

**OHIO**

**SENATE**

**JOURNAL**

**TUESDAY, DECEMBER 13, 2011**

ONE HUNDRED TWENTY-THIRD DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, December 13, 2011, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Tom McCullough, State Director, 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 REFERENCE AND BILLS FOR SECOND  
CONSIDERATION**

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

**H. C. R. No. 29**-Representative Sears, et al.

To approve the Public Health Council's proposed revision of Chapter 3701-36 of the Ohio Administrative Code establishing standards to be met by boards of health and local health departments and procedures for payment of state subsidies for meeting those standards.

To the Committee on Health, Human Services and Aging.

**Sub. H. B. No. 247**-Representative Butler, et al.

To amend sections 181.25, 2947.23, 2949.091, and 2953.08 and to enact sections 1901.263, 1905.38, 1907.25, 1925.151, 2101.165, 2151.542, 2303.23, 2501.161, and 2503.18 of the Revised Code to authorize a court to cancel claims for uncollectible amounts due the court, to authorize a sentencing court to waive, suspend, or modify payment of the costs of prosecution, to define "case" in connection with the imposition of costs in a criminal case, and to abolish the Felony Sentence Appeal Cost Oversight Committee.

To the Committee on Judiciary.

**Sub. H. B. No. 268**-Representatives Szollosi, Butler, et al.

To amend sections 3.08, 163.10, 311.17, 509.15, 733.73, 733.74, 1901.25, 1907.28, 2101.30, 2311.42, 2313.01, 2313.02, 2313.03, 2313.05, 2313.11, 2313.12, 2313.13, 2313.16, 2313.18, 2313.19, 2313.20, 2313.251, 2313.29,

2313.34, 2313.38, 2313.41, 2313.42, 2313.46, 2313.47, 2313.99, 2335.28, 2938.05, 2938.14, 2939.02, 2939.03, 2945.24, 2947.23, 3314.03, 3326.11, 5155.12, and 5563.05, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2313.05 (2313.04), 2313.11 (2313.18), 2313.13 (2313.15), 2313.16 (2313.14), 2313.18 (2313.19), 2313.19 (2313.07), 2313.20 (2313.08), 2313.251 (2313.10), 2313.29 (2313.20), 2313.34 (2313.22), 2313.38 (2313.11), 2313.41 (2313.16), 2313.42 (2313.17), 2313.46 (2313.24), and 2313.47 (2313.13), to enact new sections 2313.05, 2313.06, 2313.09, 2313.21, and 2313.23, and to repeal sections 2313.04, 2313.06, 2313.07, 2313.08, 2313.09, 2313.10, 2313.14, 2313.15, 2313.21, 2313.22, 2313.23, 2313.24, 2313.25, 2313.26, 2313.30, 2313.32, 2313.33, 2313.35, 2313.36, 2313.37, 2313.39, 2313.40, 2313.43, and 2313.45 of the Revised Code to modernize the language of, to reorganize, and to remove obsolete provisions from the jury service law.

To the Committee on Judiciary.

**Am. Sub. H. B. No. 326**-Representatives McClain, Hill, et al.

To amend sections 9.03 and 3599.40 of the Revised Code to prohibit a person from using public funds to publish, distribute, or otherwise communicate information that supports or opposes the nomination or election of a candidate for public office, for the investigation, prosecution, or recall of a public official, or for the passage of a levy or bond issue, or to compensate any employee of a political subdivision for time spent on any activity to influence the outcome of an election for any of the purposes described above and to specify that a person who violates the prohibition is guilty of a first degree misdemeanor.

To the Committee on Judiciary.

**Sub. H. B. No. 337**-Representative Rosenberger, et al.

To amend sections 2935.36, 2951.041, 4506.01, 4506.05, 4506.07, 4506.09, 4506.10, 4506.101, 4506.12, 4506.13, 4506.14, 4506.15, 4506.16, 4506.161, 4506.17, 4506.21, 4510.03, 4510.036, 4513.37, and 5577.05 and to enact section 4506.131 of the Revised Code to make changes in the law governing commercial drivers' licenses, including hazardous material endorsements, medical certification requirements, disqualifications, conviction records, and establishing texting while driving as a serious traffic violation, to exclude certain components from the prohibited length dimensions of specified types of vehicles, and to declare an emergency.

To the Committee on Highways and Transportation.

**Sub. H. B. No. 371**-Representatives Amstutz, Weddington, et al.

To amend sections 189.01, 189.03, 189.04, 189.05, 189.06, 189.07, and 189.08 of the Revised Code and to amend Sections 261.10 and 261.20.93 of Am. Sub. H.B. 153 of the 129th General Assembly regarding the Local Government Innovation Program and to make an appropriation.

To the Committee on Finance.

**S. C. R. No. 23**-Senator Kearney, et al.

To commend the members of the Black Brigade for their defense of Cincinnati in 1862.

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

**S. B. No. 267**-Senator Turner, et al.

To enact section 101.48 of the Revised Code to establish a controlled substance testing requirement for members of the General Assembly.

To the Committee on Government Oversight and Reform.

**S. B. No. 268**-Senator Eklund, et al.

To amend section 2901.07 of the Revised Code to provide for the taking of a DNA sample from a person who is charged with a felony but not arrested for the offense or whose DNA sample related to a felony offense was not taken when required.

