

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, JUNE 25, 2013

SIXTY-FOURTH DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, June 25, 2013, 1:30 p.m.**

The Senate met pursuant to adjournment.

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

Senator LaRose 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 resolution, standing in order for second consideration, be referred to committee as recommended:

**H. B. No. 23**-Representative Gonzales, et al.

To amend section 4501.21 and to enact section 4503.492 of the Revised Code to create the "Ovarian Cancer Awareness" license plate.

To the Committee on Transportation.

**Sub. H. B. No. 44**-Representative McClain, et al.

To enact section 3701.048 of the Revised Code to require the Director of Health to develop protocols regarding the authority to administer, deliver, distribute, or dispense drugs during certain public health emergencies.

To the Committee on Medicaid, Health and Human Services.

**Am. H. B. No. 135**-Representatives Pelanda, Cera, et al.

To amend sections 5725.98, 5726.98, 5729.98, 5747.98, and 5749.11 and to enact sections 122.177, 5725.35, 5726.58, 5729.18, 5747.78, 5749.18, and 5749.98 of the Revised Code to authorize a nonrefundable credit against the income tax and certain business taxes for the rehabilitation of a vacant industrial site.

To the Committee on Ways and Means.

**S. C. R. No. 17**-Senator Kearney, et al.

To urge the Congress of the United States to repeal the federal ban on sports wagering.

To the Committee on State Government Oversight and Reform.

**S. B. No. 147**-Senators Schaffer, Peterson, et al.

To amend sections 2152.17, 2903.13, 2923.125, 2929.13, and 2929.14 of the Revised Code to increase the penalty for an assault committed by a prisoner at a state correctional institution or delinquent child detained at a Department of Youth Services institution on an employee of the Department of Rehabilitation and Correction or Youth Services on the grounds of the state correctional institution or Department of Youth Services institution and to eliminate the increased penalty for an assault committed by such a prisoner or delinquent child, a parolee, or an offender under any type of government supervision on a probation department employee or by an offender under any type of government supervision on an employee of the Department of Rehabilitation and Correction or Youth Services.

To the Committee on Criminal Justice.

YES - 8: KRIS JORDAN, SCOTT OELSLAGER, CHRIS WIDENER, KEVIN BACON, ERIC H. KEARNEY, LOU GENTILE, TOM PATTON, RANDY GARDNER.

NO - 0.

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

The report of the committee was accepted.

Said bills and resolution were considered a second time and referred to committee as recommended.

**REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Manning submitted the following report:

The standing committee on Transportation, to which was referred **Sub. H. B. No. 29**-Representative Damschroder, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

After line 170, insert:

**"Section 3.** 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 that boaters using the waters of this state urgently need the support and protection afforded by this act during the current boating season. Therefore, this act shall go into immediate effect."

In line 4 of the title, delete "and" and insert a comma

In line 6 of the title, after "inspections" insert ", and to declare an emergency"

Co-Sponsors: Manning, Gardner, LaRose, Patton.

YES - 9: GAYLE MANNING, TROY BALDERSON, RANDY GARDNER, FRANK LAROSE, BILL SEITZ, CAPRI S. CAFARO, NINA TURNER, TOM PATTON, LOU GENTILE.

NO - 0.

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

The report of the committee was accepted.

Senator Schaffer submitted the following report:

The standing committee on Ways and Means, to which was referred **Am. H. B. No. 112**-Representatives Schuring, Gonzales, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 165, delete "2013" and insert "2014"

In line 116, delete " two" and insert " one"

In line 6 of the title, delete "\$250,000" and insert "\$150,000"

Co-Sponsor: Tavares.

YES - 10: CHARLETA B. TAVARES, MICHAEL J. SKINDELL, CLIFF HITE, BOB PETERSON, BILL BEAGLE, JOHN EKLUND, LARRY OBHOF, CHRIS WIDENER, TIMOTHY O. SCHAFFER, CAPRI S. CAFARO.

NO - 0.

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

The report of the committee was accepted.

Senator Schaffer submitted the following report:

The standing committee on Ways and Means, to which was referred **Sub. H. B. No. 138**-Representatives McClain, Letson, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Schaffer.

YES - 10: CHARLETA B. TAVARES, MICHAEL J. SKINDELL, TIMOTHY O. SCHAFFER, BOB PETERSON, BILL BEAGLE, JOHN EKLUND, CLIFF HITE, CHRIS WIDENER, LARRY OBHOF, CAPRI S. CAFARO.

NO - 0.

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

The report of the committee was accepted.

#### HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

**Am. S. B. No. 66**-Senator Hite.

Cosponsors: Senators Burke, Balderson, LaRose, Peterson, Gentile, Cafaro, Smith, Manning, Bacon, Beagle, Brown, Coley, Eklund, Faber, Gardner, Hughes, Kearney, Lehner, Obhof, Oelslager, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Tavares, Turner, Uecker, Widener. Representatives Hall, Cera, Burkley, Clyde, Retherford, Scherer, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Barborak, Barnes, Beck, Boose, Brown, Buchy, Celebrezze, Curtin, Damschroder, Derickson, Dovilla, Duffey, Fedor, Gerberry, Gonzales, Grossman, Hackett, Hagan, C., Hayes, Heard, Henne, Hill, Hottinger, Johnson, Landis, Letson, Mallory, McClain, Milkovich, Patterson, Pelanda, Pillich, Rogers, Rosenberger, Ruhl, Sears, Smith, Sprague, Stebelton, Strahorn, Williams, Winburn, Speaker Batchelder.

