

OHIO

SENATE

JOURNAL

TUESDAY, NOVEMBER 17, 2009

ONE HUNDRED SIXTEENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, November 17, 2009, 1:30 p.m.

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Wilson was selected to preside according to the rule.

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

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

Senator Goodman 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. 27-Representative Gerberry, et al.

To amend sections 4501.21, 4503.571, and 5533.52 and to enact sections 4501.14, 4503.498, 4503.499, 4503.505, 4503.89, 4503.94, 5533.093, 5533.333, 5533.372, 5533.606, 5533.621, 5533.872, 5533.93, 5533.95, and 5533.96 of the Revised Code to create certain special license plates and to designate certain memorial highways and a memorial bridge.

To the Committee on Highways and Transportation.

Sub. H. B. No. 38-Representative Brown, et al.

To enact section 4503.701 of the Revised Code to create Prince Hall Freemason license plates.

To the Committee on Highways and Transportation.

Sub. H. B. No. 230-Representatives Moran, Zehringer, et al.

To amend sections 103.051, 103.0511, 121.24, 122.08, 122.081, and 127.18 and to enact sections 121.81, 121.811, 121.812, 121.813, 121.814, 121.815, 121.82, 122.084, and 3745.016 of the Revised Code to enact the Common Sense Regulation Act to improve state agency regulatory processes, especially as they relate to small businesses, to require state departments to develop customer service training programs, and to require the Director of Environmental Protection to provide environmental regulatory compliance assistance to small businesses.

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

S. B. No. 196-Senator Grendell.

To amend sections 1509.01 to 1509.05, 1509.06, 1509.061, 1509.07, 1509.071, 1509.072, 1509.08, 1509.09 to 1509.15, 1509.17, 1509.18, 1509.20 to 1509.22, 1509.221, 1509.222, 1509.223, 1509.224, 1509.225, 1509.23, 1509.24, 1509.26, 1509.30, 1509.31 to 1509.33, 1509.35, 1509.36, 1509.38, 1509.99, 1565.07, 1565.13, 1571.05, and 5749.06, to enact sections 1509.051, 1509.062, 1509.073, 1509.074, 1509.075, 1509.076, 1509.081, 1509.19, 1509.191, 1509.34, and 1509.50, and to repeal sections 1509.226, 1509.25, 1509.27, 1509.29, 1509.40, and 1509.41 of the Revised Code to revise the Oil and Gas Law.

To the Committee on Environment and Natural Resources.

S. B. No. 197-Senator Jones, et al.

To amend sections 2303.201 and 2323.06 and to enact sections 2303.24 and 2308.01 to 2308.05 of the Revised Code to require courts to establish and operate programs of mandatory foreclosure mediation in non-tax foreclosure actions on occupied residential properties and to establish procedures for the operation of those foreclosure mediation programs.

To the Committee on Finance and Financial Institutions.

S. B. No. 198-Senator Schiavoni, et al.

To amend sections 5747.08 and 5747.98 and to enact sections 718.17, 3333.51, and 5747.81 of the Revised Code to grant an income tax credit to individuals who earn degrees in science, technology, engineering, or math-based fields of study and to authorize municipal corporations to grant a credit to individuals qualifying for the state credit.

To the Committee on Ways and Means and Economic Development.

S. B. No. 199-Senator Gibbs, et al.

To amend section 5701.03 and to enact section 5713.031 of the Revised Code to define certain golf course landscape features as personal property for tax purposes, and to prescribe a method of estimating the true value of golf

courses for tax purposes.

To the Committee on Ways and Means and Economic Development.

S. B. No. 200-Senator Morano, et al.

To amend sections 4723.43, 4723.44, 4729.01, and 4761.17 of the Revised Code to authorize certified registered nurse anesthetists to issue prescriptions for the administration of drugs during certain phases of patient care.

To the Committee on Health, Human Services and Aging.

S. B. No. 201-Senator Smith, et al.

To enact section 5.2266 of the Revised Code to designate October 13 as Metastatic Breast Cancer Awareness Day.

To the Committee on Health, Human Services and Aging.

S. B. No. 202-Senator Turner.

To amend sections 2903.01, 2903.11, 2903.12, 2903.13, and 2929.04 of the Revised Code to increase the penalties for certain offenses when a public utility worker is the victim and to make the killing of a public utility worker an aggravating circumstance for the imposition of the death penalty for aggravated murder.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 203-Senator Gibbs, et al.

To amend sections 903.01, 903.02, 903.03, 903.04, 903.05, 903.06, 903.07, 903.08, 903.081, 903.082, 903.09, 903.10, 903.15, 903.16, 903.17, and 6111.03 of the Revised Code to revise the Concentrated Animal Feeding Facilities Law, to specify that certain provisions amended by this act do not become operative until the Administrator of the United States Environmental Protection Agency approves the National Pollutant Discharge Elimination System program submitted by the Director of Agriculture, and to declare an emergency.

