

OHIO

SENATE

JOURNAL

THURSDAY, MAY 11, 2006

ONE HUNDRED EIGHTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Thursday, May 11, 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 Carey 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 **S. B. No. 246**-Senator Schuring, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Mumper.

YES - 8: RANDY GARDNER, JIM JORDAN, PATRICIA M. CLANCY, RAY MILLER, ROBERT F. HAGAN, LARRY A. MUMPER, DAVID GOODMAN, CHARLES A. WILSON.

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 **Sub. H. B. No. 311**-Representative White, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hagan, Clancy.

YES - 8: RANDY GARDNER, PATRICIA M. CLANCY, ROBERT F. HAGAN, DAVID GOODMAN, JIM JORDAN, LARRY A. MUMPER, RAY MILLER, CHARLES A. WILSON.

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. 325-Senators Miller, D., Fingerhut, Dann, Zurz, Roberts, Prentiss, Fedor, Miller, R..

To provide funding to the Department of Job and Family Services for adult protective services and to make an appropriation.

S. B. No. 326-Senators Grendell, Dann, Schuring, Zurz, Hagan, Miller, D., Fingerhut, Miller, R., Fedor.

To enact section 107.31 of the Revised Code to recognize that the Governor possesses a common law deliberative process privilege, and to provide that the Governor does not possess an absolute or qualified gubernatorial-communications privilege.

Message from the House of Representatives

Mr. President:

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

H. B. No. 236 - Representatives White, McGregor, Wagner, D. Evans, Reidelbach, Wolpert, Seitz, Kearns, C. Evans, Faber, Chandler, Otterman, Law, Hagan, Latta, Perry, Wagoner, Collier, Allen, Fende, Barrett, Blessing, Book, Brown, Bubp, Cassell, DeBose, Domenick, Driehaus, Flowers, Hartnett, Harwood, Hughes, Key, Kilbane, Koziura, Patton, T., Raussen, Redfern, Sayre, Schaffer, Schlichter, Schneider, Skindell, Smith, G., Stewart, D., Stewart, J., Taylor, Uecker, Ujvagi, Willamowski, Williams, Yuko, Beatty, Mason

To amend section 2108.15 and to enact section 4503.721 of the Revised Code to create "Donate Life" license plates.

Am. Sub. H. B. No. 422 - Representatives Hughes, Flowers, Reidelbach, Latta, Evans, D., Boccieri, Yuko, Chandler, Wolpert, Setzer, Barrett, Williams, Carano, Cassell, Combs, DeBose, Domenick, Evans, C., Fende, Gilb, Hagan, Harwood, Key, McGregor, J., Otterman, Patton, T., Sayre, Smith, G., Stewart, D., Widener

To amend sections 149.433, 3301.56, 3313.536, 3314.03, 3737.73, and 3737.99 of the Revised Code to revise and expand the application of laws

governing school safety plans and school safety drills.

H. B. No. 484 - Representatives Boccieri, McGregor, J., Raussen, Hood, Healy, Wagoner, Seitz, Hughes, Widener, Chandler, Stewart, D., Carano, Harwood, Reinhard, Flowers, Carmichael, Sykes, Buehrer, Allen, Aslanides, Barrett, Beatty, Blasdel, Blessing, Book, Brown, Bubp, Calvert, Cassell, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Driehaus, Evans, C., Evans, D., Faber, Fende, Garrison, Gibbs, Gilb, Hagan, Hartnett, Hoops, Key, Kilbane, Koziura, Latta, Law, Martin, Mason, Mitchell, Oelslager, Otterman, Patton, S., Patton, T., Perry, Peterson, Redfern, Reed, Reidelbach, Sayre, Schaffer, Schlichter, Schneider, Setzer, Skindell, Smith, G., Smith, S., Stewart, J., Strahorn, Taylor, Uecker, Wagner, Webster, White, Widowfield, Willamowski, Williams, Wolpert, Yuko

To amend section 3767.30 of the Revised Code to prohibit protest activities within 300 feet of the site of a funeral service during and within one hour before and after the service and to prohibit protest activities within 300 feet of a funeral procession.

Am. H. B. No. 576 - Representatives McGregor, R., Buehrer, Reinhard, Carmichael, Allen, Aslanides, Barrett, Beatty, Blasdel, Blessing, Boccieri, Book, Brown, Bubp, Carano, Cassell, Chandler, Coley, Collier, Combs, Core, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, Evans, C., Evans, D., Faber, Fende, Fessler, Flowers, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Mason, McGregor, J., Mitchell, Oelslager, Otterman, Patton, S., Patton, T., Perry, Peterson, Raussen, Redfern, Reed, Reidelbach, Sayre, Schaffer, Schlichter, Schneider, Seitz, Setzer, Skindell, Smith, G., Smith, S., Stewart, D., Stewart, J., Strahorn, Sykes, Taylor, Uecker, Wagner, Wagoner, Webster, White, Widener, Widowfield, Willamowski, Williams, Wolpert, Yates, Yuko, Ujvagi

To amend section 3333.26 of the Revised Code to provide college tuition waivers to spouses and qualifying former spouses of members of the United States armed forces killed in the line of duty in a combat zone after May 7, 1975.

