

OHIO

SENATE

JOURNAL

TUESDAY, DECEMBER 4, 2012

TWO HUNDRED FORTY-SIXTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, December 4, 2012, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Tom McCullough, The Capitol Commission, Granville, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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. 420**-Representatives Peterson, Stinziano, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Hite.

YES - 9: LOU GENTILE, CAPRI S. CAFARO, TIMOTHY O. SCHAFFER, TROY BALDERSON, DAVE BURKE, GAYLE MANNING, BOB PETERSON, CLIFF HITE, JOSEPH SCHIAVONI.

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 **Sub. H. B. No. 143**-Representatives Stinziano, O'Brien, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Tavares.

YES - 9: SCOTT OELSLAGER, DAVE BURKE, PEGGY B. LEHNER, CAPRI S. CAFARO, EDNA BROWN, SHANNON JONES, CHARLETA B. TAVARES, KRIS JORDAN, TROY BALDERSON.

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 **Sub. H. B. No. 334**-Representatives Johnson, Bulp, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Cafaro, Tavares, Brown.

YES - 9: PEGGY B. LEHNER, SCOTT OELSLAGER, DAVE BURKE, SHANNON JONES, CAPRI S. CAFARO, CHARLETA B. TAVARES, EDNA BROWN, TROY BALDERSON, 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:

The Standing Committee on Rules & Reference to which were referred the appointments by the Governor of:

Richard H. Fearon, from Bentleyville, Cuyahoga County, Ohio, as a Member of the Third Frontier Commission for a new term beginning July 20, 2012 and ending at the close of business April 1, 2014.

David Scholl, Ph.D., from Athens, Athens County, Ohio, as a Member of the Third Frontier Commission for a new term beginning June 12, 2012 and ending at the close of business April 1, 2015.

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

YES - 8: THOMAS E. NIEHAUS, TOM PATTON, SCOTT OELSLAGER, EDNA BROWN, NINA TURNER, JOSEPH SCHIAVONI, ERIC H. KEARNEY, MARK D. WAGONER.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

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	Oelsluger
Patton	Peterson	Sawyer	Schaffer
Seitz	Skindell	Smith	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the Senate advised and consented to said appointments.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Sub. S. B. No. 141-Senators Gillmor, Hite.

Cosponsors: Senators Schaffer, Seitz, Hughes, Brown, Tavares, Coley, Bacon, Beagle, Cafaro, Daniels, Jones, LaRose, Lehner, Manning, Niehaus, Oelsluger, Patton, Sawyer, Schiavoni, Skindell, Smith, Stewart, Turner, Wagoner, Widener, Wilson. Representatives Garland, Hackett, Sears, Adams, J., Antonio, Blessing, Boose, Buchy, Celebrezze, Celeste, Combs, Damschroder, Derickson, DeVitis, Dovilla, Foley, Gardner, Hagan, C., Hill, Huffman, Johnson, Kozlowski, McClain, Milkovich, Murray, Newbold, Pillich, Roegner, Ruhl, Smith, Sprague, Stebelton, Terhar, Thompson, Yuko, Speaker Batchelder.

To amend sections 4731.36, 4734.14, 4755.48, and 4755.99 of the Revised Code to authorize a licensed physician, chiropractor, or physical therapist from another state to provide services to an out-of-state athletic team and certain accompanying individuals when the team is participating in a sporting event in Ohio, 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	Oelsluger
Patton	Peterson	Sawyer	Schaffer
Seitz	Skindell	Smith	Tavares
Turner	Wagoner	Widener	Niehaus-32.

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

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 143-Representatives Stinziano, O'Brien.

Cosponsors: Representatives Grossman, Mallory, Milkovich, Hagan, R., Foley, Clyde, Letson, Yuko, Reece, Combs, Murray, Garland, Antonio, Henne, Sears, Ashford, Boyce, Carney, Celebrezze, Celeste, Goyal, Hackett, Newbold, Pillich, Ramos, Sprague, Williams. Senator Tavares.

