

OHIO

SENATE

JOURNAL

WEDNESDAY, APRIL 23, 2008

ONE HUNDRED SIXTY-FOURTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, April 23, 2008, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Father Paul Noble, St. Matthew the Apostle Church, Gahanna, 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. 321-Senator Stivers.

To amend sections 109.572 and 2151.86 and to enact section 2151.862 of the Revised Code to require a criminal records check conducted by the bureau of criminal identification and investigation to be completed for each employee of a residential camp and to require a social security number criminal records check to be completed for each volunteer of a residential camp.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 322-Senator Wilson.

To waive the requirement for certain school districts to make up days schools are closed due to flooding and to declare an emergency.

To the Committee on Education.

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 Cates submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **Am. H. B. No. 55**-Representative McGregor, J., et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Cates, Seitz, Wagoner, Fedor, Roberts.

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

NO - 0.

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

The report of the committee was accepted.

Senator Padgett submitted the following report:

The standing committee on Education, to which was referred **S. B. No. 270**-Senators Cates, Padgett, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Mumper, Niehaus, Roberts, Morano, Sawyer, Carey.

YES - 9: JEFF JACOBSON, TOM NIEHAUS, TOM ROBERTS, SUSAN L. MORANO, THOMAS SAWYER, JOY PADGETT, GARY W. CATES, JOHN A. CAREY, LARRY A. MUMPER.

NO - 0.

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

The report of the committee was not accepted.

Senator Schuring submitted the following report:

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

Jaladah Aslam, Democrat, from Youngstown, Mahoning County, Ohio, as a Member of the State Lottery Commission for a term beginning October 23, 2007 and ending at the close of business August 1, 2010, replacing Charles A. Nemer, whose term expired.

John J. Lynch, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning August 8, 2007 and ending at the close of business January 31, 2009, replacing Joseph M. Gerdenich, who resigned.

Sandra T. McNeil, Republican, from Greenfield, Highland County, Ohio, as a Member of the Savings and Loan Associations Savings Banks Board for a term beginning February 26, 2008 and ending at the close of business January 31, 2011, replacing Thomas J. Linneman, whose term expired.

Susan Saxbe, from Columbus, Franklin County, Ohio, as a Member of the Ohio Arts Council for a term beginning July 26, 2007, and ending at the close of business July 1, 2012, replacing Geraldine B. Warner, whose term expired.

Robert M. Smith, Republican, from Portsmouth, Scioto County, Ohio, as a Member of the Savings and Loan Associations Savings Banks Board for a term beginning March 6, 2008 and ending at the close of business January 31, 2009, replacing Betty L. Kimbrew, who resigned.

Dan Stevens, Democrat, from Bethel, Brown County, Ohio, as a Member of the Savings and Loan Associations Savings Banks Board for a term beginning February 26, 2008 and ending at the close of business January 31, 2011, replacing Jerry T. Caldwell, 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, ROBERT F. SPADA, STEPHEN C. AUSTRIA, JOHN A. CAREY, J. KIRK SCHURING, CAPRI S. CAFARO, LANCE T. MASON, SHIRLEY A. SMITH, RAY MILLER, TOM NIEHAUS.

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	Boccieri	Buehrer
Cafaro	Carey	Cates	Coughlin
Faber	Fedor	Grendell	Jacobson
Kearney	Mason	Miller D	Miller R
Morano	Mumper	Niehaus	Padgett
Roberts	Sawyer	Schaffer	Schuler

Schuring
StiversSeitz
WagonerSmith
WilsonSpada
Harris-32.

So the Senate advised and consented to said appointments.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 221-Senator Schuler.

Cosponsors: Senators Jacobson, Harris, Fedor, Boccieri, Miller, R., Morano, Mumper, Niehaus, Padgett, Roberts, Wilson, Spada. Representatives Hagan, J., Blessing, Jones, Uecker, Budish, Chandler, Domenick, Evans, Flowers, McGregor, J., Yuko.

