

**OHIO**

**SENATE**

**JOURNAL**

**WEDNESDAY, DECEMBER 10, 2014**

TWO HUNDRED FORTY-EIGHTH DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, December 10, 2014, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Alan Brown, Westminster Presbyterian Church, Canton, 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 Faber recognized the Fort Loramie High School girl's volleyball team as the 2014 Division IV state champions.

Senator Obhof recognized the Mansfield Christian School's men's soccer team as the 2014 Division III state champions.

Senator Skindell recognized Jeffrey W. Patterson as the 2014 Ohio Superintendent of the Year by the Buckeye Association of School Administrators.

Senator Kearney recognized his mother, Rose P. Kearney of Cincinnati, Ohio.

**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. J. R. No. 12**-Representatives Huffman, Sykes, et al.

Proposing to enact new Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of Article XI and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Article XI of the Constitution of the State of Ohio to revise the redistricting process for General Assembly districts.

To the Committee on Rules.

**Sub. H. B. No. 319**-Representative Grossman, et al.

To enact sections 4929.16, 4929.161, 4929.162, 4929.163, 4929.164, 4929.165, 4929.166, and 4929.167 of the Revised Code to permit natural gas companies to apply for an infrastructure development rider to recover costs of

certain economic development projects.

To the Committee on Public Utilities.

**Am. H. B. No. 454**-Representative Gonzales, et al.

To amend section 2923.122 of the Revised Code to expand and clarify the authority of a concealed handgun licensee to possess a handgun in a school safety zone.

To the Committee on Civil Justice.

**Am. H. B. No. 480**-Representative Pelanda, et al.

To amend sections 4511.093, 4511.81, and 4513.263 of the Revised Code to restrict to cases of negligent vehicular homicide a provision of law that declares that the failure of an operator of a motor vehicle to secure a child in a car seat, in a booster seat, or with a seat belt is inadmissible as evidence in certain criminal actions and to allow the enforcement of child car seat, booster seat, and seat belt requirements as a primary offense if the child is less than eight years of age.

To the Committee on Transportation.

**Am. H. B. No. 508**-Representative Butler, et al.

To amend sections 2903.02, 2929.02, 2929.14, 2941.148, 2967.13, 2971.03, 2971.07, and 5120.61 of the Revised Code to expand the offense of murder to also prohibit causing the death of another as a proximate result of providing the person with a controlled substance or controlled substance analog when the death is caused by the use of that controlled substance or controlled substance analog and to provide special life sentences for a violation of the prohibition.

To the Committee on Criminal Justice.

**Am. Sub. H. B. No. 536**-Representatives Smith, Antonio, et al.

To amend sections 5104.015, 5104.017, and 5104.018 and to enact section 5104.014 of the Revised Code to require children enrolled in licensed child care facilities to be immunized against specified diseases, subject to certain

exceptions.

To the Committee on Medicaid, Health and Human Services.

**H. B. No. 595**-Representatives Brenner, Ruhl, et al.

To amend sections 2151.07, 2301.02, and 2301.03 of the Revised Code to create a domestic relations division of the Delaware County Court of Common Pleas and to create a judgeship for that division.

To the Committee on Civil Justice.

YES - 9: KRIS JORDAN, SCOTT OELSLAGER, TOM PATTON,  
LOU GENTILE, MICHAEL J. SKINDELL, LARRY  
OBHOF, JOSEPH SCHIAVONI, CHRIS WIDENER,  
KEVIN BACON.

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 Bacon submitted the following report:

The standing committee on Commerce and Labor, to which was referred **Sub. H. B. No. 131**-Representatives Johnson, Stinziano, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Kearney.

YES - 9: JOHN EKLUND, EDNA BROWN, BILL SEITZ, NINA  
TURNER, ERIC H. KEARNEY, KEVIN BACON,  
SHANNON JONES, SCOTT OELSLAGER, JOE  
UECKER.

NO - 1: KRIS JORDAN.

Senator Hughes submitted the following report:

The standing committee on Insurance and Financial Institutions, to which was referred **Sub. H. B. No. 201**-Representative Butler, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 11: BOB PETERSON, SHANNON JONES, LARRY OBHOF, CLIFF HITE, DAVE BURKE, JIM HUGHES, KEVIN BACON, NINA TURNER, EDNA BROWN, LOU GENTILE, ERIC H. KEARNEY.

NO - 0.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **Am. H. B. No. 258**-Representative Gonzales, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: RANDY GARDNER, PEGGY B. LEHNER, DAVE BURKE, SHANNON JONES, CAPRI S. CAFARO, EDNA BROWN, CHARLETA B. TAVARES, KRIS JORDAN.

NO - 0.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **H. B. No. 394**-Representatives Smith, Antonio, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: RANDY GARDNER, PEGGY B. LEHNER, DAVE BURKE, SHANNON JONES, CAPRI S. CAFARO, EDNA BROWN.

NO - 2: CHARLETA B. TAVARES, KRIS JORDAN.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **Sub. H. B. No. 412**-Representative Gonzales, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 7: RANDY GARDNER, PEGGY B. LEHNER, CHARLETA B. TAVARES, EDNA BROWN, CAPRI S. CAFARO, SHANNON JONES, DAVE BURKE.

NO - 1: KRIS JORDAN.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **Sub. H. B. No. 463**-Representative Johnson, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Gardner.

YES - 8: RANDY GARDNER, DAVE BURKE, SHANNON JONES, CAPRI S. CAFARO, EDNA BROWN, CHARLETA B. TAVARES, PEGGY B. LEHNER, KRIS JORDAN.

NO - 0.

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **H. B. No. 552**-Representative Stautberg, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: RANDY GARDNER, PEGGY B. LEHNER, DAVE BURKE, SHANNON JONES, KRIS JORDAN.

