

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, SEPTEMBER 20, 2011

NINETY-FOURTH DAY  
Senate Chamber, Columbus, Ohio  
Tuesday, September 20, 2011, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Father Michael Lumpe, St. Catharine's Church, Bexley, Ohio, followed by the Pledge of Allegiance to the Flag.

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

Senator LaRose nominated Senator Tom Patton of the Twenty-Fourth District for the office of Majority Floor Leader.

Senator Obhof seconded the nomination.

On the motion of Senator Manning, the nominations were closed.

The question being, "Shall Senator Tom Patton be elected Majority Floor Leader?"

The yeas and nays were taken and resulted - yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

- |           |           |          |             |
|-----------|-----------|----------|-------------|
| Bacon     | Balderson | Beagle   | Brown       |
| Burke     | Coley     | Daniels  | Faber       |
| Hite      | Hughes    | Jones    | Jordan      |
| Kearney   | LaRose    | Lehner   | Manning     |
| Obhof     | Oelslager | Sawyer   | Schaffer    |
| Schiavoni | Seitz     | Skindell | Smith       |
| Tavares   | Turner    | Wagoner  | Widener     |
| Wilson    |           |          | Niehaus-30. |

Senator Tom Patton having received a majority of the votes cast was declared the elected Majority Floor Leader.

Senator Patton appeared at the bar of the Senate and was administered oath of office by the Honorable Thomas Niehaus, President of the Ohio Senate.

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

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

**Sub. H. B. No. 14**-Representative Sears, et al.

To amend sections 955.08, 955.11, 955.22, 955.99, 1901.18, and 1907.031 and to enact sections 955.222 and 955.54 of the Revised Code to remove pit

bulls from the definition of "vicious dog" in state law, to establish a process by which owners, keepers, or harborers of dogs that have been designated as nuisance, dangerous, or vicious may appeal that designation, to define a "nuisance dog," to change the definitions of a "dangerous dog" and a "vicious dog," to require the owner of a dangerous dog to obtain a dangerous dog registration certificate, to prohibit certain felons from owning dogs under certain conditions, and to change the penalties involving ownership of nuisance, dangerous, and vicious dogs.

To the Committee on Judiciary - Criminal Justice.

**H. B. No. 79**-Representatives Bubp, Uecker, et al.

To enact section 3901.87 of the Revised Code to prohibit qualified health plans from providing coverage for certain abortions.

To the Committee on Insurance, Commerce and Labor.

**Am. H. B. No. 99**-Representatives Damschroder, Garland, et al.

To amend section 4508.02 and to enact section 4511.204 of the Revised Code to prohibit driving a vehicle while writing, sending, or reading a text-based communication on an electronic wireless communications device and to require driver education courses to include instruction in the dangers of texting while driving.

To the Committee on Highways and Transportation.

**Am. H. B. No. 318**-Representatives Blessing, O'Brien, et al.

To amend sections 511.27, 1545.21, 3501.01, 3513.12, and 3513.262 of the Revised Code to eliminate March primary elections in presidential election years by requiring all primary elections to be conducted on the first Tuesday after the first Monday in May, to specify that individuals who have already filed nominating papers for the 2012 primary election prior to the bill's effective date shall be deemed to have filed those papers for the May 8, 2012, primary election, and to specify that a candidate who files for a district whose boundary changes after filing shall be deemed a candidate in the new district that comprises the largest portion of the territory of the district for which the candidate originally filed.

To the Committee on Government Oversight and Reform.

**H. B. No. 319**-Representative Huffman, et al.

To enact new section 3521.01 and to repeal section 3521.01 of the Revised Code to establish Congressional district boundaries for the state based on the 2010 decennial census of Ohio.

To the Committee on Government Oversight and Reform.

**S. R. No. 114**-Senator Kearney, et al.

To encourage local community emergency response teams to incorporate training for agricultural emergencies and disasters in their training programs.

To the Committee on Agriculture, Environment and Natural Resources.

**S. R. No. 115**-Senator Kearney, et al.

To recognize the importance of Ohio's county fairs and to urge continued state support for those fairs.

To the Committee on Finance.

**S. C. R. No. 15**-Senator Schaffer, et al.

To express the General Assembly's support of increasing public awareness of and education on the importance of folic acid in the diets of women of childbearing age.

To the Committee on Health, Human Services and Aging.

