

OHIO

SENATE

JOURNAL

TUESDAY, MAY 5, 2009

FORTY-FIFTH DAY
 Senate Chamber, Columbus, Ohio
Tuesday, May 5, 2009, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Monsignor Kenneth Grimes, St. Andrew Parish, Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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

**REPORTS OF REFERENCE AND BILLS FOR SECOND
 CONSIDERATION**

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

Am. Sub. H. B. No. 1-Representative Sykes, et al.

To amend sections 9.06, 9.314, 107.21, 109.572, 109.73, 109.742, 109.744, 109.751, 109.761, 109.77, 109.802, 109.803, 118.05, 120.04, 120.08, 120.52, 120.53, 121.04, 121.07, 121.08, 121.083, 121.084, 121.13, 121.31, 121.37, 121.40, 121.401, 121.402, 122.05, 122.051, 122.075, 122.151, 122.17, 122.171, 122.40, 122.603, 122.71, 122.751, 122.76, 122.89, 123.01, 123.152, 124.03, 124.04, 124.07, 124.11, 124.134, 124.14, 124.15, 124.152, 124.18, 124.181, 124.183, 124.22, 124.23, 124.27, 124.321, 124.324, 124.325, 124.34, 124.381, 124.382, 124.385, 124.386, 124.392, 124.81, 125.081, 125.22, 125.831, 126.05, 126.21, 126.35, 127.16, 131.33, 133.06, 135.03, 135.06, 135.08, 135.32, 141.04, 145.012, 145.298, 148.02, 148.04, 149.43, 150.01, 150.02, 150.03, 150.04, 150.05, 150.07, 152.09, 152.10, 152.12, 152.15, 152.33, 156.01, 156.02, 156.03, 156.04, 166.07, 169.08, 173.08, 173.35, 173.392, 173.40, 173.401, 173.42, 173.43, 173.50, 173.99, 174.02, 174.03, 174.06, 176.05, 307.626, 307.629, 307.79, 311.17, 319.301, 319.302, 319.54, 321.24, 323.156, 323.78, 329.03, 329.042, 329.06, 340.033, 343.01, 504.21, 718.04, 721.15, 901.20, 901.32, 901.43, 903.082, 903.11, 903.25, 905.32, 905.33, 905.331, 905.36, 905.50, 905.51, 905.52, 905.56, 907.13, 907.14, 907.30, 907.31, 915.24, 918.08, 918.28, 921.02, 921.06, 921.09, 921.11, 921.13, 921.16, 921.22, 921.27, 921.29, 923.44, 923.46, 927.51, 927.52, 927.53, 927.56, 927.69, 927.70, 927.701, 927.71, 942.01, 942.02, 942.06, 942.13, 943.01, 943.02, 943.04, 943.05, 943.06, 943.07, 943.13, 943.14, 943.16, 953.21, 953.22, 953.23, 955.201, 1321.20, 1321.51, 1321.52, 1321.53, 1321.54, 1321.55, 1321.551, 1321.57, 1321.59, 1321.60, 1321.99, 1322.01, 1322.02, 1322.03, 1322.031, 1322.04, 1322.041, 1322.05, 1322.051, 1322.052, 1322.06, 1322.061, 1322.062, 1322.063, 1322.064, 1322.07, 1322.071, 1322.072, 1322.074, 1322.075, 1322.08, 1322.081, 1322.09, 1322.10, 1322.11, 1327.46, 1327.50, 1327.51, 1327.511, 1327.52, 1327.54, 1327.57, 1327.58, 1327.60, 1327.62, 1327.70, 1327.99, 1332.24, 1332.25,