To the Committee on Judiciary.

YES - 10: THOMAS E. NIEHAUS, KEITH L. FABER, TOM PATTON, SHANNON JONES, MARK D. WAGONER, SCOTT OELSLAGER, JOSEPH SCHIAVONI, 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 resolutions were considered a second time and referred to committee as recommended.

### REPORTS OF STANDING AND SELECT COMMITTEES

Senator Lehner submitted the following report:

The standing committee on Education, to which was referred **Am. H. B. No. 157**-Representatives Schuring, Letson, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Hite.

YES - 9: THOMAS SAWYER, JOSEPH SCHIAVONI, SHIRLEY A. SMITH, LARRY OBHOF, BILL BEAGLE, CLIFF HITE, GAYLE MANNING, PEGGY B. LEHNER, BILL COLEY.

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:

**Gregory A. McDonald, DDS**, from Springboro, Warren County, Ohio, as a Member of the State Dental Board for a term beginning October 5, 2011 and ending at the close of business April 5, 2015, replacing Dr. Billy Sue Kyger, whose term expired.

**Christopher Alan Taylor, Ph.D**, from Columbus, Franklin County, Ohio, as a Member of the Ohio Board of Dietetics for a term beginning September 1, 2011 and ending at the close of business June 30, 2016, replacing Dr. Kay Soltész, whose term expired.

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

YES - 10: THOMAS E. NIEHAUS, KEITH L. FABER, TOM PATTON, SHANNON JONES, MARK D. WAGONER, SCOTT OELSLAGER, JOSEPH SCHIAVONI, EDNA

BROWN, SHIRLEY A. SMITH, CAPRI S. CAFARO.

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	Daniels
Eklund	Faber	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the Senate advised and consented to said appointments.

Senator Faber moved that the Senate advance to the ninth Order of Business, Offering of Resolutions.

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

The motion was agreed to.

**OFFERING OF RESOLUTIONS**

Senator Cafaro offered the following resolution:

**S. R. No. 162**-Senator Cafaro.

Relative to the appointment of Lou Gentile, to fill the vacancy in the membership of the Senate created by the resignation of Jason H. Wilson of the 30th Senatorial District.

WHEREAS, Section 11 of Article II, Ohio Constitution, provides for the filling of a vacancy in the Senate by appointment by the members of the Senate who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Jason H. Wilson of the 30th Senatorial District has resigned as a member of the Senate effective November 20, 2011, thus creating a vacancy in the Senate; now therefore be it

RESOLVED, By the members of the Senate who are affiliated with the Democratic party, that Lou Gentile (Democrat), having the qualifications set

forth in the Ohio Constitution and the laws of Ohio to be a member of the Senate from the 30th Senatorial District is hereby appointed, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the Senate from the 30th Senatorial District, to fill the vacancy created by Jason H. Wilson; and be it further

RESOLVED, That a copy of this Resolution be spread upon the journal of the Senate together with the yeas and nays of the members of the Senate affiliated with the Democratic party voting on the Resolution, and that the Clerk of the Senate shall certify the Resolution and the vote on its adoption to the Secretary of State.

The question being, "Shall the resolution, **S. R. No. 162**, be adopted?"

The yeas and nays were taken and resulted - yeas 9, nays 0, as follows:

Those who voted in the affirmative were: Senators

Brown	Cafaro	Kearney	Sawyer
Schiavoni	Skindell	Smith	Tavares
			Turner-9.

So the resolution was adopted.

Senator Gentile appeared at the bar of the Senate and was administered the oath of office by the Honorable Edmund Sargus, Judge for the United States District Court for the Southern District of Ohio.

Senator Cafaro offered the following resolution:

**S. R. No. 163**-Senator Cafaro.

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 Lou Gentile of 264 miles round trip.

The question being, "Shall the resolution, **S. R. No. 163**, be adopted?"

Senator Gentile 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. 163**, be adopted?"

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	Daniels
Eklund	Faber	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Wagoner	Widener	Niehaus-32.

So the resolution was adopted.

Senator Faber moved that the Senate revert to the fifth Order of Business, Resolutions Reported by Committee..

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

The motion was agreed to.

**RESOLUTIONS REPORTED BY COMMITTEE**

**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. Senators LaRose, Lehner, Eklund, Turner, Tavares.

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

WHEREAS, United States Armed Forces served in Vietnam for a period of twenty years; and

WHEREAS, Over 8,744,000 served in the United States Armed Forces during the Vietnam War era; and

WHEREAS, Over 58,000 United States service members, and over 3,000



Ohioans, perished in the Vietnam War; and

WHEREAS, Over 300,000 United States service members were wounded in the Vietnam War; and

WHEREAS, Approximately 600 United States service members were held as prisoners of war during the conflict; and

WHEREAS, Efforts to recover those missing in action continue; and

WHEREAS, The Congress of the United States, in the Defense Authorization Act of 2008, established a program to coordinate, support, and facilitate other programs and activities of the federal government, state, and local governments, and other persons and organizations in commemoration of the Vietnam War; and

WHEREAS, Veterans of the Vietnam War deserve continued recognition for their service and sacrifice; and

WHEREAS, the first Vietnam War casualty recognized on the Vietnam Veterans Memorial Wall in Washington, D.C., occurred in 1956; now therefore be it

RESOLVED, That we, the members of the 129th General Assembly of the State of Ohio, mindful of the fifty-fifth anniversary of the first casualty in the Vietnam War, honor and commemorate all who served this country during the Vietnam War era, and be it further

RESOLVED, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, the Secretary of the United States Department of Defense, the members of the Ohio Congressional delegation, the Governor of Ohio, and the news media of Ohio.

