

**OHIO**

**SENATE**

**JOURNAL**

WEDNESDAY, NOVEMBER 29, 2006

TWO HUNDRED FORTY-SECOND DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, November 29, 2006, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Ken Kirk, Grove City United Methodist Church, Grove City, 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 Schuring reports for the Standing Committee on Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

**S. B. No. 398**-Senator Schuler.

To amend sections 4511.21 and 4511.251 of the Revised Code to establish a speed limit of 45 miles per hour on a portion of State Route 123 located within Warren County.

To the Committee on Highways and Transportation.

**S. B. No. 399**-Senator Stivers.

To amend section 4749.01 and to enact new sections 3951.01 to 3951.04, 3951.041, and 3951.05 to 3951.10 and sections 3951.11 to 3951.18, and to repeal sections 3951.01, 3951.02, 3951.03, 3951.04, 3951.041, 3951.05, 3951.06, 3951.07, 3951.08, 3951.09, 3951.10, and 3951.99 of the Revised Code to make changes to the Public Insurance Adjuster Law.

To the Committee on Insurance, Commerce and Labor.

YES - 4: J. KIRK SCHURING, KIMBERLY A. ZURZ, BILL HARRIS, JEFF JACOBSON.

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.

### REPORTS OF STANDING AND SELECT COMMITTEES

Senator Amstutz submitted the following report:

The standing committee on Ways and Means and Economic Development, to which was referred **S. B. No. 155**-Senator Clancy, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: RON AMSTUTZ, ROBERT F. SPADA, STEPHEN C. AUSTRIA, GARY W. CATES, ROBERT L. SCHULER, STEVE STIVERS.

NO - 5: DAVID GOODMAN, JIM JORDAN, KIMBERLY A. ZURZ, ERIC D. FINGERHUT, TOM ROBERTS.

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

The report of the committee was accepted.

Senator Armbruster submitted the following report:

The standing committee on Highways and Transportation, to which was referred **S. B. No. 300**-Senator Armbruster, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Miller, D., Hagan.

YES - 8: DALE MILLER, ROBERT F. HAGAN, LYNN R. WACHTMANN, JEFFRY J. ARMBRUSTER, KEVIN J. COUGHLIN, PATRICIA M. CLANCY, JOY PADGETT, J. KIRK SCHURING.

NO - 0.

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

The report of the committee was accepted.

Senator Armbruster submitted the following report:

The standing committee on Highways and Transportation, to which was referred **S. B. No. 380**-Senator Stivers, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Miller, D., Clancy.

YES - 8: DALE MILLER, ROBERT F. HAGAN, JEFFRY J. ARMBRUSTER, J. KIRK SCHURING, PATRICIA M. CLANCY, KEVIN J. COUGHLIN, JOY PADGETT, LYNN R. WACHTMANN.

NO - 0.

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

The report of the committee was accepted.

Senator Armbruster submitted the following report:

The standing committee on Highways and Transportation, to which was referred **S. B. No. 384**-Senator Schuler, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Hagan, Schuring.

YES - 8: DALE MILLER, ROBERT F. HAGAN, JEFFRY J. ARMBRUSTER, J. KIRK SCHURING, PATRICIA M. CLANCY, JOY PADGETT, LYNN R. WACHTMANN, KEVIN J. COUGHLIN.

NO - 0.

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

The report of the committee was accepted.

Senator Jordan submitted the following report:

The standing committee on Judiciary - Criminal Justice, to which was referred **Sub. H. B. No. 347**-Representative Aslanides, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Clancy, Grendell.

YES - 5: JIM JORDAN, PATRICIA M. CLANCY, STEPHEN C. AUSTRIA, TIMOTHY J. GRENDALL, J. KIRK SCHURING.

NO - 2: ERIC H. KEARNEY, KIMBERLY A. ZURZ.

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

The report of the committee was accepted.

Senator Mumper submitted the following report:

The standing committee on Agriculture, to which was referred **S. B. No. 393**-Senator Mumper, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

In line 278, delete "that" and insert "the"; after "program" insert "submitted by the director of agriculture"

In line 301, strike through "The" and insert "Except as otherwise provided in this division, the"

In line 304, after the period insert "On and after the date on which the United States environmental protection agency approves the NPDES program submitted by the director of agriculture under section 903.08 of the Revised Code, the director of agriculture shall administer and enforce those permits within this state that are issued for any discharge that is within the scope of the approved NPDES program submitted by the director of agriculture."

