

**OHIO**

**SENATE**

**JOURNAL**

**CORRECTED VERSION**  
**THURSDAY, JUNE 23, 2011**

SIXTY-SEVENTH DAY  
Senate Chamber, Columbus, Ohio  
**Thursday, June 23, 2011, 11:00 o'clock a.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Father Michael Lumpe, St. Catharine's Church, Bexley, Ohio, followed by the Pledge of Allegiance to the Flag.

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

**Message from the House of Representatives**

Mr. President:

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

**Am. H. B. No. 277** -Representatives Blessing, Gerberry  
Cosponsors: Representatives Boyd, Buchy, Driehaus, Hackett, Hagan, R., Henne, Letson, Mallory, Mecklenborg, O'Brien, Ruhl, Sykes, Uecker, Winburn, Yuko

To permit a horse-racing permit holder who is eligible to become a video lottery sales agent to apply to the State Racing Commission to move its track to another location.

Attest:

Laura P. Clemens,  
Clerk.

Said bill was considered the first time.

On the motion of Senator Faber, the Senate recessed until 5:45 p.m.

The Senate met pursuant to the recess.

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

Senator Niehaus reports for the Standing Committee on Rules and Reference, recommending that the following bills and resolution, standing in order for second consideration, be referred to committee as recommended:

**H. C. R. No. 16**-Representatives Butler, Rosenberger, et al.

To commend and honor the members of the United States Armed Forces, including the United States Special Forces, the United States national security agencies, and the United States intelligence community in conducting the successful operation against Osama bin Laden on Sunday May 1, 2011.

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

**Sub. H. B. No. 25**-Representative Combs, et al.

To amend sections 959.99, 2152.19, 2903.213, 2903.214, 2919.26, 3113.31, 4732.141, and 4757.33 and to enact section 4731.284 of the Revised Code to revise the penalties and sentencing provisions regarding violations of the cruelty to animals statutes and to include the protection of companion animals in temporary protection orders, domestic violence protection orders, anti-stalking protection orders, and related protection orders.

To the Committee on Judiciary - Criminal Justice.

**Am. H. B. No. 116**-Representative Barnes, et al.

To amend sections 3313.666 and 3313.667 of the Revised Code to enact the School Day Security and Anti-Bullying Act to require age-appropriate instruction, to the extent that federal or state funds are appropriated for this purpose, and parental notification of public schools' policies prohibiting harassment, intimidation, or bullying.

To the Committee on Education.

**H. B. No. 167**-Representatives Derickson, Mallory, et al.

To amend section 5747.01 of the Revised Code to authorize an income tax deduction for the otherwise taxable portion of a federal Pell grant or Ohio College Opportunity grant used to pay room and board for a post-secondary student.

To the Committee on Ways and Means and Economic Development.

**Sub. H. B. No. 231**-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, and 1522.11 to 1522.20, 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.

To the Committee on Agriculture, Environment and Natural Resources.

YES - 9: THOMAS E. NIEHAUS, KEITH L. FABER, SHANNON JONES, MARK D. WAGONER, SCOTT OELSLAGER, JASON H. WILSON, EDNA BROWN, SHIRLEY A. SMITH, CAPRI S. CAFARO.

NO - 0.

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

The report of the committee was accepted.

Said bills and resolution were considered a second time and referred to committee as recommended.

#### REPORTS OF STANDING AND SELECT COMMITTEES

Senator Faber submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **Am. H. B. No. 188**-Speaker Batchelder, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 6, after "103.65," insert "and"; delete "and 103.67"

Delete lines 19 through 23

In line 24, delete "**103.63**" and insert "**103.62**"

In line 45, delete "**103.64**" and insert "**103.63**"

In line 57, delete "**103.65**" and insert "**103.64**"

In line 65, delete "**103.66**" and insert "**103.65**"

In line 69, delete "**103.67**" and insert "**103.66**"; delete "The" and insert "Except as otherwise provided in this section, the"

After line 72, insert:

" If, however, a majority of the electors voting in 2012 under Ohio Constitution, article XVI, section 3, on the question of whether there should be a constitutional convention vote in favor of a convention, the commission shall

transfer all of the assets and records remaining from its operations to the convention. Upon the transfer of the assets and records, the commission ceases to exist."

In line 2 of the title, after "103.65," insert "and"; delete ", and 103.67"

Co-Sponsor: Faber.