**S. C. R. No. 16**-Senator Burke, et al.

To urge Congress to support the provision of efficient and comprehensive mental health treatment to combat military personnel and combat veterans who are suffering from Posttraumatic Stress Disorder (PTSD) and other combat-related stress disorders.

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

**S. J. R. No. 2**-Senator Coley, et al.

Applying to the Congress of the United States pursuant to Article V of the United States Constitution to call a constitutional convention for proposing amendments.

To the Committee on Finance.

**S. B. No. 190**-Senator Cafaro, et al.

To amend sections 121.22, 2907.29, 3313.60, 3313.6011, 3314.03, 3326.11, 4729.16, 4729.18, and 4729.35 and to enact sections 1751.69, 3701.048, 3727.60, 3727.601, 3727.602, 3923.85, 4729.43, and 4729.44 of the Revised Code regarding assistance for pregnancy prevention and hospital services for victims of sexual assault.

To the Committee on Health, Human Services and Aging.

**S. B. No. 191**-Senators Hughes, Wilson, et al.

To enact section 2907.12 of the Revised Code to make engaging in an act of sexual bestiality a criminal offense.

To the Committee on Judiciary - Criminal Justice.

**S. B. No. 192**-Senators Turner, Tavares.

To amend sections 3301.079, 3313.60, and 3313.603 of the Revised Code to include content on specified historical documents in the state academic standards and in the high school American history and government curriculum.

To the Committee on Education.

**S. B. No. 193**-Senator Seitz, et al.

To amend sections 4737.04 and 4737.99 of the Revised Code to require scrap metal dealers to take and keep as part of the sales record a photograph of each person selling or giving an article to the dealer.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 194**-Senators Gillmor, Oelslager, et al.

To amend sections 1739.05 and 1751.35 and to enact sections 1751.68, 1751.69, 3923.84, 3923.85, and 4729.43 of the Revised Code regarding the delivery of certain non-self-injectable and compounded medications and insurance coverage for orally administered cancer medications.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 195**-Senator Hughes, et al.

To enact section 5533.623 of the Revised Code to designate part of Interstate 71 in southern Franklin County as the "Deputy Marty Martin Memorial Highway."

To the Committee on Highways and Transportation.

**S. B. No. 196**-Senator Wagoner, et al.

To amend sections 1334.05, 1334.06, 1334.10, 1334.12, 1334.13, and 1334.15 of the Revised Code to make changes to Ohio's Business Opportunity Plan Law.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 197**-Senator Wagoner, et al.

To enact section 307.093 of the Revised Code to authorize a board of county commissioners of any county to enter into agreements for the sale and leaseback of county buildings.

To the Committee on Finance.

**S. B. No. 198**-Senator Tavares, et al.

To amend section 1327.99, to enact new section 1327.70 and section 319.56, and to repeal section 1327.70 of the Revised Code to require the Department of Agriculture to establish a motor fuel quality testing program under which county auditors may conduct such testing.

To the Committee on Agriculture, Environment and Natural Resources.

**S. B. No. 199**-Senator Smith, et al.

To enact section 5.2267 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. 200**-Senator Hughes, et al.

To amend sections 184.19 and 184.191 and to enact sections 122.09, 122.091, 122.092, 122.093, 122.094, and 122.095 of the Revised Code to create the Edison Jobs Development Program within the Department of Development and to make an appropriation.

To the Committee on Finance.

**S. B. No. 201**-Senator Jordan, et al.

To amend sections 3701.027, 5101.46, and 5101.461 and to enact sections 3701.033 and 5101.101 of the Revised Code to prioritize the distribution of funds for family planning services.

To the Committee on Finance.

**S. B. No. 202**-Senator Seitz, et al.

To enact section 2305.402 of the Revised Code to specify the responsibility of a possessor of real property to a trespasser and the circumstances in which the possessor may be liable in a tort action for the death or injury of a trespasser.

To the Committee on Judiciary - Civil Justice.

**S. B. No. 203**-Senators Cafaro, LaRose, et al.

To amend sections 2921.13 and 2921.22 of the Revised Code to require a parent, legal guardian, custodian, or caretaker of a child under the age of thirteen to report to a law enforcement agency within twenty-four hours after the child is missing, to require a parent, legal guardian, custodian, or caretaker

of a child above the age of twelve and under the age of eighteen to report to a law enforcement agency within forty-eight hours after the child is missing, to require a parent, legal guardian, custodian, or caretaker to report to a law enforcement agency within one hour after the parent, legal guardian, custodian, or caretaker discovers that the child is deceased, to increase penalty for falsification to mislead a public official, and to specify that the above provisions are to be known as "Caylee's Law."

