

OHIO

SENATE

JOURNAL

TUESDAY, NOVEMBER 18, 2008

TWO HUNDRED THIRTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Tuesday, November 18, 2008, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Steven Smith, Linworth Baptist Church, Worthington, Ohio, followed by the Pledge of Allegiance to the Flag.

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

Senator Niehaus moved that the Senate advance to the ninth order of business, Offering of Resolutions.

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

The motion was agreed to.

OFFERING OF RESOLUTIONS

Senator Niehaus offered the following resolution:

S. R. No. 285-Senator Niehaus.

Relative to the appointment of Peggy B. Lehner, to fill the vacancy in the membership of the Senate created by the resignation of Jeff Jacobson of the 6th Senatorial District.

WHEREAS, Section 11 of Article II, Ohio Constitution, provides for the filling of a vacancy in the Senate by appointment by the members of the Senate who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Jeff Jacobson of the 6th Senatorial District has resigned as a member of the Senate effective October 31, 2008, thus creating a vacancy in the Senate; now therefore be it

RESOLVED, By the members of the Senate who are affiliated with the Republican party, that Peggy B. Lehner (Republican), having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the Senate from the 6th Senatorial District is hereby appointed, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the Senate from the 6th Senatorial District, to fill the vacancy created by Jeff Jacobson; and be it further

RESOLVED, That a copy of this Resolution be spread upon the journal of the Senate together with the yeas and nays of the members of the Senate affiliated with the Republican party voting on the Resolution, and that the Clerk of the Senate shall certify the Resolution and the vote on its adoption to the Secretary of State.

The question being, "Shall the resolution, **S. R. No. 285**, be adopted?"

The yeas and nays were taken and resulted - yeas 14, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Buehrer	Carey	Cates
Coughlin	Faber	Grendell	Niehaus
Padgett	Schaffer	Schuring	Seitz
Wagoner			Harris-14.

So the resolution was adopted.

Senator elect Lehner appeared at the well of the Senate and was administered the oath of office by the Honorable Bill Harris, President of the Senate.

Senator Niehaus offered the following resolution:

S. R. No. 286-Senator Niehaus.

Relative to the appointment of Thomas F. Patton, to fill the vacancy in the membership of the Senate created by the resignation of Robert F. Spada of the 24th Senatorial District.

WHEREAS, Section 11 of Article II, Ohio Constitution, provides for the filling of a vacancy in the Senate by appointment by the members of the Senate who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Robert F. Spada of the 24th Senatorial District has resigned as a member of the Senate effective November 2, 2008, thus creating a vacancy in the Senate; now therefore be it

RESOLVED, By the members of the Senate who are affiliated with the Republican party, that Thomas F. Patton (Republican), having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the Senate from the 24th Senatorial District is hereby appointed, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the Senate from the 24th Senatorial District, to fill the vacancy created by Robert F. Spada; and be it further

RESOLVED, That a copy of this Resolution be spread upon the journal of the Senate together with the yeas and nays of the members of the Senate affiliated with the Republican party voting on the Resolution, and that the Clerk of the Senate shall certify the Resolution and the vote on its adoption to the Secretary of State.

The question being, "Shall the resolution, **S. R. No. 286**, be adopted?"

The yeas and nays were taken and resulted - yeas 15, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Buehrer	Carey	Cates
Coughlin	Faber	Grendell	Lehner
Niehaus	Padgett	Schaffer	Schuring
Seitz	Wagoner		Harris-15.

So the resolution was adopted.

Senator elect Patton appeared at the well of the Senate and was administered the oath of office by the Honorable Bill Harris, President of the Senate.

Senator Niehaus offered the following resolution:

S. R. No. 287-Senator Niehaus.

Relative to mileage reimbursement.

RESOLVED, Pursuant to section 101.27 of the Revised Code and S.R. No. 5--Senator Jacobson, Relative to mileage reimbursement, adopted January 2, 2007, the Clerk of the Senate is authorized to add the mileage for Peggy B. Lehner of 170 miles round trip.

