

OHIO

SENATE

JOURNAL

TUESDAY, DECEMBER 11, 2007

ONE HUNDRED SIXTEENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, December 11, 2007, 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.

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

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

Sub. H. B. No. 79-Representative Batchelder.

Cosponsors: Representatives McGregor, J., Fessler, Latta, Stebelton, Webster, Uecker, Aslanides, Bacon, Blessing, Collier, Combs, Daniels, Dolan, Evans, Flowers, Gibbs, Goodwin, Hagan, J., Huffman, Hughes, McGregor, R., Mecklenborg, Patton, Peterson, Reinhard, Schindel, Schneider, Setzer, Wachtmann, Wagner, Wagoner, White, Widowfield, Wolpert, Zehringer.

To amend sections 109.579, 4121.12, 4121.121, 4123.01, 4123.34, 4123.351, 4123.412, 4123.44, 4123.442, 4123.444, 4123.445, 4127.05, 4131.03, and 4131.13, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4123.443 (4123.448), 4123.444 (4123.445), and 4123.445 (4123.446), and to enact new sections 4123.443 and 4123.444 and section 4123.447 of the Revised Code to specify the classes of investments in which the Administrator of Workers' Compensation may invest the funds specified in the Workers' Compensation Law and to require the Administrator to have criminal records checks conducted for employees of investment consultants with whom the Administrator contracts to facilitate the investment of those funds.

To the Committee on Insurance, Commerce and Labor.

Sub. H. B. No. 283-Representative Webster.

Cosponsors: Representatives Setzer, Stebelton, Wagner, Williams, S., Schindel, McGregor, J., Fessler, Evans, Seitz, Latta, Yuko, Koziura, Coley, Combs, Collier, Fende, Peterson, Heard, Ujvagi, Hughes, Reinhard, Letson, Otterman, Williams, B., Uecker, Aslanides, Bacon, Batchelder, Brown, Budish, Chandler, Daniels, DeBose, Dodd, Domenick, Dyer, Flowers, Gibbs, Goodwin, Hagan, J., Huffman, Luckie, Patton, Schlichter, Schneider,

Wachtmann, Wagoner, Yates, Zehringer.

To amend sections 3715.521, 3715.55, and 3715.63 and to enact sections 3715.88, 3715.89, 3715.90, 3715.91, and 3715.92 of the Revised Code to permit pharmacy schools to accept for instructional purposes donations of certain dangerous drugs, including expired drugs.

To the Committee on Health, Human Services and Aging.

S. B. No. 253-Senator Stivers.

Cosponsors: Senators Mumper, Seitz.

To enact section 1321.22 of the Revised Code to allow alternative interest rates and maturities for loans not exceeding one thousand dollars.

To the Committee on Finance and Financial Institutions.

S. B. No. 254-Senator Faber.

Cosponsors: Senators Mumper, Niehaus, Schuler, Gardner, Amstutz, Harris, Schuring, Seitz, Austria, Coughlin, Buehrer.

To enact section 119.14 of the Revised Code to waive fines or penalties for paperwork violations that are first-time offenses committed by small businesses.

To the Committee on Judiciary - Civil Justice.

S. B. No. 255-Senator Austria.

Cosponsors: Senators Cates, Goodman, Mason, Mumper, Padgett, Schaffer, Spada, Wilson.

To amend section 2903.11 of the Revised Code to make the sentence for felonious assault a definite term of imprisonment of from 10 to 20 years if the victim is under 5 years of age and suffers substantial permanent injury.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 256-Senator Wilson.

Cosponsors: Senators Cafaro, Goodman, Morano, Kearney, Boccieri.

To amend sections 2903.11 and 2929.14 and to enact section 2941.1421 of the Revised Code to allow a court to impose an additional prison term upon an

offender who commits felonious assault against a minor.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 257-Senator Wilson.

Cosponsors: Senators Fedor, Mason, Faber, Seitz.

To enact section 5533.92 of the Revised Code to designate State Route 7 within Mingo Junction as the "Joe Fortunato Highway."

To the Committee on Highways and Transportation.

S. B. No. 258-Senator Kearney.

To enact section 125.083 of the Revised Code to generally require that state agencies set aside a certain amount of purchases for which only small business enterprises may compete.

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

S. B. No. 259-Senator Padgett.

Cosponsors: Senators Mason, Carey, Miller, D., Seitz, Goodman, Wilson, Grendell.

To amend section 121.403 and to enact section 4503.93 of the Revised Code to create Ohio "Volunteer" license plates.

