

OHIO

SENATE

JOURNAL

THURSDAY, MAY 29, 2008

ONE HUNDRED EIGHTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Thursday, May 29, 2008, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Ron Amstutz, 22nd District, 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 and concurrent resolution, standing in order for second consideration, be referred to committee as recommended:

H. B. No. 280-Representative Schneider.

Cosponsors: Representatives Aslanides, Setzer, Uecker, Brinkman, Flowers, Combs, Huffman, Zehringer, Widener, Adams, Hite, Jones, Hottinger, Wachtmann, Seitz, Evans, Latta, Bulp, McGregor, J., Fessler, Wagner, Wagoner, Collier, Schindel, Wolpert, Coley, Gibbs, Patton, DeGeeter, White, Bolon, Blessing, Hagan, J., Mandel, Goodwin, Batchelder, Distel, Oelslager, Brady, Barrett, Sears, Mecklenborg, Bacon, Daniels, Dodd, Dolan, Domenick, Driehaus, Gardner, Hughes, Reinhard, Schlichter.

To amend sections 2919.25, 3702.30, and 4731.22 and to enact section 3701.791 of the Revised Code requiring facilities that perform abortions to display a sign and enhancing the criminal penalty for causing or attempting to cause physical harm to a family or household member who was pregnant at the time of the offense.

To the Committee on Judiciary - Criminal Justice.

Sub. H. B. No. 351-Representative Brinkman.

Cosponsors: Representatives Raussen, Schneider, Blessing, Jones, Mecklenborg, Flowers, Adams, Aslanides, Brinkman, Domenick, Driehaus, Mandel, McGregor, J., Uecker, Wachtmann.

To amend sections 341.12, 341.13, 341.14, 341.15, and 2725.27, to enact section 341.141, and to repeal section 2725.25 of the Revised Code to permit the transfer of county jail inmates to contiguous counties in adjoining states.

To the Committee on Judiciary - Criminal Justice.

Sub. H. B. No. 446-Representative Webster.

Cosponsors: Representatives Evans, Setzer, Combs, Skindell, Yuko, Uecker, Bacon, Chandler, Coley, Domenick, Flowers, Hughes, Mallory, Patton, Schneider.

To amend sections 951.01, 951.10, 951.11, 951.12, 951.13, 951.99, 955.01, 955.011, 955.02, 955.04, 955.05, 955.06, 955.08, 955.10, 955.11, 955.12, 955.14, 955.15, 955.16, 955.17, 955.18, 955.19, 955.20, 955.201, 955.21, 955.22, 955.23, 955.26, 955.261, 955.27, 955.28, 955.29, 955.32, 955.34, 955.35, 955.37, 955.38, 955.42, 955.44, 955.50, 955.51, 955.52, 955.53, 955.99, 957.16, 959.131, 959.132, 959.99, 1717.02, 1717.05, 1717.06, 1717.08, 1717.09, 1717.14, 3719.01, 4501.21, 4729.01, and 4736.01; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 955.26 (955.40), 955.261 (955.41), 955.34 (955.351), 955.41 (955.43), 955.43 (955.45), 955.44 (955.46), and 957.16 (901.36); to enact new section 955.39 and sections 109.804, 951.20, 951.21, 951.22, 955.014, 955.13, 955.161, 957.01, 957.02, 957.03, 957.04, 957.05, and 957.99; and to repeal sections 951.02, 955.202, 955.31, 955.33, 955.39, 955.40, 1717.03, and 1717.04 of the Revised Code to revise the statutes governing animal control, and to amend the version of section 4736.01 of the Revised Code that is scheduled to take effect July 1, 2009, to continue the provisions of this act on and after that effective date.

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

Sub. H. B. No. 529-Representative Wachtmann.

Cosponsors: Representatives Goodwin, Gardner, Wagner, Sears, Combs, Uecker, Flowers, McGregor, J., Evans, Zehringer, McGregor, R., Hite, Strahorn, Stebelton, Mecklenborg, Schindel, Jones, Boyd, DeBose, Letson, Fende, Hagan, R., Bacon, Batchelder, Blessing, Chandler, Coley, Dolan, Domenick, Driehaus, Gibbs, Hagan, J., Harwood, Hughes, Raussen, Schlichter, Schneider, Szollosi, Williams, B.

To amend sections 124.04, 313.23, 2105.35, 2108.09, 2108.11, 2108.15, 2108.17, 2108.18, 2108.19, 2108.20, 2108.21, 2108.30, 2108.78, 2108.99, 2133.01, 2133.07, 2133.16, 2305.37, 2919.16, 3301.07, 4501.024, 4503.721, 4506.07, 4506.081, 4506.11, 4507.06, 4507.231, 4507.501, 4507.51, 4508.021, and 4717.17, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2108.09 (2108.02), 2108.11 (2108.30), 2108.15 (2108.34), 2108.17 (2108.35), 2108.18 (2108.23), 2108.19 (2108.32), 2108.20 (2108.33), 2108.21 (2108.31), and 2108.30 (2108.40), to enact new sections 2108.01, 2108.03, 2108.04, 2108.05, 2108.06, 2108.07, 2108.08, 2108.09, 2108.10, 2108.11, 2108.12, 2108.15, 2108.17, 2108.18, 2108.19, 2108.20, and 2108.21, and sections 2108.13, 2108.14, 2108.16, 2108.22, 2108.24, 2108.25, 2108.26, 2108.261, 2108.262, 2108.263,

2108.264, 2108.265, 2108.266, 2108.267, 2108.268, 2108.269, 2108.27, 2108.271, 2108.272, 2108.28, and 2108.29 and to repeal sections 2108.01, 2108.02, 2108.021, 2108.03, 2108.04, 2108.05, 2108.06, 2108.07, 2108.071, 2108.08, 2108.10, 2108.101, 2108.12, 2108.53, and 2108.60 of the Revised Code to adopt the Revised Uniform Anatomical Gift Act.