Attest:

Laura P. Clemens,
Clerk.

Said bills were 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 Senate amendments to:

Sub. H. B. No. 390 - Representative Taylor - 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 bills:

S. B. No. 268 - Senator Stivers- et al.

Sub. H. B. No. 245 - Representative Reinhard - et al.

Sub. H. B. No. 279 - Representative Hughes - et al.

Am. Sub. H. B. No. 385 - Representative Brinkman - et al.

Attest:

Laura P. Clemens,
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 concurred in the passage of the following bill:

Am. Sub. S. B. No. 269 - Senators Amstutz, Austria, Clancy, Gardner, Grendell, Jacobson, Jordan, Padgett, Schuler, Wachtmann, Zurz, Spada, Roberts, Fingerhut, Dann, Armbruster, Carey, Goodman, Harris, Kearney, Schuring Representatives Seitz, Latta, Gilb, Schaffer, Gibbs, Strahorn, Collier, Hagan, Kilbane, Allen, Barrett, Brown, Carano, Cassell, Chandler, Core, DeBose, Domenick, Evans, C., Evans, D., Fessler, Flowers, Garrison, Hartnett, Harwood, Hughes, Law, McGregor, J., Oelslager, Otterman, Patton, S., Patton, T., Reidelbach, Setzer, Smith, G., Taylor, Ujvagi, Webster,

Willamowski, Wolpert, Yuko

To amend section 5741.02 of the Revised Code to exempt from the use tax items held by a person, but not for that person's own use, and donated to a charitable organization, or to the state or its political subdivisions for exclusively public purposes.

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

In line 121, after "held" insert "for sale"

In line 122, after "charge" insert "or other compensation"

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 passage of the following bill:

Sub. S. B. No. 238 - Senators Niehaus, Schuring, Clancy, Padgett, Carey, Spada, Armbruster, Coughlin, Dann, Fedor, Harris, Kearney, Prentiss, Roberts, Zurz, Miller, R., Austria, Wilson, Miller, D. Representatives Martin, Allen, Calvert, Cassell, Collier, DeBose, DeGeeter, Distel, Domenick, Driehaus, Evans, C., Fende, Garrison, Hartnett, Harwood, Key, Otterman, Raussen, Seitz, Smith, G., Stewart, D., Strahorn, Williams, Yates, Patton, T.

To amend sections 109.57, 109.572, 109.60, 1347.08, 1717.14, 2151.011, 2151.281, 2151.353, 2151.416, 2151.421, 3107.014, 3107.015, 3107.016, 3107.17, 3109.16, 3109.17, 5101.141, 5101.29, 5101.35, 5101.72, 5101.99, 5103.031, 5103.033, 5103.034, 5103.035, 5103.036, 5103.038, 5103.039, 5103.0311, 5103.0312, 5103.0313, 5103.0315, 5103.07, 5104.01, 5104.11, 5104.31, 5153.01, 5153.111, 5153.122, 5153.16, 5153.17, 5153.60, 5153.61, 5153.62, 5153.63, 5153.64, 5153.65, 5153.66, 5153.67, 5153.70, 5153.71, 5153.72, 5153.73, 5153.74, 5153.75, 5153.76, 5153.77, and 5153.78; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 5153.60 (5103.30), 5153.61 (5103.35), 5153.62 (5103.36), 5153.63 (5103.362), 5153.64 (5103.363), 5153.65 (5103.37), 5153.66 (5103.39), 5153.67 (5103.391), 5153.70 (5103.38), 5153.71 (5103.41), 5153.72 (5103.42), 5153.73 (5103.421), 5153.74 (5103.422), 5153.75 (5153.125), 5153.76 (5153.126), 5153.77 (5153.127), and 5153.78

(5103.32); to enact sections 2151.423, 5101.13, 5101.131, 5101.132, 5101.133, 5101.134, 5103.301, 5103.302, 5103.303, 5103.31, 5103.33, 5103.34, 5103.361, 5103.40, 5153.123, 5153.124, and 5153.166; and to repeal sections 5103.037, 5153.68, and 5153.69 of the Revised Code to revise the law governing child welfare and other laws regarding the Department of Job and Family Services.

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

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 accedes to the request of the Senate for a Committee of Conference on matters of difference between the two Houses on:

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

The Speaker of the House has appointed as managers on the part of the House on such matters of difference:

Representatives Peterson, Latta and DeGeeter.

Attest: Laura P. Clemens,
Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rule 30, the President of the Senate appoints the following members to serve on the Conference Committee on H. B. No. 162 of the 126th General Assembly:

Senator Niehaus
Senator Coughlin
Senator Zurz

On the motion of Senator Spada, the Senate adjourned until Tuesday, May 16, 2006 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Assistant Clerk.