

OHIO

SENATE

JOURNAL

THURSDAY, DECEMBER 8, 2005

ONE HUNDRED TWENTY-FOURTH DAY
Senate Chamber, Columbus, Ohio
Thursday, December 8, 2005, 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 Zurz 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 Harris submitted the following report:

The standing committee on Rules, to which was referred **Am. Sub. H. B. No. 3**-Representative DeWine, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Jacobson, Harris, Spada, Hottinger.

YES - 7: BILL HARRIS, JEFF JACOBSON, STEPHEN C. AUSTRIA, ROBERT F. SPADA, JAY HOTTINGER, J. KIRK SCHURING, RANDY GARDNER.

NO - 0.

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

The report of the committee was accepted.

REPORTS OF CONFERENCE COMMITTEES

The Committee of Conference to which the matters of difference between the two houses were referred on Sub. H.B. 107, Representative Setzer - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

Delete lines 89 through 333

In line 1 of the title, delete the comma and insert "and"

In line 3 of the title, delete everything after "Assembly"

Delete line 4 of the title

In line 11 of the title, delete the semicolon and insert "and"

In line 13 of the title, delete "; and"

Delete line 14 of the title

In line 15 of the title, delete everything before the period

Managers on the Part of the
House of Representatives

Managers on the Part of the
Senate

/s/ ARLENE J. SETZER
ARLENE J. SETZER

/s/ JOY PADGETT
JOY PADGETT

JOHN M. SCHLICHTER

/s/ RANDY GARDNER
RANDY GARDNER

/s/ KENNETH A. CARANO
KENNETH A. CARANO

TERESA FEDOR

The report of the Committee of Conference was read and laid over under the rule.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 238-Senators Niehaus, Schuring, Clancy, Padgett, Carey, Spada, Armbruster.

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, 3107.031, 3107.032, 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, 5103.12, 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, 5103.13, 5103.131, 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.

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, Betty J. Hagen, Democrat, from South Webster, Scioto County, Ohio, as a Member of the Financial Planning and Supervision Commission for Bloom Township for a term beginning December 2, 2005 and continuing at the pleasure of the Governor.

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 5th day of December in the year of our Lord, two thousand and five.

[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, Dean Jagger, Democrat, from Mt. Gilead, Morrow County, Ohio, as a Member of the Historical Boilers Licensing Board for a term beginning December 2, 2005 and ending at the close of business October 23, 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 5th day of December in the year of our Lord, two thousand and five.

[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, Michael A. McCoy, Republican, from South Webster, Scioto County, Ohio, as a Member of the Financial Planning and Supervision Commission for Bloom Township for a term beginning December 2, 2005 and continuing at the pleasure of the Governor.

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 5th day of December in the year of our Lord, two thousand and five.

[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, Adam "Bud" Vetter, Jr., Republican, from Mansfield, Richland County, Ohio, as a Member of the North Central State College Board of Trustees for a term beginning December 2, 2005, and ending at the close of business January 16, 2008, replacing Robert Konstam, 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 5th day of December in the year of our Lord, two thousand and five.

[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, Jerod Von Hagen, Republican, from South Webster, Scioto County, Ohio, as a Member of the Financial Planning and Supervision Commission for Bloom Township for a term beginning December 2, 2005 and continuing at the pleasure of the Governor.

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 5th day of December in the year of our Lord, two thousand and five.

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

Sub. H. C. R. No. 13 - Representative Hoops - et al.

Am. Sub. S. B. No. 87 - Senator Wachtmann- et al.

Am. S. B. No. 144 - Senator Schuler- et al.

Attest:

Laura P. Clemens,
Clerk.

The President signed said bills.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 101.35 of the Ohio Revised Code, the President of the Senate appoints Senator Hagan to replace Senator Wilson on the Joint Committee on Agency Rule Review.

Pursuant to Section 103.11 of the Ohio Revised Code, the President of the Senate appoints Senator Zurz to replace Senator Mallory on the Legislative Service Commission.

Pursuant to Section 503.12 (A) of H. B. No. 66 of the 126th General Assembly, the President of the Senate appoints Senator Fedor to replace Senator Mallory on the Local Government and Library Revenue Distribution Task Force.

Pursuant to Section 4906.02 of the Ohio Revised Code, the President of the Senate appoints Senator Wilson to replace Senator Mallory as an alternate on the Power Siting Board.

Pursuant to Section 125.833 (B) of the Ohio Revised Code, the President of the Senate appoints Senator Roberts to replace Senator Mallory on the Vehicle Management Commission (within the Department of Administrative Services).

Pursuant to Section 133.021(A) of the Ohio Revised Code, the President of the Senate appoints Senator Wilson to replace Senator Mallory on the Joint

Select Committee on Volume Cap.

Pursuant to Section 206.42.12 of H. B. No. 66 of the 126th General Assembly, the President of the Senate appoints Senator Roberts to replace Senator Fingerhut on the Legislative Committee on the Future Funding of the Bureau for Children with Medical Handicaps.

Pursuant to Section 503.09 (A)(3)(4) of HB 66 of the 126th General Assembly, the President of the Senate appoints Senator Kearney to replace Senator Mallory on the Correctional Faith-Based Initiatives Task Force.

Pursuant to Section 103.71 of the Ohio Revised Code, the President of the Senate appoints Senator Kearney to replace Senator Mallory on the Correctional Institution Inspection Committee.

Pursuant to Section 181.21 of the Ohio Revised Code, the President of the Senate appoints Senator Kearney to replace Senator Mallory on the State Criminal Sentencing Commission.

Pursuant to Section 4121.12 (D) of the Ohio Revised Code, the President of the Senate appoints Senator Stivers (as Chair of the Senate Insurance, Commerce and Labor Committee) to replace Senator Hottinger on the Workers' Compensation Oversight Commission.

Pursuant to Section 4121.70 (2) of the Ohio Revised Code, the President of the Senate appoints Senator Stivers (as Chair of the Senate Insurance, Commerce, and Labor Committee) to replace Senator Hottinger as an ex-officio member on the Labor-Management Government Advisory Council.

Pursuant to Section 4141.08 of the Ohio Revised Code, the President of the Senate appoints Senator Stivers (as Chair, Senate Insurance, Commerce and Labor Committee) to replace Senator Hottinger on the Unemployment Compensation Advisory Commission.

On the motion of Senator Harris, the Senate adjourned until Tuesday, December 13, 2005 at 1:30 p.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.