To the Committee on Health, Human Services and Aging.

S. C. R. No. 26-Senator Faber.

Cosponsors: Senators Seitz, Goodman, Schuler, Mumper, Padgett, Harris, Buehrer.

To urge the Congress of the United States to implement a comprehensive energy policy that utilizes all domestic energy resources in an environmentally responsible manner, increases the country's oil supply by drilling wells in promising new areas, expands current refining capacity, and increases the number of refineries in this country through the construction of new refineries in order to stabilize the price of oil, improve the economy, and facilitate energy independence and increased national security.

To the Committee on Energy and Public Utilities.

YES - 4: 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 and concurrent resolution 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. 248**-Senator Austria, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Grendell, Fedor, Roberts.

YES - 7: GARY W. CATES, TIMOTHY J. GRENDELL, JOHN A. CAREY, 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 Cates submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 266**-Senator Roberts, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Cates, Fedor.

YES - 8: GARY W. CATES, BILL SEITZ, JOHN A. CAREY, ROBERT L. SCHULER, TOM ROBERTS, TERESA FEDOR, JOHN A. BOCCIERI, TIMOTHY J. GRENDELL.

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 **S. B. No. 203**-Senator Grendell, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Padgett.

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

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 **S. B. No. 232**-Senator Stivers, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 10: KEVIN J. COUGHLIN, SHIRLEY A. SMITH, CAPRI S. CAFARO, DALE MILLER, SUSAN L. MORANO, DAVID GOODMAN, LARRY A. MUMPER, JOY PADGETT, J. KIRK SCHURING, BILL SEITZ.

NO - 1: STEPHEN BUEHRER.

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

The report of the committee was accepted.

Senator Grendell submitted the following report:

The standing committee on Judiciary - Criminal Justice, to which was referred **Sub. H. B. No. 195**-Representative Core, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 9: TIMOTHY J. GRENDALL, STEVE STIVERS, KEITH L. FABER, TIMOTHY O. SCHAFFER, STEPHEN C. AUSTRIA, BILL SEITZ, LANCE T. MASON, SHIRLEY A. SMITH, TERESA FEDOR.

NO - 0.

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

The report of the committee was accepted.

Senator Grendell submitted the following report:

The standing committee on Judiciary - Criminal Justice, to which was referred **S. B. No. 244**-Senator Sawyer, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Fedor.

YES - 9: TIMOTHY J. GRENDALL, BILL SEITZ, LANCE T. MASON, SHIRLEY A. SMITH, KEITH L. FABER, STEPHEN C. AUSTRIA, TIMOTHY O. SCHAFFER, STEVE STIVERS, TERESA FEDOR.

NO - 0.

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

The report of the committee was accepted.

Senator Stivers submitted the following report:

The standing committee on Insurance, Commerce and Labor, to which was referred **S. B. No. 275**-Senator Spada, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: STEVE STIVERS, STEPHEN C. AUSTRIA, ROBERT L. SCHULER, KEITH L. FABER, GARY W. CATES, ERIC H. KEARNEY, TIMOTHY O. SCHAFFER, JOHN A. BOCCIERI.

NO - 2: DALE MILLER, RON AMSTUTZ.

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:

William J. Bishilany, Republican, from Seven Hills, Cuyahoga County, Ohio, as a Member of the State Emergency Response Commission for a term beginning April 15, 2008 and ending at the close of business January 13, 2010, replacing Thomas Perk, whose term expired.

Charleen Joan Dearth, Democrat, from Marietta, Washington County, Ohio, as a Member of the Ohio Cultural Facilities Commission for a term beginning April 15, 2008 and ending at the close of business December 31, 2008, replacing Julie Kunkel, who resigned.

William P. DeMora, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Clean Ohio Council for a term beginning March 31, 2008 and ending at the close of business November 23, 2009, replacing Bruce Cornett, whose term expired.

Albert N. Donahey, Democrat, from Canal Winchester, Franklin County, Ohio, as a Member of the Banking Commission for a term beginning March 6, 2008 and ending at the close of business January 31, 2011, replacing Richard Hollington, Jr., whose term expired.

Bryan H. Felmet, Republican, from Steubenville, Jefferson County, Ohio, as a Member of the Ohio Elections Commission for a term beginning April 14,

2008 and ending at the close of business December 31, 2012, replacing Catherine A. Cunningham, whose term expired.

Kenneth C. Lumpkin, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the Minority Development Financing Advisory Board for a term beginning April 6, 2008 and ending at the close of business September 30, 2014, replacing Jackie R. Winchester, whose term expired.

Ty Marsh, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Board of Embalmers and Funeral Directors for a term beginning March 31, 2008 and ending at the close of business June 30, 2009, replacing Kurtis A. Tunnell, who resigned.