NO - 3: CAPRI S. CAFARO, EDNA BROWN, CHARLETA B. TAVARES.

Senator Patton submitted the following report:

The standing committee on Transportation, to which was referred **H. B. No. 440**-Representative Brown, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: LaRose, Cafaro.

YES - 8: TROY BALDERSON, FRANK LAROSE, TOM PATTON, LOU GENTILE, NINA TURNER, CAPRI S. CAFARO, RANDY GARDNER, BILL SEITZ.

NO - 0.

Senator Patton submitted the following report:

The standing committee on Transportation, to which was referred **H. B. No. 474**-Representatives Dovilla, Pelanda, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: LaRose, Gentile.

YES - 8: TOM PATTON, TROY BALDERSON, FRANK LAROSE, LOU GENTILE, NINA TURNER, CAPRI S. CAFARO, RANDY GARDNER, BILL SEITZ.

NO - 0.

Senator Patton submitted the following report:

The standing committee on Transportation, to which was referred **S. B. No. 53**-Senator Kearney, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: LaRose.

YES - 8: CAPRI S. CAFARO, TOM PATTON, TROY BALDERSON, FRANK LAROSE, NINA TURNER, LOU GENTILE, RANDY GARDNER, BILL SEITZ.

NO - 0.

Senator Patton submitted the following report:

The standing committee on Transportation, to which was referred **S. B. No. 339**-Senator Hite, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 8: TROY BALDERSON, FRANK LAROSE, TOM PATTON, LOU GENTILE, NINA TURNER, CAPRI S.

CAFARO, RANDY GARDNER, BILL SEITZ.

NO - 0.

Senator Peterson submitted the following report:

The standing committee on Ways and Means, to which was referred **Am. H. B. No. 494**-Representative Schuring, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: LARRY OBHOF, CLIFF HITE, JOHN EKLUND, CHRIS WIDENER, BOB PETERSON, CHARLETA B. TAVARES, MICHAEL J. SKINDELL, CAPRI S. CAFARO.

NO - 0.

The question being, "Shall the reports of the committees be accepted?"

The reports of the committees were accepted.

#### REPORTS OF CONFERENCE COMMITTEES

**Sub. H. B. No. 9**-Representative Stautberg.

Cosponsors: Representatives Celebrezze, Hayes, Letson, Pillich, Winburn, Adams, J., Adams, R., Antonio, Barborak, Beck, Blair, Boose, Brown, Buchy, Budish, Burkley, Butler, Carney, Damschroder, Derickson, Duffey, Foley, Green, Hackett, McClain, Milkovich, O'Brien, Patterson, Pelanda, Perales, Rogers, Romanchuk, Rosenberger, Schuring, Sears, Slaby, Slesnick, Smith, Sprague, Szollosi, Speaker Batchelder. Senator Coley.

To amend sections 317.08, 2333.22, 2715.21, 2735.01, 2735.02, 2735.04, and 5301.09 and to enact sections 2735.07, 2735.08, and 4928.80 of the Revised Code to add to and clarify the powers of a receiver, to provide a procedure for a receiver's sale of property, to prohibit an electric distribution utility from altering, refusing, or discontinuing service to, or discriminating against, a receiver under certain circumstances, to specify the order of the distribution of the proceeds of the receivership, to address the effect of a receivership on noncompetitive retail electric service, and to specify that a lease of natural gas and petroleum is an interest in real estate, was considered the third time.

The question being, "Shall the report of the Committee of Conference be agreed to?"

The yeas and nays were taken and resulted - yeas 32, 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	Tavares
Turner	Uecker	Widener	Faber-32.

So the report of Committee of Conference was agreed to.

### **RESOLUTIONS REPORTED BY COMMITTEE**

**Sub. S. J. R. No. 8**-Senator Faber.

Cosponsors: Senators Widener, Patton, Obhof, Oelslager, Peterson.

Proposing to enact new Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of Article XI and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Article XI of the Constitution of the State of Ohio to revise the redistricting process for General Assembly districts.

The question being, "Shall the resolution, **Sub. S. J. R. No. 8**, be adopted?"

On the motion of Senator Obhof, **Sub. S. J. R. No. 8** was informally passed and retained its place on the calendar.

### **BILLS FOR THIRD CONSIDERATION**

**Am. H. B. No. 326**-Representatives Roegner, Reece.

Cosponsors: Representatives Hood, Stebelton, Wachtmann, Thompson, Huffman, Becker, Mallory, Buchy, Sheehy, DeVitis, Young, Duffey, Landis, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Barborak, Barnes, Beck, Blair, Blessing, Brown, Budish, Burkley, Celebrezze, Cera, Curtin, Damschroder, Driehaus, Fedor, Gerberry, Green, Hackett, Hagan, R., Hall, Letson, Milkovich, O'Brien, Patterson, Perales, Pillich, Rogers, Scherer, Sears, Slesnick, Smith, Sprague, Stinziano, Strahorn, Williams, Winburn, Speaker Batchelder.

To amend section 4779.02 of the Revised Code to add pharmacists to the professional license exception to the Orthotist, Prosthetist, and Pedorthist Licensing Law, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 326**, pass?"

The yeas and nays were taken and resulted - yeas 28, nays 4, 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	Uecker	Widener	Faber-28.

Senators Schiavoni, Skindell, Tavares, and Turner voted in the negative-4.

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, Burke, Hughes, LaRose, Manning, Patton."

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

The motion was agreed to and the title so amended.

**Sub. H. B. No. 394**-Representatives Smith, Antonio.

Cosponsors: Representatives Wachtmann, Brown, Hagan, R., Schuring, Sears, Sprague, Barnes, Ramos, Baker, Beck, Bishoff, Buchy, Fedor, Hackett, Heard, Hill, Letson, McClain, Milkovich, Patmon, Rogers, Rosenberger, Scherer, Sheehy, Speaker Batchelder.

