

OHIO

SENATE

JOURNAL

WEDNESDAY, JUNE 17, 2009

SIXTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Wednesday, June 17, 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.

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

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

H. B. No. 102-Representative Book, et al.

To enact sections 2108.61 to 2108.63 of the Revised Code regarding umbilical cord blood donations.

To the Committee on Health, Human Services and Aging.

Sub. H. B. No. 165-Representative Ujvagi, et al.

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

To the Committee on Education.

S. B. No. 131-Senator Gillmor, et al.

To amend sections 125.04 and 5513.02 and to enact sections 125.091, 125.092, and 125.093 of the Revised Code to require that the Director of Administrative Services establish a program that ensures that supplies composed of biobased products are purchased by the Department of Administrative Services, state agencies, and state-supported institutions of higher education.

To the Committee on Agriculture.

S. B. No. 132-Senator Patton.

To enact section 5533.333 of the Revised Code to designate the portion of Interstate 71 located within the city of Strongsville as the "Lance Corporal Thomas O. Keeling Memorial Highway."

To the Committee on Highways and Transportation.

S. B. No. 133-Senator Gillmor, et al.

To amend section 1739.05 and to enact sections 1751.68, 1751.69, 3923.84, and 3923.85, of the Revised Code regarding health insurance coverage for orally administered cancer medications and the procedures insured persons are required or permitted to use in acquiring certain non-self-injectable and compounded medications.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 134-Senator Miller, R.

To amend sections 9.231, 9.239, 9.24, 101.39, 101.391, 103.144, 109.572, 109.85, 117.10, 119.01, 121.02, 121.03, 122.15, 124.30, 124.301, 127.16, 131.23, 145.27, 145.58, 149.431, 169.02, 173.14, 173.20, 173.21, 173.26, 173.35, 173.351, 173.394, 173.40, 173.401, 173.42, 173.45, 173.47, 173.50, 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, 173.88, 173.89, 173.891, 173.892, 173.90, 173.91, 173.99, 317.08, 317.36, 323.01, 329.04, 329.051, 329.06, 329.14, 340.03, 340.091, 340.16, 341.192, 505.84, 742.41, 955.201, 1337.11, 1347.08, 1731.04, 1739.061, 1751.01, 1751.11, 1751.12, 1751.18, 1751.271, 1751.31, 1751.60, 1751.88, 1751.89, 1923.14, 2113.041, 2113.06, 2117.061, 2117.25, 2133.01, 2151.3514, 2305.234, 2307.65, 2317.02, 2335.39, 2505.02, 2705.02, 2744.05, 2903.33, 2913.40, 2913.401, 2921.01, 2921.13, 2945.401, 3101.051, 3107.083, 3111.04, 3111.72, 3113.06, 3119.29, 3119.54, 3121.441, 3121.898, 3125.36, 3307.20, 3309.22, 3313.714, 3313.715, 3323.021, 3599.45, 3701.023, 3701.024, 3701.027, 3701.043, 3701.132, 3701.243, 3701.507, 3701.74, 3701.741, 3701.881, 3702.30, 3702.31, 3702.51, 3702.522, 3702.591, 3702.62, 3702.74, 3702.91, 3712.07, 3712.09, 3721.01, 3721.011, 3721.021, 3721.022, 3721.024, 3721.026, 3721.042, 3721.071, 3721.08, 3721.10, 3721.12, 3721.121, 3721.13, 3721.15, 3721.16, 3721.17, 3721.19,

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To the Committee on Finance and Financial Institutions.

S. B. No. 135-Senator Miller, R.

To enact section 4511.702 of the Revised Code to prohibit smoking in a motor vehicle in which a child under six years of age is a passenger.

To the Committee on Highways and Transportation.

S. B. No. 136-Senator Miller, R.

To enact sections 1739.23, 1751.69, 3923.235, and 5111.026 of the Revised Code regarding insurance and Medicaid coverage of telemedicine services.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 137-Senator Miller, R.

To amend sections 3901.38, 3901.383, and 3901.3814 and to repeal section 5111.178 of the Revised Code to specify that the Ohio prompt payment law applies to payment of claims by Medicaid managed care organizations for health care services provided to Medicaid managed care participants.