Chelsea R. Merriman, from Hilliard, Franklin County, Ohio, as a Member of the Ohio Community Service Council for a term beginning April 22, 2008 and ending at the close of business April 21, 2011, replacing Kristina Short.

Lupe Williams, Democrat, from Wooster, Wayne County, Ohio, as a Member of the Commission on Hispanic-Latino Affairs for a term beginning March 31, 2008 and ending at the close of business October 7, 2010, replacing Ramona Reyes, 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, TOM NIEHAUS, STEPHEN C. AUSTRIA, J. KIRK SCHURING, JOHN A. CAREY, ROBERT F. SPADA, LANCE T. MASON, SHIRLEY A. SMITH, 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	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 Senate advised and consented to said appointments.

Senator Jacobson moved that the Senate advance to the Sixth Order of Business, Bills for Third Consideration.

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

The motion was agreed to.

Senator Jacobson moved that **S. B. No. 341**, be brought up for consideration.

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

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

S. B. No. 341-Senator Cafaro.

Cosponsors: Senators Miller, D., Kearney, Carey, Seitz, Padgett, Morano, Smith, Goodman, Miller, R., Mason, Wilson.

To enact section 5.2239 of the Revised Code to designate January as "Fibromyalgia Awareness Month, was considered the third time.

The question being, "Shall the bill, **S. B. No. 341**, 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	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 Cafaro moved to amend the title as follows:

Add the names: "Amstutz, Austria, Bocchieri, Buehrer, Cates, Grendell, Harris, Niehaus, Sawyer, Schaffer, Spada, Wagoner."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 71-Representative White.

Cosponsors: Representatives McGregor, J., Setzer, Brown, Hagan, J., Seitz, Wagoner, Wolpert, Aslanides, Distel, Batchelder, Blessing, Boyd, Chandler, Coley, Domenick, Evans, Flowers, Foley, Hagan, R., Hite, Hottinger, Hughes, Letson, Luckie, Mallory, Otterman, Schneider, Stebelton, Stewart, D., Webster, Williams, S., Yuko. Senators Faber, Wilson, Mumper, Grendell.

To amend sections 955.28 and 959.16, to enact new section 959.132 and section 959.161, and to repeal section 959.132 of the Revised Code to provide for the seizure, impoundment, and disposition of dogs involved in dogfighting; to revise requirements and procedures governing the seizure, impoundment, and disposition of companion animals that are the subject of abuse or neglect; and to allow a law enforcement officer to kill a dog that attacks a police dog, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 71**, 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	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: "Cates, Spada, Harris, Kearney."

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

The motion was agreed to and the title so amended.

H. B. No. 87-Representative Wachtmann.

Cosponsors: Representatives Aslanides, Bulp, Combs, Domenick, Fessler, Miller, Ujvagi, Widowfield, Adams, Bacon, Batchelder, Blessing, Book, Chandler, Coley, Daniels, Dyer, Evans, Goodwin, Hite, Huffman, Hughes, Latta, Letson, Mallory, Mandel, Otterman, Sayre, Schneider, Seitz, Setzer, Skindell, Uecker, Wagoner, Yates, Yuko, Zehringer. Senators Buehrer, Wilson, Schaffer.

To enact section 5533.811 of the Revised Code to designate a bridge on

State Route 108 over the Maumee River as the "Henry County Veterans Bridge, was considered the third time.

The question being, "Shall the bill, **H. B. No. 87**, 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	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 Buehrer moved to amend the title as follows:

Add the names: "Austria, Bocchieri, Cates, Fedor, Grendell, Padgett, Schuler, Seitz, Spada, Stivers, Wagoner, Harris, Cafaro, Sawyer, Mason."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 195-Representative Core.

Cosponsors: Representatives McGregor, J., Evans, Bulp, Combs, Adams, Stebelton, Fende, Hughes, Aslanides, Batchelder, Collier, Daniels, DeBose, Domenick, Dyer, Fessler, Flowers, Gibbs, Jones, Latta, Mandel, McGregor, R., Oelslager, Patton, Schneider, Stewart, J., Uecker, Wachtmann, Wagoner, Webster, Yuko.

To amend sections 109.572, 2921.41, 2925.01, 2925.03, 2925.11, 2925.22, 2953.32, 2961.01, and 2961.02 of the Revised Code to provide that the prescription-related exemption from the drug possession offenses applies only when the controlled substance is obtained pursuant to a lawful prescription, to modify the penalties for "deception to obtain a dangerous drug" and "possession of drugs" under specified circumstances, to modify a criterion for determining the penalty for the trafficking in drugs offenses, to make existing laws prohibiting a person who has been convicted of a felony, including the offense of theft in office, from holding public office and denying such person other specified privileges applicable upon the acceptance of the person's guilty plea or the determination of the person's guilt, and to remove the authority of

the Bureau of Criminal Identification and Investigation to review sealed criminal conviction records in conducting a criminal records check regarding license applicants for whom the check was required by Am. Sub. H.B. 104 of the 127th General Assembly, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 195**, 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	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 Grendell moved to amend the title as follows:

Add the names: "Cates, Harris, Niehaus, Sawyer, Schaffer, Spada, Wagoner."

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

The motion was agreed to and the title so amended.

Am. H. B. No. 297-Representative Carmichael.