To amend sections 3314.03, 3319.303, and 3326.11 and to enact sections 3313.539, 3314.142, 3326.27, 3707.51, 3707.511, and 3707.52 of the Revised Code with regard to concussions and head injuries in youth sports, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 143**, 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
Seitz	Skindell	Smith	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the bill passed.

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

Senator Oelslager moved to amend the title as follows:

Add the names: "Bacon, Beagle, Brown, Cafaro, Eklund, Faber, Gentile, Hite, Hughes, Jones, Kearney, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Seitz, Skindell, Turner, Wagoner, Widener."

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

The motion was agreed to and the title so amended.

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 section 5533.774 and to enact sections 5533.052, 5533.071, 5533.094, 5533.095, 5533.104, 5533.121, 5533.171, 5533.254, 5533.301, 5533.321, 5533.322, 5533.356, 5533.357, 5533.358, 5533.377, 5533.378, 5533.379, 5533.461, 5533.608, 5533.624, 5533.625, 5533.626, 5533.627, 5533.628, 5533.629, 5533.645, 5533.646, 5533.648, 5533.688, 5533.689, 5533.752, 5533.768, 5533.769, 5533.861, 5533.901, 5533.902, and 5533.961 of the Revised Code to designate a number of memorial highways, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 325**, pass?"

Senator Patton moved to amend as follows:

In line 16, delete "5533.688,"; after "5533.689," insert "5533.6810,"

In line 234, delete " memorial highway" and insert " Memorial Highway"

In line 255, delete " **5533.688**" and insert " **5533.689**"

In line 265, delete " **5533.689**" and insert " **5533.6810**"

In line 7 of the title, delete "5533.688,"; after "5533.689," insert "5533.6810,"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 325**, pass?"

Senator LaRose moved to amend as follows:

In line 13, after "5533.322," insert "5533.323,"

Between lines 115 and 116, insert:

" **Sec. 5533.323.** In addition to the respective designations in sections 5533.09 and 5533.32 of the Revised Code and any other name prescribed in the Revised Code or otherwise, that portion of the highway known as interstate route number seventy-seven, commencing at mile marker one hundred thirty-three and six-tenths and proceeding in a northerly direction to mile marker one hundred

thirty-four and eight-tenths within Summit county only, shall be known as the "Army PFC Robert S. Sombati, Vietnam BSM and OLC PH, Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 4 of the title, after "5533.322," insert "5533.323,"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 325**, pass?"

Senator Coley moved to amend as follows:

In line 17, delete "and"

In line 18, after "5533.961" insert "5533.971, 5533.972, 5533.973, 5533.974, 5533.975, 5533.976, 5533.977, 5533.978, 5533.979, 5533.98, 5533.981, 5533.982, 5533.983, and 5533.984"

Between lines 341 and 342, insert:

" **Sec. 5533.971.** In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number one hundred seventy-seven, commencing at the intersection of that route and state route number seventy-three and proceeding in a southeasterly direction to the intersection of state route one hundred seventy-seven and Stahlheber road in the municipal corporation of Hamilton, shall be known as the "Sgt. David J. Luff, Jr. Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.972. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number sixty-three, commencing at the intersection of that route and state route number four and proceeding in an easterly direction to the intersection of state route sixty-three and Cincinnati-Dayton road within the municipal corporation of Middletown only, shall be known as the "Sgt. James C. Robinson, Jr. Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.973. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number seventy-three, commencing at the intersection of that route and state route number four and proceeding in a northeasterly direction to the Warren county boundary in the municipal corporation of Middletown, shall be known as the

