

OHIO

SENATE

JOURNAL

WEDNESDAY, MAY 7, 2014

ONE HUNDRED SEVENTY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, May 7, 2014, 1:30 p.m.

The Senate met pursuant to adjournment. Prayer was offered by Rabbi Allison Vann, Suburban Kol Ami, Beachwood, Ohio. The Pledge of Allegiance was led by the students of Immaculate Conception, Celina, Ohio.

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

The following guests were recognized by the Senate prior to the commencement of business:

President Faber recognized Paige Keller as the Vault State Champion for Gymnastics.

Senator Bacon recognized the Ohio Dominican Football Team for their outstanding season and their Coach, Bill Conley, as Coach of the Year.

Senator Balderson recognized Kade Kowalski as the 145 lb. Division I State Wrestling Champion.

Senator Manning recognized Oberlin High School for its recognition as a Breakthrough School by the MetLife Foundation and the National Association of Secondary School Principals.

**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:

Sub. H. B. No. 369-Representative Sprague, et al.

To amend sections 340.01, 340.02, 340.021, 340.03, 340.08, 340.09, 340.15, 2945.402, 3701.74, 4511.191, 4758.01, 4758.02, 4758.06, 4758.16, 4758.20, 4758.21, 4758.23, 4758.24, 4758.26, 4758.28, 4758.29, 4758.30, 4758.31, 4758.35, 4758.36, 4758.50, 4758.51, 4758.60, 4758.71, 5119.21, 5119.22, 5119.23, and 5119.25 and to enact sections 340.092, 340.093, 340.20, 4758.48, 4758.62, 4758.63, 4758.64, 5119.362, 5119.363, 5119.364, 5119.365, and 5122.36 of the Revised Code, to amend Section 751.10 of Am. Sub. H.B. 59 of the 130th General Assembly, and to repeal Section 327.83 of Am. Sub. H.B. 59 of the 130th General Assembly, with respect to the administration, funding, and provision of mental health and addiction services.

To the Committee on Finance.

Am. Sub. H. B. No. 483-Representative Amstutz, et al.

