

OHIO

SENATE

JOURNAL

CORRECTED VERSION
WEDNESDAY, JUNE 13, 2012

ONE HUNDRED NINETIETH DAY
Senate Chamber, Columbus, Ohio
Wednesday, June 13, 2012, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Thomas Wise, Valleyview Church, Dayton, 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:

Sub. H. B. No. 525-Representatives Williams, Amstutz, et al.

To amend sections 124.36, 2903.13, 2921.02, 3302.03, 3302.04, 3302.061, 3307.01, 3311.71, 3311.72, 3311.74, 3311.76, 3313.975, 3314.10, 3316.07, 3319.02, 3319.071, 3319.10, 3319.112, 3319.12, 3319.13, 3319.14, 3319.141, 3319.143, 3319.151, 3319.18, 3319.283, 4141.29, 5705.192, 5705.21, 5705.212, 5705.215, 5705.216, 5705.218, 5705.251, 5705.261, and 5748.01 and to enact sections 3311.741, 3311.742, 3311.751, and 3311.77 to 3311.87 of the Revised Code to revise the management of municipal school districts and community schools located within municipal school districts; to permit the establishment of a Municipal School District Transformation Alliance; to expand the offense of bribery to cover directors, officers, and employees of the Alliance; and to authorize municipal school districts to levy property taxes the revenue from which may be shared with partnering community schools.

To the Committee on Education.

S. B. No. 356-Senator Burke, et al.

To enact section 117.201 of the Revised Code to require the Auditor of State to adopt rules to solicit comparative data from local governments and school districts and to make that information available to the public.

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

YES - 10: THOMAS E. NIEHAUS, KEITH L. FABER, TOM

PATTON, SHANNON JONES, CHRIS WIDENER,
SCOTT OELSLAGER, EDNA BROWN, NINA
TURNER, JOSEPH SCHIAVONI, 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 **S. B. No. 338**-Senator Bacon, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Beagle, Hughes, Brown, Turner.

YES - 12: BILL BEAGLE, JIM HUGHES, TIMOTHY O.
SCHAFFER, CLIFF HITE, KEITH L. FABER, EDNA
BROWN, JOSEPH SCHIAVONI, CAPRI S. CAFARO,
NINA TURNER, SHANNON JONES, KEVIN BACON,
KRIS JORDAN.

NO - 0.

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

The report of the committee was accepted.

Senator Niehaus submitted the following report:

Pursuant to Senate Rule No. 37, the standing committee on Rules and Reference recommends that **H. B. No. 415** - Representatives Sprague, Hill, et al., having been re-referred to the standing committee on Financial Institutions, be re-referred to the standing committee on Rules and Reference.

YES - 10: THOMAS E. NIEHAUS, KEITH L. FABER, EDNA
BROWN, SHANNON JONES, ERIC H. KEARNEY,
SCOTT OELSLAGER, TOM PATTON, JOSEPH
SCHIAVONI, NINA TURNER, CHRIS WIDENER.

NO - 0.

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 and Reference, to which was referred **Am. H. B. No. 415**-Representatives Sprague, Hill, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 11: THOMAS E. NIEHAUS, KEITH L. FABER, TOM PATTON, SHANNON JONES, CHRIS WIDENER, SCOTT OELSLAGER, EDNA BROWN, NINA TURNER, JOSEPH SCHIAVONI, ERIC H. KEARNEY, MARK D. WAGONER.

NO - 0.

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 **H. C. R. No. 33**-Representatives Derickson, Newbold, et al., having had the same under consideration, reports it back and recommends its adoption.

Co-Sponsors: Beagle, Schaffer.

YES - 6: TIMOTHY O. SCHAFFER, BILL BEAGLE, KEVIN BACON, GAYLE MANNING, TOM PATTON, CHRIS WIDENER.

NO - 3: CHARLETA B. TAVARES, LOU GENTILE, MICHAEL J. SKINDELL.

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

The report of the committee was accepted.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Sub. S. B. No. 19-Senator Hughes.

Cosponsors: Senators Grendell, Kearney, Manning, Patton, Seitz, Wagoner, Bacon, Brown, Burke, Daniels, Eklund, Hite, Jones, Jordan, Lehner, Obhof. Representatives Brenner, Huffman, Mallory, O'Brien, Reece, Ruhl.

To amend sections 4510.31 and 4510.311 of the Revised Code to permit a judge to elect to order the Registrar of Motor Vehicles not to suspend the probationary driver's license, restricted license, or temporary instruction permit of certain juvenile repeat traffic violators, to require the Director of Public Safety to establish standards for advanced juvenile driver improvement programs, and to transfer authority to establish standards for juvenile driver improvement programs from the Registrar of Motor Vehicles to the Director of Public Safety, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

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	Tavares	Turner	Wagoner
Widener			Niehaus-30.