To amend sections 2925.02, 3701.63, 3701.64, 3719.01, 3719.061, 3729.05, 4715.14, 4715.30, 4723.28, 4723.481, 4723.486, 4725.16, 4725.19, 4729.12, 4729.16, 4729.18, 4729.41, 4729.85, 4729.86, 4730.25, 4730.41, 4730.48, 4731.22, 4731.281, 4773.03, 4773.08, 5104.015, 5104.017, 5104.018, 5165.08, 5165.513, 5165.515, and 5165.99; to enact sections 3701.66, 3701.67, 3701.68, 3702.40, and 5104.014; and to repeal sections 4715.15, 4723.433, 4730.093, and 4731.77 of the Revised Code to modify the authority of pharmacists and pharmacy interns to administer immunizations; to require the inclusion of certain information in mammography report summaries; to revise the law governing the licensure of recreational vehicle parts, recreation camps, combined park-camps, and temporary park-camps; to generally require immunizations for children enrolled in child care; to create the Commission on Infant Mortality and require the establishment of infant safe sleep procedures and policies; to modify the offense of "corrupting another with drugs"; to require the State Board of Pharmacy to prepare semiannual reports on opioid prescriptions; to revise the laws governing the Ohio Automated Rx Reporting System and opioid prescriptions issued for minors; to require under certain conditions the reinstatement of licenses to practice certain radiologic professions; to eliminate patient notice requirements concerning Lyme disease testing; to revise certain laws on nursing facility admission policies and exclusions from Medicaid provider agreements; to amend the versions of

sections 4715.30, 4715.302, 4723.28, 4723.487, 4725.092, 4725.19, 4730.25, 4730.53, 4731.055, and 4731.22 of the Revised Code that are scheduled to take effect April 1, 2015, to continue the provisions of this act on and after that effective date; and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 11, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Burke moved that he be excused from voting pursuant to Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the section, Section 11, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Cafaro moved to amend as follows:

In line 44, after "5104.017," insert "and"; delete ", 5165.08, 5165.513,"

In line 45, delete "5165.515, and 5165.99"

Delete lines 4336 through 4466

In line 4471, after "5104.017," insert "and"; delete ", 5165.08, 5165.513,"

In line 4472, delete "5165.515, and 5165.99"

In line 6546, delete the quotation mark

In line 6569, delete the first comma and insert "and"; delete ", 5165.08, 5165.513, 5165.515, and 5165.99"

In line 6572, delete the first comma and insert "and"; delete ", 5165.08, 5165.513, 5165.515, and"

In line 6573, delete "5165.99"

In line 6578, after "9." delete the balance of the line

Delete lines 6579 through 6582

In line 6583, delete "**Section 10.**"

In line 6601, delete "**11**" and insert "**10**"

In line 6604, delete "in the operation of nursing facilities in this"

In line 6605, delete "state and"

In line 6 of the title, after "5104.017," insert "and"; delete the last comma

In line 7 of the title, delete "5165.08, 5165.513, 5165.515, and 5165.99"

In line 31 of the title, after the semicolon delete the balance of the line

Delete line 32 of the title

In line 33 of the title, delete "Medicaid provider agreements;"

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

Senator Obhof 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 22, nays 9, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	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

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Tavares
			Turner-9.

The amendment was laid on the table.

The question recurred, "Shall the section, Section 11, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Tavares moved to amend as follows:

Delete lines 521 through 530

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

The motion was agreed to.

The question recurred, "Shall the section, Section 11, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 22, nays 9, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Coley
Eklund	Gardner	Hite	Hughes
Jones	LaRose	Lehner	Manning
Obhof	Oelslager	Patton	Peterson

Schaffer Widener	Seitz	Tavares	Uecker Faber-22.
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Those who voted in the negative were: Senators

Brown Kearney	Cafaro Sawyer	Gentile Schiavoni	Jordan Skindell Turner-9.
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So the section, Section 11, 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 28, nays 3, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Cafaro	Coley	Eklund	Gardner
Gentile	Hite	Hughes	Jones
Kearney	LaRose	Lehner	Manning
Obhof	Oelslager	Patton	Peterson
Sawyer	Schaffer	Schiavoni	Seitz
Tavares	Uecker	Widener	Faber-28.

Senators Jordan, Skindell, and Turner voted in the negative-3.

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

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

Senator Jones moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Eklund, Hite, Jones, Kearney, Lehner, Manning, Oelslager, Patton, Peterson, Seitz, Tavares, Uecker, Widener."

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

The motion was agreed to and the title so amended.

**Sub. H. B. No. 440-Representative Brown.**

Cosponsors: Representatives Damschroder, Ruhl, Mallory, Celebrezze, DeVitis, Green, Hagan, R., Milkovich, Patmon, Perales, Adams, R., Anielski, Antonio, Baker, Barborak, Barnes, Beck, Blair, Blessing, Boose, Boyce, Buchy, Budish, Burkley, Butler, Carney, Clyde, Derickson, Dovilla, Driehaus, Duffey, Fedor, Foley, Gerberry, Grossman, Hackett, Hagan, C., Hall, Hayes, Heard, Henne, Hill, Hottinger, Huffman, Johnson, Kunze, Landis, Letson, Lundy, Lynch, Maag, McClain, O'Brien, Patterson, Pelanda, Pillich, Redfern, Reece, Retherford, Roegner, Rogers, Romanchuk, Rosenberger, Scherer, Schuring, Sears, Sheehy, Slaby, Sprague, Stautberg, Stebelton, Stinziano,

Strahorn, Terhar, Wachtmann, Winburn, Speaker Batchelder. Senators LaRose, Cafaro.

