

OHIO

SENATE

JOURNAL

TUESDAY, MARCH 11, 2008

ONE HUNDRED FORTY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, March 11, 2008, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Brother Ed Fellabaum, Bend Fork Christian Church, Clarington, Ohio, followed by the Pledge of Allegiance to the Flag.

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

On the motion of Senator Niehaus the Senate advanced to the ninth Order of Business, Offering of Resolutions.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolutions were offered:

S. R. No. 185-Senator Wagoner.

Honoring The Berlin Fruit Box Company on its Sesquicentennial.

S. R. No. 186-Senator Miller, R.

Cosponsors: Senators Niehaus, Miller, D., Stivers, Schuler, Cafaro, Spada, Wilson, Fedor, Kearney, Morano, Schuring, Carey, Wagoner, Jacobson, Austria, Mumper, Coughlin, Goodman, Mason, Seitz, Harris, Smith, Bocchieri, Sawyer.

Honoring The Ohio State University football team on winning the 2007 Big Ten Conference Championship.

S. R. No. 187-Senator Mason.

Cosponsor: Senator Smith.

In memory of Officer Derek Wayne Owens.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"

So the resolutions were adopted.

On the motion of Senator Niehaus the Senate reverted to the first Order of Business, Reports of Reference and Bills for Second Consideration.

On the motion of Senator Niehaus, the Senate recessed.

The Senate met pursuant to the recess.

REPORTS OF REFERENCE AND BILLS FOR SECOND CONSIDERATION

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

Sub. H. B. No. 331-Representative Wagoner.

Cosponsors: Representatives McGregor, J., Schindel, Fende, Goodwin, Stewart, J., Seitz, Brown, Sears, Bacon, Batchelder, Bolon, Chandler, Combs, Dyer, Evans, Flowers, Hughes, Patton, Schneider, Uecker, Ujvagi, Wachtmann, Williams, B.

To amend sections 3701.83, 3702.11, 3702.55, and 3709.09; to enact sections 3711.14, 3711.16, 3711.20, 3711.21, and 3711.22; to enact new sections 3711.01, 3711.02, 3711.04, 3711.06, 3711.08, 3711.10, and 3711.12; and to repeal sections 3711.01, 3711.02, 3711.021, 3711.03, 3711.04, 3711.05, 3711.06, 3711.07, 3711.08, 3711.09, 3711.10, 3711.11, 3711.12, 3711.13, and 3711.99 of the Revised Code regarding the licensure of maternity homes and obstetric or newborn care facilities.

To the Committee on Health, Human Services and Aging.

Am. H. B. No. 392-Representative McGregor, J.

Cosponsors: Representatives Peterson, Evans, Hughes, Wagoner, Gibbs, Chandler, Stewart, J., Stewart, D., Bacon, Zehringer, McGregor, R., Wolpert, Combs, Okey, Bubp, Collier, Stebelton, Batchelder, Strahorn, Adams, Latta, Daniels, Hite, Book, Brown, Carmichael, Domenick, Flowers, Lundy, Reinhard, Schlichter, Skindell, Sykes, Beatty, Brady, Coley, DeGeeter, Driehaus, Fende, Foley, Hottinger, Oelslager, Patton, Sayre, Schindel, Setzer, Uecker.

To enact section 4501.81 of the Revised Code to establish a next of kin database within the Bureau of Motor Vehicles.

To the Committee on Highways and Transportation.

Sub. H. B. No. 405-Representative Bacon.

Cosponsors: Representatives Setzer, Zehringer, Hughes, McGregor, J., Wagoner, Fessler, Evans, Boyd, Schindel, Uecker, Mecklenborg, DeBose, Fende, Webster, Batchelder, Bolon, Brady, Brown, Budish, Celeste, Chandler, Collier, Domenick, Dyer, Flowers, Hite, Jones, Koziura, Letson, Mallory, Patton, Peterson, Sayre, Schlichter, Stewart, D., Ujvagi, Wachtmann, Yuko.

To amend sections 5126.042 and 5126.055 of the Revised Code to eliminate the requirement that each county board of mental retardation and developmental disabilities maintain a service substitution list and long-term service planning registry and revise the law governing county boards' waiting lists.

To the Committee on Health, Human Services and Aging.

