

OHIO

SENATE

JOURNAL

FRIDAY, JUNE 24, 2011

SIXTY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Friday, June 24, 2011, 9:30 a.m.

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Widener was selected to preside according to the rule.

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 bill, standing in order for second consideration, be referred to committee as recommended:

Am. H. B. No. 277-Representatives Blessing, Gerberry, et al.

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.

To the Committee on Finance.

YES - 7: THOMAS E. NIEHAUS, JIMMY STEWART,
SHANNON JONES, SCOTT OELSLAGER, 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 bill was considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Hite submitted the following report:

The standing committee on Agriculture, Environment and Natural Resources, to which was referred **Sub. H. B. No. 229**-Representative Buchy, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 8: JOSEPH SCHIAVONI, JASON H. WILSON, CLIFF HITE, TIMOTHY J. GRENDALL, KRIS JORDAN, FRANK LAROSE, GAYLE MANNING, KEITH L. FABER.

NO - 1: EDNA BROWN.

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

The report of the committee was accepted.

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. 120 -Representatives Carey, Gentile

Cosponsors: Representatives Burke, Murray, Combs, Yuko, O'Brien, Milkovich, Stebelton, Balderson, Letson, Antonio, Hall, Buchy, Adams, R., Amstutz, Anielski, Barnes, Beck, Blair, Bulp, Carney, Clyde, Conditt, Derickson, Driehaus, Fedor, Fende, Foley, Garland, Gerberry, Hackett, Hagan, C., Hagan, R., Hayes, Heard, Henne, Johnson, Landis, Luckie, Mallory, McClain, McKenney, Newbold, Okey, Peterson, Ramos, Reece, Schuring, Slaby, Slesnick, Stinziano, Thompson, Weddington, Young, Speaker Batchelder

To create the Water Access To Every Residence Task Force.

Am. H. B. No. 157 -Representatives Schuring, Letson

Cosponsors: Representatives Derickson, Hall, Combs, Stebelton, Yuko, Hollington, Fende, Antonio, Adams, J., Adams, R., Anielski, Barnes, Beck, Boose, Brenner, Bulp, Buchy, Budish, Carney, Celeste, Dovilla, Driehaus, Fedor, Gardner, Garland, Gentile, Gerberry, Goyal, Hackett, Hagan, C., Hagan, R., Heard, Henne, Hottinger, Kozlowski, Luckie, Lundy, Mallory, McClain, Mecklenborg, Milkovich, Murray, Newbold, O'Brien, Okey, Patmon, Peterson, Pillich, Ramos, Reece, Roegner, Ruhl, Slaby, Slesnick, Stinziano, Weddington, Williams, Winburn, Young, Speaker Batchelder

To enact section 3319.80 of the Revised Code to authorize educational service centers to provide teacher professional development on dyslexia.

H. B. No. 218 -Representative Hottinger

Cosponsors: Representatives Grossman, Stebelton, Carey, Blair, Buchy,

Blessing, Ruhl, Maag, Letson, Hackett, Carney, Luckie, Schuring, Sears, Adams, R., Anielski, Antonio, Boose, Budish, Combs, Derickson, Dovilla, Fedor, Fende, Foley, Gardner, Garland, Gerberry, Goyal, Hagan, C., Hagan, R., Hall, Heard, Johnson, Kozlowski, Lundy, Mallory, McKenney, Milkovich, Murray, Newbold, O'Brien, Okey, Peterson, Pillich, Ramos, Slaby, Uecker, Weddington, Young, Yuko, Speaker Batchelder

To amend sections 1751.66 and 3923.60 of the Revised Code to use the compendia adopted by the United States Department of Health and Human Services to determine whether an insurer may exclude coverage for off-label drug usage.

