

**OHIO**

**SENATE**

**JOURNAL**

**THURSDAY, FEBRUARY 14, 2013**

THIRTEENTH DAY  
Senate Chamber, Columbus, Ohio  
**Thursday, February 14, 2013, 11:00 o'clock a.m.**

The Senate met pursuant to adjournment.

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

Senator Coley was selected to preside according to the rule.

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

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

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

**H. C. R. No. 3**-Representatives Brenner, Patmon, et al.

To designate the week of January 27 - February 3, 2013, as National School Choice Week.

To the Committee on Education.

**S. C. R. No. 1**-Senator Jordan, et al.

To urge the Congress of the United States and the President of the United States to repeal the new federal excise tax on medical devices.

To the Committee on Medicaid, Health and Human Services.

**S. C. R. No. 2**-Senator Beagle, et al.

Declaring March 2013 as Reshoring Month in Ohio.

To the Committee on Workforce and Economic Development.

**S. C. R. No. 3**-Senator Tavares, et al.

To recognize the week of January 20-26, 2013, as Reproductive Rights Awareness Week to encourage public awareness, conversation, and support for reproductive rights and justice.

To the Committee on Medicaid, Health and Human Services.

**S. C. R. No. 4**-Senator Tavares.

To declare February 13, 2013, as "National Black Nurses Day" in Ohio.

To the Committee on Medicaid, Health and Human Services.

**S. J. R. No. 1**-Senators Sawyer, LaRose, et al.

Proposing to enact new Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of Article XI and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Article XI of the Constitution of the State of Ohio to revise the redistricting process for General Assembly and Congressional districts.

To the Committee on State Government Oversight and Reform.

**S. J. R. No. 2**-Senator Sawyer, et al.

Proposing to amend Section 2a of Article XII, and to enact Sections 7 and 8 of Article VI and Section 8 of Article XII of the Constitution of the State of Ohio to require and fund a high quality education for each student enrolled in a public school.

To the Committee on Finance.

**S. B. No. 1**-Senators Beagle, Balderson, et al.

To enact section 6301.14 of the Revised Code to create the OhioMeansJobs Workforce Development Revolving Loan Fund, to create the OhioMeansJobs Workforce Development Revolving Loan Program, to allocate a portion of casino license fees to finance the loan program, and to make an appropriation.

To the Committee on Workforce and Economic Development.

**S. B. No. 2**-Senators Lehner, Beagle, et al.

To amend sections 6301.01, 6301.02, 6301.03, 6301.04, 6301.06, 6301.07, 6301.08, 6301.09, 6301.10, and 6301.12 of the Revised Code to require a local workforce investment area to use OhioMeansJobs as the local workforce

investment area's job placement system, to rename county one-stop systems, and to make other changes to Ohio's Workforce Development Law.

To the Committee on Workforce and Economic Development.

**S. B. No. 3**-Senator LaRose, et al.

To amend sections 101.35, 103.0511, 107.52, 107.53, 107.54, 107.55, 107.62, 107.63, 111.15, 117.20, 119.01, 119.03, 119.032, 119.04, 121.74, 121.81, 121.83, 121.91, 127.18, 4141.14, and 5703.14, to enact sections 103.055, 106.11, 107.631, 113.091, 119.033, and 119.034, and to repeal section 119.031 of the Revised Code to reform rule-making and rule-review procedures and regulatory processes.

To the Committee on State Government Oversight and Reform.

**S. B. No. 4**-Senators Manning, Oelslager, et al.

To enact section 3701.5010 of the Revised Code to require a pulse oximetry screening for each newborn born in a hospital or freestanding birthing center.

To the Committee on Medicaid, Health and Human Services.

**S. B. No. 5**-Senators Brown, Manning, et al.

To enact sections 4927.25, 4927.26, 4927.27, and 4927.28 of the Revised Code to require wireless service providers to provide call location information to law enforcement officers or agencies in certain emergency situations.

To the Committee on Public Safety, Local Government, and Veterans Affairs.

**S. B. No. 6**-Senator Schaffer, et al.

To amend sections 9.39, 121.22, 149.43, 305.03, 319.04, 319.26, 321.37, 321.38, 321.46, 2921.44, and 3314.023; to enact sections 9.831, 117.411, 507.12, 507.15, 733.78, 733.81, 3313.30, 3314.50, 3326.211, 3328.16, and 3328.37; and to repeal section 319.25 of the Revised Code; to amend Section 267.50.70 of Am. Sub. H.B. 153 of the 129th General Assembly; and to amend Section 267.50.70 of Am. Sub. H.B. 153 of the 129th General Assembly for the purpose of changing its number to section 3314.51 of the

Revised Code to establish education programs and continuing education requirements for the fiscal officers of townships and municipal corporations, to establish procedures for removing those fiscal officers, county treasurers, and county auditors from office, and to create fiscal accountability requirements for public schools, counties, municipal corporations, and townships.