1343.011, 1345.01, 1345.05, 1345.09, 1347.08, 1349.31, 1349.43, 1501.01, 1501.05, 1501.07, 1501.30, 1502.12, 1506.01, 1507.01, 1511.01, 1511.02, 1511.021, 1511.022, 1511.03, 1511.04, 1511.05, 1511.06, 1511.07, 1511.071, 1511.08, 1514.08, 1514.13, 1515.08, 1515.14, 1515.183, 1517.02, 1517.10, 1517.11, 1517.14, 1517.16, 1517.17, 1517.18, 1519.03, 1520.02, 1520.03, 1521.03, 1521.031, 1521.04, 1521.05, 1521.06, 1521.061, 1521.062, 1521.063, 1521.064, 1521.07, 1521.10, 1521.11, 1521.12, 1521.13, 1521.14, 1521.15, 1521.16, 1521.18, 1521.19, 1523.01, 1523.02, 1523.03, 1523.04, 1523.05, 1523.06, 1523.07, 1523.08, 1523.09, 1523.10, 1523.11, 1523.12, 1523.13, 1523.14, 1523.15, 1523.16, 1523.17, 1523.18, 1523.19, 1523.20, 1531.01, 1533.10, 1541.03, 1547.01, 1547.51, 1547.52, 1547.531, 1547.54, 1547.542, 1547.73, 1547.99, 1548.10, 1707.17, 1707.18, 1707.37, 1710.01, 1710.02, 1710.03, 1710.04, 1710.06, 1710.10, 1710.13, 1724.04, 1739.05, 1751.03, 1751.04, 1751.05, 1751.14, 1751.15, 1751.16, 1751.19, 1751.32, 1751.321, 1751.34, 1751.35, 1751.36, 1751.45, 1751.46, 1751.48, 1751.831, 1751.84, 1751.85, 1753.09, 1901.26, 1901.31, 1907.24, 2101.01, 2151.011, 2301.02, 2301.03, 2303.201, 2317.422, 2503.17, 2903.13, 2903.21, 2903.211, 2903.22, 2903.33, 2911.21, 2913.46, 2921.13, 2937.22, 2949.091, 2949.111, 2949.17, 2981.13, 3105.87, 3119.01, 3121.037, 3121.0311, 3121.19, 3121.20, 3121.898, 3123.952, 3125.25, 3301.07, 3301.073, 3301.079, 3301.0710, 3301.0711, 3301.0714, 3301.0715, 3301.0716, 3301.12, 3301.16, 3301.42, 3301.55, 3301.68, 3302.01, 3302.02, 3302.021, 3302.03, 3302.031, 3302.05, 3302.07, 3304.231, 3307.31, 3307.64, 3309.41, 3309.48, 3309.51, 3310.03, 3310.08, 3310.09, 3310.11, 3310.14, 3310.41, 3311.06, 3311.19, 3311.21, 3311.29, 3311.52, 3311.76, 3313.174, 3313.41, 3313.48, 3313.481, 3313.482, 3313.483, 3313.53, 3313.532, 3313.533, 3313.536, 3313.55, 3313.60, 3313.603, 3313.605, 3313.607, 3313.608, 3313.61, 3313.611, 3313.612, 3313.614, 3313.615, 3313.62, 3313.64, 3313.642, 3313.6410, 3313.65, 3313.671, 3313.673, 3313.68, 3313.713, 3313.843, 3313.976, 3313.978, 3313.98, 3313.981, 3314.012, 3314.015, 3314.016, 3314.02, 3314.021, 3314.024, 3314.03, 3314.051, 3314.08, 3314.083, 3314.084, 3314.087, 3314.091, 3314.10, 3314.19, 3314.21, 3314.25, 3314.26, 3314.35, 3314.36, 3315.17, 3315.37, 3316.041, 3316.06, 3316.20, 3317.01, 3317.011, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.025, 3317.0210, 3317.0211, 3317.0216, 3317.03, 3317.031, 3317.04, 3317.05, 3317.051, 3317.053, 3317.061, 3317.063, 3317.08, 3317.081, 3317.082, 3317.12, 3317.16, 3317.18, 3317.20, 3317.201, 3318.011, 3318.051, 3318.061, 3318.08, 3318.36, 3318.38, 3318.44, 3319.073, 3319.08, 3319.081, 3319.088, 3319.11, 3319.151, 3319.16, 3319.17, 3319.172, 3319.22, 3319.221, 3319.233, 3319.234, 3319.235, 3319.24, 3319.25, 3319.26, 3319.261, 3319.28, 3319.291, 3319.303, 3319.36, 3319.41, 3319.51, 3319.56, 3319.57, 3319.60, 3319.61, 3319.63, 3321.01, 3321.05, 3323.05, 3323.091, 3323.14, 3323.142, 3324.05, 3325.08, 3326.11, 3326.14, 3326.21, 3326.23, 3326.31, 3326.32, 3326.33, 3326.34, 3326.36, 3326.37, 3326.38, 3326.51, 3327.02, 3327.04, 3327.05, 3329.16, 3333.04, 3333.122, 3333.123, 3333.16, 3333.28, 3333.35, 3333.38, 3333.61, 3333.62, 3333.66, 3333.73, 3333.83, 3334.01, 3334.02,

