

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, DECEMBER 9, 2008

TWO HUNDRED FORTY-FIRST DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, December 9, 2008, 1:30 p.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:

**Sub. H. B. No. 196**-Representative Patton.

Cosponsors: Representatives Combs, Collier, Stebelton, Gibbs, Hagan, J., Schindel, Mecklenborg, Dolan, Aslanides, Bacon, Batchelder, Coley, Evans, Grady, Huffman, Hughes, Schneider, Uecker, Webster.

To amend section 5747.98 and to enact sections 122.85 and 5747.66 of the Revised Code to authorize income tax credits for investments in motion pictures produced in Ohio.

To the Committee on Ways and Means and Economic Development.

**S. B. No. 388**-Senator Wagoner.

To amend section 1347.99 and to enact sections 1347.15 and 5703.211 of the Revised Code to require state agencies to adopt rules governing access to the confidential personal information that they keep, to create a civil action for harm resulting from an intentional violation of these rules, to impose a criminal penalty for such an intentional violation, and to require the Department of Taxation to adopt rules to require the tracking of searches of any of the Department's databases.

To the Committee on Judiciary - Criminal Justice.

**S. B. No. 389**-Senator Sawyer.

Cosponsors: Senators Miller, D., Roberts, Fedor, Smith, Turner, Miller, R., Lehner, Morano.

To amend sections 3314.08, 3314.084, 3314.26, 3317.016, 3317.017, 3317.02, 3317.029, 3317.03, 3321.01, and 5727.84 and to repeal section 3314.13 of the Revised Code to provide formula funding for all-day kindergarten for all school districts and community schools that offer it.

To the Committee on Finance and Financial Institutions.

**S. C. R. No. 32**-Senator Miller, D.

Cosponsors: Senators Turner, Morano, Cafaro, Wilson, Fedor, Miller, R., Wagoner, Sawyer.

To memorialize the United States Congress to provide immediate assistance to the domestic automobile industry, conditioned on the industry's transformation, to ensure its long-term survival.

To the Committee on Finance and Financial Institutions.

YES - 4: J. KIRK SCHURING, TOM NIEHAUS, 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 Buehrer submitted the following report:

The standing committee on Highways and Transportation, to which was referred **Sub. H. B. No. 318**-Representative Gibbs, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: STEPHEN BUEHRER, DALE MILLER, JOY PADGETT,  
JASON H. WILSON, TIMOTHY O. SCHAFFER.

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. R. No. 246**-Senator Miller, R., having had the same under consideration, reports it back and recommends its adoption.

Co-Sponsors: Cates, Grendell, Carey, Wagoner, Fedor, Roberts.

YES - 7: TERESA FEDOR, TIMOTHY J. GRENDALL, GARY W. CATES, BILL SEITZ, JOHN A. CAREY, MARK D. WAGONER, 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. 359**-Senator Wagoner, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Austria, Grendell, Carey, Roberts.

YES - 7: TIMOTHY J. GRENDALL, JOHN A. CAREY, MARK D. WAGONER, STEPHEN C. AUSTRIA, 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. 380**-Senator Seitz, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Cates, Carey, Wagoner.

YES - 6: GARY W. CATES, BILL SEITZ, TIMOTHY J.

GRENDELL, JOHN A. CAREY, MARK D. WAGONER,  
STEPHEN C. AUSTRIA.

NO - 3: JOHN A. BOCCIERI, TERESA FEDOR, TOM  
ROBERTS.

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 **H. B. No. 435**-Representatives White, DeBose, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Cates, Seitz, Roberts.

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

NO - 0.

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

The report of the committee was accepted.

Senator Niehaus submitted the following report:

The standing committee on Environment and Natural Resources, to which was referred **S. B. No. 383**-Senator Mumper, having had the same under consideration, reports it back and recommends its passage.

YES - 8: TOM NIEHAUS, TIMOTHY J. GRENDELL, TOM  
PATTON, DAVID GOODMAN, SUSAN L. MORANO,  
NINA TURNER, TIMOTHY O. SCHAFFER, DALE  
MILLER.