H. B. No. 245 -Representative Yuko

Cosponsors: Representatives Ashford, Mecklenborg, Derickson, Combs, Fende, Ramos, Antonio, Gerberry, Letson, Lundy, Goodwin, Barnes, Carney, Celeste, Garland, Hackett, Johnson, Schuring, Sears, Adams, R., Anielski, Blair, Blessing, Buchy, Budish, Clyde, DeGeeter, Driehaus, Fedor, Foley, Gentile, Goyal, Hagan, C., Hagan, R., Hall, Heard, Huffman, Landis, Mallory, McKenney, Milkovich, Murray, Okey, Patmon, Pillich, Reece, Slesnick, Stinziano, Szollosi, Weddington, Williams, Winburn, Speaker Batchelder

To enact section 5.2267 of the Revised Code to designate September as "Pain Awareness Month."

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 refused to concur in the adoption of the following joint resolution:

S. J. R. No. 1 -Senator Grendell

Cosponsors: Senators Faber, Jones, Wagoner, Cates, Schaffer, Bacon, Daniels, LaRose, Jordan, Hughes, Hite, Beagle, Coley, Gillmor, Lehner, Manning, Niehaus, Obhof, Patton, Seitz, Widener Representatives Wachtmann, Goodwin, Burke, Gardner, Hottinger, Sears

Proposing to enact Section 21 of Article I of the Constitution of the State of Ohio to preserve the freedom of Ohioans to choose their health care and health

care coverage.

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 adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 13 -Representative Beck

Cosponsors: Representatives Antonio, Blair, Blessing, Brenner, Butler, Derickson, Garland, Gerberry, Grossman, Landis, Pillich, Reece, Rosenberger, Roegner, Stinziano, Szollosi, Wachtmann, Johnson, Martin, Bulp, Fedor, Hagan, C., Milkovich, Yuko, Adams, J., Adams, R., Anielski, Ashford, Baker, Balderson, Barnes, Boose, Buchy, Budish, Burke, Carey, Carney, Celeste, Clyde, Combs, Conditt, Damschroder, DeGeeter, Dovilla, Driehaus, Duffey, Fende, Foley, Gardner, Gentile, Gonzales, Goodwin, Goyal, Hackett, Hagan, R., Hall, Hayes, Heard, Henne, Hollington, Hottinger, Huffman, Kozlowski, Letson, Luckie, Lundy, Maag, Mallory, McClain, McGregor, McKenney, Mecklenborg, Murray, Newbold, O'Brien, Okey, Patmon, Peterson, Ramos, Ruhl, Schuring, Sears, Slaby, Slesnick, Sprague, Stautberg, Stebelton, Sykes, Thompson, Uecker, Weddington, Williams, Winburn, Young, Speaker Batchelder

To honor and commemorate veterans of the Vietnam War on the fifty-fifth anniversary of the first casualty of the war.

Attest:

Laura P. Clemens,
Clerk.

The question being, "Shall the concurrent resolution, **H. C. R. No. 13**, be adopted?"

On the motion of Senator Faber, **H. C. R. No. 13**, 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 passage of the following bill:

S. B. No. 122 -Senator Oelslager

Cosponsors: Senators Wagoner, Seitz, Tavares, Kearney, Bacon, Coley, Daniels, Gillmor, Hite, Hughes, Lehner, Manning, Patton, Smith, Turner
Representatives Letson, Bubp, Murray, Okey, Szollosi, Stinziano, Mecklenborg, Stebelton, Huffman, Slaby, Amstutz, Anielski, Antonio, Barnes, Beck, Blair, Blessing, Carney, Celeste, DeGeeter, Derickson, Foley, Gardner, Garland, Goyal, Grossman, Hackett, Hagan, C., Hayes, Heard, Hottinger, Lundy, Maag, Mallory, McClain, McKenney, Milkovich, Newbold, O'Brien, Patmon, Pillich, Reece, Sears, Winburn, Yuko, Speaker Batchelder

To amend sections 2151.312, 2151.354, and 2152.26, to enact new sections 2151.56, 2151.57, 2151.58, and 2151.59 and to repeal sections 2151.56, 2151.57, 2151.58, 2151.59, 2151.60, and 2151.61 of the Revised Code to ratify, enact into law, and enter into as a party the Interstate Compact for Juveniles; to provide for certain entities and officials and assign certain responsibilities that relate to that Compact; to repeal the current Interstate Compact on Juveniles, and to declare an emergency.