To the Committee on Health, Human Services and Aging.

S. B. No. 138-Senator Miller, R.

To amend section 1739.05 and to enact sections 1751.69 and 3923.85 of the Revised Code to require certain insurers that provide coverage for cancer chemotherapy treatment to provide coverage for certain prescribed, orally administered anticancer medication on a basis no less favorable than intravenously administered or injected cancer medications that are covered under the policy.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 139-Senator Miller, R.

To amend section 4511.21 of the Revised Code to double the fine for a speeding violation that occurs in a school zone during restricted hours.

To the Committee on Highways and Transportation.

S. B. No. 140-Senator Miller, R.

To amend sections 109.572, 2929.12, 2929.22, 2951.041, 3719.121, 3719.70, 4715.30, 4717.05, 4717.14, 4723.28, 4730.14, 4730.25, 4730.31, 4730.48, 4731.22, 4731.223, 4731.281, 4734.31, 4760.06, 4760.13, 4760.15, 4761.09, 4762.06, 4762.13, 4762.15, 4765.112, 4774.06, 4774.13, 4774.15, 5111.032, 5111.033, and 5111.034 and to enact sections 2951.042, 2951.043, 2951.044, and 2951.045 of the Revised Code relative to treatment for certain drug offenders and to make an appropriation.

To the Committee on Finance and Financial Institutions.

S. B. No. 141-Senator Miller, R.

To amend section 5111.851 and to enact section 173.501 of the Revised Code to provide that a terminally ill individual with an anticipated life expectancy of five years or less who is on a waiting list for the PACE program or a Medicaid waiver program providing home and community-based services is to have priority over other individuals on such a waiting list.

To the Committee on Health, Human Services and Aging.

S. B. No. 142-Senator Miller, R.

To amend section 2152.19 of the Revised Code to require that any privately run non-Ohio school, camp, institution, or other facility to which Ohio delinquent children are committed comply with the same standards that are applicable to in-state schools, camps, institutions, or other facilities.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 143-Senator Miller, R.

To amend section 2967.14 of the Revised Code to require an operator of a halfway house to notify the adult parole authority within twenty-four hours after a resident absconds from the halfway house.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 144-Senator Miller, R.

To enact section 5101.345 of the Revised Code to create the Ohio Family Stability Commission in the Department of Job and Family Services and to repeal section 5101.345 of the Revised Code four years after the effective date of that section.

To the Committee on Health, Human Services and Aging.

S. B. No. 145-Senator Miller, R.

To amend sections 5733.98 and 5747.98 and to enact sections 5733.421 and 5747.391 of the Revised Code to create a tax credit for wages paid by employers to employees who have been convicted of felonies.

To the Committee on Ways and Means and Economic Development.

S. B. No. 146-Senator Miller, R.

To amend section 3358.10 and to enact sections 3354.161, 3355.121, and 3357.161 of the Revised Code to require community colleges, state community colleges, technical colleges, and university branches to comply with minority business enterprise set aside requirements.

To the Committee on Finance and Financial Institutions.

S. B. No. 147-Senator Hughes, et al.

To amend sections 2108.75 and 2108.81 of the Revised Code to give the right of disposal to the United States Secretary of Veterans Affairs regarding abandoned or unclaimed remains of persons who are entitled to be buried in a national cemetery.

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

YES - 4: TOM NIEHAUS, CAPRI S. CAFARO, SHIRLEY A. SMITH, BILL HARRIS.

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 Buehrer submitted the following report:

The standing committee on Insurance, Commerce and Labor, to which was referred **Am. Sub. H. B. No. 15**-Representative Sykes, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: STEPHEN BUEHRER, KEITH L. FABER, KAREN GILLMOR, JIM HUGHES, TIMOTHY O. SCHAFFER, JIMMY STEWART, CHRIS WIDENER, BILL SEITZ.

NO - 4: FRED STRAHORN, JOSEPH SCHIAVONI, NINA TURNER, ERIC H. KEARNEY.