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

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    | Daniels     |
| Eklund    | Faber     | Gentile  | Hite        |
| Hughes    | Jones     | Jordan   | Kearney     |
| LaRose    | Lehner    | Manning  | Obhof       |
| Oelslager | Patton    | Sawyer   | Schaffer    |
| Schiavoni | Seitz     | Skindell | Smith       |
| Tavares   | Turner    | Wagoner  | Widener     |
|           |           |          | Niehaus-33. |

So the concurrent resolution was adopted.

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

Senator Jordan moved to amend the title as follows:

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

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

The motion was agreed to and the title so amended.

**S. R. No. 141-Senator Manning.**

Cosponsors: Senators Burke, Hughes, Jones, Kearney, Seitz, Wagoner.

To support the construction of the New International Trade Crossing between the United States and Canada.

WHEREAS, Canada is the largest foreign trade partner for the United States and the largest export destination for 35 states; and

WHEREAS, Canada is Ohio's top export market; and

WHEREAS, Ohio's bilateral trade with Canada for the year 2010 was \$30.9 billion; and

WHEREAS, An estimated 301,100 jobs in Ohio are supported by United States-Canada trade; and

WHEREAS, Canadians made more than 544,100 visits to Ohio during 2010, spending more than \$137 million; and

WHEREAS, The current bridge between Detroit and Windsor is 83 years old and carries one-fourth of all United States-Canada trade, consisting of 20,000 vehicles and approximately \$350 million in value daily; and

WHEREAS, Eight million jobs in the United States depend on United States-Canada trade, and therefore 2 million Americans rely for their livelihood on that 83-year old bridge between Detroit and Windsor; and

WHEREAS, Plans are underway to build an additional international border crossing system over the Detroit River, known as the New International Trade Crossing, consisting of a six-lane bridge with three lanes bound for the United States and three lanes bound for Canada, connected to new United States and Canadian inspection plazas; and

WHEREAS, The New International Trade Crossing will have an enormous economic impact on the U.S. economy, creating 10,000 construction jobs and more than 25,000 indirect jobs during the construction period in the United States; and

WHEREAS, The State of Michigan and Transport Canada are pursuing a

public-private partnership to finance and deliver the New International Trade Crossing; and

WHEREAS, The partnership will be in the form of a long-term concession agreement that will seek to maximize private sector participation and financing by allowing for public ownership of the bridge and private financing, construction, operation, and maintenance of the bridge while protecting the public interest; and

WHEREAS, The State of Michigan needs legislative authority to enter into the public-private partnership and to enter into an agreement with Canada to build the New International Trade Crossing; and

WHEREAS, A modern border crossing that can support the ever-increasing amount of trade and travel between the United States and Canada is essential to the economies of Ohio, the Midwest, and the United States; now therefore be it

RESOLVED, That members of the Ohio Senate do hereby fully support the New International Trade Crossing project and any legislation that will allow for its construction and creation of a public-private partnership to finance and deliver the new border crossing; and be it further

RESOLVED, That the members of the Ohio Senate encourage initiatives that bring investments in communities hosting the New International Trade Crossing project and the entire multistate region, including job creation, environmental improvement, increased trade, and other benefits that improve the quality of life of residents; and be it further

RESOLVED, That the members of the Ohio Senate recognize that the New International Trade Crossing will have an immeasurable economic impact on the State of Ohio and will lay the foundation for future productivity, growth, and economic stability of local economies within Ohio; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the Michigan Senate, the Minority Leader of the Michigan Senate, the Speaker of the Michigan House of Representatives, the Minority Leader of the Michigan House of Representatives, the Governor of Michigan, and the Consul General of Canada in Detroit, Michigan.

The question being, "Shall the resolution, **S. R. No. 141**, be adopted?"

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   | Daniels  |
| Eklund    | Faber     | Gentile | Hite     |
| Hughes    | Jones     | Jordan  | Kearney  |
| LaRose    | Lehner    | Manning | Obhof    |
| Oelslager | Patton    | Sawyer  | Schaffer |

Schiavoni  
Tavares

Seitz  
Turner

Skindell  
Wagoner

Smith  
Widener  
Niehaus-33.

So the resolution was adopted.

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

Senator Lehner moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Daniels, Faber, Hite, Hughes, Jones, Jordan, LaRose, Lehner, Obhof, Patton, Schaffer, Skindell, Tavares, Turner."

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

The motion was agreed to and the title so amended.

**S. C. R. No. 15**-Senator Schaffer.

Cosponsors: Senators Tavares, Jones.

To express the General Assembly's support of increasing public awareness of and education on the importance of folic acid in the diets of women of childbearing age.

