

OHIO

SENATE

JOURNAL

CORRECTED VERSION
MONDAY, JANUARY 5, 2009

FIRST DAY
Senate Chamber, Columbus, Ohio
Monday, January 5, 2009, 1:30 p.m.

This being the day fixed by law for the meeting of the General Assembly in regular session, the Senators and Senators-elect of the One Hundred Twenty-Eighth General Assembly of the State of Ohio, met in the Senate Chamber and were called to order by Senator Bill Harris, President of the One Hundred Twenty-Seventh General Assembly.

Prayer was offered by Pastor Dan Allan, Grace Brethren Church of Ashland, Ashland, Ohio.

The Colors were presented by the Ohio National Guard, 179th Airlift Wing Color Guard.

The Pledge of Allegiance was led by the children, grandchildren, nieces and nephews of the Senators and Senators-Elect.

The National Anthem was sung by Ms. Jane Roland, Veterans' Benefits Counselor, Veterans' Service Office for Ashland County.

The President directed the Clerk to call the Senatorial Districts in their numerical order when the following named persons presented their certificates of election as Senators from their respective districts to the One Hundred Twenty-Eighth General Assembly, and the following named persons who were previously elected in 2006:

First District - Composed of: Auglaize (part), Defiance, Fulton, Hancock, Hardin, Henry, Paulding, Putnam, Van Wert, Williams - Steven Buehrer.

Second District - Composed of: Erie, Lucas (part), Ottawa (part), Wood – Mark Wagoner.

Third District - Composed of: Franklin (part) - David Goodman.

Fourth District - Composed of: Butler - Gary Cates.

Fifth District - Composed of: Darke (part), Miami, Montgomery (part) - Tom Roberts.

Sixth District - Composed of: Montgomery (part) – Jon Husted.

Seventh District - Composed of: Hamilton (part), Warren - Robert L. Schuler.

Eighth District - Composed of: Hamilton (part) – Bill Seitz.

Ninth District - Composed of: Hamilton (part) - Eric Kearney.

Tenth District - Composed of: Clark, Greene, Madison – Chris Widener.

Eleventh District - Composed of: Lucas (part) - Teresa Fedor.

Twelfth District - Composed of: Allen, Auglaize (part), Champaign, Darke (part), Mercer, Preble, Shelby – Keith Faber.

Thirteenth District - Composed of: Huron, Lorain, Seneca (part) - Sue Morano.

Fourteenth District - Composed of: Adams, Brown, Clermont, Lawrence (part), Scioto - Tom Niehaus.

Fifteenth District - Composed of: Franklin (part) - Ray Miller.

Sixteenth District - Composed of: Franklin (part) – Jim Hughes.

Seventeenth District - Composed of: Clinton, Fayette, Gallia, Highland, Jackson, Lawrence (part), Pickaway (part), Pike, Ross, Vinton - John Carey.

Eighteenth District - Composed of: Cuyahoga (part), Geauga, Lake - Timothy J. Grendell.

Nineteenth District - Composed of: Ashland (part), Delaware, Knox, Morrow, Richland - Bill M. Harris.

Twentieth District - Composed of: Athens, Coshocton, Guernsey, Meigs, Monroe, Morgan, Muskingum, Noble, Washington – Jimmy Stewart.

Twenty-First District - Composed of: Cuyahoga (part) - Shirley Smith.

Twenty-Second District - Composed of: Ashland (part), Holmes, Medina, Wayne – Bob Gibbs.

Twenty-Third District - Composed of: Cuyahoga (part) - Dale Miller.

Twenty-Fourth District - Composed of: Cuyahoga (part) – Thomas Patton.

Twenty-Fifth District - Composed of: Cuyahoga (part) - Nina Turner.

Twenty-Sixth District - Composed of: Crawford, Logan, Marion, Ottawa (part), Sandusky, Seneca (part), Union, Wyandot – Karen Gillmor.

Twenty-Seventh District - Composed of: Summit (part) - Kevin J. Coughlin.

Twenty-Eighth District - Composed of: Portage, Summit (part) – Tom Sawyer.

Twenty-Ninth District - Composed of: Stark (part) - J. Kirk Schuring.

Thirtieth District - Composed of: Belmont, Columbiana, Harrison, Jefferson, Tuscarawas (part) – Jason Wilson.

Thirty-First District - Composed of: Fairfield, Hocking, Licking, Perry, Pickaway (part) - Tim Schaffer.

Thirty-Second District - Composed of: Ashtabula, Trumbull – Capri Cafaro.