To amend section 5533.636 and to enact sections 5533.053, 5533.255, 5533.311, 5533.464, 5533.511, 5533.641, 5533.679, 5533.781, 5533.782, 5533.783, 5533.812, 5534.03, 5534.04, 5534.07, 5534.08, 5534.09, 5534.10, 5534.11, 5534.12, 5534.13, 5534.14, 5534.40, 5534.41, and 5534.42 of the Revised Code to designate a number of memorial highways and bridges in honor of members of the armed forces of the United States and first responders, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 440**, pass?"

The yeas and nays were taken and resulted - yeas 32, 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	Tavares
Turner	Uecker	Widener	Faber-32.

So the bill passed.

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

Senator Manning moved to amend the title as follows:

Add the names: "Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hughes, Jones, Jordan, Kearney, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Tavares, Turner, Uecker, Widener."

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

The motion was agreed to and the title so amended.

**Sub. H. B. No. 463**-Representative Johnson.

Cosponsors: Representatives Duffey, Roegner, Scherer, Milkovich, Blessing, Schuring, Bishoff, Young, Hackett, Stinziano, Smith, Stebelton, Rosenberger, Adams, R., Grossman, Celebrezze, Sears, Barnes, Hill, Amstutz, Perales, Terhar, Thompson, Retherford, Lundy, Barborak, Wachtmann, Sprague, Antonio, Baker, Beck, Boose, Brown, Buchy, Budish, Burkley, Butler, Cera, DeVitis, Dovilla, Driehaus, Green, Hagan, C., Hall, Hayes, Landis, Letson, Mallory, McClain, O'Brien, Patterson, Rogers, Romanchuk, Ruhl, Sheehy, Slaby, Strahorn, Sykes, Winburn, Speaker Batchelder. Senator Gardner.

To amend sections 3333.61, 4715.031, 4715.037, 4715.10, 4715.13, 4715.22, 4715.23, 4715.24, 4715.363, 4715.366, 4715.371, 4715.373, 4715.39, 4715.56, 4715.64, and 4715.66 and to enact sections 3702.96, 3702.961, 3702.962, 3702.963, 3702.964, 3702.965, 3702.966, 3702.967, and 4715.421 of the Revised Code to make changes to the laws governing dental professionals, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 463**, pass?"

The yeas and nays were taken and resulted - yeas 32, 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	Tavares
Turner	Uecker	Widener	Faber-32.

So the bill passed.

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

Senator Jones moved to amend the title as follows:

Add the names: "Balderson, Beagle, Brown, Eklund, Hughes, Jones, LaRose, Lehner, Obhof, Oelslager, Patton, Peterson, Schaffer, Tavares, Uecker."

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

The motion was agreed to and the title so amended.

**H. B. No. 474**-Representatives Dovilla, Pelanda.

Cosponsors: Representatives Brenner, Ramos, Derickson, Stebelton, Blessing, Damschroder, Ruhl, Mallory, Celebrezze, DeVitis, Green, Hagan, R., Perales, Adams, R., Anielski, Antonio, Baker, Barborak, Beck, Brown, Buchy, Budish, Burkley, Fedor, Hackett, Hagan, C., Hall, Hayes, Hill, Johnson, Kunze, Landis, Letson, Milkovich, Patterson, Roegner, Rogers, Schuring, Sheehy, Smith, Sprague, Strahorn, Thompson, Wachtmann, Young, Speaker Batchelder. Senators LaRose, Gentile.

To amend section 4501.21 and to enact section 4503.576 of the Revised Code to create the "Ohio State Beekeepers Association" license plate, was considered the third time.

The question being, "Shall the bill, **H. B. No. 474**, pass?"

On the motion of Senator Widener, **H. B. No. 474** was informally passed and retained its place on the calendar.

**Sub. S. B. No. 53**-Senator Kearney.

Cosponsors: Senators Smith, Tavares, Schiavoni, Turner, Seitz, LaRose.

To amend sections 4503.10, 4503.102, 4503.12, 4503.182, 4505.061, 4506.08, 4507.24, 4507.50, 4507.52, 4519.03, 4519.10, 4519.56, and 4519.69 of the Revised Code to require the Registrar of Motor Vehicles and all deputy registrars to accept credit and debit cards for all transactions and to establish a deputy registrar document security fee, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 53**, pass?"

On the motion of Senator Widener, **Sub. S. B. No. 53** was informally passed and retained its place on the calendar.

**S. B. No. 339**-Senator Hite.

Cosponsors: Senators Faber, LaRose, Schiavoni, Oelslager, Obhof, Burke.

To amend section 4501.21 and to enact section 4503.86 of the Revised Code to create the "Lincoln Highway" license plate, was considered the third time.

The question being, "Shall the bill, **S. B. No. 339**, pass?"

The yeas and nays were taken and resulted - yeas 32, 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	Tavares
Turner	Uecker	Widener	Faber-32.

So the bill passed.

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

Senator Hite moved to amend the title as follows:

Add the names: "Bacon, Balderson, Brown, Coley, Gentile, Hughes, Kearney, Lehner, Patton, Peterson, Sawyer, Schaffer, Skindell, Tavares,

Uecker, Widener."

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

The motion was agreed to and the title so amended.

Senator Schiavoni moved that **Am. H. B. No. 494**, having been reported by the standing committee on Ways and Means, be brought up for third consideration.

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

The motion was agreed to.

**Sub. H. B. No. 494**-Representative Schuring.

Cosponsors: Representatives Hagan, C., Slesnick, Slaby, Amstutz, Landis, Barborak, Blair, Boose, Brown, Burkley, Damschroder, Grossman, Hackett, Hill, Maag, Young, Adams, R., Hottinger, Williams, Rogers, Adams, J., Anielski, Antonio, Beck, Blessing, Green, Huffman, Johnson, McClain, Milkovich, Patterson, Romanchuk, Ruhl, Scherer, Sheehy, Terhar, Thompson.

