

OHIO

SENATE

JOURNAL

THURSDAY, MAY 17, 2012

ONE HUNDRED EIGHTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Thursday, May 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 LaRose was selected to preside according to the rule.

The journal of yesterday was read and approved.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Schaffer submitted the following report:

The standing committee on Ways and Means and Economic Development, to which was referred **Sub. H. B. No. 508**-Representative Beck, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 7 CHARLETA B. TAVARES, TIMOTHY O. SCHAFFER,
BILL BEAGLE, KEVIN BACON, GAYLE MANNING,
TOM PATTON, CHRIS WIDENER.

NO - 1 MICHAEL J. SKINDELL.

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

The report of the committee was accepted.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 333-Senator Obhof.

Cosponsors: Senators Beagle, Coley, LaRose, Seitz, Bacon, Peterson, Brown.

To amend sections 1321.52 and 1322.02 and to enact sections 1321.537, 1321.538, 1322.042, and 1322.043 of the Revised Code to authorize the Superintendent of Financial Institutions to issue a temporary mortgage loan originator license or temporary loan originator license to an out-of-state applicant who meets certain criteria, was considered the third time.

Senator Eklund moved that **Sub. S. B. No. 333**, be informally passed and retain its place on the calendar.

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 346-Senator Bacon.

Cosponsors: Senators Jones, Beagle.

To amend section 3905.14 of the Revised Code to regulate certificates of insurance prepared or issued as evidence of property or casualty insurance coverage.

OFFERING OF RESOLUTIONS

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

S. R. No. 258-Senator Beagle.

Honoring Ryan Starcher on being named to the Music for All Bands of America Honor Band.

S. R. No. 259-Senator Hite.

Honoring the City of Findlay on its Bicentennial.

S. R. No. 260-Senator Peterson.

Honoring William J. Bauer II as the 2012 ODRC Correction Officer of the Year.

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

So the resolutions were adopted.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has refused to concur in the passage of the following bill:

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

Attest:

Thomas L. Sherman,
Deputy Clerk.

Senator Eklund moved that the Senate insist on the Senate amendments to **Am. Sub. H. B. No. 487**, and ask for a Committee of Conference.

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

The motion was agreed to.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives accedes to the request of the Senate for a Committee of Conference on matters of difference between the two Houses on:

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

The Speaker of the House has appointed as managers on the part of the House on such matters of difference:

Representatives Amstutz, McClain, and Sykes

Attest:

Thomas L. Sherman,
Deputy Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rule 30, the President of the Senate appoints the following members to serve on the conference committee for Substitute House Bill 487:

Senator Widener
Senator Jones
Senator Sawyer

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Sub. S. B. No. 202 -Senator Seitz

Cosponsors: Senators Patton, Grendell, Eklund, LaRose, Bacon, Balderson, Beagle, Burke, Coley, Faber, Hite, Hughes, Jones, Jordan, Lehner, Manning, Niehaus, Schaffer, Widener Representatives Garland, Slaby, Hayes, Blessing, Bulp, Conditt, Young, Adams, R., Beck, Buchy, Combs, Damschroder, Derickson, Grossman, Hackett, Hall, Johnson, Newbold, Scherer, Thompson, Uecker, Wachtmann, Speaker Batchelder

To enact section 2305.402 of the Revised Code to specify the responsibility of a possessor of real property to a trespasser and the circumstances in which

the possessor may be liable in a tort action for the death or injury of a trespasser, and to specify that it is the intent of the General Assembly to declare that the American Law Institute's finalized "Restatement Third of Torts: Liability for Physical and Emotional Harm" does not constitute the public policy of the state of Ohio and to codify the current law of Ohio regarding the duties owed to trespassers by those who own, occupy, or control premises.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Thomas L. Sherman,
Deputy Clerk.

Said amendments were laid over under the rule.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Am. Sub. H. B. No. 325 -Representative Landis

Cosponsors: Representatives Adams, R., Anielski, Antonio, Ashford, Baker, Beck, Blair, Boose, Boyce, Boyd, Bulp, Buchy, Budish, Butler, Carney, Celebrezze, Celeste, Cera, Clyde, Combs, Conditt, Damschroder, Derickson, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hill, Hottinger, Huffman, Johnson, Kozlowski, Letson, Lundy, Lynch, Maag, Mallory, Martin, McClain, McGregor, Milkovich, Murray, Newbold, O'Brien, Okey, Pelanda, Phillips, Pillich, Ramos, Roegner, Rosenberger, Ruhl, Scherer, Schuring, Sears, Slaby, M., Smith, Sprague, Stautberg, Stebelton, Stinziano, Sykes, Szollosi, Terhar, Thompson, Uecker, Wachtmann, Williams, Winburn, Young, Yuko, Speaker Batchelder

To amend sections 5533.051 and 5533.774 and to enact sections 5533.052, 5533.104, 5533.221, 5533.254, 5533.301, 5533.321, 5533.322, 5533.356, 5533.377, 5533.378, 5533.379, 5533.461, 5533.624, 5533.625, 5533.626, 5533.627, 5533.628, 5533.629, 5533.645, 5533.646, 5533.688, 5533.752, 5533.768, 5533.769, 5533.831, 5533.832, 5533.901, 5533.902, and 5533.961 of the Revised Code to designate a number of memorial highways.

Sub. H. B. No. 510 -Representative Amstutz

Cosponsors: Representatives Adams, R., Beck, Blair, Blessing, Boose, Bulp,

Hackett, Henne, Hottinger, Huffman, McClain, Ruhl, Sprague, Stebelton, Uecker, Wachtmann, Speaker Batchelder

To amend sections 122.17, 122.171, 122.85, 145.114, 145.116, 149.311, 150.01, 150.07, 150.10, 715.013, 742.114, 742.116, 3307.152, 3307.154, 3309.157, 3309.159, 5505.068, 5505.0610, 5703.052, 5703.053, 5703.70, 5707.03, 5709.76, 5711.22, 5725.02, 5725.14, 5725.16, 5725.26, 5725.33, 5733.01, 5733.02, 5733.021, 5733.06, 5747.01, 5747.98, 5751.01, 5751.011, 5751.012, and 5751.98 and to enact sections 5701.12, 5726.01 to 5726.08, 5726.10, 5726.20, 5726.21, 5726.30 to 5726.33, 5726.36, 5726.40 to 5726.43, 5726.50 to 5726.57, 5726.98, 5726.99, 5747.65, and 5751.54 of the Revised Code to impose a new tax on financial institutions, effective January 1, 2014, to provide that such institutions and dealers in intangibles are no longer subject to the corporation franchise tax or dealers in intangibles tax after 2013, and to require dealers in intangibles to pay the commercial activity tax after 2013.

Am. H. B. No. 408 -Representative Terhar
Cosponsors: Representatives Grossman, Blessing, Slaby, Thompson, Stautberg, Stebelton, Speaker Batchelder

To amend section 3735.27 of the Revised Code to change the composition of certain metropolitan housing authorities.

Attest:

Thomas L. Sherman,
Deputy Clerk.

Said bills were considered the first time.

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:

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

Attest:

Thomas L. Sherman,
Deputy Clerk.

The President signed said bill.

On the motion of Senator Eklund, the Senate adjourned until Tuesday, May 22, 2012 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.