Thirty-Third District - Composed of: Carroll, Mahoning, Stark (part), Tuscarawas (part) - Vacant.

The members affiliated with the Republican party, except Senator Grendell, appeared at the bar of the Senate and were administered the oath of office by the Honorable Evelyn L. Stratton, Justice, Ohio Supreme Court.

The members affiliated with the Democrat party appeared at the bar of the Senate and were administered the oath of office by the Honorable Joseph J. Vukovich, Judge, 7th District Court of Appeals.

Senator Niehaus moved that the oaths of office of absent members-elect be accepted and spread upon the pages of the journal.

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

The motion was agreed to.

I, TIMOTHY J. GRENDALL, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Ohio and will faithfully discharge and perform all of the duties incumbent upon me as a member of the Ohio Senate, according to the best of my ability and understanding and do this as I shall answer unto God.

/s/ **TIMOTHY J. GRENDALL**

Timothy J. Grendell
18th Senatorial District

SWORN to before me and subscribed in my presence this 29th day of December, 2008.

/s/ **DIANE V. GRENDALL**

Diane V. Grendell
Judge
11th District Court of Appeals

OFFERING OF RESOLUTIONS

Senator Cafaro offered the following resolution:

S. R. No. 1-Senator Cafaro.

Relative to the appointment of Joe Schiavoni to fill the vacancy in the membership of the Senate created by the resignation of John Bocchieri of the 33rd 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, John Boccieri of the 33rd Senatorial District has resigned as a member of the Senate effective December 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 Democrat party, that Joe Schiavoni (Democrat), having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the Senate from the 33rd Senatorial District is hereby appointed, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the Senate from the 33rd Senatorial District, to fill the vacancy created by John Boccieri; 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 Democrat 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. 1**, be adopted?"

The yeas and nays were taken and resulted - yeas 11, nays 0, as follows:

Those who voted in the affirmative were: Senators

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

So the resolution was adopted.

Senator Schiavoni appeared at the bar of the Senate and was administered the oath of office by the Honorable Joseph J. Vukovich, Judge, 7th District Court of Appeals.

The President announced that a quorum of the Senate was present and that the Senate was ready to transact business.

The President announced that the next order of business should be the election of the following officers: President, President Pro Tempore, Majority Floor Leader, Majority Whip, Minority Leader, Assistant Minority Leader, Minority Whip, and Assistant Minority Whip.

The election of the President being the first order, the Chair appointed Senator Coughlin to preside during the election of the President.

Senator Carey nominated Senator Bill Harris of the Nineteenth District for the office of President.

Senator Niehaus seconded the nomination.

On the motion of Senator Schuring, the nominations were closed.

The question being, "Shall Senator Bill Harris be elected President?"

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

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Kearney
Miller D	Miller R	Morano	Niehaus
Patton	Roberts	Sawyer	Schaffer
Schiavoni	Schuler	Schuring	Seitz
Smith	Stewart	Turner	Wagoner
Widener			Wilson-30.

Senator Bill Harris having received a majority of the votes cast was declared the elected President.

Senator Harris appeared at the bar of the Senate and was administered the oath of office by the Honorable Evelyn L. Stratton, Justice, Ohio Supreme Court.

Senator Harris took the chair.

Senator Seitz nominated Senator Tom Niehaus of the Fourteenth District for the office of President Pro Tempore.

Senator Schuler seconded the nomination.

On the motion of Senator Schuring, the nominations were closed.

The question being, "Shall Senator Tom Niehaus be elected President Pro Tempore?"

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

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Kearney
Miller D	Miller R	Morano	Patton
Roberts	Sawyer	Schaffer	Schiavoni
Schuler	Schuring	Seitz	Smith
Stewart	Turner	Wagoner	Widener
Wilson			Harris-30.

Senator Tom Niehaus having received a majority of the votes cast was

declared the elected President Pro Tempore.

Senator Seitz nominated Senator Keith Faber of the Twelfth District for the office of Majority Floor Leader.

Senator Gibbs seconded the nomination.

On the motion of Senator Schuring, the nominations were closed.

The question being, "Shall Senator Keith Faber be elected Majority Floor Leader?"

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

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Fedor	Gibbs	Gillmor
Goodman	Hughes	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Roberts	Sawyer	Schaffer	Schiavoni
Schuler	Schuring	Seitz	Smith
Stewart	Turner	Wagoner	Widener
Wilson			Harris-30.

