

**OHIO**

**SENATE**

**JOURNAL**

**CORRECTED VERSION**  
**THURSDAY, AUGUST 7, 2008**

TWO HUNDRED SECOND DAY  
Senate Chamber, Columbus, Ohio  
**Thursday, August 7, 2008, 11:00 o'clock a.m.**

The Senate met pursuant to adjournment.

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

### **INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bills were introduced and considered the first time:

**S. B. No. 354**-Senator Amstutz.

Cosponsors: Senators Schuler, Miller, D., Padgett, Mason, Wagoner, Jacobson, Roberts.

To amend section 1349.99 and to enact section 1349.65 of the Revised Code to regulate online advertising networks.

**S. B. No. 355**-Senator Spada.

To enact sections 3964.01, 3964.02, 3964.05 to 3964.07, 3964.10 to 3764.12, 3964.15 to 3964.17, 3964.21 to 3964.24, and 5111.0210 of the Revised Code to establish standards for the use of physician designation systems by health care insurers.

### **OFFERING OF RESOLUTIONS**

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

**S. R. No. 247**-Senator Cates.

Honoring Matthew Borths as a 2008 Fulbright Scholar.

**S. R. No. 248**-Senator Cates.

Honoring Craig Buckley as a 2008 Barry M. Goldwater Scholar.

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, Richard W. Babb, Democrat, from Sabina, Clinton County, Ohio, as a Member of the Reclamation Commission for a term beginning June 18, 2008 and ending at the close of business June 28, 2012, replacing David Beam, 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 18th day of June 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, Keith L. Bennett, from Cincinnati, Hamilton 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, 2008, replacing Timothy Murphy, 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 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, Lavea Brachman, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Clean Ohio Council for a new term beginning April 24, 2008 and ending at the close of business November 23, 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 24th day of April 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, Adam K. Brandt, from Bexley, Franklin County, Ohio, as a Member of the Ohio Cultural Facilities Commission for a new term beginning April 24, 2008 and ending at the close of business December 31, 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 24th day of April 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, Donald M. Casar, Democrat, from Hilliard, Franklin County, Ohio, as a Member of the State Board of Pharmacy for a term beginning July 1, 2008 and ending at the close of business June 30, 2012, replacing James E. Turner, 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 12th day of June 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 Douglas Corcoran, Democrat, from Chillicothe, Ross County, Ohio, as a Member of the Clean Ohio Council for a term beginning June 11, 2008 and ending at the close of business November 23, 2008, replacing Mark Forni, 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 11th day of June 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 L. Cullivan, Republican, from Columbus, Franklin County, Ohio, as a Member of the Third Frontier Commission for a term beginning June 11, 2008 and ending at the close of business April 1, 2011, replacing Dwight Smith, 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 11th day of June 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, Lynnda M. Davis, Democrat, from New Albany, Franklin County, Ohio, as a Member of the Ohio Higher Educational Facility Commission for a term beginning

May 19, 2008 and ending at the close of business January 1, 2016, replacing Henry Kasson, 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 19th day of May 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, Ketki B. Desai, from Powell, Delaware County, Ohio, as a Member of the State Dental Board for a term beginning May 19, 2008 and ending at the close of business April 6, 2012, replacing Franklin D. Wright, 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 19th day of May 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, Richard H. Fearon, from Bentleyville, Cuyahoga County, Ohio, as a Member of the Third Frontier Commission for a new term beginning June 11, 2008 and ending at the close of business April 1, 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 11th day of June 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, Richard P. Finney, Republican, from Harrisville, Harrison 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, 2009, replacing Timothy Trimbach, 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 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, Carol A. Gilligan, from Lakewood, Cuyahoga County, Ohio, as a Member of the Ohio Respiratory Care Board for a new term beginning April 3, 2008 and ending at the close of business March 14, 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 3rd day of April 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, Melissa G. Haney, Republican, from Copley, Summit County, Ohio, as a Member of the Ohio Water Advisory Council for a new term beginning May 14, 2008 and ending at the close of business February 1, 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 14th day

