

OHIO

SENATE

JOURNAL

THURSDAY, MAY 3, 2012

ONE HUNDRED SEVENTY-FIFTH DAY
Senate Chamber, Columbus, Ohio
Thursday, May 3, 2012, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Tim Muller, Ascension Lutheran Church, Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

Senator 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:

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.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 339-Senator Schaffer, et al.

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.

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

YES - 9: THOMAS E. NIEHAUS, KEITH L. FABER, TOM

PATTON, MARK D. WAGONER, CHRIS WIDENER,
SCOTT OELSLAGER, EDNA BROWN, NINA
TURNER, 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.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Bacon submitted the following report:

The standing committee on Insurance, Commerce and Labor, to which was referred **Sub. H. B. No. 383**-Representative Slaby, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Bacon, Schaffer, Jones.

YES - 11: JOSEPH SCHIAVONI, NINA TURNER, CAPRI S.
CAFARO, EDNA BROWN, KEITH L. FABER, KEVIN
BACON, BILL BEAGLE, KRIS JORDAN, CLIFF HITE,
TIMOTHY O. SCHAFFER, SHANNON JONES.

NO - 0.

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

The report of the committee was accepted.

Senator Jordan submitted the following report:

The standing committee on State and Local Government and Veterans Affairs, to which was referred **S. C. R. No. 14**-Senator Jones, et al., having had the same under consideration, reports back a substitute resolution and recommends its adoption.

Co-Sponsors: LaRose, Eklund, Turner, Brown, Tavares.

YES - 9: SHANNON JONES, BILL SEITZ, FRANK LAROSE,
JOHN EKLUND, BOB PETERSON, NINA TURNER,
EDNA BROWN, PEGGY B. LEHNER, CHARLETA B.
TAVARES.

NO - 0.

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

The report of the committee was accepted.

Senator Jordan submitted the following report:

The standing committee on State and Local Government and Veterans Affairs, to which was referred **S. B. No. 280**-Senator Seitz, having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 185, after the underlined period insert "The name of the nominee submitted by the township association of the county shall be sent to the board of county commissioners and the executive director of the municipal housing authority."

In line 188, after the underlined period insert "The name of the nominee submitted by the municipal league of the county shall be sent to the board of county commissioners and the executive director of the municipal housing authority."

YES - 5: KRIS JORDAN, BILL SEITZ, FRANK LAROSE, JOHN EKLUND, BOB PETERSON.

NO - 3: NINA TURNER, EDNA BROWN, CHARLETA B. TAVARES.

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

The report of the committee was accepted.

Senator Oelslager submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. B. No. 301**-Senators Burke, Cafaro, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Tavares, Brown.

YES - 8: SHANNON JONES, DAVE BURKE, SCOTT OELSLAGER, CAPRI S. CAFARO, CHARLETA B. TAVARES, EDNA BROWN, PEGGY B. LEHNER, KRIS JORDAN.

NO - 0.

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

The report of the committee was accepted.

Senator Patton submitted the following report:

The standing committee on Highways and Transportation, to which was referred **Am. H. B. No. 99**-Representatives Damschroder, Garland, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: TOM PATTON, FRANK LAROSE, TROY
BALDERSON, JOHN EKLUND, DAVE BURKE, LOU
GENTILE.

NO - 3: CAPRI S. CAFARO, BILL SEITZ, NINA TURNER.

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

The report of the committee was accepted.

Senator Schaffer submitted the following report:

The standing committee on Ways and Means and Economic Development, to which was referred **S. B. No. 331**-Senator Patton, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Schaffer, Beagle.

YES - 7: TIMOTHY O. SCHAFFER, BILL BEAGLE, KEVIN
BACON, TOM PATTON, CHARLETA B. TAVARES,
LOU GENTILE, GAYLE MANNING.

NO - 1: MICHAEL J. SKINDELL.

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

The report of the committee was accepted.

Senator Wagoner submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 160**-Senators Bacon, Hughes, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Wagoner, Faber.

YES - 10: MARK D. WAGONER, KEITH L. FABER, BILL SEITZ,
FRANK LAROSE, JOHN EKLUND, LARRY OBHOF,

MICHAEL J. SKINDELL, NINA TURNER, SCOTT
OELSLAGER, SHIRLEY A. SMITH.

NO - 0.

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

The report of the committee was accepted.

Senator Wagoner submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 305**-Senator Hughes, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Turner.

YES - 9: MARK D. WAGONER, BILL SEITZ, FRANK LAROSE,
JOHN EKLUND, LARRY OBHOF, NINA TURNER,
SCOTT OELSLAGER, MICHAEL J. SKINDELL,
SHIRLEY A. SMITH.

NO - 1: KEITH L. FABER.