NO - 0.

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:

**Mary Frances Astrom**, Democrat, from Athens, Athens County, Ohio, as a Member of the Ohio Board of Dietetics for a term beginning March 28, 2008 and ending at the close of business June 30, 2012, replacing Cynthia Blocksom, whose term expired.

**Linda M. Betzer**, Democrat, from Chesterland, Geauga County, Ohio, as a Member of the Board of Embalmers and Funeral Directors for a term beginning August 12, 200 and ending at the close of business June 30, 2010, replacing Virginia Cheney, who resigned.

**William T. Briggs, Jr.**, Democrat, from Westerville, Delaware County, Ohio, as a Member of the Ohio Fair Plan Underwriting Association Board of Governors for a term beginning April 15, 2008 and ending at the close of business September 18, 2009, replacing Marie Trudeau, whose term expired.

**Yvette McGee Brown**, Democrat, from Gahanna, Franklin County, Ohio, as a Member of the Ohio Elections Commission for a term beginning June 25, 2008 and ending at the close of business December 31, 2012, replacing William L. Mallory, Sr., whose term expired.

**N. Eugene Brundige**, Democrat, from London, Madison County, Ohio, as a Member of the State Employment Relations Board for a term beginning May 12, 2008 and ending at the close of business October 6, 2009, replacing Karen Gillmor, who resigned.

**Donald M. Casar**, Democrat, from Hilliard, Franklin County, Ohio, as a Member of the State Board of Pharmacy for a term beginning July 1, 2008 and ending at the close of business June 30, 2012, replacing James E. Turner, whose term expired.

**John L. Cullivan**, Republican, from Columbus, Franklin County, Ohio, as a Member of the Third Frontier Commission for a term beginning June 11, 2008 and ending at the close of business April 1, 2011, replacing Dwight Smith, whose term expired.

**Ketki B. Desai**, from Powell, Delaware County, Ohio, as a Member of the State Dental Board for a term beginning May 19, 2008 and ending at the close of business April 6, 2012, replacing Franklin D. Wright, whose term expired.

**Richard H. Fearon**, from Bentleyville, Cuyahoga County, Ohio, as a Member of the Third Frontier Commission for a new term beginning June 11, 2008 and ending at the close of business April 1, 2011.

**Carol A. Gilligan**, from Lakewood, Cuyahoga County, Ohio, as a Member of the Ohio Respiratory Care Board for a new term beginning April 3, 2008 and ending at the close of business March 14, 2011.

**Otha Gilyard**, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a term beginning June 20, 2008 and ending at the close of business October 10, 2010, replacing Fred Dailey, whose term expired.

**Bruce Growick**, Democrat, from Worthington, Franklin County, Ohio, as a Member of the Rehabilitation Services Commission for a term beginning July 25, 2008 and ending at the close of business September 8, 2010, replacing Karen P. DeWine, who resigned.

**Mary F. Haag**, from Cincinnati, Hamilton County, Ohio, as a Member of the Chemical Dependency Professionals Board for a term beginning March 31, 2008 and ending at the close of business December 23, 2010, replacing Karen Moody-Bierly, whose term expired.

**Barton G. Kaderly**, Democrat, from West Jefferson, Madison County, Ohio, as a Member of the State Board of Pharmacy for a term beginning July 1, 2008 and ending at the close of business June 30, 2012, replacing Dorothy Teater, whose term expired.

**Deborah A. Lange**, Democrat, from West Chester, Butler County, Ohio, as a Member of the State Board of Pharmacy for a term beginning July 1, 2008 and ending at the close of business June 30, 2012, replacing Kevin Mitchell, whose term expired.

**Darshan Mahajan, M.D.**, from Grafton, Lorain County, Ohio, as a Member of the State Medical Board for a term beginning May 13, 2008 and ending at the close of business March 18, 2013, replacing Andrew Robbins, whose term expired.

**Pamela Lee Mattson**, Independent, from Cincinnati, Hamilton County, Ohio, as a Member of the State Board of Psychology for a term beginning May 13, 2008 and ending at the close of business October 5, 2012.