To the Committee on Judiciary - Criminal Justice.

**S. B. No. 204**-Senator Tavares, et al.

To enact section 5502.59 of the Revised Code to establish the "Yellow Dot" motor vehicle medical information program within the Department of Public Safety.

To the Committee on Highways and Transportation.

**S. B. No. 205**-Senators Skindell, Grendell, et al.

To amend sections 125.22, 1701.03, 1705.03, 1705.04, 1705.53, 1785.01, 1785.02, 1785.03, 1785.08, 2151.421, 2921.22, 3701.74, 3721.21, 4723.16, 4725.33, 4729.161, 4731.226, 4731.65, 4732.28, 4734.17, 4755.471, 4757.01, 4757.02, 4757.03, 4757.04, 4757.05, 4757.06, 4757.07, 4757.10, 4757.101, 4757.11, 4757.12, 4757.15, 4757.16, 4757.17, 4757.18, 4757.19, 4757.22, 4757.23, 4757.27, 4757.28, 4757.29, 4757.30, 4757.301, 4757.31, 4757.32, 4757.33, 4757.34, 4757.36, 4757.361, 4757.38, 4757.40, 4757.43, 4757.44, 5101.61, 5101.99, and 5123.61 and to enact sections 4757.45 to 4757.50 and 4757.55 of the Revised Code to regulate the practice of art therapy.

To the Committee on Health, Human Services and Aging.

**S. B. No. 206**-Senator Schaffer, et al.

To amend sections 122.17 and 122.171 of the Revised Code to allow taxpayers to count employees employed through a temporary or professional employment agency toward the payroll and income tax withholding requirements of the job creation and job retention tax credits.

To the Committee on Ways and Means and Economic Development.



**S. B. No. 207**-Senator Burke, et al.

To enact section 6133.041 of the Revised Code to authorize a joint board of county commissioners to conduct proceedings regarding existing joint county ditches via teleconference or video conference.

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

**S. B. No. 208**-Senators Obhof, Kearney, et al.

To amend sections 1309.102, 1309.105, 1309.307, 1309.311, 1309.316, 1309.317, 1309.326, 1309.406, 1309.408, 1309.502, 1309.503, 1309.507, 1309.515, 1309.516, 1309.518, 1309.521, and 1309.607 of the Revised Code to make changes to Ohio's Uniform Commercial Code.

To the Committee on Judiciary - Civil Justice.

**S. B. No. 209**-Senators Hite, Turner, et al.

To amend section 5739.025 of the Revised Code to reduce the amount of sales tax due on the purchase or lease of a qualifying electric vehicle by up to \$2,000.

To the Committee on Ways and Means and Economic Development.

**S. B. No. 210**-Senator Burke, et al.

To amend section 1533.10 of the Revised Code to exempt an applicant for a hunting license who is an active, reserve, or honorably discharged member of the armed forces or an active duty or retired law enforcement officer from completing a hunter education and conservation course in order to obtain the license.

To the Committee on Agriculture, Environment and Natural Resources.

**S. B. No. 211**-Senator Bacon, et al.

To amend sections 1901.261, 1901.31, 1907.20, 1907.26, 1907.261, and 4503.39 and to enact sections 117.102, 1901.263, 1901.44, 1905.202, 1905.33, 1907.25, 1907.263, 2303.203, and 5747.124 of the Revised Code to require that all moneys collected by the clerk of a municipal or county court be paid to

the appropriate person, fund, or entity on or before the twentieth day of each month, to permit a municipal or county court to collect unpaid court costs, fees, or fines from an obligor's state income tax refund, to require the Auditor of State to create and maintain a chart detailing the distribution of court costs, fees, and fines collected by municipal and county court clerks, to create the Committee on Court Costs, and to ensure that neither the Registrar nor any deputy registrar accepts any application for the issuance or renewal of a driver's license, commercial driver's license, or temporary instruction permit, or for the registration or transfer of registration of a motor vehicle of a person who fails to pay court costs imposed for offenses by a municipal mayor's, or county court.

To the Committee on Judiciary - Civil Justice.

**S. B. No. 212**-Senator Skindell, et al.

To amend section 1509.74 and to enact sections 1509.031, 1509.191, 1509.192, 1509.227, and 6111.70 of the Revised Code to establish requirements governing well stimulation, brine disposal, and water that is used in the drilling and operation of oil and gas wells on state land, including a requirement that oil and gas permittees pay a five per cent overriding royalty for each well that is stimulated.