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:

Stephen D. Anthony, from Cleveland, Cuyahoga County, Ohio, as a member of the Ohio Peace Officer Training Commission for a term beginning September 21, 2011 and ending at the close of business September 20, 2014, replacing Keith Bennett, whose term expired.

Robert T. Lameier, from Cincinnati, Hamilton County, Ohio, as a Member of the Savings and Loan Association and Savings Bank Board for a new term beginning February 1, 2012 and ending at the close of business January 31, 2015.

Lynn Slaby, Republican, from Copley, Summit County, Ohio, as a Member of the Public Utilities Commission of Ohio for a term beginning April 11, 2012 and ending at the close of business April 10, 2018, replacing Paul A. Centolella, whose term expired.

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

YES - 9: THOMAS E. NIEHAUS, TOM PATTON, KEITH L. FABER, MARK D. WAGONER, CHRIS WIDENER, SCOTT OELSLAGER, EDNA BROWN, NINA TURNER, 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

S. C. R. No. 14-Senator Jones.

Cosponsors: Senators Gillmor, Seitz, Skindell, Wagoner, LaRose, Eklund, Turner, Brown, Tavares.

To recognize the 2012 World Choir Games in Cincinnati, Ohio, as a global event of cultural significance to Ohio and the United States and expressing support by designating the month of July 2012 as "World Choir Games Month."

WHEREAS, The members of the 129th General Assembly of Ohio are pleased to designate the month of July 2012 as "World Choir Games Month"; and

WHEREAS, The World Choir Games, the largest choral competition in the world, takes place every two years and is known as the "Olympics of choral music" with a goal to unite people from all nations through singing in peaceful competition; and

WHEREAS, From July 4 through July 14, 2012, Cincinnati, Ohio will be the first city in America to host the World Choir Games; and

WHEREAS, The World Choir Games in the past have been held twice in China, twice in Austria, and once in Germany and South Korea, and is the signature event of Interkultur, a Germany-based organization that produces international choral music events; and

WHEREAS, The 7th World Choir Games is expected to include more than 400 choirs from more than 70 countries, 20,000 official participants, including performers, event officials, delegations, and international jury members, and up to 200,000 spectators; and

WHEREAS, The State of Ohio was actively involved in the effort to secure the 2012 World Choir Games in Cincinnati, Ohio; and

WHEREAS, The choirs will compete in 23 different musical genres evaluated by an impartial international jury of choral music experts and the genres of barbershop and show choir will be added as competition categories for the first time in recognition of their popularity in America; and

WHEREAS, The uniting of peoples of the world through singing in peaceful competition in America in 2012 affirms America's commitment to global cultural awareness, understanding, and appreciation; now therefore be it

RESOLVED, That we, the members of the 129th General Assembly of Ohio, in adopting this resolution, designate 2012 as "World Choir Games Month" in recognition of the global significance of the 7th World Choir Games to be hosted in Cincinnati, Ohio, from July 4 through July 14, 2012; and be it further

RESOLVED, That we, the members of the 129th General Assembly of the State of Ohio, in adopting this resolution, express our appreciation to Interkultur, the Cincinnati Organizing Committee of the 7th World Choir Games, the Cincinnati USA Convention & Visitors Bureau, the city of Cincinnati and the State of Ohio for their collective efforts to secure and host this event; and be it further

RESOLVED, That we, the members of the 129th General Assembly of the State of Ohio, in adopting this resolution, express our appreciation to all peoples of the world who will either participate in competition or as visitors, and to all of the volunteers who will welcome the participants and visitors to Ohio; and be it further

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

The question being, "Shall the concurrent resolution, **S. C. R. No. 14**, 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 Jones moved to amend the title as follows:

Add the names: "Bacon, Balderson, Burke, Coley, Hite, Hughes, Jordan, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Widener."

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

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 99-Representatives Damschroder, Garland.

Cosponsors: Representatives Antonio, Boyd, Celeste, Clyde, DeGeeter, Derickson, Dovilla, Fende, Goyal, Grossman, Hackett, Heard, Hottinger, Mallory, Murray, Okey, Pillich, Ruhl, Stebelton, Stinziano, Szollosi, Winburn, Yuko, Anielski, Barnes, Boose, Bulp, Budish, Fedor, Gerberry, Hagan, C., Hagan, R., Hayes, Johnson, Letson, Luckie, Lundy, McClain, McGregor, Newbold, O'Brien, Slaby, Weddington, Speaker Batchelder.

To amend sections 4508.02 and 4511.093 and to enact sections 4511.204 and 4511.205 of the Revised Code to prohibit driving a vehicle while writing, sending, or reading a text-based communication on a handheld electronic wireless communications device and to establish the violation as a secondary traffic offense; to prohibit a person who is less than 18 years of age from using, in any manner, an electronic wireless communications device while driving; and to require driver education courses to include instruction in the dangers of texting while driving, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 99**, pass?"

