

OHIO

SENATE

JOURNAL

TUESDAY, JUNE 19, 2007

SIXTIETH DAY
Senate Chamber, Columbus, Ohio
Tuesday, June 19, 2007, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Bishop Jerome Ross, Tri-Stone Baptist Church, Columbus, 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:

Sub. H. B. No. 5-Representative Gibbs.

Cosponsors: Representatives Blessing, Wagoner, Seitz, Dolan, Latta, Coley, Harwood, Batchelder, Bacon, Budish, Carmichael, Core, Daniels, DeBose, Distel, Domenick, Dyer, Evans, Fende, Flowers, Garrison, Goyal, Hagan, J., Hite, Hottinger, Huffman, Hughes, Jones, Koziura, Letson, Patton, Peterson, Reinhard, Schindel, Schneider, Setzer, Stebelton, Stewart, J., Wachtmann, Wagner, White, Williams, B., Zehringer.

To amend sections 163.01, 163.02, 163.04, 163.05, 163.06, 163.09, 163.14, 163.15, 163.19, 163.21, 163.53, 163.62, 303.26, 719.012, 725.01, 1728.01, 2505.02, and 3735.40 and to enact sections 1.08, 163.021, 163.211, and 163.63 of the Revised Code to implement the recommendations of the Eminent Domain Task Force and to create other procedures to protect the rights of property owners.

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

Sub. H. B. No. 104-Representative Core.

Cosponsors: Representatives Setzer, Seitz, Hughes, Dodd, Flowers, Combs, Adams, White, Webster, McGregor, R., Bulp, Collier, McGregor, J., Stebelton, Blessing, Dyer, Batchelder, Bacon, Coley, Domenick, Hagan, J., Huffman, Latta, Mandel, Patton, Uecker, Wagoner.

To amend sections 109.572, 4709.05, 4717.04, 4725.09, 4725.44, 4730.14, 4730.28, 4731.15, 4731.222, 4731.281, 4731.296, 4740.04, 4755.06, 4755.61, 4757.10, 4759.05, 4760.06, 4761.03, 4762.06, and 4779.08 and to enact sections 4701.08, 4709.071, 4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4730.101, 4731.081, 4731.171, 4731.531, 4732.091, 4734.202, 4740.061, 4741.10, 4755.70, 4757.101, 4759.061, 4760.032, 4761.051,

4762.031, 4776.01, 4776.02, 4776.03, 4776.04, and 4779.091 of the Revised Code to require initial license applicants and applicants for restoration of licenses for specified licensed professions to obtain a criminal background check from the bureau of criminal investigation and identification and to require the appropriate licensing board to consider the results of those checks in determining a person's eligibility for licensure.

To the Committee on Judiciary - Criminal Justice.

H. B. No. 113-Representatives White, Luckie.

Cosponsors: Representatives Combs, McGregor, J., Peterson, Seitz, Webster, Setzer, Latta, Flowers, Schneider, Wagoner, Otterman, Strahorn, Adams, Widener, Barrett, Batchelder, Beatty, Bolon, Boyd, Bubp, Celeste, Coley, Collier, DeBose, DeGeeter, Domenick, Dyer, Fende, Garrison, Gibbs, Goodwin, Hagan, J., Heard, Huffman, Jones, Mandel, Patton, Raussen, Schindel, Schlichter, Wachtmann, Wagner, Wolpert, Yates, Yuko, Zehringer.

To enact sections 5120.034 and 5139.14 of the Revised Code to allow representatives of faith-based and other community organizations to provide reentry services to persons in the custody of the Department of Rehabilitation and Correction or the Department of Youth Services.

To the Committee on Judiciary - Criminal Justice.

H. B. No. 153-Representative Latta.

Cosponsors: Representatives Setzer, Flowers, Combs, McGregor, J., Evans, Ujvagi, Bacon, Seitz, Okey, Gibbs, Stebelton, Yuko, Aslanides, Wagner, Core, Distel, Domenick, Goodwin, Harwood, Hite, Huffman, Luckie, Reinhard, Sayre, Zehringer, Batchelder, Blessing, Bolon, Book, Brady, Bubp, Budish, Collier, Dodd, Dolan, Driehaus, Dyer, Fende, Garrison, Hagan, J., Hughes, Oelslager, Otterman, Patton, Schlichter, Schneider, Stewart, J., Uecker, Wagoner, Webster, Widener, Yates.

To enact section 1531.133 of the Revised Code to direct the Chief of the Division of Wildlife in the Department of Natural Resources to enter into the Wildlife Violators Compact and to authorize the Chief to enter into agreements with law enforcement agencies outside of this state for joint law enforcement operations.

