

OHIO

SENATE

JOURNAL

THURSDAY, APRIL 10, 2008

ONE HUNDRED FIFTY-NINTH DAY
Senate Chamber, Columbus, Ohio
Thursday, April 10, 2008, 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 Schuler 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 Mumper submitted the following report:

The standing committee on Agriculture, to which was referred **H. B. No. 352**-Representative Patton, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 33, after " alpacas," insert " llamas,"

In line 55, delete " and"; after " alpacas" insert " , and llamas"

In line 65, after " alpacas;" insert " llamas;"

In line 291, delete " and"; after " alpacas" insert " , and llamas"

In line 299, after " alpacas" insert " or llamas"

In line 338, delete " and"; after " alpacas" insert " , and llamas"

In line 2 of the title, after "alpacas" insert "and llamas"

YES - 8: LARRY A. MUMPER, JOY PADGETT, JOHN A. CAREY, JOHN A. BOCCIERI, TOM ROBERTS, JASON H. WILSON, KEITH L. FABER, TIMOTHY J. GRENDALL.

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 bill was introduced and considered the first time:

S. B. No. 317-Senator Padgett.

Cosponsors: Senators Roberts, Schuring, Miller, D., Sawyer, Seitz.

To amend section 4507.071 of the Revised Code to allow a court, under certain circumstances, to grant unaccompanied driving privileges one time to a probationary driver's license holder who, because of a moving violation, otherwise would be subject to a restriction that the person be accompanied by the holder's parent or guardian.

OFFERING OF RESOLUTIONS

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

S. R. No. 199-Senator Smith.

Cosponsors: Senators Grendell, Mason, Miller, D., Spada.

Honoring the Cleveland State University women's volleyball team on winning the 2007 Horizon League Tournament Championship.

S. R. No. 200-Senator Seitz.

Cosponsor: Senator Wagoner.

Honoring Daniel K. Wedding II on receiving a patent.

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

So the resolutions were 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, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Jaladah Aslam, Democrat, from Youngstown, Mahoning County, Ohio, as a Member of the State Lottery Commission for a term beginning October 23, 2007 and ending at the close of business August 1, 2010, replacing Charles A. Nemer, 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 23rd day of October in the year of our Lord, two thousand and seven.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Mary Kay Eastman, Democrat, from Athens, Athens County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a term beginning February 26, 2008 and ending at the close of business August 27, 2010, replacing Tom Caldwell, 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 26th day of February in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, John O. Huston, Republican, from New Albany, Franklin County, Ohio, as a Member of the Ohio Venture Capital Authority for a new term beginning February 1, 2008 and ending at the close of business January 31, 2012.

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 23rd day of January in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Horace

W. Karr, Republican, from Pomeroy, Meigs County, Ohio, as a Member of the Wildlife Council for a new term beginning March 12, 2008 and ending at the close of business January 31, 2012.

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 12th day of March in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, James B. Kimmel, Republican, from Twinsburg, Summit County, Ohio, as a Member of the Environmental Education Council for a new term beginning March 5, 2008 and ending at the close of business October 1, 2009.

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 5th day of March in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, John J. Lynch, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning August 8, 2007 and ending at the close of business January 31, 2009, replacing Joseph M. Gerdenich, 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 8th day of August in the year of our Lord, two thousand and seven.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Michael A. Martin, Democrat, from Mansfield, Richland County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for a term beginning March 4, 2008 and ending at the close of business January 1, 2011, replacing Richard Finney, 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 4th day of March in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Sandra T. McNeil, Republican, from Greenfield, Highland County, Ohio, as a Member of the Savings and Loan Associations Savings Banks Board for a term beginning February 26, 2008 and ending at the close of business January 31, 2011, replacing Thomas J. Linneman, 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 26th day of February in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Roger Lee Osborne, Republican, from Fleming, Washington County, Ohio, as a Member of the Ohio Reclamation Forfeiture Fund Advisory Board for a term beginning January 10, 2008 and ending at the close of business January 10,

2010.

