

OHIO

SENATE

JOURNAL

THURSDAY, NOVEMBER 17, 2005

ONE HUNDRED SIXTEENTH DAY
Senate Chamber, Columbus, Ohio
Thursday, November 17, 2005, 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 **S. B. No. 206**-Senators Coughlin, Fedor, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

In line 664, delete "benefit recipient" and insert "retirant"

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

NO - 0.

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

The report of the committee was accepted.

Senator Mumper submitted the following report:

The standing committee on Agriculture, to which was referred **S. B. No. 189**-Senator Grendell, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Mumper, Dann.

YES - 7: JOHN A. CAREY, TIMOTHY J. GRENDALL, LARRY
A. MUMPER, MARC DANN, TOM ROBERTS,
CHARLES A. WILSON, J. KIRK SCHURING.

NO - 0.

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

The report of the committee was accepted.

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:

Am. H. B. No. 85 - Representatives Blessing, Combs, Flowers, Hagan, Martin, Reinhard, Smith, G.

To amend section 4928.20 and to enact section 4928.21 of the Revised Code to limit retail electric service automatic governmental aggregation and to create a "Do Not Aggregate" list.

Am. H. B. No. 214 - Representatives Hughes, Combs, C. Evans, Latta, McGregor, Seitz, Setzer, Cassell, Domenick, Harwood, Oelslager, Patton, T., Reidelbach, Smith, G., Wagoner

To amend section 2935.09 of the Revised Code to limit the role of clerks of court in the procedures regarding the filing by private persons of affidavits alleging that a person committed a criminal offense and to require that an appropriate official review affidavits filed by private persons to determine if a complaint should be filed.

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

Am. H. B. No. 82 - Representatives Hughes, Allen, Barrett, Boccieri, Brown, Chandler, DeBose, Domenick, Evans, C., Fende, Flowers, McGregor, J., Patton, S., Patton, T., Perry, Reidelbach, Schaffer, Schneider, Seitz, Stewart, D., Yuko

To amend sections 4777.01, 4777.02, 4777.03, and 4777.04 of the Revised Code to change the professional title "Industrial Hygienist in Training" to "Certified Associate Industrial Hygienist" with respect to the practice of industrial hygiene.

H. B. No. 336 - Representatives Core, Willamowski, Harwood, Bubp, Coley, Schaffer

To amend section 1901.08 of the Revised Code to change the status of the judge of the Marysville Municipal Court from part-time to full-time.

H. B. No. 352 - Representatives Redfern, Fende, Key, Patton, S., Perry

To amend sections 4511.21 and 4511.251 of the Revised Code to establish a 35-mile per hour speed limit for highways outside municipal corporations within island jurisdictions.

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 passage of the following bill:

S. B. No. 55 - Senators Spada, Harris, Prentiss, Amstutz, Armbruster, Austria, Brady, Cates, Clancy, Carey, Coughlin, Dann, Fedor, Fingerhut, Gardner, Goodman, Grendell, Hottinger, Jacobson, Jordan, Mallory, Mumper, Niehaus, Padgett, Roberts, Schuler, Schuring, Wachtmann, Wilson, Zurz

To enact section 4503.761 of the Revised Code to create "One Nation Under God" license plates.

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. 11 - Representative Schlichter - et al.

Am. H. B. No. 100 - Representative Taylor - et al.

Am. H. B. No. 226 - Representative Hoops - et al.

Sub. H. B. No. 246 - Representative Oelslager - 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 concurred in the Senate amendments to:

Am. Sub. H. B. No. 108 - Representative Hagan - et al.

Sub. H. B. No. 209 - Representative Combs - 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:

Am. S. B. No. 190 - Senator Carey- et al.

Am. Sub. H. B. No. 108 - Representative Hagan - et al.

Sub. H. B. No. 209 - Representative Combs - 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 refused to concur in the Senate amendments to:

Sub. H. B. No. 79 - Representative Raga - et al.

Attest:

Laura P. Clemens,
Clerk.

Senator Zurz moved that the Senate insist on the Senate amendments to **Sub. H. B. No. 79**, and ask for a Committee of Conference.

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

The motion was agreed to.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 122.40 (B) of the Ohio Revised Code, the President of the Senate appoints Senator Stivers to replace Senator Cates on the Development Financing Advisory Council.

Pursuant to Section 103.51 of the Ohio Revised Code, the President of the Senate appoints the following public member to serve on the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research:

Matthew Schuler

November 16, 2005

The Honorable Bill Harris
Ohio Senate President
Ohio Statehouse, 2nd Floor
Columbus, Ohio 43215

Dear President Harris:

I am writing you today to offer my official resignation from the Ohio Senate. I have been elected Mayor of Cincinnati and will be sworn in on December 1, 2005. My resignation will take effect on November 30, 2005.

It has been my pleasure to have represented the people of the Ninth Senate District for the last seven years in the Ohio Senate. It is indeed a privilege to

have served alongside so many exemplary individuals in this historic institution. I am extremely proud of what we have been able to accomplish during my tenure. I will always cherish the many friendships I have built.

I will always be proud to be called an Ohio Senator. I thank you for your attention in the important matter. If you have any questions or if I can ever be helpful in anyway, please feel free to contact me at 614-466-5980.

Sincerely,

/s/ MARK MALLORY
MARK MALLORY
State Senator

November 16, 2005

Senator Mark Mallory
Senate Building
Columbus, Ohio 43215

Dear Senator Mallory:

In accordance with Section 101.25 of the Ohio Revised Code, I hereby acknowledge receipt of your letter of resignation from the Ohio Senate effective Wednesday, November 30, 2005.

It has certainly been a pleasure working with you during your time with the Senate. I look forward to working with you in your capacity as the Mayor of Cincinnati.

Good luck.

Sincerely,
/s/ BILL HARRIS
Bill Harris
State Senator
19th District

On the motion of Senator Zurz, the Senate adjourned until Monday, November 21, 2005 at 10:00 o'clock a.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.