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 adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 20 -Representatives Goyal, Gardner

Cosponsors: Representatives Brenner, Ruhl, Gerberry, Carey, Young, Beck, Wachtmann, Fende, Yuko, Ashford, Combs, Schuring, Fedor, Huffman, Letson, Adams, R., Amstutz, Baker, Barnes, Blair, Blessing, Boose, Buchy, Burke, Hackett, Hall, Hayes, Hottinger, Lundy, Sears, Slaby

To urge the selection committee of the Professional Football Hall of Fame to choose Dick Schafrath for induction into the Professional Football Hall of Fame.

Attest:

Laura P. Clemens,
Clerk.

The question being, "Shall the concurrent resolution, **H. C. R. No. 20**, be adopted?"

On the motion of Senator Faber, **H. C. R. No. 20**, 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 passed the following bills in which the concurrence of the Senate is requested:

Sub. H. B. No. 162 -Representatives Stebelton, Bulp

Cosponsors: Representatives Adams, J., Antonio, Barnes, Blessing, Butler, Carey, Combs, Derickson, Dovilla, Fende, Murray, Newbold, Pillich, Rosenberger, Martin, Fedor, Hagan, C., Landis, Milkovich, Yuko, Adams, R., Amstutz, Anielski, Ashford, Baker, Balderson, Beck, Blair, Boose, Brenner, Buchy, Carney, Celeste, Clyde, Conditt, Damschroder, DeGeeter, Driehaus, Gardner, Garland, Gentile, Gerberry, Goodwin, Goyal, Hackett, Hagan, R., Hall, Hayes, Heard, Henne, Hottinger, Huffman, Johnson, Kozlowski, Letson, Lundy, Maag, Mallory, McClain, McKenney, Mecklenborg, O'Brien, Patmon, Peterson, Phillips, Reece, Roegner, Ruhl, Sears, Slaby, Slesnick, Sprague, Stautberg, Stinziano, Sykes, Szollosi, Thompson, Uecker, Weddington, Winburn, Young, Speaker Batchelder

To amend sections 109.572, 124.23, and 5903.10 and to enact sections 5903.101 and 5903.102 of the Revised Code to provide certain professional licensing and certification rights to service members, spouses of service members, and veterans, and to eliminate the requirement that a veteran be a resident of Ohio to qualify to receive the veterans preference on civil service examinations.

H. B. No. 170 -Representative Mecklenborg

Cosponsors: Representatives Blessing, Adams, J., Combs, Dovilla, Hackett, Stautberg, McGregor, Brenner, Slaby, Thompson, Hollington, Derickson, Buchy, McKenney, Bulp, Adams, R., Amstutz, Anielski, Balderson, Beck, Blair, Boose, Conditt, Damschroder, Duffey, Garland, Goodwin, Goyal, Grossman, Hall, Hayes, Henne, Hottinger, Johnson, Kozlowski, Letson, Mallory, McClain, Newbold, O'Brien, Peterson, Phillips, Sears, Sprague, Stebelton, Stinziano, Szollosi, Uecker, Young, Speaker Batchelder

To amend section 2305.06 of the Revised Code to shorten the period of limitations for actions upon a contract in writing.

H. B. No. 224 -Representatives Dovilla, Stinziano

Cosponsors: Representatives Mecklenborg, Adams, J., Rosenberger, Pillich, Thompson, Wachtmann, Grossman, Combs, Murray, Butler, Maag, Uecker, Buchy, Celeste, Gardner, Huffman, Letson, Lundy, Patmon, Sprague, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Balderson, Barnes, Beck, Blair, Blessing, Boose, Boyd, Brenner, Bulp, Budish, Carney, Clyde, Conditt, Damschroder, DeGeeter, Derickson, Driehaus, Duffey, Garland, Gentile, Gerberry, Goyal, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hottinger, Johnson, Kozlowski, Landis, Mallory, Martin, McClain, McGregor, McKenney, Milkovich, Newbold, O'Brien, Peterson, Phillips, Ramos, Reece, Roegner, Ruhl, Schuring, Sears, Slaby, Stautberg, Stebelton, Sykes, Szollosi, Weddington, Winburn, Young, Yuko, Speaker Batchelder