H. B. No. 416-Representative Dolan.

Cosponsors: Representatives Wagoner, Evans, Brown, Stebelton, Huffman, McGregor, J., Harwood, Skindell, Redfern, Webster, Yuko, Flowers, Koziura, Chandler, Combs, Szollosi, McGregor, R., Brinkman, Goodwin, Peterson, Foley, DeGeeter, Brady, Letson, Strahorn, Lundy, Oelslager, Hagan, J., Schindel, Williams, B., DeBose, Mallory, Celeste, Collier, Ujvagi, Hagan, R., Bacon, Beatty, Blessing, Bolon, Boyd, Budish, Coley, Domenick, Driehaus, Fende, Gardner, Heard, Hite, Hottinger, Hughes, Luckie, Mecklenborg, Otterman, J., Sayre, Sears, Setzer, Stewart, D., Stewart, J., Yates.

To enact sections 1522.01, 1522.02, 1522.03, 1522.04, 1522.05, 1522.06, 1522.07, and 1522.08 of the Revised Code to ratify the Great Lakes-St. Lawrence River Basin Water Resources Compact and to establish related requirements.

To the Committee on Environment and Natural Resources.

Sub. H. B. No. 429-Representative Gibbs.

Cosponsors: Representatives Schindel, Bolon, Foley, Hagan, J., Letson, Patton, Aslanides, Bacon, Batchelder, Blessing, Chandler, Collier, Combs, Domenick, Fessler, Flowers, Gardner, Hughes, McGregor, J., Raussen, Schneider, Setzer, Wachtmann, Webster.

To amend sections 5739.033, 5739.034, and 5739.24 of the Revised Code and later to repeal sections 5739.035, 5739.213, 5739.24, and 5741.10 of the Revised Code to require vendors to utilize origin-based sourcing for intrastate sales beginning January 1, 2010, to discontinue compensation of impacted counties for sales tax losses incurred under destination-based sourcing, and to authorize the Tax Commissioner to compensate vendors required to convert from destination-based sourcing to origin-based sourcing.

To the Committee on Ways and Means and Economic Development.

H. C. R. No. 36-Representative Mecklenborg.

Cosponsors: Representatives McGregor, R., McGregor, J., Flowers, Evans, Stebelton, Raussen, Schneider, Blessing, Mallory, Hughes, Daniels, Brown, Domenick, Lundy, Book, Bacon, Chandler, Coley, Combs, Dolan, Driehaus, Fessler, Gardner, Garrison, Goodwin, Hottinger, Jones, Luckie, Oelslager, Otterman, J., Uecker, Wachtmann, Webster, Yates, Zehringer.

To urge the Congress of the United States to renew the exemption for the sternwheel river steamboat Delta Queen from the 1966 Safety at Sea Act.

To the Committee on Highways and Transportation.

S. B. No. 290-Senator Wagoner.

Cosponsors: Senators Cates, Seitz, Jacobson, Morano, Fedor, Kearney, Padgett, Schuring.

To amend section 4123.01 of the Revised Code to exempt individuals covered under the federal Longshore and Harbor Workers' Compensation Act from coverage under Ohio's Workers' Compensation Law unless an employer elects to provide such coverage.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 291-Senator Grendell.

Cosponsors: Senators Wagoner, Harris, Spada, Niehaus, Jacobson, Austria, Seitz, Schuring, Mumper, Schuler, Padgett, Goodman, Cates, Faber, Carey, Amstutz.

To enact sections 1522.01, 1522.02, 1522.03, 1522.04, 1522.05, 1522.06, 1522.07, and 1522.08 of the Revised Code to ratify the Great Lakes-St. Lawrence River Basin Water Resources Compact and to establish related requirements.

To the Committee on Environment and Natural Resources.

S. B. No. 292-Senator Roberts.

Cosponsor: Senator Miller, D.

To amend section 1515.29 and to enact section 6137.112 of the Revised Code to allow a board of county commissioners to adjust the permanent base of a ditch improvement that is used for maintenance fund assessments and to allow a board to use certain ditch maintenance procedures to maintain soil and water conservation district improvements.

To the Committee on Environment and Natural Resources.

S. B. No. 293-Senator Boccieri.

Cosponsors: Senators Roberts, Cafaro.

To enact section 5533.78 of the Revised Code to designate a portion of Interstate 680 within Mahoning County as the "William Holmes McGuffey Memorial Highway."

To the Committee on Highways and Transportation.

S. B. No. 294-Senator Boccieri.

Cosponsors: Senators Cafaro, Miller, R., Seitz, Morano.