To the Committee on Public Safety, Local Government, and Veterans Affairs.

**S. B. No. 7**-Senators Widener, Beagle, et al.

To amend section 2945.402 and to enact section 2929.44 of the Revised Code to require that a court report certain information to the local law enforcement agency for entry into the appropriate National Crime Information Center file if the court approves the conditional release of a person found incompetent to stand trial or not guilty by reason of insanity or orders a person convicted of an offense of violence to receive mental health treatment and to name this act the Deputy Suzanne Hopper Act.

To the Committee on Criminal Justice.

**S. B. No. 8**-Senator LaRose, et al.

To amend section 4141.29 of the Revised Code to permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits.

To the Committee on Commerce and Labor.

**S. B. No. 9**-Senator Bacon, et al.

To amend sections 1751.12 and 3905.01 and to enact sections 3905.47, 3905.471, 3905.472, 3905.473, and 3905.474 of the Revised Code to specify licensing and continuing education requirements for insurance agents involved in selling, soliciting, or negotiating sickness and accident insurance through a health benefit exchange and to make changes to copayments, cost sharing, and deductibles for health insuring corporations.

To the Committee on Insurance and Financial Institutions.

**S. B. No. 10**-Senators Coley, Smith, et al.

To amend sections 3501.29, 3501.35, 3505.181, 3505.23, 3505.24, and 3509.01 of the Revised Code to revise the law regarding polling places and voting machines.

To the Committee on State Government Oversight and Reform.

**S. B. No. 11**-Senator Brown, et al.

To amend sections 3313.813, 3715.52, 3717.22, 3717.42, and 5104.051 and to enact sections 3327.18 and 3717.60 of the Revised Code to require school districts to allow alternative summer meal sponsors to use school facilities to provide food service for summer intervention services under certain conditions, to allow the distribution and consumption of meals on a school bus, and to create a healthy food license for child day-care centers and school child programs.

To the Committee on Medicaid, Health and Human Services.

**S. B. No. 12**-Senator Cafaro, et al.

To enact section 1509.80 of the Revised Code to require three-year employment of oil and gas training program graduates who are Ohio residents, and to make appropriations to support oil and gas training programs, including employee training grants to oil or gas well owners.

To the Committee on Workforce and Economic Development.

**S. B. No. 13**-Senator Gentile, et al.

To enact sections 3333.0412, 5903.05, and 5907.071 of the Revised Code to enhance support and services for veterans at state institutions of higher education and to require each institution to develop a policy for awarding academic credit to veterans for training received while in the military.

To the Committee on Public Safety, Local Government, and Veterans Affairs.

**S. B. No. 14**-Senator Kearney, et al.

To amend sections 122.075, 122.71, 122.72, 122.74, 122.75, 122.87, 122.88, 122.89, 122.90, 125.831, 169.05, 4141.01, 4141.09, 4141.241, 4141.29, 4141.291, 4141.293, 4301.20, 5733.01, 5733.98, 5739.01, 5739.02, 5739.025, 5747.01, 5747.98, 5751.01, 5751.98, and 6301.06, to enact sections 122.084, 122.721, 122.731, 122.891, 4141.294, 4141.302, 4141.50 to 4141.57, 5709.29, 5747.61, 5751.55, 6301.021, 6303.01, and 6303.02, and to repeal sections 901.13, 5733.46, 5733.48, 5747.28, 5747.29, 5747.70, 5747.75, 5747.77, and 5751.53 of the Revised Code to authorize programs and tax credits to encourage the hiring of unemployed individuals, to make changes to the Unemployment Compensation Law, to authorize grants and tax credits for the rehabilitation of distressed areas and the expansion of broadband connections to rural areas, to create a revolving loan fund and a bonding program for small businesses, to make changes to the Minority Business Bonding Program, to levy taxes, and to make an appropriation.

To the Committee on Finance.

**S. B. No. 15**-Senator Sawyer, et al.

To amend sections 127.14, 131.51, 319.301, 3301.0713, 5705.194, 5705.199, 5705.21, 5705.212, 5705.213, 5705.217, and 5705.218 and to enact sections 3317.016, 3317.017, and 5705.17 of the Revised Code to prescribe a system and timeline for the General Assembly to deliberate and determine the components and cost of a high quality public primary and secondary education, to make property tax law changes to fund a high quality public primary and secondary education, and to provide that the provisions of this act take effect only after being approved by the electors.

