

OHIO

SENATE

JOURNAL

WEDNESDAY, APRIL 9, 2008

ONE HUNDRED FIFTY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, April 9, 2008, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Steven Smith, Linworth Baptist Church, Worthington, 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:

S. B. No. 314-Senator Carey.

Cosponsors: Senators Mason, Spada, Harris, Roberts, Miller, D., Wilson, Fedor, Sawyer, Smith.

To amend section 135.63 and to enact sections 135.101, 135.102, 135.103, 135.104, 135.105, and 135.106 of the Revised Code to authorize the Treasurer of State to administer a linked deposit program designed to encourage personal savings and promote personal financial education.

To the Committee on Finance and Financial Institutions.

S. B. No. 315-Senator Roberts.

Cosponsors: Senators Seitz, Spada, Fedor, Smith, Miller, R.

To amend sections 2151.354 and 2152.19 of the Revised Code to provide that if a juvenile court suspends a child's probationary driver's license or temporary instruction permit, the suspension remains in effect for the period of time prescribed by the court but cannot last beyond the child's twenty-first birthday.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 316-Senator Padgett.

Cosponsors: Senators Cafaro, Fedor, Smith, Morano.

To amend section 1333.99 and to enact section 1333.71 of the Revised Code to regulate sales of United States and state of Ohio flags.

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

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

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 Goodman submitted the following report:

The standing committee on Judiciary - Civil Justice, to which was referred **Sub. H. B. No. 332**-Representative Wagoner, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Seitz, Faber, Goodman.

YES - 9: DAVID GOODMAN, STEVE STIVERS, BILL SEITZ, STEPHEN BUEHRER, KEITH L. FABER, ERIC H. KEARNEY, TERESA FEDOR, LANCE T. MASON, J. KIRK SCHURING.

NO - 0.

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

The report of the committee was accepted.

Senator Schuler submitted the following report:

The standing committee on Energy and Public Utilities, to which was referred **Am. H. B. No. 295**-Representative Wagoner, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 6: ROBERT L. SCHULER, JOHN A. BOCCIERI, TOM NIEHAUS, KEVIN J. COUGHLIN, ROBERT F. SPADA, JEFF JACOBSON.

NO - 0.

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

The report of the committee was accepted.

Senator Schuring submitted the following report:

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

K. Michael Benz, Independent, from Concord, Lake County, Ohio, as a Member of the Cuyahoga Community College Board of Trustees for a new term beginning January 4, 2008 and ending at the close of business October 12, 2012.

Edna Mae Branstool, Democrat, from Utica, Licking County, Ohio, as a Member of the Central Ohio Technical College Board of Trustees for a term beginning January 4, 2008 and ending at the close of business September 30, 2010, replacing Robert B. Robinson, whose term expired.

William J. Brennan, Independent, from Whitehouse, Lucas County, Ohio, as a Member of the Transportation Review Advisory Council for a term beginning October 18, 2007 and ending at the close of business June 30, 2012, replacing John H. Crandall, whose term expired.

Jerome R. Brockway Ph.D, Democrat, from Jefferson, Ashtabula County, Ohio, as a Member of the State Board of Career Colleges and Schools for a term beginning January 10, 2008 and ending at the close of business November 20, 2009, replacing Linda A. Hanaway who resigned.

Robert C. Brown, Democrat, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Transportation Review Advisory Council for a term beginning October 18, 2007 and ending at the close of business June 30, 2012, replacing Jerry N. Hruby, whose term expired.

Ryan K. Callender, Democrat, from Concord, Lake County, Ohio, as a Member of the Lakeland Community College Board of Trustees for a term beginning January 8, 2008 and ending at the close of business October 12, 2012, replacing A. James Totin, whose term expired.

Richard D. Finn, III, from Lockbourne, Franklin County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Committee for a new term beginning October 18, 2007 and ending at the close of business July 2, 2011.

Margaret A. Houston, from Dayton, Montgomery County, Ohio, as a Member of the Accountancy Board for a term beginning January 8, 2008 and ending at the close of business October 24, 2014, replacing Mary J. Reimer, whose term expired.

Madeline Torres-Hutlock, from Lorain, Lorain County, Ohio, as a Member of the Lorain County Community College Board of Trustees for a term beginning October 30, 2007 and ending at the close of business August 30, 2012, replacing Jane Norton, whose term expired.

Patricia P. Isaacson, from Worthington, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a new term beginning February 1, 2008 and ending at the close of business January 31, 2014.

Lee S. Kolczun, from Sheffield Lake, Lorain County, Ohio, as a Member of the Lorain County Community College Board of Trustees for a term beginning October 30, 2007 and ending at the close of business August 30, 2012, replacing Jeffrey Riddell, whose term expired.

Ernest A. Lallo, Democrat, from Concord Township, Lake County, Ohio, as a Member of the Lakeland Community College Board of Trustees for a term beginning January 8, 2008 and ending at the close of business October 12, 2012, replacing Robert H. Fountain, whose term expired.

Mary K. Lazarus, from Columbus, Franklin County, Ohio, as a Member of the Ohio Arts Council for a term beginning October 17, 2007 and ending at the close of business July 1, 2010, replacing Susan R. Sofia, who resigned.