To enact section 5533.091 of the Revised Code to designate the Lake Milton Bridge, which is located in Mahoning County and is part of Interstate Route 76, as the "Peter J. Delucia Memorial Bridge."

To the Committee on Highways and Transportation.

S. B. No. 295-Senator Miller, D.

Cosponsors: Senators Roberts, Miller, R., Morano, Smith.

To enact section 5321.20 of the Revised Code to provide that a rental agreement does not terminate upon the foreclosure of the landlord's mortgage.

To the Committee on Judiciary - Civil Justice.

S. B. No. 296-Senator Miller, D.

Cosponsors: Senators Spada, Fedor, Padgett.

To amend section 4931.75 of the Revised Code to require that a court award attorney fees to a successful plaintiff in an action against a person for violating the unwanted facsimile advertisement statute.

To the Committee on Judiciary - Civil Justice.

S. B. No. 297-Senator Miller, D.

Cosponsors: Senators Fedor, Miller, R., Boccieri, Morano.

To amend section 1739.05 and to enact sections 1751.68, 3923.34, and 3923.80 of the Revised Code to prohibit health insurers from excluding coverage for posttraumatic stress disorder.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 298-Senator Miller, D.

Cosponsors: Senators Roberts, Fedor, Miller, R., Boccieri, Smith.

To amend sections 1739.05, 1751.01, 3923.281, 3923.282, and 3923.51 and to repeal sections 3923.28, 3923.29, and 3923.30 of the Revised Code to prohibit discrimination in health care policies, contracts, and agreements in the coverage provided for the diagnosis and treatment of mental illnesses and substance abuse or addiction conditions.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 299-Senator Miller, D.

Cosponsors: Senators Fedor, Roberts, Morano, Cafaro.

To amend sections 3501.05, 3501.29, 3501.90, 3503.16, 3504.04, 3505.03, 3505.181, 3505.182, 3505.20, 3509.01, 3509.02, 3509.021, 3509.022, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 3511.01, 3511.02, 3511.03, 3511.04, 3511.05, 3511.051, 3511.06, 3511.08, 3511.09, 3511.10, 3511.11, 3511.12, 3511.13, 3513.052, 3513.15, 3513.30, 3515.01, 3517.08, 3599.11, 3599.12, and 3599.21 of the Revised Code to change the name of absent voter's ballots to early voting ballots.

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

S. B. No. 300-Senator Cafaro.

Cosponsors: Senators Mason, Morano, Miller, R., Miller, D., Kearney, Boccieri, Roberts, Smith, Sawyer, Stivers.

To create the Public Transit Funding Task Force to study Ohio's public transportation funding and issue a report by June 30, 2008.

To the Committee on Highways and Transportation.

S. B. No. 301-Senator Seitz.

Cosponsors: Senators Carey, Spada, Schuring.

To amend section 4731.22 and to enact sections 3701.86, 3701.861, 3701.862, 4731.72, 4731.721, 4731.722, and 4731.723 of the Revised Code regarding billing for anatomic pathology services.

To the Committee on Health, Human Services and Aging.

S. B. No. 302-Senator Goodman.

Cosponsor: Senator Schuler.

To amend sections 2107.03 and 2107.24 of the Revised Code to require a will to be attested and subscribed by the witnesses in the conscious presence, instead of in the presence, of the testator and to provide that a decedent who signs a document that is a purported will sign in the conscious presence of the witnesses.

To the Committee on Judiciary - Civil Justice.

S. B. No. 303-Senator Stivers.

Cosponsors: Senators Schaffer, Wagoner, Goodman, Padgett, Faber, Schuring.

To amend section 5923.05 of the Revised Code to grant annual military leave of up to 408 hours to firefighters and those other public employees who do not work a traditional workweek of 40 hours and to entitle firefighters and these public employees to use such leave to cover an entire work shift any part of which was used to perform military service.

To the Committee on Insurance, Commerce and Labor.

S. J. R. No. 6-Senator Cates.

Proposing to amend Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 15 of Article XI, to amend, for the purpose of adopting new Section numbers as indicated in parentheses, Sections 5 (4), 6 (5), 7 (6), 8 (7), 9 (8), 10 (9), 11 (10), 12 (11), 13 (12), and 15 (13) of Article XI, and to repeal Sections 4 and 14 of Article XI of the Constitution of Ohio to revise the redistricting process for General Assembly and Congressional districts.