Senator Turner moved to amend as follows:

In line 62, delete " to write, send, "

Delete line 63 and insert " except for the purpose of making or receiving a telephone call. "

Delete lines 77 through 79

In line 80, delete " (5)" and insert " (4)"

In line 84, delete " (6)" and insert " (5)"

In line 85, delete " (7)" and insert " (6)"

In line 86, delete " (8)" and insert " (7)"

In line 91, delete " (9)" and insert " (8)"

In line 93, delete " (10)" and insert " (9)"

Delete lines 129 through 133

In line 3 of the title, delete "writing,"

Delete line 4 of the title, and insert "using"

In line 6 of the title, after "device" insert "other than to make or receive telephone calls"

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 22, nays 11, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Faber	Hite
Hughes	Jones	Jordan	LaRose
Manning	Obhof	Oelslager	Patton
Peterson	Schaffer	Seitz	Wagoner
Widener			Niehaus-22.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Lehner	Sawyer	Schiavoni	Skindell
Smith	Tavares		Turner-11.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 99**, pass?"

Senator Turner moved to amend as follows:

In line 56, after " 4511.204" insert " , division (A) of section 4511.205"

In line 152, after " (C)" insert " Notwithstanding any provision of law to the contrary, no law enforcement officer shall cause an operator of an automobile being operated on any street or highway to stop the automobile for the sole purpose of determining whether a violation of division (A) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons for a violation of that nature or causing the arrest of or commencing a prosecution of a person for a violation of that nature, and no law enforcement officer shall view the interior or visually inspect any automobile being operated on any street or highway for the sole purpose of determining whether a violation of that nature has been or is being committed.

(D)"; delete the second " (C)" and insert " (D)"

In line 162, delete " (D)" and insert " (E)"

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 22, nays 11, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Faber	Hite
Hughes	Jones	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Schaffer	Seitz	Wagoner
Widener			Niehaus-22.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Jordan
Kearney	Sawyer	Schiavoni	Skindell
Smith	Tavares		Turner-11.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 99**, pass?"

Senator Brown moved to amend as follows:

In line 62, delete " to write, send," and insert an underlined period

Delete line 63

Delete lines 77 through 79

In line 80, delete " (5)" and insert " (4)"

In line 84, delete " (6)" and insert " (5)"

In line 85, delete " (7)" and insert " (6)"

In line 86, delete " (8)" and insert " (7)"

In line 91, delete " (9)" and insert " (8)"

In line 93, delete " (10)" and insert " (9)"

Delete lines 129 through 133

In line 3 of the title, delete "writing,"

Delete line 4 of the title, and insert "using"

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. H. B. No. 99**, pass?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Eklund	Faber	Gentile	Hite
Hughes	Jones	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Schiavoni
Smith	Tavares	Wagoner	Widener
			Niehaus-25.

Senators Brown, Cafaro, Coley, Jordan, Peterson, Seitz, Skindell, and Turner voted in the negative-8.

So the bill passed.

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

Senator Patton moved to amend the title as follows:

Add the names: "Bacon, Beagle, Hite, Hughes, Lehner, Manning, Oelslager, Patton, Smith, Tavares."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 160-Senators Bacon, Hughes.
Cosponsors: Senators Patton, Wagoner, Faber.

To amend sections 2152.86, 2903.03, 2929.20, 2930.03, 2930.06, 2930.16, 2950.01, 2967.03, 2967.12, 2967.121, 2967.19, 2967.26, 2967.28, 2971.04, 2971.05, 5120.66, 5149.07, and 5149.101 of the Revised Code to require automatic notice to victims of aggravated murder, murder, first, second, or third degree felony offenses of violence, or offenses punishable by a sentence of life imprisonment of certain prisoner or alleged juvenile offender release or transfer proceedings unless the victim has requested that the notice not be provided; to expand victim participation in parole hearings; to require the Department of Rehabilitation and Correction to provide certain information related to paroles to designated public officials; to require the Department to notify the appropriate prosecuting attorney when a felon serving a specified sentence is released pursuant to a pardon, commutation of sentence, parole, or completed prison term; to require that the Department, in cases in which a prosecuting attorney currently is notified that a Department prisoner is being considered for an early release or a specified type of transfer to a less restrictive setting, provide the prosecuting attorney and any law enforcement agency, upon request, with an institutional summary report prepared with respect to the prisoner; to make other changes related to the release of prisoners and victim's rights; to provide that voluntary manslaughter committed with a sexual motivation is a sexually oriented offense, makes an offender or juvenile offender registrant who commits it a tier III sex offender/child-victim offender, and may qualify a juvenile offender registrant who commits it as a public registry-qualified juvenile offender registrant; and to name the victim and family notification provisions Roberta's Law, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 160**, pass?"