To amend sections 9.37, 9.482, 9.90, 9.91, 103.63, 121.084, 122.12, 122.121, 122.861, 124.32, 124.82, 125.13, 126.21, 126.25, 133.07, 149.30, 149.311, 149.38, 150.05, 150.07, 153.56, 163.15, 163.53, 163.54, 163.55, 164.26, 175.04, 175.05, 175.06, 191.01, 306.04, 307.982, 340.01, 340.02, 340.021, 340.03, 340.08, 340.09, 340.15, 757.03, 757.04, 757.05, 757.06, 757.07, 757.08, 1321.535, 1321.55, 1322.03, 1322.031, 1322.04, 1322.041, 1322.051, 1322.06, 1533.10, 1533.11, 1533.12, 1711.50, 1711.53, 2151.421, 2305.11, 2915.08, 2945.402, 3123.89, 3313.617, 3314.08, 3317.01, 3317.02, 3317.0217, 3318.36, 3333.04, 3701.132, 3701.34, 3701.74, 3701.83, 3702.59, 3702.71, 3702.74, 3702.75, 3702.91, 3702.95, 3730.09, 3737.02, 3772.02, 4141.01, 4141.09, 4141.11, 4141.131, 4141.20, 4141.25, 4141.26, 4141.35, 4511.191, 4729.03, 4729.54, 4729.541, 4729.65, 4729.83, 4731.15, 4731.155, 4731.24, 4731.241, 4737.045, 4758.01, 4758.02, 4758.06, 4758.16, 4758.20, 4758.21, 4758.23, 4758.24, 4758.26, 4758.28, 4758.29, 4758.30, 4758.31, 4758.35, 4758.36, 4758.50, 4758.51, 4758.60, 4758.71, 4905.911, 4923.02, 4928.64, 5104.03, 5104.34, 5104.341, 5104.38, 5119.21, 5119.22, 5119.23, 5119.25, 5123.01, 5123.011, 5123.012, 5123.16, 5123.162, 5123.19, 5123.191, 5123.21, 5123.61, 5123.75, 5123.76, 5123.89, 5124.01, 5124.106, 5124.21, 5124.60, 5124.61, 5124.62, 5124.67, 5126.01, 5126.02, 5126.0219, 5126.041, 5126.046, 5126.051, 5126.08, 5126.21, 5126.25, 5126.42, 5126.43, 5126.45, 5513.01, 5531.10, 5533.051, 5709.17, 5709.40, and 5713.012; to enact sections 5.074, 5.077, 9.911, 164.261, 175.053, 306.14, 307.678, 307.6910, 307.863, 340.092, 340.093, 340.20, 3123.90, 3313.902, 3314.38, 3317.036, 3317.23, 3317.24, 3345.56, 3345.86, 3702.595, 3721.122, 4715.15, 4723.433, 4730.093, 4731.77, 4741.49, 4758.48, 4758.62, 4758.63, 4758.64, 4928.641, 4928.642, 5119.362, 5119.363, 5119.364, 5119.365, 5123.0420, 5139.12, 5139.45, and 5533.831; to repeal sections 3125.191, 3702.93, 4171.03, 4171.04, 5124.63, 5124.64, and 5126.037 of the Revised Code; to amend Sections 207.10, 209.30, 211.10, 221.10, 241.10, 257.10, 257.20, 257.50, 259.10, 263.10, 263.40, 263.160, 263.230, 263.240, 263.250, 263.270, 263.325, 275.10, 282.10, 282.30, 285.10, 285.20, 301.10, 301.143, 301.40, 323.10, 327.10, 333.10, 340.10, 349.10, 359.10, 363.10, 365.10, 395.10, 403.10, 512.80, and 751.10 of Am. Sub. H.B. 59 of the 130th General Assembly; to amend Sections 207.100, 207.250, 207.340, 207.440, 223.10, 239.10, and 701.50 of Am. H.B. 497 of the 130th General Assembly; and to repeal Sections 327.83 and 747.40 of Am. Sub. H.B. 59 of the 130th General Assembly to make operating and other appropriations and to provide authorization and conditions for the operation of state programs.

To the Committee on Finance.

Sub. H. B. No. 484-Representatives Rosenberger, Brown, et al.

To amend sections 3333.048 and 3358.06; to enact sections 3333.0413, 3333.171, 3333.33, 3333.44, and 3333.90; and to repeal section 3345.19 of the Revised Code; and to amend Sections 363.120, 363.190, and 363.200 of Am. Sub. H.B. 59 of the 130th General Assembly with respect to the coordination and administration of higher education programs.

To the Committee on Finance.

Sub. H. B. No. 485-Representatives Smith, Johnson, et al.

To amend sections 355.01, 355.03, 355.04, 2151.011, 2151.421, 3712.04, 3712.99, 4715.14, 4715.30, 4715.302, 4723.28, 4723.481, 4723.486, 4723.487, 4725.092, 4725.16, 4725.19, 4729.12, 4729.75, 4729.80, 4729.86, 4730.25, 4730.41, 4730.48, 4730.53, 4731.055, 4731.22, 4731.281, and 5103.02; to amend for the purpose of adopting a new section number as indicated in parentheses, section 4729.87 (4729.91); and to enact new section 4729.87 and sections 121.25, 121.26, 121.27, 121.28, 3712.062, 3719.061, 4121.443, 4723.283, 4725.191, 4729.861, 4730.252, 4731.229, 5101.061, 5103.50, 5103.51, 5103.52, 5103.53, 5103.54, and 5103.55 of the Revised Code to require hospice care programs to establish policies to prevent diversion of controlled substances that contain opioids; to require a prescriber to obtain written informed consent from a minor's parent, guardian, or other person responsible for the minor before issuing a prescription for a controlled substance that contains an opioid to the minor and to establish sanctions for a prescriber's violation of this requirement; to establish requirements to be followed by prescribers in reviewing patient information in the State Board of Pharmacy's Ohio Automated Rx Reporting System; to license private, nonprofit therapeutic wilderness camps; to authorize the collection of additional health information through OARRS; to establish the Office of Human Services Innovation in the Department of Job and Family Services; to establish the Ohio Healthier Buckeye Council and the Ohio Healthier Buckeye Grant Program; and to authorize the State Medical Board to conduct a pilot program regarding the use of teleconferencing at its committee meetings.