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

S. C. R. No. 22-Senator Mason.

Cosponsors: Senators Roberts, Smith.

To urge the President of the United States and the Congress of the United States to take diplomatic actions to bring peace to Kenya.

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

S. C. R. No. 23-Senator Miller, D.

Cosponsors: Senators Fedor, Roberts, Mason, Morano, Cafaro.

To urge the United States House of Representatives to pass H.R. 3498, cited as the Neighborhood Reclamation and Revitalization Program Act of 2007, to authorize the Secretary of Housing and Urban Development to make grants to assist municipalities with a vacant housing problem and additionally to urge that the appropriations be increased to \$500,000,000.

To the Committee on Finance and Financial Institutions.

YES - 4: JEFF JACOBSON, J. KIRK SCHURING, BILL HARRIS,
RAY MILLER.

NO - 0.

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

The report of the committee was accepted.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Schuring submitted the following report:

The Standing Committee on Rules to which were referred the appointments by the Governor of:

Frederick M. Cash, Democrat, from Richmond Heights, Cuyahoga County, Ohio, as a Member of the Ohio Soil and Water Conservation Commission for a term beginning July 27, 2007, and ending at the close of business June 30, 2011, replacing David J. Gilmore, whose term expired.

Stephen D. Hill, from Mason, Warren County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 23, 2009.

Lance D. Himes, Democrat, from Hilliard, Franklin County, Ohio, as a Member of the Private Water Systems Advisory Council for a term beginning

November 14, 2007 and ending at the close of business March 17, 2009, replacing Scott Golden, whose term expired.

Ralph Jennings, Democrat, from Hamersville, Brown County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 23, 2009.

Jack Jensen, Republican, from West Carrollton, Montgomery County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 23, 2009.

Clint C. Manns, Republican, from Coshocton, Coshocton County, Ohio, as a Member of the Forestry Advisory Council for a new term beginning August 20, 2007 and ending at the close of business February 28, 2011.

Glenn R. Matlack, Independent, from Athens, Athens County, Ohio, as a Member of the Forestry Advisory Council for a term beginning April 27, 2007 and ending at the close of business February 27, 2011, replacing John Vimmerstedt, who resigned.

Walter E. Phillips, Republican, from Lancaster, Fairfield County, Ohio, as a Member of the Private Water Systems Advisory Council for a term beginning November 14, 2007 and ending at the close of business March 17, 2009, replacing Steven P. Binns, whose term expired.

Walter J. Pishkur, from Youngstown, Mahoning County, Ohio, as a Member of the Private Water Systems Advisory Board for a term beginning July 31, 2007 and ending at the close of business March 17, 2009, replacing Phillip S. McClay, whose term expired.

Robert Ritzi, Independent, from Beaver Creek, Green County, Ohio, as a Member of the Ohio Geology Advisory Council for a new term beginning September 20, 2007 and ending at the close of business May 3, 2010.

Antoinette Starkey, Independent, from Strongsville, Cuyahoga County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 23, 2009.

Mark Thomas, from St. Clairsville, Belmont County, Ohio, as a Member of the Solid Waste Management Advisory Council for a term beginning July 25, 2007 and ending at the close of business June 23, 2009, replacing Sean Logan, whose term expired.

Yolanda Walker, Democrat, from Akron, Summit County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 23, 2009.

Theresa M. Willis, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Recycling and Litter Prevention Advisory Council for a term

beginning August 20, 2007 and ending at the close of business November 18, 2009, replacing Larry M. Mitchell, whose term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 9: BILL HARRIS, JEFF JACOBSON, TOM NIEHAUS, ROBERT F. SPADA, STEPHEN C. AUSTRIA, JOHN A. CAREY, J. KIRK SCHURING, CAPRI S. CAFARO, RAY MILLER.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

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

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Cates	Coughlin
Faber	Fedor	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Spada
Stivers	Wagoner	Wilson	Harris-32.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 125-Representative Huffman.

Cosponsors: Representatives DeGeeter, Seitz, McGregor, J., Schneider, Latta, Adams, Gibbs, Setzer, Oelslager, Uecker, McGregor, R., Stewart, J., Stebelton, Fessler, Barrett, Wagoner, Celeste, Reinhard, Widener, Blessing, Book, Carmichael, Lundy, Hughes, Core, Dodd, Batchelder, Boyd, Budish, Chandler, Collier, Distel, Driehaus, Dyer, Evans, Flowers, Goyal, Hagan, J., Healy, Koziura, Letson, Luckie, Otterman, Patton, Yuko. Senators Goodman, Seitz.

