

OHIO

SENATE

JOURNAL

THURSDAY, MARCH 16, 2006

ONE HUNDRED SIXTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Thursday, March 16, 2006, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

Senator Gardner was selected to preside according to the rule.

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 **Sub. H. B. No. 46**-Representative Schaffer, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 22, delete "subsidize premiums for" and insert "pay for or fund"

In line 25, after the underlined period, insert "A health savings account program may be a part of a self-insurance program."

In line 38, after "benefits" insert ", which may include a health savings account program."

In line 187, delete "subsidize premiums for" and insert "pay for or fund"

YES - 8: KEVIN J. COUGHLIN, RAY MILLER, ROBERT F. HAGAN, CHARLES A. WILSON, LARRY A. MUMPER, JEFFRY J. ARMBRUSTER, PATRICIA M. CLANCY, JEFF JACOBSON.

NO - 0.

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

The report of the committee was accepted.

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **Am. Sub. H. B. No. 289**-Representative White, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: KEVIN J. COUGHLIN, RAY MILLER, ROBERT F. HAGAN, CHARLES A. WILSON, JEFFRY J. ARMBRUSTER, PATRICIA M. CLANCY, LARRY A. MUMPER, JEFF JACOBSON.

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. 295-Senators Carey, Austria, Gardner.

To amend sections 307.204 and 505.266 of the Revised Code to expand the notification requirements pertaining to concentrated animal feeding facilities by requiring applicable county and township officials to be notified regarding proposals for the establishment or certain expansions of any concentrated animal feeding facilities rather than only proposals involving major concentrated animal feeding facilities.

S. B. No. 296-Senators Fedor, Miller, D., Schuring.

To amend sections 109.57, 109.572, 109.575, 109.576, 109.577, and 121.402 and to enact section 1541.80 of the Revised Code to require the Ohio Parks and Recreation Association to develop a coach's conduct and ethics policy for volunteer coaches involved in recreational youth athletics, to make those coaches subject to a criminal records check and prohibit their use if they have been convicted of or pleaded guilty to specified offenses, and to exempt recreational youth athletics organizations and entities from the criminal records check fee requirement.

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, Bob Taft, Governor of the State of Ohio, do hereby appoint, Gary C. Grant, Republican, from Continental, Putnam County, Ohio, as a Member of the Wildlife Council for a new term beginning March 10, 2006 and ending at

the close of business January 31, 2010.

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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Howard L. Calhoun, Republican, from Akron, Summit County, Ohio, as a Member of the Wildlife Council for a new term beginning March 10, 2006 and ending at the close of business January 31, 2010.

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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Patrick D. Guanciale, Republican, from Newark, Licking County, Ohio, as a Member of the State Fire Commission for a new term beginning March 10, 2006 and ending at the close of business October 31, 2010.

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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, R. Andrew Bell, Republican, from Springfield, Clark County, Ohio, as a Member of the Clark State Community College Board of Trustees for a term beginning March 10, 2006, and ending at the close of business November 30, 2008, replacing Cathy S. Balas, who resigned.

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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Allen L. Gruber, Democrat, from Marion, Marion County, Ohio, as a Member of the Emergency Response Commission for a term beginning March 10, 2006, and ending at the close of business January 13, 2008, replacing Thomas Crowthers, who resigned.

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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Jennifer L. Ganson, Independent, from Urbana, Champaign County, Ohio, as a Member of the Emergency Response Commission for a term beginning March 10,

2006, and ending at the close of business January 13, 2008, replacing Joan Brasaemle, who retired.

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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Thomas Perk, Republican, from Valley View, Cuyahoga County, Ohio, as a Member of the Emergency Response Commission for a term beginning March 10, 2006, and ending at the close of business January 13, 2008, replacing Frances Beasley, 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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Jack R. Pounds, Republican, from Dublin, Franklin County, Ohio, as a Member of the Emergency Response Commission for a new term beginning March 10, 2006 and ending at the close of business January 13, 2008.

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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, William L. Ommert, Republican, from Norwalk, Huron County, Ohio, as a Member of the Emergency Response Commission for a new term beginning March 10, 2006 and ending at the close of business January 13 2008.

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 13th day of March in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,
Governor.

Said appointments were referred to the Committee on Rules.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has refused to concur in the Senate amendments to:

Sub. H. B. No. 162 - Representative Peterson - et al.

Attest:

Laura P. Clemens,
Clerk.

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:

H. B. No. 491 - Representatives Widener, McGregor, J., Miller, Yuko, Combs, Setzer, Strahorn, Faber, DeWine, Collier, Harwood, Sayre, Cassell, Reidelbach, Carano, Buehrer, Driehaus, Patton, T., Brown, Book, Gibbs, Hagan, Webster, Coley, Wagoner, Boccieri, White, Blessing, Calvert, Chandler, Daniels, DeGeeter, Domenick, Evans, C., Evans, D., Flowers, Healy, Hughes, Key, Koziura, Latta, Martin, McGregor, R., Otterman, Perry, Schaffer, Schlichter, Smith, G., Stewart, D., Stewart, J., Willamowski, Yates

To amend sections 4735.01, 4735.16, 4735.18, 4735.51, 4735.63, and

4735.65 and to enact sections 4735.621 and 4735.75 of the Revised Code to add definitions to real estate broker law and to expand duties of licensees.

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 passed the following bill in which the concurrence of the Senate is requested:

Am. Sub. H. B. No. 9 - Representatives Oelslager, Flowers, Buehrer, White, Trakas, Aslanides, Beatty, Blessing, Book, Carano, Cassell, Chandler, Collier, DeBose, Domenick, Evans, C., Evans, D., Fende, Fessler, Garrison, Hagan, Hartnett, Harwood, Healy, Key, Law, Mason, McGregor, R., Otterman, Patton, T., Peterson, Redfern, Reidelbach, Sayre, Schneider, Seitz, Setzer, Skindell, Willamowski, Williams, Woodard, Yuko

To amend sections 121.22, 149.011, 149.31, 149.38, 149.39, 149.41, 149.42, 149.43, 2923.129, 2923.1210, 3319.321, and 4701.19 and to enact sections 109.43, 149.411, 149.412, 2743.31, 2743.32, 2743.33, and 2743.34 of the Revised Code to revise the Public Records Law, to create the office of Public Access Counselor in the Court of Claims, to create a library records commission in each public library and a special taxing district records commission in each special taxing district, to allow a concealed carry licensee to prohibit the disclosure of the licensee's information to a journalist, to revise the records commissions laws, and to eliminate the provision that certain records made by a public accountant incident to an audit of a public office or private entity are not public records.

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 Speaker of the House of Representatives has signed the following bill:

Sub. H. B. No. 287 - Representative Aslanides - et al.

Attest:

Laura P. Clemens,
Clerk.

The President signed said bill.

On the motion of Senator Zurz, the Senate adjourned until Tuesday, March 21, 2006 at 11:00 o'clock a.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.