"LCpl. Billy D. Spencer Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name

Sec. 5533.974. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number one hundred twenty-nine, commencing at the intersection of that route and Cincinnati-Dayton road and proceeding in an easterly direction to the intersection of that route and interstate route number seventy-five within Liberty township only in Butler county, shall be known as the "Cpl. Lucas T. Pyeatt Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.975. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number four, commencing at the intersection of that route and West Crescentville road and proceeding in a northerly direction to the intersection of that route and Muhlhauser road within the municipal corporation of Fairfield only, shall be known as the "PFC Timothy J. Hines, Jr. Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.976. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number forty-two, commencing at the intersection of that route and West Chester road and proceeding in a northeasterly direction to the intersection of that route and Butler Warren road within West Chester township only in Butler county, shall be known as the "SFC Gregory S. Rogers Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.977. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number forty-two, commencing at the intersection of that route and Butler Warren road and proceeding in a northeasterly direction to the intersection of that route and West Main Street in the municipal corporation of Mason, shall be known as the "SFC William B. Woods, Jr. Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.978. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number forty-two, commencing at the intersection of that route and Creek road in the municipal corporation of Sharonville and proceeding in a northeasterly direction to the intersection of that route and Cox road in West Chester township in Butler

county, shall be known as the "Sgt. John P. Huling Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.979. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number one hundred twenty-nine, commencing at the intersection of that route and state route number four in the municipal corporation of Hamilton and proceeding in an easterly direction to the intersection of that route and state route seven hundred forty-seven in Liberty township in Butler county, shall be known as the "Staff Sgt. Robert A. Massarelli Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.98. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route one hundred twenty-eight, commencing at the intersection of that route and United States route number twenty-seven and proceeding in a northeasterly direction to the intersection of that route and New London road in the municipal corporation of Hamilton, shall be known as the "Cpl. Nickolas H. Olivas Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.981. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number one hundred twenty-seven, commencing at the intersection of that route and High street and proceeding in a southerly direction to the intersection of that route and Knightsbridge drive within the municipal corporation of Hamilton only, shall be known as the "PFC Marlin T. Rockhold Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.982. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number one hundred twenty-five, commencing at the intersection of that route and Markley road and proceeding in an easterly direction to the intersection of that route and Nagel road within Anderson township only in Hamilton county, shall be known as the "PFC James Miller, IV Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.983. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number four, commencing at the intersection of that route and Grand boulevard and proceeding in a southerly direction to the intersection of that route and Bobmeyer road within the municipal corporation of Hamilton only, shall be

known as the "SFC Ricky L. McGinnis Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5533.984. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the highway known as state route number seven hundred forty-seven, commencing at the intersection of that route and Tylersville road and proceeding in a northerly direction to the intersection of that route and state route number one hundred twenty-nine in Liberty township in Butler county, shall be known as the "Chief Warrant Officer 2 Jody L. Egnor Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 9 of the title, delete "and"; after "5533.961" insert "5533.971, 5533.972, 5533.973, 5533.974, 5533.975, 5533.976, 5533.977, 5533.978, 5533.979, 5533.98, 5533.981, 5533.982, 5533.983, and 5533.984"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 325**, pass?"

The yeas and nays were taken and resulted - yeas 33, 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 | Smith |
| Tavares | Turner | Wagoner | Widener |
| | | | Niehaus-33. |

So the bill passed.

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

Senator Patton moved to amend the title as follows:

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

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 334-Representatives Johnson, Bubp.

Cosponsors: Representatives Amstutz, Barnes, Buchy, Butler, Fende, Goodwin, Gonzales, Kozlowski, O'Brien, Peterson, Rosenberger, Stebelton, Uecker, Wachtmann, Yuko, Antonio, Duffey, Garland, Hackett, Adams, R., Anielski, Beck, Blair, Blessing, Boose, Boyd, Celebrezze, Combs, Conditt, Damschroder, Derickson, DeVitis, Dovilla, Driehaus, Fedor, Foley, Gardner, Gerberry, Goyal, Grossman, Hagan, C., Hall, Hayes, Henne, Hill, Hottinger, Huffman, Landis, Luckie, Lundy, Lynch, Maag, McClain, McGregor, Milkovich, Newbold, Patmon, Pelanda, Phillips, Roegner, Ruhl, Scherer, Schuring, Sears, Slaby, M., Smith, Sprague, Stautberg, Szollosi, Terhar, Thompson, Winburn, Young, Speaker Batchelder. Senators Cafaro, Tavares, Brown.