To the Committee on Highways and Transportation.

S. B. No. 260-Senator Cates.

Cosponsors: Senators Mumper, Seitz, Schuring, Faber, Spada, Austria.

To amend sections 9.63, 311.07, and 341.21 of the Revised Code to provide that a board of county commissioners may direct a sheriff to take custody of persons who are being detained for deportation or who are charged with civil violations of immigration law and to expressly authorize state and local employees and county sheriffs to render assistance to federal immigration officials in the investigation and enforcement of federal immigration law.

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

S. B. No. 261-Senator Stivers.

Cosponsor: Senator Goodman.

To amend section 755.14 and to enact section 755.141 of the Revised Code to authorize a joint recreation district operating on the site of the United States Christopher Columbus Quincentenary Jubilee to issue revenue bonds, maintain lines of credit, and enter into lease purchase agreements for property; to expand the district's powers with respect to its own property; and to make certain appointments to the district's board permissive rather than mandatory.

To the Committee on Finance and Financial Institutions.

S. J. R. No. 4-Senator Schuring.

Proposing to amend Section 6 of Article XV and to enact Section 2a of Article VI of the Constitution of the State of Ohio to require all lottery profits and a percentage of revenue from certain taxes to be devoted to funding primary, secondary, and higher education.

To the Committee on Finance and Financial Institutions.

YES - 5: J. KIRK SCHURING, JEFF JACOBSON, TOM ROBERTS, TERESA FEDOR, BILL HARRIS.

NO - 0.

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

The report of the committee was accepted.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Schuring submitted the following report:

The Standing Committee on Rules to which were referred the appointments by the Governor of:

Raymond J. Albert, Republican, from Amanda, Fairfield County, Ohio, as a Member of the State Medical Board for a term beginning August 8, 2007 and ending at the close of business July 31, 2012.

Timothy H. Brady, Democrat, from Peebles, Adams County, Ohio, as a

Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a term beginning July 17, 2007, and ending at the close of business October 10, 2008, replacing Glenn J. Abraham, who resigned.

Donna J. Conley, from Columbus, Franklin County, Ohio, as a Member of the Council on Alcohol and Drug Addiction Services for a new term beginning September 19, 2007 and ending at the close of business July 31, 2009.

David M. DeLuccia, from Columbus, Franklin County, Ohio, as a Member of the State Board of Orthotics, Prosthetics and Pedorthics for a term beginning July 30, 2007, and ending at the close of business December 6, 2009, replacing Kathleen Clark Simmons, whose term expired.

James E. Fortune, from Youngstown, Mahoning County, Ohio, as a Member of the Ohio Optical Dispensers Board for a term beginning April 4, 2007 and ending at the close of business March 21, 2012, replacing Robert Clegg, whose term expired.

Elsa J. Fritts, from Akron, Summit County, Ohio, as a Member of the State Board of Orthotics, Prosthetics and Pedorthics for a term beginning July 30, 2007, and ending at the close of business December 6, 2009, replacing Jack Reser, whose term expired.

Thomas L. Jelep, from Cleveland, Cuyahoga County, Ohio, as a Member of the Ohio Athletic Commission for a new term beginning September 3, 2007 ending at the close of business September 3, 2010.

William Mallory, Jr., from Lancaster, Fairfield County, Ohio, as a Member of the State Board of Emergency Medical Services for a term beginning April 4, 2007 and ending at the close of business November 12, 2008, replacing James Osborn, who resigned.

Jay E. McDonald, Democrat, from Marion, Marion County, Ohio, as a Member of the Ohio Private Investigation and Security Services Commission for a new term beginning April 4, 2007, and ending at the close of business December 31, 2011.

Carlos I. Ramos, from Westlake, Cuyahoga County, Ohio, as a Member of the Council on Alcohol and Drug Addiction Services for a term beginning September 19, 2007 and ending at the close of business July 31, 2009, replacing Theodore Ziegler, whose term expired.

Margo, A. Spence, from Cincinnati, Hamilton County, Ohio, as a Member of the Council on Alcohol and Drug Addiction Services for a new term beginning September 19, 2007 and ending at the close of business July 31, 2009, replacing Eloise Traina, whose term expired.

Harry Stiggers, Democrat, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Ohio Athletic Commission for a new term beginning September 3, 2007 and ending at the close of business September 3, 2010.