Senators Faber and Jordan voted in the negative-2.

So the Senate concurred in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 193-Senator Seitz.

Cosponsors: Senators Patton, Hughes, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Eklund, Hite, Jones, Kearney, LaRose, Lehner, Manning, Niehaus, Oelslager, Sawyer, Schiavoni, Tavares, Turner, Wagoner.
Representatives Adams, R., Antonio, Ashford, Barnes, Boyce, Boyd, Bulp, Carney, Celebrezze, Celeste, Cera, Clyde, Combs, Conditt, Damschroder, Derickson, Driehaus, Duffey, Foley, Hackett, Hagan, C., Heard, Johnson, Letson, Lundy, Mallory, McGregor, Milkovich, O'Brien, Patmon, Phillips, Ramos, Schuring, Stautberg, Terhar, Uecker, Williams, Yuko, Speaker Batchelder.

To amend sections 2913.01, 4737.04, 4737.041, and 4737.99 and to enact sections 4737.012 and 4737.045 of the Revised Code to make changes to the law governing scrap metal dealers and bulk merchandise dealers, were taken up.

The question being, "Shall the Senate concur in the amendments of the

House of Representatives?"

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	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the Senate concurred in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

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

Cosponsors: Senators Patton, Turner, Bacon, Eklund, Jones. Representatives Ashford, Fedor, Letson, O'Brien, Speaker Batchelder.

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, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

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	Tavares	Turner	Wagoner
Widener			Niehaus-30.

Senators Faber and Jordan voted in the negative-2.

So the Senate concurred in the amendments of the House of Representatives.

BILLS FOR THIRD CONSIDERATION

Senator Faber moved that **Sub. H. B. No. 525**, having been referred to the standing committee on Education, be brought up for immediate consideration.

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

The motion was agreed to.

Senator Faber moved that Article II, Section 15(c) of the Ohio Constitution, requiring a bill to be considered on three different days, be suspended with respect to **Sub. H. B. No. 525**, and that said bill be considered the third time.

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

Senator Skindell moved that, pursuant to Senate Rule 57, he be excused from all votes pertaining to **Sub. H. B. No. 525**.

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

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 27, nays 4, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Faber
Hite	Hughes	Jones	Jordan
Kearney	LaRose	Lehner	Manning
Obhof	Oelslager	Patton	Peterson
Sawyer	Schaffer	Seitz	Turner
Wagoner	Widener		Niehaus-27.

Senators Cafaro, Gentile, Schiavoni, and Tavares voted in the negative-4.

The motion was agreed to.

Sub. H. B. No. 525-Representatives Williams, Amstutz.

Cosponsors: Representatives Adams, R., Antonio, Baker, Speaker Batchelder, Representatives Buchy, Budish, Derickson, Dovilla, Foley, Grossman, Huffman, McClain, Murray, Roegner, Sprague, Stautberg, Stebelton, Wachtmann, Blair, Boyd, Brenner, Bulp, Celebrezze, Hackett, Martin, Milkovich, Newbold, Ruhl, Sears, Sykes, Thompson.

To amend sections 124.36, 2903.13, 2921.02, 3302.03, 3302.04, 3302.061, 3307.01, 3311.71, 3311.72, 3311.74, 3311.76, 3313.975, 3314.10, 3316.07,

3319.02, 3319.071, 3319.10, 3319.112, 3319.12, 3319.13, 3319.14, 3319.141, 3319.143, 3319.151, 3319.18, 3319.283, 4141.29, 5705.192, 5705.21, 5705.212, 5705.215, 5705.216, 5705.218, 5705.251, 5705.261, and 5748.01 and to enact sections 3311.741, 3311.742, 3311.751, and 3311.77 to 3311.87 of the Revised Code to revise the management of municipal school districts and community schools located within municipal school districts; to permit the establishment of a Municipal School District Transformation Alliance; to expand the offense of bribery to cover directors, officers, and employees of the Alliance; and to authorize municipal school districts to levy property taxes the revenue from which may be shared with partnering community schools, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 525**, pass?"

The yeas and nays were taken and resulted - yeas 27, nays 4, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Faber
Hite	Hughes	Jones	Jordan
Kearney	LaRose	Lehner	Manning
Obhof	Oelslager	Patton	Peterson
Sawyer	Schaffer	Seitz	Turner
Wagoner	Widener		Niehaus-27.

Senators Cafaro, Gentile, Schiavoni, and Tavares voted in the negative-4.

