.30.10, 309.30.30, 309.30.33, 309.30.53, 309.35.73, 315.10, 327.10, 335.10, 337.10, 343.10, 343.40, 365.10, 367.10, 369.10, 371.10, 371.50.61, 371.60.70, 371.60.80, 373.10, 375.10, 379.10, 387.10, 403.10, 411.10, 415.10, 503.50, 521.70, and 701.40 of Am. Sub. H.B. 153 of the 129th General Assembly, Sections 247.10, 261.10, and 261.20.93 of Am. Sub. H.B. 153 of the 129th General Assembly, as subsequently amended, Section 4 of Sub. S.B. 171 of the 129th General Assembly, Section 3 of Am. Sub. S.B. 160 of the 121st General Assembly, and Section 3 of Am. Sub. S.B. 38 of the 120th General Assembly; to repeal Sections 261.10.10, 261.10.20, 261.10.30, 261.10.50, 261.10.60, 261.10.80, 261.10.90, 261.20.20, 261.20.70, 261.30.50, and 263.10.80 of Am. Sub. H.B. 153 of the 129th General Assembly; and to amend the versions of sections 5122.31, 5123.19, and 5123.61 of the Revised Code that are scheduled to take effect October 1, 2012, to continue the provisions of this act on and after that effective date; to make operating and other appropriations and to provide authorization and conditions for the operation of state programs.

To the Committee on Finance.

Am. Sub. H. B. No. 489-Representatives Dovilla, Hagan, C., et al.

To amend sections 9.981, 102.03, 121.02, 121.03, 121.22, 122.01, 122.011, 122.07, 122.071, 122.17, 122.171, 122.174, 122.175, 122.39, 122.41, 122.42, 122.43, 122.44, 122.48, 122.49, 122.50, 122.51, 122.52, 122.53, 122.561, 122.57, 122.60, 122.601, 122.602, 122.603, 122.61, 122.62, 122.64, 122.76, 122.80, 122.86, 149.43, 164.05, 164.06, 164.08, 166.01, 166.04, 166.05, 166.13, 166.14, 166.18, 166.19, 166.25, 166.30, 174.01, 184.01, 187.01, 187.03, 187.04, 187.05, 929.03, 1551.01, 3735.672, 3746.35, 5117.22, 5709.68, 5709.882, 6103.052, and 6117.062, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 122.07

(122.073) and 122.071 (122.072), to enact new sections 122.07 and 122.071 and sections 122.97, 184.011, 3735.01, and 5701.15, and to repeal sections 1525.11, 1525.12, 1525.13, and 6111.034 of the Revised Code; to repeal section 122.40 of the Revised Code on July 1, 2012; to rename the Department of Development the "Development Services Agency"; to establish the Office of TourismOhio within the Development Services Agency, create the TourismOhio Advisory Board, and establish a pilot program to test a new funding mechanism for the state's travel and tourism marketing; to modify the operation of JobsOhio; to make changes to the Capital Access Loan Program Fund and to allow transfers to the Capital Access Loan Program Fund from the Minority Business Enterprise Loan Fund; to provide for projects that were started prior to receiving a tax credit from the Ohio Tax Credit Authority; to modify reporting requirements under the Voluntary Action Program; to require the Director of Development Services to administer federal funds received for Brownfields revitalization purposes; to terminate the Water and Sewer Commission; to terminate the Development Financing Advisory Council as of July 1, 2012; and to increase the membership of the Third Frontier Commission.

To the Committee on Finance.

Sub. H. B. No. 508-Representative Beck, et al.

To amend sections 131.02, 349.01, 1545.21, 1701.86, 1702.47, 3318.011, 3318.36, 3769.28, 4301.42, 4303.33, 4701.01, 4701.04, 5703.261, 5703.37, 5703.47, 5709.084, 5709.40, 5709.41, 5709.73, 5709.78, 5727.84, 5727.86, 5731.39, 5733.056, 5735.02, 5735.03, 5739.01, 5739.02, 5739.021, 5739.023, 5739.026, 5739.04, 5739.17, 5741.08, 5743.20, 5743.61, 5743.66, 5747.082, 5751.01, 5751.011, 5751.012, 5751.03, 5751.04, 5751.05, 5751.051, 5751.12, 5751.20, 5751.22, and 5753.03, to enact section 5703.061, and to repeal section 5751.032 of the Revised Code to make changes to the laws governing the assessment, levy, and collection of taxes in the state, to the laws governing public accounting firm peer review, and to the school facilities construction law.

To the Committee on Ways and Means and Economic Development.

Sub. H. B. No. 509-Representative Blair, et al.

To amend sections 9.833, 118.023, 118.06, 120.08, 120.53, 124.42, 305.171, 307.12, 307.86, 307.861, 307.87, 307.88, 308.13, 319.59, 329.40, 505.60, 505.601, 505.603, 511.23, 703.21, 731.141, 735.05, 737.03, 749.26, 749.28, 749.31, 753.15, 755.29, 755.30, 1545.07, 2907.27, 3316.04, 3316.06,

3709.08, 3709.28, 3709.34, 3709.36, 4123.41, 5705.392, 5705.41, 5715.19, 6115.20, 6119.02, and 6119.10, to enact sections 125.183, 319.09, and 505.012, and to repeal sections 507.07 and 3709.081 of the Revised Code to make changes to the laws governing local governments, to modify the requirements of arresting authorities and courts regarding venereal disease testing of individuals accused of certain offenses, and to modify the manner in which funds are allocated from the Ohio Legal Aid Fund.