Senator Keith Faber having received a majority of the votes cast was declared the elected Majority Floor Leader.

Senator Carey nominated Senator Mark Wagoner of the Second District for the office of Majority Whip.

Senator Widener seconded the nomination.

On the motion of Senator Schuring, the nominations were closed. The question being, "Shall Senator Mark Wagoner be elected Majority Whip?"

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

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Kearney
Miller D	Miller R	Morano	Niehaus
Patton	Roberts	Sawyer	Schaffer
Schiavoni	Schuler	Schuring	Seitz
Smith	Stewart	Turner	Widener
Wilson			Harris-30.

Senator Mark Wagoner having received a majority of the votes cast was

declared the elected Majority Whip.

The duly elected officers of the Republican party appeared at the bar of the Senate and were administered the oath of office by the Honorable Evelyn L. Stratton, Justice, Ohio Supreme Court.

Senator Morano nominated Senator Capri Cafaro of the Thirty-Second District for the office of Minority Leader.

Senator Sawyer seconded the nomination.

On the motion of Senator Fedor, the nominations were closed.

The question being, "Shall Senator Capri Cafaro be elected Minority Leader?"

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

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Hughes	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Roberts	Sawyer	Schaffer	Schiavoni
Schuler	Schuring	Seitz	Smith
Stewart	Turner	Wagoner	Widener
Wilson			Harris-30.

Senator Capri Cafaro having received a majority of the votes cast was declared the elected Minority Leader.

Senator Kearney nominated Senator Shirley Smith of the Twenty-First District for the office of Assistant Minority Leader.

Senator Dale Miler seconded the nomination.

On the motion of Senator Fedor, the nominations were closed.

The question being, "Shall Senator Shirley Smith be elected Assistant Minority Leader?"

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

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Kearney
Miller D	Miller R	Morano	Niehaus
Patton	Roberts	Sawyer	Schaffer
Schiavoni	Schuler	Schuring	Seitz

Stewart
Wilson

Turner

Wagoner

Widener
Harris-30.

Senator Shirley Smith having received a majority of the votes cast was declared the elected Assistant Minority Leader.

Senator Sawyer nominated Senator Ray Miller of the Fifteenth District for the office of Minority Whip.

Senator Turner seconded the nomination.

On the motion of Senator Fedor, the nominations were closed.

The question being, "Shall Senator Ray Miller be elected Minority Whip?"

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

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Husted
Kearney	Miller D	Morano	Niehaus
Patton	Roberts	Sawyer	Schaffer
Schiavoni	Schuler	Schuring	Seitz
Smith	Stewart	Turner	Wagoner
Widener	Wilson		Harris-31.

Senator Ray Miller having received a majority of the votes cast was declared the elected Minority Whip.

Senator Sawyer nominated Senator Jason Wilson of the Thirtieth District for the office of Assistant Minority Whip.

Senator Kearney seconded the nomination.

On the motion of Senator Fedor, the nominations were closed.

The question being, "Shall Senator Jason Wilson be elected Assistant Minority Whip?"

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

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Husted
Kearney	Miller D	Miller R	Morano
Niehaus	Patton	Roberts	Sawyer

Schaffer	Schiavoni	Schuler	Schuring
Seitz	Smith	Stewart	Turner
Wagoner	Widener		Harris-31.

Senator Jason Wilson having received a majority of the votes cast was declared the elected Assistant Minority Whip.

The duly elected officers of the Democrat party appeared at the bar of the Senate and were administered the oath of office by the Honorable Joseph J. Vukovich, Judge, 7th District Court of Appeals.

Senator Harris nominated Vincent L. Keeran for the office of Clerk.

Senator Cafaro seconded the nomination.

On the motion of Senator Schuring, the nominations were closed.

The question being, "Shall Vincent L. Keeran be elected Clerk?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Husted
Kearney	Miller D	Miller R	Morano
Niehaus	Patton	Roberts	Sawyer
Schaffer	Schiavoni	Schuler	Schuring
Seitz	Smith	Stewart	Turner
Wagoner	Widener	Wilson	Harris-32.

Mr. Keeran having received a majority of the votes cast was declared the elected Clerk.

Mr. Keeran appeared at the bar of the Senate and was administered the oath of office by the Honorable Bill Harris, President of the Ohio Senate.

Senator Harris took the chair and addressed the Senate:

Justice Stratton, Judge Vukovich, Minority Leader Cafaro, Members, staff, family and friends, welcome to the first session of the Ohio Senate for the 128th General Assembly.

