

**OHIO**

**SENATE**

**JOURNAL**

WEDNESDAY, MAY 18, 2005

FIFTY-FOURTH DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, May 18, 2005, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Ken Kirk, Grove City United Methodist Church, Grove City, Ohio, followed by the Pledge of Allegiance to the Flag.

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

**REPORTS OF REFERENCE AND BILLS FOR SECOND  
CONSIDERATION**

Senator Schuring reports for the Standing Committee on Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

**S. B. No. 147**-Senator Austria.

To authorize the conveyance of state-owned real estate in Stark County to the City of Massillon, in Warren County to Cincinnati Gas and Electric Company, in Brown County to a purchaser to be determined, in Franklin County to the Columbus Board of Education, and in Clark County to a purchaser to be determined, and to declare an emergency.

To the Committee on State and Local Government and Veterans' Affairs.

**S. B. No. 148**-Senator Hottinger.

To amend section 317.09 of the Revised Code to authorize a county recorder to use electronic or magnetic mediums for recording federal tax and other federal liens and to request the disposal of paper versions of those recorded documents.

To the Committee on State and Local Government and Veterans' Affairs.

YES - 5: J. KIRK SCHURING, MARK MALLORY, JEFF  
JACOBSON, BILL HARRIS, C. J. PRENTISS.

NO - 0.

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

The report of the committee was accepted.

Said bills were considered a second time and referred to committee as recommended.

### REPORTS OF STANDING AND SELECT COMMITTEES

Senator Jordan submitted the following report:

The standing committee on Judiciary - Criminal Justice, to which was referred **Sub. H. B. No. 4**-Representative Dolan, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Clancy, Grendell, Schuring, Goodman, Dann, Zurz.

YES - 8: JIM JORDAN, PATRICIA M. CLANCY, DAVID GOODMAN, TIMOTHY J. GRENDPELL, J. KIRK SCHURING, MARC DANN, KIMBERLY A. ZURZ, MARK MALLORY.

NO - 0.

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

The report of the committee was accepted.

### BILLS FOR THIRD CONSIDERATION

**Sub. H. B. No. 4**-Representatives Dolan, Latta, D. Evans, Gilb, Hughes, Seitz, Perry, Allen, Brown, Bubb, Calvert, Cassell, Coley, DeBose, Distel, Domenick, C. Evans, Flowers, Gibbs, Hagan, Hartnett, Hoops, Key, Law, Martin, McGregor, Miller, Oelslager, Otterman, T. Patton, Reidelbach, Reinhard, Schaffer, Schlichter, Seaver, Setzer, G. Smith, J. Stewart, Strahorn, Wagner, Wagoner, Walcher, Widener, Widowfield, Williams, Wolpert  
Senators Clancy, Grendell, Schuring, Goodman, Dann, Zurz.

To amend section 181.52 of the Revised Code to create the Ohio Incident-Based Reporting System in the Office of Criminal Justice Services and to require that law enforcement agencies that receive certain types of funding participate in the system, in the Uniform Crime Reporting Program of the F.B.I., or in the Ohio Local Law Enforcement Information Sharing Network, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 4**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Fingerhut	Gardner
Goodman	Grendell	Hagan	Hottinger
Jacobson	Jordan	Mallory	Miller
Mumper	Niehaus	Padgett	Prentiss
Roberts	Schuler	Schuring	Spada
Wachtmann	Wilson	Zurz	Harris-32.

So the bill passed.

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

Senator Jordan moved to amend the title as follows:

Add the names: "Austria, Cates, Niehaus, Harris."

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

The motion was agreed to and the title so amended.

### MOTIONS

Senator Hottinger moved that Senators absent the week of Sunday, May 15, 2005, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

### OFFERING OF RESOLUTIONS

Senator Mallory offered the following resolution:

**S. R. No. 76**-Senator Mallory.

Recognizing Prostate Cancer Awareness Month, June 2005.

The question being, "Shall the resolution, **S. R. No. 76**, be adopted?"

So the resolution was adopted.

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

Senator Mallory moved to amend the title as follows:

Add the names: "Amstutz, Armbruster, Austria, Brady, Carey, Cates, Clancy, Coughlin, Dann, Fedor, Fingerhut, Gardner, Goodman, Grendell, Hagan, Harris, Hottinger, Jacobson, Jordan, Miller, Mumper, Niehaus,

Padgett, Prentiss, Roberts, Schuler, Schuring, Spada, Wachtmann, Wilson, Zurz."

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

The motion was agreed to and the title so amended.