To amend sections 133.01, 715.70, 715.71, 715.74, 4301.80, 4303.181, 4504.08, 4504.09, 5747.24, 5747.331, and 5751.52, to enact sections 4504.22 and 5595.01 to 5595.13 of the Revised Code, to amend Section 363.487 of Am. Sub. H.B. 59 of the 130th General Assembly, and to amend Section 363.10 of Am. Sub. H.B. 59 of the 130th General Assembly, as subsequently amended, to authorize counties to undertake regional transportation improvement projects funded by the issuance of securities and by revenue pledges from the state and political subdivisions and taxing districts located within the cooperating counties, to increase the amount of time a person may spend in Ohio before being presumed to be a resident for state income tax purposes, to authorize taxpayers eligible to claim a tax credit for qualified research and development loan payments to claim the credit, retroactive to taxable years beginning in 2008, against the income tax, to authorize municipal corporations and townships to create a community entertainment district as part of a joint economic development district contract, and to make an appropriation, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 494**, pass?"

On the motion of Senator Widener, **Sub. H. B. No. 494** was informally passed and retained its place on the calendar.

#### **OFFERING OF RESOLUTIONS**

Senator Hite offered the following resolution:

**S. C. R. No. 45**-Senator Hite.

To urge the Office of the United States Trade Representative to ensure that

no World Trade Organization rules are violated in regard to government funding of the McInnis Cement and the Port-Daniel-Gascons cement plant in Quebec, Canada.

The question being, "Shall the resolution, **S. C. R. No. 45**, be adopted?"

On the motion of Senator Widener, **S. C. R. No. 45**, was referred to the Committee on Reference.

### **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:

**Am. Sub. S. B. No. 84** -Senator Kearney

Cosponsors: Senators Smith, Turner, Obhof, LaRose, Beagle, Brown, Burke, Cafaro, Eklund, Gentile, Hite, Lehner, Oelslager, Sawyer, Schiavoni, Tavares  
Representatives Anielski, Antonio, Barborak, Bishoff, Blessing, Boyce, Brown, Burkley, Carney, Celebrezze, Cera, Clyde, Damschroder, Dovilla, Driehaus, Duffey, Fedor, Foley, Hagan, R., Hayes, Hottinger, Kunze, Milkovich, Patterson, Phillips, Pillich, Ramos, Redfern, Rogers, Sheehy, Stinziano, Thompson, Winburn, Young, Speaker Batchelder

To amend section 3379.03 and to enact sections 5.253 and 3379.12 of the Revised Code to create the position of Ohio Poet Laureate and to designate June as Ohio Community Theatre Month in Ohio.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 4, delete the second "section" and insert "sections 5.253 and"

Between lines 5 and 6, insert:

" **Sec. 5.253. June is designated as Ohio Community Theatre Month to recognize the important contributions of community theatres to the quality of life of the citizens of the state.**"

In line 1 of the title, delete the section "section" and insert "sections 5.253 and"

In line 3 of the title, after "Laureate" insert "and to designate June as Ohio Community Theatre Month in Ohio"

Attest:

Bradley J. Young,  
Clerk.

Pursuant to Senate Rule No. 44, Senator Widener moved that **Am. Sub. S. B. No. 84** be brought up for consideration.

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

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 32, 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	Tavares
Turner	Uecker	Widener	Faber-32.

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

#### **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:

**Am. S. B. No. 106** -Senator Schaffer

Cosponsors: Senators Manning, Jones, LaRose, Lehner Representatives Damschroder, Ruhl, Redfern, Speaker Batchelder

To enact section 4511.714 of the Revised Code to prohibit the operation of a motor vehicle on or onto any location that is temporarily covered by a rise in water level, to impose on an offender a financial sanction of up to \$2,000 for the cost of the person's rescue, payable to the person's rescuer, and to designate this act the "Allan H. Anderson, Jr. Act."

With the following additional amendments, in which the concurrence of the Senate is requested.

After line 47, insert:

**"Section 2.** This act shall be known as the "Allan H. Anderson, Jr. Act.""

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

In line 7 of the title, delete the period and insert ", and to designate this act the "Allan H. Anderson, Jr. Act.""

Attest: Bradley J. Young,  
Clerk.

Pursuant to Senate Rule No. 44, Senator Widener moved that **Am. S. B. No. 106** be brought up for consideration.

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

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 32, 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	Tavares
Turner	Uecker	Widener	Faber-32.

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

#### **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. 141** -Senators Obhof, Hughes  
Cosponsors: Senators Eklund, Faber, Hite, Jones, Uecker Representatives  
Anielski, Bishoff, Buchy, Dovilla, Hackett, Mallory, Rogers, Sheehy

To amend sections 2915.08, 3772.03, and 3772.99 of the Revised Code to create penalties related to casino gaming and transacting with a casino facility, to require the Casino Control Commission to include in its annual report to the General Assembly information regarding prosecutions for conduct that is subject to those penalties, to allow a license, for instant bingo other than at a bingo session, and to be amended to add additional locations.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest: Bradley J. Young,  
Clerk.

Pursuant to Senate Rule No. 44, Senator Widener moved that **Sub. S. B. No. 141** be brought up for consideration.

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

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 32, 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	Tavares
Turner	Uecker	Widener	Faber-32.