**James R. Milleon**, Democrat, from Tippicanoe, Harrison County, Ohio, as a Member of the State Auctioneers Commission for a term beginning April 24, 2008 and ending at the close of business October 9, 2010, replacing Shannon Laskas, whose term expired.

**Kristin J. Peterson**, Democrat, from Etna, Licking County, Ohio, as a Member of the Public Benefits Advisory Board for a term beginning May 14, 2008 and ending at the close of business June 30, 2009, replacing Annetta Maxson, who resigned.

**Don T. Shaffer**, Democrat, from Dayton, Montgomery County, Ohio, as a Member of the State Chiropractic Board for a term beginning May 13, 2008 and ending at the close of business November 2, 2009, replacing Earl Wiley, who passed away.

**Judith Smithchild**, Democrat, from Cutler, Washington County, Ohio, as a Member of the Chemical Dependency Professionals Board for a term beginning March 31, 2008 and ending at the close of business December 23, 2010, replacing Ann Hamilton, whose term expired.

**Anita M. Steinbergh**, Republican, from Columbus, Franklin County, Ohio, as a Member of the State Medical Board for a new term beginning April 26, 2008 and ending at the close of business April 25, 2013.

**Marchelle Suppan**, Democrat, from Orville, Wayne County, Ohio, as a Member of the State Medical Board for a term beginning March 4, 2008 and ending at the close of business December 27, 2012, replacing David S. Buchan, whose term expired.

**Juliet L. Thomas**, from West Salem, Medina County, Ohio, as a Member of the Ohio Community Service Council for a term beginning March 27, 2008 and ending at the close of business April 21, 2011.

**Charles J. White**, From Worthington, Franklin County, Ohio, as a Member of the Ohio Community Service Council for a term beginning March 27, 2008 and ending at the close of business April 21, 2009, replacing Sheryl Lynn Thomas, who resigned.

**Scott R. Williams**, Republican, from Powell, Delaware County, Ohio, as a Member of the State Fire Commission for a term beginning April 24, 2008 and ending at the close of business October 31, 2010, replacing Patrick Guancia, who resigned.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 10: BILL HARRIS, TOM NIEHAUS, KEITH L. FABER, MARK D. WAGONER, STEPHEN C. AUSTRIA, JOHN A. CAREY, J. KIRK SCHURING, CAPRI S. CAFARO, DALE MILLER, 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 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

- |         |         |           |            |
|---------|---------|-----------|------------|
| Amstutz | Austria | Bocchieri | Buehrer    |
| Cafaro  | Carey   | Cates     | Coughlin   |
| Faber   | Fedor   | Goodman   | Grendell   |
| Kearney | Lehner  | Miller D  | Miller R   |
| Morano  | Niehaus | Padgett   | Patton     |
| Roberts | Sawyer  | Schaffer  | Schuring   |
| Seitz   | Stivers | Turner    | Wagoner    |
| Wilson  |         |           | Harris-30. |

So the Senate advised and consented to said appointments.



**HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS**

The amendments of the House of Representatives to:

**Am. Sub. S. B. No. 267**-Senator Faber.

Cosponsors: Senators Seitz, Cates, Coughlin, Fedor, Harris, Kearney, Miller, D., Niehaus, Wilson, Spada, Miller, R., Wagoner, Stivers, Schuler, Mumper, Mason, Smith, Amstutz, Padgett. Representatives Stewart, D., Hite, Zehringer, Bacon, Batchelder, Bolon, Boyd, Chandler, Ciafardini, Coley, DeBose, Domenick, Dyer, Evans, Fende, Gibbs, Goyal, Grady, Hagan, J., Heard, Hughes, Letson, Luckie, Nero, Oelslager, Schlichter, Schneider, Sears, Slesnick, Wachtmann, Widener, Yuko.