Co-Sponsor: Grendell.

YES - 6: J. KIRK SCHURING, TIMOTHY J. GRENDALL, JIM JORDAN, JOY PADGETT, LARRY A. MUMPER, JOHN A. CAREY.

NO - 1: TOM ROBERTS.

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

The report of the committee was accepted.

Senator Schuring submitted the following report:

The standing committee on Rules to which were referred the appointments by the Governor of:

**Gregory S. Edwards**, Republican, from Miamisburg, Montgomery County, Ohio, as a Member of the Sinclair Community College Board of Trustees for a term beginning October 19, 2006 and ending at the close of business October 12, 2007, replacing William Krul, whose term expired.

**Allen M. Hill**, Republican, from Centerville, Montgomery County, Ohio, as a Member of the Sinclair Community College Board of Trustees for a term beginning October 9, 2006 and ending at the close of business October 12, 2007, replacing Timothy J. Schriener, who resigned.

Having had the same under consideration, reports back the recommendation

that the Senate advise and consent to said appointments.

YES - 9: BILL HARRIS, JEFF JACOBSON, RANDY GARDNER, ROBERT F. SPADA, STEPHEN C. AUSTRIA, JAY HOTTINGER, J. KIRK SCHURING, TERESA FEDOR, KIMBERLY A. ZURZ.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

Senator Roberts moved that he be excused from voting under Senate Rule No. 57.

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

The motion was agreed to.

The question recurred, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted - yeas 28, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Fedor
Fingerhut	Gardner	Goodman	Grendell
Hagan	Hottinger	Jacobson	Jordan
Kearney	Miller D	Mumper	Niehaus
Padgett	Schuler	Schuring	Spada
Stivers	Wachtmann	Zurz	Harris-28.

So the Senate advised and consented to said appointments.

Senator Schuring submitted the following report:

The standing committee on Rules to which were referred the appointments by the Governor of:

**Kathleen H. Ayers**, Republican, from Hillsboro, Highland County, Ohio, as a Member of the Southern State Community College Board of Trustees for a new term beginning May 5, 2006 and ending at the close of business May 12, 2012.

**Roland H. Bauer**, Republican, from Silver Lake, Summit County, Ohio, as a Member of the University of Akron Board of Trustees for a term beginning July 17, 2006 and ending at the close of the business July 1, 2009, replacing Diane C. Fisher, who resigned.

**James J. Borchers**, Republican, from Dayton, Montgomery County, Ohio, as a Member of the Wright State University Board of Trustees (Student) for a term beginning August 11, 2006 and ending at the close of business June 30, 2008, replacing Matthew Watson, whose term expired.

**Rosetta Hayes-Borders**, Independent, from Pickerington, Fairfield County, Ohio, as a Member of the Ohio Real Estate Commission for a term beginning July 14, 2006 and ending at the close of business June 30, 2011, replacing Cheryl A. Churchhill, whose term expired.

**Jo Ellen Braden**, Republican, from Waldo, Marion County, Ohio, as a Member of the Marion Technical College Board of Trustees for a new term beginning May 19, 2006 and ending at the close of business April 30, 2009.

**Alan W. Brass**, Republican, from Toledo, Lucas County, Ohio, as a Member of The Ohio State University Board of Trustees for a term beginning July 21, 2006 and ending at the close of business may 13, 2014.

**Christopher A. Alvarez-Brechenridge**, Republican, from Blacklick, Franklin County, Ohio, as a Member of The Ohio State University Board of Trustees (Student) for a term beginning June 9, 2006 and ending at the close of business May 13, 2008, replacing Chad A. Endsley, whose term expired.

**Martha A. Burton**, Republican, from Portsmouth, Scioto County, Ohio, as a Member of the Ohio Arts Council for a new term beginning July 14, 2006 and ending at the close of business July 1, 2011.

**Howard L. Calhoun**, Republican, from Akron, Summit County, Ohio, as a Member of the University of Akron Board of Trustees for a term beginning July 24, 2006 and ending at the close of the business July 1, 2007, replacing Richard Pogue, who resigned.

**John R. Campbell**, Democrat, from Lucasville, Scioto County, Ohio, as a Student Member of the Shawnee State University Board of Trustees for a term beginning September 22, 2006 and ending at the close of business June 30, 2008, replacing Susie Fennell, whose term expired.