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

#### **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:

**Am. Sub. S. B. No. 177** -Senators Skindell, Hughes

Cosponsors: Senators Brown, Cafaro, Gentile, Kearney, Schiavoni, Sawyer, Smith, Tavares, Turner, Beagle, Burke, Coley, Eklund, Gardner, Hite, Jones, LaRose, Manning, Obhof, Patton, Seitz Representatives Stinziano, Celebrezze, Anielski, Antonio, Baker, Barborak, Boyce, Brown, Butler, Cera, Clyde, DeVitis, Driehaus, Fedor, Foley, Green, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hottinger, Letson, Lundy, Milkovich, Patterson, Pelanda, Perales, Phillips, Ramos, Redfern, Rogers, Romanchuk, Ruhl, Sheehy, Sprague, Strahorn, Winburn

To amend sections 2151.34, 2303.201, 2903.213, 2903.214, 2919.26, and 3113.31 of the Revised Code to expressly authorize the protection of

companion animals in temporary protection orders, domestic violence protection orders, anti-stalking protection orders, and related protection orders, to eliminate exemptions from additional filing fees for domestic relations proceedings, and to require an additional filing fee for certain juvenile court proceedings.

With the following additional amendments, in which the concurrence of the Senate is requested.

In line 7, after "2151.34," insert "2303.201,"

Between lines 335 and 336, insert:

**"Sec. 2303.201.** (A)(1) The court of common pleas of any county may determine that for the efficient operation of the court additional funds are required to computerize the court, to make available computerized legal research services, or to do both. Upon making a determination that additional funds are required for either or both of those purposes, the court shall authorize and direct the clerk of the court of common pleas to charge one additional fee, not to exceed six dollars, on the filing of each cause of action or appeal under divisions (A), (Q), and (U) of section 2303.20 of the Revised Code.

(2) All fees collected under division (A)(1) of this section shall be paid to the county treasurer. The treasurer shall place the funds from the fees in a separate fund to be disbursed either upon an order of the court, subject to an appropriation by the board of county commissioners, or upon an order of the court, subject to the court making an annual report available to the public listing the use of all such funds, in an amount not greater than the actual cost to the court of procuring and maintaining computerization of the court, computerized legal research services, or both.

(3) If the court determines that the funds in the fund described in division (A)(2) of this section are more than sufficient to satisfy the purpose for which the additional fee described in division (A)(1) of this section was imposed, the court may declare a surplus in the fund and, subject to an appropriation by the board of county commissioners, expend those surplus funds, or upon an order of the court, subject to the court making an annual report available to the public listing the use of all such funds, expend those surplus funds, for other appropriate technological expenses of the court.

(B)(1) The court of common pleas of any county may determine that, for the efficient operation of the court, additional funds are required to make technological advances in or to computerize the office of the clerk of the court of common pleas and, upon that determination, authorize and direct the clerk of the court of common pleas to charge an additional fee, not to exceed twenty dollars, on the filing of each cause of action or appeal, on the filing, docketing, and endorsing of each certificate of judgment, or on the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment under

divisions (A), (P), (Q), (T), and (U) of section 2303.20 of the Revised Code and not to exceed one dollar each for the services described in divisions (B), (C), (D), (F), (H), and (L) of section 2303.20 of the Revised Code. Subject to division (B)(2) of this section, all moneys collected under division (B)(1) of this section shall be paid to the county treasurer to be disbursed, upon an order of the court of common pleas and subject to appropriation by the board of county commissioners, in an amount no greater than the actual cost to the court of procuring and maintaining technology and computer systems for the office of the clerk of the court of common pleas.

(2) If the court of common pleas of a county makes the determination described in division (B)(1) of this section, the board of county commissioners of that county may issue one or more general obligation bonds for the purpose of procuring and maintaining the technology and computer systems for the office of the clerk of the court of common pleas. In addition to the purposes stated in division (B)(1) of this section for which the moneys collected under that division may be expended, the moneys additionally may be expended to pay debt charges on and financing costs related to any general obligation bonds issued pursuant to division (B)(2) of this section as they become due. General obligation bonds issued pursuant to division (B)(2) of this section are Chapter 133. securities.

(C) The court of common pleas shall collect the sum of twenty-six dollars as additional filing fees in each new civil action or proceeding for the charitable public purpose of providing financial assistance to legal aid societies that operate within the state and to support the office of the state public defender. This division does not apply to ~~proceedings concerning annulments, dissolutions of marriage, divorces, legal separation, spousal support, marital property or separate property distribution, support, or other domestic relations matters;~~ to a juvenile division of a court of common pleas, except that an additional filing fee of fifteen dollars shall apply to custody, visitation, and parentage actions; to a probate division of a court of common pleas, except that the additional filing fees shall apply to name change, guardianship, adoption, and decedents' estate proceedings; or to an execution on a judgment, proceeding in aid of execution, or other post-judgment proceeding arising out of a civil action. The filing fees required to be collected under this division shall be in addition to any other filing fees imposed in the action or proceeding and shall be collected at the time of the filing of the action or proceeding. The court shall not waive the payment of the additional filing fees in a new civil action or proceeding unless the court waives the advanced payment of all filing fees in the action or proceeding. All such moneys collected during a month except for an amount equal to up to one per cent of those moneys retained to cover administrative costs shall be transmitted on or before the twentieth day of the following month by the clerk of the court to the treasurer of state in a manner prescribed by the treasurer of state or by the Ohio legal assistance foundation. The treasurer of state shall deposit four per cent of the funds collected under this division to the credit of the civil case filing fee fund established under section 120.07 of the Revised Code and ninety-six per cent of the funds collected under this division to the credit of the legal aid fund

established under section 120.52 of the Revised Code.

The court may retain up to one per cent of the moneys it collects under this division to cover administrative costs, including the hiring of any additional personnel necessary to implement this division. If the court fails to transmit to the treasurer of state the moneys the court collects under this division in a manner prescribed by the treasurer of state or by the Ohio legal assistance foundation, the court shall forfeit the moneys the court retains under this division to cover administrative costs, including the hiring of any additional personnel necessary to implement this division, and shall transmit to the treasurer of state all moneys collected under this division, including the forfeited amount retained for administrative costs, for deposit in the legal aid fund.