To the Committee on Medicaid, Health and Human Services.

Sub. H. B. No. 486-Representatives Baker, Stebelton, et al.

To amend sections 121.08, 122.136, 122.21, 122.25, 122.37, 122.64, 122.89, 122.94, 122.941, 149.311, 150.10, 166.13, 166.18, 184.02, 1551.34, 3731.02, and 4740.06 and to enact sections 107.35, 3333.91, and 6301.11 of the Revised Code to revise the coordination of workforce development and economic development programs; to synchronize the due dates of several

reports due from the Development Services Agency, the Ohio Venture Capital Authority, and the Third Frontier Commission; to revise the law regarding innovation financial assistance and research and development financial assistance; to require the Governor's executive workforce board and the Department of Job and Family Services to identify and create a list of high-demand jobs in this state; and to permit the Director of Commerce, the State Fire Marshal, and the Ohio Construction Industry Licensing Board to establish compliance incentive programs.

To the Committee on Finance.

Sub. H. B. No. 487-Representative Brenner, et al.

To amend sections 133.06, 921.06, 3301.0712, 3301.0714, 3301.0715, 3302.03, 3302.10, 3310.03, 3310.031, 3310.032, 3311.24, 3311.38, 3311.86, 3313.372, 3313.537, 3313.603, 3313.6013, 3313.6016, 3313.612, 3313.843, 3313.90, 3313.975, 3314.015, 3314.016, 3314.02, 3314.03, 3314.08, 3317.03, 3319.22, 3319.26, 3324.07, 3326.11, 3326.36, 3328.24, 3331.04, 3333.041, 3333.35, 3333.43, 3333.86, 3345.06, 3365.04, 3365.041, 3365.05, 3365.06, 3365.08, 3365.11, 5747.08, and 5747.98; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3365.04 (3365.06), 3365.041 (3365.032), 3365.05 (3365.12), 3365.06 (3365.031), and 3365.11 (3365.09); to enact new sections 3310.05, 3365.01, 3365.02, 3365.03, 3365.04, 3365.05, 3365.07, 3365.11, and 3365.15 and sections 3301.163, 3311.241, 3313.6020, 3313.94, 3314.191, 3314.352, 3324.09, 3324.11, 3365.033, 3365.071, 3365.13, and 5747.64; and to repeal sections 3310.05, 3345.062, 3365.01, 3365.02, 3365.021, 3365.022, 3365.03, 3365.07, 3365.09, 3365.10, 3365.12, and 3365.15 of the Revised Code; and to amend the version of section 3314.016 of the Revised Code that is scheduled to take effect on January 1, 2015, to continue the provisions of this act on and after that effective date with regard to education provisions for students in grades kindergarten through twelve.

To the Committee on Education.

Sub. H. B. No. 488-Representatives Dovilla, Landis, et al.

To amend sections 2913.01, 2913.02, 2913.43, 2913.49, 2913.61, 4729.12, 4729.13, 4729.15, 4731.36, 4743.04, 5902.02, 5903.03, 5903.10, 5903.11, 5903.12, 5903.121, 5907.01, and 5907.04 and to enact sections 2305.112, 2307.611, 3333.164, 3345.42, 3345.43, 3345.44, 3345.46, 5903.01, 5903.04, 5903.05, and 5903.15 of the Revised Code to require state institutions of higher education to award credit for military training, to increase penalties for

certain theft, deception, and identity fraud offenses when the victim is an active duty service member, to allow for a civil action for victims of identity fraud, and to make other changes regarding state support and benefits for veterans and their spouses.

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

Am. H. B. No. 492-Representative Scherer, et al.