Today is the third, and last time, I will have the opportunity to usher in a new session as President of the Ohio Senate and I couldn't be more grateful to all of you for this honor you have given me.

As we once again, put democracy into practice, let's not forget those that make it possible. As we speak, young men and women, including many from Ohio, are in harm's way to protect our way of life. I think it is fitting to remember their service with a moment of silence.

My deepest thanks to both Justice Stratton and Judge Vukovich, who, in this era of term limits, have more experience with opening ceremonies than any one of us. Thank you for giving your time and expertise to administer the oaths of office to all of our members.

As I begin my final two years in the Senate, I am also more mindful than ever of the blessings of our families and loved ones, who silently sacrifice so that we can come here to do the work of the people of Ohio.

Thank you for marching in parades and going to countless chicken dinners. Thank you for not getting mad when a constituent or reporter calls at 10 p.m. Thank you for understanding when we miss a school play or a birthday dinner and also, for always supporting us when we have a bad day at the office.

We could not do what we do without your help and we are all grateful that you are here with us today.

The composition of the body I look out on today is much changed since I first took the gavel, but many of the faces are not entirely unfamiliar.

This Senate is extremely fortunate to have a wealth of experience from which to borrow as we embark on finding solutions to some very serious problems.

Our economy is in recession, many of our constituents are out of work and the rising costs of everyday items have made it more difficult for many to make ends meet.

Our state budget is short, but still must be balanced. And we have many needs to meet, including educating our children, protecting our neighborhoods from crime, keeping roads in good repair and lifting up the less fortunate among us.

The challenges we face affect all Ohioans, and yet, the challenge for us will be to find solutions that meet the needs of a very diverse population.

Some of us hail from rural areas. Others represent big cities. Some call the suburbs home. Many of our constituents believe government is too intrusive, others believe we don't do enough. Everyone thinks taxes are too high!

This session, we should always be mindful of the different constituencies we each serve and not be so quick to assign motives to the positions others take. Let us strive to make the Senate chamber a place where all voices are heard.

When I first addressed this body as president, I used a verse from Micah 6:8 to set the tone for how we should all strive to serve. Micah's reply when challenged by nay-sayers asking what his God required on him was to "...Do

justly, love mercy and walk humbly with your lord.”

Now that the campaigns are over, it is time to put egos away and rededicate ourselves to being servant leaders doing justly, being merciful and being obedient.

I am reminded of the Old Testament’s Joshua, who stood at the right of Moses as he attempted to keep God’s people together through 40 years in the desert, through famine and loss of faith and to prepare them for entering the promised land Moses would never himself step foot upon.

It was Joshua who waited his turn and became the servant of the Lord and the new leader of His people. Joshua willingly took on a very difficult challenge with only a short time to conquer it. (Joshua 1:7) Be strong and very courageous, that you may observe to do according to all the law my servant Moses commanded you. Do not be afraid or dismayed, for the Lord your God is with you wherever you go.

Difficult challenges and short time to address them – sounds familiar doesn’t it?

We are all keenly aware that the onset of term limits gives us only so much time to accomplish our goals.

If we truly want to revitalize our economy, encourage the creation of more jobs, build stronger schools that provide quality education and ultimately, make our state the kind of place where our kids want to raise their kids, we need to make these next two years as productive as we can. That means working together.

I am encouraged by the fact that when I hear our new Minority Leader Capri Cafaro talk about her priorities, she is saying the same things that I am.

Will we have disagreements over the next two years about how to achieve them? Certainly we will. But Senator Cafaro, I pledge to be civil, respectful and open to your ideas. I am confident you will do the same for me.

As we work together and dedicate ourselves to shared purpose on this side of the Statehouse, we must not forget our partners on the other side of the building immediately below us on the first floor .

I look forward to continuing to work cooperatively with Governor Strickland and his Administration as well as with Senator Cafaro, the new Speaker of the Ohio House Armond Budish, and new Minority Leader Bill Batchelder.

As you know, I am a retired Marine. I have found there are many similarities to commanding marines and leading the Senate – though I must say, Marines ask fewer questions.

When I led Marines and private sector employees, I used an acronym to help us remember how to achieve our goals.

V =FDAR. Vision = Focus, Discipline, Accountability and Responsibility.

Vision – that refers to the comprehensive components of goals we set for ourselves -- Seeing the complete plan for success.

Focus – we must apply tunnel vision to each goal even amid the many distractions that will come our way.