So the bill passed.

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

Senator Lehner moved to amend the title as follows:

Add the names: "Lehner, Turner, Eklund, Hite, Jones, LaRose, Niehaus, Obhof, Wagoner."

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

The motion was agreed to and the title so amended.

Am. H. B. No. 415-Representatives Sprague, Hill.

Cosponsors: Representatives Buchy, Derickson, Gardner, Goodwin, Goyal, Grossman, Hall, Peterson, Thompson, Fedor, Boose, Damschroder, Cera, Adams, R., Anielski, Antonio, Barnes, Beck, Blair, Blessing, Bulp, Celebrezze, Combs, Conditt, DeVitis, Dovilla, Duffey, Fende, Garland, Gerberry, Gonzales, Hackett, Hagan, C., Hayes, Hottinger, Johnson, Kozlowski, Landis, Letson, Luckie, Lundy, Maag, Mallory, McClain, McGregor, Milkovich, Murray, Newbold, O'Brien, Okey, Patmon, Pelanda, Ramos, Roegner, Rose, Ruhl, Schuring, Slaby, Stebelton, Szollosi, Uecker, Wachtmann, Winburn, Speaker Batchelder.

To amend sections 135.631, 135.73, 135.74, and 135.75 of the Revised Code to modify the Agricultural Linked Deposit Program with respect to the maximum amount the Treasurer of State may invest in agricultural linked deposits, the interest rate at which loans are made under the Program, and the maximum loan amount, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 415**, 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	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the bill passed.

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

Senator Beagle moved to amend the title as follows:

Add the names: "Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jones, Kearney, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Peterson, Schaffer, Schiavoni, Seitz, Turner, Wagoner, Widener."

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

The motion was agreed to and the title so amended.

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

Cosponsors: Representatives Newbold, Huffman, Gardner, Buchy, Dovilla, Goodwin, Adams, J., Derickson, Thompson, Brenner, Stebelton, Antonio, Barnes, Beck, Blair, Boyd, Bubb, DeVitis, Garland, Gonzales, Hagan, C., Hayes, Kozlowski, Lynch, Mallory, Milkovich, Pelanda, Slaby, M., Smith, Winburn, Yuko, Speaker Batchelder. Senators Sawyer, Turner, Coley, Obhof.

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, was considered the third time.

The question being, "Shall the bill, **H. B. No. 437**, 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	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the bill passed.

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

Senator Lehner moved to amend the title as follows:

Add the names: "Bacon, Hite, LaRose, Lehner, Manning, Oelslager, Patton, Peterson, Schaffer, Seitz, Wagoner."

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

The motion was agreed to and the title so amended.

S. B. No. 15-Senator Turner.

Cosponsors: Senators Obhof, Hite, Beagle, Sawyer, Lehner.

To require the State Board of Education to recommend performance standards for dropout programs operated by school districts, was considered the third time.

The question being, "Shall the bill, **S. B. No. 15**, 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	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the bill passed.

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

Senator Turner moved to amend the title as follows:

Add the names: "Bacon, Balderson, Brown, Burke, Cafaro, Coley, Eklund, Gentile, Hughes, Jones, Kearney, LaRose, Manning, Niehaus, Peterson, Schiavoni, Skindell, Tavares, Wagoner, Widener."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 338-Senator Bacon.

Cosponsors: Senators Beagle, Hughes, Brown, Turner.

To enact sections 4720.01, 4720.02, 4720.03, 4720.04, 4720.05, 4720.051, 4720.06, 4720.07, 4720.08, 4720.09, 4720.10, 4720.11, and 4720.12 of the Revised Code to require registration and establish laws governing the practices of air conveyance system cleaning servicers, was considered the third time.

The question recurring, "Shall the bill, **Sub. S. B. No. 338**, 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	Tavares
Turner	Wagoner	Widener	Niehaus-32.

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: "Hite, Kearney, Lehner, Sawyer, Schiavoni, Skindell, Tavares, Wagoner."

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, June 10, 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

Senator Faber offered the following resolution:

S. R. No. 290-Senator Faber.

Relative to mileage reimbursement.

RESOLVED, Pursuant to section 101.27 of the Revised Code and S.R. No. 2--Senator Faber, Relative to mileage reimbursement, adopted January 3, 2011, the Clerk of the Senate is authorized to add the mileage for Kris Jordan of 59 miles round trip.

The question being, "Shall the resolution, **S. R. No. 290**, be adopted?"

Senator Jordan moved that he be excused from voting under Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the resolution, **S. R. No. 290**, be adopted?"