(D) On and after the thirtieth day after December 9, 1994, the court of common pleas shall collect the sum of thirty-two dollars as additional filing fees in each new action or proceeding for annulment, divorce, or dissolution of marriage for the purpose of funding shelters for victims of domestic violence pursuant to sections 3113.35 to 3113.39 of the Revised Code. The filing fees required to be collected under this division shall be in addition to any other filing fees imposed in the action or proceeding and shall be collected at the time of the filing of the action or proceeding. The court shall not waive the payment of the additional filing fees in a new action or proceeding for annulment, divorce, or dissolution of marriage unless the court waives the advanced payment of all filing fees in the action or proceeding. On or before the twentieth day of each month, all moneys collected during the immediately preceding month pursuant to this division shall be deposited by the clerk of the court into the county treasury in the special fund used for deposit of additional marriage license fees as described in section 3113.34 of the Revised Code. Upon their deposit into the fund, the moneys shall be retained in the fund and expended only as described in section 3113.34 of the Revised Code.

(E)(1) The court of common pleas may determine that, for the efficient operation of the court, additional funds are necessary to acquire and pay for special projects of the court, including, but not limited to, the acquisition of additional facilities or the rehabilitation of existing facilities, the acquisition of equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, acting judges, and magistrates, and other related services. Upon that determination, the court by rule may charge a fee, in addition to all other court costs, on the filing of each criminal cause, civil action or proceeding, or judgment by confession.

If the court of common pleas offers or requires a special program or additional services in cases of a specific type, the court by rule may assess an additional charge in a case of that type, over and above court costs, to cover the special program or service. The court shall adjust the special assessment periodically, but not retroactively, so that the amount assessed in those cases does not exceed the actual cost of providing the service or program.

All moneys collected under division (E) of this section shall be paid to the county treasurer for deposit into either a general special projects fund or a fund established for a specific special project. Moneys from a fund of that nature shall be disbursed upon an order of the court, subject to an appropriation by the board of county commissioners, in an amount no greater than the actual cost to the court of a project. If a specific fund is terminated because of the discontinuance of a program or service established under division (E) of this section, the court may order, subject to an appropriation by the board of county commissioners, that moneys remaining in the fund be transferred to an account established under this division for a similar purpose.

(2) As used in division (E) of this section:

(a) "Criminal cause" means a charge alleging the violation of a statute or ordinance, or subsection of a statute or ordinance, that requires a separate finding of fact or a separate plea before disposition and of which the defendant may be found guilty, whether filed as part of a multiple charge on a single summons, citation, or complaint or as a separate charge on a single summons, citation, or complaint. "Criminal cause" does not include separate violations of the same statute or ordinance, or subsection of the same statute or ordinance, unless each charge is filed on a separate summons, citation, or complaint.

(b) "Civil action or proceeding" means any civil litigation that must be determined by judgment entry."

In line 1632, after "2151.34," insert "2303.201,"

In line 1 of the title, after "2151.34," insert "2303.201,"

In line 6 of the title, after the second "orders" insert ", to eliminate exemptions from additional filing fees for domestic relations proceedings, and to require an additional filing fee for certain juvenile court proceedings"

Attest:

Bradley J. Young,  
Clerk.

Pursuant to Senate Rule No. 44, Senator Widener moved that **Am. Sub. S. B. No. 177** be brought up for consideration.

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

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 32, 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	Tavares
Turner	Uecker	Widener	Faber-32.

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

### **Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the adoption of the following concurrent resolution:

#### **S. C. R. No. 21** -Senator Hughes

Cosponsors: Senators Seitz, Uecker, Oelslager, Schiavoni, Bacon, Brown, Burke, Coley, Eklund, Gardner, Gentile, Jordan, LaRose, Manning, Patton, Tavares, Turner Representatives Dovilla, Brenner, Clyde, Adams, J., Amstutz, Anielski, Barborak, Blessing, Boose, Buchy, Burkley, Butler, Cera, Derickson, Duffey, Fedor, Green, Hagan, C., Hayes, Hottinger, Johnson, Maag, Milkovich, Pelanda, Retherford, Rogers, Ruhl, Schuring, Sheehy, Slesnick, Sprague, Stinziano, Strahorn, Thompson, Speaker Batchelder

To urge the Government of Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate.

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 concurred in the passage of the following bill:

#### **Am. S. B. No. 255** -Senator Brown

Cosponsors: Senators Skindell, Seitz, Kearney, Smith, Turner, Manning, Gardner, Gentile, Burke, Coley, Eklund, Faber, LaRose, Obhof, Peterson, Sawyer, Schiavoni, Tavares, Uecker Representatives Damschroder, Ruhl, Mallory, Celebrezze, Green, Perales, Amstutz, Anielski, Antonio, Baker,

Barborak, Bishoff, Brown, Buchy, Burkley, Dovilla, Fedor, Hackett, Hagan, R., Henne, Hottinger, Johnson, Letson, McClain, Milkovich, Patmon, Retherford, Roegner, Rogers, Sheehy, Sprague, Stinziano, Thompson, Winburn, Speaker Batchelder

To amend sections 4503.20, 4509.101, 4509.102, 4509.103, and 4509.45 of the Revised Code to permit a person to present proof of financial responsibility to the Registrar of Motor Vehicles, a peace officer, a traffic violations bureau, or a court through use of an electronic wireless communications device.

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 concurred in the Senate amendments to:

**Sub. H. B. No. 5** -Representatives Grossman, Henne - et al.

**Sub. H. B. No. 10** -Representative Hagan, C. - et al.

Attest: Bradley J. Young,  
Clerk.