To amend sections 122.17, 122.171, 122.86, 166.21, 718.15, 718.151, 3734.905, 4921.13, 4921.19, 5703.056, 5703.059, 5703.21, 5715.49, 5715.50, 5727.47, 5727.91, 5735.01, 5735.062, 5735.07, 5735.12, 5735.141, 5735.23, 5736.06, 5736.09, 5736.13, 5743.01, 5743.021, 5743.024, 5743.025, 5743.03, 5743.04, 5743.05, 5743.051, 5743.112, 5743.52, 5743.65, 5747.08, 5747.98, and 5751.20, to enact sections 5703.212, 5736.041, and 5736.50, and to repeal sections 183.35, 5726.08, 5733.30, 5735.16, 5743.06, and 5745.10 of the Revised Code to provide authorization and conditions for the levy and administration of taxes in this state.

To the Committee on Finance.

Am. Sub. H. B. No. 493-Representatives Sears, Henne, et al.

To amend sections 1561.31, 2305.25, 2305.252, 4121.129, 4121.45, 4123.01, 4123.26, 4123.27, 4123.29, 4123.291, 4123.292, 4123.32, 4123.322, 4123.34, 4123.35, 4123.353, 4123.36, 4123.37, 4123.40, 4123.41, 4123.411, 4123.47, 4123.511, 4123.512, 4123.54, 4123.542, 4123.66, 4123.82, 4123.83, 4125.05, 4729.80, and 4729.86; to enact sections 4121.443, 4121.447, and 4123.323; to repeal section 4121.419 of the Revised Code; and to amend Section 1 of Sub. H.B. 34 of the 130th General Assembly, as subsequently amended, to make changes to Ohio's Workers' Compensation Law.

To the Committee on Commerce and Labor.

S. C. R. No. 39-Senator Burke, et al.

To designate October 2014 as "Start Talking Month."

To the Committee on Medicaid, Health and Human Services.

S. C. R. No. 40-Senator Gentile, et al.

To urge the Congress of the United States to mitigate the debilitating effects of type 1 diabetes and excessive future health care costs by increasing funding to the National Institutes of Health for research to promote the widespread and affordable availability of a closed-loop diabetic system, referred to as the "artificial pancreas," and islet cell transplantation.

To the Committee on Medicaid, Health and Human Services.

S. B. No. 326-Senator Eklund, et al.

To amend sections 2743.02 and 3345.40 of the Revised Code relative to the set-off of collateral recoveries against damages awarded in certain civil actions against state universities or colleges.

To the Committee on Civil Justice.

S. B. No. 327-Senator Uecker, et al.

To amend sections 3333.61, 4715.10, 4715.13, 4715.22, 4715.23, 4715.363, 4715.366, 4715.371, 4715.39, 4715.64, and 4715.66 and to enact section 4715.421 of the Revised Code to make changes to the laws governing dental professionals.

To the Committee on Commerce and Labor.

S. B. No. 328-Senator Hughes, et al.

To enact section 5.2296 of the Revised Code to designate the first week of May as "Brain Tumor Awareness Week."

To the Committee on Medicaid, Health and Human Services.

S. B. No. 329-Senator Schiavoni, et al.

To amend sections 117.11 and 149.351 and to enact sections 117.102, 149.46, and 3314.031 of the Revised Code regarding audit and record-keeping requirements for community school sponsors and operators.

To the Committee on Education.

S. B. No. 330-Senator Cafaro, et al.

To amend section 1739.05 and to enact sections 1751.72, 3901.90, 3923.251, and 5160.33 of the Revised Code to amend the law related to the prior authorization requirements of insurers and of the medical assistance programs administered by the Department of Medicaid.

To the Committee on Insurance and Financial Institutions.

S. B. No. 331-Senator Gentile.

To enact section 5533.812 of the Revised Code to designate portions of State Route 43 and State Route 164 in Jefferson County as the "Veterans Memorial Highway."

To the Committee on Transportation.

S. B. No. 332-Senator Schaffer.

To enact section 5533.801 of the Revised Code to designate a portion of State Route 93 in Coshocton County as the "Chief Petty Officer Raymond A. Border Memorial Highway."