To amend sections 145.01, 145.19, 145.191, 145.33, 145.35, 145.49, 145.58, 742.45, and 742.63 and to enact section 145.2914 of the Revised Code regarding the Public Employees Retirement System (PERS) law enforcement division, the Ohio Public Safety Officers Death Benefit Fund, and reimbursement by PERS and the Ohio Police and Fire Pension Fund for Medicare Part B premiums, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Am. Sub. S. B. No. 267**?"

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

Those who voted in the affirmative were: Senators

- |         |         |          |            |
|---------|---------|----------|------------|
| Amstutz | Austria | Boccieri | Buehrer    |
| Cafaro  | Carey   | Cates    | Coughlin   |
| Faber   | Fedor   | Goodman  | Grendell   |
| Kearney | Lehner  | Miller D | Miller R   |
| Morano  | Niehaus | Padgett  | Patton     |
| Roberts | Sawyer  | Schaffer | Schuring   |
| Seitz   | Stivers | Turner   | Wagoner    |
| Wilson  |         |          | Harris-30. |

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

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

Senator Faber moved to amend the title as follows:

Add the name: "Patton."

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

The motion was agreed to and the title so amended.

On the motion of Senator Niehaus the Senate advanced to the Sixth Order of Business, Bills for Third Consideration.

**BILLS FOR THIRD CONSIDERATION**

**Sub. S. B. No. 380**-Senator Seitz.

Cosponsors: Senators Cates, Carey, Wagoner.

To amend sections 3501.10, 3501.90, 3503.15, 3505.21, 3509.01, 3509.04, 3509.05, 3509.06, 3509.07, 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 generally 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, to revise the time period and locations in which voters may cast absent voter's ballots in person, and to require the Secretary of State to notify boards of elections of mismatches between voter registration information and motor vehicle records, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 380**, pass?"

Senator Fedor moved to amend as follows:

In line 21, after "1." delete the balance of the line

Delete lines 22 through 994 and insert "(A) There is hereby created the Special Committee on Reforming Elections, which shall be responsible for conducting a comprehensive examination of Ohio's election law. The Committee shall examine whether the election law, in its entirety, and in its individual sections, does both of the following:

(1) Enhances the opportunity of all Ohioans to participate effectively in the voting process;

(2) Deters election fraud.

(B) The Committee shall consist of sixteen members and shall be co-chaired by the Secretary of State, or the Secretary of State's designee, and by the Chief Justice of the Ohio Supreme Court, or the Chief Justice's designee. If the Secretary of State or the Chief Justice designates a person to serve in that public official's place, the public official shall designate a person who is a member of the same political party as the public official.

The fourteen remaining members of the Committee shall be appointed as

follows:

(1) The Governor shall appoint two members, one from each major political party.

(2) The Secretary of State shall appoint six members, three from each major political party. Two of the members appointed by the Secretary of State shall be county election officials, one from each major political party. Two of the members appointed by the Secretary of State shall be county commissioners, one from each major political party.

(3) The Chief Justice of the Supreme Court shall appoint two members, one from each major political party.

(4) The Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate shall each appoint one member, who shall be a member of the same political party as the public official appointing that member.

In making an appointment under this division, the appointing authority shall consider whether the person to be appointed has expertise in election law, civic involvement, civil rights involvement, and the public at large.

Appointments to the Committee shall be made not later than one month after the effective date of this act. Vacancies shall be filled in the same manner as original appointments.

(C) In conducting its examination of the election law, the Committee shall consider, but not be limited to, all of the following:

(1) Ohio's absent voting laws, including the period of overlap between voter registration and absent voter balloting, and whether these laws should be altered;

(2) Ohio's voter identification requirements and whether they should be altered;

(3) The manner in which counties allocate voting machines and whether this process should be codified;

(4) The efficacy of different voting systems in Ohio;

(5) Strategies Ohio can use to advance citizen electoral participation.

(D) The Committee shall report its findings to the General Assembly not later than September 30, 2009. The Committee shall cease to exist on September 30, 2009."

In line 1 of the title, after "To" delete the balance of the line

Delete lines 2 through 19 of the title and insert "create the Special Committee on Reforming Elections."