The question being, "Shall the resolution, **S. R. No. 287**, be adopted?"

The yeas and nays were taken and resulted - yeas 24, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Buehrer	Cafaro	Carey
Cates	Coughlin	Faber	Fedor
Grendell	Kearney	Miller D	Miller R
Morano	Niehaus	Padgett	Patton
Roberts	Sawyer	Schaffer	Schuring
Seitz	Wagoner	Wilson	Harris-24.

So the resolution was adopted.

Senator Niehaus offered the following resolution:

S. R. No. 288-Senator Niehaus.

Relative to mileage reimbursement.

RESOLVED, Pursuant to section 101.27 of the Revised Code and S.R.

No. 5--Senator Jacobson, Relative to mileage reimbursement, adopted January 2, 2007, the Clerk of the Senate is authorized to add the mileage for Thomas F. Patton of 253 miles round trip.

The question being, "Shall the resolution, **S. R. No. 288**, be adopted?"

The yeas and nays were taken and resulted - yeas 23, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Buehrer	Cafaro	Carey
Cates	Coughlin	Faber	Fedor
Kearney	Lehner	Miller D	Miller R
Morano	Niehaus	Padgett	Roberts
Sawyer	Schaffer	Schuring	Seitz
Wagoner	Wilson		Harris-23.

So the resolution was adopted.

Senator Harris offered the following resolution:

S. R. No. 289-Senator Harris.

Permitting the Ohio Electoral College to conduct its official vote for President and Vice-President of the United States in the Senate Chamber on Monday, December 15, 2008.

WHEREAS, The members of the Senate of the 127th General Assembly of Ohio, in adopting this Resolution, permit the Ohio Electoral College to use the Ohio Senate Chamber to conduct its official vote for President and Vice-President of the United States on Monday, December 15, 2008; and

WHEREAS, The President and Vice-President of the United States are the only federal elective officials not elected by a direct vote of the people but are elected by an institution known as the Electoral College; and

WHEREAS, Article II Section 1 of the Constitution of the United States provides that each state shall appoint a number of electors equal to the whole number of Senators and Representatives to which each state may be entitled in the Congress of the United States; and

WHEREAS, Article II Section 1 of the Constitution of the United States provides that the electors shall meet in their respective states and vote by ballot for the President and Vice-President; and

WHEREAS, Section 3505.39 of the Ohio Revised Code requires the Ohio Secretary of State to select a place in the state capitol for the electors to meet and cast their votes for the President and Vice-President of the United States; and

WHEREAS, The Ohio Secretary of State has requested the use of the Chamber of the Ohio Senate for the Ohio members of the Electoral College to meet and cast their votes for the President and Vice-President of the United States on Monday, December 15, 2008; therefore be it

RESOLVED, That we, the members of the Senate of the 127th General Assembly of Ohio, in adopting this Resolution, permit the Ohio Electoral College to utilize the Chamber of the Ohio Senate on Monday, December 15, 2008, to conduct its official vote for President and Vice-President of the United States, and we commend its participants for their civic responsibility; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the Ohio Secretary of State and the Ohio Electoral College.

The question being, "Shall the resolution, **S. R. No. 289**, be adopted?"

The yeas and nays were taken and resulted - yeas 25, nays 0, as follows:

Those who voted in the affirmative were: Senators

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|----------|----------|---------|------------|
| Amstutz | Buehrer | Cafaro | Carey |
| Cates | Coughlin | Faber | Fedor |
| Grendell | Kearney | Lehner | Miller D |
| Miller R | Morano | Niehaus | Padgett |
| Patton | Roberts | Sawyer | Schaffer |
| Schuring | Seitz | Wagoner | Wilson |
| | | | Harris-25. |

So the resolution was adopted.

Pursuant to Senate Rule No. 54, the following resolutions were offered:

S. R. No. 290-Senators Harris, Amstutz, Austria, Boccieri, Buehrer, Cafaro, Carey, Cates, Coughlin, Faber, Fedor, Goodman, Grendell, Kearney, Miller, D., Miller, R., Morano, Mumper, Niehaus, Padgett, Roberts, Sawyer, Schaffer, Schuler, Schuring, Seitz, Smith, Stivers, Turner, Wagoner, Wilson.