To amend sections 3511.02, 3511.021, 3511.04, and 3511.14 and to enact section 3511.15 of the Revised Code to permit uniformed services and overseas voters to request and receive absent voter's ballot applications and absent voter's ballots by electronic mail or internet delivery, to specify that a Federal Write-In Absentee Ballot submitted by such a person may be used as the person's voter registration form and absent voter's ballot, to establish emergency election procedures for such persons involved in armed conflicts, troop mobilizations, or other emergencies, and to add daughters-in-law and sons-in-law to the list of family members who may request an absent voter's ballot on behalf of a uniformed services or overseas voter.

Sub. H. B. No. 225 -Representatives Peterson, Landis

Cosponsors: Representatives Pillich, Grossman, Sears, Boose, Derickson, Carey, Thompson, Adams, J., Hayes, Stinziano, Ruhl, McClain, Balderson, Maag, Weddington, Brenner, Duffey, Baker, Schuring, Blair, McKenney, Adams, R., Amstutz, Anielski, Antonio, Barnes, Beck, Blessing, Bulp, Buchy, Carney, Damschroder, DeGeeter, Dovilla, Foley, Goodwin, Hackett, Hall, Henne, Hollington, Huffman, Letson, Mallory, Milkovich, Newbold, O'Brien, Ramos, Slaby, Sprague, Stebelton, Szollosi, Uecker, Yuko, Speaker Batchelder

To amend sections 9.37, 167.03, 305.171, 505.603, 3917.04, 4931.41, 4931.43, 4931.44, 4931.45, 4931.49, 4931.50, 4931.64, 4931.65, 4931.66, 5703.57, 5705.13, 5713.07, 5713.08, 5713.081, 5713.082, 5715.27, and 5717.02 and to enact section 148.061 of the Revised Code to vest in county auditors responsibility for reviewing and approving property tax exemption applications for some publicly owned property, to authorize legislative

authorities of municipal corporations, county auditors, and boards of township trustees to adopt a direct deposit payroll policy, to clarify that a board of township trustees may offer deferred compensation plans or programs to the township's officers and employees, to authorize regional councils of government to operate a 9-1-1 public safety answering point, to revise the membership of the Ohio Business Gateway Steering Committee, to authorize counties and townships to increase the amount credited to "rainy day" reserve balance accounts to one-sixth of the expenditures made in the preceding fiscal year from the fund in which the reserve balance account is established, and to authorize a county or township to offer any qualified benefit available under a cafeteria plan, and to offer a health and wellness benefit program, to its officers and employees.

Am. H. B. No. 243 -Representatives Kozlowski, Young

Cosponsors: Representatives Huffman, Beck, Thompson, Ramos, Maag, Hall, Mecklenborg, Dovilla, Fedor, Letson, Adams, R., Anielski, Antonio, Balderson, Barnes, Blessing, Bulp, Buchy, Carney, Damschroder, Driehaus, Duffey, Foley, Garland, Goyal, Grossman, Hagan, R., Lundy, Mallory, McClain, Milkovich, Murray, Peterson, Rosenberger, Ruhl, Slaby, Uecker, Wachtmann, Yuko

To amend section 4303.041 of the Revised Code to eliminate the restriction on the number of A-3a liquor permits that may be issued per county and to specify that new A-3a permits issued after the act's effective date are subject to local option election.

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 concurred in the Senate amendments to:

Am. Sub. H. B. No. 86 -Representatives Blessing, Heard - et al.

Attest:

Laura P. Clemens,
Clerk.

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. Sub. H. B. No. 92 -Representatives Martin, Beck - et al.

Am. Sub. H. B. No. 86 -Representatives Blessing, Heard - et al.

Attest:

Laura P. Clemens,
Clerk.

The President signed said bills.

On the motion of Senator Faber, the Senate adjourned until Tuesday, June 28, 2011 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.