

OHIO

SENATE

JOURNAL

THURSDAY, JANUARY 19, 2006

ONE HUNDRED THIRTY-NINTH DAY
Senate Chamber, Columbus, Ohio
Thursday, January 19, 2006, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **H. B. No. 102**-Representative Wolpert, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 71, after "(C)" insert "If a married woman gives birth to a child born as a result of embryo donation to which her husband has not consented, a presumption that arises under division (A)(1) or (2) of section 3111.03 of the Revised Code that the husband is the father of the child may be rebutted by clear and convincing evidence that includes the lack of consent to the embryo donation.

(D)"

In line 86, delete "(D)" and insert "(E)"

YES - 10: KEVIN J. COUGHLIN, RANDY GARDNER, RAY MILLER, ROBERT F. HAGAN, CHARLES A. WILSON, JEFFRY J. ARMBRUSTER, PATRICIA M. CLANCY, DAVID GOODMAN, JIM JORDAN, LARRY A. MUMPER.

NO - 0.

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

The report of the committee was accepted.

Senator Niehaus submitted the following report:

The standing committee on Environment and Natural Resources, to which was referred **S. B. No. 235**-Senator Padgett, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Hottinger, Fedor, Brady, Hagan.

YES - 7: JAY HOTTINGER, JOHN A. CAREY, TERESA FEDOR,
TOM NIEHAUS, ROBERT F. HAGAN, DANIEL R.
BRADY, LARRY A. MUMPER.

NO - 0.

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

The report of the committee was accepted.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 257-Senators Fedor, Fingerhut, Clancy, Padgett, Goodman, Miller, Schuler, Schuring, Zurz, Dann, Gardner, Hagan, Roberts, Prentiss, Kearney, Brady, Wilson, Carey, Wachtmann, Amstutz, Austria.

To enact section 5.2232 of the Revised Code to designate March as "Multiple Sclerosis Awareness Month."

S. B. No. 258-Senators Hagan, Roberts, Brady, Prentiss.

To enact sections 5101.91, 5101.911, 5101.912, 5101.913, 5101.914, and 5101.915 of the Revised Code to require certain employers in this state who do not provide a specified amount of health care coverage to their employees to make contributions to a fund to be used to supplement this state's share of Medicaid costs.

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. 53 - Senators Carey, Zurz, Harris, Jacobson, Padgett, Clancy, Grendell, Fedor, Miller, Austria, Goodman, Schuring, Amstutz, Cates, Coughlin, Gardner, Hottinger, Armbruster, Brady, Dann, Fingerhut, Hagan, Jordan, Mallory, Mumper, Niehaus, Prentiss, Roberts, Schuler, Spada, Wilson Representatives Oelslager, Latta, Core, Seitz, Allen, Beatty, Blessing, Boccieri, Calvert, Cassell, Collier, Daniels, DeBose, DeGeeter, Distel, Domenick, Evans, C., Fende, Flowers, Garrison, Gibbs, Gilb, Hartnett, Harwood, Healy, Hughes, Mason, McGregor, J., Miller, Mitchell, Otterman, Patton, S., Patton, T., Raga, Raussen, Reidelbach, Sayre, Schlichter, Schneider, Setzer, Skindell, Stewart, D., Stewart, J., Taylor, Uecker, White, Williams, Wolpert, Woodard, Yuko, Book

To amend sections 109.60, 2151.022, 2152.02, 2919.22, 2925.01, 2925.04,

2925.041, 2925.14, 2925.52, and 4301.61 and to enact sections 2925.55, 2925.56, 2925.57, 2925.58, 2933.33, 3715.05, and 3715.06 of the Revised Code to govern pseudoephedrine sales in Ohio.

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

In line 218, after "2925.55" insert an underlined comma

In line 1966, delete the underlined semicolon and insert an underlined period

In line 2001, delete the underlined period and insert the underlined semicolon

Attest: Laura P. Clemens,
Clerk.

Said amendments were laid over under the rule.

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. 144 - Representative Buehrer - et al.

Attest: Laura P. Clemens,
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 bill and concurrent resolutions:

Sub. H. B. No. 136 - Representative Gilb - et al.

H. C. R. No. 33 - Representative Husted - et al.

H. C. R. No. 34 - Representative Husted - et al.

Attest: Laura P. Clemens,

Clerk.

The President signed said bill and concurrent resolutions.