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

The report of the committee was accepted.

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. B. No. 108**-Senator Miller, R., et al., having had the same under consideration, reports it back and recommends its passage.

YES - 9: KEVIN J. COUGHLIN, KAREN GILLMOR, STEPHEN BUEHRER, DAVID GOODMAN, J. KIRK SCHURING, SUSAN L. MORANO, RAY MILLER, SHIRLEY A. SMITH, JIMMY STEWART.

NO - 0.

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

The report of the committee was accepted.

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. C. R. No. 6**-Senators Grendell, Buehrer, et al., having had the same under consideration, reports it back with the following amendments and recommends its adoption when so amended.

In line 38, delete "House of Representatives" and insert "Senate"

YES - 6: KEVIN J. COUGHLIN, KAREN GILLMOR, STEPHEN BUEHRER, DAVID GOODMAN, J. KIRK SCHURING, JIMMY STEWART.

NO - 3: SUSAN L. MORANO, RAY MILLER, SHIRLEY A. SMITH.

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. 85**-Senator Stewart, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Wagoner.

YES - 8: JIM HUGHES, JIMMY STEWART, TIMOTHY J. GRENDALL, MARK D. WAGONER, TERESA FEDOR, RAY MILLER, NINA TURNER, BILL SEITZ.

NO - 0.

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

The report of the committee was accepted.

Senator Harris submitted the following report:

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

Jenny Lyn Barlos, from Maumee, Lucas County, Ohio, as a Member of the State Fire Commission for a term beginning January 12, 2009 and ending at the close of business October 31, replacing David G. Eades, whose term expired.

David L. Caldwell, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Bureau of Workers' Compensation Board of Directors for a new term beginning June 12, 2009 and ending at the close of business June 12, 2012.

Henry F. Curtis, IV, from Cleveland, Cuyahoga County, Ohio, as a Member of the Motor Vehicle Dealers Board for new term beginning October 29, 2008 and ending at the close of business October 4, 2011.

Paul S. Denton, from Orient, Pickaway County, Ohio, as a Member of the Ohio Peace Officers Training Commission for a term beginning March 13, 2009 and ending at the close of business September 19, 2009, replacing Ronald Ferrell, who resigned.

Paul N. Duncan, Jr., Democrat, from Boardman, Mahoning County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for a new term beginning March 13, 2009 and ending at the close of business January 1, 2012.

Jack Edwards, Democrat, from Gahanna, Franklin County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a new term beginning March 11, 2009 and ending at the close of business November 22, 2011.

Richard P. Finney, Republican, from Harrisville, Harrison County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for a new term beginning March 13, 2009 and ending at the close of business January 1, 2012.

Joyce Fischer, Republican, from New Richmond, Clermont County, Ohio, as a Member of the State Board of Emergency Medical Services for a term beginning December 22, 2008 and ending at the close of business November 12, 2008, replacing Mark Mankins, whose term expired.

Stephanie E. Green, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Fair Plan Underwriting Association Board of Governors for a term beginning February 11, 2009 and ending at the close of business September 18, 2010, replacing Daniel Snouffer, whose term expired.

Deanna Dahl-Grove, MD, from Cleveland, Cuyahoga County, Ohio, as a Member of the State Board of Emergency Medical Services for a term beginning December 22, 2008 and ending at the close of business November 12, 2011, replacing Charlene Mancuso, whose term expired.

Kenneth M. Haffey, Republican, from Chester Township, Geauga County, Ohio, as a Member of the Bureau of Workers' Compensation Board of Directors for a new term beginning June 12, 2009 and ending at the close of business June 12, 2012.

Darrell L. Heckman, Democrat, from Urbana, Champion County, Ohio, as a Member of the Ohio Respiratory Care Board for a new term beginning March 14, 2009 and ending at the close of business March 14, 2012.

Ricky D. Hoffman, Democrat, from Bremen, Fairfield County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning February 13, 2008 and ending at the close of business January 13, 2011.