To amend sections 1751.13, 1753.01, 1753.07, 1753.09, 2317.54, 3701.741, 3702.51, and 5111.17, to enact sections 3721.042, 3963.01 to 3963.11, and to repeal sections 1753.03, 1753.04, 1753.05, and 1753.08 of the Revised Code to establish certain uniform contract provisions between health care providers and contracting entities, to establish standardized credentialing, to require the Department of Job and Family Services to allow managed care plans to use

providers to render care, to modify the fees for electronic copies of certain medical records and allow an authorized person to obtain one copy of a patient's medical record without charge, to exempt a nursing home that is a converted county or district home from administrative rules regarding the toilet rooms and dining and recreation areas of nursing homes if certain other requirements are met, to create a Joint Legislative Study Commission on Most Favored Nation Clauses in Health Care Contracts, and to create an Advisory Committee on Eligibility and Real Time Claim Adjudication, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 125**, pass?"

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

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Cates	Coughlin
Faber	Fedor	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Spada
Stivers	Wagoner	Wilson	Harris-32.

So the bill passed.

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

Senator Goodman moved to amend the title as follows:

Add the names: "Bocchieri, Cafaro, Carey, Coughlin, Faber, Harris, Kearney, Miller, D., Miller, R., Morano, Mumper, Niehaus, Roberts, Spada, Fedor."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 247-Senator Spada.

Cosponsors: Senators Grendell, Seitz, Padgett, Schuring, Buehrer, Mumper, Cates, Roberts, Cafaro, Kearney, Morano.

To amend sections 109.572, 926.29, 1733.13, 1733.15, 1733.19, 1733.29, 1733.329, and 1733.34 and to enact sections 1121.23, 1155.03, 1163.05, 1315.141, 1733.241, 1733.242, 1733.243, 1733.291, 1733.292, 1733.47, and 1761.26 of the Revised Code to make changes in the Credit Union Regulation Law and to require criminal background checks whenever the approval of the Superintendent of Financial Institutions is required for a person to serve as a director, officer, or controlling person of a bank, savings and loan association,

savings bank, money transmitter, credit union, or credit union share guaranty corporation, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 247**, pass?"

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

Those who voted in the affirmative were: Senators

Amstutz	Austria	Boccieri	Buehrer
Cafaro	Carey	Cates	Coughlin
Faber	Fedor	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Spada
Stivers	Wagoner	Wilson	Harris-32.

So the bill passed.

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

Senator Spada moved to amend the title as follows:

Add the names: "Boccieri, Carey, Fedor, Harris, Niehaus, Schaffer, Wagoner, Miller, R., Stivers, Miller, D.."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 273-Senator Niehaus.

Cosponsors: Senators Mumper, Buehrer, Amstutz, Padgett, Faber.

To amend section 3318.032 and to enact section 3318.033 of the Revised Code to calculate an alternate equity list for fiscal year 2008 for purposes of determining school districts' eligibility for assistance under the Classroom Facilities Assistance Program and their local shares in fiscal year 2009, to calculate an alternative equity list for fiscal year 2009 funding under the Classroom Facilities Assistance Program and the Exceptional Needs School Facilities Assistance Program for certain school districts with large one-year reductions in valuation, to recalculate the local share of a current classroom facilities project for certain school districts that had a net gain in interdistrict open enrollment students when they became eligible for state facilities assistance, to specify the local share of new projects for certain school districts that previously received assistance, and to increase the percentage of classroom facilities appropriations that may be used for joint vocational school districts in fiscal year 2008, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 273**, pass?"

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

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Cates	Coughlin
Faber	Fedor	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Spada
Stivers	Wagoner	Wilson	Harris-32.

So the bill passed.

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

Senator Niehaus moved to amend the title as follows:

Add the names: "Fedor, Harris, Roberts, Schaffer, Schuler, Seitz, Spada, Wilson, Grendell, Cafaro, Miller, R.."

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

The motion was agreed to and the title so amended.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 304-Senator Cates.

Cosponsors: Senators Schuring, Mason, Wagoner, Seitz, Faber, Buehrer.

To amend section 2151.3516 of the Revised Code to increase the time after birth that a parent may voluntarily deliver the child to a safe haven without the parent expressing an intent to return for the child.