Gary A. Wolske, from Garfield Heights, Cuyahoga County, Ohio, as a

Member of the Ohio Private Investigation and Security Services Commission for a term beginning August 20, 2007 and ending at the close of business December 31, 2011, replacing Jay McDonald, who resigned.

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

YES - 11: BILL HARRIS, JEFF JACOBSON, RANDY GARDNER, ROBERT F. SPADA, STEPHEN C. AUSTRIA, J. KIRK SCHURING, LANCE T. MASON, RAY MILLER, TOM ROBERTS, TERESA FEDOR, JOHN A. CAREY.

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 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Boccieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Smith
Spada	Stivers	Wilson	Harris-32.

So the Senate advised and consented to said appointments.

REPORTS OF CONFERENCE COMMITTEES

Senator Faber submitted the following report:

The Committee of Conference, to which the matters of difference between the two houses were referred on Am. Sub. S.B. 155, Senator Faber-et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the House with the following amendments:

In line 23, delete "2903.13, and 2903.21" and insert "and 3521.03"

Delete lines 2076 through 2246 and insert:

"Sec. 3521.03. When a vacancy in the office of representative to congress occurs, the governor, upon satisfactory information thereof, shall issue a writ of

election directing that a special election be held to fill such vacancy in the territory entitled to fill it on a day specified in the writ. Such writ shall be directed to the board of elections within such territory which shall give notice of the time and places of holding such election as provided in section 3501.03 of the Revised Code. Such election shall be held and conducted and returns thereof made as in case of a regular state election. The state shall pay all costs of any special election held under this section."

In line 2248, delete "2903.13, and 2903.21" and insert "and 3521.03"

In line 2250, after "**Section 3.**" insert "That Section 249.10 of Am. Sub. H.B. 119 of the 127th General Assembly be amended to read as follows:

Sec. 249.10. CEB CONTROLLING BOARD

General Revenue Fund

GRF 911-404	Mandate Assistance	\$	650,000	\$	650,000
GRF 911-441	Ballot Advertising Costs	\$300,000	<u>1,400,000</u>	\$	300,000
TOTAL GRF General Revenue Fund		\$950,000	<u>2,050,000</u>	\$	950,000
TOTAL ALL BUDGET FUND GROUPS		\$950,000	<u>2,050,000</u>	\$	950,000

DISASTER SERVICES FUND TRANSFERS TO THE EMERGENCY PURPOSES/CONTINGENCIES APPROPRIATION LINE ITEM

Notwithstanding any other provision of law to the contrary, the Director of Budget and Management may, with Controlling Board approval, transfer up to \$4,000,000 in cash, in each of fiscal years 2008 and 2009, from the Disaster Services Fund (Fund 5E2) to the General Revenue Fund. Upon completion of the transfer, the Director of Budget and Management shall appropriate the transferred amount to appropriation item 911-401, Emergency Purposes/Contingencies. The Controlling Board may, at the request of any state agency or the Director of Budget and Management, transfer all or part of the appropriation in appropriation item 911-401, Emergency Purposes/Contingencies, for the purpose of providing disaster and emergency situation aid to state agencies and political subdivisions in the event of disasters and emergency situations or for the other purposes noted in this section, including, but not limited to, costs related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility in Lucasville, Ohio.

FEDERAL SHARE

In transferring appropriations to or from appropriation items that have federal shares identified in ~~this act~~ Am. Sub. H.B. 119 of the 127th General Assembly, the Controlling Board shall add or subtract corresponding amounts of federal matching funds at the percentages indicated by the state and federal division of the appropriations in ~~this act~~ Am. Sub. H.B. 119 of the 127th General Assembly. Such changes are hereby appropriated.

DISASTER ASSISTANCE

Pursuant to requests submitted by the Department of Public Safety, the Controlling Board may approve transfers from appropriation item 911-401, Emergency Purposes/Contingencies, to Department of Public Safety

appropriation items to provide funding for assistance to political subdivisions and individuals made necessary by natural disasters or emergencies. Such transfers may be requested and approved prior to or following the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.

DISASTER SERVICES

Pursuant to requests submitted by the Department of Public Safety, the Controlling Board may approve transfers from the Disaster Services Fund (5E2) to a Department of Public Safety fund and appropriation item to provide for assistance to political subdivisions made necessary by natural disasters or emergencies. These transfers may be requested and approved prior to the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance. The Emergency Management Agency of the Department of Public Safety shall use the funding to fund the State Disaster Relief Program for disasters that have been declared by the Governor, and the State Individual Assistance Program for disasters that have been declared by the Governor and the federal Small Business Administration. The Ohio Emergency Management Agency shall publish and make available application packets outlining procedures for the State Disaster Relief Program and the State Individual Assistance Program.