Cosponsors: Representatives Aslanides, Brown, Domenick, Evans, Fende, Flowers, Harwood, Hughes, Latta, Letson, McGregor, J., Miller, Peterson, Stebelton, Strahorn, Webster, Yuko, Daniels, Book, Collier, Lundy, Reinhard, Schneider, Setzer, Sykes, Hite, Bacon, Beatty, Budish, Chandler, Coley, Combs, DeBose, Dolan, Dyer, Gerberry, Gibbs, Hagan, J., Luckie, Otterman, Patton, Sayre, Schlichter, Skindell, Wagoner, Williams, B., Yates, Zehringer. Senators Wagoner, Miller, D., Morano, Buehrer, Mumper, Goodman, Schuring, Seitz.

To enact section 5.2237 of the Revised Code to designate the month of May as Ohio Lyme Disease Awareness Month, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 297**, 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	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 Amstutz moved to amend the title as follows:

Add the names: "Amstutz, Boccieri, Cafaro, Carey, Harris, Kearney, Mason, Miller, R., Niehaus, Padgett, Roberts, Sawyer, Schaffer, Schuler, Smith, Spada, Stivers."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 323-Representative Gibbs.

Cosponsors: Representatives Peterson, McGregor, J., Evans, Huffman, Wagner, Miller, Fessler, Seitz, Bupp, Okey, McGregor, R., Fende, Schlichter, Sayre, Aslanides, Zehringer, Reinhard, Core, Hite, Domenick, Adams, Batchelder, Bolon, Collier, Combs, Dolan, Dyer, Gardner, Hagan, J., Harwood, Hughes, Luckie, Newcomb, Patton, Schindel, Setzer, Skindell, Szollosi, Uecker, Williams, B. Senators Wilson, Faber, Grendell.

To amend sections 971.01, 971.04, 971.05, 971.06, 971.07, 971.08, 971.09, 971.10, 971.33, 971.34, and 971.99; to amend for the purpose of adopting new section numbers as indicated in parentheses sections 971.04 (971.09), 971.05 (971.10), 971.06 (971.11), 971.07 (971.12), 971.08 (971.13), 971.09 (971.14), and 971.10 (971.15); to enact new sections 971.02, 971.03, 971.04, 971.05, 971.06, 971.07, 971.08, 971.16, 971.17, and 971.18 and section 971.071; and to repeal sections 971.02, 971.03, 971.11, 971.12, 971.13, 971.14, 971.15, 971.16, 971.17, 971.18, 971.21, 971.22, 971.23, 971.24, 971.25, 971.26, 971.27, 971.28, 971.29, 971.30, 971.31, and 971.32 of the Revised Code to revise the Fences Law, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 323**, 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	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: "Amstutz, Morano, Mumper, Niehaus, Roberts, Sawyer, Schuler, Seitz, Spada, Harris."

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

The motion was agreed to and the title so amended.

On the motion of Senator Jacobson, the Senate recessed.

The Senate met pursuant to the recess.

Am. Sub. H. B. No. 359-Representative Huffman.

Cosponsors: Representatives McGregor, J., Peterson, Healy, McGregor, R., Jones, Bacon, Adams, Lundy, Stebelton, Evans, Gibbs, Letson, Slesnick, Patton, Batchelder, Bolon, Boyd, Brown, Chandler, Combs, DeBose, DeGeeter, Dolan, Domenick, Dyer, Flowers, Hite, Hughes, Luckie, Newcomb, Oelslager, Setzer, Skindell, Stewart, D., Strahorn, Williams, S., Yuko.
Senators Amstutz, Spada, Roberts, Sawyer.

To amend sections 321.261 and 323.47 of the Revised Code to authorize the prosecutor and treasurer of a county with a population greater than 100,000 to utilize surplus delinquent tax collections to facilitate nuisance abatement of deteriorated residential buildings in foreclosure and to prosecute criminal and civil real estate transaction-related violations of the law, and to require all taxes, penalties, and assessments known to be a lien against foreclosed property when the deed is transferred to be discharged out of the proceeds of judicial and partition sales, was considered the third time.

The question being, "Shall the bill, **Am. Sub. H. B. No. 359**, pass?"

Senator Amstutz moved to amend as follows:

In line 14, delete "sections" and insert "section"; delete "and 323.47"

Delete lines 59 through 84

In line 85, delete "sections" and insert "section"; delete "and 323.47"

In line 86, delete "are" and insert "is"

In line 1 of the title, delete "sections" and insert "section"; delete "and 323.47"

In line 8 of the title, delete ", and to" and insert a period

Delete lines 9 through 12 of the title

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	Bocchieri	Buehrer
Cafaro	Carey	Cates	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 as amended passed.

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

Senator Amstutz moved to amend the title as follows:

Add the names: "Harris, Miller, D., Miller, R., Padgett, Stivers, Wilson, Smith, Fedor, Mason."

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

The motion was agreed to and the title so amended.

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. Senators Seitz, Kearney, Fedor, Goodman.

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, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 374**, pass?"

On the motion of Senator Niehaus, **Sub. H. B. No. 374** was informally passed and retained its place on the calendar.

Am. 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. Senators Niehaus, Spada, Schaffer, Goodman, Miller, D., Morano, Mason.

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, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 416**, pass?"

