

OHIO

SENATE

JOURNAL

THURSDAY, MAY 30, 2013

FIFTY-FOURTH DAY
Senate Chamber, Columbus, Ohio
Thursday, May 30, 2013, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, Grace Baptist Church, Cedarville, Ohio, followed by the Pledge of Allegiance to the Flag.

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

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. S. B. No. 67-Senator Peterson.

Cosponsors: Senators Obhof, Seitz, Hughes, Beagle, Hite, Balderson, Coley, Eklund, Faber, Gardner, Jordan, LaRose, Manning, Oelslager, Patton, Widener. Representatives Amstutz, Beck, Buchy, Dovilla, Hackett, Hall, Henne, Huffman, Johnson, Maag, McClain, McGregor, Scherer, Sprague, Terhar, Young, Speaker Batchelder.

To amend sections 111.15, 117.01, 117.10, 117.11, 117.12, 117.16, 117.20, 127.18, 187.01 and 187.04 and to enact sections 117.114 and 117.431 of the Revised Code to create an agreed-upon procedure audit for certain eligible political subdivisions, to eliminate the Auditor of State's exemption from filing a rule summary and fiscal analysis with proposed rules, to exclude from public moneys subject to audit by the Auditor of State any revenue earned by or from a person's ownership, operation, or use of a tangible or intangible asset that was sold, was leased, was licensed, was the granting of a franchise, or was transferred or conveyed by a public office to the person pursuant to an agreement under which the public office received consideration, to specify which JobsOhio revenues are not public moneys subject to audit by the Auditor of State, to clarify by whom JobsOhio is to be audited and which audit records are public records, and to provide for annual compliance and control reviews of JobsOhio, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Am. S. B. No. 67?**"

The yeas and nays were taken and resulted - yeas 22, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Schaffer	Seitz	Uecker
Widener			Faber-22.

Those who voted in the negative were: Senators

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

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

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

Senator Jordan moved to amend the title as follows:

Remove the name: "Jordan."

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

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 64-Senators Beagle, Manning.

Cosponsors: Senators Balderson, Burke, Faber, Hughes, Jones, Lehner, Obhof, Peterson, Schaffer, Widener, LaRose.

To amend section 2905.05 of the Revised Code to prohibit under the offense of criminal child enticement an offender, for an unlawful purpose and without privilege, consent, or a public safety or education-related employment, from soliciting, coaxing, enticing, or luring the child to accompany the offender, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 64**, pass?"

The yeas and nays were taken and resulted - yeas 30, nays 2, 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
Seitz	Smith	Tavares	Uecker
Widener			Faber-30.

Senators Schiavoni and Skindell voted in the negative-2.

So the bill passed.

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

Senator Beagle moved to amend the title as follows:

Add the names: "Coley, Hite, Jordan, Oelslager, Patton, Seitz, Uecker."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Obhof moved that Senators absent the week of Sunday, May 26, 2013, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

OFFERING OF RESOLUTIONS

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

S. R. No. 128-Senator Balderson.

Honoring Clay Williams for his exemplary performance at the 2013 Arnold Archery Competition.

S. R. No. 129-Senator Balderson.

Honoring Katie Ruffner for her exemplary performance at the 2013 Arnold Archery Competition.

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, Andre T. Porter, from Franklin County, Ohio, as Director of the Department of Commerce for a term beginning April 22, 2013 and continuing at the pleasure of the Governor.

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 22nd day of April in the year of our Lord, two thousand and thirteen.

[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 Carey, from Jackson County, Ohio, as Chancellor of the Ohio Board of Regents for a term beginning April 29, 2013 and for a term pursuant to Ohio Revised Code Section 3333.03.

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 April in the year of our Lord, two thousand and thirteen.

[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:

Sub. S. B. No. 7 -Senators Widener, Beagle

Cosponsors: Senators Lehner, Hughes, LaRose, Eklund, Hite, Coley, Jones, Faber, Peterson, Bacon, Balderson, Burke, Gardner, Kearney, Manning, Obhof, Oelslager, Patton, Schaffer, Turner, Uecker Representatives Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Barborak, Barnes, Beck, Bishoff, Blair, Blessing, Boose, Brown, Buchy, Burkley, Butler, Carney, Celebrezze, Cera, Conditt, Damschroder, Derickson, Dovilla, Driehaus, Duffey, Fedor, Foley, Gerberry, Gonzales, Green, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hill, Hottinger, Huffman, Johnson, Kunze, Landis, Letson, Lynch, Maag, Mallory, McClain, McGregor, Milkovich, O'Brien, Patterson, Pelanda, Perales, Phillips, Ramos, Reece, Rogers, Romanchuk, Rosenberger, Ruhl, Scherer, Schuring, Sears, Slesnick, Sprague, Stautberg, Stebelton, Strahorn, Szollosi, Terhar, Winburn, Young, Speaker Batchelder

To amend section 2945.402 and to enact section 2929.44 of the Revised

Code to require that a court report certain information to a specified 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 a mental health evaluation or treatment for a mental illness and to name this act the Deputy Suzanne Hopper Act.