S. B. No. 305-Senator Miller, D.

Cosponsors: Senators Smith, Cafaro, Morano, Miller, R., Roberts, Kearney, Sawyer, Fedor, Goodman, Bocchieri.

To amend sections 9.03, 124.93, 125.111, 153.59, 153.591, 176.04, 176.06, 340.12, 511.03, 717.01, 1501.012, 1751.18, 2915.08, 2927.03, 3113.36, 3301.53, 3304.14, 3304.50, 3313.481, 3314.06, 3332.09, 3721.13, 3905.55, 4111.17, 4112.01, 4112.02, 4112.021, 4112.04, 4112.05, 4112.08, 4117.19, 4735.16, 4735.55, 4757.07, 4758.16, 4765.18, 5104.09, 5107.26, 5111.31, 5119.61, 5123.351, 5126.07, 5515.08, and 5709.832 of the Revised Code to prohibit discrimination on the basis of sexual orientation.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 4501.025 of the Ohio Revised Code, the President of the Senate reappoints Senator Schuring to serve on the Citizens Advisory Committee within the Bureau of Motor Vehicles (term ending February 2011).

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. 87 -Senator Carey

Cosponsors: Senators Miller, D., Mumper, Padgett, Clancy, Boccieri, Schaffer, Schuler, Mason, Cafaro, Austria, Fedor, Gardner, Goodman, Grendell, Harris, Niehaus, Roberts, Sawyer, Spada, Stivers Representatives Daniels, Hite, Stewart, D., Brown, Carmichael, Collier, Domenick, Flowers, Lundy, Schneider, Sykes, Bacon, Batchelder, Blessing, Bolon, Boyd, Brady, Chandler, DeGeeter, Dyer, Evans, Fende, Gerberry, Gibbs, Goyal, Hagan, R., Harwood, Hughes, Letson, Luckie, Mallory, McGregor, J., Mecklenborg, Patton, Peterson, Schindel, Schlichter, Setzer, Szollosi, Yuko

To amend sections 2901.30 and 2901.42 and to enact section 5502.522 of the Revised Code to create the statewide emergency alert program to aid in the identification and location of missing individuals who have a mental impairment or are sixty-five years of age or older and to establish activation criteria for the implementation of the program and to make changes in the Missing Persons Law relating to missing persons between the ages of 18 and 21 and missing children under age 18.

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. 209 -Senator Carey

Cosponsors: Senators Cates, Kearney, Gardner, Faber, Miller, D., Roberts,

Goodman, Harris, Padgett, Stivers Representatives Hottinger, Skindell, Bacon, Bolon, Boyd, Brown, Budish, Chandler, Driehaus, Flowers, Garrison, Hite, Jones, Patton, Schlichter, Sears, Stewart, D., Strahorn, Beatty, Collier, Distel, Dodd, Dyer, Evans, Fende, Fessler, Gibbs, Goyal, Hagan, J., Hagan, R., Harwood, Hughes, Koziura, Letson, McGregor, J., Okey, Otterman, J., Schindel, Setzer, Stebelton, Stewart, J., Szollosi, Uecker, Wachtmann, Yates, Yuko, Zehringer

To amend sections 1531.01, 1533.01, 2923.16, 4511.19, 4519.02, and 4519.09 and to enact sections 120.08 and 1533.103 of the Revised Code to direct that a specified amount of OVI fines be credited to the State Public Defender for county indigent criminal defense reimbursement, to establish registration reciprocity for all-purpose and other special vehicles, to require the Chief of the Division of Wildlife in the Department of Natural Resources to issue electric-powered all-purpose vehicle permits to allow mobility impaired persons to hunt in public wildlife areas using electric-powered all-purpose vehicles, and to make an appropriation.

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

H. B. No. 496 -Representative Hottinger

Cosponsors: Representatives Peterson, Skindell, Boyd, Brown, Budish, Chandler, DeWine, Flowers, Jones, McGregor, R., Schlichter, Sears, Bacon, Bolon, Celeste, Combs, Domenick, Dyer, Evans, Foley, Garrison, Harwood, Hughes, Luckie, McGregor, J., Miller, Stewart, D., Williams, B., Yates, Yuko

To make capital reappropriations for the biennium ending June 30, 2010, and certain capital appropriations.