To amend sections 2925.01, 2925.03, 2925.11, 2925.55, 2925.56, 2925.57, 2929.01, 3715.05, 3719.013, and 3719.41 and to enact sections 109.89, 3715.051, 3715.052, 3715.053, and 3715.054 of the Revised Code to establish procedures regarding the participation of pharmacies, retailers, and the Attorney General in electronically tracking pseudoephedrine and ephedrine product sales through a national exchange; to specify that certain classes of compounds and individual compounds are schedule I controlled substances; to create the offenses of trafficking in and possession of controlled substance analogs; and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 5, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 33, 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 | Smith |
| Tavares | Turner | Wagoner | Widener |
| | | | Niehaus-33. |

So the section, Section 5, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 33, 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	Smith
Tavares	Turner	Wagoner	Widener
			Niehaus-33.

So the bill having received the required constitutional majority passed as an emergency measure.

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

Senator Oelslager moved to amend the title as follows:

Add the names: "Balderson, Beagle, Burke, Eklund, Faber, Hite, Hughes, Jones, Kearney, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Turner, 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. 207-Senator Burke.

Cosponsors: Senators Jones, Seitz, Wagoner, Tavares, Brown.

To enact section 6133.041 of the Revised Code to authorize a joint board of county commissioners to conduct proceedings regarding existing joint county ditches via teleconference or video conference, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 207**, pass?"

The yeas and nays were taken and resulted - yeas 33, 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	Smith
Tavares	Turner	Wagoner	Widener
			Niehaus-33.

So the bill passed.

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

Senator Burke moved to amend the title as follows:

Add the names: "Balderson, Beagle, Coley, Eklund, Hite, Jordan, Lehner, Patton, Peterson."

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

The motion was agreed to and the title so amended.

OFFERING OF RESOLUTIONS

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

S. R. No. 374-Senator Hughes.

Honoring the City of Grandview Heights Finance Department on receiving an Auditor of State Award with Distinction.

S. R. No. 375-Senators Hughes, Bacon, Tavares, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Jones, Jordan, Kearney, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Turner, Wagoner, Widener.

Honoring The Ohio State University football team on its undefeated season.

S. R. No. 376-Senators Cafaro, Obhof, Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jones, Jordan, Kearney, LaRose, Niehaus, Oelslager, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Tavares, Turner, Wagoner, Widener.

Honoring Urban Meyer for his outstanding coaching accomplishments.

S. R. No. 377-Senator Hughes.

Honoring the Bishop Watterson High School field hockey team as the 2012 State runner-up.

S. R. No. 378-Senators Bacon, Hughes, Tavares, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Jones, Jordan, Kearney, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Turner, Wagoner, Widener.

Honoring The Ohio State University marching band on receiving national online attention.

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 passed the following bills in which the concurrence of the Senate is requested:

Sub. H. B. No. 27 -Representatives Stautberg, Letson

Cosponsors: Representatives Hagan, R., Murray, Pillich, Ruhl, Thompson, Burke, DeGeeter, McClain, Huffman, Balderson, Garland, Derickson, McGregor, Weddington, O'Brien, Schuring, Patmon, Mecklenborg, Bubb, Stinziano, Amstutz, Antonio, Beck, Blair, Boose, Budish, Celebrezze, Celeste, Combs, Dovilla, Foley, Hackett, Hayes, Kozlowski, Maag, Mallory, Milkovich, Newbold, Phillips, Ramos, Slesnick, Stebelton, Terhar, Williams, Winburn, Speaker Batchelder

To amend sections 2111.01 and 2111.02, to enact sections 2111.022, 2112.01, 2112.011, 2112.02, 2112.03, 2112.04, 2112.05, 2112.21, 2112.22, 2112.23, 2112.24, 2112.25, 2112.26, 2112.27, 2112.31, 2112.32, 2112.41, 2112.42, and 2112.43, and to repeal section 2111.41 of the Revised Code to adopt the Adult Guardianship and Protective Proceedings Jurisdiction Act.