The Disaster Services Fund (5E2) shall be used by the Controlling Board, pursuant to requests submitted by state agencies, to transfer cash and appropriation authority to any fund and appropriation item for the payment of state agency disaster relief program expenses for disasters declared by the Governor, if the Director of Budget and Management determines that sufficient funds exist.

The unencumbered balance of the Disaster Services Fund (5E2) at the end of fiscal year 2008 is transferred to fiscal year 2009 for use for the same purposes as in fiscal year 2009.

SOUTHERN OHIO CORRECTIONAL FACILITY COST

The Division of Criminal Justice Services in the Department of Public Safety and the Public Defender Commission may each request, upon approval of the Director of Budget and Management, additional funds from appropriation item 911-401, Emergency Purposes/Contingencies, for costs related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility in Lucasville, Ohio.

MANDATE ASSISTANCE

(A) The foregoing appropriation item 911-404, Mandate Assistance, shall be used to provide financial assistance to local units of government and school districts for the cost of the following two state mandates:

(1) The cost to county prosecutors for prosecuting certain felonies that occur on the grounds of state institutions operated by the Department of

Rehabilitation and Correction and the Department of Youth Services;

(2) The cost to school districts of in-service training for child abuse detection.

(B) The Division of Criminal Justice Services in the Department of Public Safety and the Department of Education may prepare and submit to the Controlling Board one or more requests to transfer appropriations from appropriation item 911-404, Mandate Assistance. The state agencies charged with this administrative responsibility are listed below, as well as the estimated annual amounts that may be used for each program of state financial assistance.

PROGRAM	ADMINISTERING AGENCY	ESTIMATED ANNUAL AMOUNT
Prosecution Costs	Division of Criminal Justice Services	\$150,000
Child Abuse Detection Training Costs	Department of Education	\$500,000

(C) Subject to the total amount appropriated in each fiscal year for appropriation item 911-404, Mandate Assistance, the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education may request from the Controlling Board that amounts smaller or larger than these estimated annual amounts be transferred to each program.

(D) In addition to making the initial transfers requested by the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education, the Controlling Board may transfer appropriations received by a state agency under this section back to appropriation item 911-404, Mandate Assistance, or to the other program of state financial assistance identified under this section.

(E) It is expected that not all costs incurred by local units of government and school districts under each of the two programs of state financial assistance identified in this section will be fully reimbursed by the state. Reimbursement levels may vary by program and shall be based on: the relationship between the appropriation transfers requested by the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education and provided by the Controlling Board for each of the programs; the rules and procedures established for each program by the administering state agency; and the actual costs incurred by local units of government and school districts.

(F) Each of these programs of state financial assistance shall be carried out as follows:

(1) PROSECUTION COSTS

(a) Appropriations may be transferred to the Division of Criminal Justice Services in the Department of Public Safety to cover local prosecution costs for aggravated murder, murder, felonies of the first degree, and felonies of the second degree that occur on the grounds of institutions operated by the Department of Rehabilitation and Correction and the Department of Youth

Services.

(b) Upon a delinquency filing in juvenile court or the return of an indictment for aggravated murder, murder, or any felony of the first or second degree that was committed at a Department of Youth Services or a Department of Rehabilitation and Correction institution, the affected county may, in accordance with rules that the Division of Criminal Justice Services in the Department of Public Safety shall adopt, apply to the Division of Criminal Justice Services for a grant to cover all documented costs that are incurred by the county prosecutor's office.

(c) Twice each year, the Division of Criminal Justice Services in the Department of Public Safety shall designate counties to receive grants from those counties that have submitted one or more applications in compliance with the rules that have been adopted by the Division of Criminal Justice Services for the receipt of such grants. In each year's first round of grant awards, if sufficient appropriations have been made, up to a total of \$100,000 may be awarded. In each year's second round of grant awards, the remaining appropriations available for this purpose may be awarded.

(d) If for a given round of grants there are insufficient appropriations to make grant awards to all the eligible counties, the first priority shall be given to counties with cases involving aggravated murder and murder; second priority shall be given to counties with cases involving a felony of the first degree; and third priority shall be given to counties with cases involving a felony of the second degree. Within these priorities, the grant awards shall be based on the order in which the applications were received, except that applications for cases involving a felony of the first or second degree shall not be considered in more than two consecutive rounds of grant awards.