In memory of the Honorable Eugene J. Watts, Ph.D.

S. R. No. 291-Senator Wagoner.

Honoring the Toledo Ottawa Hills High School boys soccer team as the 2008 Division III State Champion.

S. R. No. 292-Senator Schaffer.

Honoring Samantha Swinehart on winning the 2008 Division I State Girls

Golf Championship.

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

So the resolutions were adopted.

Senator Niehaus moved that the Senate revert to the first order of business, Reports of Reference and Bills for Second Consideration.

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

The motion was agreed to.

REPORTS OF REFERENCE AND BILLS FOR SECOND CONSIDERATION

Senator Schuring reports for the Standing Committee on Reference, recommending that the following bills and resolutions, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 346-Senator Schuler.

Cosponsors: Senators Buehrer, Cafaro, Cates, Grendell, Mumper, Niehaus, Padgett, Roberts, Schaffer, Seitz, Smith, Spada.

To amend sections 3794.01 and 3794.03 of the Revised Code regarding smoking ban exemptions involving family-owned businesses, outdoor patios, and private clubs.

To the Committee on Health, Human Services and Aging.

S. B. No. 347-Senator Kearney.

Cosponsors: Senators Roberts, Smith, Morano.

To amend section 1333.99 and to enact section 1333.58 of the Revised Code to regulate the sale of entertainment, sporting, or amusement event tickets.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 348-Senator Kearney.

Cosponsors: Senators Morano, Fedor, Cafaro.

To amend sections 2152.17, 2152.72, 2929.14, and 5103.0319 and to enact section 2941.1421 of the Revised Code to require the imposition of a ten-year

prison term upon a person who discharges a firearm while committing an offense and causes injury or death to a child.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 349-Senator Kearney.

To amend section 2927.12 of the Revised Code to include in the offense of ethnic intimidation the commission of specified offenses by reason of disability of the victim.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 350-Senator Faber.

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

To amend sections 123.01, 1505.07, 1531.06, and 3706.01, to enact sections 1501.50 and 3745.50, and to repeal sections 5119.40, 5120.12, and 5123.23 of the Revised Code to grant the Department of Natural Resources exclusive authority to enter into leases for oil and gas development on state land, to require the Director of Environmental Protection and the Director of Development to create a streamlined permitting process for certain energy related facilities, to expand the facilities that may be funded by the Air Quality Development Authority to include certain energy related facilities, and to create the Energy Planning Task Force.

To the Committee on Environment and Natural Resources.

S. B. No. 351-Senator Spada.

Cosponsors: Senators Harris, Mumper, Roberts, Amstutz, Padgett, Schuler, Mason, Miller, D., Seitz, Boccieri.

To enact sections 3301.60, 3301.61, 3301.62, 3301.63, and 3301.64 of the Revised Code to ratify the Interstate Compact on Educational Opportunity for Military Children and to establish the State Council on Educational Opportunity for Military Children and other offices to implement the state's participation in the compact.

To the Committee on Education.

S. B. No. 352-Senator Schaffer.

Cosponsors: Senators Miller, D., Padgett, Goodman, Morano, Smith, Boccieri.

To enact sections 4501.243 and 4503.563 of the Revised Code to create the "Ohio Nature Preserves" license plate.

To the Committee on Environment and Natural Resources.

S. B. No. 353-Senator Spada.

Cosponsors: Senators Harris, Mason, Miller, D., Roberts, Smith, Seitz.

