

OHIO

SENATE

JOURNAL

TUESDAY, OCTOBER 15, 2013

ONE HUNDRED FIRST DAY
Senate Chamber, Columbus, Ohio
Tuesday, October 15, 2013, 9:30 a.m.

The Senate met pursuant to adjournment.

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

Senator Hite 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. 34-Representative Huffman, et al.

To adopt the Legislative Code of Ethics for the members and employees of both chambers of the 130th General Assembly, employees of any legislative agency, and candidates for the 131st General Assembly.

To the Committee on Rules.

S. J. R. No. 5-Senator Faber, et al.

Urging the Congress of the United States to propose a balanced budget amendment to the United States Constitution and applying to the Congress, pursuant to Article V of the United States Constitution, to call a convention for proposing amendments.

To the Committee on Finance.

S. B. No. 202-Senators Obhof, Kearney, et al.

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.

To the Committee on Civil Justice.

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.

To the Committee on Ways and Means.

S. B. No. 204-Senator Kearney, et al.

To amend sections 4507.06, 4507.12, and 4507.21 and to enact section 4507.092 of the Revised Code to allow for driver's license renewal online every other renewal period, to exempt such renewals from the vision screening and photograph requirements, and to amend the version of section 4507.06 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act after that effective date.

To the Committee on State Government Oversight and Reform.

S. B. No. 205-Senator Coley, et al.

To amend sections 3501.05, 3505.24, 3509.03, 3509.04, 3509.06, 3509.07, 3511.02, 3511.04, 3511.05, and 3511.10 of the Revised Code to revise the law concerning the mailing of absent voter's ballots and applications for those ballots and to clarify that an elector generally is responsible to complete the elector's absent voter's ballot documents.

To the Committee on State Government Oversight and Reform.

S. B. No. 206-Senator Burke.

To amend sections 5162.01, 5162.13, 5162.131, 5162.132, 5163.01, 5163.06, 5163.09, 5163.0910, and 5164.911; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5163.0910 (5162.133); to enact sections 103.41, 103.411, 103.412, 5162.134, 5162.70, 5162.71, 5163.04, and 5164.94; and to repeal sections 101.39, 101.391, and 5163.099 of the Revised Code; to amend Section 323.90 of Am. Sub. H.B. 59 of the 130th General Assembly; to require implementation of certain Medicaid revisions, reform systems, and program oversight, and to make an

appropriation.

To the Committee on Finance.

YES - 8: KRIS JORDAN, TOM PATTON, LARRY OBHOF,
CHRIS WIDENER, KEVIN BACON, RANDY
GARDNER, LOU GENTILE, JOSEPH SCHIAVONI.

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.

OFFERING OF RESOLUTIONS

Senators Burke and Cafaro offered the following resolution:

S. C. R. No. 23-Senators Burke, Cafaro.

Cosponsors: Senators Brown, Gentile, Gardner, Patton, Hughes, Jones.

Declaring May 12, 2014 "National Fibromyalgia Awareness Day" in Ohio.

The question being, "Shall the resolution, **S. C. R. No. 23**, be adopted?"

On the motion of Senator Coley, **S. C. R. No. 23**, was referred to the Committee on Reference.

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

S. R. No. 200-Senators Faber, Seitz, 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, Skindell, Smith, Tavares, Turner, Uecker, Widener.

Recognizing the Honorable Richard H. Finan for forty years of state service.

S. R. No. 201-Senators Manning, Tavares, Gardner, Schiavoni, Cafaro, Turner, Jones, Gentile, Brown, Patton, Hughes, Uecker.

Recognizing National Hispanic Heritage Month, September 15 - October

15, 2013.

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 Juan P. Cespedes, from Columbus, Franklin County, Ohio, as a Member of the Ohio Arts Council for a term beginning July 11, 2013, and ending at the close of business July 1, 2014, replacing Jacquelyn Nance, whose term expired.

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 11th day of July 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 Jane A. Foulk, from Thornville, Fairfield County, Ohio, as a Member of the Ohio Arts Council for a term beginning June 25, 2013, and ending at the close of business July 1, 2015, replacing Rori Herman Zoldan, whose term expired.

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 June 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 Cirous Haghazari, Democrat, from Westerville, Delaware County, Ohio, as a Member of the Motor Vehicle Salvage Dealer's Licensing Board for a term beginning June 24, 2013, and ending at the close of business July 31, 2015, replacing Maurice M. Leiser, whose term expired.

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 24th day of June 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 Timothy R. Hanely, from Canal Winchester, Franklin County, Ohio, as a Member of the Ohio Rail Development Commission for a term beginning June 19, 2013, and ending at the close of business October 20, 2015, replacing Larry C. Sowers, whose term expired.

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 19th day of June 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 Jerry N. Hruby, Republican, from Brecksville, Cuyahoga County, Ohio, as a Member of the Ohio Turnpike and Infrastructure Commission for a new term beginning July 1, 2013, and ending at the close of business June 30, 2021, replacing

Jerry N. Hraby, whose term expired.

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 14th day of June 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 Benjamin J. Keefe, from Cincinnati, Hamilton County, Ohio, as a Member of the University of Cincinnati Board of Trustees for a term beginning June 24, 2013, and ending at the close of business May 13, 2015, replacing Nicholas P. Hertlein, whose term expired.

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 24th day of June 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 Malcum "Jamie" Patton, Republican, from Richwood, Union County, Ohio, as a Member of the County Sheriffs' Standard Car-Marking and Uniform Commission for a term beginning June 14, 2013, and continuing at the pleasure of the Governor, replacing David J. Westrick.

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 14th day of June 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 James E. Roberts, from Poland, Mahoning County, Ohio, as a Member of the Youngstown State University Board of Trustees for a term beginning June 26, 2013, and ending at the close of business April 30, 2022, replacing Richard R. Schulick, whose term expired.

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 26th day of June 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 Emma Scharfenberger Off, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Arts Council for a term beginning June 21, 2013, and ending at the close of business July 1, 2014, replacing Neal F. Zimmers, whose term expired.

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 21st day of June 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 Anita M. Steinbergh, D.O., from Columbus, Franklin County, Ohio, as a Member of the State Medical Board for a new term beginning July 1, 2013, and ending at the close of business April 25, 2018, replacing Anita M. Steinbergh, D.O., whose term expired.

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 1st day of July 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 Susan W. Stevens, from Findlay, Hancock County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a term beginning June 25, 2013, and ending at the close of business August 27, 2014, replacing Rebekah Ruth Bower, whose term expired.

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 June 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 Rita J. Wolfe, from Columbus, Franklin County, Ohio, as a Member of the Commercial Dog Breeding Advisory Board for a term beginning June 19, 2013, and ending at the close of business March 12, 2015.

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 19th day of June 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 PRESIDENT

Pursuant to Section 101.35 of the Ohio Revised Code, the President of the Senate appoints Senator Bill Coley as a temporary replacement for Senator Frank LaRose on the Joint Committee on Agency Rule Review (JCARR) for the purpose of the committee's meeting on Tuesday, October 15, 2013.

On the motion of Senator Coley, the Senate adjourned until Wednesday, October 16, 2013 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.