On the motion of Senator Niehaus, **Am. H. B. No. 416** was informally passed and retained its place on the calendar.

Sub. S. B. No. 203-Senator Grendell.

Cosponsor: Senator Padgett.

To amend sections 3719.21, 4729.99, 4776.02, and 4776.04 and to enact section 4729.42 of the Revised Code to prohibit unauthorized pharmacy-related drug conduct relative to persons employed as pharmacy technicians, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 203**, 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	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 Grendell moved to amend the title as follows:

Add the names: "Cates, Faber, Fedor, Goodman, Harris, Mason, Miller, D., Miller, R., Morano, Mumper, Niehaus, Sawyer, Schaffer, Stivers, Wagoner, Wilson, Boccieri, Spada, Austria."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 248-Senator Austria.

Cosponsors: Senators Boccieri, Buehrer, Carey, Cates, Coughlin, Faber, Gardner, Harris, Jacobson, Mason, Mumper, Padgett, Schaffer, Schuring, Spada, Smith, Grendell, Fedor, Roberts.

To amend sections 149.43, 317.24, 317.27, 2313.16, 2741.02, 2921.22, and 3345.01 and to enact sections 2741.99, 3333.42, and 5913.11 of the Revised Code to exempt certain armed forces discharges from inspection or copying as a public record, to prohibit failing to report the unauthorized use of certain electronic property to law enforcement authorities, to excuse certain military persons from jury duty, to establish a criminal penalty for unlawfully using a deceased military person's persona, to establish tuition benefits for certain military persons, to create the Ohio Military Medal of Distinction, and to require a report regarding the feasibility of a National Guard Youth Challenge Program, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 248**, pass?"

On the motion of Senator Niehaus, **Sub. S. B. No. 248** was informally passed and retained its place on the calendar.

Sub. S. B. No. 277-Senator Stivers.

Cosponsors: Senators Seitz, Miller, D., Kearney, Goodman, Schuring, Fedor.

To enact sections 1901.185 and 3767.50 of the Revised Code to create a new cause of action in foreclosure in the environmental division of a municipal court to abate blighted parcels, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 277**, 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	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 Stivers moved to amend the title as follows:

Add the names: "Harris, Mason, Miller, R., Mumper, Roberts, Sawyer, Cates."

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

The motion was agreed to and the title so amended.

Senator Jacobson moved that the Senate revert to the Third Order of Business, House Amendments to Senate Bills and Resolutions.

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

The motion was agreed to.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Sub. S. B. No. 184-Senator Buehrer.

Cosponsors: Senators Faber, Grendell, Niehaus, Stivers, Padgett, Carey, Goodman, Mumper, Clancy, Schuring, Schaffer, Schuler, Cafaro, Kearney, Gardner, Austria, Seitz, Boccieri, Cates, Fedor, Harris, Spada, Wagoner, Wilson. Representatives Uecker, Peterson, Mandel, Dyer, Adams, Aslanides, Batchelder, Blessing, Bolon, Book, Brinkman, Coley, Collier, Combs, Core, Daniels, Dodd, Dolan, Domenick, Driehaus, Evans, Fessler, Flowers, Garrison, Gerberry, Gibbs, Goodwin, Goyal, Hagan, J., Hite, Hottinger,

Huffman, Jones, McGregor, R., Mecklenborg, Oelslager, Okey, Otterman, J., Patton, Raussen, Reinhard, Sayre, Schindel, Schlichter, Schneider, Setzer, Stewart, J., Szollosi, Wachtmann, Webster, White, Widener, Yuko, Zehringer.

To amend sections 2307.60, 2901.05, 2923.12, 2923.121, 2923.122, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 2923.1212, 2923.1213, 2923.16, and 2929.14 and to enact sections 2307.601, 2901.09, and 2923.163 of the Revised Code to bar recovery of damages in tort actions commenced by criminal offenders in specified circumstances even if the offender has not been charged with or convicted of any offense based on the offender's criminal conduct; to create a rebuttable presumption that a person acted in self defense or defense of another when using defensive force that is intended or likely to cause death or great bodily harm to another if the person against whom the defensive force is used is in the process of entering or has entered, unlawfully and without privilege to do so, the residence or vehicle occupied by the person using the defensive force; to provide in specified circumstances exemptions from illegal possession of firearm in liquor permit premises for the principal permit holder and the holder's agents and employees who are off-duty peace officers; to relocate the penalty for carrying a concealed firearm in liquor permit premises; to provide an exemption from illegal conveyance or possession or deadly weapon or dangerous ordnance in a school safety zone for a concealed carry licensee immediately in the process of picking up or dropping off a child; to change when a concealed carry licensee cannot carry in a government facility; to specify that a concealed carry licensee's carrying of a concealed handgun on a private, posted parking lot is not criminal trespass; to conform the OVI-related portion of improperly handling firearms in a motor vehicle to R.C. 4511.19; to revise how a concealed carry licensee may carry a handgun in a vehicle; to specify when carrying concealed weapons does not apply to transporting or storing a firearm in a motor vehicle or storing or possessing a firearm in the home; to redefine "unloaded" for purposes of improperly handling firearms in a motor vehicle and to revise the elements of that offense as they apply to an unloaded firearm; to alter the requirements for renewing a concealed carry license; to provide that an applicant's convictions or delinquent child adjudications that are sealed or expunged or for which relief from disability has been granted cannot be considered in determining eligibility for a concealed handgun license or whether to suspend or revoke such a license; to remove the requirement for a retired peace officer identification card that the officer have a nonforfeitable right to retirement benefits; to provide that a retired police officer's successful completion of a firearms requalification program requalifies the peace officer for five years for purposes of obtaining the rights of a concealed carry licensee; to prohibit a landlord from prohibiting a concealed carry licensee who is a tenant or guest from lawfully carrying or possessing handguns in residential premises; to require that the integrity and identity of a firearm seized from a person by a law enforcement officer be maintained so that if returned it can be identified and returned in the same condition as when seized; to require a court that finds that a law enforcement officer failed to