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

S. B. No. 336-Senators Wagoner, Hughes, et al.

To amend section 4511.35 and to enact section 4510.19 of the Revised Code to increase the penalties related to operating a motor vehicle on the wrong side of an interstate freeway.

To the Committee on Highways and Transportation.

S. B. No. 337-Senators Seitz, Smith, et al.

To amend sections 109.572, 109.578, 149.43, 2151.356, 2151.357, 2152.02, 2152.26, 2901.01, 2907.24, 2913.02, 2923.122, 2925.14, 2949.08, 2953.31, 2953.32, 2953.34, 2953.36, 2967.01, 2967.04, 2967.06, 2967.191, 3119.01, 3119.05, 3123.58, 3772.07, 4301.99, 4501.02, 4503.233, 4503.234, 4507.02, 4507.164, 4509.06, 4509.101, 4510.10, 4510.11, 4510.111, 4510.16, 4510.161, 4510.41, 4513.02, 4513.021, 4513.99, 4713.07, 4713.28, 4725.44, 4725.48, 4725.52, 4725.53, 4738.04, 4738.07, 4740.05, 4740.06, 4740.10, 4747.04, 4747.05, 4747.10, 4747.12, 4749.03, 4749.04, 4749.06, 5120.07, 5502.011, and 5743.99, and to enact sections 2953.25, 3123.582, and 4776.10 of the Revised Code to exclude juvenile proceedings and adjudications from criminal records checks; to exclude from the definition of "public record" all records pertaining to an alleged or adjudicated unruly or delinquent child or juvenile traffic offender; to ensure that persons sentenced to confinement receive credit for time served in juvenile facilities; to expand eligibility for the sealing of criminal records and to eliminate the prohibition of the sealing of juvenile records in certain cases; to define "indigent" for purposes related to the payment of fines, costs, or fees; to make the use or possession with purpose to use drug paraphernalia with marihuana a minor misdemeanor; to provide for the destruction of the criminal records and the removal of disabilities of a person who is pardoned; to permit an individual subject to civil sanctions as a result of a conviction of or plea of guilty to a criminal offense to file a petition for relief from the sanctions, to establish a procedure for the review of such petitions; to permit the sentencing court to issue an

order of limited relief; to permit decision-makers to consider on a case-by-case basis whether it is appropriate to grant or deny the issuance or restoration of an occupational license or employment opportunity; to provide for the revocation of an order of limited relief; to increase from eighteen to twenty-one the age at which certain offenders may be held in places not authorized for the confinement of children; to increase the juvenile court's jurisdiction over certain specified cases solely for the purpose of detaining a person while the person's case is heard in adult court; to create a process by which a prosecutor may file a motion in juvenile court to request that a person be held in a place other than those specified for the placement for children while the person's case is heard in adult court; to amend the law governing child support; to reduce the penalty for driving under suspension if the suspension was imposed as part of the penalty for certain violations that do not directly involve the operation of a motor vehicle; to make changes in certain other driver's license suspension provisions; to require the Bureau of Motor Vehicles to study the advisability and feasibility of a one-time amnesty program for drivers who have not paid fees or fines owed by them for motor vehicle offenses and driver's license suspensions; to define the terms moral turpitude and disqualifying offense as applied to certain employment; to add an ex-offender appointed by the Director of Rehabilitation and Correction to the Ex-offender Reentry Coalition; and to prohibit the preclusion of individuals from obtaining or renewing certain licenses, certifications, or permits due to any past criminal history unless the individual had committed a crime of moral turpitude or a disqualifying offense.

To the Committee on Judiciary.

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

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.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Niehaus submitted the following report:

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

Kimberly G. Allison, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Elections Commission for a new term beginning February 3, 2012 and ending at the close of business December 31, 2016.

Terrance J. Conroy, Democrat, from Westlake, Cuyahoga County, Ohio, as a Member of the Ohio Elections Commission for a term beginning February 22, 2012 and ending at the close of business December 31, 2016, replacing John Mroczkowski, whose term expired.

Scott David Gill, from Columbus, Franklin County, Ohio, as a Member of the Ohio Business Gateway Steering Committee for a term beginning March 2012 and continuing at the pleasure of the Governor.

Andres E. Gonzales, from Cleveland, Cuyahoga County, Ohio, as a Member of the Commission on Hispanic/Latino Affairs for a new term beginning March 5, 2012 and ending at the close of business October 7, 2014.

Max Rodas, from North Olmstead, Cuyahoga County, Ohio, as a Member of the Commission on Hispanic/Latino Affairs for a new term beginning March 5, 2012 and ending at the close of business October 7, 2014.

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

YES - 8: THOMAS E. NIEHAUS, TOM PATTON, SHANNON JONES, SCOTT OELSLAGER, EDNA BROWN, NINA TURNER, JOSEPH SCHIAVONI, ERIC H. KEARNEY.

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

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Smith
Tavares	Turner	Wagoner	Widener
			Niehaus-33.

So the Senate advised and consented to said appointments.

RESOLUTIONS REPORTED BY COMMITTEE

Am. S. C. R. No. 23-Senator Kearney.

Cosponsors: Senators Tavares, Sawyer, Brown, Seitz, Jones, LaRose, Turner.

To commend the members of the Black Brigade for their defense of Cincinnati in 1862 and to designate the members as veterans of the American Civil War.