Attest:

Bradley J. Young,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Sub. H. B. No. 167 -Representatives Heard, Grossman

Cosponsors: Representatives Brenner, Bishoff, Amstutz, Anielski, Duffey, Gonzales, Hackett, Kunze, McClain, Stebelton, Wachtmann, Speaker Batchelder

To amend sections 3314.02, 5705.192, 5705.21, 5705.212, 5705.218, 5705.251, and 5705.261 and to enact sections 3311.60 and 3311.61 of the Revised Code to authorize school districts with an average daily membership greater than 60,000 and located in a city with a population greater than 700,000 to levy property taxes, the revenue from which may be shared with partnering community schools; to require such districts to place such a levy on the ballot at the next general or special election; to prescribe the creation of the position of independent auditor for such a school district, subject to voter approval; to authorize the mayor of the city in which such a school district is located to sponsor community schools; and to declare an emergency.

Sub. H. B. No. 138 -Representatives McClain, Letson

Cosponsors: Representatives Amstutz, Adams, R., Anielski, Antonio, Ashford, Barborak, Beck, Blair, Blessing, Boose, Brenner, Brown, Buchy, Burkley, Butler, Carney, Celebrezze, Damschroder, Derickson, Dovilla, Duffey, Gonzales, Green, Grossman, Hackett, Hall, Huffman, Kunze, Landis, McGregor, Milkovich, O'Brien, Perales, Pillich, Rogers, Ruhl, Scherer, Schuring, Slesnick, Sprague, Stautberg, Stebelton, Szollosi, Terhar, Winburn, Young, Speaker Batchelder

To amend sections 5703.02, 5717.01, 5717.011, 5717.02, and 5717.04 and to enact sections 5703.021 and 5717.031 of the Revised Code to make changes to the law governing the Board of Tax Appeals, including authorizing a small claims docket within the Board, requiring the Board to adopt rules to manage appeals and operate a mediation program, requiring the Board to receive notices of appeal and statutory transcripts electronically, providing pleading standards for appeals to the Board, and expressly authorizing the Board to consider motions.

H. B. No. 149 -Representative Anielski

Cosponsors: Representatives Grossman, Baker, Huffman, Landis, Boose, Budish, Clyde, Conditt, Thompson, Terhar, Szollosi, Wachtmann, Dovilla, Ruhl, Romanchuk, O'Brien, Antonio, Cera, Phillips, Duffey, Gonzales, Blair, Scherer, Pillich, Derickson, Beck, Slesnick, Brenner, Butler, Sears, Ramos, Buchy, Sprague, Smith, Stinziano, Fedor, Bishoff, Brown, Carney, Hagan, R., Hill, Hottinger, Johnson, Schuring, Adams, R., Amstutz, Barborak, Barnes, Blessing, Boyce, Burkley, Celebrezze, Curtin, Damschroder, DeVitis, Driehaus, Gerberry, Green, Hackett, Hagan, C., Hall, Hayes, Heard, Kunze, Lundy, Mallory, McClain, McGregor, Milkovich, Patmon, Patterson, Pelanda, Redfern, Reece, Roegner, Rogers, Rosenberger, Slaby, Stautberg, Stebelton, Strahorn, Williams, Winburn, Young, Speaker Batchelder

To enact section 5.2286 of the Revised Code to designate September 10 as "Ohio Suicide Prevention Day."

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 11 -Representative Stebelton

Cosponsors: Representatives Gerberry, Grossman, Thompson, Duffey, Rogers, Slesnick, Beck, Adams, R., Brown, Hackett, Mallory, Buchy, Scherer, Antonio, Dovilla, Anielski, Milkovich, O'Brien, Fedor, Hayes, Brenner, Baker, Terhar, Barnes, Bishoff, Burkley, Amstutz, Ashford, Barborak, Blair,

Blessing, Boose, Boyce, Butler, Carney, Celebrezze, Clyde, Conditt, Damschroder, Derickson, Driehaus, Gonzales, Hagan, C., Hall, Henne, Hill, Hood, Johnson, Kunze, Landis, McClain, McGregor, Patterson, Pelanda, Perales, Phillips, Pillich, Ramos, Reece, Retherford, Romanchuk, Rosenberger, Schuring, Sears, Sprague, Stautberg, Strahorn, Wachtmann, Winburn, Young, Speaker Batchelder

To designate July 2013 as Ohio Independent Business Month.

Attest: Bradley J. Young,
Clerk.

The question being, "Shall the resolution, **H. C. R. No. 11**, be adopted?"

On the motion of Senator Widener, **H. C. R. No. 11**, was referred to the Committee on Reference.

On the motion of Senator Widener, the Senate adjourned until Tuesday, June 4, 2013 at 1:30 p.m.

Attest: VINCENT L. KEERAN,
Clerk.