WHEREAS, Sufficient folic acid in women's diets before and during pregnancy can reduce the risk of birth defects of the brain and spinal cord known as neural tube defects; and

WHEREAS, Neural tube defects occur in about one out of every one thousand pregnancies in the United States; and

WHEREAS, Studies have shown that neural tube defects could be prevented if women consume the proper amounts of folic acid before becoming pregnant and during early pregnancy; and

WHEREAS, The Food and Nutrition Board of the National Academies' Institute of Medicine, the United States Public Health Service, and the United States Preventative Services Task Force recommend that women who are of childbearing age should consume four hundred micrograms of synthetic folic acid every day from a vitamin or from fortified foods, in addition to eating a healthy diet rich in natural sources of folate; and

WHEREAS, The March of Dimes found that while public awareness is improving and eighty-four per cent of women have heard of folic acid, only thirty-nine per cent take a daily vitamin containing folate, only twenty per cent know that folic acid prevents birth defects, and only eleven per cent know it should be taken before pregnancy; and

WHEREAS, The March of Dimes found that health professionals have not been the main source of women's information and awareness about folic acid since forty-nine per cent of the women who learned about folic acid did so from the media as compared to thirty-three per cent who learned about folic acid from their physicians or other healthcare providers; now therefore be it

RESOLVED, That we, the members of the 129th General Assembly of the State of Ohio, in adopting this resolution, express our support of increasing public awareness of and education on the importance of folic acid in the diets of women of childbearing age to help prevent neural tube defects; and be it further

RESOLVED, That we, the members of the 129th General Assembly of the State of Ohio, suggest that the Ohio Department of Health, State Medical Board of Ohio, Ohio Board of Nursing, Ohio State Board of Pharmacy, and the Ohio Department of Insurance collaborate when engaging in any effort to increase public awareness of and education on the importance of folic acid.

The question being, "Shall the concurrent resolution, **S. C. R. No. 15**, be adopted?"

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    | Daniels     |
| Eklund    | Faber     | Gentile  | Hite        |
| Hughes    | Jones     | Jordan   | Kearney     |
| LaRose    | Lehner    | Manning  | Obhof       |
| Oelslager | Patton    | Sawyer   | Schaffer    |
| Schiavoni | Seitz     | Skindell | Smith       |
| Tavares   | Turner    | Wagoner  | Widener     |
|           |           |          | Niehaus-33. |

So the concurrent resolution was adopted.

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

Senator Schaffer moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Daniels, Eklund, Faber, Gentile, Hite, Hughes, Kearney, Lehner, Manning, Obhof, Oelslager, Patton, Schiavoni, Skindell."

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

The motion was agreed to and the title so amended.

**BILLS FOR THIRD CONSIDERATION**

**Sub. 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, Bubp, 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. Senator Hite.

To amend sections 3311.05, 3311.0510, 3313.376, 3313.843, 3317.11, 3318.60, 3319.07, 3326.45, 3328.01, 3328.02, 3328.12, 3328.13, 3328.14, 3328.15, 3328.23, 3328.24, 3328.34, 3328.36, and 3328.41 and to enact sections 3318.61 and 3319.80 of the Revised Code to authorize educational service centers to provide teacher professional development on dyslexia, to make changes regarding the relationship between educational service centers and their client school districts, to make changes to the operation of public college-preparatory boarding schools and the College-Preparatory Boarding School Facilities Program, 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 31, nays 2, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Daniels
Eklund	Faber	Gentile	Hite
Hughes	Jones	Jordan	Kearney
LaRose	Lehner	Manning	Obhof
Oelslager	Patton	Sawyer	Schaffer
Schiavoni	Seitz	Tavares	Turner
Wagoner	Widener		Niehaus-31.

Senators Skindell and Smith voted in the negative-2.

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	Daniels
Eklund	Faber	Gentile	Hite
Hughes	Jones	Jordan	Kearney
LaRose	Lehner	Manning	Obhof
Oelslager	Patton	Sawyer	Schaffer

Schiavoni  
Tavares

Seitz  
Turner

Skindell  
Wagoner

Smith  
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 Lehner moved to amend the title as follows:

Add the names: "Brown, Coley, Gentile, Hughes, Jones, Kearney, Obhof, Patton, Sawyer, Schiavoni, Seitz, Turner, Wagoner."

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

The motion was agreed to and the title so amended.

**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, Bubp, 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. Senator Daniels.

To amend sections 9.37, 9.482, 135.01, 135.143, 135.35, 167.03, 305.171, 305.23, 307.862, 307.88, 329.01, 330.04, 349.01, 349.03, 349.04, 349.06, 349.14, 505.603, 3917.04, 4931.41, 4931.43, 4931.44, 4931.45, 4931.49, 4931.50, 4931.64, 4931.65, 4931.66, 5101.01, 5705.13, 5705.392, 5713.07, 5713.08, 5713.081, 5713.082, 5715.13, 5715.27, and 5717.02 and to enact sections 113.43, 148.061, 329.40, 329.41, 329.42, 329.43, 329.44, 329.45, and 329.46 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 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, to authorize the Hocking, Ross, and Vinton Counties' boards of county commissioners to form a pilot joint county department of job and family services, to modify state and county investment

authority law, to prohibit centralized-services purchases using moneys from the Real Estate Assessment Fund, to exempt funds subject to the Tax Commissioner's rules governing expenditures from the Real Estate Assessment Fund from county quarterly spending plans, to limit the involvement of county officers and their responsibilities in intergovernmental shared services agreements, to authorize county contracting authorities to give notice of requests for proposals and receive proposals through a secure electronic system, to permit tax complaints to be filed electronically, 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, and to make changes to the New Community Authority Law, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 225**, pass?"