**Peter R. Cavanagh**, from Cleveland, Cuyahoga County, Ohio, as a Member of the Cleveland State University Board of Trustees for a term beginning May 31, 2006 and ending at the close of business May 1, 2015, replacing Michael L. Climaco, whose term expired.

**Rachel P. Chase**, Independent, from Westerville, Franklin County, Ohio, as a member of the Miami University Board of Trustees (Student) for a term beginning June 30, 2006 and ending at the close of business February 28, 2008, replacing Brian Shroder, whose term expired.

**Jack H. Cline**, Republican, from Rockbridge, Franklin County, Ohio, as a Member of the Hocking Technical College Board of Trustees for a new term beginning October 6, 2006 and ending at the close of business August 26, 2009.

**Brian W. Collier, Jr.**, Independent, from Wilberforce, Greene County,

Ohio, as a Member of the Central State University Board of Trustees (Student) for a term beginning June 30, 2006 and ending at the close of business June 30, 2008, replacing Tobias Q. Brown, whose term expired.

**Joe D. Crawford**, Republican, from Akron, Summit County, Ohio, as a Member of the University of Akron Board of Trustees (Student) for a term beginning August 11, 2006 and ending at the close of the business July 1, 2008, replacing Elizabeth Kovac, whose term expired.

**Jody Davids**, from Dublin, Franklin County, Ohio, as a Member of the Ohio Tuition Trust Authority for a term beginning October 19, 2006 and ending at the close of business January 31, 2010, replacing Robin Jones, whose term expired.

**Gary A. Dowdell**, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Central State University Board of Trustees for a term beginning May 12, 2006 and ending at the close of business June 30, 2007, replacing Michael L. Nelson, Sr., who resigned.

**Richard H. Fearon**, Republican, from Bentleyville, Cuyahoga County, Ohio, as a Member of the Third Frontier Commission for a term beginning June 9, 2006 and ending at the close of business April 1, 2009.

**Emilio S. Ferrara**, Republican, from Kent, Portage County, Ohio, as a Member of the Kent State University Board of Trustees for a term beginning June 22, 2006 and ending at the close of business May 16, 2015, replacing George L. Jenkins, whose term expired.

**John "Jack" C. Fisher**, Republican, from Columbus, Franklin County, Ohio, as a Member of The Ohio State University Board of Trustees for a term beginning July 21, 2006 and ending at the close of business May 13, 2013.

**Lisa J. FitzGibbon**, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Cincinnati State Technical and Community College Board of Trustees for a new term beginning October 6, 2006 and ending at the close of business August 31, 2012.

**Brady P. Gaskins**, from Bowling Green, Wood County, Ohio, as a Member of the Bowling Green State University Board of Trustees (Student) for a term beginning June 9, 2006 and ending at the close of business May 17, 2008, replacing Korine Steinke, whose term expired.

**Lydia F. Gerthoffer**, Democrat, from Athens, Athens County, Ohio, as a Member of the Ohio University Board of Trustees (Student) for a term beginning June 9, 2006 and ending at the close of business May 13, 2008, replacing Aslyne Rodriguez, whose term expired.

**Della M. Green**, Republican, from Kettering, Montgomery County, Ohio, as a Member of the Cleveland State University Board of Trustees for a new term beginning June 30, 2006 and ending at the close of business June 30, 2015.

**Jill H. Griesse**, Republican, from Granville, Licking County, Ohio, as a



Member of the Central Ohio Technical College Board of Trustees for a new term beginning September 30, 2006 and ending at the close of business September 30, 2009.

**Thomas W. Gunlock**, Republican, from Centerville, Montgomery County, Ohio, as a Member of the State Board of Education for a term beginning July 21, 2006 and ending at the close of business December 31, 2006, replacing John Griffin, who passed away.

**Paul E. Hall**, Republican, from Williamsburg, Clermont County, Ohio, as a Member of the Southern State Community College Board of Trustees for a new term beginning May 5, 2006 and ending at the close of business May 12, 2012.

**Vond T. Hall**, Republican, from Archbold, Fulton County, Ohio, as a Member of the Northwest State Community College Board of Trustees for a term beginning June 9, 2006 and ending at the close of business June 10, 2011, replacing Bryan Keller, whose term expired.