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 bills in which the concurrence of the Senate is requested:

H. B. No. 150 -Representative McGregor, J.

Cosponsors: Representatives Adams, Peterson, Luckie, Skindell, Collier, Yuko, Budish, Chandler, Coley, Combs, DeGeeter, Domenick, Dyer, Evans, Flowers, Gardner, Gibbs, Sayre, Schindel, Setzer, Williams, B.

To enact sections 4173.01, 4173.02, and 4173.03 of the Revised Code as a "good Samaritan law" to encourage retail establishments to allow customers with eligible medical conditions to use the retail establishment's restrooms that are not usually available to the public and to limit the liability of an establishment that allows such access.

H. B. No. 285 -Representative McGregor, R.

Cosponsors: Representatives Widener, Wagner, McGregor, J., Fessler, Combs, Setzer, Flowers, Oelslager, Zehringer, Adams, Webster, Wachtmann, Huffman, Evans, Collier, Reinhard, Uecker, Daniels, Gibbs, Wagoner, Batchelder, Brinkman, Hite, Stewart, D., Book, Brown, Carmichael, Domenick, Lundy, Schneider, Aslanides, Bacon, Blessing, Bolon, Boyd, Budish, Celeste, Chandler, Coley, DeBose, Dodd, Dolan, Dyer, Gardner, Garrison, Goodwin, Goyal, Hagan, J., Harwood, Hottinger, Hughes, Jones, Luckie, Mecklenborg, Okey, Patton, Raussen, Schindel, Schlichter, Sears, Stebelton, Stewart, J., White, Williams, S., Yates, Yuko

To enact section 119.14 of the Revised Code to waive fines or penalties for paperwork violations that are first-time offenses committed by small businesses.

Sub. H. B. No. 374 -Representative Coley

Cosponsors: Representatives McGregor, J., Wagoner, Huffman, Combs, Stebelton, Hughes, Bacon, Barrett, Beatty, Blessing, Boyd, Budish, Celeste, DeBose, Dolan, Domenick, Driehaus, Dyer, Evans, Flowers, Gardner, Gibbs, Goyal, Harwood, Jones, Letson, Luckie, McGregor, R., Mecklenborg, Raussen, Sayre, Schindel, Schneider, Sears, Setzer, Szollosi, Webster, White, Williams, S., Wolpert, Zehringer

To amend sections 1701.04, 1701.24, 1701.55, 1701.58, 1701.591, 1701.69, 1701.70, and 1701.76 of the Revised Code to allow the original articles of

incorporation to eliminate cumulative voting in the election of directors, to remove restrictions for certain corporations regarding the elimination of cumulative voting, to exclude from the existing procedures for the sale of all or substantially all of the assets of a corporation the sale of those assets to the corporation's wholly owned subsidiaries, to permit the articles or certain regulations of a corporation to provide for uncertificated shares, and to authorize the directors to amend the articles with respect to series of shares.

Am. H. B. No. 381 -Representative Webster

Cosponsors: Representatives Hottinger, Bacon, Bolon, Boyd, Budish, Chandler, Coley, Flowers, Hite, Jones, Mecklenborg, Patton, Sears, Strahorn, Batchelder, Beatty, Brady, Celeste, Combs, DeBose, DeGeeter, Distel, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Gibbs, Goyal, Hagan, R., Harwood, Heard, Hughes, Letson, Luckie, Lundy, McGregor, J., McGregor, R., Okey, Schindel, Schneider, Setzer, Stewart, D., Sykes, Szollosi, Williams, B., Williams, S., Wolpert, Yates, Yuko

To amend Sections 263.10, 263.20.90, and 375.10 of Am. Sub. H.B. 119 of the 127th General Assembly, to amend Section 235.10.40 of Am. Sub. H.B. 699 of the 126th General Assembly, and to repeal Section 375.20.80 of Am. Sub. H.B. 119 of the 127th General Assembly to increase the funds available for the Ohio Research Scholars Program and to permit a nonpublic four-year Ohio university to submit a proposal for the Ohio Research Scholars Program if the proposal is to be implemented in collaboration with a state college or university.

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. 160 -Representative Bulp - 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 refused to concur in the Senate amendments to:

Sub. H. B. No. 181 -Representative Setzer - et al.

Attest:

Laura P. Clemens,
Clerk.

Senator Grendell moved that the Senate insist on the Senate amendments to **Sub. H. B. No. 181**, and ask for a Committee of Conference.

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

The motion was agreed to.

On the motion of Senator Jacobson, the Senate adjourned until Wednesday, March 12, 2008 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.