To the Committee on Agriculture, Environment and Natural Resources.

**S. B. No. 213**-Senator Skindell, et al.

Establishes a moratorium on horizontal stimulation of oil and gas wells until the United States Environmental Protection Agency publishes a report containing the results of a study of the relationship of hydraulic fracturing to drinking water resources and the Chief of the Division of Oil and Gas Resources Management issues a report analyzing how Ohio's rules address issues raised in the USEPA report.

To the Committee on Agriculture, Environment and Natural Resources.

**S. B. No. 214**-Senator Burke, et al.

To amend sections 145.57, 148.10, 742.461, 2907.15, 2921.41, 3305.09, 3307.37, 3309.67, and 5505.26 of the Revised Code to modify when a public retirement system, alternative retirement plan, or deferred compensation program must comply with a withholding order for restitution issued on

conviction of a public employee for certain offenses committed in the course of public employment.

To the Committee on Government Oversight and Reform.

**S. B. No. 215**-Senator Burke, et al.

To enact sections 9.51 to 9.53 of the Revised Code to require public improvement or service contracts between a state agency and a contractor to contain a provision requiring the contractor to use an electronic employment verification system.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 216**-Senator Jordan, et al.

To amend sections 4928.142, 4928.143, 4928.20, 4928.61, 5501.311, and 5727.75 and to repeal sections 4928.64 and 4928.65 of the Revised Code to repeal the requirement that electric distribution utilities and electric services companies provide 25% of their retail power supplies from advanced and renewable energy resources by 2025.

To the Committee on Energy and Public Utilities.

**S. B. No. 217**-Senator Faber.

To amend sections 511.27, 1545.21, 3501.01, 3513.12, and 3513.262 of the Revised Code to eliminate March primary elections in presidential election years by requiring all primary elections to be conducted on the first Tuesday after the first Monday in May, and to declare an emergency.

To the Committee on Government Oversight and Reform.

**S. B. No. 218**-Senator Coley, et al.

To enact sections 1121.051, 1155.181, 1163.221, and 1733.413 of the Revised Code to permit Ohio banks, savings and loan associations, savings banks, and credit unions to charge the same interest rate and other charges that out-of-state banks may charge Ohio customers.

To the Committee on Financial Institutions.

**S. B. No. 219**-Senator Sawyer, et al.

To amend sections 3301.0712, 3314.016, and 3314.35 and to repeal section 3314.36 of the Revised Code to eliminate the exemption for community schools serving dropouts from the requirement to permanently close for poor academic performance.

To the Committee on Education.

**S. B. No. 220**-Senator Sawyer, et al.

To enact section 3313.984 of the Revised Code to require a study of interdistrict open enrollment, and to amend sections 3310.01, 3310.06, 3313.64, 3313.97, 3313.974, 3313.982, 3314.07, 3315.18, 3317.03, 3318.011, 3323.143, 3326.51, 3327.05, and 3365.01 and to repeal sections 3313.98, 3313.981, 3313.983, and 3313.984 of the Revised Code effective July 1, 2015, to terminate interdistrict open enrollment on that date with the possibility of renewal following the General Assembly's examination of the study's findings.

To the Committee on Education.

**S. B. No. 221**-Senator Sawyer, et al.

To amend section 3301.0711 of the Revised Code to make the elementary-level achievement assessments public records.

To the Committee on Education.

**S. B. No. 222**-Senator Burke, et al.

To enact sections 5529.07 and 5537.35 of the Revised Code to require certain flags to be displayed at rest areas along the state's interstates and the Ohio Turnpike.

To the Committee on Highways and Transportation.

**S. B. No. 223**-Senator Bacon.

To amend sections 2913.05 and 4719.17 and to enact section 109.88 of the

Revised Code to allow the Attorney General to investigate the offenses of unauthorized use of property and telecommunications fraud, to modify the penalties for telecommunications fraud, and to create the offense of telecommunications fraud perpetrated against an elderly person or disabled adult.

To the Committee on Judiciary - Civil Justice.

**S. B. No. 224**-Senator Obhof, et al.

To amend section 2305.06 of the Revised Code to shorten the period of limitations for actions upon a contract in writing.

To the Committee on Judiciary - Civil Justice.

