

OHIO

SENATE

JOURNAL

MONDAY, NOVEMBER 21, 2011

ONE HUNDRED FIFTEENTH DAY
Senate Chamber, Columbus, Ohio
Monday, November 21, 2011, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

Senator Tavares was selected to preside according to the rule.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **Am. H. B. No. 302**-Representative Adams, R., et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Coley, Obhof.

YES - 8: BILL COLEY, KEITH L. FABER, CLIFF HITE,
SHIRLEY A. SMITH, MICHAEL J. SKINDELL,
CHARLETA B. TAVARES, LARRY OBHOF, GAYLE
MANNING.

NO - 0.

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 Financial Institutions, to which was referred **H. B. No. 209**-Representative Adams, R., et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hughes, Beagle, Bacon, Coley.

YES - 9: JIM HUGHES, BILL BEAGLE, KEVIN BACON, ERIC
H. KEARNEY, EDNA BROWN, JASON H. WILSON,
DAVID T. DANIELS, LARRY OBHOF, BILL COLEY.

NO - 0.

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

The report of the committee was accepted.

Senator Oelslager submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. B. No. 135**-Senator Kearney, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Tavares.

YES - 7: SCOTT OELSLAGER, DAVE BURKE, SHANNON JONES, KRIS JORDAN, EDNA BROWN, SHIRLEY A. SMITH, CHARLETA B. TAVARES.

NO - 0.

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

The report of the committee was accepted.

Senator Oelslager submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. B. No. 40**-Senator Kearney, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Tavares.

YES - 7: SCOTT OELSLAGER, DAVE BURKE, SHANNON JONES, KRIS JORDAN, EDNA BROWN, SHIRLEY A. SMITH, CHARLETA B. TAVARES.

NO - 0.

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

The report of the committee was accepted.

Senator Oelslager submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. C. R. No. 15**-Senator Schaffer, et al., having had the same under consideration, reports it back and recommends its adoption.

YES - 7: SCOTT OELSLAGER, DAVE BURKE, SHANNON JONES, KRIS JORDAN, EDNA BROWN, SHIRLEY A. SMITH, CHARLETA B. TAVARES.

NO - 0.

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

The report of the committee was accepted.

Senator Patton submitted the following report:

The standing committee on Highways and Transportation, to which was referred **S. B. No. 37**-Senator Hughes, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 7: TOM PATTON, JASON H. WILSON, NINA TURNER,
BILL SEITZ, TROY BALDERSON, JOHN EKLUND,
DAVE BURKE.

NO - 0.

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

The report of the committee was accepted.

Senator Patton submitted the following report:

The standing committee on Highways and Transportation, to which was referred **S. B. No. 179**-Senator Wilson, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 7: TOM PATTON, BILL SEITZ, TROY BALDERSON,
JOHN EKLUND, DAVE BURKE, JASON H. WILSON,
NINA TURNER.

NO - 0.

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

The report of the committee was accepted.

Senator Patton submitted the following report:

The standing committee on Highways and Transportation, to which was referred **S. B. No. 222**-Senator Burke, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 7, after " **5529.07.**" insert " (A)"

In line 10, delete " (A)" and insert " (1)"

In line 11, delete " (B)" and insert " (2)"

In line 12, delete " (C)" and insert " (3)"

Between lines 14 and 15, insert:

" (B) In purchasing flags to comply with division (A) of this section, the director shall, to the maximum extent possible, conform to the preference requirements of sections 125.09 and 125.11 of the Revised Code and all rules adopted under those sections to ensure the purchase and use of products made in Ohio and the United States."

In line 15, after " **5537.35.**" insert " (A)"

In line 17, delete " (A)" and insert " (1)"

In line 18, delete " (B)" and insert " (2)"

In line 19, delete " (C)" and insert " (3)"

After line 21, insert:

" (B) In purchasing flags to comply with division (A) of this section, the turnpike commission shall, to the maximum extent possible, conform to the preference requirements of sections 125.09 and 125.11 of the Revised Code and all rules adopted under those sections to ensure the purchase and use of products made in Ohio and the United States."

YES - 7: TOM PATTON, BILL SEITZ, TROY BALDERSON,
JOHN EKLUND, DAVE BURKE, JASON H. WILSON,
NINA TURNER.

NO - 0.

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

The report of the committee was accepted.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 258-Senators Manning, Patton.

Cosponsors: Senators Balderson, Hite, Hughes, LaRose, Widener.

To enact section 5502.53 of the Revised Code to create the Statewide Blue Alert Program.

S. B. No. 259-Senators Obhof, LaRose.

To enact section 5533.321 of the Revised Code to designate a portion of Interstate Route 71 within Wayne County the "First Lieutenant John L.

Runkle, Jr. Memorial Highway."

S. B. No. 260-Senator Obhof.

Cosponsors: Senators Jones, Schaffer, Seitz, Patton, Bacon, Kearney, Wagoner.

To enact section 5.2268 of the Revised Code to designate May as "Pediatric Stroke Awareness Month."

S. B. No. 261-Senators Tavares, Schiavoni.

Cosponsors: Senators Turner, Sawyer, Skindell.

To amend sections 4112.01, 4112.02, and 4112.99 of the Revised Code to prohibit and provide a penalty for employment discrimination and the advertisement of employment positions that discriminate on the basis of an individual's unemployment status.

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:

Sub. H. B. No. 250 -Representative Hackett

Cosponsors: Representatives Grossman, Stebelton, Beck, Letson, Antonio, Boose, Brenner, Fedor, Foley, Garland, Gerberry, Goyal, Heard, Luckie, Mallory, Phillips, Slaby

To amend sections 3905.01, 3905.06, and 3905.40 and to enact section 3905.062 of the Revised Code to establish requirements and procedures for issuing portable electronics insurance.

Attest:

Laura P. Clemens,
Clerk.

Said bill was considered the first time.

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. H. B. No. 167 -Representatives Derickson, Mallory - et al.

Attest: Laura P. Clemens,
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 bill:

Am. H. B. No. 167 -Representatives Derickson, Mallory - et al.

Attest: Laura P. Clemens,
Clerk.

The President signed said bill.

MESSAGE FROM THE PRESIDENT

November 18, 2011

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

Dear President Niehaus,

I respectfully resign from my position as State Senator for Ohio's 30th District, effective at the end of the day, November 20, 2011.

Sincerely,
/s/ **Jason Wilson**

JASON WILSON
Senator
30th District

MESSAGE FROM THE PRESIDENT

November 21, 2011

Senator Jason Wilson
Senate Building
Columbus, Ohio 43215

Dear Senator Wilson:

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 Sunday, November 20, 2011.

It has certainly been a pleasure working with you during your time with the Senate. I look forward to working with you in your capacity as Director of the Governor's Office of Appalachia.

Good luck!

Sincerely,
/s/ **Tom Niehaus**

Tom Niehaus
State Senator
14th District

On the motion of Senator Balderson, the Senate adjourned until Wednesday, November 23, 2011 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.