**Margaret A. Hambleton**, Republican, from Columbus, Franklin County, Ohio, as a Member of the Real Estate Appraiser Board for a new term beginning June 30, 2006 and ending at the close of business June 30, 2009.

**Daisy-Malloy Hamburg**, from Cincinnati, Hamilton County, Ohio, as a Member of the University of Cincinnati Board of Trustees (Student) for a term beginning June 9, 2006 and ending at the close of business May 13, 2008, replacing James R. Masterson, whose term expired.

**Stephen E. Harbold**, Republican, from Woodstock, Champaign County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Woodstock for a term beginning September 22, 2006 and ending at the pleasure of the Governor.

**Brooke Hill**, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the State Lottery Commission for a new term beginning September 8, 2006 and ending at the close of business August 1, 2009.

**William D. Holt**, Republican, from Sylvania, Lucas County, Ohio, as a Member of the Self-Insuring Employers Evaluation Board for a term beginning October 6, 2006 and ending at the close of business August 22, 2008, replacing James R. Sharpe, who resigned.

**Paul A. Hood**, Republican, from Lake Milton, Columbiana County, Ohio, as a Member of the eTech Ohio Commission for a term beginning August 19, 2005 and ending at the close of business July 1, 2009.

**John E. Horns**, Republican, from Defiance, Defiance County, Ohio, as a Member of the Northwest State Community College Board of Trustees for a term beginning June 23, 2006 and ending at the close of business June 10, 2009, replacing Darrell W. Handy, who resigned.

**Raymond E. Houk**, from Lynchburg, Highland County, Ohio, as a Member of the Real Estate Appraiser Board for a term beginning June 30,

2006 and ending at the close of business June 30, 2009, replacing Lawrence Kell, whose term expired.

**Jean A. Hubbard**, from Defiance, Defiance County, Ohio, as a member of the northwest State Community College Board of Trustees for a term beginning October 19, 2006 and ending at the close of business June 10, 2009, replacing John Horns, who resigned.

**Theodore B. Hubbard**, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the State Board of Registration for Professional Engineers and Surveyors for a term beginning September 25, 2006 and ending at the close of business September 24, 2011, replacing Ronald L. Zook, whose term expired.

**Aimee L. Huter**, from Berlin Center, Mahoning County, Ohio, as a Member of the Kent State University Board of Trustees (Student) for a term beginning August 11, 2006 and ending at the close of business May 16, 2008, replacing Kimberly L. Thompson, whose term expired.

**Mare B. Johnson**, from Woodstock, Champaign County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Woodstock for a term beginning September 22, 2006 and ending at the pleasure of the Governor.

**Richard Gale Johnson**, Independent, from Sylvania, Lucas County, Ohio, as a Member of the Board of Building Standards for a term beginning October 14, 2006 and ending at the close of business October 14, 2010.

**Michael S. Kappas**, Republican, from Thornville, Perry County, Ohio, as a Member of the Ohio Building Authority for a term beginning July 7, 2006 and ending at the close of business December 31, 2009, replacing C. Francis Barrett, who resigned.

**Charlotte P. Kessler**, Republican, from New Albany, Franklin County, Ohio, as a Member of the Ohio Arts Council for a new term beginning July 14, 2006 and ending at the close of business July 1, 2011.

**John A. Kraeutler**, Independent, from Cincinnati, Hamilton County, Ohio, as a Member of the Third Frontier Commission for a term beginning June 9, 2006 and ending at the close of business April 1, 2009.

**Julie T. Kunkel**, Republican, from New Albany, Franklin County, Ohio, as a Member of the Ohio Cultural Facilities Commission for a term beginning July 21, 2006 and ending at the close of business December 31, 2008, replacing Mark LaPlace, who resigned.

**Kristen M. Kunkler**, Independent, from Toledo, Lucas County, Ohio, as a member of the University of Toledo Board of Trustees (Student) for a term beginning October 27, 2006 and ending at the close of business July 1, 2008, replacing Nicholas King, whose term expired.

**Allan J. Libbe**, Republican, from Perrysburg, Wood County, Ohio, as a Member of the Owens State Community College Board of Trustees for a new

term beginning September 22, 2006 and ending at the close of business September 22, 2012.

**David L. Lodwick**, Republican, from Portsmouth, Scioto County, Ohio, as a Member of the Shawnee State University Board of Trustees for a term beginning October 16, 2006 and ending at the close of business June 30, 2015, replacing Robert H. Teichman, whose term expired.