return a seized firearm upon demand and that orders the officer to return it to the person to award reasonable costs and attorney's fees to the person who sought the order; to make other firearms law-related changes; to prohibit the imposition of a gun specification prison term if the base offense is any of three specified firearms-related offenses; and to remove current sentencing restrictions and impose new sentencing requirements when a court sentences an offender convicted of multiple felonies and multiple gun specifications, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Sub. S. B. No. 184**?"

The yeas and nays were taken and resulted - yeas 25, nays 7, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Cates	Faber
Fedor	Goodman	Grendell	Jacobson
Mumper	Niehaus	Padgett	Roberts
Schaffer	Schuler	Schuring	Seitz
Spada	Stivers	Wagoner	Wilson
			Harris-25.

Senators Kearney, Mason, Miller D, Miller R, Morano, Sawyer, and Smith voted in the negative-7.

So the Senate concurred in the amendments of the House of Representatives.

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

Senator Buehrer moved to amend the title as follows:

Add the name: "Amstutz."

Remove the name: "Kearney."

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

The motion was agreed to and the title so amended.

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 237-Senator Schaffer.

Cosponsors: Senators Kearney, Stivers, Amstutz, Carey, Harris, Mason, Mumper, Sawyer, Seitz, Spada, Wilson, Padgett. Representatives Hughes, Yuko, Szollosi, Slesnick, Bacon, Boyd, Celeste, Chandler, Combs, Domenick, Dyer, Evans, Flowers, Gardner, Gerberry, Goyal, Hagan, J., Heard, Letson, Luckie, Mallory, McGregor, J., Oelslager, Patton, Sayre.

To amend sections 121.04, 3731.01, 3731.02, 3731.03, 3731.04, 3731.05, 3731.06, 3731.11, 3731.12, 3731.16, 3731.20, 3731.21, 3731.99, and 4745.01

and to enact sections 1.601 and 3731.041 of the Revised Code to allow transient hotels to permit guests to stay longer than thirty days, to allow extended stay hotels to permit guests to stay longer than one year, to make changes to the law governing SRO facilities, and to make other changes to the Hotel Law, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Am. Sub. S. B. No. 237**?"

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	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 Senate concurred in the amendments of the House of Representatives.

REPORTS OF CONFERENCE COMMITTEES

Senator Grendell submitted the following report:

The Committee of Conference to which the matters of difference between the two houses were referred on **Am. H.B. 181**, Representative Setzer, et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the House of Representatives.

Members on the Part of the
House of Representatives

/s/ Arlene J. Setzer
/s/ Larry Flowers
/s/ Vernon Sykes

Members on the Part of the
Senate

/s/ Timothy Grendell
/s/ John A. Carey, Jr.
/s/ Lance T. Mason

Senator Jacobson moved that pursuant to Senate Rule No. 44, the Report of the Conference Committee on **Am. H. B. No. 181** be brought up for consideration.

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

The motion was agreed to.

The question being, "Shall the report of the Committee of Conference be agreed to?"

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	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 report of Committee of Conference was agreed to.

On the motion of Senator Jacobson, **Sub. S. B. No. 248**, having been informally passed, was taken up for consideration.

The question being, "Shall the bill, **Sub. S. B. No. 248**, pass?"

Senator Jacobson moved to amend as follows:

In line 18, delete the first "and"; after "3345.01" insert ", and 5903.02"

Between lines 1013 and 1014, insert:

"Sec. 5903.02. (A) As used in this section, "uniformed services" and "service in the uniformed services" have the same meanings as in the "Uniformed Services Employment and Reemployment Rights Act of 1994," 108 Stat. 3149, 38 U.S.C.A. 4303.

(B) Any person whose absence from a position of employment is necessitated by reason of service in the uniformed services or in the Ohio organized militia has the same reinstatement and reemployment rights in this state that a person has under the "Uniformed Services Employment and Reemployment Rights Act of 1994." A person who is denied a reinstatement or reemployment right pursuant to this section has a cause of action for the same remedies as a person has under the "Uniformed Services Employment and Reemployment Rights Act of 1994." The court of common pleas, notwithstanding any sum limitation established by decision of a board of county commissioners pursuant to section 2305.01 of the Revised Code, shall have exclusive original jurisdiction for such actions, unless the defendant is the state, in which case the court of claims shall have exclusive original jurisdiction

pursuant to division (C) of this section.

(C) A person who seeks reinstatement or reemployment rights with the state, pursuant to this section, may bring an action in the court of claims pursuant to this section or section 4323 of the "Uniformed Services Employment and Reemployment Rights Act of 1994."