To amend sections 122.65, 135.341, 135.35, 135.351, 307.01, 307.07, 307.09, 307.10, 307.12, 307.64, 307.698, 307.78, 307.806, 307.846, 319.20, 319.201, 319.30, 319.43, 319.45, 319.54, 321.24, 321.261, 321.34, 323.121, 323.132, 323.15, 323.25, 323.26, 323.28, 323.31, 323.47, 323.49, 323.50, 323.65, 323.66, 323.67, 323.68, 323.69, 323.70, 323.71, 323.72, 323.73, 323.74, 323.75, 323.76, 323.77, 323.78, 715.26, 715.261, 1724.01, 1724.02, 1724.04, 1724.05, 1724.07, 1724.10, 1724.11, 5705.05, 5705.19, 5709.12, 5721.01, 5721.011, 5721.03, 5721.06, 5721.10, 5721.11, 5721.18, 5721.19, 5721.191, 5721.20, 5721.25, 5721.30, 5721.31, 5721.32, 5721.33, 5721.36, 5721.37, 5721.38, 5721.39, 5721.40, 5721.43, 5722.01, 5722.02, 5722.03, 5722.04, 5722.06, 5722.07, 5722.08, 5722.09, 5722.10, 5722.13, 5722.14, 5722.15, 5722.21, 5723.01, 5723.03, 5723.04, 5723.08, 5723.11, 5723.12, and 5723.18, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 321.341 (321.342) and 323.78 (323.79), to enact new sections 321.341 and 323.78 and sections 133.082, 307.781, 321.263, 321.36, 1724.03, and 5722.22 of the Revised Code to authorize the creation of land reutilization corporations to facilitate the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property and to revise the expedited, nonjudicial foreclosure procedure for abandoned lands.

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

S. B. No. 354-Senator Amstutz.

Cosponsors: Senators Schuler, Miller, D., Padgett, Mason, Wagoner, Jacobson, Roberts.

To amend section 1349.99 and to enact section 1349.65 of the Revised Code to regulate online advertising networks.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 355-Senator Spada.

To enact sections 3964.01, 3964.02, 3964.05 to 3964.07, 3964.10 to 3764.12, 3964.15 to 3964.17, 3964.21 to 3964.24, and 5111.0210 of the Revised Code to establish standards for the use of physician designation systems by health care insurers.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 356-Senator Spada.

Cosponsor: Senator Wagoner.

To amend section 4511.35 and to enact section 4510.19 of the Revised Code to increase the penalties related to operating a motor vehicle on the wrong side of an interstate freeway.

To the Committee on Highways and Transportation.

S. B. No. 357-Senator Cates.

To amend sections 109.71 and 109.72 of the Revised Code to add two members to the Ohio Peace Officer Training Commission to represent the Fraternal Order of Police and the Ohio Campus Law Enforcement Association.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 358-Senator Goodman.

Cosponsors: Senators Seitz, Harris, Morano, Mason, Padgett, Miller, R.

To amend sections 109.573, 2953.21, 2953.23, 2953.71, 2953.72, 2953.73, 2953.74, 2953.75, 2953.76, 2953.77, 2953.78, 2953.79, 2953.81, 2953.83, and 2953.84, to enact sections 105.912, 109.561, 2933.81, 2933.82, and 2933.83, and to repeal section 2953.82 of the Revised Code relative to the expansion of DNA testing for certain convicted felons, the elimination of the DNA testing mechanism for felons who pleaded guilty or no contest to the offense, the preservation and accessibility of biological evidence in a criminal or delinquency investigation or proceeding, the improvement of eyewitness identification procedures, and the electronic or audio recording of custodial interrogations.

To the Committee on Judiciary - Civil Justice.

S. B. No. 359-Senator Wagoner.

Cosponsors: Senators Harris, Spada, Goodman, Niehaus, Schuler, Faber, Seitz, Mumper, Buehrer, Padgett, Fedor, Miller, D.

To enact section 5.2241 of the Revised Code to designate March 29 as "Vietnam War Veterans' Day."

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

S. B. No. 360-Senator Cates.

Cosponsors: Senators Spada, Miller, D.

To amend section 3302.03 of the Revised Code to revise the performance ratings for school districts and buildings.

To the Committee on Education.

S. B. No. 361-Senator Stivers.

Cosponsor: Senator Spada.

