

OHIO

SENATE

JOURNAL

TUESDAY, FEBRUARY 24, 2009

EIGHTEENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, February 24, 2009, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Father Paul Noble, St. Matthew's Church, Gahanna, Ohio, followed by the Pledge of Allegiance to the Flag.

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

Message from the House of Representatives

Mr. President:

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

H. C. R. No. 5 -Representative Szollosi

Cosponsors: Representatives Adams, J., Adams, R., Bacon, Balderson, Bolon, Book, Boyd, Brown, Bulp, Celeste, Chandler, Coley, Combs, Daniels, DeBose, DeGeeter, Derickson, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, Harris, Heard, Hite, Huffman, Koziura, Letson, Luckie, Mallory, Mandel, McClain, Miller, Moran, Morgan, Murray, Patten, Phillips, Pillich, Pryor, Ruhl, Sayre, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Uecker, Weddington, Williams, B., Williams, S., Winburn, Yates, Yuko

To adopt the Legislative Code of Ethics for the members and employees of both chambers of the 128th General Assembly, employees of any legislative agency, and candidates for the 129th General Assembly.

Attest:

Tom Sherman,
Clerk.

The question being, "Shall the concurrent resolution, **H. C. R. No. 5**, 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	Grendell	Hughes
Husted	Kearney	Miller D	Miller R

Morano	Niehaus	Patton	Roberts
Sawyer	Schaffer	Schiavoni	Schuler
Schuring	Seitz	Smith	Stewart
Turner	Wagoner	Widener	Wilson-32.

So the concurrent resolution was adopted.

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

Senator Faber moved to amend the title as follows:

Add the names: "Buehrer, Cafaro, Cates, Coughlin, Fedor, Gibbs, Goodman, Hughes, Kearney, Niehaus, Patton, Schaffer, Schiavoni, Turner, Wilson, Gillmor, Widener, Wagoner, Morano, Sawyer, Faber."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Wagoner moved that Senators absent the week of Sunday, February 22, 2009, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 56-Senator Niehaus.

Cosponsors: Senators Hughes, Carey, Fedor, Miller, D., Wagoner, Patton, Schuler.

To amend section 2903.04 and to enact section 2919.221 of the Revised Code to prohibit a person from negligently leaving a child who is less than five years of age unattended in an automobile.

OFFERING OF RESOLUTIONS

Senator Coughlin offered the following joint resolution:

S. J. R. No. 2-Senator Coughlin.

Cosponsor: Senator Grendell.

Proposing to enact Section 43 of Article II of the Constitution of the State of Ohio to prohibit the General Assembly from enacting certain laws regarding health care.

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

On the motion of Senator Faber, **S. J. R. No. 2**, was referred to the Committee on Reference.

Senators Grendell, Coughlin offered the following concurrent resolution:

S. C. R. No. 4-Senators Grendell, Coughlin.

Cosponsors: Senators Schuring, Faber, Seitz, Gibbs, Cates, Wagoner, Hughes.

To request that the members of the United States Congress refrain from enacting the Fairness Doctrine into law.

The question being, "Shall the concurrent resolution, **S. C. R. No. 4**, be adopted?"

On the motion of Senator Faber, **S. C. R. No. 4**, was referred to the Committee on Reference.

Senator Smith offered the following concurrent resolution:

S. C. R. No. 5-Senator Smith.

Cosponsors: Senators Morano, Cafaro, Roberts, Stewart.

To urge the President and Congress of the United States to provide funds for the Ohio Hub rail corridor development.

The question being, "Shall the concurrent resolution, **S. C. R. No. 5**, be adopted?"

On the motion of Senator Faber, **S. C. R. No. 5**, was referred to the Committee on Reference.

Senator Harris offered the following resolution:

S. R. No. 12-Senator Harris.

Authorizing Ohio Hi-Y Youth in Government to use the Ohio Senate Chambers to conduct its 2009 model legislature.

WHEREAS, The members of the Senate of the 128th General Assembly of Ohio have learned that Ohio Hi-Y Youth in Government has requested permission to use the Ohio Senate Chambers for its model legislature event, April 2-4, 2009; and

WHEREAS, A beneficial educational organization, Ohio Hi-Y Youth in Government provides students with the opportunity to better appreciate and understand government and its components, and the knowledge gained through this event will certainly be of value to all participants throughout their lifetime;

and

WHEREAS, By utilizing the facilities that accommodate those involved in the state legislative process, Ohio Hi-Y Youth in Government will offer students an accurate depiction of state government and the manner in which legislation is created and processed; and

WHEREAS, Through participation in Ohio Hi-Y Youth in Government, students will be better prepared to become productive members of our complex and ever-changing society. The maturity and experience the participants will gain through their involvement in this program will not only enrich their total educational experience but also enable them to make better-informed decisions as they assume the responsibilities of adult citizenship; therefore be it

RESOLVED, That we, the members of the Senate of the 128th General Assembly of Ohio, in adopting this Resolution, permit Ohio Hi-Y Youth in Government to use the Ohio Senate Chambers for its 2009 model legislature event, contingent upon the availability of those facilities, and salute its participants as conscientious young citizens; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to Ohio Hi-Y Youth in Government.

The question being, "Shall the resolution, **S. R. No. 12**, 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	Grendell	Hughes
Husted	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Roberts
Sawyer	Schaffer	Schiavoni	Schuler
Schuring	Seitz	Smith	Stewart
Turner	Wagoner	Widener	Wilson-32.

So the resolution was adopted.

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

Senator Faber moved to amend the title as follows:

Add the names: "Gibbs, Faber, Patton, Turner, Fedor, Cafaro, Wagoner, Smith, Schiavoni, Sawyer, Wilson, Stewart."

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

The motion was agreed to and the title so amended.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 122.97 (A) and (B) of the Ohio Revised Code, the President of the Senate reappoints Senator Schuring to serve on the Ohio Steel Industry Advisory Council.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 1 (B) of S.B. No. 277 of the 126th General Assembly, the President of the Senate appoints Senator Wagoner to serve as Chairperson of the National Statuary Collection Study Committee.

On the motion of Senator Faber, the Senate adjourned until Thursday, February 26, 2009 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.