Timothy C. Ivey, Democrat, from Aurora, Portage County, Ohio, as a

Member of the Barber Board for a term beginning January 7, 2009 and ending at the close of business September 26, 2011, replacing Anthony O. Calabrese, III, whose term expired.

John Kubincancek, from North Ridgeville, Lorain County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning December 22, 2008 and ending at the close of business November 12, 2011.

William Mallory, from Lancaster, Fairfield County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning November 24, 2008 and ending at the close of business November 12, 2011.

James M. Matesich, Republican, from Granville, Licking County, Ohio, as a Member of the Bureau of Workers' Compensation Board of Directors for a new term beginning June 12, 2009 and ending at the close of business June 12, 2012.

Jolene M. Molitoris, from Dublin, Franklin County, Ohio, as Director of the Department of Transportation for a term beginning at the close of business January 30, 2009 and continuing at the pleasure of the Governor.

Melissa G. Meyer, Democrat, from Amelia, Clermont County, Ohio, as a Member of the Board of Nursing for a term beginning March 27, 2009 and ending at the close of business December 31, 2012, replacing Elizabeth Buschmann, whose term expired.

John A. Pakiela, from Macedonia, Summit County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning December 22, 2008 and ending at the close of business November 12, 2011.

K. Eric Pitts, Democrat, from Athens, Athens County, Ohio, as a Member of the Public Benefits Advisory Board for a term beginning March 13, 2009 and ending at the close of business June 30, 2011.

Wendy J. Pomerantz, from Cincinnati, Hamilton County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning December 22, 2008 and ending at the close of business November 12, 2011.

William E. Quinn, Jr., from Trenton, Butler County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning December 22, 2008 and ending at the close of business November 12, 2009, replacing Carl Jordan, who resigned.

Craig Self, from Centerville, Montgomery County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning December 22, 2008 and ending at the close of business November 12, 2009, replacing Michael B. Senter, who resigned.

Robert C. Smith, Republican, from Beechwood, Cuyahoga County, Ohio, as a Member of the Bureau of Workers' Compensation Board of Directors for a new term beginning June 12, 2009 and ending at the close of business June 12, 2012.

Robert Spada, Republican, from North Royalton, Cuyahoga County, Ohio, as a Member of the State Employment Relations Board for a term beginning November 3, 2008 and ending at the close of business October 6, 2014, replacing Craig Mayton, whose term expired.

Peggy L. Volters, Republican, from Miamisburg, Montgomery County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a term beginning February 11, 2009 and ending at the close of business October 10, 2011, replacing Jose Camerino, whose term expired.

Kenneth C. Walz, Democrat, from Toledo, Lucas County, Ohio, as a Member of the Ohio Respiratory Care Board for a new term beginning March 14, 2009 and ending at the close of business March 14, 2012, replacing Eugene Andrews, whose term expired.

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

YES - 9: BILL HARRIS, TOM NIEHAUS, KEITH L. FABER, JON A. HUSTED, JOHN A. CAREY, JASON H. WILSON, RAY MILLER, SHIRLEY A. SMITH, CAPRI S. CAFARO.

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

So the Senate advised and consented to said appointments.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Sub. S. B. No. 79 -Senator Stewart. Cosponsors: Senators Roberts, Gibbs,

Gillmor, Turner, Wagoner, Hughes, Carey, Wilson, Strahorn, Schuler, Sawyer, Patton, Niehaus, Morano, Miller, D., Kearney, Harris, Husted, Fedor, Coughlin, Cafaro, Miller, R., Schaffer, Smith. Representatives Adams, J., Adams, R., Bacon, Balderson, Belcher, Blair, Bolon, Book, Boyd, Brown, Bulp, Burke, Carney, Celeste, Chandler, Coley, Combs, Daniels, DeBose, DeGeeter, Derickson, Dodd, Dolan, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, Harris, Harwood, Heard, Hite, Hottinger, Huffman, Jones, Koziura, Letson, Luckie, Mallory, Mandel, McClain, Moran, Murray, Newcomb, Oelslager, Okey, Patten, Phillips, Pillich, Pryor, Ruhl, Sayre, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stewart, Szollosi, Uecker, Ujvagi, Williams, B., Williams, S., Winburn, Yates, Yuko, Zehringer.

