

OHIO

SENATE

JOURNAL

FRIDAY, DECEMBER 15, 2006

TWO HUNDRED FIFTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Friday, December 15, 2006, 9:30 a.m.

The Senate met pursuant to adjournment.

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

REPORTS OF CONFERENCE COMMITTEES

Sub. H. B. No. 259-Representatives Wagner, McGregor, J., Martin, Evans, C., Fende, Bupp, Wagoner, Seaver, Evans, D., Setzer, Hagan, Harwood, Gilb, Wolpert, Distel, Willamowski, Collier, Latta, Faber, Brown, Aslanides, Uecker, Allen, Perry, Mason, Hughes, Blessing, Daniels, DeBose, DeGeeter, Domenick, Fessler, Flowers, Gibbs, Law, Oelslager, Otterman, Patton, T., Reidelbach, Schaffer, Schlichter, Schneider, Smith, G., Stewart, J., Taylor, Williams.

To amend section 2921.38 of the Revised Code to prohibit a person, with intent to harass, annoy, threaten, or alarm a law enforcement officer, from causing or attempting to cause the law enforcement officer to come into contact with a bodily substance and to prohibit any person from engaging in the same action with respect to any person when the person is a knowing carrier of certain viruses or bacteria.

The question being, "Shall the report of the Committee of Conference be agreed to?"

Senator Stivers moved that the Report of the Committee of Conference on **Sub. H. B. No. 259**, be informally passed and retain its place on the calendar.

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

The motion was agreed to.

OFFERING OF RESOLUTIONS

Senator Mumper offered the following resolution:

S. R. No. 276-Senators Mumper, Fedor.

In memory of Lance Corporal Jeremy Shock.

The question being, "Shall the resolution, **S. R. No. 276**, be adopted?"

So the resolution was adopted.

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. 137 - Senators Goodman, Padgett, Clancy, Cates, Gardner, Jacobson, Dann, Stivers, Zurz, Kearney, Hottinger, Fedor, Spada
Representatives Latta, Gilb, Evans, D., Hughes, Blessing, Bubp, Chandler, Combs, DeBose, Domenick, Driehaus, Evans, C., Flowers, Luckie, Mason, Mitchell, Otterman, Patton, T., Reidelbach, Schaffer, Schneider, Setzer, White, D., Williams, Yates, Yuko, Harwood

To amend section 2151.99 of the Revised Code to increase the penalty for a failure to make a mandatory report of abuse or neglect of a child from a misdemeanor of the fourth degree to a misdemeanor of the first degree if the child who is the subject of the report that is not made suffers or faces the threat of suffering the wound, injury, disability, or condition that would be the basis of the report when the child is under either the direct care or supervision of the offender acting in the offender's official or professional capacity or the direct care or supervision of another person over whom the offender has supervisory control.

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:

Sub. S. B. No. 245 - Senators Cates, Clancy, Mumper, Padgett, Schuring, Dann, Fedor, Zurz, Amstutz, Coughlin, Fingerhut, Harris, Hottinger, Kearney, Miller, R., Niehaus, Schuler, Spada, Armbruster, Carey, Austria
Representatives Latta, Evans, D., Gilb, Healy, Blessing, Chandler, Combs, DeBose, Domenick, Driehaus, Evans, C., Faber, Fessler, Flowers, Law, Luckie, McGregor, J., Otterman, Patton, T., Raussen, Reidelbach, Schneider, Setzer, Smith, G., White, D., Williams, Yuko, Mason

To amend section 2907.09 and to enact section 2907.41 of the Revised Code to generally increase the penalties for public indecency when the victim is a minor and the offender has a previous public indecency conviction, to require that a person charged with a sexually oriented offense or with public indecency who has a previous conviction of a sexually oriented offense or of public indecency appear before the court before the court sets bail, and to generally require the court to consider certain factors before setting bail for that person.