YES - 9: SHIRLEY A. SMITH, MICHAEL J. SKINDELL, KEITH L. FABER, TIMOTHY J. GRENDALL, GAYLE MANNING, KRIS JORDAN, CLIFF HITE, CHRIS WIDENER, CHARLETA B. TAVARES.

NO - 0.

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

The report of the committee was accepted.

Senator Hite submitted the following report:

The standing committee on Agriculture, Environment and Natural Resources, to which was referred **H. B. No. 185**-Representatives Carey, O'Brien, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Schaffer.

YES - 8: CLIFF HITE, EDNA BROWN, JOSEPH SCHIAVONI, GAYLE MANNING, KRIS JORDAN, JASON H. WILSON, TIMOTHY O. SCHAFFER, KEITH L. FABER.

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 **Am. H. B. No. 159**-Representatives Mecklenborg, Blessing, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: KRIS JORDAN, DAVID T. DANIELS, TIMOTHY J. GRENDALL, JIM HUGHES, PEGGY B. LEHNER.

NO - 4: FRANK LAROSE, CHARLETA B. TAVARES, NINA TURNER, EDNA BROWN.

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 **Sub. H. B. No. 152**-Representative Mallory, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Brown, Tavares, Coley.

YES - 7: SCOTT OELSLAGER, EDNA BROWN, CHARLETA B. TAVARES, KAREN GILLMOR, BILL COLEY, SHANNON JONES, KRIS JORDAN.

NO - 0.

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 **H. B. No. 215**-Representative Dovilla, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Brown, Tavares, Coley.

YES - 7: SCOTT OELSLAGER, EDNA BROWN, CHARLETA B. TAVARES, BILL COLEY, SHANNON JONES, KRIS JORDAN, KAREN GILLMOR.

NO - 0.

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. 83**-Senator Oelslager, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Brown, Coley.

YES - 6: SCOTT OELSLAGER, EDNA BROWN, CHARLETA B. TAVARES, KAREN GILLMOR, BILL COLEY, SHANNON JONES.

NO - 1: KRIS JORDAN.

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. 141**-Senator Gillmor, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Brown, Tavares, Coley.

YES - 8: SCOTT OELSLAGER, EDNA BROWN, SHIRLEY A. SMITH, CHARLETA B. TAVARES, BILL COLEY, KAREN GILLMOR, SHANNON JONES, KRIS JORDAN.

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 - Civil Justice, to which was referred **H. B. No. 63**-Representatives Young, Slaby, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 35, strike through the comma and insert " or"

In line 36, after "settlement" strike through the balance of the line

Strike through line 37

In line 38, strike through everything before the period

YES - 6: MARK D. WAGONER, SCOTT OELSLAGER, KEITH L. FABER, BILL SEITZ, LARRY OBHOF, KAREN

GILLMOR.

NO - 3: NINA TURNER, MICHAEL J. SKINDELL, ERIC H. KEARNEY.

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 - Civil Justice, to which was referred **Am. H. J. R. No. 1**-Representatives Huffman, Fende, et al., having had the same under consideration, reports it back with the following amendments and recommends its adoption when so amended.

In line 51, after "election" insert "or appointment"

In line 52, strike through "attained" and insert "exceeded"

In line 53, after "years" insert "or if the person exceeded the age of seventy years during the person's term of office as a judge of the supreme court or the court of appeals and on or prior to November 8, 2011"

Co-Sponsors: Wagoner, Faber, Seitz, Turner.

YES - 9: MARK D. WAGONER, SCOTT OELSLAGER, KEITH L. FABER, BILL SEITZ, LARRY OBHOF, ERIC H. KEARNEY, NINA TURNER, MICHAEL J. SKINDELL, KAREN GILLMOR.

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 & Reference to which were referred the appointment by the Governor of:

**Seth A. Morgan**, Republican, from Huber Heights, Montgomery County, Ohio, as a Member of the Ohio Retirement Study Council for a term beginning May 12, 2011 and ending at the close of business June 30, 2012, replacing Richard C. Murray, whose term expired.

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

YES - 9: THOMAS E. NIEHAUS, KEITH L. FABER, SHANNON JONES, MARK D. WAGONER, SCOTT OELSLAGER, JASON H. WILSON, EDNA BROWN, SHIRLEY A. SMITH, CAPRI S. CAFARO.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointment 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	Beagle	Brown	Cafaro
Coley	Daniels	Faber	Gillmor
Grendell	Hite	Hughes	Jones
Jordan	Kearney	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Smith	Stewart	Tavares
Turner	Wagoner	Widener	Wilson
			Niehaus-33.