3334.03, 3334.04, 3334.06, 3334.07, 3334.08, 3334.09, 3334.10, 3334.11, 3334.12, 3334.16, 3334.17, 3334.18, 3334.19, 3334.20, 3334.21, 3345.011, 3345.12, 3345.32, 3345.61, 3345.62, 3345.63, 3345.64, 3345.65, 3345.66, 3349.242, 3365.01, 3365.04, 3365.041, 3365.07, 3365.08, 3365.09, 3365.10, 3501.17, 3701.024, 3701.045, 3701.07, 3701.344, 3701.71, 3701.72, 3701.78, 3701.84, 3702.51, 3702.52, 3702.524, 3702.525, 3702.53, 3702.532, 3702.54, 3702.544, 3702.55, 3702.57, 3702.59, 3702.60, 3702.61, 3702.87, 3702.89, 3702.90, 3702.91, 3702.92, 3702.93, 3702.94, 3703.01, 3703.03, 3703.04, 3703.05, 3703.06, 3703.07, 3703.08, 3703.10, 3703.21, 3703.99, 3704.14, 3704.144, 3705.24, 3706.04, 3706.25, 3709.09, 3710.01, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.12, 3710.13, 3712.01, 3712.03, 3713.01, 3713.02, 3713.03, 3713.04, 3713.05, 3713.06, 3713.07, 3713.08, 3713.09, 3713.10, 3714.07, 3714.073, 3717.07, 3717.23, 3717.25, 3717.43, 3717.45, 3718.03, 3718.06, 3721.01, 3721.02, 3721.071, 3721.23, 3721.50, 3721.51, 3721.53, 3721.55, 3721.56, 3722.01, 3722.011, 3722.02, 3722.021, 3722.04, 3722.041, 3722.05, 3722.06, 3722.08, 3722.09, 3722.10, 3722.13, 3722.14, 3722.15, 3722.16, 3722.17, 3722.18, 3722.99, 3727.02, 3729.07, 3733.02, 3733.04, 3733.25, 3733.43, 3734.05, 3734.28, 3734.281, 3734.53, 3734.57, 3734.573, 3734.82, 3734.901, 3734.9010, 3737.71, 3743.04, 3743.25, 3745.015, 3745.11, 3748.01, 3748.04, 3748.07, 3748.12, 3748.13, 3749.04, 3770.05, 3773.35, 3773.36, 3773.43, 3773.45, 3773.53, 3781.03, 3781.10, 3781.102, 3781.11, 3781.12, 3781.19, 3783.05, 3791.02, 3791.04, 3791.05, 3791.07, 3793.02, 3793.04, 3901.38, 3901.383, 3901.3812, 3901.3814, 3923.021, 3923.022, 3923.122, 3923.24, 3923.57, 3923.58, 3923.581, 3923.66, 3923.67, 3923.68, 3923.75, 3923.76, 3923.77, 3924.01, 3924.06, 3924.09, 3924.10, 3929.43, 3929.67, 3953.23, 3953.231, 4104.01, 4104.02, 4104.06, 4104.07, 4104.08, 4104.09, 4104.10, 4104.101, 4104.12, 4104.15, 4104.16, 4104.17, 4104.18, 4104.19, 4104.21, 4104.33, 4104.42, 4104.43, 4104.44, 4104.48, 4105.01, 4105.02, 4105.03, 4105.04, 4105.05, 4105.06, 4105.09, 4105.11, 4105.12, 4105.13, 4105.15, 4105.16, 4105.17, 4105.191, 4105.20, 4105.21, 4112.01, 4112.04, 4112.05, 4112.051, 4112.052, 4117.01, 4117.02, 4117.07, 4117.12, 4117.24, 4121.125, 4123.442, 4141.08, 4141.11, 4141.162, 4169.02, 4169.03, 4169.04, 4171.04, 4301.333, 4301.334, 4301.351, 4301.354, 4301.355, 4301.356, 4301.361, 4301.364, 4301.365, 4301.366, 4301.43, 4303.182, 4303.331, 4501.06, 4501.24, 4503.068, 4503.10, 4503.103, 4503.19, 4503.191, 4503.235, 4503.40, 4503.42, 4503.44, 4505.01, 4505.06, 4505.062, 4505.09, 4505.111, 4505.181, 4505.20, 4507.03, 4507.24, 4507.45, 4509.101, 4510.22, 4511.191, 4511.81, 4513.021, 4513.03, 4513.04, 4513.05, 4513.06, 4513.07, 4513.071, 4513.09, 4513.11, 4513.111, 4513.12, 4513.13, 4513.14, 4513.15, 4513.16, 4513.17, 4513.171, 4513.18, 4513.19, 4513.21, 4513.22, 4513.23, 4513.24, 4513.242, 4513.28, 4513.60, 4513.65, 4513.99, 4517.01, 4517.02, 4517.03, 4517.30, 4517.33, 4517.43, 4519.02, 4519.03, 4519.04, 4519.44, 4519.59, 4549.10, 4549.12, 4705.09, 4705.10, 4709.12, 4713.28, 4713.32, 4713.63, 4713.64, 4731.10, 4731.26, 4731.38, 4733.10, 4734.25, 4735.06, 4735.09, 4735.12, 4735.13, 4735.15, 4740.03, 4740.11, 4740.14, 4741.41, 4741.44, 4741.45, 4741.46, 4755.06,