To enact sections 2907.12 and 2927.15 of the Revised Code to prohibit a person convicted of rape of a child less than thirteen from interacting with a minor without the parent's or guardian's permission and to prohibit a person from collecting any bodily substance of another person without privilege to do so.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 362-Senator Cates.

Cosponsors: Senators Seitz, Schaffer, Padgett, Schuler, Amstutz.

To amend sections 101.45, 117.18, 119.09, 124.09, 169.08, 505.495, 709.032, 733.39, 1121.38, 1315.17, 1315.24, 1321.07, 1321.42, 1509.36, 1513.131, 1571.10, 1571.14, 1707.23, 1901.26, 1905.26, 2335.06, 2335.08, 2743.06, 2743.65, 3745.05, 3901.04, 3901.321, 4112.04, 4121.16, 4123.13, 4167.10, 4301.04, 4503.03, 4517.32, 4701.29, 4723.29, 4725.23, 4728.05, 4730.26, 4731.22, 4735.04, 4738.11, 4741.03, 4760.14, 4762.14, 4763.04, 4769.06, 4903.05, 5101.37, 5120.30, 5123.14, 5123.96, 5149.11, 5703.29, 5727.62, and 5924.47 and to enact section 119.094 of the Revised Code to permit the board of county commissioners in each county to set the mileage reimbursement rate for witnesses in civil cases in county courts at a rate not to

exceed fifty and one-half cents per mile and to set the mileage reimbursement rate for witnesses in other courts of record and state adjudication hearings at fifty and one-half cents per mile.

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

S. B. No. 363-Senator Cates.

To amend Sections 269.10 and 269.30.80 of Am. Sub. H.B. 119 of the 127th General Assembly to pay an additional transitional aid amount in fiscal year 2009 to a city, exempted village, or local school district that experiences growth of more than one hundred students from fiscal year 2008 and to make an appropriation.

To the Committee on Finance and Financial Institutions.

S. B. No. 364-Senator Stivers.

Cosponsors: Senators Harris, Spada, Seitz, Padgett, Schaffer, Boccieri, Morano, Schuler, Mumper.

To amend section 3313.603 of the Revised Code to permit school districts, STEM schools, and chartered nonpublic schools to excuse Junior ROTC students from the high school physical education requirement.

To the Committee on Education.

S. B. No. 365-Senator Smith.

Cosponsors: Senators Seitz, Padgett, Miller, R., Miller, D., Roberts, Morano, Niehaus.

To create a Capital Case Commission to study the imposition and administration of capital punishment in Ohio and to make recommendations for improving Ohio's procedures in capital cases and its capital sentencing procedures.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 366-Senator Schaffer.

Cosponsors: Senators Austria, Goodman, Harris.

To amend sections 2950.02, 2950.034, and 2950.04 of the Revised Code to

specify that the restriction against offenders convicted of a sexually oriented offense or child-victim oriented offense living near school, preschool, or child day-care premises applies regardless of when the offense was committed or the offender began living in the residence and that a registration requirement for children adjudicated delinquent for a sexually oriented offense and classified a juvenile offender registrant applies regardless of when the offense was committed.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 367-Senator Schaffer.

To enact sections 2909.13, 2909.14, and 2909.15 of the Revised Code to establish a registry for arson offenders.

To the Committee on Judiciary - Civil Justice.

S. B. No. 368-Senator Schaffer.

To amend section 2333.01 and to enact section 5747.124 of the Revised Code to enable a judgment creditor landlord to obtain a court order directing the Tax Commissioner to pay the judgment debtor tenant's income tax refund to the landlord.

To the Committee on Ways and Means and Economic Development.

S. B. No. 369-Senator Schaffer.

To enact section 9.601 of the Revised Code to require a person who enters a street or highway that is clearly marked as closed due to flooding to reimburse the person's rescuer for up to \$2,000 of the cost of the person's rescue.

To the Committee on Highways and Transportation.