Sub. H. B. No. 191 -Representatives Hayes, Patmon

Cosponsors: Representatives Ruhl, Thompson, Adams, J., Kozlowski, Derickson, Roegner, Beck, Barnes, Amstutz, Blair, Huffman, Sprague, Speaker Batchelder

To amend sections 2151.011, 3313.48, 3313.533, 3313.62, 3313.88, 3317.01, 3317.03, 3321.05, 3326.11, and 3327.01; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3313.88 (3313.482); to enact new section 3313.481 and section 3314.092; and to repeal sections 3313.481 and 3313.482 of the Revised Code to establish a minimum school year for school districts, STEM schools, and chartered nonpublic schools based on hours, rather than days, of instruction.

Sub. H. B. No. 284 -Representatives Gonzales, Letson

Cosponsors: Representatives Stebelton, Wachtmann, Boyd, Slesnick, Gerberry, O'Brien, Murray, Reece, Mallory, Amstutz, Antonio, Boose, Carney, Celeste, Duffey, Fedor, Foley, Gardner, Garland, Hottinger, McClain, Milkovich, Newbold, Pelanda, Phillips, Pillich, Ramos, Schuring, Sears, Sprague, Terhar, Young, Yuko, Speaker Batchelder

To amend sections 2133.211, 3719.06, 4730.06, 4730.09, 4730.10, 4730.11, 4730.38, 4730.39, 4730.40, 4730.41, 4730.42, 4730.44, 4730.46, 4755.48, 4755.481, 4765.01, 4765.35, 4765.36, 4765.37, 4765.38, 4765.39, 4765.49, and 4765.51, to enact sections 4730.04, 4730.092, and 4730.411, and to repeal section 4730.401 of the Revised Code to modify the laws governing physician assistants.

H. B. No. 501 -Representatives Carney, Duffey

Cosponsors: Representatives Celeste, Letson, Adams, R., Antonio, Barnes, Boyce, Bulp, Buchy, Celebrezze, Combs, Driehaus, Fedor, Foley, Garland, Hagan, R., Hall, Hottinger, Johnson, Mallory, McClain, Milkovich, Pillich, Ramos, Reece, Ruhl, Scherer, Slesnick, Sprague, Stinziano, Wachtmann, Yuko, Speaker Batchelder

To enact section 5.075 of the Revised Code to adopt the Adena Pipe as the official artifact of the state.

Attest:

Jennifer E. Woodring,
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:

Sub. H. B. No. 532 -Representatives Kozlowski, Gonzales

Cosponsors: Representatives Henne, Gardner, Derickson, Adams, J., Bulp, Pillich, Garland, Grossman, Sears, Szollosi, Hottinger, Buchy, Fende, Wachtmann, Lundy, Ruhl, Yuko, Reece, Dovilla, Boose, Conditt, Stebelton, Maag, Young, Goodwin, Johnson, Landis, Butler, Fedor, Hagan, C., Martin, Milkovich, Rosenberger, Amstutz, Adams, R., Anielski, Antonio, Ashford, Baker, Beck, Blair, Blessing, Boyce, Brenner, Budish, DeVitis, Duffey, Gerberry, Hackett, Hall, Hayes, Hill, Huffman, Letson, Lynch, McClain, Murray, Newbold, O'Brien, Okey, Patmon, Phillips, Roegner, Slesnick, Smith, Sprague, Stautberg, Terhar, Thompson, Uecker, Speaker Batchelder

To amend sections 307.05, 307.051, 307.055, 505.37, 505.375, 505.44, 505.72, 3354.121, 4503.49, 4513.263, 4743.05, 4765.02, 4765.03, 4765.04, 4765.05, 4765.06, 4765.07, 4765.08, 4765.09, 4765.10, 4765.101, 4765.102,