(D) In any action or proceeding to enforce a provision of this section, the court shall require the defendant to pay the court costs if the plaintiff is the prevailing party in the action or proceeding. If the plaintiff is not the prevailing party, the court may use its discretion in allocating court costs among the parties to the action.

(E) In any action or proceeding to enforce a provision of this section the court may award to a plaintiff who prevails in such action or proceeding reasonable attorney's fees, expert witness fees, and other litigation expenses. If the plaintiff does not receive a favorable judgment from the court in that action, the court shall not require the plaintiff to reimburse the state or the defendant for attorney's fees.

(F) The director of administrative services shall adopt rules in accordance with Chapter 119. of the Revised Code for the implementation of this chapter with respect to persons in public service.

(G) A person is not entitled to a remedy in a state action under division (B) or (C) of this section if the person has received a remedy based on the same facts under the "Uniformed Services Employment and Reemployment Rights Act of 1994." If a person has received a remedy in a state action under division (B) or (C) of this section and then receives a remedy based on the same facts under the "Uniformed Services Employment and Reemployment Rights Act of 1994," the person shall reimburse the judgment debtor the value of the federal remedy or the state remedy whichever is less.

In line 1047, delete "and"; after "3345.01" insert ", and 5903.02"

In line 2 of the title, delete the first "and"; after "3345.01" insert ", and 5903.02"

In line 13 of the title, after "Distinction," insert "to clarify available remedies for actions under the Uniformed Services Employment and Reemployment Rights Act of 1994,"

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	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 as amended passed.

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

Senator Austria moved to amend the title as follows:

Add the names: "Amstutz, Kearney, Sawyer, Schuler, Stivers, Wagoner, Wilson."

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

The motion was agreed to and the title so amended.

On the motion of Senator Jacobson, the Senate recessed.

The Senate met pursuant to the recess.

On the motion of Senator Jacobson, **Am. H. B. No. 416**, having been informally passed, was taken up for consideration.

Senator Jacobson moved that **Am. H. B. No. 416** be recommitted to the Committee on Environment and Natural Resources.

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

The motion was agreed to.

MOTIONS

Senator Austria moved that Senators absent the week of Sunday, May 25, 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. 345-Senator Goodman.

Cosponsors: Senators Wagoner, Kearney, Padgett, Schuring, Seitz, Faber,

Wilson, Roberts, Fedor, Boccieri, Stivers.

To amend sections 733.40, 1901.024, 1901.31, 1907.20, 2949.111, 3375.49, 3375.50, and 4513.35; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3375.50 (307.515); to enact sections 307.51, 307.511, 307.512, 307.513, 307.514, 307.516, and 3375.481; to repeal sections 3375.48, 3375.51, 3375.52, 3375.53, 3375.54, and 3375.55 of the Revised Code, and to repeal on December 31, 2009, section 3375.49 of the Revised Code, as amended by this act, to create a county law library resources board in each county, to create a statewide consortium of county law library resources boards, to provide that each county law library resources board is responsible for coordinating legal research and reference material for county offices, courts, and county departments, to create the county law library resources fund and the statewide consortium of county law library resources boards fund, and to reconstitute the Task Force on Law Library Associations.

OFFERING OF RESOLUTIONS

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

S. R. No. 229-Senator Harris.

Cosponsors: Senators Amstutz, Austria, Buehrer, Carey, Cates, Goodman, Harris, Jacobson, Mumper, Niehaus, Padgett, Schaffer, Schuler, Schuring, Seitz, Spada, Stivers, Wagoner, Boccieri, Cafaro, Miller, D., Miller, R., Morano, Roberts, Sawyer, Smith, Wilson.

Honoring Dr. Susan Tave Zelman on her retirement as superintendent of public instruction.

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 refused to concur in the Senate amendments to:

Am. Sub. H. B. No. 562 -Representative Hottinger - et al.

Attest:

Laura P. Clemens,
Clerk.

Senator Jacobson moved that the Senate insist on the Senate amendments to **Am. Sub. H. B. No. 562**, and ask for a Committee of Conference.

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. 183 -Senator Schaffer

Cosponsors: Senators Coughlin, Austria, Cates, Clancy, Faber, Gardner, Grendell, Padgett, Fedor, Harris, Mason, Miller, R., Mumper, Spada, Wilson
Representatives Sears, Dyer, Adams, Bacon, Blessing, Bolon, Collier, Combs, Daniels, DeBose, Dolan, Domenick, Evans, Flowers, Gardner, Gibbs, Hagan, J., Heard, Heydinger, Hottinger, Hughes, Jones, Letson, Lundy, Mallory, Mandel, McGregor, J., Mecklenborg, Patton, Raussen, Schindel, Schlichter, Schneider, Setzer, Slesnick, Stebelton, Szollosi, Uecker, Wachtmann, Zehringer

To amend sections 2907.07, 2907.21, 2907.40, and 2929.13 of the Revised Code to provide mandatory minimum prison terms for persons who plead guilty to or are convicted of importuning, to modify the definition of "adult cabaret" as used in connection with the operation of a sexually oriented business, and to apply the offense of compelling prostitution to an offender who believes the person solicited is a minor.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Laura P. Clemens,
Clerk.

Senator Jacobson moved that the amendments of the House of Representatives to **Sub. S. B. No. 183**, be brought up for consideration.

