

**OHIO**

**SENATE**

**JOURNAL**

THURSDAY, MAY 8, 2008

ONE HUNDRED SEVENTY-FIRST DAY  
Senate Chamber, Columbus, Ohio  
**Thursday, May 8, 2008, 11:00 o'clock a.m.**

The Senate met pursuant to adjournment.

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

**REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. B. No. 272**-Senator Stivers, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 11: KEVIN J. COUGHLIN, MARK D. WAGONER,  
SHIRLEY A. SMITH, DALE MILLER, SUSAN L.  
MORANO, STEPHEN BUEHRER, LARRY A.  
MUMPER, J. KIRK SCHURING, CAPRI S. CAFARO,  
JOY PADGETT, DAVID GOODMAN.

NO - 0.

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

The report of the committee was accepted.

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **Sub. H. B. No. 331**-Representative Wagoner, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Schuring, Padgett.

YES - 11: KEVIN J. COUGHLIN, MARK D. WAGONER,  
SHIRLEY A. SMITH, CAPRI S. CAFARO, SUSAN L.  
MORANO, STEPHEN BUEHRER, LARRY A.  
MUMPER, J. KIRK SCHURING, DALE MILLER, JOY  
PADGETT, DAVID GOODMAN.

NO - 0.

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

The report of the committee was accepted.

**INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bill was introduced and considered the first time:

**S. B. No. 334**-Senator Faber.

Cosponsors: Senators Seitz, Spada, Coughlin, Mumper.

To amend sections 4123.01, 4123.26, 4123.29, 4123.54, and 4123.82 and to enact sections 4123.292, 4123.513, and 4123.542 to prohibit an employee from receiving workers' compensation benefits in this state if the employee has received a decision on the merits of a claim filed in another state for the same injury or occupational disease, to allow an Ohio employer to obtain, through the Administrator of Workers' Compensation or an insurance company, workers' compensation insurance for claims arising in other states, and to make other changes to the Workers' Compensation Law regarding interstate workers' compensation claims.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution in which the concurrence of the Senate is requested:

**H. C. R. No. 34** -Representative Batchelder

Cosponsors: Representatives McGregor, R., Raussen, Driehaus, Book, Hottinger, Harwood, McGregor, J., Adams, Flowers, Webster, Stebelton, Letson, Fessler, Wachtmann, Otterman, Fende, Gibbs, Daniels, Mecklenborg, Widener, Koziura, Barrett, Celeste, Coley, Dyer, Aslanides, Blessing, Brown, Chandler, Evans, Huffman, Hughes, Jones, Luckie, Patton, Schindel, Schneider, Setzer, Yates, Yuko, Zehringer

To express the commitment of the 127th Ohio General Assembly to maintain the states as the sole regulators on the business of insurance, and to express the opposition of the 127th Ohio General Assembly to any proposed law that would establish a federal insurance regulatory system.

Attest:

Laura P. Clemens,  
Clerk.

The question being, "Shall the concurrent resolution, **H. C. R. No. 34**, be adopted?"

On the motion of Senator Padgett, **H. C. R. No. 34**, was referred to the

Committee on Reference.

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

The motion was agreed to.

### **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. 44** -Senator Carey

Cosponsors: Senators Cafaro, Clancy, Padgett, Miller, D., Schuler, Grendell, Boccieri, Cates, Harris, Schaffer, Spada, Stivers, Wilson Representatives Domenick, Reinhard, Wachtmann, Combs, Dolan, Evans, Fende, Flowers, McGregor, J., Schindel, Schlichter

To amend sections 5511.09 and 5589.081 of the Revised Code to permit local jurisdictions to request the Director of Transportation to designate a name for a bridge that is part of the highway system and to allow the use of retractable studded snow tires any time of year so long as the studs are not extended during prohibited times.

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 bills in which the concurrence of the Senate is requested:

**Sub. H. B. No. 444** -Representative Stewart, J.

Cosponsors: Representatives Szollosi, Luckie, Bolon, Book, Boyd, Brady, Brown, Budish, Celeste, Chandler, DeBose, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Garrison, Gerberry, Goyal, Harwood, Heard, Koziura, Letson, Lundy, McGregor, J., Newcomb, Okey, Patton, Sayre, Slesnick, Stewart, D., Ujvagi, Williams, B., Williams, S., Yuko

To amend sections 4740.01, 4740.02, 4740.04, and 4740.07 and to enact section 4740.16 of the Revised Code to make changes to the construction industry licensing laws to discipline unlicensed contractors and eliminate

unlicensed contractor activity.

**Sub. H. B. No. 57** -Representative Combs

Cosponsors: Representatives McGregor, J., Fessler, Setzer, Jones, Adams, Stewart, D., Collier, Heard, Bacon, Batchelder, Boyd, Chandler, Coley, Dolan, Domenick, Dyer, Evans, Flowers, Goyal, Hagan, J., Harwood, Hite, Hughes, Luckie, Lundy, Newcomb, Oelslager, Patton, Raussen, Slesnick, Williams, B., Williams, S.