To the Committee on Environment and Natural Resources.

H. B. No. 160-Representative Bubp.

Cosponsors: Representatives Latta, Seitz, Book, Adams, Batchelder, Blessing, Brown, Budish, Chandler, Coley, Combs, Daniels, DeBose, Domenick, Fende, Gibbs, Harwood, Hite, Huffman, Hughes, Letson, Luckie, Otterman, Raussen, Schindel, Schneider, Stebelton, Wagoner, Zehringer.

To amend section 5815.36 of the Revised Code to clarify and modify the law relating to disclaimers under the Ohio Trust Code.

To the Committee on Judiciary - Civil Justice.

Am. H. B. No. 169-Representative Wagner.

Cosponsors: Representatives Evans, McGregor, J., Latta, Stebelton, Chandler, Yuko, Collier, Fessler, Wolpert, Lundy, Hagan, R., Mallory, Otterman, Heard, Williams, B., Schindel, DeBose, Celeste, Zehringer, Budish, Domenick, Dyer, Flowers, Foley, Harwood, Hughes, Koziura, Letson, Miller, Stewart, D., Stewart, J., Wagoner.

To amend section 3734.13 and to enact sections 3734.91, 3734.911, 3734.912, 3734.913, 3734.914, and 3734.915 of the Revised Code to establish requirements governing the disposal and collection of used lead-acid batteries.

To the Committee on Environment and Natural Resources.

S. B. No. 183-Senator Schaffer.

Cosponsors: Senators Coughlin, Austria, Cates, Clancy, Faber, Gardner, Grendell, Padgett.

To amend section 2907.07 of the Revised Code to provide mandatory minimum prison terms for persons who plead guilty to or are convicted of importuning by means of a telecommunications device.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 184-Senator Buehrer.

Cosponsors: Senators Faber, Grendell, Niehaus, Stivers, Padgett, Carey, Goodman, Mumper, Clancy, Schuring, Schaffer, Schuler, Cafaro, Kearney, Gardner.

To amend section 2901.05 and to enact section 2305.402 of the Revised Code to provide a criminal defendant who properly establishes the affirmative defense of self-defense or defense of another with immunity from civil liability for damages related to the acts of self-defense or defense of another and to create a rebuttable presumption that a criminal defendant who raises the

affirmative defense of self-defense or defense of another acted properly if the defendant or the person defended by the accused was suffering or was about to suffer a felony offense of violence or a forcible trespass upon the home of the defendant or of the person defended by the accused.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 185-Senator Schuler.

Cosponsor: Senator Kearney.

To amend sections 131.18, 149.411, 3375.32, 3375.35, 3375.36, 3375.37, 3375.38, 3375.39, 3375.41, 3375.91, 3375.92, 5705.28, and 5705.37 and to enact section 3375.351 of the Revised Code to revise certain laws governing public libraries.

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

S. B. No. 186-Senator Stivers.

Cosponsors: Senators Miller, D., Miller, R., Gardner.

To amend sections 1739.05 and 1751.01 and to enact section 3923.80 of the Revised Code to prohibit insurers, public employee benefit plans, and multiple employer welfare arrangements from excluding coverage for routine patient care administered as part of a cancer clinical trial.

To the Committee on Insurance, Commerce and Labor.

S. C. R. No. 11-Senator Grendell.

Cosponsors: Senators Mumper, Padgett, Buehrer.

To urge Congress to enact the Water Resources Development Act of 2007.

To the Committee on Environment and Natural Resources.

YES - 5: JEFF JACOBSON, J. KIRK SCHURING, TOM ROBERTS, TERESA FEDOR, 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 Clancy submitted the following report:

The standing committee on Highways and Transportation, to which was referred **S. B. No. 37**-Senator Schuler, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Clancy.

YES - 9: PATRICIA M. CLANCY, STEPHEN BUEHRER, KEVIN J. COUGHLIN, JOY PADGETT, J. KIRK SCHURING, CAPRI S. CAFARO, JASON H. WILSON, SHIRLEY A. SMITH, STEPHEN C. AUSTRIA.

NO - 0.

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

The report of the committee was accepted.

Senator Goodman submitted the following report:

The standing committee on Judiciary - Civil Justice, to which was referred **Am. H. B. No. 89**-Representative Coley, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Goodman, Buehrer, Amstutz, Kearney, Mason, Sawyer.

YES - 8: DAVID GOODMAN, STEPHEN BUEHRER, RON AMSTUTZ, KEITH L. FABER, ERIC H. KEARNEY, LANCE T. MASON, THOMAS SAWYER, J. KIRK SCHURING.