WHEREAS, In September 1862, when Confederate forces were threatening Cincinnati, the commander of Union forces for the defense of Cincinnati, Major General Lew Wallace, ordered all men of the city, including African Americans, to build defenses for the city; and

WHEREAS, Initially, the African-American men were treated poorly by the city government and Union troops protecting the city, but this soon changed when William Dickson, a respected citizen of Cincinnati, was given command of the African-American men and organized them into the Black Brigade; and

WHEREAS, The members of the Black Brigade were recognized by the engineers in charge of building the defenses as the hardest working and most efficient of all the laborers who were involved in that effort. After the threat to the city had ended, the Black Brigade was disbanded, and many of the former members of the Black Brigade entered military service and served in the first Union military units for African Americans; and

WHEREAS, Although other citizens who participated in the defense of Cincinnati were recognized at the time by the General Assembly, the members of the Black Brigade received no such recognition. It is only fitting that they finally be recognized for their significant contributions to defending their city, their state, and their country; and

WHEREAS, The distinguished members of the Black Brigade included:

William M. Dickson.....	Commandant
Timothy C. Day.....	Ass't Adjutant General
J. Stacey Hill.....	Quartermaster
William Woods.....	Commissary
Jas. Lupton.....	Volunteer Aide and Acting Camp Commandant

Volunteer Aides:

Jacob Resor, Jr.	William J. Dickson
James M. Canfield	William H. Chatfield
John W. Hartwell	Alexander Neave
David A. James	

FIRST REGIMENT

Co. A - 44 Men

Wm. W. Powell, Captain	John Bond	William Brown
Charles Briscoe	Thomas Holberson	Thomas Berkshiers
Albert Shaw	George Brown	Thomas Jenkins
S. Davis	Silas Bond	O. C. Harris
Sandy Mix	William Parker	Harry Davenon

Joseph Hunster
Thomas Williams
Albert Warrick
David Anderson
Henry Allis
Charles Williams
Hercules Brown
Luke Green
Madison Taylor
Frank Gordon

William Woodyer
Levi Ward
P. Askins
Benjamin Robinson
William Henry
Isaac Newton
Minor Williams
C. W. Thomas
William W. Neal
Dennis Lewis

Joseph Lucas
Balak Middleton
Robert Butler
Abraham Mason
Daniel Davenon
Robert Henderson
William Grandstaff
Virgil Payne
Benjamin Butler

Co. B - 51 Men

James Vansant,
Captain
Thomas Holmes
J. C. Crowder
J. H. Jackson
John Burriss
James Ghee
Hanse Bailey
William Hastie
Samuel Coleman
William Boon
William Simonton
L. Erskines
S. C. Tilman
Henry Casey
William Steers
William Webb
Mason Spencer

George Frey
O. C. Donley
William Washington
Green Wilson
W. Gardner
Job Thompson
James Baylis
Albert Grey
Burke Smith
Benjamin Barbee
Luther Griggs
William Cooper
Lewis Harris
Washington, Shelton
Henry Holmes
William Hill
George Harris

William Ross
Monroe Harris
Richard Rose
James Conrad
John Freeman
Thomas Johnston
J. Lewis
J. Brown
Robert Story
George Roots
Thomas Riley
Green Hill
William Lancaster
Jasper Beadle
W. N. Irons
Jesse Reynolds
Henry Benson

Co. C - 63 Men

Isaac N. Delaney, Captain
John R. Tinsley
Henry Porter
Samuel Jones
Milton Franklin
Simeon Tate
John Black
Young, Rice
Joseph Patterson
Frank Love
William H. Taylor
Daniel Decker
Richard Toney
Isaac Craft
John Shelby
John Green
Adam Seaton
Albert Moore
George Weaver
Caleb Calloway
Jerry Mason

William H. Clark
Nathaniel Ferrell
George Lee
Allen Robertson
Sylvester Moore
Benjamin Smith
Amos Freeman
James Buckner
Nelson Mosee
Harvey Wilson
Samuel Grant
Charles, Ferguson
Robert Burbage
James Clarkson
John Morgan
John Price
Jerry Hall
James Abrams
Thomas Hill
Samuel Harris
Isaac Turner

Simon Wright
John Palmer
John H. Wilson
J. Turner
Joseph Henry
Tabbs Gross
R. C. Ball
Henry W. Smith
Richard Griffin
Arthur Brown
Isaac Jenkins
Jerry Ross
Littleton Jones
Jacob Brown
John T. Johnston
William Wilson
Thomas Hickey
Charles Barkley
Charles Ross
David H. Baird
Charles Watkins

Co. D - 44 Men

H. B. Alger, Captain
James S. Fremont
Edward Benedict
Charles Henry
William Williams
Samuel Washington
George Hall
William Stevens
Andy Edmundson

J. H. Johnson
Benjamin Calamese
Henry Baxter
Benjamin Lee
M. Brown
William Spotswood
Frank Werk
J. M. Conrad
Jerry Dean

E. Hinsley
John Williamson
Aaron Rankin
Charles Wyatt
Constant Perkins
James W. Williams
H. D. Conrad
John Williams
W. F. Scott

Sanders M. Pinn
George Snowden
Nelson Hudson
James Spotswood
Walker Calloway
John Edmundson

William Lewis
Peter Cluff
G. W. Armstrong
A. Baker
Isaiah Smith
W. B. Hudson

G. O. Williams
John Ross
John Wilson
Isaac Smith
Willis Bryant

Co. E - 34 Men

William Scott,
Captain
Albert White
Alexander Hubbard
John Easton
Converse Roots
Alex. McAllister
Caleb Bell
Nicholas Perkins
William Buckner
Lloyd B. Taylor
Alonzo Anderson
John Black