4755.12, 4757.10, 4757.31, 4757.36, 4763.01, 4763.03, 4763.04, 4763.05, 4763.07, 4763.09, 4763.11, 4763.13, 4763.14, 4763.17, 4766.09, 4767.05, 4767.07, 4767.08, 4781.01, 4781.02, 4781.04, 4781.05, 4781.06, 4781.07, 4905.06, 4919.79, 4923.12, 4923.20, 4928.01, 5101.11, 5101.16, 5101.162, 5101.26, 5101.33, 5101.34, 5101.47, 5101.50, 5101.5212, 5101.54, 5101.541, 5101.544, 5101.571, 5101.573, 5101.60, 5101.61, 5101.83, 5101.84, 5104.01, 5104.041, 5104.051, 5104.30, 5104.32, 5104.341, 5104.35, 5104.38, 5104.39, 5104.42, 5107.05, 5107.16, 5107.17, 5107.58, 5111.01, 5111.015, 5111.028, 5111.032, 5111.033, 5111.034, 5111.06, 5111.176, 5111.222, 5111.231, 5111.232, 5111.24, 5111.25, 5111.261, 5111.65, 5111.651, 5111.688, 5111.705, 5111.85, 5111.851, 5111.874, 5111.875, 5111.89, 5111.891, 5111.894, 5111.971, 5112.30, 5112.31, 5112.37, 5112.371, 5115.03, 5119.16, 5119.61, 5120.032, 5120.033, 5120.09, 5120.135, 5122.31, 5123.049, 5123.0412, 5123.0413, 5126.044, 5126.05, 5126.054, 5126.055, 5126.0512, 5126.19, 5126.24, 5139.43, 5501.04, 5502.01, 5502.12, 5502.14, 5502.15, 5505.15, 5701.11, 5703.05, 5703.37, 5703.80, 5705.214, 5705.29, 5705.341, 5705.37, 5709.62, 5709.63, 5709.632, 5711.33, 5715.02, 5715.251, 5715.26, 5717.03, 5717.04, 5725.18, 5725.98, 5727.84, 5728.12, 5729.03, 5729.98, 5733.01, 5733.04, 5733.98, 5735.142, 5739.01, 5739.02, 5739.03, 5739.033, 5739.09, 5739.131, 5743.15, 5743.61, 5747.01, 5747.113, 5747.13, 5747.16, 5747.98, 5748.02, 5748.03, 5749.02, 5749.12, 5751.01, 5751.011, 5751.012, 5751.013, 5751.03, 5751.04, 5751.05, 5751.051, 5751.06, 5751.08, 5751.09, 5751.20, 5751.21, 5911.10, 5913.051, 5913.09, 6103.01, 6103.02, 6109.21, 6111.044, 6117.01, 6117.02, and 6119.011; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 173.43 (173.422), 1517.14 (1547.81), 1517.16 (1547.82), 1517.17 (1547.83), 1517.18 (1547.84), 3313.174 (3313.82), 3319.233 (3333.049), 3334.03 (3334.031), 3701.71 (3727.05), 3701.72 (3727.051), 3727.04 (3727.053), 3727.05 (3727.04), 5101.5110 (5101.5111), 5111.019 (5111.0120), and 5111.688 (5111.689); to enact new sections 173.43, 3301.0712, 3319.222, 3334.03, 5101.5110, and 5111.688 and sections 9.317, 111.26, 111.27, 117.54, 121.16, 121.375, 122.042, 122.12, 122.121, 122.85, 123.154, 124.821, 124.822, 124.86, 125.20, 125.24, 148.05, 149.308, 150.021, 150.051, 153.013, 173.28, 173.402, 173.403, 173.421, 173.423, 173.424, 173.425, 173.431, 173.432, 173.433, 173.434, 173.501, 173.70, 311.32, 737.39, 901.041, 901.91, 927.54, 943.031, 1321.521, 1321.531, 1321.532, 1321.533, 1321.534, 1321.535, 1321.536, 1321.552, 1321.591, 1321.592, 1321.593, 1321.594, 1321.595, 1322.022, 1322.023, 1322.024, 1322.065, 1327.501, 1327.71, 1513.021, 1547.02, 1547.85, 1547.86, 1547.87, 1751.68, 2315.50, 3119.371, 3301.122, 3301.80, 3301.81, 3301.82, 3301.83, 3301.90, 3306.01, 3306.011, 3306.012, 3306.02, 3306.03, 3306.031, 3306.04, 3306.05, 3306.051, 3306.052, 3306.06, 3306.07, 3306.08, 3306.09, 3306.091, 3306.10, 3306.11, 3306.12, 3306.13, 3306.14, 3306.15, 3306.16, 3306.17, 3306.18, 3306.19, 3306.191, 3306.192, 3306.21, 3306.22, 3306.25, 3306.29, 3306.291, 3306.292, 3306.30, 3306.31, 3306.32, 3306.321, 3306.33, 3306.34, 3306.35, 3306.40, 3306.50, 3306.51, 3306.52, 3306.53, 3306.54, 3306.55, 3306.56, 3306.57, 3310.15, 3311.0510,