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

Senator Niehaus moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

The question being, "Shall the amendment be laid on the table?"

The yeas and nays were taken and resulted - yeas 19, nays 11, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Buehrer	Carey
Cates	Coughlin	Faber	Goodman
Grendell	Lehner	Niehaus	Padgett
Patton	Schaffer	Schuring	Seitz
Stivers	Wagoner		Harris-19.

Those who voted in the negative were: Senators

Boccieri	Cafaro	Fedor	Kearney
Miller D	Miller R	Morano	Roberts
Sawyer	Turner		Wilson-11.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. S. B. No. 380**, pass?"

The yeas and nays were taken and resulted - yeas 19, nays 11, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Buehrer	Carey
Cates	Coughlin	Faber	Goodman
Grendell	Lehner	Niehaus	Padgett
Patton	Schaffer	Schuring	Seitz
Stivers	Wagoner		Harris-19.

Those who voted in the negative were: Senators

Boccieri	Cafaro	Fedor	Kearney
Miller D	Miller R	Morano	Roberts
Sawyer	Turner		Wilson-11.

So the bill passed.

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

Senator Seitz moved to amend the title as follows:

Add the names: "Amstutz, Coughlin, Harris, Schaffer, Faber, Buehrer."

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

The motion was agreed to and the title so amended.

**S. B. No. 372-Senator Niehaus.**

Cosponsor: Senator Schaffer.

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, was considered the third time.

The question being, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 29, nays 1, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Cafaro
Carey	Cates	Coughlin	Faber
Fedor	Goodman	Grendell	Kearney
Lehner	Miller D	Miller R	Morano
Niehaus	Padgett	Patton	Roberts
Sawyer	Schaffer	Schuring	Seitz
Stivers	Turner	Wagoner	Wilson
			Harris-29.

Senator Buehrer voted in the negative-1.

So the section, Section 3, 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 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Cafaro	Carey	Cates	Coughlin
Faber	Fedor	Goodman	Grendell
Kearney	Lehner	Miller D	Miller R
Morano	Niehaus	Padgett	Patton
Roberts	Sawyer	Schaffer	Schuring
Seitz	Stivers	Turner	Wagoner
Wilson			Harris-30.

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

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

Senator Niehaus moved to amend the title as follows:

Add the names: "Harris, Lehner, Morano, Patton, Roberts, Sawyer, Seitz,

Stivers, Turner, Wagoner."

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

The motion was agreed to and the title so amended.

On the motion of Senator Niehaus the Senate reverted to the Fifth Order of Business, Resolutions Reported by Committee..

**RESOLUTIONS REPORTED BY COMMITTEE**

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

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

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

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

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

Those who voted in the affirmative were: Senators

- |         |         |          |            |
|---------|---------|----------|------------|
| Amstutz | Austria | Boccieri | Buehrer    |
| Cafaro  | Carey   | Cates    | Coughlin   |
| Faber   | Fedor   | Goodman  | Grendell   |
| Kearney | Lehner  | Miller D | Miller R   |
| Morano  | Niehaus | Padgett  | Patton     |
| Roberts | Sawyer  | Schaffer | Schuring   |
| Seitz   | Stivers | Turner   | Wagoner    |
| Wilson  |         |          | Harris-30. |

So the concurrent resolution was adopted.

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

Senator Stivers moved to amend the title as follows:

Add the names: "Buehrer, Coughlin, Harris, Lehner, Padgett, Seitz, Wagoner, Sawyer."

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

The motion was agreed to and the title so amended.

### OFFERING OF RESOLUTIONS

Senator Faber offered the following joint resolution:

**S. J. R. No. 9**-Senator Faber.

Cosponsors: Senators Seitz, Schaffer.

Applying to the Congress of the United States pursuant to Article V of the United States Constitution to call a constitutional convention for proposing amendments.

The question being, "Shall the joint resolution, **S. J. R. No. 9**, be adopted?"

On the motion of Senator Niehaus, **S. J. R. No. 9**, was referred to the Committee on Reference.