Charles H. Taylor

George Burgess
James Marshall
Lewis Marshall
John Buxton
Austin Smith
Martin Wadsworth
W. Lockwood
John Liggins
John Turner
Albert Bragg

William Stanton

Charles Smith
J. James
James Hartgrove
Moses Carr
Jesse Wilson
John Reeder
James Burton
Edward Casey
Charles Taylor
W. J. Brown

Co. F - 42 Men

J. H. Dixon, Captain
Samuel Lewis, Sr.
Thomas Price
Edward Booker
Moses Gale
Samuel Rhodes
Thomas M. Coy
Charles Farrow
Peter B. Bartlett
Philip B. Ferguson
London Lucas
Archer Lewis
James Johnston
Peter Wilson

Edward Butler
Henry Campbell
Thomas Wesley
Wiliam Parram
James Simpson
Robert H. Smith
John W. Saunders
John E. Bell
Isham J. Brown
Charles Lloyd
Jamuel Lewis, Jr.
Edward Harris
Jesse Woodson
Henry Griffin

Thomas Bowman
Robert B. Troy
Jerry Butler
Joshua Liverpool
Berkley Jones
Milton Bentley
James Scott
William Steele
Reuben Shipley
Allen Cruse
George W. Bail
George Bradshaw
James Townsend
Henry Sullivou

Co. I - 39 Men

Charles Hall, Captain
John Wilkinson
William Lindsay
Harvey Brown
H. H. Pettigrew
Joseph Holmes
Thomas Jones
James Price
John Kelley
Dangerfield Early
Wingfield Early
Alexander Jackson
Joseph Early

John Newsome
James Morgan
Nelson Briggs
Noah Brown
Henry Simpson
John Valentine
William P. West
Samuel Wells
George Bell
Liston L. Crewett
John Lott
Amos Bowman
Greene Buster

Branch Goode
Isaac Blakesley
Benjamin Scott
Jackson Murray
Martin Tilman
Matthew Busby
Thomas Tilman
Henry Tivis
Benjamin Mason
Robert Johnson
William Lawson
John Simms
James Monroe

SECOND REGIMENT

Co. B - 37 Men

James Mason, Captain
B. Lee
P. H. Kinney
C. S. Shorter
R. F. Cousins
P. Johnson
J. Kinney
D. A. Norris
L. Ellis
W. Ellis

A. Bently
J. Tompkins
R. Boner
F. Livins
A. Graham
W. H. Harrison
W. Bailey
R. Goines
George Wilson
Frank Holmes

W. Jones
George Hayes
J. Jonas
S. Pool
W. Williams
F. Limus
D. R. Kinney
George Leonard
M. Smith
M. Tate

John Brown
W. H. Hill
James Rolls

George Merchant
A. Logan

E. Cousins
George Allen

Co. C - 45 Men

M. Bowdree, Captain
D. Curtis
Henry Hawkins
Daniel Mundowney
Thomas Mercer
John Farrow
Charles Johnson
David Liggins
Daniel Harris
John Taylor
A. Hiller
Robert Lewis
John Webb
J. C. McDougal
James Harris

William Cooper
John Johnston
James Martin
Alexander Scruggs
John Hill
George Harris
George Tenbrock
John Crow
H. Campbell
Robert Kite
John Green
R. Stewart
Anthony Cherry
John Arnold
Samuel Moss

S. Hollandworth
Charles Fields
Marcus Rankill
S. Richardson
Adam Riley
John Hubbard
James Cox
Elijah Kite
Sanuel W. Nickens
R. Turpin
Alfred Stevens
Charles Harris
William Rankill
James King, Jr.
Robert G. Jones

Co. D - 40 Men

Charles Austin, Captain
William Thomas
Fredrick Somers
Elder Willis
Enos Parker
Riley M. Truss
John Ducker
David Nickens
Daniel Keith
Abraham Jones
James Morton
James McAllister
John Liggins
Benjamin Cheek

Wilson Casey
Tilford Sneed
Benjamin Davis
Charles Armstead
Richard Sims
Emmanuel Patterson
John Keith
Charles Shelton
Henry Henderson
Richard Armstead
Robert Crow
James Bartlett
Charles Williams

Frank Hays
Augustus Gaines
George Kinney
G. F. Butler
Nicholas Saulsbury
Nathaniel Lytle
James Ferguson
David Long
Wesley Turner
Benjamin Franklin
John Alexander
James Battise
Wesley Jones

Co. E - 41 Men

John McAllister, Captain
John Haskins
Albert Lindsey
William Stewart
James Carr
Richard Blackburn
John Lucas
Nathaniel Goines
James Morris
Warner Durett
M. W. Jackson
N. W. Hagerman
Hamilton Baker
Joseph Johns

William Wilson
A. W. Hays
D. F. Carter
Cyrus Brown
Frank Noton, or Knowlton
Joshua Eddy
P. Powell
Emmanuel Davis
Elim Miller
William Jones
Charles Tirley
B. D. Payne
Jacob Fredrick
William Griggs

Morton Brown
David Scott
Johnson Howard
Vernon Woods
Isaac Jones
C. F. Buckner
Robert Lewis
William Buckner
George Collins
Eli Covington
John Hill
Joseph Hagerman
John R. Henry

Co. F - 29 Men

Peter F. Fossett, Captain
W. B. Scott
John Lewis
William Lewis
W. H. Baltimore
Daniel Thomas
Asa Butcher
Nathan Williams
Lloyd Johnston
Chapman Vinee

John Harris
Thomas Dixon
Jessee Oliver
G. W. Kinney
A. J. Mosby
William H. Mills
Stephen Irwin
Charles Points
P. Templeton
Randolph Jones