To the Committee on Finance.

**S. B. No. 16**-Senator Schiavoni, et al.

To amend section 2911.21 and to enact section 2305.117 of the Revised Code to provide that a person is not criminally or civilly liable for trespassing on certain abandoned land or similar places of public amusement if the person enters or remains on the land or place of public amusement to remediate it and knows or has reasonable cause to believe that the land or place of public amusement is in one of those categories; to provide the property owner with immunity from liability to a person who enters or remains on the land or place of public amusement in those circumstances subject to the statute governing liability to trespassers; and to provide that a person who enters or remains on the land or place of public amusement in those circumstances is not entitled to any reimbursement for any cost of the remediation unless agreed to by the

property owner.

To the Committee on Civil Justice.

**S. B. No. 17**-Senator Skindell, et al.

To amend sections 1509.06, 1509.10, and 1509.31 and to enact section 1509.091 of the Revised Code to revise the requirements concerning an oil and gas permit application, an oil and gas well completion record, designation of trade secret protection for chemicals used to drill or stimulate an oil and gas well, and disclosure of chemical information to a health care professional or emergency responder, to require an owner to report all chemicals brought to a well site, and to make other changes in the Oil and Gas Law.

To the Committee on Energy and Natural Resources.

**S. B. No. 18**-Senator Smith, et al.

To amend section 109.52 and to enact sections 109.5731 and 2923.171 of the Revised Code to prohibit a person from knowingly acquiring, possessing, carrying, or using an assault weapon and to require the Attorney General to prepare for the establishment of a firearm and ammunition transactions database.

To the Committee on Criminal Justice.

**S. B. No. 19**-Senators Tavares, Manning, et al.

To enact section 5101.345 of the Revised Code to create the Ohio Family Stability Commission and to repeal section 5101.345 of the Revised Code four years after the effective date of that section.

To the Committee on Medicaid, Health and Human Services.

**S. B. No. 20**-Senator Turner, et al.

To amend sections 3.02, 7.101, 302.09, 305.02, 503.24, 733.31, 1901.10, 2101.44, 2301.02, 3501.01, 3501.02, 3501.05, 3501.051, 3501.053, 3501.10, 3501.11, 3501.13, 3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 3501.301, 3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.09, 3503.10, 3503.14, 3503.15,



3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 3503.26, 3503.28, 3505.03, 3505.04, 3505.06, 3505.08, 3505.10, 3505.11, 3505.13, 3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 3505.27, 3505.29, 3505.30, 3505.31, 3506.05, 3506.08, 3506.09, 3506.12, 3506.15, 3506.21, 3509.01, 3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3511.02, 3511.021, 3511.04, 3511.05, 3511.09, 3511.11, 3511.14, 3513.05, 3513.13, 3513.131, 3513.14, 3513.19, 3513.21, 3513.31, 3515.04, 3515.08, 3517.01, 3517.012, 3517.014, 3517.015, 3517.106, 3517.11, 3599.07, 3599.11, 3599.17, 3599.19, and 3599.31, to enact sections 3501.302, 3501.40, 3501.50, 3501.91, 3503.151, 3503.20, 3505.05, 3505.184, 3506.021, 3506.17, 3509.031, 3509.032, and 3511.012, and to repeal sections 3503.29, 3506.16, 3517.016, and 3599.111 of the Revised Code to revise the Election Law.

To the Committee on State Government Oversight and Reform.

**S. B. No. 21**-Senator Lehner.

To amend section 3313.608 of the Revised Code to revise the requirements for reading teachers under the Third-Grade Reading Guarantee.

To the Committee on Education.

**S. B. No. 22**-Senators LaRose, Beagle, et al.

To amend section 2981.12 and to enact sections 3701.138, 3701.139, 3707.60, 3707.61, 3707.62, and 5302.31 of the Revised Code to provide for the remediation of real property on which an illegal methamphetamine manufacturing laboratory has been discovered.

To the Committee on Medicaid, Health and Human Services.

**S. B. No. 23**-Senators Beagle, Burke, et al.

To amend sections 149.43, 1347.08, 2101.16, 2101.162, 2101.24, 3107.071, 3107.081, 3107.082, 3107.083, 3107.09, 3107.091, 3107.141, 3107.17, 3107.18, 3107.19, 3107.38, 3107.45, 3107.66, 3705.07, 3705.08, 3705.12, 3705.23, 3705.241, 3705.29, 5103.151, and 5103.152, to enact new sections 3107.39 and 3107.40 and sections 3107.171, 3705.121, 3705.122, 3705.123, 3705.124, 3705.125, and 3705.126, and to repeal sections 3107.39, 3107.40, 3107.41, 3107.42, 3107.43, and 3107.44 of the Revised Code regarding access to adoption records.