NO - 0.

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

The report of the committee was accepted.

Senator Goodman submitted the following report:

The standing committee on Judiciary - Civil Justice, to which was referred **H. B. No. 134**-Representative Seitz, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Goodman, Kearney, Mason, Sawyer.

YES - 8: DAVID GOODMAN, STEPHEN BUEHRER, RON AMSTUTZ, KEITH L. FABER, ERIC H. KEARNEY, LANCE T. MASON, THOMAS SAWYER, J. KIRK SCHURING.

NO - 0.

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

The report of the committee was accepted.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 30-Senator Kearney.

Cosponsors: Senators Amstutz, Padgett, Gardner, Carey, Miller, D., Clancy, Roberts.

To enact sections 3107.018 and 5101.143 of the Revised Code to allow the Ohio Department of Job and Family Services to make state adoption assistance loans to prospective adoptive parents and to make an appropriation, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 30**, pass?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Cates	Clancy
Coughlin	Faber	Fedor	Gardner
Goodman	Grendell	Jacobson	Kearney
Mason	Miller D	Miller R	Morano
Mumper	Niehaus	Padgett	Roberts
Sawyer	Schaffer	Schuler	Schuring
Smith	Spada	Stivers	Wilson
			Harris-33.

So the bill passed.

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

Senator Kearney moved to amend the title as follows:

Add the names: "Bocchieri, Cafaro, Cates, Faber, Fedor, Harris, Mason, Miller, R., Morano, Mumper, Niehaus, Sawyer, Schuler, Smith, Spada, Stivers, Wilson, Grendell, Austria."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 157-Senator Buehrer.

Cosponsors: Senators Carey, Faber, Goodman, Mason.

To amend sections 1337.09, 2109.21, 2111.02, 2111.121, 2307.14, 5305.22, 5711.05, 5711.07, 5907.06, and 5907.09 of the Revised Code to specifically authorize a person to designate a guardian for the person's incompetent adult child, to make corrections regarding incompetent and mentally ill persons, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 5, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 32, nays 1, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Clancy	Coughlin
Faber	Fedor	Gardner	Goodman
Grendell	Jacobson	Kearney	Mason
Miller D	Miller R	Morano	Mumper
Niehaus	Padgett	Roberts	Sawyer
Schaffer	Schuler	Schuring	Smith
Spada	Stivers	Wilson	Harris-32.

Senator Cates voted in the negative-1.

So the section, Section 5, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Cates	Clancy
Coughlin	Faber	Fedor	Gardner
Goodman	Grendell	Jacobson	Kearney
Mason	Miller D	Miller R	Morano
Mumper	Niehaus	Padgett	Roberts
Sawyer	Schaffer	Schuler	Schuring
Smith	Spada	Stivers	Wilson
			Harris-33.

So the bill having received the required constitutional majority passed as an emergency measure.

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

Senator Buehrer moved to amend the title as follows:

Add the names: "Bocchieri, Clancy, Fedor, Harris, Miller, R., Morano, Mumper, Niehaus, Padgett, Schuler, Spada, Wilson, Miller, D., Smith, Stivers."

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

The motion was agreed to and the title so amended.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 187-Senator Cates.

To amend sections 3313.981 and 3327.01 of the Revised Code to require school districts to provide transportation to the school of attendance for each resident student under sixteen years of age whose parent requests transportation.

S. B. No. 188-Senator Wilson.

Cosponsors: Senators Sawyer, Gardner, Schuler, Carey, Miller, R., Goodman, Padgett, Cafaro, Bocchieri, Mason.

To enact section 5533.591 of the Revised Code to designate a portion of United States Route 36 as the "Cy Young Memorial Highway."

OFFERING OF RESOLUTIONS

Senator Grendell offered the following concurrent resolution:

S. C. R. No. 12-Senator Grendell.

Cosponsors: Senators Mumper, Padgett.

To urge Congress to enact legislation to protect the Great Lakes from ballast water discharges of invasive species.

The question being, "Shall the concurrent resolution, **S. C. R. No. 12**, be adopted?"

On the motion of Senator Jacobson, **S. C. R. No. 12**, was referred to the Committee on Reference.

Senator Roberts offered the following concurrent resolution:

S. C. R. No. 13-Senator Roberts.

Cosponsors: Senators Schuring, Miller, D., Cafaro, Morano, Padgett, Mason, Wilson.

To express support for the efforts of the Congress of the United States to enact legislation prohibiting gasoline price gouging against consumers and to urge Congress to enact additional legislation that addresses price gouging by companies that produce crude oil, gasoline, natural gas, and all petroleum distillates.