John Webb
Marshall Jordan
J. Williams
Charles Johnston
John Mann
Benjamin Dabney
Allen Foster
Harry Hodrick
Wallace Shelton

THIRD REGIMENT

Co. No. 1 - 37 Men

Simon Shepherd, Captain	James Copely	William Smith
Marshal P.H. Jones	C. W. Williams	John Collier
William Flewellan	L. W. Crewitt	William Carr
Robert Blackstone	W. I. Toney	Sanford Lewis
Alfred Keith	G. Strange	Martin Scott
Charles Harrison	Alfred Harrison	Henry Johnston
Henry Kizer	Isaac Smith	Lloyd Lewis, Jr.
Francis Jones	Solomon Anderson	Lloyd Lewis, Sr.
James Kirk	Shadrach Kirke	William Porter
James Ellis	George Trimble	James King
Thomas Stewart	Francis Bond	Isaac Lancaster
Powhatan Beatty	S. Napier	Isaiah Mitchell
Moses Johnston		

Co. No. 2 - 44 Men

George Mack, Captain	Newton Garrison	James Towles
Charles Carter	D. Harris	Benjamin Stewart
C. C. Hubbard	David Pleasants	Harry Green
William Sanders	Robert Gaines	Samuel Smith
Ranly Miles	Henry Casey	Albert Chapman
S. P. Dorsey	Miller Merchant	J. Memro
William Page	David P. Jones	W. Early
David Ellis	Marshal Ditcher	George S. Allen
Samuel Taylor	Norvall Jackson	Andy Wilkinson
Lewis Scott	Samuel Hines	Walter Scott
Samuel Scott	James James	Thomas Casey
Henry Cooper	Martin Morris	John Cousins
Albert Jenkins	Robert Smith	George Burgess
Alex Sanders	Henry Allen	Edward March
Richard Corbin	Amos Brown	

Co. No. 3 - 42 Men

W. H. Looker, Captain	A. J. Holloway	W. Satchell, Sr.
L. Bruce	W. Holloway	G. F. Butler
H. Bryant	W. Satchell	Isaac Mitchell
G. Ware	B. Hogan	J. Turner
W. Wilson	B. Hamilton	E. Bates
M. Rust	M. Johnson	H. B. Renson
S. Holloway	C. Corral	Amos Brown
L. Holloway	J. Dermegall	Augustus Gaines
O. Madden	J. Bates	Martin Tilman
P. Alexander	W. H. Anderson	Thomas Tilman
J. Mundowney	W. H. Steinway	Henry Tivis
H. Boyer	Lewis Scott, Jr.	Arthur Brown
J. Gates	Andrew Tait	George Whitcomb
S. Riddle	Peter Custello	Richard Tostson

Co. No. 4 - 30 Men

T. Perry, Captain	Aston Wilson	J. Battise
William Hudson	John Hill	William Spriggs
Charles H. Payne	Willis Bryant	Samuel Ray
Charles Mazee	John Findley	Jackson M. Moore
Daniel Early	Lewis Johnson	Lewis Stratton
Charles St. John	Henry Johnson	E. Miller
Philip Willis	James H. Wilson	W. H. Washington
John Campbell	H. Brown	W. H. Bush
Clark Powell	William Hudson, Jr.	Sylvester Bird
Lewis Hughes	M. Reynolds	William Lawson

Co. No. 5 - 44 Men

M. Jackson, Captain	G. Ralton	William Fisher
T. J. Goode	M. J. Epps	H. Patterson
W. Wilson	J. Gibbs	W. Smith
W. Fisher	W. Smith	E. Solomon

S. Burgess	F. Buckner	B. Turner
F. Marshall	G. Henry	C. Jones
B. Simmons	W. H. Mann	L. Griggs
N. Dolsby	B. Wilkinson	George Harvey
L. Cooper	S. Blakey	L. G. Hilton
W. Peyton	W. Sanders	Henry Casey
C. Jones	H. Smith	Robert Butler
R. Goines	L. Alexander	G. Leonard
A. Posey	L. Givens	Charles Raglan
M. Raglin	J. W. Wilson	William Davis
E. Ferguson	A. Triplett;	

now therefore be it

RESOLVED, That the members of the 129th General Assembly of the State of Ohio, in adopting this resolution, commend the members of the Black Brigade for their activities in building defenses for Cincinnati in 1862 during the threat of invasion from Confederate forces and designate the members of the Black Brigade as veterans of the American Civil War; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the Governor, the Adjutant General, and the news media of Ohio.

The question being, "Shall the concurrent resolution, **Am. S. C. R. No. 23**, be adopted?"

The yeas and nays were taken and resulted - yeas 33, 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	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Smith
Tavares	Turner	Wagoner	Widener
			Niehaus-33.

So the concurrent resolution was adopted.

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

Senator Kearney moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Schaffer, Schiavoni, Smith, Wagoner, Widener, Hughes, Niehaus."

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

The motion was agreed to and the title so amended.

S. C. R. No. 29-Senators Jordan, Obhof.
Cosponsors: Senators LaRose, Brown.

To urge the Congress of the United States to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport in Mansfield, Ohio.