So the Senate advised and consented to said appointment.

### **BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 194**-Representatives Mecklenborg, Blessing. Cosponsors: Representatives Combs, Anielski, Baker, Boose, Brenner, Bubp, Buchy, Coley, Grossman, Hackett, Huffman, Maag, Martin, Newbold, Slaby, Uecker, Speaker Batchelder. Senator Faber.

To amend sections 3.02, 7.101, 302.09, 305.02, 503.24, 511.27, 733.31, 1545.21, 1901.10, 2101.44, 2301.02, 3501.01, 3501.02, 3501.05, 3501.051, 3501.053, 3501.10, 3501.11, 3501.13, 3501.14, 3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 3501.301, 3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 3503.15, 3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 3503.26, 3503.28, 3504.02, 3504.04, 3504.05, 3505.07, 3505.08, 3505.11, 3505.13, 3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 3505.28, 3505.29, 3505.30, 3505.31, 3506.05, 3506.12, 3506.15, 3509.01, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07,

3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 3511.14, 3513.02, 3513.05, 3513.12, 3513.131, 3513.18, 3513.19, 3513.21, 3513.262, 3513.30, 3513.31, 3515.04, 3517.01, 3517.012, 3517.014, 3517.015, 3517.10, 3517.102, 3517.103, 3517.106, 3717.107, 3517.1011, 3517.11, 3517.153, 3517.154, 3517.155, 3517.992, 3519.01, 3519.16, 3599.03, 3599.07, 3599.17, 3599.19, and 3599.31, to enact new section 3504.01 and sections 3501.111, 3501.302, 3501.40, 3501.50, 3503.05, 3503.20, 3503.22, 3505.05, 3506.021, 3509.051, 3517.211, and 3599.30, and to repeal sections 3503.29, 3504.01, 3506.16, 3517.016, and 3517.1010 of the Revised Code to revise the Election Law, having been informally passed, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 194**, pass?"

Senator Tavares moved to amend as follows:

In line 585, after " (FF)" insert " Establish an ongoing voter education program to provide the public with information regarding voter eligibility and the voting process, which program shall require the secretary of state to use any and all appropriate communication mediums to provide that information, including, but not limited to, web sites, Facebook, Twitter, the United States mail, and distribution by boards of elections.

(GG)"

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	Beagle	Coley	Daniels
Faber	Gillmor	Grendell	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Schaffer	Seitz	Stewart
Wagoner	Widener		Niehaus-23.

Those who voted in the negative were: Senators

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

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 194**, pass?"

Senator Tavares moved to amend as follows:

In line 50, after "3501.111," insert "3501.25,"

Between lines 1379 and 1380, insert:

" **Sec. 3501.25.** The secretary of state, in conjunction with the boards of elections, shall establish a process for mailing an election notice to each registered elector in the county not later than forty-five days prior to the day of an election. The notice required to be mailed under this section shall include all of the following:

(A) The date and time of the election;

(B) The precinct and polling location at which the elector is eligible to cast a ballot in that election;

(C) The dates and times for casting absent voter's ballots in that election;

(D) Information on obtaining an absent voter's ballot;

(E) An application for an absent voter's ballot that the elector may complete, affix postage, and return to the board in order to receive an absent voter's ballot for that election."

In line 2227, delete "any information and data" and insert "the names and addresses of individuals receiving services through the agency"

In line 2228, after the first "state" delete the balance of the line

In line 2229, delete "maintain" and insert "verify the accuracy of names and addresses in"

In line 2232, delete "information or data" and insert "names and addresses"

In line 2233, delete "is" and insert "are"

In line 2234, delete "data" and insert "information"

In line 2236, delete "for maintenance"

In line 2237, delete "of the statewide voter registration database"

In line 2251, delete "information or data" and insert "the names and addresses of registered voters"

In line 2252, delete "maintain" and insert "verify the accuracy of names and addresses in"

In line 2255, delete "information or data" and insert "names and addresses"

In line 2256, delete "is" and insert "are"

In line 2257, delete " data" and insert " information"

In line 2259, delete " information or"

In line 2260, delete " data" and insert " names and addresses"

In line 27 of the title, after "3501.111," insert "3501.25,"

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	Beagle	Coley	Daniels
Faber	Gillmor	Grendell	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Schaffer	Stewart	Wagoner
Widener			Niehaus-22.