**Douglas W. Lynn**, Republican, from Wilmington, Clinton County, Ohio, as a Member of the Southern State Community College Board of Trustees for a new term beginning May 5, 2006 and ending at the close of business May 12, 2012.

**Patricia A. MacDowell**, Republican, from Woodstock, Champaign County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Woodstock for a term beginning September 22, 2006 and ending at the pleasure of the Governor.

**Alex Machaskee**, from Cleveland, Cuyahoga County, Ohio, as a Member of the Cleveland State University Board of Trustees for a term beginning June 30, 2006 and ending at the close of business May 1, 2011, replacing Trevor O. Jones, whose term expired.

**Robert W. McKenna, Jr.**, Independent, from Cincinnati, Hamilton County, Ohio, as a Member of the Cincinnati State Technical and Community College Board of Trustees for a new term beginning October 6, 2006 and ending at the close of business August 31, 2012.

**Ronald A. McMaster**, Republican, from Perrysburg, Wood County, Ohio, as a Member of the Owens State Community College Board of Trustees for a new term beginning September 22, 2006 and ending at the close of business September 22, 2012.

**R.J. Molter**, Republican, from Woodville, Sandusky County, Ohio, as a Member of the Owens State Community College Board of Trustees for a new term beginning September 22, 2006 and ending at the close of business September 22, 2012.

**Danny W. Mongold**, Republican, from Wilmington, Clinton County, Ohio, as a Member of the Southern State Community College for a term beginning October 2, 2006 and ending at the close of business May 12, 2008, replacing Susan Dunkin-Blanton, whose term expired.

**Huong Mia Nguyen**, Independent, from Cleveland, Cuyahoga County, Ohio, as a Member of the Cleveland State University Board of Trustees (Student) for a term beginning September 8, 2006 and ending at the close of business May 1, 2008, replacing Cheng Li, whose term expired.

**Teresa M. Obrero**, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the Cleveland State University Board of Trustees (Student) for a term beginning September 8, 2006 and ending at the close of business May 1, 2007, replacing Brendan Healy, who graduated.

**Richard W. Pogue**, from Cleveland, Cuyahoga County, Ohio, as a Member of the University of Akron Board of Trustees for a term beginning July 14, 2006 and ending at the close of business July 1, 2015, replacing John A. Fink, whose term expired.

**Daisy S. Pollock**, Republican, from Jerusalem, Monroe County, Ohio, as a Member of the Belmont Technical College Board of Trustees for a new term beginning May 5, 2006 and ending at the close of business May 13, 2009.

**John R. Primm**, Republican, from Ashland, Ashland County, Ohio, as a Member of the Board of Embalmers and Funeral Directors for a new term beginning September 8, 2006 and ending at the close of business June 30, 2011.

**William J. Primrose III**, Republican, from Westlake, Cuyahoga County, Ohio, as a Member of the Bowling Green State University Board of Trustees for a new term beginning May 17, 2006 and ending at the close of business May 17, 2015.

**Erienne R. Raib**, Democrat, from Youngstown, Trumbull County, Ohio, as a Member of the Youngstown State University Board of Trustees (Student) for a term beginning August 11, 2006 and ending at the close of business May 1, 2008, replacing Paul L. Walker, whose term expired.

**Jeffrey A. Rich**, Republican, from Dublin, Delaware County, Ohio, as a Member of the Ohio Arts Council for a term beginning July 14, 2006 and ending at the close of business July 1, 2011, replacing Michael T. Radcliffe, whose term expired.

**William F. Sams**, Independent, from Athens, Athens County, Ohio, as a Member of the eTech Ohio Commission for a term beginning September 8, 2006 and ending at the close of business July 1, 2010.

**Douglas C. Scholz**, Republican, from Vandalia, Montgomery County, Ohio, as a Member of the Board of Building Standards for a term beginning October 14, 2006 and ending at the close of business October 14, 2010.

**Mark E. Seifarth**, Independent, from Columbus, Franklin County, Ohio, as a Member of the Rehabilitation Services Commission for a term beginning August 4, 2006, and ending at the close of business September 8, 2011, replacing Denise Weisenborn, who passed away.