WHEREAS, The United States Air Force 179th Airlift Wing is a military airlift organization assigned to the Ohio Air National Guard and stationed at Mansfield-Lahm Regional Airport; and

WHEREAS, Due to its superior record, the 179th Airlift Wing received a mission to operate the C-27J Spartan aircraft, a twin turboprop aircraft with short takeoff and landing capabilities, ideal for the nation's current military needs and for providing rapid response support for homeland emergencies; and

WHEREAS, The United States Air Force has published proposed personnel actions associated with plans to retire more than 300 aircraft nationwide, including the C-27J; and

WHEREAS, The United States Air Force has plans to move personnel positions among states to mitigate the impact of the reductions; and

WHEREAS, The United States Air National Guard, including the 179th Airlift Wing, is responsible for homeland defense, and the C-27J is an important tool in accomplishing this mission; and

WHEREAS, The 179th Airlift Wing has made United States Air National Guard history by deploying the C-27J in Afghanistan in Operation Enduring Freedom; and

WHEREAS, Closing the Air National Guard Station at Mansfield-Lahm, relocating its personnel, and diverting or retiring its C-27J aircraft would create discontinuity and weaken national defense and homeland disaster readiness; now therefore be it

RESOLVED, That the Congress of the United States is urged to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport to ensure Ohio and our nation will continue to benefit from the unique experience and capabilities of its personnel and the region; 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, to the President Pro Tempore and Secretary of the United States Senate, to the Speaker and the Clerk of the United States House of Representatives, to the members of the Ohio Congressional delegation, and to the news media of Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 29**, be adopted?"

The yeas and nays were taken and resulted - yeas 33, 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	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Smith
Tavares	Turner	Wagoner	Widener
			Niehaus-33.

So the concurrent resolution was adopted.

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

Senator Jordan moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Hite, Hughes, Jones, Kearney, Lehner, Manning, Niehaus, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Tavares, Turner, 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. S. B. No. 314-Senators Wagoner, Cafaro.

Cosponsors: Senators Beagle, Lehner, Manning, Obhof, Widener, Oelslager.

To amend sections 9.981, 102.03, 121.02, 121.03, 121.22, 122.01, 122.011, 122.07, 122.071, 122.17, 122.171, 122.174, 122.175, 122.39, 122.41, 122.42, 122.43, 122.44, 122.48, 122.49, 122.50, 122.51, 122.52, 122.53, 122.561, 122.57, 122.60, 122.601, 122.602, 122.603, 122.61, 122.62, 122.64, 122.76, 122.80, 122.86, 149.43, 164.05, 164.06, 164.08, 166.01, 166.04, 166.05, 166.13, 166.14, 166.18, 166.19, 166.25, 166.30, 174.01, 184.01, 187.01, 187.03, 187.04, 187.05, 929.03, 1551.01, 3735.672, 3746.35, 5117.22, 5709.68, 5709.882, 6103.052, and 6117.062, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 122.07 (122.073) and 122.071 (122.072), to enact new sections 122.07 and 122.071 and sections 122.942, 122.97, 184.011, 187.061, 3735.01, and 5701.15, and to repeal sections 1525.11, 1525.12, 1525.13, and 6111.034 of the Revised Code; to repeal section 122.40 of the Revised Code on July 1, 2012; to amend Sections 261.10.40, 261.10.70, 261.20.40, 261.20.50, 261.20.60, 261.20.80, 261.20.90, 261.30.10, 261.30.20, 261.30.30, 261.30.40, 261.30.60, 261.30.70, 261.30.80, 261.30.90, and 261.40.10 of Am. Sub. H.B. 153 of the 129th General Assembly; to amend Sections 261.10 and 261.20.93 of Am. Sub. H.B. 153 of the 129th General Assembly, as subsequently amended by Sub. H.B. 371 of the 129th General Assembly; and to repeal Sections 261.10.10,

261.10.20, 261.10.30, 261.10.50, 261.10.60, 261.10.80, 261.10.90, 261.20.10, 261.20.20, 261.20.70, and 261.30.50 of Am. Sub. H.B. 153 of the 129th General Assembly to rename the Department of Development the "Development Services Agency"; to establish the Office of TourismOhio within the Development Services Agency, create the TourismOhio Advisory Board, and establish a pilot program to test a new funding mechanism for the state's travel and tourism marketing; to modify the operation of JobsOhio, including by requiring annual ethics training, ethical conduct statements, and the development of a gift policy; to make changes to the Capital Access Loan Program Fund and to allow transfers to the Capital Access Loan Program Fund from the Minority Business Enterprise Loan Fund; to provide for projects that were started prior to receiving a tax credit from the Ohio Tax Credit Authority; to modify reporting requirements under the Voluntary Action Program; to require the Director of Development Services to administer federal funds received for Brownfields revitalization purposes; to terminate the Water and Sewer Commission; to terminate the Development Financing Advisory Council as of July 1, 2012; to require the Director of Development Services to make certain information available to the public with respect to each project for which state-funded financial assistance is awarded by the Development Services Agency; to increase the membership of the Third Frontier Commission; and to make an appropriation, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 314**, pass?"

Senator Wagoner moved to amend as follows:

In line 17 of the title, after "sections" insert "122.40,"

In line 19 of the title, delete everything after the semicolon

In line 20 of the title, delete "Revised Code on July, 2012;"

In line 55 of the title, delete "as of July 1, 2012"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 314**, pass?"

Senator Wagoner moved to amend as follows:

In line 5214, after "(C)" insert "(1)"; strike through "or received"

In line 5215, strike through "section 149.43" and insert "Chapter 149."

Between lines 5218 and 5219, insert:

" (2) Records received by JobsOhio from any person or entity that is not subject to section 149.43 of the Revised Code are not public records for purposes of Chapter 149. of the Revised Code, regardless of who may have custody of the records, unless the record is designated to be available to the public by the contract under division (B)(2) of this section.