Algenon L. Marbley, from Columbus, Franklin County, Ohio, as a Member of The Ohio State University Board of Trustees for a term beginning May 28, 2007, and ending at the close of business May 13, 2016, replacing the Hon. Robert M. Duncan, whose term expired.

Debra Plousha Moore, from Bexley, Franklin County, Ohio, as a Member of the Columbus State Community College Board of Trustees for a term beginning December 20, 2007 and ending at the close of business August 31, 2013, replacing Jeffrey L. Scheiman, whose term expired.

Bruce D. Murphy, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the Cuyahoga Community College Board of Trustees for a term beginning October 23, 2007 and ending at the close of business October 12, 2012, replacing Patricia Kennedy-Scott, whose term expired.

Richard H. Owens, Democrat, from Powell, Delaware County, Ohio, as a Member of the Columbus State Community College Board of Trustees for a term beginning December 20, 2007 and ending at the close of business August 31, 2013, replacing Paula A. Innis, whose term expired.

John W. Paradore, Democrat, from Elida, Allen County, Ohio, as a Member of the James A. Rhodes State College Board of Trustees for a term beginning October 17, 2007 and ending at the close of business August 31, 2011, replacing William C. Timmermeister, whose term expired.

Ronald Ratner, Democrat, Shaker Heights, Cuyahoga County, Ohio, as a Member of The Ohio State University Board of Trustees for a term beginning January 4, 2008 and ending at the close of business May 13, 2015 replacing Thekla Shackelford, who resigned.

Robert E. Richardson, Jr., Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the University of Cincinnati Board of Trustees for a term beginning January 10, 2008 and ending at the close of business January 1, 2017, replacing Phillip R. Cox, whose term expired.

Gary Soukenik, Democrat, from Warren, Trumbull County, Ohio, as a Member of the Credit Union Council for a term beginning January 9, 2008 and ending at the close of business September 22, 2010, replacing Patrick McGrady, whose term expired.

Matthew L. Studer, from Haskins, Wood County, Ohio, as a Member of the Credit Union Council for a term beginning September 22, 2007 and ending at the close of business September 22, 2010, replacing Deanna K. Meyer, whose term expired.

Cynthia B. Thompson, Independent, from Holland, Lucas County, Ohio, as a Member of the Ohio Cultural Facilities Commission for a term beginning May 23, 2007, and ending at the close of business December 31, 2009, replacing Paul Sieben, whose term expired.

Poe A. Timmons, from Westerville, Franklin County, Ohio, as a Member of the Columbus State Community College Board of Trustees for a term beginning December 20, 2007 and ending at the close of business August 31, 2013, replacing Susan C. Finn, whose term expired.

Linda Williams, Democrat, from Concord, Lake County, Ohio, as a Member of the Lakeland Community College Board of Trustees for a term beginning January 8, 2008 and ending at the close of business October 12, 2012, replacing Theresa Gerred-Ditchcreek, whose term expired.

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

YES - 11: BILL HARRIS, JEFF JACOBSON, SHIRLEY A. SMITH, TOM NIEHAUS, ROBERT F. SPADA, STEPHEN C. AUSTRIA, JOHN A. CAREY, CAPRI S. CAFARO, J. KIRK SCHURING, LANCE T. MASON, 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 33, 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	Smith
Spada	Stivers	Wagoner	Wilson
			Harris-33.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 147-Senator Faber.

Cosponsors: Senators Schuring, Grendell, Wagoner, Morano, Seitz.

To amend section 5120.55 of the Revised Code to permit the Department of Rehabilitation and Correction to recruit nurses and dentists through a loan repayment program, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 147**, pass?"

The yeas and nays were taken and resulted - yeas 33, 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 | Smith |
| Spada | Stivers | Wagoner | Wilson |
| | | | Harris-33. |

So the bill passed.

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

Senator Faber moved to amend the title as follows:

Add the names: "Mumper, Buehrer, Coughlin, Harris, Miller, D., Padgett, Schaffer, Spada, Stivers, Cafaro, Amstutz, Sawyer, Jacobson, Fedor, Smith, Mason, Cates, Wilson."

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, April 6, 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.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 198-Senator Smith.

Cosponsors: Senators Grendell, Mason, Miller, D., Spada.

Honoring the Cleveland State University women's basketball team as the 2008 Horizon League Champion.

The question being, "Shall the resolution listed under the President's prerogative 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 passed the following bill in which the concurrence of the Senate is requested:

Sub. H. B. No. 327 -Representative McGregor, J.

Cosponsors: Representatives Skindell, Webster, Daniels, Flowers, Bolon, Boyd, Chandler, DeBose, Domenick, Driehaus, Harwood, Letson, Newcomb, Stewart, D.

To amend sections 133.01, 3701.15, 3707.01, 3709.01, 3709.05, 3709.081, 3709.11, 3709.14, 3709.15, 3709.28, 3709.29, 3709.34, and 5705.01; to enact new section 3709.08 and sections 319.282, 3701.36, and 3709.092; and to repeal section 3709.08 of the Revised Code with regard to boards of health of city and general health districts.

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

Sub. S. B. No. 241 -Senator Cates - et al.

Attest:

Laura P. Clemens,

Clerk.

The President signed said bill.

On the motion of Senator Jacobson, the Senate adjourned until Thursday, April 10, 2008 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.