Senator Bacon moved to amend as follows:

In line 1485, strike through "violating" and insert " a violation of"

In line 1486, after the comma insert " an offense of violence that is a felony of the first, second, or third degree, or an offense punished by a sentence of life imprisonment."

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 160**, pass?"

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 bill passed.

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

Senator Bacon moved to amend the title as follows:

Add the names: "Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Gentile, Hite, Kearney, Lehner, Manning, Niehaus, Obhof, Oelslager, Peterson, Sawyer, Schaffer, Seitz, Turner, Widener."

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

The motion was agreed to and the title so amended.

S. B. No. 301-Senators Burke, Cafaro.

Cosponsors: Senators Lehner, Seitz, Jones, Tavares, Brown.

To amend sections 3719.41, 4715.033, 4715.034, 4715.30, 4715.301, 4715.302, 4723.487, 4725.092, 4729.16, 4729.162, 4729.291, 4729.51, 4729.552, 4729.57, 4729.79, 4729.80, 4729.86, 4730.53, 4731.054, 4731.055, 4731.22, and 4731.39 of the Revised Code regarding enforcement powers of certain health care professional licensing boards, regulation of pain management clinics, limits on prescriber-furnished controlled substances, and classifications of certain controlled substances, was considered the third time.

The question being, "Shall the bill, **S. B. No. 301**, pass?"

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	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Smith
Tavares	Turner	Widener	Niehaus-32.

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, Beagle, Gentile, Hite, Hughes, Kearney, LaRose, Manning, Obhof, Oelslager, Peterson, Schaffer, Schiavoni, Skindell, Smith, Turner."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 305-Senator Hughes.

Cosponsors: Senators Patton, Turner.

To enact section 2923.241 of the Revised Code to prohibit designing, building, constructing, fabricating, modifying, or altering a vehicle to create or add a hidden compartment with the intent to facilitate the unlawful concealment or transportation of a controlled substance, prohibit operating, possessing, or using a vehicle with a hidden compartment with knowledge that the hidden compartment is used or intended to be used to facilitate the unlawful concealment or transportation of a controlled substance, and prohibit a person who has committed a first or second degree felony violation of aggravated trafficking in drugs from operating, possessing, or using a vehicle with a hidden compartment, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 305**, pass?"

The yeas and nays were taken and resulted - yeas 30, nays 2, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gentile	Hite	Hughes	Jones

Kearney	LaRose	Lehner	Manning
Obhof	Oelslager	Patton	Peterson
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Smith	Tavares	Turner
Widener			Niehaus-30.

Senators Faber and Jordan voted in the negative-2.

So the bill passed.

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

Senator Hughes moved to amend the title as follows:

Add the names: "Bacon, Eklund, Jones."

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

The motion was agreed to and the title so amended.

S. B. No. 331-Senator Patton.

Cosponsors: Senators LaRose, Schaffer, Beagle.

To amend section 122.85 of the Revised Code to increase the maximum total amount of tax credits allowed per year for completion of motion pictures certified as tax credit-eligible productions, was considered the third time.

The question being, "Shall the bill, **S. B. No. 331**, pass?"

The yeas and nays were taken and resulted - yeas 29, nays 3, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Cafaro	Coley	Eklund	Faber
Gentile	Hite	Hughes	Jones
Jordan	Kearney	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Tavares	Turner	Widener
			Niehaus-29.

Senators Burke, Skindell, and Smith voted in the negative-3.

So the bill passed.

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

Senator Patton moved to amend the title as follows:

Add the names: "Bacon, Balderson, Eklund, Hite, Hughes, Jones, Kearney, Manning, Obhof, Oelslager, Schiavoni, Turner, Widener."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Jones moved that Senators absent the week of Sunday, April 29, 2012, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

OFFERING OF RESOLUTIONS

Senators Widener and Kearney offered the following concurrent resolution:

S. C. R. No. 30-Senators Widener, Kearney.

Cosponsors: Senators Tavares, Seitz.

To designate Central State University as Ohio's 1890 land grant university and to request that the United States Congress pass legislation and the United States Department of Agriculture take steps to recognize that designation and provide the institution with all of the benefits of the designation.

The question being, "Shall the concurrent resolution, **S. C. R. No. 30**, be adopted?"

On the motion of Senator Faber, **S. C. R. No. 30**, was referred to the Committee on Rules and Reference.

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 249-Senator Hite.

Honoring Jordan Cowell as a 2012 Division III State Wrestling Champion.

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

So the resolution was adopted.

On the motion of Senator Faber, the Senate adjourned until Tuesday, May 8, 2012 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.