The question being, "Shall the concurrent resolution, **S. C. R. No. 13**, be adopted?"

On the motion of Senator Jacobson, **S. C. R. No. 13**, was referred to the Committee on Reference.

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

S. R. No. 88-Senator Sawyer.

In memory of Staff Sergeant Matthew J. Kuglics.

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

So the resolution was adopted.

Message from the House of Representatives

Mr. President:

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

H. B. No. 87 -Representative Wachtmann

Cosponsors: Representatives Aslanides, Bubp, 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

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."

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

Cosponsors: Representatives McGregor, J., Evans, Bubp, 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 2925.01, 2925.03, 2925.11, and 2925.22 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 penalty for "deception to obtain a dangerous drug" and "possession of drugs" under specified circumstances, and to modify an element of the trafficking in drugs offenses.

H. B. No. 233 -Representative Reinhard

Cosponsors: Representatives Bulp, Collier, DeWine, Evans, Fende, Goodwin, Goyal, Huffman, Latta, McGregor, J., Schlichter, Seitz, Setzer, Webster, Zehringer, Wolpert, Hagan, J., Hagan, R., Reinhard, Schindel, Wagner, Heard, Williams, B., DeBose, Chandler, Lundy, Celeste, Stebelton, Otterman, Mallory, Adams, Aslanides, Bacon, Batchelder, Blessing, Bolon, Brown, Budish, Carmichael, Core, Daniels, Dodd, Domenick, Dyer, Flowers, Garrison, Gibbs, Harwood, Healy, Hite, Hughes, Koziura, Letson, Luckie, Mandel, Miller, Oelslager, Okey, Patton, Sayre, Schneider, Uecker, Ujvagi, Wachtmann, Wagoner, Widener

To create the Ohio Agriculture to Chemicals, Polymers, and Advanced Materials Task Force.

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:

Sub. H. B. No. 8 -Representative Hagan, R.

Cosponsors: Representatives Hite, Skindell, Lundy, Driehaus, Domenick, Stewart, D., Bacon, Blessing, Bolon, Book, Boyd, Brady, Brown, Bulp, Budish, DeBose, DeGeeter, Dodd, Dyer, Fende, Flowers, Foley, Gerberry, Goyal, Harwood, Hottinger, Huffman, Hughes, Koziura, Latta, Letson, Luckie, Mallory, Mandel, Miller, Okey, Otterman, Patton, Raussen, Sayre, Schneider, Strahorn, Uecker, Ujvagi, Widowfield, Williams, B., Yuko,

Zehringer

To amend sections 145.27, 145.56, 145.82, 145.95, 742.41, 742.47, 3305.07, 3305.20, 3307.20, 3307.41, 3309.22, 3309.66, 3309.82, 3309.95, 5505.04, and 5505.22 and to enact sections 145.572, 742.463, 2901.43, 3305.11, 3307.372, 3309.672, and 5505.262 of the Revised Code to provide that a member of a state retirement system, on conviction of a felony committed in the course of official duties, will forfeit the portion of any state retirement benefit that is based on employer contributions.

H. B. No. 217 -Representative Reinhard

Cosponsors: Representatives Adams, Aslanides, Evans, Fessler, Latta, McGregor, J., Schlichter, Seitz, Setzer, Stebelton, Webster, Zehringer, Core, Goodwin, Huffman, Hite, Luckie, Domenick, Blessing, Bolon, Book, Brown, Bupp, Chandler, Collier, Combs, Daniels, Dodd, Dyer, Garrison, Gerberry, Goyal, Hagan, R., Harwood, Hughes, Letson, Mallory, Okey, Otterman, Raussen, Schneider, Widener

To amend sections 924.01, 924.02, 924.08, 924.09, and 924.99 and to enact sections 924.20 to 924.30 of the Revised Code to establish a grain marketing program.

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 Speaker of the House of Representatives has signed the following concurrent resolution:

S. C. R. No. 7 -Senator Austria - et al.

Attest:

Laura P. Clemens,
Clerk.

The President signed said concurrent resolution.

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. 119 -Representative Dolan - et al.

Attest:

Laura P. Clemens,
Clerk.