To the Committee on Transportation.

S. B. No. 333-Senators Jordan, Smith, et al.

To amend sections 2925.01, 4713.01, 4713.02, 4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 4713.09, 4713.10, 4713.13, 4713.14, 4713.141, 4713.16, 4713.17, 4713.20, 4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.30, 4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 4713.39, 4713.41, 4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 4713.641, and 4713.99 and to enact sections 4713.071, 4713.66, and 4713.69 of the Revised Code to make changes to the Cosmetology Licensing Law.

To the Committee on Commerce and Labor.

YES - 10: KRIS JORDAN, SCOTT OELSLAGER, TOM PATTON,

CHRIS WIDENER, LARRY OBHOF, KEVIN BACON,
RANDY GARDNER, JOSEPH SCHIAVONI, LOU
GENTILE, MICHAEL J. SKINDELL.

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.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 150-Senators Hite, Peterson.

Cosponsors: Senators Coley, Eklund, Hughes, Kearney, Lehner, Manning, Sawyer, Turner, Uecker. Representatives Cera, Hagan, C., Barborak, Buchy, Damschroder, Landis, O'Brien, Patterson, Ruhl, Scherer, Rosenberger, Hayes, McClain, Antonio, Anielski, Ashford, Baker, Beck, Blessing, Brown, Burkley, Carney, Derickson, Hall, Letson, Lynch, Maag, Milkovich, Pillich, Ramos, Redfern, Retherford, Rogers, Slaby, Sprague, Stinziano, Strahorn, Thompson, Winburn, Speaker Batchelder.

To amend sections 903.25, 905.31, 905.32, 905.34, 905.36, 905.39, 905.41, 905.45, 905.46, 905.47, 905.48, 905.49, 905.50, 905.99, 907.111, 1511.01, 1511.02, 1511.021, 1511.07, 1511.071, 1515.01, 1515.02, 1515.08, 3717.53, 6111.03, 6111.04, and 6111.44; to amend for the purpose of adopting a new section number as indicated in parentheses section 905.501 (905.503); and to enact new section 905.501 and sections 905.321, 905.322, 905.323, 905.324, 905.325, 905.502, and 1511.023 of the Revised Code to revise the law governing the abatement of agricultural pollution, to require a person that applies fertilizer for the purposes of agricultural production to be certified to do so by the Director of Agriculture, to make other changes to the Agricultural Additives, Lime, and Fertilizer Law, 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 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Smith

Tavares

Turner

Uecker

Widener
Faber-33.

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

The amendments of the House of Representatives to:

Sub. S. B. No. 172-Senator Patton.

Cosponsors: Senators Seitz, Hughes, Schiavoni, Skindell, LaRose, Bacon, Beagle, Eklund, Lehner, Manning, Tavares. Representatives Brown, Adams, R., Anielski, Antonio, Beck, Bishoff, Blessing, Boyce, Budish, Celebrezze, Curtin, Damschroder, Driehaus, Foley, Hagan, R., Heard, Letson, Lundy, O'Brien, Patterson, Phillips, Pillich, Ramos, Reece, Stinziano, Strahorn, Williams, Winburn, Speaker Batchelder.

To amend sections 317.32, 319.203, 319.54, 321.261, 323.131, 323.25, 323.28, 323.47, 323.65, 323.69, 323.70, 323.71, 323.72, 323.73, 323.78, 323.79, 715.261, 743.04, 1724.02, 1724.10, 2744.01, 5709.12, 5721.01, 5721.03, 5721.14, 5721.18, 5721.19, 5721.36, 5722.01, 5722.03, 5722.04, 5722.07, 5722.10, 5722.11, 5723.01, 5723.04, 5723.12, and 6119.06 and to enact sections 323.691 and 5722.031 of the Revised Code to modify the laws governing land reutilization programs and property tax foreclosures and to make changes to the county auditor's review of real property conveyances, 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 0, nays 33, as follows:

Those who voted in the negative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Smith
Tavares	Turner	Uecker	Widener
			Faber-33.

