

OHIO

SENATE

JOURNAL

TUESDAY, JUNE 30, 2009

SIXTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, June 30, 2009, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Father Michael Lumpe, St. Catherine's Church, Bexley, 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 bill, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 150-Senator Cates, et al.

To amend sections 9.63, 311.07, and 341.21 of the Revised Code to provide that a board of county commissioners may direct a sheriff to take custody of persons who are being detained for deportation or who are charged with civil violations of immigration law and to expressly authorize state and local employees and county sheriffs to render assistance to federal immigration officials in the investigation and enforcement of federal immigration law.

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

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

NO - 0.

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

The report of the committee was accepted.

Said bill was considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **H. B. No. 102**-Representative Book, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Gillmor, Buehrer, Schuring, Morano, Miller, R., Smith.

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

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. B. No. 89**-Senator Morano, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Gillmor, Schuring.

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

NO - 0.

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

The report of the committee was accepted.

REPORTS OF CONFERENCE COMMITTEES

Am. 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. Senators Buehrer, Faber, Gibbs, Grendell, Niehaus, Harris.

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 taken up.

The question being, "Shall the report of the Committee of Conference be agreed to?"

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 report of Committee of Conference was agreed to.

RESOLUTIONS REPORTED BY COMMITTEE

S. C. R. No. 15-Senator Widener.

Cosponsors: Senators Husted, Carey, Faber, Seitz, Stewart, Patton, Schaffer, Gibbs, Schuring, Buehrer, Coughlin.

To urge the Congress of the United States to refuse to enact cap and trade legislation that would negatively impact Americans through the elimination of jobs and by increasing the costs of goods and services and instead enact legislation that encourages states to establish and develop their own renewable energy portfolio standards.

WHEREAS, President Barack Obama has proposed legislation to the United States Congress to implement a cap and trade emissions trading system that would establish a cap on greenhouse gas emissions, require those who emit greenhouse gases to purchase government credits to offset emissions, and allow those emitters to trade or sell those credits; and

WHEREAS, Companies that are required to participate in the cap and trade program will ultimately pass the cost of participation in the program on to consumers. The Congressional Budget Office estimates that price increases resulting from a 15% cut in greenhouse gas emissions would cost the average household between 1.7% to 3.3% of its after-tax income every year, with households in the bottom fifth of the income scale losing the largest share of income; and

WHEREAS, The combustion of coal produces more than 50% of the

electricity generated in the United States, with Ohio receiving more than 85% of its electricity from coal. Thus, the cap and trade program will result in massive increases in energy costs for all consumers because the cost to produce electricity from coal will be markedly higher. The increased energy costs will disproportionately impact states in the middle part of the United States such as Ohio that are more reliant on coal. The Congressional Budget Office has acknowledged that these increases in energy costs will effectively act as a regressive tax affecting every household in the nation, with a disproportionate effect on poorer families; and

WHEREAS, The cap and trade program will result not only in a massive windfall of hundreds of billions of dollars for the federal government through the sale of emissions credits, but also in the loss of hundreds of thousands of jobs. The program ultimately will not result in the overall global decrease of greenhouse gas emissions because many industries that emit greenhouse gas will merely relocate to countries with less stringent standards; now therefore be it

RESOLVED, That we, the members of the 128th General Assembly of the State of Ohio, in adopting this resolution, urge the Congress of the United States to refuse to enact cap and trade legislation that would negatively impact Americans through the elimination of jobs and by increasing the costs of goods and services and instead enact legislation that encourages states to establish and develop their own renewable energy portfolio standards; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, the members of the Ohio Congressional delegation, and the news media of Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 15**, be adopted?"

The yeas and nays were taken and resulted - yeas 21, nays 11, 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	Wilson
			Harris-21.

Those who voted in the negative were: Senators

Cafaro	Fedor	Kearney	Miller D
Miller R	Morano	Sawyer	Schiavoni
Smith	Strahorn		Turner-11.

So the concurrent resolution was adopted.

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

Senator Widener moved to amend the title as follows:

Add the names: "Cates, Goodman, Grendell, Harris, Hughes, Niehaus, Wilson, Wagoner."

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

The motion was agreed to and the title so amended.

OFFERING OF RESOLUTIONS

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

S. R. No. 81-Senator Faber.

Honoring Erica Gelhaus on being crowned Miss Ohio 2009.

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

So the resolution was adopted.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has agreed to the report of the Committee of Conference on matters of difference between the two houses on:

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

Attest:

Tom Sherman,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the Senate amendments to:

Am. Sub. H. B. No. 16 -Representative Sykes - et al.

Attest:

Tom Sherman,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bills:

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

Am. Sub. H. B. No. 16 -Representative Sykes - et al.

Sub. S. B. No. 79 -Senator Stewart - et al.

Attest:

Tom Sherman,
Clerk.

The President signed said bills.

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

Attest:

VINCENT L. KEERAN,
Clerk.