(2) CHILD ABUSE DETECTION TRAINING COSTS

Appropriations may be transferred to the Department of Education for disbursement to local school districts as full or partial reimbursement for the cost of providing in-service training for child abuse detection. In accordance with rules that the department shall adopt, a local school district may apply to the department for a grant to cover all documented costs that are incurred to provide in-service training for child abuse detection. The department shall make grants within the limits of the funding provided.

(G) Any moneys allocated within appropriation item 911-404, Mandate Assistance, not fully utilized may, upon application of the Ohio Public Defender Commission, and with the approval of the Controlling Board, be disbursed to boards of county commissioners to provide additional reimbursement for the costs incurred by counties in providing defense to indigent defendants pursuant to Chapter 120. of the Revised Code. Application for the unutilized funds shall be made by the Ohio Public Defender Commission at the first June meeting of the Controlling Board.

The amount to be disbursed to each county shall be allocated

proportionately on the basis of the total amount of reimbursement paid to each county as a percentage of the amount of reimbursement paid to all of the counties during the most recent state fiscal year for which data is available and as calculated by the Ohio Public Defender Commission.

BALLOT ADVERTISING COSTS

Pursuant to requests submitted by the Ohio Ballot Board, the Controlling Board shall approve transfers from the foregoing appropriation item 911-441, Ballot Advertising Costs, to ~~an Ohio Ballot Board~~ the Secretary of State appropriation item in order to ~~reimburse county boards of elections~~ pay for the cost of public notices associated with statewide ballot initiatives.

Of the foregoing appropriation item 911-441, Ballot Advertising Costs, up to \$1,100,000 in fiscal year 2008 shall be used to reimburse county boards of elections for all costs of conducting any special election during fiscal year 2008.

Section 4. That existing Section 249.10 of Am. Sub. H.B. 119 of the 127th General Assembly is hereby repealed.

Section 5."

In line 2322, delete "4." and insert "6."

In line 2324, delete "5." and insert "7."

In line 2331, delete "6." and insert "8. The declarations of candidacy and petitions for the office of judge of the probate division or for the office of judge of the probate-juvenile division of the Court of Common Pleas of Champaign County to be elected in 2008, term to begin February 9, 2009, that contain signatures that were affixed prior to the effective date of this act shall be accepted for the office of judge of the domestic relations-juvenile-probate division of the Court of Common Pleas of Champaign County to be elected in 2008, term to begin February 9, 2009, if those declarations of candidacy and petitions meet the other requirements of Title XXXV of the Revised Code. The declarations of candidacy and petitions for the office of judge of the domestic relations-juvenile-probate division of the Court of Common Pleas of Champaign County to be elected in 2008, term to begin February 10, 2009, that contain signatures that were affixed prior to the effective date of this act shall be accepted if those declarations of candidacy and petitions meet the other requirements of Title XXXV of the Revised Code. The declarations of candidacy and petitions for the office of judge of the general division of the Court of Common Pleas of Hamilton County to be elected in 2008, term to begin January 3, 2009, that contain signatures that were affixed prior to the effective date of this act shall be accepted for the office of the drug court judge of the Court of Common Pleas of Hamilton County to be elected in 2008, term to begin January 3, 2009, if those declarations of candidacy and petitions meet the other requirements of Title XXXV of the Revised Code.

Section 9. "

In line 2 of the title, delete "2903.13, and 2903.21" and insert "and 3521.03"

In line 3 of the title, after "amend" insert "Section 249.10 of Am. Sub. H.B. 119 of the 127th General Assembly and"

In line 18 of the title, after the comma delete the balance of the line

Delete line 19 of the title

In line 20 of the title, delete "fifth degree" and insert "to authorize funding for a special election when a vacancy in Congress occurs, to make an appropriation"

Managers on the Part of the
Senate

Managers on the Part of the
House of Representatives

/s/ KEITH FABER
KEITH FABER

/s/ JOHN ADAMS
JOHN ADAMS

/s/ DAVID GOODMAN
DAVID GOODMAN

/s/ LOUIS BLESSING
LOUIS BLESSING

/s/ ERIC KEARNEY
ERIC KEARNEY

/s/ SANDRA STABILE HARWOOD
SANDRA STABILE HARWOOD

The report of the Committee of Conference was laid over under the rule.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 104-Representative Core.