3313.485, 3313.821, 3313.822, 3314.028, 3314.031, 3314.052, 3314.075, 3314.102, 3314.191, 3314.192, 3314.39, 3314.42, 3314.43, 3314.44, 3317.018, 3318.312, 3319.223, 3319.611, 3319.612, 3319.70, 3319.71, 3321.041, 3333.048, 3333.39, 3333.391, 3333.392, 3333.90, 3333.91, 3334.032, 3334.111, 3345.36, 3353.09, 3353.20, 3354.24, 3365.12, 3375.79, 3701.0211, 3701.136, 3701.611, 3702.592, 3702.593, 3706.35, 3709.092, 3710.141, 3715.041, 3721.511, 3721.512, 3721.513, 3722.022, 3727.052, 3734.282, 3793.21, 3903.77, 3923.241, 3923.84, 3923.90, 3923.91, 4113.11, 4113.81, 4113.82, 4113.83, 4113.84, 4113.85, 4113.86, 4123.446, 4501.243, 4501.29, 4503.563, 4582.71, 4781.16, 4781.17, 4781.18, 4781.19, 4781.20, 4781.21, 4781.22, 4781.23, 4781.24, 4781.25, 4781.99, 4919.80, 5101.073, 5101.504, 5101.5210, 5101.542, 5111.0121, 5111.236, 5111.861, 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889, 5111.8810, 5111.8811, 5112.372, 5112.40, 5112.41, 5112.42, 5112.43, 5112.44, 5112.45, 5112.451, 5112.46, 5112.47, 5112.48, 5119.613, 5119.621, 5119.622, 5155.38, 5505.152, 5705.219, 5705.2110, 5725.33, 5729.16, 5733.58, 5733.59, 5739.051, 5747.66, 5751.014, 5911.11, 5919.20, 5919.36, and 6119.091; to repeal sections 173.71, 173.72, 173.721, 173.722, 173.723, 173.724, 173.73, 173.731, 173.732, 173.74, 173.741, 173.742, 173.75, 173.751, 173.752, 173.753, 173.76, 173.77, 173.771, 173.772, 173.773, 173.78, 173.79, 173.791, 173.80, 173.801, 173.802, 173.803, 173.81, 173.811, 173.812, 173.813, 173.814, 173.815, 173.82, 173.83, 173.831, 173.832, 173.833, 173.84, 173.85, 173.86, 173.861, 173.87, 173.871, 173.872, 173.873, 173.874, 173.875, 173.876, 173.88, 173.89, 173.891, 173.892, 173.90, 173.91, 905.38, 905.381, 905.66, 907.16, 927.74, 1504.01, 1504.02, 1504.03, 1504.04, 1517.15, 1521.02, 1711.58, 3301.0712, 3301.0718, 3301.43, 3302.032, 3314.026, 3314.085, 3314.13, 3317.10, 3319.0810, 3319.222, 3319.23, 3319.302, 3319.304, 3333.27, 3701.73, 3701.77, 3701.771, 3701.772, 3702.511, 3702.523, 3702.527, 3702.528, 3702.529, 3702.542, 3704.143, 3724.01, 3724.02, 3724.021, 3724.03, 3724.04, 3724.05, 3724.06, 3724.07, 3724.08, 3724.09, 3724.10, 3724.11, 3724.12, 3724.13, 3724.99, 4517.052, 4517.27, 4735.22, 4735.23, 5101.072, 5111.083, 5111.178, 5145.32, and 5923.141 of the Revised Code; to amend Sections 205.10, 321.10, 325.20, and 327.10 of Am. Sub. H.B. 2 of the 128th General Assembly; to amend Section 269.60.60 of H.B. 119 of the 127th General Assembly and to amend Section 269.60.60 of H.B. 119 of the 127th General Assembly to codify the Section as section 3314.38 of the Revised Code; to amend Section 6 of H.B. 364 of the 124th General Assembly and to amend Section 6 of H.B. 364 of the 124th General Assembly to codify the Section as section 3314.027 of the Revised Code; to amend Section 309.10 of Am. Sub. H.B. 2 of the 128th General Assembly; to amend Section 317.10 of Am. Sub. H.B. 2 of the 128th General Assembly; to amend Sections 103.80.80, 103.80.90, and 301.10.50 of H.B. 496 of the 127th General Assembly; to amend Section 11 of Am. Sub. H.B. 554 of the 127th General Assembly; to amend Sections 233.40.30, 233.50.80, and 701.20 of H.B. 562 of the 127th General Assembly; to amend Section 831.06 of H.B. 530 of the