The yeas and nays were taken and resulted - yeas 31, 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 | Kearney | LaRose | Lehner |
| Manning | Obhof | Oelslager | Patton |
| Peterson | Sawyer | Schaffer | Schiavoni |
| Seitz | Skindell | Tavares | Turner |
| Wagoner | Widener | | Niehaus-31. |

So the resolution was adopted.

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

The title was agreed to.

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. 51 -Representative Baker

Cosponsors: Representatives Adams, J., Boose, Brenner, Derickson, Gardner, Grossman, Milkovich, Newbold, Ramos, Ruhl, Sprague, Szollosi, Wachtmann, Hall, Fedor, Buchy, Cera, Damschroder, Amstutz, Antonio, Ashford, Barnes, Beck, Blair, Boyd, Bulp, Budish, Carney, Celebrezze, Celeste, Combs, DeVitis, Dovilla, Driehaus, Fende, Foley, Garland, Goodwin, Hackett, Hagan, R., Hayes, Heard, Johnson, Letson, Lundy, Maag, Mallory, Martin, McClain, O'Brien, Phillips, Scherer, Sears, Stautberg, Terhar, Williams, Yuko, Speaker Batchelder

To urge Congress to enact the Stop Invasive Species Act, S. 2317 of the 112th Congress.

Attest: Thomas L. Sherman,
Deputy Clerk.

The question being, "Shall the concurrent resolution, **H. C. R. No. 51**, be adopted?"

On the motion of Senator Faber, **H. C. R. No. 51**, 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 House of Representatives has concurred in the Senate amendments to:

Am. H. B. No. 331 -Representatives Dovilla, Bulp - et al.

Attest: Thomas L. Sherman,
Deputy Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to HB 276 of the 129th General Assembly, the President of the Senate appoints the following members to serve on the Legislative Task Force to Study Anaerobic Digesters for Agricultural Use and Application:

Senator Hite (representing the majority party)

*co-chairperson

Senator Cafaro (representing the minority party)

Chris Weaver (representing the livestock industry)

Bridgewater Dairy
14587 County Road 850
Montpelier, OH 43543

Mel Kurtz (representing anaerobic digester industry)
Quasar Energy Group
7624 Riverview Road
Cleveland, OH 44141

William Knapke (representing the public)
Cooper Farms
PO Box 339
Ft. Recovery, OH 45846

Rich Meyers (representing local government)
Henry County Commissioner
1853 Oakwood Avenue
Napoleon, OH 43545

Matthew DeTemple (representing local government)
Ohio Township Association
6500 Taylor Road, Suite A
Blacklick, OH 43004-8570

On the motion of Senator Faber, the Senate recessed until 5:20 p.m.

The Senate met pursuant to the recess.

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. Sub. S. B. No. 314 -Senators Wagoner, Cafaro
Cosponsors: Senators Beagle, Lehner, Manning, Obhof, Widener, Oelslager, Bacon, Balderson, Burke, Coley, Eklund, Faber, Hite, Jones, LaRose, Niehaus, Patton, Peterson, Schaffer, Seitz Representatives Adams, R., Amstutz, Antonio, Baker, Barnes, Beck, Blair, Bubp, Buchy, Butler, Celeste, Damschroder, Derickson, Dovilla, Driehaus, Duffey, Gardner, Garland, Gerberry, Goyal, Grossman, Hackett, Hagan, C., Hall, Hayes, Henne, Hill, Hottinger, Huffman, Johnson, Kozlowski, Landis, Letson, Lundy, McClain, McGregor, Milkovich, Newbold, Pelanda, Reece, Rosenberger, Ruhl, Scherer, Schuring, Sears, Smith, Sprague, Stautberg, Sykes, Szollosi, Terhar, Thompson, Uecker, Wachtmann, Winburn, Young, Speaker Batchelder

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, 149.311, 149.43, 164.05, 164.06, 164.08, 166.01, 166.04, 166.05, 166.11, 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 122.40, 1525.11, 1525.12, 1525.13, and 6111.034 of the Revised Code 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 makes 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; 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 expand eligibility for the historic rehabilitation tax credit; to establish an annual debt service limitation on project financing obligations issued for certain economic development programs; and to increase the membership of the Third Frontier Commission.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 2793, after " Code" insert " to be used solely for minority business enterprises or minority businesses certified by the minority business supplier development council for deposits specified by division (D)(1)(b) of section 122.603 of the Revised Code"

Attest:

Thomas L. Sherman,
Deputy Clerk.

Pursuant to Senate Rule No. 44, Senator Faber moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 314** be brought up for consideration.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted - yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Faber	Gentile	Hite	Hughes
Jordan	Kearney	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Tavares	Turner	Wagoner
Widener			Niehaus-30.