Cosponsors: Representatives Setzer, Seitz, Hughes, Dodd, Flowers, Combs, Adams, White, Webster, McGregor, R., Bubp, Collier, McGregor, J., Stebelton, Blessing, Dyer, Batchelder, Bacon, Coley, Domenick, Hagan, J., Huffman, Latta, Mandel, Patton, Uecker, Wagoner. Senator Seitz.

To amend sections 109.572, 2953.32, 4709.05, 4717.04, 4725.09, 4725.44, 4730.14, 4730.28, 4731.15, 4731.222, 4731.281, 4731.296, 4740.04, 4755.06, 4755.61, 4757.10, 4759.05, 4760.06, 4761.03, 4762.06, and 4779.08 and to enact sections 113.041, 4701.08, 4709.071, 4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4730.101, 4731.081, 4731.171, 4731.531, 4732.091, 4734.202, 4740.061, 4741.10, 4755.70, 4757.101, 4759.061, 4760.032, 4761.051, 4762.031, 4776.01, 4776.02, 4776.03, 4776.04, and 4779.091 of the Revised Code to require initial license applicants and applicants for restoration of licenses for specified licensed professions to obtain a criminal background check from the bureau of criminal investigation and identification, to require the appropriate licensing board to consider the results of those checks in determining a person's eligibility for licensure, and to permit the Treasurer of State to request the Bureau of Criminal Identification and Investigation to conduct a criminal records check of any individual seeking or holding employment with the Treasurer of State's office , was considered the third

time.

The question being, "Shall the bill, **Sub. H. B. No. 104**, pass?"

On the motion of Senator Grendell, **Sub. H. B. No. 104** was informally passed and retained its place on the calendar.

Sub. H. B. No. 149-Representatives Daniels, Strahorn.

Cosponsors: Representatives Stewart, J., Driehaus, Aslanides, Bolon, McGregor, J., Wolpert, Luckie, Gibbs, Hagan, R., Combs, Flowers, Healy, Setzer, Hagan, J., Lundy, Williams, S., Heard, Sykes, Widener, Hughes, Adams, Garrison, Uecker, Huffman, DeBose, Fessler, Distel, Blessing, Patton, Domenick, Fende, Bulp, Beatty, Collier, Peterson, Okey, Stewart, D., Foley, Boyd, Carmichael, Reinhard, Hite, Brown, Gerberry, Koziura, Miller, Sayre, Seitz, Ujvagi, Wachtmann, Webster, Zehringer. Senators Coughlin, Gardner, Miller, D., Morano, Mumper, Seitz.

To amend sections 4725.01, 4725.09, 4725.16, 4725.23, 4725.26, 4725.28, 4725.40, and 4731.44 and to enact sections 4725.011 and 4725.091 of the Revised Code to modify the laws governing the State Board of Optometry and the practice of optometry, including the laws authorizing optometrists to administer and prescribe drugs, and to require the Ohio Optical Dispensers Board to regulate the dispensing of cosmetic contact lenses , was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 149**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Boccieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Smith
Spada	Stivers	Wilson	Harris-32.

So the bill passed.

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

Senator Coughlin moved to amend the title as follows:

Add the names: "Austria, Cates, Fedor, Grendell, Harris, Niehaus, Padgett, Roberts, Sawyer, Schaffer, Schuler, Schuring, Spada, Stivers, Wilson, Faber, Carey."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 181-Representative Setzer.

Cosponsors: Representatives Stebelton, Evans, Healy, Combs, Yuko, Harwood, Huffman, Collier, Webster, Brown, Patton, Williams, B., Lundy, Dyer, Heard, Barrett, Boyd, Budish, Chandler, DeBose, Distel, Domenick, Driehaus, Fende, Flowers, Foley, Garrison, Gibbs, Hagan, J., Hagan, R., Hite, Letson, Luckie, Mallory, Miller, Oelslager, Okey, Otterman, Schindel, Schlichter, Schneider, Strahorn, Szollosi, Uecker, Wagoner, Williams, S., Zehringer. Senator Grendell.