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

**S. R. No. 301**-Senator Cates.

Honoring Korey Ward as the 2008 Division I State Champion in boys golf.

**S. R. No. 302**-Senator Wilson.

Honoring Stephanie Morgan as the 2008 Division III State Cross Country Champion.

**S. R. No. 303**-Senators Lehner, Austria.

Honoring the Kettering Archbishop Alter High School football team as the 2008 Division IV State Champion.

**S. R. No. 304**-Senator Faber.

Honoring the Minster High School girls cross country team as the 2008 Division III State Champion.

**S. R. No. 305**-Senator Faber.

Honoring the Marion Local High School volleyball team as the 2008 Division IV State Champion.

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

So the resolutions were adopted.

**Message from the House of Representatives**

Mr. President:

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

**Sub. H. B. No. 470** -Representative Setzer

Cosponsors: Representatives Strahorn, Collier, Combs, Evans, Harwood, Uecker, Wagner, McGregor, J., Bacon, Batchelder, Blessing, Bubp, Coley, Flowers, Grady, Hagan, J., Hughes, Koziura, Lundy, Nero, Newcomb, Schneider, Zehringer

To amend section 5543.14 and to enact sections 503.35, 5543.15, and 5571.18 of the Revised Code to authorize a board of county commissioners and a board of township trustees to order removal of vegetation on private property that blocks or otherwise interferes with the sight lines of motorists traveling on county or township roads, to authorize a board of township trustees to require certain ditches or culverts located in the township to be cleaned, and to require notice be given to abutting landowners before the trimming or removal of certain vegetation growing in or encroaching onto the right-of-way of county or township roads.

Attest:

Laura P. Clemens,  
Clerk.

Said bill was considered the first time.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

**Am. S. B. No. 304** -Senator Cates

Cosponsors: Senators Schuring, Mason, Wagoner, Seitz, Faber, Buehrer, Morano, Padgett, Austria, Boccieri, Grendell, Harris, Kearney, Mumper, Niehaus, Sawyer, Schaffer, Schuler, Spada, Wilson Representatives Goodwin, Webster, Sears, Uecker, Wachtmann, Strahorn, Huffman, Letson, Mecklenborg, DeBose, Brown, Jones, Williams, B., Yuko, Otterman, J., Schindel, Fende, Boyd, Slesnick, Adams, Aslanides, Bacon, Batchelder, Blessing, Bolon, Brinkman, Bubp, Budish, Celeste, Chandler, Ciafardini, Coley, Collier, Combs, Dodd, Dolan, Driehaus, Dyer, Flowers, Gardner,



Garrison, Gibbs, Goyal, Grady, Hagan, J., Hagan, R., Harwood, Heard, Hite, Hottinger, Hughes, Koziura, Luckie, Lundy, Mallory, Mandel, Nero, Newcomb, Oelslager, Reinhard, Sayre, Schlichter, Schneider, Setzer, Stebelton, Stewart, J., Szollosi, Williams, S., Zehringer

To amend sections 2151.3516 and 2151.3530 of the Revised Code to increase the time after birth that a parent may voluntarily deliver the child to a safe haven without the parent expressing an intent to return for the child and to require the Department of Job and Family Services to develop an educational plan for informing at-risk populations of the provisions of the Safe Havens Law.

Attest: Laura P. Clemens,  
Clerk.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 5540.02 of the Ohio Revised Code, the President of the Senate re-appoints the following member to serve as a non-voting member on the Hamilton County Transportation Improvement District:

Senator Schuler (term beginning January 1, 2009)

**MESSAGE FROM THE PRESIDENT**

Pursuant to Senate Rule No. 19, the Senate President makes the following appointment change to the following Standing Committee effective through the close of business today:

**Removes** Senator Robert Schuler from the Standing Committee on State and Local Government and Veterans Affairs

**Appoints** Senator Steve Austria to the Standing Committee on State and Local Government and Veterans Affairs

On the motion of Senator Niehaus, the Senate adjourned until Wednesday, December 10, 2008 at 1:30 p.m.

Attest: VINCENT L. KEERAN,  
Clerk.