To the Committee on Medicaid, Health and Human Services.

**S. B. No. 24**-Senator Obhof, et al.

To enact section 5.2279 of the Revised Code to designate October 15 as "Pregnancy and Infant Loss Remembrance Day."

To the Committee on Medicaid, Health and Human Services.

**S. B. No. 25**-Senators Peterson, LaRose, et al.

To amend section 4141.09 and to enact sections 4141.50 to 4141.56 of the Revised Code to create the SharedWork Ohio Program and to declare an emergency.

To the Committee on Commerce and Labor.

**S. B. No. 26**-Senator Schaffer.

To amend section 3707.48 of the Revised Code to correct a cross reference with regard to concussions and head injuries in athletic activities organized by youth sports organizations and to declare an emergency.

To the Committee on Medicaid, Health and Human Services.

**S. B. No. 27**-Senator Schaffer, et al.

To amend sections 323.151, 323.152, 323.153, 4503.065, and 4503.066 of the Revised Code to exempt from property taxation the primary residences of military veterans who are 100% disabled from a service-connected disability.

To the Committee on Ways and Means.

**S. B. No. 28**-Senator Obhof.

To amend section 5701.11 of the Revised Code to expressly incorporate changes in the Internal Revenue Code since December 20, 2012, into Ohio law, and to declare an emergency.

To the Committee on Ways and Means.

**S. B. No. 29**-Senator Schaffer.

To amend section 2333.01 and to enact section 5747.124 of the Revised Code to enable a judgment creditor landlord to obtain a court order directing the Tax Commissioner to pay the judgment debtor tenant's income tax refund to the landlord.

To the Committee on Ways and Means.

**S. B. No. 30**-Senator Schaffer, et al.

To amend sections 1517.11, 1531.26, 5101.98, and 5747.113 and to enact section 5502.23 of the Revised Code to allow taxpayers to make contributions to the American Red Cross Ohio Disaster Response Readiness and Preparedness Fund through their income tax returns.

To the Committee on Ways and Means.

**S. B. No. 31**-Senator Schaffer, et al.

To amend sections 5747.08 and 5747.98 and to enact section 5747.71 of the Revised Code to allow a credit against the personal income tax for amounts spent by teachers for instructional materials.

To the Committee on Ways and Means.

**S. B. No. 32**-Senator Schaffer, et al.

To amend section 3715.021 of the Revised Code to exclude manufacturers and distributors of wine and distributors of beer from regulation as food processing establishments under the Pure Food and Drug Law.

To the Committee on Agriculture.

**S. B. No. 33**-Senators Bacon, LaRose, et al.

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

To the Committee on State Government Oversight and Reform.

**S. B. No. 34**-Senator Jordan.

To amend sections 4928.142, 4928.143, 4928.20, 4928.61, 4928.62, 5501.311, and 5727.75 and to repeal sections 4928.64 and 4928.65 of the Revised Code to repeal the requirement that electric distribution utilities and electric services companies provide 25% of their retail power supplies from advanced and renewable energy resources by 2025.

To the Committee on Public Utilities.

**S. B. No. 35**-Senator Jordan, et al.

To amend sections 323.17, 3501.01, 5705.194, 5739.021, and 5739.026 of the Revised Code to eliminate the ability to conduct special elections in February and August.

To the Committee on State Government Oversight and Reform.

**S. B. No. 36**-Senator Jordan, et al.

To enact sections 5502.23 and 5502.231 of the Revised Code to prohibit any agency and its employees and agents from seizing or authorizing the seizure of any firearm from any person lawfully in possession or control of the firearm except when a law enforcement officer reasonably believes the immediate seizure of the firearm is necessary for the safety of the officer or another person or to preserve the firearm as evidence, to prohibit the establishment of a firearm registry, and to prohibit law enforcement officers and international agents from enforcing a firearms registration requirement or firearm ban.

To the Committee on Public Safety, Local Government, and Veterans Affairs.

**S. B. No. 37**-Senators Gentile, Hite, et al.

To create the Water Access To Every Residence Task Force.

To the Committee on Energy and Natural Resources.

**S. B. No. 38**-Senator Schiavoni, et al.

To enact section 5.2289 of the Revised Code to designate the first week in October as "Nonviolence Week."

To the Committee on Public Safety, Local Government, and Veterans Affairs.