To amend sections 2151.417, 2151.424, 2901.30, 2949.092, 3313.672, 4511.181, and 4511.191 and to enact sections 120.08, 2949.094, and 5502.68 of the Revised Code to revise the law with respect to law enforcement cooperation and schools' record keeping duties in missing children investigations; to require a court to impose an additional court cost of ten dollars for a moving violation to provide funds for certain costs of drug task forces, certain costs of alcohol monitoring provided to indigent offenders, and certain indigent defense costs; to create the Drug Law Enforcement Fund to be administered by the Division of Criminal Justice Services of the Department of Public Safety for the provision of funds for drug task forces; to create the Indigent Defense Support Fund to be administered by the State Public Defender for the provision of the funds for indigent defense; to provide the funds for the costs of alcohol monitoring provided to indigent defendants out of the Indigent Drivers Alcohol Treatment Fund; to require the court to consider in-state and out-of-state placement options in review hearings for permanency plans for children not to be returned to parents; to require in any such review hearing the court or a court-appointed citizens board to consult in an age-appropriate manner with the child about any proposed permanency plan; to specify that, in certain reviews or hearings regarding foster care placement of a child, custody of a child with a relative other than a parent, or adoption of a child, the foster caregiver, relative, or prospective adoptive parent has the right to present evidence; and to declare an emergency , was considered the third time.

The question being, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 31, nays 1, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus

Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Spada
Stivers	Wilson		Harris-31.

Senator Smith voted in the negative-1.

So the section, Section 3, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Bocchieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Smith
Spada	Stivers	Wilson	Harris-32.

So the bill having received the required constitutional majority passed as an emergency measure.

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

Senator Grendell moved to amend the title as follows:

Add the names: "Cates, Harris, Mumper, Niehaus, Padgett, Seitz, Spada, Stivers, Fedor, Sawyer, Jacobson."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 185-Senator Schuler.

Cosponsors: Senators Kearney, Cates, Grendell, Seitz.

To amend sections 127.14, 131.18, 131.44, 131.51, 133.10, 135.35, 135.352, 149.411, 321.08, 3375.05, 3375.121, 3375.32, 3375.35, 3375.36, 3375.37, 3375.38, 3375.39, 3375.40, 3375.404, 3375.41, 3375.42, 3375.85, 3375.91, 3375.92, 5705.28, 5705.281, 5705.31, 5705.32, 5705.321, 5705.37, 5715.36, 5719.041, 5747.03, 5747.46, 5747.47, 5747.48, 5747.51, and 5747.52 and to enact sections 3375.351, 3375.64, 3375.65, 3375.66, and 3375.67 of the Revised Code and to amend Section 323.10 of H.B. 119 of the 127th General Assembly to revise certain laws governing public libraries, to change the name of the Library and Local Government Support Fund, and to codify the creation of the Ohio Public Library Information Network , was

considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 185**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Boccieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Smith
Spada	Stivers	Wilson	Harris-32.

So the bill passed.

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

Senator Schuler moved to amend the title as follows:

Add the names: "Carey, Gardner, Harris, Sawyer, Wilson, Fedor, Morano, Spada, Boccieri."

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

The motion was agreed to and the title so amended.

Am. S. B. No. 192-Senators Gardner, Carey, Niehaus.

To amend sections 3703.01, 3703.08, and 3781.03 of the Revised Code to permit the board of health of a health district to enter into a contract with a board of county commissioners to authorize the county building department to inspect plumbing in any type of building for which the county department is certified and to permit the board of health of a health district to enter into a contract with the board of health of another health district for the inspection of plumbing within the first board's district , was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 192**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Boccieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer

Schuler
Spada

Schuring
Stivers

Seitz
Wilson

Smith
Harris-32.

So the bill passed.

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

Senator Gardner moved to amend the title as follows:

Add the names: "Coughlin, Harris, Spada."

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

The motion was agreed to and the title so amended.

S. B. No. 219-Senator Schuring.

Cosponsors: Senators Grendell, Faber.

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 , was considered the third time.

The question being, "Shall the bill, **S. B. No. 219**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz
Carey
Fedor
Jacobson
Miller R
Padgett
Schuler
Spada

Austria
Cates
Gardner
Kearney
Morano
Roberts
Schuring
Stivers

Bocchieri
Coughlin
Goodman
Mason
Mumper
Sawyer
Seitz
Wilson

Buehrer
Faber
Grendell
Miller D
Niehaus
Schaffer
Smith
Harris-32.

So the bill passed.

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

Senator Schuring moved to amend the title as follows:

Add the names: "Niehaus, Padgett, Schaffer, Schuler, Stivers, Wilson."

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

The motion was agreed to and the title so amended.

S. B. No. 240-Senators Grendell, Cates.

To enact section 5.033 of the Revised Code to adopt the spotted salamander as the state amphibian , was considered the third time.