(3) Records received by JobsOhio from a public office as defined in section 149.011 of the Revised Code that are not public records under section 149.43 of the Revised Code when in the custody of the public office are not public records for the purposes of section 149.43 of the Revised Code when in the custody of JobsOhio."

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 314**, pass?"

Senator Cafaro moved to amend as follows:

In line 7059, after "**21.**" insert "The amendment by this act adding division (C)(2) to section 122.17 of the Revised Code does not apply to projects that are completed before the effective date of this section.

Section 22."

In line 7063, delete "**22**" and insert "**23**"

In line 7072, delete "**23**" and insert "**24**"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 314**, pass?"

Senator Turner moved to amend as follows:

In line 895, delete " both" and insert " all"

Between lines 904 and 905, insert:

" (3) Perform an annual study analyzing the office's efforts in promoting multicultural tourism and multicultural touristic sites and destinations in the state."

In line 911, delete " nine" and insert " ten"

In line 923, after the underlined comma insert " one individual who is a representative of the multicultural tourism industry."

In line 925, delete " two" and insert " three"

In line 973, after " programs" insert " , including, but not limited to, multicultural tourism programs"

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

Senator Faber moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Faber	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Wagoner	Widener		Niehaus-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. S. B. No. 314**, pass?"

Senator Tavares moved to amend as follows:

In line 63, delete "9.981,"

In line 64, delete "121.22,"

In line 65, delete "122.39, 122.41, 122.42, 122.43, 122.44, 122.48,"

In line 66, delete "122.49, 122.50, 122.51, 122.52, 122.53, 122.561, 122.57,"

In line 67, delete "122.61, 122.62,"

In line 68, delete "166.04, 166.05,"

In line 69, delete "166.13, 166.14, 166.18, 166.19, 166.25, 166.30,"

Delete lines 77 through 105

Delete lines 495 through 762

Delete lines 1912 through 2406

Delete lines 2645 through 2682

In line 2690, delete " and 122.41"

In line 2691, reinsert "and for coordinating"

Reinsert line 2692

In line 2693, reinsert everything before the period

In line 2695, reinsert everything after "(1)"

Reinsert line 2696

In line 2697, reinsert "(2)"

In line 2698, delete " and 122.41"

In line 2699, reinsert "and, except as"

Reinsert lines 2700 through 2702

In line 2703, reinsert everything before the period

In line 2704, reinsert "(3)"; delete " (2)"

Reinsert lines 2708 through 2711

In line 2712, reinsert "(5)"; delete " (3)"

In line 2716, delete " and 122.41"

In line 2718, reinsert "(6)"; delete " (4)"

In line 2720, reinsert "(7)"; delete " (5)"

In line 2722, delete " and"

In line 2723, delete " 122.41"

Delete lines 4312 through 4770

In line 6375, delete "9.981,"

In line 6376, delete "121.22,"

In line 6377, delete "122.39, 122.41, 122.42, 122.43, 122.44, 122.48,"

In line 6378, delete "122.49, 122.50, 122.51, 122.52, 122.53, 122.561, 122.57,"

In line 6379, delete "122.61, 122.62,"

In line 6380, delete "166.04, 166.05,"

In line 6381, delete "166.13, 166.14, 166.18, 166.19, 166.25, 166.30,"

In line 6384, delete "122.40,"

Delete lines 7063 through 7071

In line 7072, delete "**23**" and insert "**22**"

In line 1 of the title, delete "9.981,"

In line 2 of the title, delete "121.22,"

In line 3 of the title, delete "122.39, 122.41, 122.42,"

Delete line 4 of the title

In line 5 of the title, delete "122.52, 122.53, 122.561, 122.57,"

In line 6 of the title, delete "122.61, 122.62,"

In line 8 of the title, delete "166.04, 166.05, 166.13, 166.14, 166.18,"

In line 9 of the title, delete "166.19, 166.25, 166.30"

In line 19 of the title, delete "to repeal section 122.40 of the"

In line 20 of the title, delete "Revised Code on July 1, 2012;"

In line 54 of the title, delete everything after the semicolon

In line 55 of the title, delete "Advisory Council as of July 1, 2012;"

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

Senator Faber moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Faber	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Wagoner	Widener		Niehaus-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. S. B. No. 314**, pass?"

Senator Tavares moved to amend as follows:

In line 68, after "122.86," insert "125.112,"

Between lines 3052 and 3053, insert:

"**Sec. 125.112.** (A) As used in this section:

(1) "Agency" means a department created under section 121.02 of the Revised Code.

(2) "Entity" means, whether for profit or nonprofit, a corporation, association, partnership, limited liability company, sole proprietorship, or other business entity. "Entity" does not include an individual who receives state assistance that is not related to the individual's business.

(3)(a) "State award" means a contract awarded by the state costing over twenty-five thousand dollars.

(b) "State award" does not include compensation received as an employee of the state or any state financial assistance and expenditure received from the general assembly or any legislative agency, any court or judicial agency, the secretary of state, auditor of state, treasurer of state, or attorney general and their respective offices.

(B) The department of administrative services shall establish and maintain a single searchable web site, accessible by the public at no cost, that includes all of the following information for each state award:

(1) The name of the entity receiving the award;

(2) The amount of the award;

(3) Information on the award, the agency or other instrumentality of the state that is providing the award, and the commodity code;

(4) Any other relevant information determined by the department of administrative services.

(C) The department of administrative services may consult with other state agencies in the development, establishment, operation, and support of the web site required by division (B) of this section. State awards shall be posted on the web site within thirty days after being made. The department of administrative services shall provide an opportunity for public comment as to the utility of the web site required by division (B) of this section and any suggested improvements.