The question being, "Shall the Senate concur in the House amendments to **Sub. S. B. No. 183**?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Boccieri	Buehrer
Cafaro	Carey	Cates	Faber
Fedor	Goodman	Grendell	Jacobson
Kearney	Mason	Miller D	Miller R

Morano
Roberts
Seitz
Wagoner

Mumper
Schaffer
Smith
Wilson

Niehaus
Schuler
Spada

Padgett
Schuring
Stivers
Harris-31.

So the Senate concurred in the amendment of the House of Representatives.

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. 229 -Senator Gardner

Cosponsors: Senators Mumper, Spada, Wagoner, Padgett, Coughlin, Harris, Schaffer, Miller, R., Wilson Representatives Wachtmann, Hagan, R., Bacon, Beatty, Budish, Combs, DeBose, Evans, Flowers, Harwood, Hughes, McGregor, J., Oelslager, Patton, Schneider, Setzer, Stewart, D., Szollosi, Ujvagi, Williams, B.

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.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Laura P. Clemens,
Clerk.

Senator Niehaus moved that the amendments of the House of Representatives to **Sub. S. B. No. 229**, be brought up for consideration.

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

The motion was agreed to.

The question being, "Shall the Senate concur in the House amendments to **Sub. S. B. No. 229**?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz
Cafaro

Austria
Carey

Bocchieri
Cates

Buehrer
Faber

Fedor	Goodman	Grendell	Jacobson
Kearney	Mason	Miller D	Miller R
Morano	Mumper	Niehaus	Padgett
Roberts	Schaffer	Schuler	Schuring
Seitz	Smith	Spada	Stivers
Wagoner	Wilson		Harris-31.

So the Senate concurred in the amendments of the House of Representatives.

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:

Am. Sub. S. B. No. 268 -Senator Seitz

Cosponsors: Senators Niehaus, Gardner, Schuler, Schuring, Cates, Fedor, Roberts, Buehrer, Harris, Kearney, Mumper, Spada, Wilson Representatives Mallory, Newcomb, Chandler, Uecker, Adams, Bolon, Brinkman, Budish, Coley, Combs, Domenick, Driehaus, Flowers, Gibbs, Hagan, J., Lundy, Mecklenborg, Schneider, Zehringer

To amend sections 9.48, 125.04, 307.86, 505.10, 505.37, 505.376, 511.12, 515.01, 731.14, 971.07, and 3313.46 and to enact section 307.862 of the Revised Code to allow a county contracting authority to use competitive sealed proposals instead of competitive sealed bidding when doing so would be advantageous to the county, to modify provisions concerning a county contracting authority's purchase of certain insurance policies or health care plans, to extend the current county and township joint purchasing authority to other political subdivisions and exempt county participants from competitive bidding requirements, to authorize boards of education to forgo the second newspaper publication of bid advertisement in lieu of an internet web site posting, and to change notice requirements for other local government purposes.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 612, delete " (a)" and insert " (i)"

In line 614, delete " (b)" and insert " (ii)"

In line 616, delete " (c)" and insert " (iii)"

In line 618, delete " (d)" and insert " (iv)"

In line 733, delete "(a)" and insert "(1)"

In line 735, delete "(b)" and insert "(2)"

In line 737, delete "(c)" and insert "(3)"

In line 739, delete "(d)" and insert "(4)"

In line 788, delete "(a)" and insert "(1)"

In line 790, delete "(b)" and insert "(2)"

In line 792, delete "(c)" and insert "(3)"

In line 794, delete "(d)" and insert "(4)"

In line 994, delete "(a)" and insert "(A)"

In line 996, delete "(b)" and insert "(B)"

In line 998, delete "(c)" and insert "(C)"

In line 1000, delete "(d)" and insert "(D)"

In line 1059, delete "(a)" and insert "(1)"

In line 1061, delete "(b)" and insert "(2)"

In line 1063, delete "(c)" and insert "(3)"

In line 1065, delete "(d)" and insert "(4)"

In line 1110, delete "(a)" and insert "(A)"

In line 1112, delete "(b)" and insert "(B)"

In line 1114, delete "(c)" and insert "(C)"

In line 1116, delete "(d)" and insert "(D)"

In line 1146, delete "(a)" and insert "(A)"

In line 1148, delete "(b)" and insert "(B)"

In line 1150, delete "(c)" and insert "(C)"

In line 1152, delete "(d)" and insert "(D)"

In line 1184, delete "(a)" and insert "(1)"

In line 1186, delete "(b)" and insert "(2)"

In line 1188, delete "(c)" and insert "(3)"

In line 1190, delete "(d)" and insert "(4)"

Attest:

Laura P. Clemens,
Clerk.

Senator Jacobson moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 268**, be brought up for consideration.

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

The motion was agreed to.

The question being, "Shall the Senate concur in the House amendments to **Am. Sub. S. B. No. 268**?"

The yeas and nays were taken and resulted - yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Cates	Faber
Fedor	Goodman	Grendell	Jacobson
Kearney	Mason	Miller D	Miller R
Morano	Mumper	Niehaus	Padgett
Roberts	Schaffer	Schuring	Seitz
Smith	Spada	Stivers	Wagoner
Wilson			Harris-30.

So the Senate concurred in the amendments of the House of Representatives.

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

Attest:

VINCENT L. KEERAN,
Clerk.