Senator Jacobson moved that the Senate insist on the Senate amendments to **Am. Sub. H. B. No. 119**, 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:

Am. Sub. S. B. No. 117 -Senator Jacobson

Cosponsors: Senators Miller, R., Spada, Buehrer, Mumper, Niehaus, Stivers, Mason, Fedor, Harris, Coughlin, Wilson, Sawyer Representatives Hottinger, Williams, S., Bacon, Hagan, J., Barrett, Beatty, Blessing, Boyd, Budish, Collier, Daniels, DeBose, Distel, Driehaus, Dyer, Evans, Flowers, Luckie, Mallory, Otterman, Schneider, Seitz, Wagoner, Webster, Yuko, Zehringer

To amend section 153.64, to enact sections 1332.21, 1332.22, 1332.23, 1332.24, 1332.25, 1332.26, 1332.27, 1332.28, 1332.29, 1332.30, 1332.31, 1332.32, 1332.33, and 1332.34, and to repeal sections 505.90, 505.91, and 505.92 of the Revised Code to provide for the issuance of video service authorizations by the Director of Commerce.

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

In line 218, delete " means programming provided by, or"

Delete line 219

In line 220, delete " television broadcast station, as set forth" and insert "has the same meaning as"

In line 260, delete " also"

In line 293, delete " division" and insert " divisions"

In line 294, delete " or" and insert " and"

In line 301, delete " Solely at the option of" and insert " Subject to division (B)(2) of this section,"

In line 303, delete " , the person"

In line 311, after the underlined period insert " With respect to such a franchise or competitive video service agreement but only for the time the franchise or agreement is in effect as provided under divisions (B)(1)(a) and (2) of this section, the authority of a township under sections 505.90 to 505.92 of the Revised Code, as those sections existed on the day before their repeal by Am. Sub. S.B. 117 of the 127th General Assembly, shall continue, notwithstanding their repeal by that act."

In line 323, after " circumstances" insert an underlined comma; delete the underlined comma

In line 327, delete " Before" and insert " Not sooner than one hundred twenty days before"

In line 601, delete " providing or selling" and insert " it provides or sells"

In lines 698 and 699, delete " service tier" and insert " cable service"

In line 703, delete " division" and insert " divisions"

In lines 713 and 714, delete " service tier" and insert " cable service"

In line 717, delete " may" and insert " shall"

In line 742, delete " access to"

In line 801, after " The" insert " unfulfilled"

In line 813, after " have" insert " a pro rata share of"

In line 814, after " same" insert " unfulfilled"

In line 837, after " share" insert " of the unfulfilled obligation"

In line 856, after " (1)" delete the balance of the line

Delete line 857

In line 858, delete everything before " may" and insert " If a municipal corporation or township requires a person to provide connectivity for PEG channel programming on January 1, 2007, the person shall fulfill that obligation and provide connectivity sufficient to connect its headend or video hub office to the municipality's or township's PEG access channel origination points existing as of January 1, 2007. The obligation shall expire January 1, 2012, or such earlier date as may be specified in an ordinance or resolution of the municipal

corporation or township in effect on the effective date of this section or, if earlier, at the end of the most recent such connectivity obligation of any person to the municipal corporation or township. The person"

In line 860, after the underlined period delete the balance of the line

Delete line 861 through 870

In line 871, delete " on the effective date of this section."

In line 872, delete " transmission capacity" and insert " connectivity"

In line 873, delete " under division (F)(2)(a) of this section"

In line 876, delete " (b)" and insert " (2)"; delete " (2)(a)" and insert " (1)"

In line 897, delete " in the appropriate format"

In line 999, delete " initial service"; delete " under" and insert " required by"

In line 1027, after the underlined period insert " However, payment need not be made in that thirty-day period if the video service provider brings an action under division (D) of this section."

In line 1031, delete " Division" and insert " Divisions"; after " (C)" insert " (1) and (2)"

In line 1032, delete " shall" and insert " do"

Attest:

Laura P. Clemens,
Clerk.

Senator Jacobson moved that the amendments of the House of Representatives to **Am. Sub. S. B. 117**, 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. 117**?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Boccieri	Buehrer
Cafaro	Carey	Cates	Clancy
Coughlin	Faber	Fedor	Gardner
Goodman	Grendell	Jacobson	Kearney
Mason	Miller D	Miller R	Morano
Mumper	Niehaus	Padgett	Roberts
Sawyer	Schaffer	Schuler	Schuring
Smith	Spada	Stivers	Wilson

Harris-33.

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

MESSAGE FROM THE PRESIDENT

Pursuant to Section 4121.123 (A) (2) of H.B. No. 100 of the 127th General Assembly, the President of the Senate appoints the following public member, who represents employees who are not members of an employee organization, to serve on the *Workers' Compensation Board of Directors Nominating Committee:

Jerald D. Harris
Cincinnati, Ohio 45242

*(Formerly known as the Workers' Compensation Oversight Commission Nominating Committee)

On the motion of Senator Jacobson, the Senate adjourned until Wednesday, June 20, 2007, 1:30 p.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.