Those who voted in the negative were: Senators

Brown	Cafaro	Kearney	Sawyer
Schiavoni	Seitz	Skindell	Smith
Tavares	Turner		Wilson-11.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 194**, pass?"

Senator Faber moved to amend as follows:

After line 11567, insert:

**"Section 8.** It is the intent of the General Assembly that the provisions of H.B. 159 of the 129th General Assembly, if enacted, prevail over any conflicting provisions of this act for the purpose of determining the types of identification that are acceptable for voting under Title XXXV of the Revised Code."

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 194**, pass?"

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

Those who voted in the affirmative were: Senators

Bacon	Beagle	Coley	Daniels
Faber	Gillmor	Grendell	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Schaffer	Seitz	Stewart
Wagoner	Widener		Niehaus-23.

Those who voted in the negative were: Senators

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

So the bill passed.

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

Senator Wagoner moved to amend the title as follows:

Add the names: "Bacon, Beagle, Coley, Hite, Jones, Jordan, Lehner, Niehaus, Schaffer, Seitz, Widener."

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

The motion was agreed to and the title so amended.

### 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. 171** -Senators Gillmor, Wagoner

Cosponsors: Senators Bacon, Beagle, Cafaro, Coley, Daniels, Hughes, Jones, Jordan, LaRose, Niehaus, Oelslager, Patton, Widener, Wilson Representatives Combs, Adams, R., Anielski, Antonio, Baker, Balderson, Barnes, Beck, Blair, Blessing, Boose, Brenner, Bulp, Buchy, Burke, Carney, Celeste, Conditt, Damschroder, DeGeeter, Dovilla, Duffey, Gardner, Garland, Goodwin, Goyal, Hackett, Hall, Hayes, Hottinger, Huffman, Kozlowski, Landis, Lundy, Mallory, Martin, McClain, McGregor, Mecklenborg, Milkovich, Murray, Newbold, O'Brien, Phillips, Pillich, Roegner, Ruhl, Schuring, Sears, Slaby, Sprague, Stebelton, Sykes, Szollosi, Thompson, Uecker, Wachtmann, Weddington, Winburn, Yuko, Speaker Batchelder

To amend sections 9.90, 101.532, 101.83, 101.84, 101.85, 101.86, 102.02, 109.91, 121.32, 127.14, 173.03, 173.04, 3302.021, 3311.71, 3312.01, 3312.09, 3313.202, 3701.025, 3701.63, 3727.312, 3737.03, 3737.21, 3737.81, 3737.86, 3737.88, 3743.54, 3746.04, 4117.03, 4121.03, 4121.12, 4121.121, 4121.125, 4121.128, 4123.341, 4123.342, 4123.35, 5111.708, 5123.032, and 5123.093; and to repeal sections 9.901, 101.37, 121.374, 122.97, 122.971, 122.98,