**Thekla R. Shackelford**, Republican, from Gahanna, Franklin County, Ohio, as a Member of The Ohio State University Board of Trustees for a term beginning May 5, 2006 and ending at the close of business May 13, 2015, replacing Daniel M. Slane, whose term expired.

**Alex Shumate**, Independent, from Gahanna, Franklin County, Ohio, as a Member of The Ohio State University Board of Trustees for a term beginning May 5, 2006 and ending at the close of business May 13, 2012.

**Concepcion H. Skaggs**, Independent, from Columbus, Franklin County, Ohio, as a Member of the Ohio Barber Board for a term beginning July 14,

2006 and ending at the close of business September 26, 2006, replacing Edwin C. Jeffers, who passed away.

**Concepcion H. Skaggs**, Independent, from Columbus, Franklin County, Ohio, as a Member of the Ohio Barber Board for a new term beginning October 6, 2006 and ending September 26, 2009.

**Herbert R. Slone**, Republican, from Kent, Portage County, Ohio, as a Member of the Board of Building Standards for a term beginning September 8, 2006 and ending at the close of business October 13, 2007, replacing David L. Ledvinka, who passed away.

**David A. Smith Jr.**, Republican, from Barberton, Summit County, Ohio, as a Member of the Board of Building Standards for a term beginning October 14, 2006 and ending at the close of business October 14, 2010.

**Dwight E. Smith**, Independent, from Gahanna, Franklin County, Ohio, as a Member of the Third Frontier Commission for a term beginning June 9, 2006 and ending at the close of business April 1, 2008.

**Vishal Soin**, Republican, from Bellbrook, Greene County, Ohio, as a Member of the Wright State University Board of Trustees for a term beginning July 14, 2006 and ending at the close of business June 30, 2015, replacing Martin Jenkins, whose term expired.

**John F. Steele, Jr.**, Republican, from New Richmond, Clermont County, Ohio, as a Member of the Cincinnati State Technical and Community College Board of Trustees for a new term beginning October 6, 2006 and ending at the close of business August 31, 2012.

**John S. Szuch**, Independent, from Perrysburg, Wood County, Ohio, as a Member of the University of Toledo Board of Trustees for a term beginning June 9, 2006 and ending at the close of business July 1, 2015.

**Susan H. Turben**, Republican, from Kirtland Hills, Lake County, Ohio, as a Member of the eTech Ohio Commission for a term beginning August 19, 2005 and ending at the close of business July 1, 2007.

**Daniel R. Vermeire**, Republican, from Westerville, Franklin County, Ohio, as a Member of the eTech Ohio Commission for a term beginning August 19, 2005 and ending at the close of business July 1, 2008.

**Geraldine M. Zylinsky**, Republican, from Zanesville, Muskingum County, Ohio, as a Member of the Zane State College Board of Trustees for a new term beginning August 11, 2006 and ending at the close of business July 31, 2009.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 10: BILL HARRIS, JEFF JACOBSON, RANDY GARDNER,  
ROBERT F. SPADA, STEPHEN C. AUSTRIA, JAY

HOTTINGER, J. KIRK SCHURING, TOM ROBERTS,  
TERESA FEDOR, KIMBERLY A. ZURZ.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted - yeas 29, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Fedor
Fingerhut	Gardner	Goodman	Grendell
Hagan	Hottinger	Jacobson	Jordan
Kearney	Miller D	Mumper	Niehaus
Padgett	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	Zurz
			Harris-29.

So the Senate advised and consented to said appointments.

#### **RESOLUTIONS REPORTED BY COMMITTEE**

Senator Schuler offered the following concurrent resolution:

**S. C. R. No. 28**-Senators Schuler, Fingerhut, Grendell, Coughlin, Miller, R., Armbruster, Zurz.

To urge the support of Taiwan's participation in the World Health Organization.

WHEREAS, The United States Centers for Disease Control and Prevention and its Taiwan counterpart have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, In recent years, Taiwan has expressed a willingness to assist, financially and technically, international aid and health activities supported by the World Health Organization; and

WHEREAS, Taiwan's participation in the World Health Organization could bring many benefits to the state of health in Taiwan and also regionally and globally; and

WHEREAS, The World Health Organization Constitution states that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, and economic or social condition; now therefore be it

RESOLVED, That the General Assembly of the State of Ohio supports Taiwan's participation in the World Health Organization; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the members of the Ohio Congressional delegation, to the Speaker and the Clerk of the United States House of Representatives, to the President Pro Tempore and the Secretary of the United States Senate, to the Taipei Economic and Cultural Office in Chicago, Illinois, to the World Health Organization, and to the news media of Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 28**, be adopted?"