Senator Skindell voted in the negative-1.

So the Senate concurred in the amendments of the House of Representatives.

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. Sub. S. B. No. 316 -Senator Lehner (By Request)

Cosponsors: Senators Bacon, Eklund, Hite, Jones, LaRose, Niehaus, Sawyer, Turner, Wagoner Representatives Stebelton, Roegner, Newbold

To amend sections 124.38, 3301.04, 3301.079, 3301.0710, 3301.0712, 3301.0714, 3301.0715, 3301.0723, 3301.52, 3301.53, 3301.58, 3301.90, 3301.922, 3302.03, 3302.032, 3302.042, 3302.12, 3302.20, 3302.21, 3302.25, 3310.03, 3310.08, 3310.15, 3313.37, 3313.41, 3313.411, 3313.608, 3313.609, 3313.6013, 3313.674, 3313.813, 3313.816, 3313.842, 3313.843, 3313.845, 3313.978, 3314.015, 3314.016, 3314.02, 3314.029, 3314.03, 3314.06, 3314.08, 3314.17, 3314.18, 3314.35, 3314.36, 3317.01, 3317.11, 3318.034, 3318.36, 3318.37, 3318.371, 3318.70, 3319.02, 3319.06, 3319.11, 3319.111, 3319.112, 3319.58, 3321.01, 3323.011, 3323.052, 3323.19, 3326.03, 3326.04, 3326.10, 3326.11, 3326.17, 3326.21, 3328.15, 3328.24, 3333.0411, 4139.01, 4139.03, 4139.04, 4139.05, 4141.01, 4141.29, 4301.20, 5104.01, 5104.011, 5104.02, 5104.21, 5104.30, 5104.31, 5104.34, 5104.38, 5709.83, 5751.20, 6301.01, 6301.02, 6301.03, 6301.04, 6301.07, 6301.08, and 6301.10; to enact sections 3301.941, 3302.033, 3302.41, 3310.031, 3313.6411, 3313.847, 3314.11, 3314.15, 3318.364, 3326.031, 3326.26, 4123.391, 4141.293,

5104.031, 5104.032, 5104.033, 5123.022, and 5126.0222; and to repeal section 3319.19 of the Revised Code; to amend Sections 267.10.90, 267.50.30, and 283.20 of Am. Sub. H.B. 153 of the 129th General Assembly; and to repeal Section 267.60.23 of Am. Sub. H.B. 153 of the 129th General Assembly and Section 265.20.15 of Am. Sub. H.B. 1 of the 128th General Assembly to revise authorizations and conditions with respect to education, workforce development, and early childhood care; and to amend sections 109.57, 2151.011, 2919.227, 2923.124, 2923.126, 2923.1212, 2950.11, 2950.13, 3109.051, 3701.63, 3737.22, 3742.01, 3797.06, 4511.81, 5101.29, 5103.03, 5104.01, 5104.011, 5104.012, 5104.013, 5104.015, 5104.022, 5104.03, 5104.04, 5104.041, 5104.052, 5104.053, 5104.054, 5104.06, 5104.08, 5104.09, 5104.13, 5104.30, 5104.31, 5104.32, 5104.35, 5104.36, 5104.38, 5107.60, and 5153.175, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 5104.011 (5104.015), 5104.015 (5104.25), 5104.031 (5104.035), 5104.032 (5104.036), and 5104.033 (5104.037), to enact new sections 5104.032 and 5104.033 and sections 5104.016, 5104.017, 5104.018, 5104.019, 5104.0110, 5104.0111, 5104.0112, 5104.034, 5104.038, 5104.039, and 5104.14, and to repeal sections 5104.014 and 5104.11 of the Revised Code to revise the law governing type B family day-care homes on January 1, 2014.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

Reinsert line 3157

In line 3158, reinsert "at least fifty per cent of the a la carte beverage items"; after the reinserted "items" insert " other than milk."; reinsert "available"

Reinsert lines 3159 through 3166

Attest:

Thomas L. Sherman,
Deputy Clerk.

Pursuant to Senate Rule No. 44, Senator Faber moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 316** be brought up for consideration.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted - yeas 23, nays 8, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Faber

Hite
Lehner
Patton
Wagoner

Hughes
Manning
Peterson
Widener

Jordan
Obhof
Schaffer

LaRose
Oelslager
Seitz
Niehaus-23.

Senators Cafaro, Gentile, Kearney, Sawyer, Schiavoni, Skindell, Tavares, and Turner voted in the negative-8.

So the Senate concurred in the amendments of the House of Representatives.

On the motion of Senator Faber, the Senate adjourned until Thursday, June 14, 2012 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.