So the Senate did not concur in the amendments of the House of Representatives.

RESOLUTIONS REPORTED BY COMMITTEE**H. C. R. No. 27**-Representatives Johnson, Mallory.

Cosponsors: Representatives Adams, R., Amstutz, Anielski, Baker, Beck, Blair, Blessing, Brenner, Brown, Buchy, Butler, Damschroder, Derickson, Dovilla, Fedor, Grossman, Hackett, Hagan, C., Hall, Hayes, Hood, Hottinger, Huffman, Lynch, McClain, McGregor, Perales, Pillich, Retherford, Roegner, Romanchuk, Rosenberger, Ruhl, Scherer, Sears, Slaby, Smith, Sprague, Terhar, Thompson, Young, Speaker Batchelder. Senators Schaffer, Beagle.

To urge the Internal Revenue Service to correct its policy of targeting tax-exempt status applications for additional review based on the applicant organization's presumed political affiliation.

WHEREAS, A recent report issued by the federal Treasury Inspector General for Tax Administration ("Inspector General") found that, beginning in 2010, the Internal Revenue Service ("IRS") developed and used inappropriate criteria to review the applications of organizations applying for tax-exempt status; and

WHEREAS, Such criteria were based on the political names or policy positions of the applicant organizations; for example, the IRS asked employees to give additional scrutiny to applications from groups whose name included "Tea Party" or other "political-sounding" words; and

WHEREAS, The Inspector General found that organizations that applied for tax-exempt status and had their application flagged for further review experienced substantial delays and were asked to supply unnecessary information; and

WHEREAS, According to the Inspector General, the IRS should take corrective actions to ensure that applications are processed without unreasonable delay in a fair and impartial manner in the future; now therefore be it

RESOLVED, That we, the members of the 130th General Assembly of the State of Ohio, urge the IRS to take immediate action to correct its policies and cease targeting organizations applying for tax-exempt status based on the organization's political affiliation; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the United States Secretary of the Treasury, the Acting Commissioner of Internal Revenue, and the news media of Ohio.

The question being, "Shall the resolution, **H. C. R. No. 27**, be adopted?"

The yeas and nays were taken and resulted - yeas 26, nays 7, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	Kearney
LaRose	Lehner	Manning	Obhof
Oelslager	Patton	Peterson	Sawyer
Schaffer	Seitz	Smith	Uecker
Widener			Faber-26.

Senators Brown, Cafaro, Gentile, Schiavoni, Skindell, Tavares, and Turner voted in the negative-7.

So the resolution was adopted.

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

Senator Schaffer moved to amend the title as follows:

Add the names: "Balderson, Burke, Coley, Eklund, Faber, Gardner, Hite, Hughes, Jones, Jordan, LaRose, Lehner, Obhof, Oelslager, Seitz, Uecker, Widener."

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. 165-Representative Roegner.

Cosponsors: Representatives Thompson, Wachtmann, Beck, Hood, Huffman, Scherer, Schuring, Sears, Speaker Batchelder.

To amend sections 4761.01, 4761.03, 4761.07, and 4761.11 of the Revised Code to exempt certified hyperbaric technologists from the laws governing the practice of respiratory care, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 165**, 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
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Smith
Tavares	Turner	Uecker	Widener
			Faber-33.

So the bill passed.

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

Senator Bacon moved to amend the title as follows:

Add the names: "Bacon, Eklund, LaRose, Seitz."

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 bills were introduced and considered the first time:

S. B. No. 334-Senators Jones, Peterson.

Cosponsors: Senators Hite, Beagle, Gardner, Manning, Cafaro, Gentile.

To amend sections 303.21, 519.21, 1711.57, and 5713.30 and to enact section 901.80 of the Revised Code to limit the authority of a board of county commissioners or board of township trustees to prohibit agritourism through zoning, to apply current agricultural use valuation to land used for agritourism for property tax purposes, to establish immunity in a civil action for agritourism providers, and to authorize the Director of Agriculture to adopt rules regarding amusement rides at agritourism locations.