of May 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, Laurence P. Harkness, Democrat, from Dayton, Montgomery County, Ohio, as a Member of the Sinclair Community College Board of Trustees for a term beginning February 8, 2008 and ending at the close of business October 12, 2012, replacing Ethel Washington, 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 8th 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, Clyde E. Henry, from Orient, Pickaway County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning May 1, 2008 and ending at the close of business January 14, 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 1st day of May 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, Mark E. Hochstetler, from Sugarcreek, Holmes County, Ohio, as a Member of the Forestry Advisory Council for a term beginning May 19, 2008 and ending at the close of business February 28, 2012, replacing Scott Galloway, 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 19th day of May 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, Patricia D. Kennedy-Scott, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the Cuyahoga Community College Board of Trustees for a term beginning April 23, 2008 and ending at the close of business October 12, 2008, replacing Rosalind Thompson, 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 23rd day of April 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, William B. Koester, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the State Racing Commission for a term beginning May 13, 2008 and ending at the close of business March 31, 2009, replacing Charlie Luken, 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 13th day of May 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, Deborah A. Lange, Democrat, from West Chester, Butler County, Ohio, as a Member of the State Board of Pharmacy for a term beginning July 1, 2008 and ending at the close of business June 30, 2012, replacing Kevin Mitchell, 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 12th day of June 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, Walter H. Lange, Republican, from Swanton, Fulton County, Ohio, as a Member of the Forestry Advisory Council for a term beginning May 19, 2008 and ending at the close of business February 28, 2012, replacing Mary S. Donaldson, 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 19th day of May 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, Darshan Mahajan M. D., from Grafton, Lorain County, Ohio, as a Member of the State Medical Board for a term beginning May 13, 2008 and ending at the close of business March 18, 2013, replacing Andrew Robbins, 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 13th day of May 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, Sean A. McCarter, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Reclamation Commission for a term beginning June 29, 2008 and ending at the close of business June 28, 2013, replacing Richard Cochran, 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 12th day of June 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, Dana M. Oleskiewicz, Democrat, from Chagrin Falls, Geauga County, Ohio, as a Member of the Ohio Water Advisory Council for a new term beginning May 14, 2008 and ending at the close of business February 1, 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 14th day of May 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, Kristin J. Peterson, Democrat, from Etna, Licking County, Ohio, as a Member of the Public Benefits Advisory Board for a term beginning May 14, 2008 and ending at the close of business June 30, 2009, replacing Annetta Maxson, 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 14th day of May 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, Jack R. Pounds, from Dublin, Franklin County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning May 15, 2008 and ending at the close of business January 13, 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 15th day of May 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, David

Reiser, from Athens, Athens County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a term beginning May 1, 2008 and ending at the close of business January 14, 2011, replacing Bradley K. Baker, 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 1st day of May 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, Kenneth J. Schilling, Democrat, from Marietta, Washington County, Ohio, as a Member of the Washington State Community College Board of Trustees for a term beginning April 23, 2008 and ending at the close of business February 18, 2014, replacing Michael Iaderosa, 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 April 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, Judith Smithchild, Democrat, from Cutler, Washington County, Ohio, as a Member of the Chemical Dependency Professionals Board for a term beginning March 31, 2008 and ending at the close of business December 23, 2010, replacing Ann Hamilton, 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 31st 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, Juliet L. Thomas, from West Salem, Medina County, Ohio, as a Member of the Ohio Community Service Council for a term beginning March 27, 2008 and ending at the close of business April 21, 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 27th 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, Melvin J. Yoder, Republican, from Sugarcreek, Holmes County, Ohio, as a Member of the Forestry Advisory Council for a term beginning May 19, 2008 and ending at the close of business February 28, 2012, replacing Andrew Adelmann, 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 19th day of May 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 PRESIDENT**

Pursuant to Section 3505.061 (B)(1) of the Ohio Revised Code, the President of the Senate appoints Senator Jeff Jacobson to serve on the Ohio Ballot Board (replacing Senator Keith Faber).

On the motion of Senator Grendell, the Senate adjourned until Tuesday, August 12, 2008 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.