To amend sections 4905.31, 4928.01, 4928.02, 4928.05, 4928.09, 4928.14, 4928.17, 4928.20, 4928.31, 4928.34, 4928.35, 4928.61, 4928.67, 4929.01, and 4929.02; to enact sections 9.835, 3318.112, 4928.141, 4928.142, 4928.143, 4928.144, 4928.145, 4928.146, 4928.151, 4928.24, 4928.621, 4928.64, 4928.65, 4928.66, 4928.68, 4928.69, and 4929.051; and to repeal sections 4928.41, 4928.42, 4928.431, and 4928.44 of the Revised Code to revise state energy policy to address electric service price regulation, establish alternative energy benchmarks for electric distribution utilities and electric services companies, provide for the use of renewable energy credits, establish energy efficiency standards for electric distribution utilities, require greenhouse gas emission reporting and carbon dioxide control planning for utility-owned generating facilities, authorize energy price risk management contracts, and authorize for natural gas utilities revenue decoupling related to energy conservation and efficiency, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Am. Sub. S. B. No. 221**?"

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	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 Senate concurred in the amendments of the House of Representatives.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 293-Representative Goodwin.

Cosponsors: Representatives McGregor, J., Wachtmann, Yuko, Evans, Reinhard, Latta, Huffman, Peterson, Chandler, Dodd, Seitz, Stebelton, Fende, Sayre, Hughes, Aslanides, Combs, Domenick, Otterman, Bacon, Barrett, Batchelder, Beatty, Bolon, Celeste, Daniels, Dolan, Dyer, Flowers, Gardner, Gibbs, Goyal, Hagan, J., Harwood, Heard, Hite, Hottinger, Letson, Oelslager, Okey, Patton, Schindel, Schlichter, Setzer, Strahorn, Uecker, Wagner, Webster, Widener, Yates, Zehringer. Senators Mumper, Padgett, Faber, Grendell, Schuring, Roberts.

To amend sections 901.04, 4503.77, and 4503.78 and to enact sections 901.90, 4503.503, and 4503.504 of the Revised Code to establish a threshold of 500 annual special license plate registrations for all special license plates, to create "Ohio Agriculture" license plates and to create the Ohio Agriculture License Plate Scholarship Program, and to create "Ohio Sustainable Agriculture" license plates, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 293**, pass?"

Senator Schuler moved to amend as follows:

In line 10, after the first comma insert "4501.21,"

In line 11, delete the second "and"; after "4503.504" insert ", and 4503.553"

Between lines 87 and 88, insert:

"Sec. 4501.21. (A) There is hereby created in the state treasury the license plate contribution fund. The fund shall consist of all contributions paid by motor vehicle registrants and collected by the registrar of motor vehicles pursuant to sections 4503.491, 4503.493, 4503.50, 4503.501, 4503.502, 4503.51, 4503.522, 4503.545, 4503.55, 4503.551, 4503.552, 4503.553, 4503.561, 4503.562, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 4503.711, 4503.72, 4503.73, 4503.74, 4503.75, and 4503.85 of the Revised Code.

(B) The registrar shall pay the contributions the registrar collects in the fund as follows:

(1) The registrar shall pay the contributions received pursuant to section 4503.491 of the Revised Code to the breast cancer fund of Ohio, which shall use that money only to pay for programs that provide assistance and education to Ohio breast cancer patients and that improve access for such patients to quality health care and clinical trials and shall not use any of the money for abortion

information, counseling, services, or other abortion-related activities.

(2) The registrar shall pay the contributions received pursuant to section 4503.493 of the Revised Code to the autism society of Ohio, which shall use the contributions for programs and autism awareness efforts throughout the state.

(3) The registrar shall pay the contributions the registrar receives pursuant to section 4503.50 of the Revised Code to the future farmers of America foundation, which shall deposit the contributions into its general account to be used for educational and scholarship purposes of the future farmers of America foundation.

(4) The registrar shall pay the contributions the registrar receives pursuant to section 4503.501 of the Revised Code to the 4-H youth development program of the Ohio state university extension program, which shall use those contributions to pay the expenses it incurs in conducting its educational activities.

(5) The registrar shall pay the contributions received pursuant to section 4503.502 of the Revised Code to the Ohio cattlemen's foundation, which shall use those contributions for scholarships and other educational activities.

(6) The registrar shall pay each contribution the registrar receives pursuant to section 4503.51 of the Revised Code to the university or college whose name or marking or design appears on collegiate license plates that are issued to a person under that section. A university or college that receives contributions from the fund shall deposit the contributions into its general scholarship fund.