4765.11, 4765.111, 4765.112, 4765.113, 4765.114, 4765.115, 4765.116, 4765.12, 4765.15, 4765.16, 4765.17, 4765.18, 4765.22, 4765.23, 4765.28, 4765.29, 4765.30, 4765.31, 4765.32, 4765.33, 4765.37, 4765.38, 4765.39, 4765.40, 4765.42, 4765.48, 4765.49, 4765.55, 4765.56, 4766.01, 4766.03, 4766.04, 4766.05, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11, 4766.12, 4766.13, 4766.15, 4766.22, 5502.01, 5709.40, 5709.73, 5709.77, and 5913.11; and to repeal sections 4766.02 and 4766.20 of the Revised Code; to amend Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly, as subsequently amended, to amend Section 335.10 of Am. Sub. H.B. 153 of the 129th General Assembly, and to amend Section 707.10 of Am. Sub. H.B. 487 of the 129th General Assembly to revise the Ohio Military Medal of Distinction law; to rename the State Board of Emergency Medical Services the "State Board of Emergency Medical, Fire, and Transportation Services"; to eliminate the Ohio Medical Transportation Board and assign its duties to the renamed State Board of Emergency Medical, Fire, and Transportation Services; to specify the membership of the renamed board; to allow certain community colleges to acquire, construct, and maintain housing and dining facilities; to specify that, with respect to tax increment financing (TIF), the base taxable value of an exempt improvement is the assessed value of the property appearing on the most recent tax list compiled before the TIF legislation takes effect; to expand the areas for which a municipal corporation in Stark County may use up to 5% of its water and sewer funds for sewage or water system extensions to include areas within a joint economic development district and areas within the municipal corporation's boundaries; and to make an appropriation.

Sub. H. B. No. 555 -Representatives Stebelton, Butler

Cosponsors: Representatives Amstutz, Grossman, Hayes, Huffman, McClain, Roegner, Thompson, Beck, Blair, Blessing, Boose, Brenner, Bubp, Combs, Hagan, C., Henne, Kozlowski, Maag, Newbold, Terhar, Wachtmann, Young, Speaker Batchelder

To amend sections 3301.079, 3301.0710, 3301.0711, 3301.0714, 3302.01, 3302.02, 3302.021, 3302.03, 3302.033, 3302.04, 3302.041, 3302.042, 3302.05, 3302.10, 3302.12, 3302.20, 3302.21, 3310.03, 3310.06, 3311.741, 3311.80, 3313.473, 3313.608, 3314.011, 3314.012, 3314.013, 3314.015, 3314.016, 3314.02, 3314.05, 3314.35, 3314.36, 3314.37, 3317.081, 3319.111, 3319.112, 3319.58, 3326.03, 3333.041, 3333.048, 3333.391, 5910.01, 5910.02, and 5919.34; to enact sections 3302.034, 3310.16, 3314.017, 3314.351, and 5910.07 of the Revised Code; and to amend Section 267.10.90 of Am. Sub. H.B. 153 of the 129th General Assembly, as subsequently amended, to create a new academic performance rating system for school districts and other public schools; to require an alternative academic performance rating system for community schools serving primarily students

enrolled in dropout prevention and recovery programs; to create a new evaluation process for community school sponsors; to abolish the Ohio accountability task force and replace it with the Ohio accountability advisory committee; to specifically permit educational service centers to partner in the development of STEM schools; to allow for the reporting of a student's personally identifiable information to specified third parties with which the Department of Education has contracted to develop state assessments; to require that a third-grade student reading below grade level receives intervention services prior to development of the student's improvement monitoring plan; to modify the procedure for approving the opening of new Internet- or computer-based community schools; to require that a community school fiscal officer be a licensed school treasurer; to qualify for a War Orphans Scholarship, children of military veterans who participated in an operation for which the Armed Forces Expeditionary Medal was awarded; and to authorize the administrators of the Ohio National Guard Scholarship Program and the Ohio War Orphans Scholarship Program to apply for and receive grants and to accept gifts, bequests, and contributions from public and private sources.