**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 bills:

**Sub. H. B. No. 36**-Representative Johnson - et al.

**Am. H. B. No. 270** -Representative Rogers - et al.

**Sub. H. B. No. 320**-Representative Young - et al.

**Sub. H. B. No. 468**-Representatives Sears, McGregor - et al.

**H. B. No. 652** -Speaker Batchelder, Representative Hackett - et al.

Attest: Bradley J. Young,  
Clerk.

The President signed said bills.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has agreed to the report of the Committee of Conference on matters of difference between the two houses on:

**Sub. H. B. No. 9**-Representative Stautberg - et al.

Attest: Bradley J. Young,  
Clerk.

**MESSAGE FROM THE PRESIDENT**

December 10, 2014

Senator Keith Faber  
President, Ohio Senate  
1 Capitol Square  
Columbus, Ohio 43215

Dear President Faber,

Please consider my request to resign from the Senate Standing Committee on Criminal Justice, due to personal conflicts.

It has been an honor to serve on this committee.

Sincerely,

/s/ **Peggy Lehner**  
Senate District 6

**MESSAGE FROM THE PRESIDENT**

December 10, 2014

Senator Keith Faber  
President, Ohio Senate  
1 Capitol Square  
Columbus, Ohio 43215

Dear President Faber,

Please consider my request to resign from the Senate Standing Committee on Criminal Justice.

It has been an honor to serve on this committee.

Sincerely,

/s/ **Frank LaRose**  
Senate District 27

**MESSAGE FROM THE PRESIDENT**

Pursuant to Senate Rules No. 19 and 20, the President of Senate appoints Senators Dave Burke and Chris Widener to the Criminal Justice Committee, replacing Senators Frank LaRose and Peggy Lehner who resigned.

On the motion of Senator Widener the Senate reverted to the Sixth Order of Business, Bills for Third Consideration.

On the motion of Senator Widener, **Sub. H. B. No. 494**, having been informally passed, was taken up for consideration.

The question being, "Shall the bill, **Sub. H. B. No. 494**, pass?"

Senator Oelslager moved that he be excused from voting pursuant to Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 494**, pass?"

Senator Beagle moved to amend as follows:

After line 2732, insert:

**"Section 8.** That Section 9 of Am. Sub. H.B. 386 of the 129th General Assembly, as amended by Am. Sub. H.B. 59 of the 130th General Assembly, be

amended to read as follows:

**Sec. 9.** (A) As used in this section, "permit holder" and "track" have the same meanings as in Section 7 of this act.

(B) ~~The Governor, in consultation with the State Racing Commission, shall discuss, negotiate in good faith, and reach an agreement with necessary parties regarding providing five Five hundred thousand dollars per year, for three years, with the first payment by December 31, 2014, and annually thereafter, shall be paid to the municipal corporations or townships receiving moneys from the Casino Operator Settlement Fund under Section 10 of Am. Sub. H.B. 386 of the 129th General Assembly, as subsequently amended in which a track was relocated, and not exempted from a relocation fee, under Sub. H.B. 277 of the 129th General Assembly. One-half of each annual payment shall be paid by the permit holder of the track to that municipal corporation or township. The remaining one-half shall be paid from the Casino Operator Settlement Fund. If a permit holder fails to make any of the annual payments required under this section, the State Lottery Commission, after affording the permit holder an opportunity for an adjudication under Chapter 119. of the Revised Code, shall revoke the permit holder's license to operate as a lottery sales agent that operates video lottery terminal games under Chapter 3770. of the Revised Code.~~

**Section 9.** That existing Section 9 of Am. Sub. H.B. 386 of the 129th General Assembly, as amended by Am. Sub. H.B. 59 of the 130th General Assembly, is hereby repealed."

In line 4 of the title, after the comma insert "to amend Section 9 of Am. Sub. H.B. 386 of the 129th General Assembly, as subsequently amended,"

In line 23 of the title, after the comma insert "to make changes to video lottery terminal facilities,"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 494**, pass?"

Senator Schaffer moved that he be excused from voting pursuant to Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 494**, pass?"

The yeas and nays were taken and resulted - yeas 30, 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  
Peterson  
Skindell  
Widener

Manning  
Sawyer  
Tavares

Obhof  
Schiavoni  
Turner

Patton  
Seitz  
Uecker  
Faber-30.

So the bill passed.

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

Senator Peterson moved to amend the title as follows:

Add the names: "Beagle, Burke, Cafaro, Eklund, Lehner, Patton, Peterson, Schiavoni, 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 9:00 o'clock p.m.

The Senate met pursuant to the recess.

On the motion of Senator Widener the Senate reverted to the Second Order of Business, Reports of Standing and Select Committees.

#### **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. 344**-Senator Seitz, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Coley.

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

NO - 3: NINA TURNER, EDNA BROWN, MICHAEL J.  
SKINDELL.

Senator Lehner submitted the following report:

The standing committee on Education, to which was referred **Sub. H. B. No. 178**-Representative Phillips, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 10: THOMAS SAWYER, NINA TURNER, ERIC H. KEARNEY, CLIFF HITE, BILL BEAGLE, TROY BALDERSON, BILL COLEY, RANDY GARDNER, GAYLE MANNING, PEGGY B. LEHNER.

NO - 0.

Senator Lehner submitted the following report:

The standing committee on Education, to which was referred **H. B. No. 367**-Representatives Driehaus, Sprague, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 10: THOMAS SAWYER, NINA TURNER, ERIC H. KEARNEY, CLIFF HITE, BILL BEAGLE, TROY BALDERSON, BILL COLEY, GAYLE MANNING, RANDY GARDNER, PEGGY B. LEHNER.

NO - 0.

The question being, "Shall the reports of the committees be accepted?"

The reports of the committees were accepted.

On the motion of Senator Widener, the Senate adjourned until Thursday, December 11, 2014 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.