To amend sections 9.239, 9.55, 101.37, 101.39, 107.12, 109.57, 109.572, 109.71, 109.77, 109.86, 117.102, 121.02, 121.03, 121.32, 121.36, 121.37, 123.01, 124.11, 124.23, 124.241, 124.27, 124.38, 124.381, 125.602, 125.603, 126.32, 127.16, 135.801, 135.802, 135.803, 140.01, 140.03, 140.05, 145.012, 145.297, 154.17, 154.20, 173.03, 305.14, 307.10, 307.86, 309.10, 319.16, 325.19, 329.06, 1751.01, 1751.02, 2108.521, 2109.01, 2109.04, 2111.01, 2111.02, 2111.10, 2133.25, 2151.011, 2151.421, 2903.33, 2919.271, 2921.36, 2921.38, 2930.061, 2935.03, 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 2967.22, 3109.18, 3301.07, 3301.15, 3301.52, 3301.53, 3301.55, 3301.57, 3301.58, 3304.231, 3313.65, 3313.715, 3314.022, 3314.99, 3317.01, 3317.02, 3317.024, 3317.03, 3317.032, 3317.05, 3317.051, 3317.052, 3317.07, 3317.15, 3317.20, 3319.22, 3319.99, 3323.01, 3323.02, 3323.021, 3323.03, 3323.04, 3323.05, 3323.07, 3323.09, 3323.091, 3323.12, 3323.141, 3323.142, 3323.31, 3326.99, 3501.01, 3701.78, 3701.93, 3701.932, 3701.933, 3705.36, 3721.01, 3721.14, 3722.01, 3727.01, 3735.58, 4109.06, 4115.32, 4141.29, 4511.21, 4511.75, 4723.071, 5101.35, 5101.46, 5101.611, 5103.02, 5103.13, 5104.08, 5107.24, 5111.042, 5111.151, 5111.202, 5111.203, 5111.211, 5111.251, 5111.291, 5111.65, 5111.677, 5111.709, 5111.87, 5111.871, 5111.872, 5111.873, 5111.874, 5111.875, 5111.876, 5111.8710, 5111.915, 5112.30, 5112.32, 5112.37, 5112.371, 5119.16, 5119.221, 5119.51, 5120.07, 5120.135, 5121.01, 5121.02, 5121.03, 5121.04, 5121.05, 5121.051, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5123.01, 5123.012, 5123.02, 5123.021, 5123.03, 5123.031, 5123.032, 5123.033, 5123.04, 5123.042, 5123.043, 5123.044, 5123.046, 5123.047, 5123.048, 5123.049, 5123.0410, 5123.0411, 5123.0412, 5123.0413, 5123.0414, 5123.0415, 5123.0416, 5123.0417, 5123.05, 5123.051, 5123.06, 5123.07, 5123.08, 5123.081, 5123.082, 5123.083, 5123.09, 5123.091, 5123.092, 5123.093, 5123.10, 5123.11, 5123.12, 5123.122, 5123.13, 5123.14, 5123.15, 5123.16, 5123.161, 5123.162, 5123.163, 5123.164, 5123.166, 5123.167, 5123.168, 5123.169, 5123.17, 5123.171, 5123.172, 5123.18, 5123.181, 5123.19, 5123.191, 5123.194, 5123.195, 5123.196, 5123.198, 5123.21, 5123.211, 5123.22, 5123.221, 5123.23, 5123.24, 5123.25, 5123.26, 5123.27, 5123.28, 5123.29, 5123.30, 5123.31, 5123.33, 5123.34, 5123.35, 5123.351, 5123.352, 5123.36, 5123.37, 5123.371, 5123.372, 5123.373,