Senator Skindell moved to amend as follows:

In line 55, delete "and"; after "329.46" insert ", and 329.48"

In line 1405, delete the underlined period and insert an underlined semicolon

Between lines 1405 and 1406, insert:

" (e) The obligation of a joint county department of job and family services to extend offers of employment to all employees of a participating county department of job and family services, who are employees of the county department of job and family services immediately prior to the establishment of the joint county department of job and family services, in substantially similar classifications as those to which the employees are assigned immediately prior to the establishment of the joint county department of job and family services;

(f) The obligation of a joint county department of job and family services to recognize the deemed certified or board certified exclusive representative, under division (A) of section 4117.05 of the Revised Code, of any bargaining unit of employees of a participating county department of job and family services, who was the exclusive representative immediately prior to the establishment of the joint county department of job and family services;

(g) The obligation of a joint county department of job and family services to be bound by the terms of any collective bargaining agreement, in effect immediately prior to the establishment of the joint county department of job and family services, covering employees of a participating county department of job and family services."

Between lines 1682 and 1683, insert:

" **Sec. 329.48.** Any county that withdraws or is removed from a joint county department of job and family services shall do all of the following:



(A) Extend offers of employment to any joint county department employees who are performing services for the withdrawing or removed county or are working in a withdrawing or removed county's facility;

(B) Recognize the deemed certified or board certified exclusive representative, under division (A) of section 4117.05 of the Revised Code, of any bargaining unit of joint county department employees who accept employment with the withdrawing or removed county;

(C) Recognize and be bound by the terms of any collective bargaining agreement covering joint county department employees who accept employment with the withdrawing or removed county."

In line 10 of the title, delete "and"; after "329.46" insert ", and 329.48"

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	Balderson	Beagle	Burke
Coley	Daniels	Eklund	Faber
Hite	Hughes	Jones	Jordan
LaRose	Lehner	Manning	Obhof
Oelslager	Patton	Schaffer	Seitz
Wagoner	Widener		Niehaus-23.

Those who voted in the negative were: Senators

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

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 225**, pass?"

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

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Daniels	Eklund	Faber
Hite	Hughes	Jones	Jordan
LaRose	Lehner	Manning	Obhof
Oelslager	Patton	Schaffer	Seitz
Wagoner	Widener		Niehaus-23.

Those who voted in the negative were: Senators

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

So the bill passed.

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

Senator Widener moved to amend the title as follows:

Add the names: "Coley, Eklund, Hite, LaRose, Lehner, Niehaus, Seitz."

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

The motion was agreed to and the title so amended.

**Sub. 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. Senators Bacon, Faber, Sawyer, Hughes, Hite, Beagle.

To amend sections 4301.10, 4301.17, 4301.62, 4303.02, 4303.041, 4303.181, 4303.184, 4303.25, and 4303.29 and to enact sections 4301.171 and 4303.209 of the Revised Code to revise certain provisions of the Liquor Law, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 243**, pass?"

On the motion of Senator Faber, **Sub. H. B. No. 243** was informally passed and retained its place on the calendar.

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

Cosponsors: Senators Grendell, Kearney, Manning, Patton, Seitz, Wagoner.

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, and to require the Registrar to establish standards for advanced juvenile driver improvement programs, was considered the third time.

The question being, "Shall the bill, **S. B. No. 19**, 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	Daniels
Eklund	Faber	Gentile	Hite
Hughes	Jones	Jordan	Kearney
LaRose	Lehner	Manning	Obhof
Oelslager	Patton	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 Hughes moved to amend the title as follows:

Add the names: "Bacon, Brown, Burke, Daniels, Eklund, Hite, Jones, Jordan, Lehner, Obhof."

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

The motion was agreed to and the title so amended.

**Sub. S. B. No. 181**-Senator Wagoner.

Cosponsors: Senators Jones, LaRose, Patton, Sawyer, Tavares, Turner.

To amend sections 127.16, 149.54, 317.08, 1506.30, and 3714.03, to enact sections 149.307 and 4503.95, and to repeal sections 149.51 and 149.55 of the Revised Code to implement recommendations of the Ohio Legislative Commission on the Education and Preservation of State History, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 181**, pass?"

Senator Wagoner moved to amend as follows:

Delete lines 10 through 186 and insert the following:

"**Sec. 127.16.** (A) Upon the request of either a state agency or the director of budget and management and after the controlling board determines that an emergency or a sufficient economic reason exists, the controlling board may approve the making of a purchase without competitive selection as provided in division (B) of this section.