**S. B. No. 39**-Senators Brown, Schiavoni, et al.

To amend section 1739.05 and to enact sections 1751.621 and 3923.521 of the Revised Code to require insurance providers to cover human papillomavirus screenings and vaccines.

To the Committee on Insurance and Financial Institutions.

**S. B. No. 40**-Senator Schiavoni, et al.

To amend sections 1533.10, 1533.11, 1533.111, 1533.12, and 1533.32 of the Revised Code to provide for the issuance of free fishing and hunting licenses, fur taker, deer, and wild turkey permits, and wetlands habitat stamps to Ohio residents who are at least sixty-five years old.

To the Committee on Energy and Natural Resources.

YES - 6: KRIS JORDAN, SCOTT OELSLAGER, KEVIN BACON,  
RANDY GARDNER, ERIC H. KEARNEY, LOU  
GENTILE.

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.

**INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bills were introduced and considered the first time:

**S. B. No. 41**-Senator Gardner.

To amend sections 133.13, 727.01, and 727.14 and to enact section 727.014 of the Revised Code to authorize municipal corporations to establish districts and impose special assessments for the installation, maintenance, and improvement of sidewalks and paths.

**S. B. No. 42**-Senators Manning, Gardner.

Cosponsor: Senator Seitz.

To amend section 5705.21 of the Revised Code to authorize school districts to levy a property tax exclusively for school safety and security purposes.

**S. B. No. 43**-Senators Burke, Tavares.

Cosponsors: Senators Balderson, Kearney, Seitz, Sawyer.

To amend sections 2151.011, 2151.23, 2923.125, 2923.1213, 2923.13, 2945.37, 2945.38, 2945.39, 2945.40, 2945.401, 2967.22, 5119.23, 5120.17, 5122.01, 5122.03, 5122.05, 5122.10, 5122.11, 5122.13, 5122.141, 5122.15, 5122.19, 5122.21, 5122.27, 5122.30, 5122.31, 5122.311, 5139.54, 5305.22, 5907.06, and 5907.09 and to enact section 5122.111 of the Revised Code and to amend the version of section 2151.011 of the Revised Code that is scheduled to take effect on January 1, 2014, to make changes to the laws governing the civil commitment of and treatment provided to mentally ill persons.

**OFFERING OF RESOLUTIONS**

Senators Obhof and Jordan offered the following concurrent resolution:

**S. C. R. No. 5**-Senators Obhof, Jordan.

Cosponsors: Senators Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gardner, Hite, Hughes, Jones, LaRose, Manning, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Tavares, Uecker, Widener, Cafaro.

To urge the Congress of the United States to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport in Mansfield, Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 5**, be adopted?"

On the motion of Senator Balderson, **S. C. R. No. 5**, was referred to the Committee on Reference.

Senator Bacon offered the following concurrent resolution:

**S. C. R. No. 6**-Senator Bacon.

Cosponsors: Senators Balderson, Beagle, Brown, Burke, Eklund, Hite, Hughes, Jones, LaRose, Manning, Obhof, Peterson, Sawyer, Schaffer, Tavares, Uecker, Widener, Patton, Jordan, Seitz.

To urge the Secretary and the Chief of Staff of the United States Air Force to give full consideration to Rickenbacker Air Guard Station in Columbus, Ohio as the location for the KC-46A Main Operating Base.

The question being, "Shall the concurrent resolution, **S. C. R. No. 6**, be adopted?"

On the motion of Senator Balderson, **S. C. R. No. 6**, was referred to the Committee on Reference.

Pursuant to Senate Rule No. 54, the following resolution was offered:

**S. R. No. 28**-Senator Hughes.

In memory of Richard L. Smith.

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

So the resolution was adopted.

#### **MESSAGE FROM THE PRESIDENT**

Pursuant to HJR 1, the President of the Senate appoints the following senators to serve on the Committee to Wait Upon the Governor at the State of the State on February 19 in Lima, OH:

Senator Chris Widener  
Senator Tom Patton  
Senator Larry Obhof  
Senator Scott Oelslager  
Senator Gayle Manning  
Senator Eric Kearney  
Senator Joe Schiavoni  
Senator Nina Turner  
Senator Edna Brown

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 103.63 of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the Ohio Constitutional Modernization Commission:

Senator Keith Faber (replacing Senator Jones, who resigned)

Senator Chris Widener (replacing Senator Wagoner, whose term of office expired)

Pursuant to Section 103.63 of the Ohio Revised Code, the President of the Senate reappoints the following senator to serve on the Ohio Constitutional Modernization Commission:

Senator Larry Obhof (whose new term of office commenced on January 1, 2013)

On the motion of Senator Balderson, the Senate adjourned until Tuesday, February 19, 2013 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.