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 10th day of January in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Jeffrey M. Patzer, Democrat, from Dayton, Montgomery County, Ohio, as a Member of the Ohio Peace Officer Training Council for a term beginning March 5, 2008 and ending at the close of business September 19, 2010, replacing Pamela Hayman-Weaner, 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 5th day of March in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Susan Saxbe, from Columbus, Franklin County, Ohio, as a Member of the Ohio Arts Council for a term beginning July 26, 2007 and ending at the close of business July 1, 2012, replacing Geraldine B. Warner, 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 26th day of July in the year of our Lord, two thousand and seven.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Richard D. Setty, from Youngstown, Mahoning County, Ohio, as a Member of the State Board of Sanitarian Registration for a new term beginning October 17, 2007 and ending at the close of business August 15, 2010.

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 17th day of October in the year of our Lord, two thousand and seven.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Michael A. Silva, Democrat, from Cadiz, Harrison County, Ohio, as a Member of the Ohio Reclamation Forfeiture Fund Advisory Board for a term beginning January 10, 2008 and ending at the close of business January 10, 2012.

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 10th day of January in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Robert M. Smith, Republican, from Portsmouth, Scioto County, Ohio, as a Member of the Savings and Loan Associations Savings Banks Board for a term beginning March 6, 2008 and ending at the close of business January 31, 2009, replacing Betty L. Kimbrew, 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 6th day of March in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Ann M. Spicer, Democrat, from Columbus, Franklin County, Ohio, as a Member of the State Fire Commission for a term beginning March 4, 2008 and ending at the close of business October 31, 2012, replacing Gwen McFarlin, 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 4th day of March in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Dan Stevens, Democrat, from Bethel, Brown County, Ohio, as a Member of the Savings and Loan Associations Savings Banks Board for a term beginning February 26, 2008 and ending at the close of business January 31, 2011, replacing Jerry T. Caldwell, 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 26th day of February in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, G. Duane Welsh, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Board of Building Appeals for a term beginning February 29, 2008 and ending at the close of business October 13, 2008, replacing D. Michael Crites, 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 29th day of February in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Sandra L. Wise, Democrat, from Fremont, Sandusky County, Ohio, as a Member of the Tobacco Use Prevention and Control Foundation for a term beginning February 20, 2008 and ending at the close of business June 3, 2011, replacing Rebecca Zuccarelli, 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 20th day of February in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
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. H. B. No. 367 -Representative Blessing
Cosponsors: Representatives Flowers, McGregor, J., Fessler, Webster, Adams, Batchelder, Combs, Daniels, Domenick, Evans, Gibbs, Hite, Hughes,

Schindel, Zehringer

To amend section 4710.01 and to enact section 4710.05 of the Revised Code relative to the practice of debt settlement regulation.

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 passage of the following bill:

S. B. No. 219 -Senator Schuring
Cosponsors: Senators Grendell, Faber, Niehaus, Padgett, Schaffer, Schuler, Stivers, Wilson Representatives Hughes, Adams, Bacon, Batchelder, Bolon, Combs, Dolan, Domenick, Dyer, Jones, Letson, Lundy, Patton, Strahorn, White

To amend section 2901.13 of the Revised Code to make the period of limitation for the criminal prosecution of a person for an offense directly related to misconduct in office of a public servant the same as the period of limitation for the criminal prosecution of that public servant for the offense involving the public servant's misconduct in office.

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. Sub. S. B. No. 84 -Senator Schaffer - et al.

Attest: Laura P. Clemens,
Clerk.

The President signed said bill.

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:

Sub. H. B. No. 289 -Representative Core - et al.

Attest:

Laura P. Clemens,
Clerk.

The President signed said bill.

On the motion of Senator Niehaus, the Senate adjourned until Tuesday, April 15, 2008 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.