S. B. No. 335-Senators Seitz, Kearney.

Cosponsors: Senators Uecker, Eklund, Beagle, Manning, Brown, Hite, Lehner, Jones, Patton.

To amend sections 5501.44, 5501.70, 5501.71, 5501.73, 5501.78, 5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 5531.16, and 5739.02 and to enact sections 5531.141, 5531.142, 5531.143, 5531.144, 5531.145, 5531.146, 5531.147, 5531.148, and 5531.149 of the Revised Code to provide that a toll project may include the substantial reconstruction or replacement of an existing toll-free highway, bridge, or tunnel, to amend the law governing public-private agreements relative to transportation facilities, and to provide for the collection of user fees on toll projects by toll project operators.

OFFERING OF RESOLUTIONS

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

S. R. No. 328-Senators Turner, Smith, Skindell.

Recognizing the Honorable Jean Murrell Capers for lifetime achievement and community service.

S. R. No. 329-Senators Manning, Gardner.

Honoring the Norwalk High School boys basketball team as the 2014 Division II State Champion.

S. R. No. 330-Senators Schiavoni, Patton.

Honoring Justin Bachman for outstanding community service.

S. R. No. 331-Senator Turner.

Honoring Ryan Harris as a 2014 Division III State Wrestling Champion.

S. R. No. 332-Senators Patton, Smith.

Honoring the St. Ignatius High School varsity ice hockey team on winning a share of the 2014 State Championship.

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 Speaker of the House of Representatives has signed the following concurrent resolution:

H. C. R. No. 53 -Speaker Batchelder, Representative Heard - et al.

Attest:

Bradley J. Young,
Clerk.

The President signed said resolution.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules No. 19 and 20, the President of the Senate temporarily appoints Senator Troy Balderson to the Rules Committee, replacing Senator Chris Widener, for the purpose of the committee's meeting on May 7, 2014.

On the motion of Senator Widener, the Senate recessed until 11:56 p.m.

The Senate met pursuant to the recess.

Senator Widener moved that the Senate revert to the second order of business, Reports of Standing and Select Committees.

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

The motion was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Seitz submitted the following report:

The standing committee on Public Utilities, to which was referred **S. B. No. 310**-Senator Balderson, having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 10: BILL SEITZ, TOM PATTON, FRANK LAROSE, TROY BALDERSON, BILL COLEY, JOHN EKLUND, JOE UECKER, CLIFF HITE, SHANNON JONES, SHIRLEY A. SMITH.

NO - 3: MICHAEL J. SKINDELL, ERIC H. KEARNEY, THOMAS SAWYER.

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

The report of the committee was accepted.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 310-Senator Balderson.

To amend sections 3706.25, 4928.01, 4928.20, 4928.64, 4928.65, and 4928.66, to amend, for the purpose of adopting a new section number as indicated in parentheses, section 4928.65 (4928.645), and to enact new section 4928.65 and sections 4928.641, 4928.642, 4928.662, 4928.6610, 4928.6611, 4928.6612, 4928.6613, 4928.6614, 4928.6615, and 4928.6616 of the Revised Code to make changes to the renewable energy, energy efficiency, and peak demand reduction requirements and to create a study committee, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 310**, pass?"

Senator Coley moved to amend as follows:

In line 1459, after "congestion" insert ";

(5) An analysis of whether there are alternatives for the development of

advanced energy resources as that term is defined in section 4928.01 of the Revised Code"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 310**, pass?"

Senator Kearney moved to amend as follows:

In line 778, reinsert "At least one-half of the"; delete " The"

In line 780, reinsert "through"; delete " either"

In line 781, delete " (a) Through"; reinsert "the remainder"

In line 782, reinsert "shall be met with"; delete " or"

In line 783, delete " (b) With"

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

Senator Widener 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 21, nays 11, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	Lehner
Obhof	Oelslager	Patton	Peterson
Schaffer	Seitz	Uecker	Widener
			Faber-21.

Those who voted in the negative were: Senators

Brown	Gentile	Kearney	LaRose
Manning	Sawyer	Schiavoni	Skindell
Smith	Tavares		Turner-11.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. S. B. No. 310**, pass?"

