

OHIO

SENATE

JOURNAL

TUESDAY, OCTOBER 8, 2013

NINETY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, October 8, 2013, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Dr. Charles Smith, Bible Baptist Church, Mt. Orab, Ohio, followed by the Pledge of Allegiance to the Flag.

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:

Senator Peterson welcomed to the Statehouse, the 8th Grade Students from Wellston Middle School and their teacher, David O'Brien

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

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

Am. H. B. No. 92-Representatives Antonio, Sears, et al.

To enact section 3707.37 of the Revised Code to authorize the establishment of syringe exchange programs.

To the Committee on Medicaid, Health and Human Services.

Am. H. B. No. 139-Representative Gonzales, et al.

To amend sections 3727.06, 4723.431, and 4730.09 of the Revised Code to permit certain advanced practice registered nurses and physician assistants to admit patients to hospitals.

To the Committee on Medicaid, Health and Human Services.

S. B. No. 199-Senator Kearney, et al.

To enact sections 113.51 to 113.78 of the Revised Code to create, if certain conditions are met, the Ohio Secure Choice Retirement Savings Program under which certain private employers must offer employees a payroll deposit

retirement savings arrangement, to establish the Ohio Secure Choice Retirement Savings Trust from which retirement benefits are to be paid to Program participants, and to create the Ohio Secure Choice Retirement Savings Investment Board, chaired by the Treasurer of State, to oversee the operation of the Program.

To the Committee on Finance.

S. B. No. 200-Senator Uecker, et al.

To amend sections 3503.15, 3503.18, and 3503.21 of the Revised Code to modify the law governing the statewide voter registration database.

To the Committee on State Government Oversight and Reform.

S. B. No. 201-Senator Bacon.

To authorize the conveyance of state-owned real estate in Franklin County to Step by Step Academy, Inc., and to declare an emergency.

To the Committee on State Government Oversight and Reform.

YES - 9: KRIS JORDAN, SCOTT OELSLAGER, TOM PATTON,
RANDY GARDNER, LOU GENTILE, ERIC H.
KEARNEY, CHRIS WIDENER, LARRY OBHOF,
KEVIN BACON.

NO - 0:

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

The report of the committee was accepted.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Burke submitted the following report:

The standing committee on State Government Oversight and Reform, to which was referred **S. B. No. 193**-Senator Seitz, having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 7: BILL COLEY, DAVE BURKE, JOE UECKER, BILL SEITZ, CHRIS WIDENER, LARRY OBHOF, FRANK LAROSE.

NO - 4: SHIRLEY A. SMITH, EDNA BROWN, MICHAEL J. SKINDELL, KEVIN BACON.

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

The report of the committee was accepted.

On the motion of Senator Widener, the Senate recessed until 11:40 a.m.

The Senate met pursuant to the recess.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 193-Senator Seitz.

To amend sections 3501.01, 3501.07, 3505.03, 3505.08, 3505.10, 3506.11, 3513.01, 3513.04, 3513.05, 3513.31, 3513.311, 3513.312, 3517.01, 3517.012, 3517.02, 3517.03, 4503.03, and 5747.29 and to repeal section 3517.015 of the Revised Code to eliminate intermediate political parties, to revise the processes for determining political party status and for establishing new political parties, and to declare an emergency.

The question being, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Turner moved to amend as follows:

Delete lines 2008 through 2012 and insert:

"**Section 4.** Sections 1 and 2 of this act shall take effect January 1, 2015."

In line 6 of the title, delete the comma and insert "and"

In line 9 of the title, delete ", and to declare an emergency"

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?"

The motion was agreed to.

The amendment was laid on the table.

The question recurred, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Seitz moved to amend as follows:

In line 1552, delete " eighteenth" and insert " fifth"

In line 1556, delete " hundred fourteenth" and insert " hundredth"

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

The motion was agreed to.

The question recurred, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Skindell moved to amend as follows:

In line 1225, after "by" insert " two thousand"; strike through "equal in"

Strike through lines 1226 and 1227

In line 1228, delete " for such office"

In line 1229, after " (ii)" delete the balance of the line

Delete lines 1230 through 1234

In line 1235, delete " (iii)"

In line 1240, delete " (iv)" and insert " (ii)"

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?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

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

Those who voted in the affirmative were: Senators

Balderson	Beagle	Brown	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz

Uecker

Widener

Faber-23.

Those who voted in the negative were: Senators

Bacon

Cafaro

Gentile

Kearney

Sawyer

Schiavoni

Skindell

Smith

Tavares

Turner-10.

So the section, Section 4, 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 22, nays 11, as follows:

Those who voted in the affirmative were: Senators

Balderson

Beagle

Burke

Coley

Eklund

Gardner

Hite

Hughes

Jones

Jordan

LaRose

Lehner

Manning

Obhof

Oelslager

Patton

Peterson

Schaffer

Seitz

Uecker

Widener

Faber-22.

Those who voted in the negative were: Senators

Bacon

Brown

Cafaro

Gentile

Kearney

Sawyer

Schiavoni

Skindell

Smith

Tavares

Turner-11.

So the bill having received the required constitutional majority passed as an emergency measure.

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

Senator Seitz moved to amend the title as follows:

Add the name: "Eklund."

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. 202-Senators Obhof, Kearney.

Cosponsor: Senator Seitz.

To amend sections 1701.01, 1701.11, 1701.71, 1704.01, and 1704.05 of the Revised Code to provide exceptions to the applicability of the Control Share Acquisition Act, to require board approval for Act opt-out amendments of a corporation's regulations or articles of incorporation, and to apply a three-year

look-back period to ownership of shares for purposes of determining applicability of certain shareholder transaction laws.

S. B. No. 203-Senators Schaffer, Tavares.

To amend sections 5739.02, 5747.01, and 5747.98 and to enact sections 5739.40 and 5747.78 of the Revised Code to authorize an income tax credit for individuals that earn a nonprofit management degree or certain professional designations and to allow a sales tax exemption for out-of-state nonprofit corporations that relocate jobs to Ohio.

On the motion of Senator Widener, the Senate adjourned until Wednesday, October 9, 2013 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.