The yeas and nays were taken and resulted - yeas 29, nays 0, as follows:

Those who voted in the affirmative were: Senators

- |           |            |           |            |
|-----------|------------|-----------|------------|
| Amstutz   | Armbruster | Austria   | Carey      |
| Cates     | Clancy     | Coughlin  | Fedor      |
| Fingerhut | Gardner    | Goodman   | Grendell   |
| Hagan     | Hottinger  | Jacobson  | Jordan     |
| Kearney   | Miller D   | Mumper    | Niehaus    |
| Padgett   | Roberts    | Schuler   | Schuring   |
| Spada     | Stivers    | Wachtmann | Zurz       |
|           |            |           | Harris-29. |

So the concurrent resolution was adopted.

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

Senator Schuler moved to amend the title as follows:

Add the names: "Kearney, Spada, Harris, Stivers, Goodman."

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

The motion was agreed to and the title so amended.

**BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 347**-Representatives Aslanides, Buehrer, Latta, Webster, Garrison, Hagan, Reidelbach, Schneider, Raga, Faber, Schlichter, Stewart, J., Seaver, Evans, D., Setzer, Carano, Gibbs, Willamowski, Patton, T., Reinhard, Allen, Raussen, Fessler, Bulp, Daniels, Uecker, Hoops, McGregor, J., Seitz, Law, Peterson, Hood, Cassell, Collier, Schaffer, Domenick, Combs, Taylor, Blasdel, Oelslager, White, Carmichael, Flowers, Gilb, Distel, Wagoner, Blessing, Book, Brinkman, Calvert, Coley, Core, DeWine, Evans, C., Hartnett, Martin, McGregor, R., Redfern, Sayre, Wolpert, Yuko Senators Clancy, Grendell.

To amend sections 109.71, 109.731, 109.801, 311.41, 1547.69, 2903.11, 2903.12, 2903.13, 2913.01, 2913.02, 2923.12, 2923.121, 2923.122, 2923.123,

2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 2923.1210, 2923.1213, and 2923.16 and to enact section 9.68 of the Revised Code to revise the laws regarding licenses to carry a concealed handgun, the issuance of such licenses, and the authority to carry a concealed handgun under such a license; to provide exemptions from certain carrying of firearms-related offenses for persons in compliance with the Ohio Peace Officer Training Commission's firearms requalification program and revise the list of persons who must comply with that program; to include Bureau of Criminal Identification and Investigation investigators as "peace officers" for certain purposes; to increase to a felony of the first degree the penalty for theft of a firearm or dangerous ordnance from a federally licensed firearms dealer; to expand the restrictions imposed upon persons issued a license to carry a concealed handgun who are carrying a concealed handgun and are stopped for a law enforcement purpose; to revise the penalty for the offenses of carrying concealed weapons and improperly handling firearms in a motor vehicle when committed in certain circumstances; to provide that retired peace officers who satisfy certain specified criteria, including firearms requalification within the preceding year, have the same right to carry a concealed handgun as persons issued a license to carry a concealed handgun and are subject to the same restrictions that apply to persons who carry such a license; to revise the manners in which persons issued a license to carry a concealed handgun may lawfully have a loaded handgun in a motor vehicle; to impose notification duties upon persons issued a license to carry a concealed handgun when in a commercial motor vehicle approached by an employee of the State Highway Patrol's Motor Carrier Enforcement Unit; to provide an increased penalty for felonious assault, aggravated assault, or assault committed against a Bureau of Criminal Identification and Investigation investigator; and to identify the right of any person, except as provided in the U.S. or Ohio Constitution, federal law, or Revised Code, to own, possess, purchase, sell, transfer, transport, store, or keep a firearm, part of a firearm, firearm component, or ammunition, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 347**, pass?"

Senator Fingerhut moved to amend as follows:

In line 55, delete "be amended"

In line 56, delete "and section 9.68"; delete "enacted" and insert "amended"

Delete lines 58 through 94

In line 5 of the title, delete "and to enact"

In line 6 of the title, delete "section 9.68"

In line 42 of the title, after the semicolon insert "and"



In line 45 of the title, delete "; and"

Delete lines 46 through 50 of the title

In line 51 of the title, delete "ammunition"

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

Senator Grendell moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 20, nays 9, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Gardner
Goodman	Grendell	Hottinger	Jacobson
Jordan	Mumper	Niehaus	Padgett
Schuler	Schuring	Wachtmann	Harris-20.

