

OHIO

SENATE

JOURNAL

THURSDAY, JUNE 9, 2011

SIXTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Thursday, June 9, 2011, 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 the last legislative day was read and approved.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 185-Senator Turner.

Cosponsor: Senator Cafaro.

To amend section 2901.13 of the Revised Code to provide that there is no period of limitation for the prosecution of an offense of rape or sexual battery.

S. B. No. 186-Senator Skindell.

Cosponsors: Senators Turner, Kearney, Smith, Tavares.

To amend sections 1501.30, 1501.32, 1501.33, 1521.01, 1521.04, 1521.16, 1522.03, and 1522.05 and to enact sections 1522.10 to 1522.23 and 1522.99 of the Revised Code to establish a program for the regulation of withdrawals and consumptive uses of waters from the Lake Erie basin.

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:

Sub. H. B. No. 138 -Representative Gerberry

Cosponsors: Representatives Hagan, R., Fedor, Yuko, Letson, Phillips, Antonio, Beck, Blair, Brenner, Carney, Celeste, Clyde, Combs, Fende, Foley, Garland, Goyal, Luckie, Lundy, Mallory, Milkovich, Murray, O'Brien, Ramos, Slesnick, Szollosi, Williams, Winburn, Speaker Batchelder

To amend sections 109.73, 317.08, 959.131, 1717.01, 1717.04, 1717.06, and 1717.09 of the Revised Code to require an individual to file proof of successful completion of training with the county recorder prior to being appointed as a humane society agent and to require the revocation or suspension of an appointment under certain circumstances.

Am. H. B. No. 158 -Representatives Stebelton, Okey

Cosponsors: Representatives Gardner, Grossman, Hackett, Huffman, Letson, Murray, Schuring, Yuko, Adams, J., Beck, Blair, Carney, Combs, Damschroder, Fedor, Gerberry, Hottinger, Johnson, Kozlowski, Luckie, McClain, Milkovich, Young, Speaker Batchelder

To enact sections 303.214, 519.214, 713.082, and 5502.031 of the Revised Code to codify federal restrictions on local zoning of amateur station antenna structures thereby preserving amateur radio service communications as a Homeland Security resource and to place the burden of proof for compliance on the zoning authority.

Attest:

Laura P. Clemens,
Clerk.

Said bills were considered the first time.

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. H. B. No. 188 -Speaker Batchelder

Cosponsors: Representatives Derickson, Beck, Thompson, Wachtmann, Maag, Stebelton, Amstutz, Adams, R., Combs, Blair, Gardner, Johnson, Boose, Carey, Butler, Grossman, Burke, Stautberg, Duffey, Huffman, Adams, J., Newbold, Hayes, Dovilla, Slaby, Martin, Brenner, Mecklenborg, Gerberry, Fedor, Letson, Patmon, Sprague, Stinziano, Anielski, Antonio, Baker, Balderson, Barnes, Blessing, Bulp, Buchy, Budish, Carney, Celeste, Damschroder, DeGeeter, Fende, Garland, Goodwin, Goyal, Hackett, Hagan, C., Hall, Heard, Henne, Hollington, Hottinger, Kozlowski, Luckie, McClain, McGregor, McKenney, Milkovich, Murray, Peterson, Phillips, Pillich, Ramos, Roegner, Rosenberger, Ruhl, Sears, Slesnick, Sykes, Szollosi, Weddington, Winburn, Yuko

To enact sections 103.61, 103.62, 103.63, 103.64, 103.65, 103.66, and 103.67 of the Revised Code to establish the Ohio Constitutional Modernization Commission.

Am. Sub. H. B. No. 163 -Representative Balderson

Cosponsors: Representatives Carey, Derickson, Boose, Adams, J., Blessing,

Combs, Hackett, Stebelton, Buchy, Amstutz, Anielski, Barnes, Beck, Blair, Bulp, Burke, Dovilla, Gardner, Garland, Gerberry, Grossman, Hagan, C., Hayes, Hottinger, Letson, Lundy, Maag, Mallory, Martin, McClain, Mecklenborg, Newbold, Peterson, Roegner, Ruhl, Slaby, Stautberg, Szollosi, Thompson, Uecker, Wachtmann

To amend sections 1513.07, 1513.073, 1513.075, 1513.081, 1513.16, 1513.18, and 1513.371 of the Revised Code to revise the coal mining laws regarding permit application, set-back, and alternative water treatment or supply requirements.