(B) Except as otherwise provided in this section, no state agency, using money that has been appropriated to it directly, shall:

(1) Make any purchase from a particular supplier, that would amount to fifty thousand dollars or more when combined with both the amount of all

disbursements to the supplier during the fiscal year for purchases made by the agency and the amount of all outstanding encumbrances for purchases made by the agency from the supplier, unless the purchase is made by competitive selection or with the approval of the controlling board;

(2) Lease real estate from a particular supplier, if the lease would amount to seventy-five thousand dollars or more when combined with both the amount of all disbursements to the supplier during the fiscal year for real estate leases made by the agency and the amount of all outstanding encumbrances for real estate leases made by the agency from the supplier, unless the lease is made by competitive selection or with the approval of the controlling board.

(C) Any person who authorizes a purchase in violation of division (B) of this section shall be liable to the state for any state funds spent on the purchase, and the attorney general shall collect the amount from the person.

(D) Nothing in division (B) of this section shall be construed as:

(1) A limitation upon the authority of the director of transportation as granted in sections 5501.17, 5517.02, and 5525.14 of the Revised Code;

(2) Applying to medicaid provider agreements under Chapter 5111. of the Revised Code;

(3) Applying to the purchase of examinations from a sole supplier by a state licensing board under Title XLVII of the Revised Code;

(4) Applying to entertainment contracts for the Ohio state fair entered into by the Ohio expositions commission, provided that the controlling board has given its approval to the commission to enter into such contracts and has approved a total budget amount for such contracts as agreed upon by commission action, and that the commission causes to be kept itemized records of the amounts of money spent under each contract and annually files those records with the clerk of the house of representatives and the clerk of the senate following the close of the fair;

(5) Limiting the authority of the chief of the division of mineral resources management to contract for reclamation work with an operator mining adjacent land as provided in section 1513.27 of the Revised Code;

(6) Applying to investment transactions and procedures of any state agency, except that the agency shall file with the board the name of any person with whom the agency contracts to make, broker, service, or otherwise manage its investments, as well as the commission, rate, or schedule of charges of such person with respect to any investment transactions to be undertaken on behalf of the agency. The filing shall be in a form and at such times as the board considers appropriate.

(7) Applying to purchases made with money for the per cent for arts program established by section 3379.10 of the Revised Code;

(8) Applying to purchases made by the rehabilitation services

commission of services, or supplies, that are provided to persons with disabilities, or to purchases made by the commission in connection with the eligibility determinations it makes for applicants of programs administered by the social security administration;

(9) Applying to payments by the department of job and family services under section 5111.13 of the Revised Code for group health plan premiums, deductibles, coinsurance, and other cost-sharing expenses;

(10) Applying to any agency of the legislative branch of the state government;

(11) Applying to agreements or contracts entered into under section 5101.11, 5101.20, 5101.201, 5101.21, or 5101.214 of the Revised Code;

(12) Applying to purchases of services by the adult parole authority under section 2967.14 of the Revised Code or by the department of youth services under section 5139.08 of the Revised Code;

(13) Applying to dues or fees paid for membership in an organization or association;

(14) Applying to purchases of utility services pursuant to section 9.30 of the Revised Code;

(15) Applying to purchases made in accordance with rules adopted by the department of administrative services of motor vehicle, aviation, or watercraft fuel, or emergency repairs of such vehicles;

(16) Applying to purchases of tickets for passenger air transportation;

(17) Applying to purchases necessary to provide public notifications required by law or to provide notifications of job openings;

(18) Applying to the judicial branch of state government;

(19) Applying to purchases of liquor for resale by the division of liquor control;

(20) Applying to purchases of motor courier and freight services made in accordance with department of administrative services rules;

(21) Applying to purchases from the United States postal service and purchases of stamps and postal meter replenishment from vendors at rates established by the United States postal service;

(22) Applying to purchases of books, periodicals, pamphlets, newspapers, maintenance subscriptions, and other published materials;

(23) Applying to purchases from other state agencies, including state-assisted institutions of higher education or the Ohio historical society;

(24) Limiting the authority of the director of environmental protection to enter into contracts under division (D) of section 3745.14 of the Revised Code to

conduct compliance reviews, as defined in division (A) of that section;

(25) Applying to purchases from a qualified nonprofit agency pursuant to sections 125.60 to 125.6012 or 4115.31 to 4115.35 of the Revised Code;

(26) Applying to payments by the department of job and family services to the United States department of health and human services for printing and mailing notices pertaining to the tax refund offset program of the internal revenue service of the United States department of the treasury;

(27) Applying to contracts entered into by the department of developmental disabilities under section 5123.18 of the Revised Code;

(28) Applying to payments made by the department of mental health under a physician recruitment program authorized by section 5119.101 of the Revised Code;

(29) Applying to contracts entered into with persons by the director of commerce for unclaimed funds collection and remittance efforts as provided in division (F) of section 169.03 of the Revised Code. The director shall keep an itemized accounting of unclaimed funds collected by those persons and amounts paid to them for their services.