**S. B. No. 225**-Senator Sawyer.

To enact new section 3521.01 and to repeal section 3521.01 of the Revised Code to establish Congressional district boundaries for the state based on the 2010 decennial census of Ohio.

To the Committee on Government Oversight and Reform.

YES - 6: THOMAS E. NIEHAUS, SHANNON JONES, GAYLE MANNING, SCOTT OELSLAGER, EDNA BROWN, SHIRLEY A. SMITH.

NO - 0.

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

The report of the committee was accepted.

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

#### **REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Bacon submitted the following report:

The standing committee on Insurance, Commerce and Labor, to which was referred **H. B. No. 218**-Representative Hottinger, et al., having had the same under consideration, reports back a substitute bill and recommends

its passage.

Co-Sponsors: Beagle, Bacon.

YES - 12: BILL BEAGLE, JIM HUGHES, SHANNON JONES, KEITH L. FABER, KRIS JORDAN, TIMOTHY O. SCHAFFER, CLIFF HITE, THOMAS SAWYER, EDNA BROWN, JOSEPH SCHIAVONI, KEVIN BACON, ERIC H. KEARNEY.

NO - 0.

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

The report of the committee was accepted.

**BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 218**-Representative Hottinger.

Cosponsors: Representatives Grossman, Stebelton, Carey, Blair, Buchy, Blessing, Ruhl, Maag, Letson, Hackett, Carney, Luckie, Schuring, Sears, Adams, R., Anielski, Antonio, Boose, Budish, Combs, Derickson, Dovilla, Fedor, Fende, Foley, Gardner, Garland, Gerberry, Goyal, Hagan, C., Hagan, R., Hall, Heard, Johnson, Kozlowski, Lundy, Mallory, McKenney, Milkovich, Murray, Newbold, O'Brien, Okey, Peterson, Pillich, Ramos, Slaby, Uecker, Weddington, Young, Yuko, Speaker Batchelder. Senators Beagle, Bacon.

To amend sections 1751.11, 1751.33, 1751.35, 1751.66, 1751.77, 1751.78, 1751.811, 1751.83, 1751.87, 1751.89, 3901.045, 3923.60, and 4731.36; to enact sections 3922.01 to 3922.23; and to repeal sections 1751.831, 1751.84, 1751.85, 1751.88, 3901.80, 3901.81, 3901.82, 3901.83, 3901.84, 3923.66, 3923.67, 3923.68, 3923.681, 3923.69, 3923.70, 3923.75, 3923.76, 3923.77, 3923.78, and 3923.79 of the Revised Code to use the compendia adopted by the United States Department of Health and Human Services to determine whether an insurer may exclude coverage for off-label drug usage and to revise the external review process used by health plan issuers, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 218**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

- |         |           |         |         |
|---------|-----------|---------|---------|
| Bacon   | Balderson | Beagle  | Brown   |
| Burke   | Coley     | Daniels | Faber   |
| Hite    | Hughes    | Jones   | Jordan  |
| Kearney | LaRose    | Lehner  | Manning |
| Obhof   | Oelslager | Patton  | Sawyer  |

Schaffer  
Smith  
Widener

Schiavoni  
Tavares  
Wilson

Seitz  
Turner

Skindell  
Wagoner  
Niehaus-31.

So the bill passed.

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

Senator Bacon moved to amend the title as follows:

Add the names: "Burke, Coley, Hughes, Lehner, Patton, Schaffer, Wagoner."

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. 226**-Senator LaRose.

Cosponsors: Senators Burke, Balderson, Seitz, Hite, Patton.

To amend section 149.43 of the Revised Code to exempt from disclosure under the Public Records Act any videotape or other visual media taken by law enforcement personnel that shows the killing of a peace officer, except under certain circumstances.

**S. B. No. 227**-Senators Tavares, Turner.

Cosponsors: Senators Skindell, Sawyer.

To amend section 3509.03 of the Revised Code to restore local control to Ohio's election process and increase voter participation by permitting an individual who wishes to vote by absent voter's ballots to request those ballots via electronic mail, through the internet, if internet delivery is offered by a board of elections or the Secretary of State, by permitting a board of elections to mail unsolicited applications for absent voter's ballots, and by requiring the General Assembly to appropriate funds, and requiring the Secretary of State to reimburse boards, for costs incurred in sending unsolicited applications for general elections held in an even-numbered year.