(7) The registrar shall pay the contributions the registrar receives pursuant to section 4503.522 of the Revised Code to the "friends of Perry's victory and international peace memorial, incorporated," a nonprofit corporation organized under the laws of this state, to assist that organization in paying the expenses it incurs in sponsoring or holding charitable, educational, and cultural events at the monument.

(8) The registrar shall pay the contributions the registrar receives pursuant to section 4503.55 of the Revised Code to the pro football hall of fame, which shall deposit the contributions into a special bank account that it establishes and which shall be separate and distinct from any other account the pro football hall of fame maintains, to be used exclusively for the purpose of promoting the pro football hall of fame as a travel destination.

(9) The registrar shall pay the contributions that are paid to the registrar pursuant to section 4503.545 of the Revised Code to the national rifle association foundation, which shall use the money to pay the costs of the educational activities and programs the foundation holds or sponsors in this state.

(10) In accordance with section 955.202 of the Revised Code, the registrar shall pay to the pets program funding board created by that section the contributions the registrar receives pursuant to section 4503.551 of the Revised

Code and any other money from any other source, including donations, gifts, and grants, that is designated by the source to be paid to the pets program funding board. The board shall use the moneys it receives under this section only to support programs for the sterilization of dogs and cats and for educational programs concerning the proper veterinary care of those animals.

(11) The registrar shall pay the contributions the registrar receives pursuant to section 4503.552 of the Revised Code to the rock and roll hall of fame and museum, incorporated.

(12) The registrar shall pay the contributions the registrar receives pursuant to section 4503.553 of the Revised Code to the Ohio coalition for animals, incorporated, a nonprofit corporation. Except as provided in division (B)(12) of this section, the coalition shall distribute the money to its members, and the members shall use the money only to pay for educational, charitable, and other programs of each coalition member that provide care for unwanted, abused, and neglected horses. The Ohio coalition for animals may use a portion of the money to pay for reasonable marketing costs incurred in the design and promotion of the license plate and for administrative costs incurred in the disbursement and management of funds received under this section.

(13) The registrar shall pay the contributions the registrar receives pursuant to section 4503.561 of the Revised Code to the state of Ohio chapter of ducks unlimited, inc., which shall deposit the contributions into a special bank account that it establishes. The special bank account shall be separate and distinct from any other account the state of Ohio chapter of ducks unlimited, inc., maintains and shall be used exclusively for the purpose of protecting, enhancing, restoring, and managing wetlands and conserving wildlife habitat. The state of Ohio chapter of ducks unlimited, inc., annually shall notify the registrar in writing of the name, address, and account to which such payments are to be made ~~under division (B)(12) of this section.~~

~~(13)~~ (14) The registrar shall pay the contributions the registrar receives pursuant to section 4503.562 of the Revised Code to the Mahoning river consortium, which shall use the money to pay the expenses it incurs in restoring and maintaining the Mahoning river watershed.

~~(14)~~ (15)(a) The registrar shall pay to a sports commission created pursuant to section 4503.591 of the Revised Code each contribution the registrar receives under that section that an applicant pays to obtain license plates that bear the logo of a professional sports team located in the county of that sports commission and that is participating in the license plate program pursuant to division (E) of that section, irrespective of the county of residence of an applicant.

(b) The registrar shall pay to a community charity each contribution the registrar receives under section 4503.591 of the Revised Code that an applicant pays to obtain license plates that bear the logo of a professional sports team that is participating in the license plate program pursuant to division (G) of that

section.

~~(15)~~ (16) The registrar shall pay the contributions the registrar receives pursuant to section 4503.67 of the Revised Code to the Dan Beard council of the boy scouts of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the boy scouts.

~~(16)~~ (17) The registrar shall pay the contributions the registrar receives pursuant to section 4503.68 of the Revised Code to the great river council of the girl scouts of the United States of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the girl scouts.

~~(17)~~ (18) The registrar shall pay the contributions the registrar receives pursuant to section 4503.69 of the Revised Code to the Dan Beard council of the boy scouts of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the boy scouts.