(30) Applying to purchases made by a state institution of higher education in accordance with the terms of a contract between the vendor and an inter-university purchasing group comprised of purchasing officers of state institutions of higher education;

(31) Applying to the department of job and family services' purchases of health assistance services under the children's health insurance program part I provided for under section 5101.50 of the Revised Code, the children's health insurance program part II provided for under section 5101.51 of the Revised Code, or the children's health insurance program part III provided for under section 5101.52 of the Revised Code;

(32) Applying to payments by the attorney general from the reparations fund to hospitals and other emergency medical facilities for performing medical examinations to collect physical evidence pursuant to section 2907.28 of the Revised Code;

(33) Applying to contracts with a contracting authority or administrative receiver under division (B) of section 5126.056 of the Revised Code;

(34) Applying to purchases of goods and services by the department of veterans services in accordance with the terms of contracts entered into by the United States department of veterans affairs;

(35) Applying to payments by the superintendent of the bureau of criminal identification and investigation to the federal bureau of investigation for criminal records checks pursuant to section 109.572 of the Revised Code;

(36) Applying to contracts entered into by the department of job and

family services under section 5111.054 of the Revised Code :

(37) Applying to payments to the Ohio historical society from other state agencies.

(E) When determining whether a state agency has reached the cumulative purchase thresholds established in divisions (B)(1) and (2) of this section, all of the following purchases by such agency shall not be considered:

- (1) Purchases made through competitive selection or with controlling board approval;
- (2) Purchases listed in division (D) of this section;
- (3) For the purposes of the threshold of division (B)(1) of this section only, leases of real estate.

(F) As used in this section, "competitive selection," "purchase," "supplies," and "services" have the same meanings as in section 125.01 of the Revised Code."

Delete lines 640 through 647

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 181**, 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	Daniels
Eklund	Faber	Gentile	Hite
Hughes	Jones	Jordan	Kearney
LaRose	Lehner	Manning	Obhof
Oelslager	Patton	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 Wagoner moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Coley, Daniels, Hite, Hughes, Lehner, Manning, Obhof, Oelslager, Widener."

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

The motion was agreed to and the title so amended.

**S. B. No. 208**-Senators Obhof, Kearney.

Cosponsors: Senators Bacon, Beagle, Jones, Sawyer, Schiavoni, Wagoner.

To amend sections 1309.102, 1309.105, 1309.307, 1309.311, 1309.316, 1309.317, 1309.326, 1309.406, 1309.408, 1309.502, 1309.503, 1309.507, 1309.515, 1309.516, 1309.518, 1309.521, and 1309.607 of the Revised Code to make changes to Ohio's Uniform Commercial Code, was considered the third time.

The question being, "Shall the bill, **S. B. No. 208**, 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    | Daniels     |
| Eklund    | Faber     | Gentile  | Hite        |
| Hughes    | Jones     | Jordan   | Kearney     |
| LaRose    | Lehner    | Manning  | Obhof       |
| Oelslager | Patton    | 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 Obhof moved to amend the title as follows:

Add the names: "Coley, Daniels, Faber, Hughes, Lehner, Manning, Oelslager, Patton."

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

The motion was agreed to and the title so amended.

**INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bill was introduced and considered the first time:

**S. B. No. 269**-Senator Kearney.

To change the date of the 2012 primary election to May 8, 2012, to specify a process for candidates to qualify for the ballot at that election, and to declare an emergency.



**OFFERING OF RESOLUTIONS**

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

**S. R. No. 164**-Senator Manning.

Honoring Aleah Page for outstanding service to the State of Ohio.

**S. R. No. 165**-Senator Burke.

Cosponsor: Senator Hughes.

Honoring the Dublin Jerome High School boys golf team as the 2011 Division I State Champion.

**S. R. No. 166**-Senator Hughes.

Honoring the Upper Arlington High School girls water polo team on winning the 2011 State Championship.

**S. R. No. 167**-Senator Burke.

Cosponsor: Senator Hughes.

Honoring the Dublin Jerome High School girls tennis team as the 2011 Division I State Champion.

**S. R. No. 168**-Senator LaRose.

Honoring Daniel Green as a recipient of the Boy Scouts of America Honor Medal.

**S. R. No. 169**-Senator Eklund.

Honoring the Kirtland High School football team on winning the 2011 Division V State Championship.

**S. R. No. 170**-Senator Burke.

Cosponsor: Senator Hughes.

Honoring the Dublin Jerome High School girls golf team as the 2011 Division I State Champion.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"

So the resolutions were adopted.

**COMMUNICATIONS FROM THE GOVERNOR**

The President handed down the following messages from the Governor

which were read by the Clerk:

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Amber Alt, from Cleveland, Cuyahoga County, Ohio, as a Student Member of the Cleveland State University Board of Trustees for a term beginning September 30, 2011 and ending at the close of business May 1, 2012, replacing Heidi Vielhaber, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Julia R. Bates, Democrat, from Toledo, Lucas County, Ohio, as a Member of the Ohio Organized Crime Investigations Commission for a new term beginning September 16, 2011 and ending at the close of business September 3, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 16th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Joshua Robert Beekman, from Castalia, Erie County, Ohio, as a Student Member of the University of Toledo Board of Trustees for a term beginning October 17,

