

OHIO

SENATE

JOURNAL

TUESDAY, APRIL 1, 2008

ONE HUNDRED FIFTY-FIFTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, April 1, 2008, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, Grace Baptist Church, Cedarville, 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:

Sub. H. B. No. 346-Representative Hughes.

Cosponsors: Representatives Hagan, R., DeGeeter, Yuko, Strahorn, Flowers, Peterson, Setzer, Oelslager, Williams, S., Fende, Skindell, Bacon, Batchelder, Beatty, Boyd, Brown, Celeste, Chandler, Combs, DeBose, Distel, Driehaus, Dyer, Evans, Gerberry, Goyal, Harwood, Heard, Jones, Letson, Luckie, McGregor, J., Okey, Patton, Sayre, Schneider, Slesnick, Szollosi, White, Williams, B., Yates.

To enact sections 3727.50 to 3727.57 of the Revised Code regarding hospital staffing guidelines for registered nurses and licensed practical nurses.

To the Committee on Health, Human Services and Aging.

H. B. No. 385-Representative Hottinger.

Cosponsors: Representatives Evans, Wagoner, Flowers, Stebelton, Chandler, Mallory, McGregor, J., Yuko, Bacon, Barrett, Batchelder, Budish, Combs, Domenick, Dyer, Fende, Goyal, Hagan, J., Harwood, Hughes, Luckie, Lundy, Mecklenborg, Otterman, J., Patton, Peterson, Schindel, Stewart, D., Zehringer.

To amend section 5705.19 of the Revised Code to permit land acquired by a board of township trustees for the purpose of protecting or preserving "greenspace" to be used for recreational purposes.

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

S. B. No. 308-Senator Spada.

Cosponsors: Senators Schaffer, Schuring, Fedor, Miller, D.

To enact section 1349.181 of the Revised Code to require certain creditors and utility service providers to recognize the postmark date of a payment as the date received with respect to the applicability of late charges and to prohibit certain late payment penalties.

To the Committee on Finance and Financial Institutions.

S. B. No. 309-Senator Seitz.

Cosponsors: Senators Faber, Buehrer.

To enact section 1.472 of the Revised Code to require that statutes enacted that create a private right of action contain express language providing for that right.

To the Committee on Judiciary - Civil Justice.

S. B. No. 310-Senator Cates.

Cosponsors: Senators Schuring, Cafaro, Kearney.

To amend sections 2961.01 and 2961.02 of the Revised Code to make existing laws prohibiting a person who has been convicted of a felony from holding public office and denying such person other specified privileges applicable upon the determination of the person's guilt.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 311-Senator Cates.

Cosponsors: Senators Fedor, Miller, D.

To amend sections 1713.55, 3332.25, 3345.85, and 3701.133 of the Revised Code to require that students living in on-campus housing at institutions of higher education be vaccinated for meningococcal meningitis and hepatitis B or obtain a waiver.

To the Committee on Health, Human Services and Aging.

YES - 5: JEFF JACOBSON, J. KIRK SCHURING, SHIRLEY A. SMITH, RAY MILLER, BILL HARRIS.

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 Cates submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 268**-Senator Seitz, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Cates, Fedor, Roberts.

YES - 8: GARY W. CATES, TIMOTHY J. GRENDALL, BILL SEITZ, JOHN A. CAREY, ROBERT L. SCHULER, MARK D. WAGONER, TERESA FEDOR, TOM ROBERTS.

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. 289-Representative Core.

Cosponsors: Representatives Distel, Hite, Gibbs, Sayre, Zehringer, Reinhard, Batchelder, Chandler, Collier, Combs, Daniels, Domenick, Dyer, Evans, Flowers, Goodwin, Huffman, Hughes, Luckie, Mallory, McGregor, J., Otterman, Patton, Schneider, Setzer, Webster. Senators Mumper, Padgett, Carey.

To amend sections 931.02, 931.03, 931.04, 931.99, 5709.28, and 5713.08 of the Revised Code to make changes to the law governing agricultural security areas, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 289**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 1, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Buehrer	Cafaro
Carey	Cates	Coughlin	Faber
Fedor	Goodman	Grendell	Jacobson
Mason	Miller D	Miller R	Morano

Mumper	Niehaus	Padgett	Roberts
Sawyer	Schaffer	Schuler	Schuring
Seitz	Smith	Spada	Stivers
Wagoner	Wilson		Harris-31.

Senator Kearney voted in the negative-1.

So the bill passed.

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

Senator Mumper moved to amend the title as follows:

Add the names: "Buehrer, Faber, Fedor, Niehaus, Seitz, Harris."

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

The motion was agreed to and the title so amended.

S. B. No. 271-Senator Mumper.

To amend sections 1547.14, 1547.24, 1547.99, and 1548.032 and to enact sections 1547.072 and 1547.132 of the Revised Code to make changes to the laws governing watercraft, was considered the third time.

The question being, "Shall the bill, **S. B. No. 271**, 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	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	Smith	Spada
Stivers	Wagoner	Wilson	Harris-32.

So the bill passed.

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

Senator Mumper moved to amend the title as follows:

Add the names: "Fedor, Harris, Kearney, Morano, Spada, Wagoner, Wilson, Miller, D.."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Austria moved that Senators absent the week of Sunday, March 30, 2008, 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.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 4121.70 (A) (4) of the Ohio Revised Code, the President of the Senate appoints the following public member to serve on the Labor-Management Government Advisory Council:

Gary Lucas
Hilliard, Ohio 43206

(representing employees – term beginning immediately and ending October 6, 2010, replacing Lusta Anderson, who resigned)

On the motion of Senator Jacobson, the Senate adjourned until Thursday, April 3, 2008 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.