5123.374, 5123.375, 5123.38, 5123.40, 5123.41, 5123.42, 5123.421, 5123.43, 5123.44, 5123.45, 5123.451, 5123.47, 5123.50, 5123.51, 5123.52, 5123.53, 5123.54, 5123.541, 5123.542, 5123.55, 5123.56, 5123.57, 5123.58, 5123.59, 5123.60, 5123.601, 5123.602, 5123.604, 5123.61, 5123.611, 5123.612, 5123.613, 5123.614, 5123.63, 5123.64, 5123.65, 5123.71, 5123.711, 5123.72, 5123.73, 5123.74, 5123.75, 5123.76, 5123.801, 5123.81, 5123.811, 5123.82, 5123.85, 5123.86, 5123.89, 5123.90, 5123.96, 5126.01, 5126.02, 5126.028, 5126.029, 5126.0210, 5126.0211, 5126.0212, 5126.0213, 5126.0214, 5126.0215, 5126.0216, 5126.0217, 5126.0218, 5126.0219, 5126.0220, 5126.0221, 5126.0222, 5126.0223, 5126.0224, 5126.0225, 5126.0226, 5126.0227, 5126.0228, 5126.0229, 5126.03, 5126.031, 5126.032, 5126.033, 5126.034, 5126.037, 5126.038, 5126.04, 5126.041, 5126.042, 5126.044, 5126.045, 5126.046, 5126.05, 5126.051, 5126.052, 5126.054, 5126.055, 5126.056, 5126.058, 5126.059, 5126.0510, 5126.0511, 5126.0512, 5126.06, 5126.07, 5126.071, 5126.08, 5126.081, 5126.082, 5126.09, 5126.10, 5126.11, 5126.12, 5126.121, 5126.13, 5126.14, 5126.15, 5126.18, 5126.19, 5126.20, 5126.201, 5126.21, 5126.22, 5126.221, 5126.23, 5126.24, 5126.25, 5126.251, 5126.252, 5126.253, 5126.254, 5126.26, 5126.27, 5126.28, 5126.281, 5126.29, 5126.30, 5126.31, 5126.311, 5126.313, 5126.33, 5126.331, 5126.333, 5126.34, 5126.36, 5126.40, 5126.41, 5126.42, 5126.43, 5126.45, 5126.46, 5126.47, 5126.49, 5126.50, 5126.54, 5126.55, 5126.57, 5126.58, 5126.59, 5126.61, 5126.62, 5126.99, 5139.08, 5139.34, 5145.18, 5153.16, 5153.99, 5511.03, 5543.011, 5705.091, 5705.14, 5705.191, 5705.222, 5705.28, 5705.44, 5735.142, 5815.28, and 5815.35; to amend section 5123.011 as it results from Am. Sub. S.B. 156 of the 119th General Assembly; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5123.011 (5123.013) as it results from Am. Sub. S.B. 285 of the 121st General Assembly; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 5126.028 (5126.021), 5126.029 (5126.022), 5126.0210 (5126.023), 5126.0211 (5126.024), 5126.0212 (5126.025), 5126.0213 (5126.026), 5126.0214 (5126.027), 5126.0215 (5126.028), 5126.0216 (5126.029), 5126.0217 (5126.0210), 5126.0218 (5126.0211), 5126.0219 (5126.0212), 5126.0220 (5126.0213), 5126.0221 (5126.0214), 5126.0222 (5126.0215), 5126.0223 (5126.0216), 5126.0224 (5126.0217), 5126.0225 (5126.0218), 5126.0226 (5126.0219), 5126.0227 (5126.0220), 5126.0228 (5126.0221), and 5126.0229 (5126.0222); to enact sections 5123.014 and 5126.011; to repeal sections 5126.021, 5126.022, 5126.023, 5126.024, 5126.025, 5126.026, and 5126.027 of the Revised Code; to amend Sections 209.60.40, 209.60.50, and 501.40 of H.B. 496 of the 127th General Assembly, to amend Section 201.60.30 of H.B. 496 of the 127th General Assembly, as subsequently amended, to amend Sections 231.30.10, 231.30.20, and 253.10 of Am. Sub. H.B. 562 of the 127th General Assembly, to amend Section 231.20.30 of Am. Sub. H.B. 562 of the 127th General Assembly, as subsequently amended, and to amend Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly, as subsequently amended, to change the name of the Department of Mental Retardation and Developmental Disabilities to the Department of Developmental Disabilities and the name of

county boards of mental retardation and developmental disabilities to county boards of developmental disabilities, to make similar name changes for the Joint Council on Mental Retardation and Developmental Disabilities, the Mental Retardation and Developmental Disabilities Developmental Center Closure Commission, and certain state and county funds, and to repeal obsolete law regarding multi-county boards of mental retardation and developmental disabilities, having been informally passed, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Sub. S. B. No. 79**?"