~~(18)~~ (19) The registrar shall pay the contributions the registrar receives pursuant to section 4503.71 of the Revised Code to the fraternal order of police of Ohio, incorporated, which shall deposit the fees into its general account to be used for purposes of the fraternal order of police of Ohio, incorporated.

~~(19)~~ (20) The registrar shall pay the contributions the registrar receives pursuant to section 4503.711 of the Revised Code to the fraternal order of police of Ohio, incorporated, which shall deposit the contributions into an account that it creates to be used for the purpose of advancing and protecting the law enforcement profession, promoting improved law enforcement methods, and teaching respect for law and order.

~~(20)~~ (21) The registrar shall pay the contributions the registrar receives pursuant to section 4503.72 of the Revised Code to the organization known on March 31, 2003, as the Ohio CASA/GAL association, a private, nonprofit corporation organized under Chapter 1702. of the Revised Code. The Ohio CASA/GAL association shall use these contributions to pay the expenses it incurs in administering a program to secure the proper representation in the courts of this state of abused, neglected, and dependent children, and for the training and supervision of persons participating in that program.

~~(21)~~ (22) The registrar shall pay the contributions the registrar receives pursuant to section 4503.73 of the Revised Code to Wright B. Flyer, incorporated, which shall deposit the contributions into its general account to be used for purposes of Wright B. Flyer, incorporated.

~~(22)~~ (23) The registrar shall pay the contributions the registrar receives pursuant to section 4503.74 of the Revised Code to the Columbus zoological park association, which shall disburse the moneys to Ohio's major metropolitan zoos, as defined in section 4503.74 of the Revised Code, in accordance with a written agreement entered into by the major metropolitan zoos.

~~(23)~~ (24) The registrar shall pay the contributions the registrar receives

pursuant to section 4503.75 of the Revised Code to the rotary foundation, located on March 31, 2003, in Evanston, Illinois, to be placed in a fund known as the permanent fund and used to endow educational and humanitarian programs of the rotary foundation.

~~(24)~~ (25) The registrar shall pay the contributions the registrar receives pursuant to section 4503.85 of the Revised Code to the Ohio sea grant college program to be used for Lake Erie area research projects.

(C) All investment earnings of the license plate contribution fund shall be credited to the fund. Not later than the first day of May of every year, the registrar shall distribute to each entity described in ~~divisions~~ division (B) ~~(1) to~~ ~~(24)~~ of this section the investment income the fund earned the previous calendar year. The amount of such a distribution paid to an entity shall be proportionate to the amount of money the entity received from the fund during the previous calendar year."

Between lines 171 and 172, insert:

" Sec. 4503.553. (A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the registrar of motor vehicles may apply to the registrar for the registration of the vehicle and issuance of Ohio's horse license plates. An application made under this section may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance by the applicant with divisions (B) and (C) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of Ohio's horse license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, Ohio's horse license plates shall be inscribed with identifying words or markings that are designed by the Ohio coalition for animals, incorporated and approved by the registrar. Ohio's horse license plates shall display county identification stickers that identify the county of registration by name or number.

(B) The Ohio's horse license plates and a validation sticker, or validation sticker alone, shall be issued upon receipt of a contribution as provided in division (C)(1) of this section and upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, a fee of ten dollars for the purpose of compensating the bureau of motor vehicles for additional services required in the issuing of Ohio's horse license plates, and compliance with all other applicable laws relating to the registration of motor vehicles.

(C)(1) For each application for registration and registration renewal notice the registrar receives under this section, the registrar shall collect a

contribution in an amount not to exceed forty dollars, as determined by the Ohio coalition for animals, incorporated. The registrar shall deposit this contribution into the state treasury to the credit of the license plate contribution fund created in section 4501.21 of the Revised Code.

(2) The registrar shall deposit the additional fee of ten dollars paid to compensate the bureau for the additional services required in the issuing of Ohio's horse license plates into the state treasury to the credit of the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code."

In line 292, after the first comma insert "4501.21,"

After line 293, insert:

"**Section 3.** Section 4501.21 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 68 and Sub. H.B. 298 of the 126th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act."

In line 1 of the title, after the first comma insert "4501.21,"

In line 2 of the title, delete "and"; after "4503.504" insert ", and 4503.553"

In line 7 of the title, delete "and"

In line 9 of the title, after "plates" insert ", and to create "Ohio's Horse" license plates and to provide that money from the contributions for the license plates be paid to the Ohio Coalition for Animals, Incorporated"

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

The motion was agreed to.