To the Committee on Agriculture.

S. B. No. 204-Senator Wagoner, et al.

To amend sections 4517.52, 4517.54, 4517.55, 4517.57, and 4517.59 and to enact section 4517.541 of the Revised Code relative to the termination of franchises and prohibited acts under the Motor Vehicle Dealers Law.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 205-Senators Hughes, Turner, et al.

To amend sections 5101.54, 5107.12, and 5111.013 and to enact sections 5101.87 and 5101.871 of the Revised Code to require applicants for the Children's Health Insurance Program, Medicaid, Ohio Works First, and Supplemental Nutrition Assistance Program to provide information about their employers and to require quarterly reports identifying the employers.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 206-Senator Grendell, 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 or a casino in this state.

To the Committee on Government Oversight.

S. B. No. 207-Senator Sawyer, et al.

To amend sections 3301.0714 and 3314.013, to enact sections 3301.94, 3314.23, and 3333.0410, and to repeal section 3314.033 of the Revised Code to lift the moratorium on Internet- or computer-based community schools, to require the State Board of Education to adopt by rule its recommended standards for those schools and other electronic educational courses, to permit the Department of Education and the Chancellor of the Board of Regents to establish a longitudinal student data system and to declare an emergency.

To the Committee on Education.

S. B. No. 208-Senator Grendell, et al.

To enact sections 2915.25 and 3770.211 of the Revised Code to require criminal records checks of certain persons involved in the operation of casino facilities or video lottery terminals and to prohibit any person convicted of a felony from being involved in these operations.

To the Committee on Government Oversight.

S. B. No. 209-Senator Schaffer, et al.

To amend sections 101.27 and 141.011 of the Revised Code to reduce salaries of General Assembly members, the Governor and Lieutenant Governor, and administrative department heads by five per cent.

To the Committee on Finance and Financial Institutions.

YES - 6: DAVID GOODMAN, 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.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. S. B. No. 93-Senator Buehrer.

Cosponsors: Senators Coughlin, Faber, Miller, R., Morano, Patton, Schaffer, Schuring, Seitz, Wagoner, Fedor, Turner, Hughes, Stewart, Carey, Gibbs, Gillmor, Grendell, Harris, Kearney, Niehaus, Sawyer, Strahorn, Wilson. Representatives Gerberry, Lundy, Sayre, Stewart, Williams, B., Daniels, Hall, Hite, Stebelton, Adams, R., Amstutz, Bacon, Balderson, Batchelder, Beck, Blair, Blessing, Bolon, Book, Boose, Carney, Celeste, Chandler, Coley, Combs, DeBose, DeGeeter, Derickson, Dodd, Dolan, Domenick, Dyer, Fende, Foley, Gardner, Garrison, Goodwin, Goyal, Grossman, Hackett, Hagan, Harris, Harwood, Huffman, Letson, Luckie, Maag, Mallory, Mandel,

McClain, McGregor, Mecklenborg, Moran, Murray, Oelslager, Okey, Phillips, Sears, Skindell, Slesnick, Snitchler, Stautberg, Szollosi, Uecker, Wachtmann, Williams, S., Winburn, Yates, Yuko, Zehringer.

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, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Am. S. B. No. 93**?"

Senator Morano moved that the House amendments to **Am. S. B. No. 93**, be informally passed and retain its place on the calendar.

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

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 210-Senators Coughlin, Kearney.

Cosponsors: Senators Cafaro, Goodman, Harris, Husted, Miller, D., Miller, R., Morano, Sawyer, Schiavoni, Smith, Strahorn, Stewart, Turner, Wagoner.

To amend sections 3301.079, 3301.0714, 3302.02, 3302.03, 3313.603, 3313.813, 3313.814, 3314.03, 3314.18, 3326.11, and 3326.13 and to enact sections 3301.91, 3301.92, 3301.921, 3301.922, 3313.6016, 3313.674, 3313.816, 3313.817, 3319.076, and 3319.227 of the Revised Code to establish nutritional standards for certain foods and beverages sold in public and chartered nonpublic schools; to require public school students to have periodic body mass index measurements; to require daily physical activity for public school students and to make other changes regarding physical education; and to establish the Healthy Choices for Healthy Children Council.

S. B. No. 211-Senator Hughes.

Cosponsors: Senators Carey, Miller, D., Seitz.

To amend sections 4510.31 and 4510.311 of the Revised Code to permit a judge to elect not to suspend the probationary driver's license of certain juvenile repeat traffic violators.

On the motion of Senator Kearney, the Senate adjourned until Wednesday, November 18, 2009 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.