Those who voted in the negative were: Senators

Fedor	Fingerhut	Hagan	Kearney
Miller D	Roberts	Spada	Stivers
			Zurz-9.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 347**, pass?"

The yeas and nays were taken and resulted - yeas 19, nays 10, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Gardner
Grendell	Hottinger	Jacobson	Jordan
Mumper	Niehaus	Padgett	Schuler
Schuring	Wachtmann		Harris-19.

Those who voted in the negative were: Senators

Fedor	Fingerhut	Goodman	Hagan
Kearney	Miller D	Roberts	Spada
Stivers			Zurz-10.

So the bill passed.

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

Senator Jordan moved to amend the title as follows:

Add the names: "Amstutz, Austria, Cates, Harris, Hottinger, Jordan,

Mumper, Niehaus, Padgett, Schuring, Wachtmann, Clancy."

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

The motion was agreed to and the title so amended.

### OFFERING OF RESOLUTIONS

Senator Gardner offered the following resolution:

**S. R. No. 254**-Senator Gardner.

Honoring Harold Weihl for receiving a 2006 Distinguished Service Award from the Ohio Farm Bureau.

The question being, "Shall the resolution, **S. R. No. 254**, be adopted?"

So the resolution was adopted.

### COMMUNICATIONS FROM THE GOVERNOR

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

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Richard L. Bowen, Republican, from Cleveland, Cuyahoga County, Ohio, as a Member of the State Board of Examiners of Architects for a new term beginning November 17, 2006 and ending at the close of business October 2, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 22nd day of November in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Jerry L. Lupfer, Republican, from Groveport, Franklin County, Ohio, as a Member of the State Fire Commission for a term beginning November 17, 2006, and ending at the close of business October 31, 2011, replacing Dale Duermit,

whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 22nd day of November in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Greta J. Russell, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Accountancy Board for a term beginning November 17, 2006, and ending at the close of business October 20, 2013, replacing Theodore Long, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 22nd day of November in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Rory E. Ryan, Republican, from Seaman, Adams County, Ohio, as a Member of the Southern State Community College Board of Trustees for a term beginning November 17, 2006, and ending at the close of business May 12, 2012, replacing Douglas W. Lynn, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 22nd day of November in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,  
Governor.

**STATE OF OHIO  
EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Rodger M. Sansom, II, Democrat, from Mogadore, Summit County, Ohio, as a Member of the State Fire Commission for a new term beginning November 17, 2006 and ending at the close of business October 31, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 22nd day of November in the year of our Lord, two thousand and six.

[Seal]

Bob Taft,  
Governor.

Said appointments were referred to the Committee on Rules.

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. Sub. H. B. No. 441** - Representatives Evans, C., Hoops, Ujvagi, Healy, Evans, D., Wolpert, Faber, Allen, Setzer, Bubp, Book, Chandler, Combs, DeBose, Domenick, Key, Schneider, Seitz

To amend sections 1702.01, 1702.08, 1702.11, 1702.17, 1702.19, 1702.20, 1702.22, 1702.27, 1702.38, 1702.39, 1702.42, and 1702.58 of the Revised Code to authorize a nonprofit corporation to conduct meetings and votes by mail or by the use of authorized communications equipment unless the articles or regulations of the corporation provide otherwise; to validate any action taken by a nonprofit corporation since August 19, 2005, that would have been valid if this act had been in effect when the action was taken; to authorize for a two-year period a pilot program that allows the members of the judicial corrections board that oversees the STAR Community Justice Center in Franklin Furnace, Ohio, or its successor judicial advisory board, to be present at board meetings by teleconference or interactive video teleconference; and to require the Center's executive director to issue a report on the effects on the board's operation of member participation in board meetings in this manner.

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:

**Sub. H. B. No. 83** - Representative Hughes - et al.

Attest:

Laura P. Clemens,  
Clerk.

On the motion of Senator Jacobson, the Senate adjourned until Thursday, November 30, 2006 at 11:00 o'clock a.m.

Attest:

DAVID A. BATTOCLETTI,  
Clerk.