Attest:

Laura P. Clemens,
Clerk.

Said bills were considered the first time.

Message from the House of Representatives

Mr. President:

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

H. C. R. No. 12 -Representative Thompson

Cosponsors: Representatives Adams, J., Gardner, Blessing, Huffman, Adams, R., Slaby, Newbold, Schuring, Martin, Mecklenborg, Maag, Hayes, Blair, Amstutz, Baker, Beck, Boose, Brenner, Bulp, Buchy, Burke, Combs, Derickson, Dovilla, Grossman, Hackett, Hagan, C., Hall, Henne, Hottinger, Johnson, Peterson, Roegner, Ruhl, Sears, Thompson, Uecker, Wachtmann

To urge the Administration of President Barack Obama to reconsider proposals to increase taxes on producers of coal, natural gas, and petroleum and instead commit to adopting policies that encourage domestic production of these important resources.

Attest:

Laura P. Clemens,
Clerk.

The question being, "Shall the concurrent resolution, **H. C. R. No. 12**, be adopted?"

On the motion of Senator Obhof, **H. C. R. No. 12**, was referred to the

Committee on Rules and Reference.

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 bills:

Am. S. B. No. 71 -Senator Manning - et al.

S. B. No. 132 -Senator Patton - et al.

Attest:

Laura P. Clemens,
Clerk.

The President signed said bills.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the Senate amendments to:

Sub. H. B. No. 5 -Representative Huffman - et al.

Attest:

Laura P. Clemens,
Clerk.

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:

Am. S. B. No. 22 -Senator Schaffer

Cosponsors: Senators Sawyer, Seitz, Patton, Beagle, Gillmor, Stewart, Hite, Wilson, Brown, Schiavoni, Daniels, Faber, Jones, LaRose, Jordan, Manning, Wagoner, Obhof, Turner, Tavares, Oelslager, Widener, Smith, Lehner
Representatives Anielski, Balderson, Barnes, Beck, Boose, Brenner, Buchy, Carey, Carney, Clyde, Combs, Damschroder, Dovilla, Driehaus, Fedor, Gardner, Garland, Gentile, Gerberry, Goodwin, Grossman, Hackett, Hagan, C., Hall, Hayes, Hottinger, Johnson, Kozlowski, Letson, Luckie, Lundy, Mallory, McClain, McGregor, McKenney, Milkovich, Newbold,

O'Brien, Patmon, Peterson, Phillips, Schuring, Sears, Slaby, Sprague, Stebelton, Thompson, Wachtmann, Weddington, Williams, Winburn, Young, Yuko, Speaker Batchelder

To enact section 6111.60 of the Revised Code to require the Director of Environmental Protection to consider, to the extent allowable under the Federal Water Pollution Control Act, specified factors before issuing NPDES permits for publicly owned sewerage systems, requiring and approving long-term control plans for wet weather discharges from publicly owned sewerage systems, and enforcing provisions of that Act as applied to publicly owned sewerage systems.

With the following additional amendments, in which the concurrence of the Senate is requested.

In line 13, after " a" insert " publically owned"

In line 15, after " a" insert " publically owned"

In line 16, after " to" insert " publically owned"

In line 18, after " act" insert " and regulations adopted under that act"

In line 45, after " plan" insert " when justified by a clear environmental benefit"

In line 49, after " small" insert " publically owned"

In line 5 of the title, after "for" insert "publically owned"

In line 7 of the title, after "from" insert "publically owned"

In line 9 of the title, after "to" insert "publically owned"

Attest:

Laura P. Clemens,
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 refused to concur in the Senate amendments to:

Sub. H. B. No. 153 -Representative Amstutz - et al.

Attest:

Laura P. Clemens,
Clerk.

Senator Obhof moved that the Senate insist on the Senate amendments to **Sub. H. B. No. 153**, and ask for a Committee of Conference.

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

The motion was agreed to.

On the motion of Senator Obhof, the Senate adjourned until Tuesday, June 14, 2011 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.