2011 and ending at the close of business July 1, 2013, replacing Treykin Addison, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 17th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Lynn Marie Busdecker, from Tiffin, Seneca County, Ohio, as a Member of the Occupational Therapy, Physical Therapy and Athletic Trainers Board for a term beginning October 24, 2011 and ending at the close of business August 27, 2014, replacing Kimberly C. Payne, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 24th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Belle Everette, from New Philadelphia, Tuscarawas County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning October 20, 2011 and ending at the close of business June 22, 2013.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 20th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Shane W. Farnsworth, from Pickerington, Fairfield County, Ohio, as a Member of the Ohio Parks and Recreation Council for a term beginning September 29, 2011 and ending at the close of business January 30, 2014, replacing James M. Doss, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 29th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Le Ann Fritch, from Ney, Defiance County, Ohio, as a Member of the Northwest State Community College Board of Trustees for a term beginning October 26, 2011 and ending at the close of business June 9, 2014, replacing Pamela Sue Lucas, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 26th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Adam Greenslade, from Green Springs, Sandusky County, Ohio, as a Member of the Ohio Turnpike Commission for a term beginning October 18, 2011 and ending at the close of business June 30, 2019, replacing Edward A. Kinston, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 18th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Jean M. Halpin, from Westerville, Franklin County, Ohio, as a Member of the Occupational Therapy, Physical Therapy and Athletic Trainers Board for a new term beginning October 24, 2011 and ending at the close of business August 27, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 24th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Lisa Hamler-Fugitt, Democrat, from Reynoldsburg, Franklin County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a new term beginning October 25, 2011 and ending at the close of business January 25, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 25th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, John M. Hoopingarner, Democrat, from Dover, Tuscarawas County, Ohio, as a Member of the Ohio Water Advisory Council for a new term beginning October 6, 2011 and ending at the close of business February 1, 2013.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 6th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, G. Gary Kaster, from McConnelsville, Morgan County, Ohio, as a Member of the Forestry Advisory Council for a term beginning September 27, 2011 and ending at the close of business February 27, 2015, replacing John Vimmerstedt, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Jeffrey Paul Kruithoff, from Wilmington, Clinton County, Ohio, as a Member of the Ohio Organized Crime Investigations Commission for a term beginning September 16, 2011 and ending at the close of business September 3, 2012, replacing Chief Philip Messer, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused

the Great Seal of the State of Ohio to be affixed, at Columbus, this 16th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Bobby D. Moser, Ph.D, Republican, from Dublin, Franklin County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a new term beginning October 25, 2011 and ending at the close of business January 25, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 25th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Leon D. Weaver, DVM, Republican, from Montpelier, Williams County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a new term beginning October 25, 2011 and ending at the close of business January 25, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 25th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

Said appointments were referred to the Committee on Rules.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

**Am. S. B. No. 155** -Senators Cates, Sawyer

Cosponsors: Senators Wilson, Brown, Turner, Bacon, Oelslager, Gillmor, Wagoner, Jones, Beagle, Grendell, Obhof, Hughes, Kearney, Tavares, Daniels, Balderson, Burke, Cafaro, Coley, Eklund, Faber, Hite, Jordan, LaRose, Lehner, Manning, Niehaus, Patton, Schaffer, Schiavoni, Seitz, Skindell, Smith, Widener Representatives Huffman, Maag, Gardner, Buchy, Celeste, Patmon, Stinziano, Lundy, Clyde, Letson, Gerberry, Anielski, Antonio, Baker, Barnes, Blair, Brenner, Bulp, Carey, Carney, Combs, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Garland, Gonzales, Goyal, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Heard, Hollington, Hottinger, Johnson, Landis, Luckie, Mallory, McClain, McGregor, Milkovich, Newbold, O'Brien, Phillips, Pillich, Ramos, Reece, Roegner, Ruhl, Schuring, Slaby, Sprague, Stebelton, Szollosi, Terhar, Uecker, Thompson, Weddington, Winburn, Yuko, Speaker Batchelder

To enact section 5.2270 of the Revised Code to designate February 20 as "John Glenn Friendship 7 Day" and to declare an emergency.

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

After line 9, insert:

**"Section 2.** This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to allow the designation of "John Glenn Friendship 7 Day" to occur as soon as possible. Therefore, this act shall go into immediate effect."

In line 3 of the title, delete the period; after the quotation mark insert "and to declare an emergency."

Attest:

Thomas L. Sherman,  
Deputy 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:

**Am. Sub. S. B. No. 165** -Senators Obhof, Grendell

Cosponsors: Senators Faber, Hughes, Jones, Jordan, Schaffer, Seitz, Sawyer, Hite, Bacon, Beagle, Brown, Coley, Daniels, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Wagoner, Widener, Wilson Representatives Baker, Roegner, Butler, Hayes, Adams, J., Anielski, Boose, Brenner, Bulp, Dovilla, Hackett, Henne, Hill, Maag, Martin, Newbold, Ruhl, Slaby, Stebelton, Terhar, Thompson, Young

To amend sections 3301.079, 3301.0712, 3313.60, and 3313.603 and to enact section 3319.23 of the Revised Code to include content on specified historical documents in the state academic standards and in the high school American history and government curriculum.

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

Attest: Thomas L. Sherman,  
Deputy Clerk.

Said amendments were laid over under the rule.

On the motion of Senator Faber, the Senate adjourned until Wednesday, December 14, 2011 at 1:30 p.m.

Attest: VINCENT L. KEERAN,  
Clerk.