126th General Assembly; to amend Section 4 of H.B. 516 of the 125th General Assembly, as subsequently amended; to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended; to repeal Section 325.05 of Am. Sub. H.B. 2 of the 128th General Assembly; to amend the version of section 2949.111 of the Revised Code that is scheduled to take effect January 1, 2010, to continue the provisions of this act on and after that effective date; to amend the version of section 5739.033 of the Revised Code that is scheduled to take effect January 1, 2010, to continue the provisions of this act on and after that effective date; to amend sections 5104.01 and 5104.38 of the Revised Code, effective July 1, 2011, to revive the law as it existed prior to this act; to repeal sections 5112.40, 5112.41, 5112.42, 5112.43, 5112.44, 5112.45, 5112.451, 5112.46, 5112.47, and 5112.48 of the Revised Code, effective October 1, 2011; to make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs.

To the Committee on Finance and Financial Institutions.

S. B. No. 116-Senator Buehrer, et al.

To amend sections 4905.54, 4905.57, 4907.23, 4909.28, 4909.29, 4955.21, 4955.36, and 5561.16; to enact new section 4955.22; and to repeal section 4955.22 of the Revised Code to authorize the Public Utilities Commission to hear complaints regarding a railroad's failure to properly sustain certain areas near its tracks and to authorize forfeiture for noncompliance and to update certain provisions of law governing railroads.

To the Committee on Energy and Public Utilities.

S. B. No. 117-Senators Miller, D., Coughlin, et al.

To enact section 5.2239 of the Revised Code to designate the month of May as "Multiple Chemical Sensitivity Awareness Month."

To the Committee on Health, Human Services and Aging.

S. B. No. 118-Senator Fedor, et al.

To enact section 5.2265 of the Revised Code to designate April 30 as "Dia De Los Ninos" or "Children's Day."