### **COMMUNICATIONS FROM THE ATTORNEY GENERAL**

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

The Honorable Thomas Niehaus  
Ohio Senate  
1 Capitol Square, 2nd floor  
Columbus, Ohio 43215

Dear Senate President Niehaus:

It is my pleasure to present to you for the advice and consent of the Ohio Senate the appointment of Sally Hughes to the Ohio Consumers' Counsel Governing Board pursuant to Ohio Revised Code Section 4911.17.

The Governing Board appoints the Consumers' Counsel and the Deputy Consumers' Counsel. The Governing Board consists of nine members, three each representing the following groups: organized labor, residential consumers, and family farmers. Ms. Hughes is a Republican and will represent residential consumers.

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

Very respectfully yours,

/s/ **Mike DeWine**  
Mike DeWine  
Ohio Attorney General

The Honorable Thomas Niehaus  
Ohio Senate  
1 Capitol Square, 2nd floor  
Columbus, Ohio 43215

Dear Senate President Niehaus:

It is my pleasure to present to you for the advice and consent of the Ohio Senate the reappointment of Michael A. Watkins to the Ohio Consumers' Counsel Governing Board pursuant to Ohio Revised Code Section 4911.17.

The Governing Board appoints the Consumers' Counsel and the Deputy Consumers' Counsel. The Governing Board consists of nine members, three each representing the following groups: organized labor, residential consumers, and family farmers. No more than five members may be from the same political party. Mr. Watkins is a Republican and will represent organized labor.

This request for reappointment is respectfully submitted to both you and the Ohio Senate for your advice and consent. If you have any questions, please



do not hesitate to contact me.

Very respectfully yours,

/s/ **Mike DeWine**

Mike DeWine

Ohio Attorney General

Said appointments were referred to the Committee on Rules and Reference.

### **Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

**Am. H. B. No. 97** -Representatives Hollington, Carney  
Cosponsors: Representatives Henne, Martin, Huffman, Buchy, Snitchler, Ruhl, Gardner, Thompson, Beck, Hackett, Hottinger, Wachtmann, Blair, Yuko, Combs, Stebelton, Letson, O'Brien, Garland, Schuring, Adams, J., Amstutz, Anielski, Ashford, Baker, Barnes, Boose, Brenner, Bubp, Damschroder, DeGeeter, Derickson, Dovilla, Duffey, Fende, Goyal, Grossman, Hill, Kozlowski, Luckie, Maag, McClain, McKenney, Milkovich, Murray, Newbold, Phillips, Roegner, Sears, Slaby, Slesnick, Sprague, Sykes, Szollosi, Weddington, Young, Speaker Batchelder

To enact section 124.824 of the Revised Code to require the Department of Administrative Services to make a high deductible health care plan available to state employees and state elected officials.

Attest:

Laura P. Clemens,  
Clerk.

Said bill was considered the first time.

### **MESSAGE FROM THE PRESIDENT**

September 20, 2011

The Honorable Thomas Niehaus  
President, Ohio Senate  
1 Capitol Square, 2nd floor  
Columbus, Ohio 43215

Dear President Niehaus:

I write to tender my resignation as a State Senator from Ohio's 18th Senate District, effective immediately upon delivery of this letter to the Office of the President of the Ohio Senate on Tuesday, September 20th, 2011.

Serving my constituents in the Legislature has been a great honor and privilege, and I will certainly miss working alongside my colleagues in the General Assembly.

I wish the Legislature all the best as it continues to address the pressing issues facing our great state.

I want to publically thank Lynne Crow for being the best and most professional legislative aide and Elizabeth Lust for her wonderful support and service. In addition, I want to thank John Barron for his excellent legal counsel and friendship.

Finally, I want to thank Governor John Kasich for giving me the opportunity to serve residents of Geauga County in this judicial capacity.

Sincerely,

/s/ **Timothy J. Grendell**  
Timothy J. Grendell  
Senator 18th Senate District

#### **MESSAGE FROM THE PRESIDENT**

September 20, 2011

Senator Tim Grendell  
Senate Building, Rm. 222  
Columbus, OH 43215

Senator Grendell:

In accordance with Section 101.25 of the Ohio Revised Code, I hereby acknowledge receipt of your letter of resignation from the Ohio Senate effective Tuesday, September 20, 2011.

It has been a pleasure working with you during your time with the Senate. Good luck in your future.

Sincerely,

/s/ **Tom Niehaus**  
Senator Tom Niehaus  
Senate President  
14th District

On the motion of Senator Faber, the Senate adjourned until Wednesday, September 21, 2011 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,  
Clerk.