Discipline – we must dedicate ourselves to the tasks at hand. To me, that means follow the precepts of my faith as a servant leader and treating others as we want to be treated.

Accountability – never forget that the position you hold is not a right, but a grant from the people you serve. You must always answer to them for your actions. Never blame anyone else for our failures.

Responsibility – we each have a responsibility to our constituents, to one another and to ourselves to do the right thing. Be very generous in giving others credit for success and self-evaluate mistakes and failures.

Thanks for allowing me to share with you today this simple acronym, in hopes that it will help to guide you in the next two years and beyond. My faith tells me the Lord is in charge and the direction that He gave Joshua to lead his people across the Jordan into the Promises Land is equally applicable to each of us as we lead our state in this 128th General Assembly.

I look forward to working with each and every one of you. May God Bless each of you, the Ohio Senate, and the great state of Ohio.

OFFERING OF RESOLUTIONS

Senator Niehaus offered the following resolution:

S. R. No. 2-Senator Niehaus.

Relative to the salaries of the officials and employees of the Senate.

BE IT RESOLVED, That the employees of the Senate be assigned titles as determined by the Chief of Staff; and be it further

RESOLVED, That employees be compensated as determined by the Chief of Staff; and be it further

RESOLVED, That pay increases shall be made only upon the determination of the Chief of Staff; and be it further

RESOLVED, That all such employees, property, premises, and expenditures of the Senate shall be under the direct supervision of the Chief of Staff and the Clerk, and these officials are hereby authorized to make such changes and such assignments of duties of said employees as will result in the highest efficiency and best serve the interests of the State. The Chief of Staff and the Clerk are also authorized to discharge and replace said appointees and are authorized to appoint any additional staff as may be necessary to facilitate the work of the Senate; and be it further

RESOLVED, That all of the foregoing salaries be paid from the appropriate funds of the Senate.

The question being, "Shall the resolution, **S. R. No. 2**, be adopted?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Husted
Kearney	Miller D	Miller R	Morano
Niehaus	Patton	Roberts	Sawyer
Schaffer	Schiavoni	Schuler	Schuring
Seitz	Smith	Stewart	Turner
Wagoner	Widener	Wilson	Harris-32.

So the resolution was adopted.

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

The title was agreed to.

Senator Niehaus offered the following resolution:

S. R. No. 3-Senator Niehaus.

Relative to mileage reimbursement.

RESOLVED, That the Clerk of the Senate is hereby authorized to pay the following named persons mileage reimbursement for mileage as provided by section 101.27 of the Revised Code.

NAME	COUNTY	MILEAGE ROUND TRIP
Steve Buehrer	Fulton	318
Capri S. Cafaro	Trumbull	354
John Carey	Jackson	156
Gary Cates	Butler	196
Kevin J. Coughlin	Summit	270
Keith Faber	Mercer	212
Teresa Fedor	Lucas	278
Bob Gibbs	Holmes	176
Karen L. Gillmor	Seneca	200
Timothy J. Grendell	Geauga	310
Bill Harris	Ashland	155
Jon Husted	Montgomery	164
Eric H. Kearney	Hamilton	207
Dale Miller	Cuyahoga	270
Sue Morano	Lorain	252
Tom Niehaus	Clermont	238
Thomas F. Patton	Cuyahoga	253
Tom Roberts	Montgomery	162
Tom Sawyer	Summit	254
Tim Schaffer	Fairfield	64

Joe Schiavoni	Mahoning	348
Robert Schuler	Hamilton	196
Kirk Schuring	Stark	252
Bill Seitz	Hamilton	232
Shirley Smith	Cuyahoga	302
Jimmy Stewart	Athens	177
Nina Turner	Cuyahoga	286
Mark Wagoner	Lucas	288
Chris Widener	Clark	105
Jason H. Wilson	Columbiana	368

The question being, "Shall the resolution, **S. R. No. 3**, be adopted?"

Senator Niehaus moved to amend as follows:

In line 31, delete "Athens" and insert "Meigs".

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

The motion to amend was agreed to.

The question being, "Shall the resolution pass as amended?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Hughes	Husted
Kearney	Miller D	Miller R	Morano
Niehaus	Patton	Roberts	Sawyer
Schaffer	Schiavoni	Schuler	Schuring
Seitz	Smith	Stewart	Turner
Wagoner	Widener	Wilson	Harris-32.

So the resolution was adopted.

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

The title was agreed to.

On the motion of Senator Niehaus, the Senate adjourned until Tuesday, January 6, 2009 at 11:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.