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

S. B. No. 119-Senator Grendell.

To amend section 4729.99 and to enact section 4729.20 of the Revised Code to require pharmacists, pharmacy interns, and qualified pharmacy technicians to report suspected dispensing errors to the State Board of Pharmacy, to require the Board to investigate all such reports and to pursue disciplinary action when warranted, and to specify criminal penalties for failure to comply with the reporting requirements.

To the Committee on Health, Human Services and Aging.

S. B. No. 120-Senator Schuler, et al.

To amend sections 3794.01 and 3794.03 of the Revised Code regarding exemptions from the smoking ban.

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

S. B. No. 121-Senators Niehaus, Cafaro, et al.

To amend sections 5501.03, 5501.311, 5531.09, and 5531.18 and to enact sections 5539.01, 5539.02, 5539.03, 5539.031, 5539.04, 5539.05, 5539.06, 5539.07, 5539.08, 5539.09, 5539.10, and 5539.11 of the Revised Code to authorize the creation of transportation innovation authorities by specified governmental entities and to establish the powers and duties of such authorities.

To the Committee on Highways and Transportation.

S. B. No. 122-Senator Turner.

To amend sections 109.57, 109.71, 109.77, 145.01, 145.33, 2921.51, 2935.01, 2935.03, 2935.031, and 2935.24 and to enact section 3313.175 of the Revised Code to authorize a board of education of a school district or governing board of an educational service center to employ public high school law enforcement officers, to provide that public high school law enforcement officers are members of the Ohio Public Employees Retirement System, to prohibit the impersonation of a public high school law enforcement officer, and to specify the powers of arrest and citation of public high school law enforcement officers.

To the Committee on Education.

S. B. No. 123-Senator Goodman, et al.

To amend section 3901.21 of the Revised Code to allow insurers to charge different rates for private passenger automobile insurance based upon the location of the residence of the insured within the limits of a municipal corporation.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 124-Senators Faber, Schiavoni, et al.

To amend sections 5302.01, 5302.02, 5302.22, 5302.221, 5302.23, and 5815.36 and to enact sections 5302.222 and 5302.24 of the Revised Code to change the transfer on death (TOD) designation instrument from a deed to an affidavit, to allow real property owners holding title in survivorship tenancy to execute such an affidavit, to clarify the status of a trustee of a trust as a TOD beneficiary and the dower rights of the spouse of the property owner, and to make other changes pertaining to the transfer on death of real property.

To the Committee on Judiciary - Civil Justice.

YES - 5: TOM NIEHAUS, BILL HARRIS, CAPRI S. CAFARO,
SHIRLEY A. SMITH, ROBERT L. SCHULER.

NO - 0.

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

The report of the committee was accepted.

Said bills were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Hughes submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 7**-Senators Wagoner and Gibbs, having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

Delete lines 17 through 20 and insert:

" Any complaint resulting in an audit report will be a public record upon the issuance of the audit report in accordance with section 117.26 of the Revised Code, subject to any applicable privileges, including but not limited to the attorney-client privilege."

YES - 9: JIM HUGHES, TERESA FEDOR, NINA TURNER,
MARK D. WAGONER, TIMOTHY J. GRENDALL, BILL
SEITZ, JOHN A. CAREY, RAY MILLER, JIMMY
STEWART.

NO - 0.

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

The report of the committee was accepted.

Senator Hughes submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 93**-Senator Buehrer, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Fedor, Turner, Hughes, Stewart, Miller, R., Carey.

YES - 9: TERESA FEDOR, NINA TURNER, TIMOTHY J.
GRENDALL, BILL SEITZ, MARK D. WAGONER, JIM
HUGHES, JIMMY STEWART, RAY MILLER, JOHN A.
CAREY.

NO - 0.

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

The report of the committee was accepted.

Senator Schuler submitted the following report:

The Standing Committee on Rules to which were referred the appointments by the Governor of:

Timothy Galvin, Democrat, from Grandview Hts., Franklin County, Ohio, as a Member of the Board of Building Standards for a term beginning February 11, 2009 and ending at the close of business October 13, 2012, replacing Kurt Schmitt, whose term expired.

Gerald O. Holland, Democrat, from Cuyahoga Falls, Cuyahoga County, Ohio, as a Member of the Board of Building Standards for a new term beginning January 29, 2009 and ending at the close of business October 13, 2012.