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. 3** - Representatives DeWine, Trakas, White, Brown, Law, Uecker, Aslanides, Carmichael, Collier, C. Evans, D. Evans, Faber, Flowers, Gibbs, Hagan, Kearns, McGregor, Peterson, Reidelbach, Schaffer, Schlichter, Seaver, Setzer, G. Smith, Widowfield, Willamowski, Wolpert

To amend sections 131.23, 145.38, 305.31, 306.70, 307.791, 322.021, 324.021, 503.162, 504.02, 504.03, 511.28, 511.34, 513.14, 731.28, 731.29, 745.07, 747.11, 1901.07, 1901.10, 1901.31, 1901.33, 3311.21, 3311.50, 3311.73, 3349.29, 3354.12, 3355.09, 3501.05, 3501.11, 3501.13, 3501.26, 3501.30, 3501.33, 3501.35, 3501.38, 3501.39, 3503.06, 3503.11, 3503.13, 3503.14, 3503.16, 3503.19, 3503.21, 3503.23, 3503.24, 3505.16, 3505.18, 3505.19, 3505.20, 3505.21, 3505.22, 3505.25, 3505.26, 3505.27, 3505.32, 3506.01, 3506.05, 3506.12, 3506.13, 3506.19, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3511.02, 3511.04, 3511.09, 3513.04, 3513.041, 3513.05, 3513.052, 3513.19, 3513.20, 3513.22, 3513.257, 3513.259, 3513.261, 3513.30, 3515.03, 3515.04, 3515.07, 3515.08, 3515.13, 3517.01, 3517.10, 3517.106, 3517.1011, 3519.05, 3523.05, 3599.11, 3599.111, 3599.12, 3599.21, 3599.24, 3599.38, 4301.33, 4301.331, 4301.332, 4301.333, 4301.334, 4305.14, 4504.021, 5705.191, 5705.194, 5705.196, 5705.21, 5705.218, 5705.25, 5705.251, 5705.261, 5705.71, 5739.022, 5748.02, 5748.04, 5748.08, and 6119.18, to enact sections 3501.19, 3501.24, 3501.90, 3503.15, 3503.20, 3503.28, 3503.29, 3505.181, 3505.182, 3505.183, 3506.20, 3506.21, 3509.09, 3511.13, 3515.041, and 3515.072, and to repeal section 3503.27 of the Revised Code to revise the Election Law.

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:

**Am. S. B. No. 81** - Senators Armbruster, Hottinger, Spada, Austria, Gardner, Goodman, Harris Representatives Schaffer, Cassell, Collier, Combs, Distel, McGregor, Miller, Seitz, Yuko, Allen, Barrett, Bocchieri, Brown, Carano, Chandler, DeBose, Dolan, Domenick, C. Evans, D. Evans, Fende, Gibbs, Harwood, Perry

To amend sections 4141.01, 4141.11, 4141.131, 4141.24, 4141.242, 4141.25, 4141.26, 4141.28, 4141.282, 4141.283, 4141.29, 4141.301, 4141.31, 4141.312, and 4141.99, to enact sections 4141.292 and 4141.48, and to repeal section 4141.311 of the Revised Code to conform state law to federal requirements in the establishment of civil and criminal penalties for manipulating payroll and business transfer information to obtain lower contribution rates and in the treatment of Indian tribes as employers, to establish a state disaster unemployment benefit payment to pay the first week of an individual's unemployment caused by a major disaster, to make changes involving the appeal process for claims under the unemployment compensation law, and to make various changes in the administration of the unemployment compensation law.

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 concurred in the Senate amendments to:

**Sub. H. B. No. 50** - Representative Setzer - 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:

**S. C. R. No. 11** - Senator Austria- et al.

**Am. S. C. R. No. 12** - Senator Spada- et al.

**S. C. R. No. 13** - Senator Dann- et al.

**Am. Sub. S. B. No. 26** - Senator Amstutz- et al.

Attest:

Laura P. Clemens,  
Clerk.

The President signed said bill and concurrent resolutions.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 101.38 (B) (1) of S. B. No. 250 of the 125th General Assembly, the President of the Senate appoints the following members to serve on the Ohio Cystic Fibrosis Legislative Task Force:

Senator Coughlin

Senator Hottinger

Pursuant to Section 101.38 (B) (1) of S. B. No. 250 of the 125th General Assembly, the Minority Leader of the Senate appoints Senator Dann to serve on the Ohio Cystic Fibrosis Legislative Task Force.

Pursuant to Section 101.38 (B) (3) of S. B. No. 250 of the 125th General Assembly, the President of the Senate appoints the following public members to serve on the Ohio Cystic Fibrosis Legislative Task Force:

Gregory J. Omlor, MD

Akron, Ohio

Rev. David L. Hoffman

Prospect, Ohio

Kimberly A. Mathews

Newark, Ohio

On the motion of Senator Jacobson, the Senate adjourned until Thursday, May 19, 2005 at 11:00 o'clock a.m.

Attest:

MATTHEW T. SCHULER,  
Clerk.