Attest:

Jennifer E. Woodring,
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 passage of the following bill:

Am. Sub. S. B. No. 70 -Senator Schaffer

Cosponsors: Senators Hughes, Manning, Bacon, Balderson, Burke, Faber, Hite, Jones, Kearney, LaRose, Lehner, Oelslager, Patton, Peterson, Widener
Representatives Bulp, Conditt, Amstutz, Antonio, Barnes, Carney, Cera, Clyde, Fedor, Garland, Gerberry, Grossman, Hackett, Hottinger, Letson, Lundy, Mallory, McClain, Milkovich, Newbold, Okey, Ruhl, Sprague, Szollosi, Yuko, Speaker Batchelder

To enact sections 2909.13, 2909.14, and 2909.15 of the Revised Code to establish a registry for arson offenders.

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

In line 206, delete " not"

Delete lines 242 and 243

Attest:

Jennifer E. Woodring,
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 concurred in the passage of the following bill:

Sub. S. B. No. 287 -Senators LaRose, Cafaro

Cosponsors: Senators Seitz, Brown, Tavares, Bacon, Balderson, Beagle, Burke, Coley, Gentile, Hite, Hughes, Kearney, Lehner, Niehaus, Obhof, Oelslager, Patton, Peterson, Schiavoni, Skindell, Smith, Turner, Wagoner
Representatives Antonio, Carney, Celeste, Garland, Hackett, Ramos, Schuring, Sears, Slaby, M., Yuko, Anielski, Ashford, Beck, Blair, Blessing, Bupp, Buchy, Celebrezze, Combs, Driehaus, Fedor, Grossman, Hayes, Kozlowski, Letson, McClain, Milkovich, Murray, Newbold, O'Brien, Ruhl, Stinziano, Sykes, Wachtmann, Winburn, Young, Speaker Batchelder

To amend sections 4757.41, 4758.01, 4758.02, 4758.10, 4758.20, 4758.21, 4758.22, 4758.23, 4758.24, 4758.26, 4758.27, 4758.30, 4758.40, 4758.41, 4758.42, 4758.43, 4758.44, 4758.45, 4758.51, 4758.55, 4758.56, 4758.59, 4758.61, 4758.70, and 5111.20; to enact sections 4758.221, 4758.241, 4758.39, 4758.46, 4758.47, 4758.52, 4758.54, and 4758.561; and to repeal sections 3793.07, 4758.04, 4758.53, and 4758.58 of the Revised Code to revise the law governing the professions of chemical dependency counseling and alcohol and other drug prevention and to remove wheelchairs from nursing facilities' Medicaid direct care costs.

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

Attest:

Jennifer E. Woodring,
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 concurred in the passage of the following bill:

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

Cosponsors: Senators Beagle, Coley, LaRose, Seitz, Bacon, Peterson, Brown, Balderson, Burke, Hughes, Jones, Lehner, Manning, Wagoner, Widener
Representatives Brenner, Adams, R., Antonio, Blessing, Garland, Grossman, Hackett, Ruhl, Speaker Batchelder

To amend sections 1109.22, 1304.55, 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, to make changes regarding derivative transactions by banks, and to make changes to the Uniform Commercial Funds Transfers law regarding remittance transfers.

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

Attest: Jennifer E. Woodring,
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 concurred in the Senate amendments to:

Am. Sub. H. B. No. 62-Representative Gonzales - et al.

Attest: Jennifer E. Woodring,
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. S. B. No. 40 -Senator Kearney - et al.

Sub. S. B. No. 130 -Senators Hughes, Cates - et al.

Am. S. B. No. 135 -Senator Kearney - et al.

S. B. No. 199 -Senator Smith - et al.

Am. S. B. No. 300 -Senators Manning, Wagoner - et al.

Sub. S. B. No. 301 -Senators Burke, Cafaro - et al.

Attest: Jennifer E. Woodring,
Clerk.

The President signed said bills.

On the motion of Senator Faber, the Senate adjourned until Wednesday,
December 5, 2012 at 1:30 p.m.

Attest: VINCENT L. KEERAN,
Clerk.