S. B. No. 370-Senator Seitz.

To enact sections 2307.951, 2307.952, 2307.953, and 2307.954 of the Revised Code to require claimants in asbestos tort actions to make certain disclosures pertaining to asbestos trust claims that have been submitted to asbestos trust entities for the purpose of compensating the claimant for asbestos exposure.

To the Committee on Judiciary - Civil Justice.

S. B. No. 371-Senator Seitz.

Cosponsors: Senators Grendell, Amstutz, Coughlin, Padgett, Schaffer, Turner.

To amend section 2317.02 of the Revised Code to create an accountant-client testimonial privilege.

To the Committee on Judiciary - Civil Justice.

S. B. No. 372-Senator Niehaus.

To amend sections 3745.71 and 3745.72 of the Revised Code to extend from January 1, 2009, to January 1, 2014, the time by which environmental audits must be completed in order to be within the scope of certain privileges and immunities that apply to such audits, and to declare an emergency.

To the Committee on Environment and Natural Resources.

S. B. No. 373-Senator Kearney.

To enact section 5709.89 of the Revised Code to authorize local governments to exempt homes that have been vacant for at least nine months from property taxation for up to three years when purchased by an owner-occupant.

To the Committee on Ways and Means and Economic Development.

S. B. No. 374-Senator Kearney.

To enact section 5321.20 of the Revised Code to prohibit requiring a tenant to vacate a foreclosed residential property any earlier than ninety days following a court's confirmation of the sale of the property.

To the Committee on Judiciary - Civil Justice.

S. B. No. 375-Senator Wagoner.

Cosponsors: Senators Buehrer, Schuler.

To amend section 124.341 and to enact section 117.103 of the Revised

Code to require the Auditor of State to establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices.

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

S. R. No. 233-Senator Miller, D.

To recognize and express support for the efforts of the Greater Cleveland Lead Advisory Council in making significant reductions in the incidence of lead poisoning in the Cleveland area.

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

S. R. No. 246-Senator Miller, R.

To recognize the Sixtieth Anniversary of the beginning of the integration of the United States Armed Forces.

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

S. C. R. No. 27-Senator Coughlin.

Cosponsors: Senators Buehrer, Schuler.

To memorialize the United States Congress to approve the United States-Colombia Trade Promotion Agreement.

To the Committee on Ways and Means and Economic Development.

S. C. R. No. 28-Senator Wilson.

To memorialize Congress to provide full funding for upgrading the locks and dams on the Ohio River and for the proper maintenance of those locks and dams.

To the Committee on Environment and Natural Resources.

S. C. R. No. 29-Senator Morano.

Cosponsors: Senators Fedor, Mason, Miller, D., Roberts, Kearney.

To memorialize the Congress of the United States to review the allowance of mercury as an ingredient in vaccines and take legislative action to ensure that there is no risk of harm in vaccines.

To the Committee on Health, Human Services and Aging.

S. C. R. No. 31-Senator Spada.

To memorialize the Congress of the United States to amend 26 U.S.C. 1211 to increase the capital loss noncorporate taxpayers may claim per year to \$10,000.

To the Committee on Ways and Means and Economic Development.

YES - 4: J. KIRK SCHURING, RAY MILLER, BILL HARRIS,
TOM NIEHAUS.

NO - 0.

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

The report of the committee was accepted.

Said bills and resolutions 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. 285-Senator Wilson, et al.**, having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Wagoner, Roberts.

YES - 7: GARY W. CATES, BILL SEITZ, JOHN A. CAREY,
MARK D. WAGONER, TERESA FEDOR, TOM
ROBERTS, TIMOTHY J. GRENDALL.

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 bills were introduced and considered the first time:

S. B. No. 376-Senator Carey.

Cosponsors: Senators Harris, Faber, Amstutz, Schuler, Padgett.

To amend sections 122.0818, 122.452, 165.031, 166.02, 307.673, 307.696, 1551.13, 1728.07, 3706.042, 4115.032, 4115.033, 4981.23, and 6121.061 of the Revised Code relative to the application of the Prevailing Wage Law to publicly supported, private sector construction projects.