James A. Hummel, Republican, from Dover, Tuscarawas County, Ohio, as a Member of the Bureau of Workers Compensation Board of Directors for a new term beginning August 8, 2008 and ending at the close of business June 12, 2011.

Jack A. Licate, Democrat, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Rehabilitation Services Commission for a term beginning December 1, 2008 and ending at the close of business September 8, 2015, replacing Joyce Rogers, whose term expired.

Nolan Moser, from Columbus, Franklin County, Ohio, as a Member of the Public Benefits Advisory Board for a term beginning October 6, 2008 and ending at the close of business June 30, 2010, replacing Kurt Waltzer, who resigned.

Thomas R. Pitts, Democrat, from Akron, Summit County, Ohio, as a Member of the Bureau of Workers Compensation Board of Directors for a term beginning August 8, 2008 and ending at the close of business June 12, 2011, replacing Phillip J. Fulton, whose term expired.

Larry Price, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Bureau of Workers' Compensation Board of Directors for a new term beginning August 8, 2008 and ending at the close of business June 12, 2011.

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, SHIRLEY A. SMITH, KEITH L. FABER, JOHN A. CAREY, ROBERT L. SCHULER, JASON H. WILSON, JON A. HUSTED, CAPRI S. CAFARO, MARK D. WAGONER.

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 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

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

Smith
Wagoner

Stewart
Widener

Strahorn
Wilson

Turner
Harris-32.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Am. S. B. No. 7-Senator Wagoner.

Cosponsor: Senator Gibbs.

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 or officials, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 7**, pass?"

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
Faber	Fedor	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Kearney	Miller D	Miller R	Morano
Niehaus	Patton	Sawyer	Schaffer
Schiavoni	Schuler	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the bill passed.

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

Senator Wagoner moved to amend the title as follows:

Add the names: "Buehrer, Fedor, Miller, D., Morano, Niehaus, Schaffer, Schuler, Turner, Faber, Patton, Hughes, Schiavoni, Wilson, Strahorn, Sawyer, Harris, Schuring, Stewart, Husted, Cates."

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

The motion was agreed to and the title so amended.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 125-Senator Coughlin.

Cosponsors: Senators Gillmor, Goodman, Harris, Kearney, Morano, Patton, Sawyer, Schuler, Seitz, Strahorn, Turner.

To enact section 5.2265 of the Revised Code designating January 26 as Paul Newman Day.

S. B. No. 126-Senator Fedor.

Cosponsors: Senators Turner, Cafaro, Schiavoni, Morano, Kearney, Sawyer, Miller, D.

To amend sections 2921.22, 3313.666, and 3313.667 of the Revised Code to prohibit school administrators from knowingly failing to report to law enforcement authorities menacing by stalking or telecommunications harassment that occurs on school grounds, to require a board of education to adopt a policy that prohibits bullying by electronic means, to require a school district's harassment policy to address acts that occur off school property but materially disrupt the educational environment of the school, to require a school district annually to provide training on the district's bullying policy for district employees and volunteers, and to require a school district to notify parents or guardians of students if the annual training is not completed.

S. B. No. 127-Senator Goodman.

Cosponsors: Senators Miller, D., Morano, Hughes.

To enact section 5.061 of the Revised Code to adopt the Ohio Tartan as the official tartan of the state.

OFFERING OF RESOLUTIONS

Senator Grendell offered the following concurrent resolution:

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

To request the Supreme Court to amend the Ohio Rules of Criminal Procedure to provide for open discovery.

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

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

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

S. R. No. 48-Senator Wagoner.

Honoring Cedar Point on its One Hundred Fortieth season.

S. R. No. 49-Senator Cates.

Cosponsor: Senator Schuler.

Honoring the Thirteenth Annual All-Ohio Academic Team.

S. R. No. 50-Senator Faber.

Recognizing the National Day of Prayer, May 7, 2009.

S. R. No. 51-Senator Wilson.

Honoring Rock Hill Presbyterian Church on its Two Hundredth Anniversary.

S. R. No. 52-Senator Buehrer.

Honoring Samantha Zuch on winning two 2009 Division II State Swimming and Diving Titles.

S. R. No. 53-Senator Cafaro.

Honoring the Howland High School Speech and Debate Team as the 2009 Ohio High School Speech League Tournament Champion.

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

So the resolutions were adopted.

On the motion of Senator Niehaus, the Senate adjourned until Wednesday, May 6, 2009 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.