122.981, 125.833, 184.23, 184.231, 1349.71, 1349.72, 1501.25, 2151.282, 3306.29, 3306.291, 3306.292, 3306.50, 3306.51, 3306.52, 3306.53, 3306.54, 3306.55, 3306.56, 3306.57, 3306.58, 3306.59, 3311.77, 3312.11, 3312.12, 3319.70, 3319.71, 3701.92, 3727.322, 3746.03, 4121.75, 4121.76, 4121.77, 4121.78, 4121.79, 4501.025, 5111.709, 5111.7010, 5123.60, and 5902.15 of the Revised Code; and to amend Section 5 of Sub. H.B. 125 of the 127th General Assembly as subsequently amended, Section 20 of Am. Sub. H.B. 554 of the 127th General Assembly, Section 3 of Sub. H.B. 187 of the 126th General Assembly, and Section 513.03 of Am. Sub. H.B. 66 of the 126th General Assembly as subsequently amended; and to repeal Section 3 of Sub. H.B. 495 of the 128th General Assembly, Sections 209.40, 309.40.70, and 709.10 of Am. Sub. H.B. 1 of the 128th General Assembly, Sections 755.80 and 756.40 of Am. Sub. H.B. 2 of the 128th General Assembly, Section 3 of Sub. H.B. 7 of the 127th General Assembly, Section 555.17 of Am. Sub. H.B. 67 of the 127th General Assembly, Sections 263.30.30, 337.20.20, 377.20, and 737.11 of Am. Sub. H.B. 119 of the 127th General Assembly, Sections 6 and 7 of Sub. H.B. 125 of the 127th General Assembly, Section 2 of Sub. H.B. 233 of the 127th General Assembly, Sections 703.30 and 715.50 of Am. Sub. H.B. 562 of the 127th General Assembly, Section 4 of Am. Sub. S.B. 77 of the 127th General Assembly, Sections 206.10.12, 206.42.12, 206.66.24, 206.66.43, 209.63.58, 503.09, and 503.12 of Am. Sub. H.B. 66 of the 126th General Assembly, Section 4 of Sub. H.B. 187 of the 126th General Assembly, Section 1 of Sub. H.B. 371 of the 126th General Assembly, Section 235.60.70 of Am. Sub. H.B. 699 of the 126th General Assembly, Section 3 of Am. Sub. S.B. 167 of the 126th General Assembly, Section 5 of Am. Sub. S.B. 260 of the 126th General Assembly, Section 3 of Sub. S.B. 393 of the 126th General Assembly, Sections 12 and 25 of Am. Sub. H.B. 87 of the 125th General Assembly, Sections 41.35 and 153 of Am. Sub. H.B. 95 of the 125th General Assembly, Section 8 of Sub. H.B. 299 of the 125th General Assembly, Section 6 of Am. Sub. H.B. 516 of the 125th General Assembly, Section 3 of Am. Sub. S.B. 86 of the 125th General Assembly, Section 3 of Sub. H.B. 230 of the 124th General Assembly, Section 3 of Am. Sub. H.B. 474 of the 124th General Assembly, Section 4 of Am. Sub. S.B. 281 of the 124th General Assembly, Section 3 of Am. H.B. 416 of the 127th General Assembly as subsequently amended, Section 701.20 of Am. Sub. H.B. 562 of the 127th General Assembly as subsequently amended, Section 206.66.53 of Am. Sub. H.B. 66 of the 126th General Assembly as subsequently amended, Section 6 of Sub. H.B. 336 of the 126th General Assembly as subsequently amended, Section 755.03 of Am. Sub. H.B. 530 of the 126th General Assembly as subsequently amended, Section 6 of Am. Sub. S.B. 238 of the 126th General Assembly as subsequently amended, Section 152 of Am. Sub. H.B. 95 of the 125th General Assembly as subsequently amended, and Section 59.29 of Am. Sub. H.B. 95 of the 125th General Assembly as subsequently amended to implement the recommendations of the Sunset Review Committee by abolishing, terminating, transferring, or renewing various agencies and by reestablishing the Sunset Review Committee but postponing its operation until

the 131st General Assembly, to terminate the operation of certain provisions of this act on December 31, 2016, by repealing sections 101.82, 101.83, 101.84, 101.85, 101.86, and 101.87 of the Revised Code on that date, and to declare an emergency.

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

Attest: Laura P. Clemens,  
Clerk.

Senator Faber moved that Senate Rule No. 44 be suspended and that the amendments of the House of Representatives to **Sub. S. B. No. 171** be brought up for consideration.

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

The motion was agreed to.

The question being, "Shall the section, Section 13, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 32, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Beagle	Brown	Cafaro
Coley	Daniels	Faber	Gillmor
Hite	Hughes	Jones	Jordan
Kearney	LaRose	Lehner	Manning
Obhof	Oelsluger	Patton	Sawyer
Schaffer	Schiavoni	Seitz	Skindell
Smith	Stewart	Tavares	Turner
Wagoner	Widener	Wilson	Niehaus-32.

Senator Grendell voted in the negative-1.

So the section, Section 13, setting forth the emergency features of the bill stood as a part of the bill.

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 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Beagle	Brown	Cafaro
Coley	Daniels	Faber	Gillmor
Hite	Hughes	Jones	Jordan
Kearney	LaRose	Lehner	Manning
Obhof	Oelsluger	Patton	Sawyer
Schaffer	Schiavoni	Seitz	Skindell
Smith	Stewart	Tavares	Turner

Wagoner

Widener

Wilson

Niehaus-32.

Senator Grendell voted in the negative-1.

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

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

Senator Gillmor moved to amend the title as follows:

Add the names: "Seitz, Smith, Tavares."

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

The motion was agreed to and the title so amended.

On the motion of Senator Faber, the Senate adjourned until Friday, June 24, 2011 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.