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. H. B. No. 32 - Representatives Trakas, Fessler, Reidelbach, Peterson, Collier, Bupp, Calvert, Carano, Cassell, Combs, DeBose, DeGeeter, Distel, Domenick, Evans, C., Faber, Fende, Flowers, Garrison, Harwood, Hughes, Key, Kilbane, Koziura, Luckie, Mason, McGregor, J., Otterman, Patton, T., Schaffer, Schlichter, Schneider, Setzer, Stewart, D., Strahorn, Taylor, Ujvagi, White, D., White, J., Williams, Yuko

To enact sections 2919.221, 3301.561, and 5104.016 of the Revised Code to prohibit the administration of medication to a child in a child-care setting without authorization from the child's parents.

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:

Sub. H. B. No. 627 - Representatives Carmichael, Evans, D., Aslanides, Barrett, Blessing, Boccieri, Bubp, Calvert, Cassell, Coley, Collier, Combs, Core, Daniels, DeBose, DeWine, Dolan, Domenick, Evans, C., Faber, Fende, Fessler, Gibbs, Hagan, Hartnett, Harwood, Hoops, Hughes, Law, Luckie, McGregor, J., McGregor, R., Patton, T., Perry, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seitz, Setzer, Smith, G., Stewart, D., Strahorn, Taylor, Trakas, Uecker, Wagoner, White, D., Flowers

To amend sections 4501.01, 4507.03, 4511.01, 4511.202, 4513.11, 4513.99, and 5739.01 of the Revised Code to require farm machinery that is designed by its manufacturer to operate at a speed greater than 25 miles per hour to display a speed identification symbol and a slow-moving vehicle emblem when operated on a road or highway, to further address the operation of such farm machinery on roads and highways, and to permit a trade-in allowance for construction equipment and certain farm machinery.

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:

Sub. S. B. No. 279 - Senators Stivers, Cates, Spada, Armbruster, Goodman, Mumper, Wachtmann Representatives Smith, G., Daniels, Evans, D., Faber, Gibbs, Patton, T., Raussen, Wolpert, Blessing, Combs, Domenick, Evans, C., Flowers, Schaffer, Schneider

To amend sections 3955.01, 3955.05, and 3955.12 of the Revised Code to exempt the Ohio Insurance Guaranty Association from being obligated to pay more than a single three hundred thousand dollar claim for injury or death to any one person and a claim of an insured whose net worth exceeds fifty million dollars and to exempt certain reciprocal insurers from participation in the Ohio Insurance Guaranty Association.

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 has concurred in the passage of the following bill:

Sub. S. B. No. 393 - Senators Mumper, Grendell, Niehaus, Schuler, Harris Representatives Aslanides, Domenick, Gibbs, Schlichter, Widener, Distel, McGregor, J., Core, Reinhard, Blessing, Collier, Combs, Dolan, Evans, C., Hagan, Hood, Schneider, Setzer

To amend sections 903.08 and 6111.04 and to enact section 6111.451 of the Revised Code to make changes to the national pollutant discharge elimination system program with respect to concentrated animal feeding facilities, to require the Director of Environmental Protection to adopt rules specifying certain construction activities that may be conducted prior to approval of plans for a treatment or disposal works under the Water Pollution Control Law, and to establish the Preconstruction Rules Working Group for the purpose of developing the rules.

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 has concurred in the Senate amendments to:

Sub. H. B. No. 73 - Representative Trakas - et al.

Sub. H. B. No. 149 - Representative Calvert - et al.

Sub. H. B. No. 251 - Representative Uecker - et al.

Sub. H. B. No. 293 - Representative Kilbane - et al.

Sub. H. B. No. 343 - Representative Raga - 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 agreed to the report of the Committee of Conference on matters of difference between the two houses on:

Am. Sub. H. B. No. 259 - Representative Wagner - et al.

Attest:

Laura P. Clemens,
Clerk.

On the motion of Senator Stivers, the Senate adjourned until Tuesday, December 19, 2006 at 1:30 p.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.