Message from the House of Representatives

Mr. President:

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

Am. Sub. H. B. No. 70 - Representatives Evans, C., McGregor, J., Aslanides, Evans, D., Faber, Reidelbach, Patton, T., Ujvagi, Perry, Willamowski, Combs, Carano, Distel, Law, Taylor, Kearns, Widener, Schaffer, Webster, Strahorn, Collier, Patton, S., Harwood, Uecker, Smith, G., DeGeeter, Allen, Hagan, Martin, Kilbane, Gibbs, Driehaus, Gilb, Hartnett, Latta, Seitz, Skindell, Barrett, Beatty, Blessing, Book, Brown, Buehrer, Calvert, Cassell, Chandler, Coley, Core, DeBose, DeWine, Domenick, Fende, Flowers, Healy, Hood, Hughes, Key, McGregor, R., Mitchell, Oelslager, Otterman, Peterson, Raussen, Reinhard, Sayre, Schlichter, Schneider, Setzer, Sykes, Trakas, Wagner, Wagoner, Walcher, Williams, Wolpert, Woodard, Yuko

To amend section 2101.16 and to enact sections 305.51 and 2101.164 of the Revised Code to authorize boards of county commissioners to exempt from taxation the homesteads of qualifying members of the National Guard and reserve components of the Armed Forces who have been deployed outside the state and to exempt estates of members of the United States Armed Services who died while serving in a combat zone from being charged any fees associated with the filing of the decedent's will for probate or the administration of the decedent's estate or any fees for relieving the estate from administration or granting an order for summary release from administration.

Attest:

Laura P. Clemens,
Clerk.

Said bill was considered the first time.

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. 82 - Senators Grendell, Jacobson, Brady, Mumper
Representatives Wolpert, Bubb, Brinkman, Yuko, Fende, Domenick, Uecker,
Walcher, Collier, Blessing, Cassell, Chandler, Evans, D., Flowers, Hagan,
Hartnett, Hughes, Kilbane, Law, Oelslager, Patton, T., Perry, Peterson,
Redfern, Reidelbach, Sayre, Schneider, Seitz, Stewart, D., Taylor, Woodard

To enact section 9.481 of the Revised Code to generally prohibit political subdivisions from imposing residency requirements on certain employees.

Attest:

Laura P. Clemens,
Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to H.C.R. No. 34, the President of the Senate appoints the following senators to serve on the Committee to Wait Upon the Governor:

Senator Gardner
Senator Spada
Senator Austria
Senator Hottinger
Senator Goodman
Senator Carey
Senator Miller
Senator Kearney

Pursuant to Section 3 (A)(2) of S. B. No. 167 of the 126th General Assembly, the President of the Senate appoints the following senators to serve on the Legislative Task Force to Study Eminent Domain and Its Use and Application in the State:

Senator Grendell Co-Chairman
Senator Coughlin
Senator Zurz

Pursuant to Section 3 (A)(3-10)(15) of S.B. No. 167 of the 126th General Assembly, the President of the Senate and the Speaker of the House of Representatives jointly appoint the following public members to serve on the Legislative Task Force to Study Eminent Domain and Its Use and Application in the State:

Brock Wanless, Esq.
(representing the home building industry)
Columbus, Ohio 43215

David Bohardt
(statewide advocate on the issues raised in Home Builders Association of Dayton Kelo v. City of New London)
Dayton, Ohio 45409

Larry Gearhardt
(representing the agricultural industry)
Columbus, Ohio 43218-2383

Joseph Ditchman
(representing the commercial real estate industry)
Cleveland, Ohio 44114

Steven C. Brown
(representing licensed realtors)
Dayton, Ohio 45458

Judge James Cissell
(representing the Ohio Association of Probate Judges)
Cincinnati, Ohio 45202

Bruce L. Ingram
(attorney - knowledgeable on the issues confronting the Task Force/representing property owners)
Columbus, Ohio 43216-1008

Gene Krebs (knowledgeable on the issues confronting the Task Force/representing property owners)
Columbus, Ohio 43205

Ty Pine
(representing small businesses)
Columbus, Ohio 43215

Pursuant to Section 206.66.53 (A)(h) of S. B. No. 87 of the 126th General Assembly, the President of the Senate appoints the following non-voting members to the Medicaid Administrative Study Council:

Senator Niehaus
Senator Miller

On the motion of Senator Padgett, the Senate adjourned until Tuesday, January 24, 2006 at 1:30 p.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.