To amend sections 2950.01, 2950.11, 2950.12, and 2950.13 and to enact section 2950.112 of the Revised Code to provide notice to a long-term care facility when a registered sex offender indicates an intent to reside or registers an address within the facility's specified geographical notification area.

**Sub. H. B. No. 129** -Representatives Evans, Book

Cosponsors: Representatives Seitz, McGregor, J., Stebelton, Peterson, Yuko, Chandler, Letson, Wagoner, Garrison, Sayre, Coley, Adams, Batchelder, Combs, Daniels, DeBose, DeGeeter, Domenick, Gibbs, Hagan, J., Hagan, R., Harwood, Luckie, Patton, Szollosi, Uecker, Wagner, Webster

To authorize for a two-year period a pilot program that allows the members of the Ohio Developmental Disabilities Council, the Ohio Statewide Independent Living Council, the Governor's Council on People with Disabilities, and the facility governing board and judicial advisory board that govern or advise on the STAR Community Justice Center in Franklin Furnace, Ohio, to be present at board meetings by teleconference or interactive video teleconference, and to require reports on the effects of member participation in meetings in this manner.

**H. B. No. 209** -Representative Core

Cosponsors: Representatives McGregor, J., Bacon, Yuko, McGregor, R., Collier, Adams, Strahorn, Stebelton, Domenick, Fende, Luckie, Setzer, Seitz, Bupp, Dodd, Aslanides, Batchelder, Blessing, Coley, Combs, DeBose, Driehaus, Dyer, Evans, Flowers, Gardner, Gibbs, Goyal, Hagan, J., Hite, Hughes, Letson, Lundy, Mandel, Newcomb, Oelslager, Otterman, J., Reinhard, Schindel, Slesnick, Webster, Williams, B.

To amend section 2907.03 of the Revised Code to expand the offense of "sexual battery" to prohibit a peace officer from engaging in sexual conduct with a minor who is not the officer's spouse.

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

**Am. Sub. H. B. No. 257** -Representative Schneider

Cosponsors: Representatives McGregor, R., Combs, Sayre, Chandler, Harwood, Luckie, Collier, Beatty, Blessing, Bolon, Boyd, Brown, Celeste, Domenick, Dyer, Evans, Flowers, Koziura, Setzer, Stebelton, Williams, S., Yates

To amend sections 121.08 and 4745.01 and to enact sections 4768.01 to 4768.19 and 4768.99 of the Revised Code to require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors.

**Am. H. B. No. 420** -Representative Brinkman

Cosponsors: Representatives Evans, McGregor, J., Bulp, Raussen, Blessing, Uecker, Batchelder, Adams, Hughes, Collier, Combs, Patton, Yuko, Stebelton, Hite, Gibbs, Stewart, J., Jones, Webster, Bacon, Schindel, Huffman, Daniels, Dolan, Hagan, J., McGregor, R., Wachtmann, Wagner, Skindell, Fessler, Book, Peterson, Stewart, D., Coley, Goodwin, Domenick, Bolon, Boyd, Brown, Celeste, Core, DeBose, Dodd, Dyer, Flowers, Garrison, Gerberry, Goyal, Hagan, R., Letson, Luckie, Lundy, Mallory, Mecklenborg, Newcomb, Oelslager, Schneider, Setzer, Wolpert, Zehringer

To enact sections 126.51, 126.52, 126.53, 126.55, 126.57, 126.61, and 126.62 of the Revised Code to promote transparency with respect to state spending by requiring that certain information on state awards and earmarks, state real property management, state agency management, and state program effectiveness be collected and made available on-line.

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:

**Am. H. B. No. 281** -Representative Schlichter - et al.

Attest:

Laura P. Clemens,  
Clerk.

**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:

**H. B. No. 13** -Representative Fessler - et al.

Attest:

Laura P. Clemens,  
Clerk.

The President signed said bill.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 4121.75 (A) (3) and (D) of the Ohio Revised Code, the President of the Senate and the Speaker of the House of Representatives jointly appoint the following public members to serve on the Workers' Compensation Council:

Mary M. Leonard (public representative)  
(1 year term)  
Dublin, Ohio 43017

Stephen K. Sesser (representing employers who employ 100 or more employees)  
Taylor Lumber (2 year term)  
McDermott, Ohio 45652

Tracie Sanchez (representing employers who employ less than 100 employees)

Lima Pallet Company, Inc. (2 year term)  
Lima, Ohio 45801

Roger D. Insprucker (representing employees)  
Teamsters Joint Council No. 26 (3 year term)  
Cincinnati, OH 45229-1002

Robert Kendis (representing injured workers)  
Kendis & Association Co., L.P.A. (3 year term)  
Cleveland, Ohio 44113-1398

**CLERK'S NOTATION**

This will acknowledge the receipt of proposed amendments to the Ohio Rules of Civil Procedure, the Ohio Rules of Appellate Procedure and the Ohio Rules of Criminal Procedure from the Ohio Supreme Court on April 28, 2008.

On the motion of Senator Padgett, the Senate adjourned until Monday, May 12, 2008 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.