The question being, "Shall the bill as amended 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	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: "Bocchieri, Carey, Cates, Harris, Niehaus, Schaffer, Seitz, Schuler, Kearney, Wilson, Fedor."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 229-Senator Gardner.

Cosponsors: Senators Mumper, Spada, Wagoner, Padgett.

To amend sections 4731.051, 4731.07, 4731.22, 4731.224, 4731.24, and 4731.25 and to enact sections 4774.01, 4774.02, 4774.03, 4774.031, 4774.04 to 4774.06, 4774.08 to 4774.11, 4774.13, 4774.131, 4774.132, 4774.14 to 4774.18, 4774.20, 4774.21, and 4774.99 of the Revised Code to regulate the practice of radiologist assistants, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 229**, 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	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 Coughlin moved to amend the title as follows:

Add the names: "Coughlin, Harris, Schaffer, Miller, R., Wilson."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 270-Senator Cates.

Cosponsors: Senators Padgett, Mumper, Niehaus, Roberts, Morano, Sawyer, Carey.

To amend sections 109.57, 2953.33, 3313.31, 3314.03, 3314.19, 3319.01, 3319.20, 3319.291, 3319.302, 3319.304, 3319.31, 3319.311, 3319.313, 3319.314, 3319.39, 3319.391, 3319.52, 3319.99, 3326.11, 3326.23, 5126.253, 5126.254, 5126.99, and 5153.176 and to enact sections 3314.101, 3314.40, 3314.401, 3314.402, 3314.403, 3314.41, 3314.99, 3319.292, 3319.316, 3319.317, 3319.392, 3319.40, 3326.081, 3326.24, 3326.241, 3326.242, 3326.243, 3326.25, 3326.99, and 5153.99 of the Revised Code regarding the reporting of and discipline for school employee misconduct, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 270**, pass?"

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

Those who voted in the affirmative were: Senators

Austria	Bocchieri	Buehrer	Cafaro
Carey	Cates	Coughlin	Faber
Fedor	Grendell	Jacobson	Kearney
Mason	Miller D	Miller R	Morano
Mumper	Niehaus	Padgett	Roberts
Sawyer	Schaffer	Schuler	Schuring
Seitz	Smith	Spada	Stivers
Wagoner	Wilson		Harris-31.

Senator Amstutz voted in the negative-1.

So the bill passed.

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

Senator Cates moved to amend the title as follows:

Add the names: "Buehrer, Fedor, Harris, Jacobson, Kearney, Miller, R., Schaffer, Spada, Stivers, Wagoner."

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 20, 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.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 323-Senator Niehaus.

Cosponsors: Senators Wilson, Harris, Carey, Schuler, Padgett, Seitz, Spada, Mumper.

To amend sections 1561.011, 1561.16, 1561.17, 1561.23, 1561.25, 1561.26, 1565.15, and 4131.03, and to enact sections 1561.24, 1561.261, 1567.64, and 1567.681 of the Revised Code to revise certain coal mine safety requirements, to create the Mine Safety Fund to be used for specified mine safety purposes, to allow the Administrator of the Bureau of Workers' Compensation to transfer a portion of the investment earnings of the Coal-Workers Pneumoconiosis Fund to the Mine Safety Fund, and to declare an emergency.

OFFERING OF RESOLUTIONS

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

S. R. No. 207-Senator Goodman.

Cosponsors: Senators Harris, Coughlin, Carey, Jacobson, Schuler, Miller, D., Morano, Padgett, Kearney, Seitz, Cafaro, Mumper, Faber, Schuring, Boccieri, Stivers, Austria.

Honoring the State of Israel on its Sixtieth Anniversary.

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

So the resolution was adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 164.02 (A) of the Ohio Revised Code, the Minority Leader of the Senate appoints the following public member to serve on the Ohio Public Works Commission:

Lonnie Miles
Columbus, Ohio 43204
(Term beginning January 1, 2008 and ending December 31, 2010,
replacing Blair Hillyer, whose term expired)

On the motion of Senator Niehaus, the Senate adjourned until Thursday, April 24, 2008 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.