(D) The web site required by division (B) of this section shall be fully operational not later than one year after ~~the effective date of this section~~ December 30, 2008, and shall include information on state awards made in fiscal year 2008 and thereafter. It shall also provide an electronic link to the daily journals of the senate and house of representatives.

(E) The director of administrative services shall submit to the general assembly an annual report regarding the implementation of the web site established pursuant to division (B) of this section. The report shall include data regarding the usage of the web site and any public comments on the utility of the

site, including recommendations for improving data quality and collection. The director shall post each report on the web site.

(F) Each agency awarding a grant to an entity in fiscal year 2008 and thereafter shall establish and maintain a separate web site listing the name of the entity receiving each grant, the grant amount, information on each grant, and any other relevant information determined by the department of administrative services. Each agency shall provide the link to such a web site to the department of administrative services within a reasonable time after ~~the effective date of this section~~ December 30, 2008, and shall thereafter update its web site within thirty days of awarding a new grant. Not later than one year after ~~the effective date of this section~~ December 30, 2008, the department of administrative services shall establish and maintain a separate web site, accessible to the public at no cost, which contains the links to the agency web sites required by this division.

(G) The attorney general shall monitor the compliance of an entity with the terms and conditions, including performance metrics, if any, of a state award for economic development received by that entity. As necessary, the agency that makes and administers the state award for economic development shall assist the attorney general with that monitoring. The attorney general shall submit to the general assembly pursuant to section 101.68 of the Revised Code an annual report regarding the level of compliance of such entities with the terms and conditions, including any performance metrics, of their state awards for economic development. When the attorney general determines appropriate and to the extent that an entity that receives or has received a state award for economic development does not comply with a performance metric that is specified in the terms and conditions of the award, the attorney general shall pursue against and from that entity such remedies and recoveries as are available under law. For purposes of this division, "state award for economic development" means state financial assistance and expenditure in any of the following forms: grants, subgrants, loans, awards, cooperative agreements, or other similar and related forms of financial assistance and contracts, subcontracts, purchase orders, task orders, delivery orders, or other similar and related transactions, including contracts entered into under section 187.04 of the Revised Code. "State award for economic development" does not include compensation received as an employee of the state or any state financial assistance and expenditure received from the general assembly or any legislative agency, any court or judicial agency, the secretary of state, auditor of state, treasurer of state, or attorney general and their respective offices.

(H) Nothing in this section shall be construed as requiring the disclosure of information that is not a public record under section 149.43 of the Revised Code."

In line 6380, after "122.86," insert "125.112,"

In line 7 of the title, after "122.86," insert "125.112,"

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

Senator Faber moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Faber	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Wagoner	Widener		Niehaus-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. S. B. No. 314**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 2, 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	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Smith	Turner
Wagoner	Widener		Niehaus-31.

Senators Skindell and Tavares voted in the negative-2.

So the bill passed.

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

Senator Cafaro moved to amend the title as follows:

Add the names: "Bacon, Balderson, Burke, Coley, Eklund, Faber, Hite, Jones, LaRose, Niehaus, Patton, Peterson, Schaffer, Seitz."

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. 338-Senator Bacon.

To enact sections 4720.01 to 4720.12 of the Revised Code to require registration and establish laws governing the practices of air conveyance system cleaning servicers.

S. B. No. 339-Senator Schaffer.

Cosponsors: Senators Jones, LaRose, Lehner, Jordan, Patton.

To amend sections 305.03, 319.04, 319.26, 321.37, 321.38, 321.46, 2921.44, 3314.011, and 3314.023; to enact sections 9.831, 117.411, 507.12, 507.15, 733.78, 733.81, 3313.30, 3314.50, 3326.211, 3328.16, and 3328.37; and to repeal section 319.25 of the Revised Code; to amend Section 267.50.70 of Am. Sub. H.B. 153 of the 129th General Assembly; and to amend Section 267.50.70 of Am. Sub. H.B. 153 of the 129th General Assembly for the purpose of changing its number to section 3314.51 of the Revised Code to establish education programs and continuing education requirements for the fiscal officers of townships and municipal corporations, to establish procedures for removing those fiscal officers, county treasurers, and county auditors from office, and to create fiscal accountability requirements for public schools, counties, municipal corporations, and townships.

OFFERING OF RESOLUTIONS

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

S. R. No. 245-Senator Hite.

Honoring Cade Mansfield on winning a 2012 Division III State Wrestling Championship.

S. R. No. 246-Senator Hite.

Honoring Luke Kern as a 2012 Division III State Wrestling Champion

S. R. No. 247-Senator Hite.

Honoring Mimmo Lytle as a 2012 Division III State Wrestling Champion.

S. R. No. 248-Senator Widener.

Honoring Dr. Mark H. Erickson on his retirement from Wittenberg University.

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 Speaker of the House of Representatives has signed the following bill:

Am. S. B. No. 260 -Senator Obhof - et al.

Attest:

Jennifer E. Woodring,
Clerk.

The President signed said bill.

CLERK'S NOTATION

Pursuant to Article IV, Section 5(B) of the Ohio Constitution, the Ohio Senate received revisions to the proposed amendments of the Ohio Rules of Appellate Procedure, Ohio Rules of Civil Procedure, Ohio Rules of Criminal Procedure, Ohio Rules of Juvenile Procedure, and Ohio Rules of Evidence from the Ohio Supreme Court on April 30, 2012.

On the motion of Senator Faber, the Senate adjourned until Thursday, May 3, 2012 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.