S. B. No. 377-Senator Wilson.

To enact section 5533.95 of the Revised Code to designate the portion of Interstate 77 within the municipal corporation of Dover as the "Mayor Guy M. Smith Memorial Highway."

S. B. No. 378-Senator Austria.

To enact section 5533.872 of the Revised Code to designate part of State Route 72 in Greene County as the "Kenneth P. Hauprich, Jr., Memorial Highway."

S. B. No. 379-Senator Cafaro.

Cosponsors: Senators Miller, D., Turner, Carey, Seitz, Faber, Padgett, Schuler.

To enact section 5533.881 of the Revised Code to designate a portion of State Route 45 as "The Warren and Ashtabula Freedom Turnpike."

S. B. No. 380-Senator Seitz.

To amend sections 3503.15, 3505.21, 3509.02, 3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 3511.01, 3511.02, 3511.05, and 3511.11 of the Revised Code to require absent voter's ballot identification envelope statements to be completed for absent voter's ballots to be counted, to require boards of elections to notify absent voters that their ballots will be rejected if they do not complete the required statement, to prohibit same day voter registration and application for absent voter's ballots, to permit election observers to be appointed to serve at the board of elections or at another designated site during the time absent voter's ballots may be cast in person, and to require the Secretary of State to notify boards of elections of mismatches between voter registration information and motor vehicle records.

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. H. B. No. 501 -Representatives Okey, Stebelton

Cosponsors: Representatives DeGeeter, Sayre, Brown, Brady, Luckie, Setzer, Williams, B., Yuko, Yates, Hite, Dodd, Budish, Skindell, Evans, McGregor, J., Dyer, Szollosi, Foley, Bolon, Schlichter, Gibbs, Aslanides, Zehringer, Reinhard, Goodwin, Newcomb, Domenick, Heard, Adams, Bacon, Batchelder, Beatty, Blessing, Boyd, Celeste, Chandler, Ciafardini, Combs, Daniels, DeBose, Fende, Flowers, Garrison, Gerberry, Hagan, J., Hagan, R., Harwood, Heydinger, Hottinger, Huffman, Hughes, Koziura, Letson, Lundy, Mallory, Nero, Oelslager, Otterman, J., Patton, Peterson, Schneider, Slesnick, Stewart, D., Stewart, J., Strahorn, Uecker, Ujvagi, Wachtmann

To create the Ohio Beekeepers Task Force.

Am. Sub. H. B. No. 525 -Representative Combs

Cosponsors: Representatives McGregor, J., Peterson, Setzer, Harwood, Szollosi, Raussen, Chandler, Uecker, Adams, Batchelder, Blessing, Boyd, Brown, Ciafardini, Coley, Domenick, Dyer, Evans, Flowers, Gardner, Gerberry, Hite, Huffman, Letson, Lundy, Mecklenborg, Nero, Patton, Schneider, Stebelton

To amend section 317.36 and to enact sections 317.114 and 317.37 of the Revised Code to establish standard format requirements for documents to be recorded by a county recorder and to allow recording of a single instrument for multiple transactions pertaining to oil and gas.

Attest:

Laura P. Clemens,
Clerk.

Said bills were considered the first time.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules No. 19 and No. 20, the President of the Senate makes the following appointments to the following Standing Committees:

Appoints Senator Peggy Lehner to the Standing Committee on Education

Appoints Senator Peggy Lehner to the Standing Committee on Energy and Public Utilities

Appoints Senator Tom Patton to the Standing Committee on Energy and Public Utilities

Appoints Senator Tom Patton to the Standing Committee on Environment and Natural Resources

Appoints Senator Tom Patton to the Standing Committee on Ways and Means and Economic Development

Appoints Senator Amstutz to the Standing Committee on Finance and Financial Institutions

Appoints Senator Tim Schaffer as Vice Chairman of the Standing Committee on Ways and Means and Economic Development

On the motion of Senator Niehaus, the Senate adjourned until Wednesday, November 19, 2008 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.