OHIO

SENATE

JOURNAL

TUESDAY, SEPTEMBER 22, 2009

NINETY-SIXTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, September 22, 2009, 1:30 p.m.

The Senate met pursuant to adjournment.

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:

Am. H. B. No. 71-Representatives Hagan, Batchelder, et al.

To enact section 4923.30 of the Revised Code to establish requirements for contract carriers that transport railroad employees.

To the Committee on Insurance, Commerce and Labor.

Am. Sub. H. B. No. 176-Representatives Stewart, McGregor, et al.

To amend sections 9.03, 124.93, 125.111, 340.12, 511.03, 717.01, 1501.012, 1751.18, 2927.03, 3113.36, 3301.53, 3304.14, 3304.50, 3313.481, 3314.06, 3332.09, 3721.13, 3905.55, 4111.17, 4112.01, 4112.02, 4112.021, 4112.04, 4112.05, 4112.08, 4117.19, 4735.16, 4735.55, 4757.07, 4758.16, 4765.18, 5104.09, 5107.26, 5111.31, 5119.61, 5123.351, 5126.07, 5515.08, and 5709.832 of the Revised Code to prohibit discrimination on the basis of sexual orientation or gender identity.

To the Committee on Rules.

S. B. No. 167-Senator Cates, et al.

To amend section 3302.03 of the Revised Code to revise the performance ratings for school districts and buildings.

To the Committee on Education.

S. B. No. 168-Senator Hughes, et al.

To amend section 2935.23 of the Revised Code to authorize the prosecuting attorney of a county or chief legal officer of a municipal corporation to issue an investigative subpoena for any criminal offense.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 169-Senator Gibbs.

To enact section 5533.881 of the Revised Code to designate a portion of United States Route 250, within Ashland County, as the "Ashland County Veterans' Memorial Highway."

To the Committee on Highways and Transportation.

S. B. No. 170-Senator Faber, et al.

To amend sections 3517.13 and 3517.992 of the Revised Code to limit to $500 the amount of political contributions that may be made by or accepted from the principals and key employees of an entity that is applying for a license or other authorization, or that is licensed or otherwise authorized, to operate video lottery terminal games in this state.

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

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

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.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 171-Senator Patton.

To limit the amount of money that may be spent on signs that identify the American Recovery and Reinvestment Act of 2009 as the source of specific project funding.

S. B. No. 172-Senator Grendell.
Cosponsors: Senators Turner, Smith, Miller, R., Miller, D., Schaffer, Sawyer, Fedor.

To enact section 3301.41 of the Revised Code to require the Department of Education to waive fees for certain Ohio residents taking the GED test.

OFFERING OF RESOLUTIONS

Senator Grendell offered the following concurrent resolution:

S. C. R. No. 19-Senator Grendell.
Cosponsors: Senators Gibbs, Hughes, Schaffer.

To urge the President and the Congress of the United States to protect the rights of seniors when considering proposals for health care reform.

The question being, "Shall the concurrent resolution, **S. C. R. No. 19**, be adopted?"

On the motion of Senator Carey, **S. C. R. No. 19**, was referred to the Committee on Reference.

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

S. R. No. 97-Senator Miller, D.

Honoring West Park United Church of Christ on its Sesquicentennial.

S. R. No. 98-Senator Gillmor.

In memory of Gunnery Sergeant David Spicer.

S. R. No. 99-Senator Gillmor.

In memory of Staff Sergeant Shannon M. Smith.

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

So the resolutions were adopted.

COMMUNICATIONS FROM THE ATTORNEY GENERAL

The President handed down the following messages from the Attorney General which were read by the Clerk:

The Honorable Bill Harris
President
Ohio Senate
Columbus, Ohio 43215

Dear Senate President Harris:

In accordance with Ohio Revised Code Section 4911.17, I have the honor to present to you for advice and consent of the Ohio Senate the reappointment of Mr. Roger Wise to the Ohio Consumers' Counsel Governing Board.

Pursuant to statute, the Governing Board is comprised of nine members consisting of three representatives from each of the following groups: organized labor, residential consumers, and family farmers. Additionally, Ohio law requires that no more than five members of the Governing Board be from the same political party. Mr. Wise has represented family farmers on the Governing Board since 2006 when he was appointed by Attorney General Petro. He is a Democrat. Mr. Wise's biography is enclosed for your review.

The request for appointment is respectfully submitted to both you and the Ohio Senate for your advice and consent. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

/s/ **RICHARD CORDRAY**

Richard Cordray
Ohio Attorney General

The Honorable Bill Harris
President
Ohio Senate
Columbus, Ohio 43215

Dear Senate President Harris:

In accordance with Ohio Revised Code Section 4911.17, I have the honor

to present to you for advice and consent of the Ohio Senate the appointment of Mr. Anthony Peto to the Ohio Consumers' Counsel Governing Board.

Pursuant to statute, the Governing Board is comprised of nine members consisting of three representatives from each of the following groups: organized labor, residential consumers, and family farmers. Additionally, Ohio law requires that no more than five members of the Governing Board be from the same political party. Mr. Peto represents organized labor and is a Democrat. He currently holds a leadership position with the Ohio Vicinity Regional Council of Carpenters. Enclosed for your review is Mr. Peto's resume.

The request for appointment is respectfully submitted to both you and the Ohio Senate for your advice and consent. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

/s/ **RICHARD CORDRAY**

Richard Cordray
Ohio Attorney General

The Honorable Bill Harris
President
Ohio Senate
Columbus, Ohio 43215

Dear Senate President Harris:

In accordance with Ohio Revised Code Section 4911.17, I have the honor to present to you for advice and consent of the Ohio Senate the reappointment of Mr. John Moliterno to the Ohio Consumers' Counsel Governing Board.

Pursuant to statute, the Governing Board is comprised of nine members consisting of three representatives from each of the following groups: organized labor, residential consumers, and family farmers. Additionally, Ohio law requires that no more than five members of the Governing Board be from the same political party. Mr. Moliterno is a Democrat representing residential consumers, who was first appointed by Attorney General Petro in 2003. He currently serves as the Governing Board's Vice Chairman. Mr. Moliterno's resume is enclosed for your review.

The request for appointment is respectfully submitted to both you and the Ohio Senate for your advice and consent. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

/s/ **RICHARD CORDRAY**

Richard Cordray
Ohio Attorney General

MESSAGE FROM THE PRESIDENT

Pursuant to Section 755.14 (B) (2) of the Ohio Revised Code, the President of the Senate appoints the following public member to serve on the Franklin Park Conservatory Joint Recreation District Board of Trustees:

Grant L. Douglas
1115 Urlin Avenue
Columbus, Ohio 43212

(3-year term beginning September 1, 2009 and ending August 31, 2012)

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules 19 and 20, the President of the Senate makes the following appointment changes to the following Senate Standing Committees:

Appoints Senator David Goodman as a member of the Standing Committee on Reference.
Appoints Senator David Goodman as Chairman of the Standing Committee on Reference.
Removes Senator Bill Harris as Chairman of the Standing Committee on Reference.
Appoints Senator Bill Harris as Vice Chairman of the Standing Committee on Reference.
Removes Senator Tom Niehaus as Vice Chairman of the Standing Committee on Reference.
Appoints Senator Shannon Jones as Vice Chairwoman of the Standing Committee on Ways and Means and Economic Development.
Removes Senator Chris Widener as Vice Chairman of the Standing Committee on Ways and Means and Economic Development.

On the motion of Senator Carey, the Senate adjourned until Wednesday, September 23, 2009 at 1:30 p.m.

Attest: VINCENT L. KEERAN,
Clerk.