The yeas and nays were taken and resulted - yeas 21, nays 12, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Burke	Coley
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Eklund	Hite	Hughes	Jones
Jordan	LaRose	Lehner	Obhof
Oelslager	Patton	Peterson	Schaffer
Seitz	Smith	Uecker	Widener
			Faber-21.

Those who voted in the negative were: Senators

Beagle	Brown	Cafaro	Gardner
Gentile	Kearney	Manning	Sawyer
Schiavoni	Skindell	Tavares	Turner-12.

So the bill passed.

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

Senator Balderson moved to amend the title as follows:

Add the names: "Coley, Eklund, Faber, Jones, Seitz."

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

The motion was agreed to and the title so amended.

On the motion of Senator Widener, the Senate recessed until 12:10 p.m.

The Senate met pursuant to the recess.

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:

H. B. No. 283 -Representatives Stinziano, Grossman

Cosponsors: Representatives Barborak, Brenner, Buchy, Dovilla, Duffey, Hackett, Mallory, Ramos, Sheehy, Slesnick, Strahorn, Rogers, Gerberry, Brown, Anielski, Antonio, Baker, Barnes, Beck, Blessing, Boose, Boyce, Budish, Burkley, Carney, Celebrezze, Clyde, Damschroder, Driehaus, Fedor, Green, Hagan, C., Hall, Hayes, Heard, Hill, Hood, Hottinger, Johnson, Kunze, Landis, Letson, Lundy, McClain, Milkovich, Patmon, Patterson, Pelanda, Phillips, Pillich, Redfern, Rosenberger, Ruhl, Sears, Slaby, Smith, Sprague, Stautberg, Stebelton, Stinziano, Sykes, Thompson, Wachtmann, Winburn, Speaker Batchelder

To enact section 5.092 of the Revised Code to designate "Hang on Sloopy," which includes the following lyrics, as the official state rock song: Hang on Sloopy, Sloopy hang on; Sloopy lives in a very bad part of town; All the girls I know they try to put my Sloopy down; Sloopy, I don't care what your daddy

do; Don't you know little girl, I'm in love with you; Sloopy, let your hair down, let it down on me; Come on Sloopy let your hair down, Girl it down on me.

H. B. No. 452 -Representative Gonzales

Cosponsors: Representatives Derickson, Wachtmann, Schuring, Bishoff, Brown, Hagan, R., Johnson, Smith, Anielski, Baker, Beck, Buchy, Butler, Cera, Conditt, DeVitis, Green, Grossman, Hackett, Hagan, C., Milkovich, Pillich, Rogers, Sprague, Winburn, Speaker Batchelder

To amend sections 5153.21 and 5153.42 and to enact sections 5103.05 and 5103.051 of the Revised Code to require children's residential facilities to provide specified information to local law enforcement agencies, emergency management agencies, and fire departments and to require the Department of Job and Family Services to implement a Child Placement Level of Care Tool Pilot Program.

Am. H. B. No. 465 -Representative Johnson

Cosponsors: Representatives Wachtmann, Antonio, Barnes, Brown, Carney, Hill, Hagan, R., Hottinger, Schuring, Sears, Smith, Anielski, Ashford, Baker, Barborak, Beck, Blair, Blessing, Boose, Boyce, Brenner, Buchy, Burkley, Butler, Celebrezze, Conditt, Derickson, DeVitis, Driehaus, Foley, Green, Grossman, Hackett, Hagan, C., Hall, Hayes, Letson, McClain, McGregor, Milkovich, Patterson, Pelanda, Perales, Phillips, Pillich, Ramos, Retherford, Rogers, Romanchuk, Rosenberger, Ruhl, Slaby, Sprague, Stinziano, Strahorn, Terhar, Thompson, Young, Speaker Batchelder

To enact section 5.25 of the Revised Code to designate the first week of July as "Neonatal Abstinence Syndrome Awareness Week."

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

On the motion of Senator Cafaro, the Senate adjourned until Monday, May 12, 2014 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.