To amend sections 926.01, 926.021, 926.06, 926.10, 926.17, and 926.18 of the Revised Code to revise the Agricultural Commodity Handlers Law, having been informally passed, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

Senator Hite moved that the House amendments to **Am. S. B. No. 66**, be

informally passed and that they retain their place on the calendar.

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

The motion was agreed to.

### **INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bills were introduced and considered the first time:

**S. B. No. 148**-Senators Turner, Patton.

Cosponsors: Senators Obhof, Brown, Lehner, Uecker, Seitz, Kearney, LaRose, Hughes, Sawyer.

To enact section 5533.324 of the Revised Code to designate a portion of Interstate 271 in Bedford Heights as the "Army Pvt. Brandon Sloan Memorial Highway."

**S. B. No. 149**-Senator Beagle.

Cosponsors: Senators Hite, Manning.

To amend sections 5725.98, 5726.98, 5729.98, 5747.98, and 5751.98 and to enact sections 122.155, 122.156, 122.157, 122.158, 122.159, 5725.191, 5726.58, 5727.242, 5727.43, 5727.812, 5729.081, 5747.052, and 5751.54 of the Revised Code to authorize tax credits for contributions of money to economic and infrastructure development projects undertaken by local governments and nonprofit corporations.

**S. B. No. 150**-Senators Hite, Peterson.

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, 921.06, 921.11, 921.16, 941.14, 953.22, 1511.01, 1511.02, 1511.021, 1511.022, 1511.07, 1511.071, 1515.01, 1515.02, 1515.08, 3717.53, 3734.02, and 3734.029; to amend for the purpose of adopting new section numbers as indicated in parentheses sections 905.501 (905.503), 1511.021 (1511.022), and 1511.022 (1511.024); and to enact new sections 905.501 and 1511.021 and sections 905.321, 905.322, 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 provide for an agricultural pesticide-use category on commercial and private pesticide applicator licenses, and to make other changes to the Agricultural Additives, Lime, and Fertilizer Law.

**S. B. No. 151**-Senator Tavares.

Cosponsors: Senators Kearney, Turner, Jones.

To enact sections 4783.01 to 4783.09 of the Revised Code to require the

Director of Health to establish the Ohio Health Care Professional Loan Repayment Program.

**S. B. No. 152**-Senator Lehner.

Cosponsors: Senators Beagle, Cafaro, Jones, LaRose, Manning, Patton.

To amend sections 2151.281, 2151.353, 2151.414, 2151.415, 2151.417, and 5103.162 of the Revised Code to permit a court to grant a motion for permanent custody of a child to a movant if the child or another child in the custody of the parent has been adjudicated an abused, neglected, or dependent child on three separate occasions, to require the court to appoint a guardian ad litem in any proceeding concerning an alleged dependent child, to require the guardian ad litem for an alleged or adjudicated abused, neglected, or dependent child to file any motions and other court papers in accordance with rules adopted by the Supreme Court, to require foster caregivers to use a reasonable and prudent parent standard when authorizing a foster child to participate in activities, to exempt the caregiver from civil or criminal liability that results from a foster caregiver's or agency's decisions made in good faith, and to limit the circumstances under which a child is placed into a planned permanent living arrangement.

**S. B. No. 153**-Senator Jordan.

To require aggregate General Revenue Fund appropriations for state agencies to be reduced by specified amounts for the biennium beginning July 1, 2013, and ending on June 30, 2015.

#### **OFFERING OF RESOLUTIONS**

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

**S. R. No. 153**-Senator Hite.

Honoring Tom Postema on winning the hammer throw title at the 2013 NCAA Division III Outdoor Track and Field Championship.

**S. R. No. 154**-Senator Bacon.

Honoring Karrington Winters on winning the 2013 Division I State Championship in the 400-meter dash.

**S. R. No. 155**-Senator Bacon.

Honoring the Columbus Academy boys track and field team on winning the 2013 Division III State Championship.

**S. R. No. 156**-Senator Bacon.

Honoring the New Albany High School girls lacrosse team on winning the 2013 Division II State Championship.

**S. R. No. 157**-Senators Balderson, Schaffer.

Honoring the Bloom-Carroll High School softball team as the 2013 Division III State Champion.

**S. R. No. 158**-Senator Widener.

Honoring Wes Haney as a 2013 Division III State Track and Field Champion.

**S. R. No. 159**-Senator Widener.

Honoring Sydney Leiher as a 2013 Division I State Track and Field Champion.

**S. R. No. 160**-Senators Faber, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Gardner, Gentile, Hite, Hughes, Jones, Jordan, Kearney, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Schaffer, Schiavoni, Seitz, Skindell, Smith, Tavares, Turner, Uecker, Widener.

Honoring Dr. E. Gordon Gee on his retirement as president of The Ohio State University.

**S. R. No. 161**-Senator Uecker.

Honoring the University of Cincinnati - Clermont College baseball team on winning the 2013 United States Collegiate Athletic Association Small College World Series Championship.

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

So the resolutions were adopted.

On the motion of Senator Hite, the Senate adjourned until Wednesday, June 26, 2013 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,  
Clerk.