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	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

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

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 15-Representative Sykes.

Cosponsors: Representatives Dodd, Bolon, Boyd, DeBose, Domenick, Dyer, Foley, Harris, Koziura, Letson, Luckie, Mallory, Moran, Stewart, Szollosi, Ujvagi, Weddington, Williams, B., Williams, S., Yates, Yuko.

To amend sections 121.52, 4121.12, 4121.125, 4121.62, 4121.70, 4121.75, 4123.29, 4123.34, 4123.35, and 4123.82 of the Revised Code and to amend Section 512.45 of Am. Sub. H.B. 100 of the 127th General Assembly to create the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission Fund; to create the Competitive Workers' Compensation Task Force; to make other changes to the Workers' Compensation Law; to make appropriations for the Bureau of Workers' Compensation and for the Workers' Compensation Council for the biennium beginning July 1, 2009, and ending June 30, 2011; and to provide authorization and conditions for the operation of the Bureau's and the Council's programs, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 15**, pass?"

On the motion of Senator Niehaus, **Sub. H. B. No. 15** was informally

passed and retained its place on the calendar.

S. B. No. 93-Senator Buehrer.

Cosponsors: Senators Coughlin, Faber, Miller, R., Morano, Patton, Schaffer, Schuring, Seitz, Wagoner, Fedor, Turner, Hughes, Stewart, Carey.

To enact sections 149.32 and 149.321 of the Revised Code to establish the War of 1812 Bicentennial Commission, to prescribe the Commission's powers and duties, and to repeal sections 149.32 and 149.321 of the Revised Code on December 31, 2015, to terminate the commission on that date, was considered the third time.

The question being, "Shall the bill, **S. B. No. 93**, 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
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	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 Buehrer moved to amend the title as follows:

Add the names: "Gibbs, Gillmor, Grendell, Harris, Kearney, Niehaus, Sawyer, Strahorn, Wilson."

The motion was agreed to.

The motion was agreed to and the title so amended.

On the motion of Senator Niehaus, the Senate recessed until 2:55 p.m.

The Senate met pursuant to the recess.

On the motion of Senator Niehaus, **Sub. H. B. No. 15**, having been informally passed, was taken up for consideration.

The question being, "Shall the bill, **Sub. H. B. No. 15**, pass?"

The yeas and nays were taken and resulted - yeas 20, nays 12, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Gibbs	Gillmor	Goodman
Grendell	Hughes	Husted	Niehaus
Patton	Schaffer	Schuring	Seitz
Stewart	Wagoner	Widener	Harris-20.

Those who voted in the negative were: Senators

Cafaro	Fedor	Kearney	Miller D
Miller R	Morano	Sawyer	Schiavoni
Smith	Strahorn	Turner	Wilson-12.

So the bill passed.

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

Senator Buehrer moved to amend the title as follows:

Add the names: "Buehrer, Faber, Gibbs, Grendell, Niehaus, Harris."

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, June 14, 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.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 71-Senator Harris.

Cosponsors: Senators Buehrer, Cafaro, Carey, Cates, Coughlin, 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.

Honoring Richard Erwin Masek on his retirement.

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

So the resolution was adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following message from the Governor

which was read by the Clerk:

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Jodie Marie Taylor, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Industrial Commission of Ohio for a term beginning June 30, 2009 and ending at the close of business June 29, 2015, replacing William H. Thompson, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 3rd day of June in the year of our Lord, two thousand and nine.

[Seal]

Ted Strickland,
Governor.

Said appointment was referred to the Committee on Rules.

On the motion of Senator Niehaus, the Senate adjourned until Thursday, June 18, 2009 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.