The question being, "Shall the bill, **S. B. No. 240**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Boccieri	Buehrer
Carey	Cates	Coughlin	Faber
Fedor	Gardner	Goodman	Grendell
Jacobson	Kearney	Mason	Miller D
Miller R	Morano	Mumper	Niehaus
Padgett	Roberts	Sawyer	Schaffer
Schuler	Schuring	Seitz	Smith
Spada	Stivers	Wilson	Harris-32.

So the bill passed.

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

Senator Grendell moved to amend the title as follows:

Add the names: "Fedor, Harris, Wilson."

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

The motion was agreed to and the title so amended.

On the motion of Senator Jacobson, **Sub. H. B. No. 104**, having been informally passed, was taken up for consideration.

The question being, "Shall the bill, **Sub. H. B. No. 104**, pass?"

Senator Miller, R. moved to amend as follows:

In line 25, delete "4709.05,"

In line 29, delete "4709.071,"

In lines 345, 400, 430, 446, 469, and 478, delete " 4709.071,"

Delete lines 854 through 959

In line 2335, delete " 4709.,"

In line 2448, delete "4709.05,"

In line 1 of the title, delete "4709.05,"

In line 6 of the title, delete "4709.071,"

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

The yeas and nays were taken and resulted - yeas 25, nays 7, as follows:

Those who voted in the affirmative were: Senators

Austria	Boccieri	Buehrer	Carey
Cates	Faber	Fedor	Gardner
Grendell	Jacobson	Kearney	Mason
Miller D	Miller R	Morano	Mumper
Padgett	Roberts	Sawyer	Schuler
Schuring	Smith	Stivers	Wilson
			Harris-25.

Senators Amstutz, Coughlin, Goodman, Niehaus, Schaffer, Seitz, and Spada voted in the negative-7.

The amendment was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 104**, pass?"

Senator Boccieri moved to amend.

Senator Jacobson objected to the consideration of the amendment.

The question being, "Shall the amendment be considered?"

The yeas and nays were taken and resulted - yeas 13, nays 19, as follows:

Those who voted in the affirmative were: Senators

Boccieri	Fedor	Kearney	Mason
Miller D	Miller R	Morano	Roberts
Sawyer	Schuring	Smith	Stivers
			Wilson-13.

Those who voted in the negative were: Senators

Amstutz	Austria	Buehrer	Carey
Cates	Coughlin	Faber	Gardner
Goodman	Grendell	Jacobson	Mumper
Niehaus	Padgett	Schaffer	Schuler
Seitz	Spada		Harris-19.

The amendment was not considered.

The question recurred, "Shall the bill, **Sub. H. B. No. 104**, pass?"

The yeas and nays were taken and resulted - yeas 30, nays 2, as follows:

Those who voted in the affirmative were: Senators

Austria	Boccieri	Buehrer	Carey
Cates	Coughlin	Faber	Fedor
Gardner	Goodman	Grendell	Jacobson
Kearney	Mason	Miller R	Morano
Mumper	Niehaus	Padgett	Roberts

Sawyer
Seitz
Wilson

Schaffer
Smith

Schuler
Spada

Schuring
Stivers
Harris-30.

Senators Amstutz and Miller D voted in the negative-2.

So the bill passed.

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

Senator Grendell moved to amend the title as follows:

Add the name: "Cates."

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. 262-Senator Sawyer.

Cosponsors: Senators Boccieri, Spada, Cafaro, Schuler, Seitz.

To enact section 5533.091 of the Revised Code to designate that part of Interstate 76 within Brimfield Township, in Portage County, as "The Luke 'Doc' Emch and Matt 'Doc' Conte Corpsmen Memorial Highway."

S. B. No. 263-Senator Buehrer.

Cosponsors: Senators Gardner, Mumper, Cates, Schuring, Carey, Schuler, Faber, Goodman.

To enact section 2927.05 of the Revised Code to prohibit a person from using a deceased soldier's persona for a commercial purpose without written consent.

S. B. No. 264-Senator Carey.

Cosponsors: Senators Padgett, Goodman, Schaffer, Mumper, Coughlin, Cates, Harris, Buehrer.

To amend sections 4117.14 and 4117.15 of the Revised Code to prohibit classroom teachers employed by boards of education from striking and instead require binding arbitration to settle their unresolved collective bargaining disputes and to make an appropriation.

OFFERING OF RESOLUTIONS

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

S. R. No. 147-Senator Harris.

Honoring the Big Walnut High School football team for winning the 2007 Division III State Championship.

S. R. No. 148-Senator Carey.

Honoring Chelsie Folden as the 2008 Miss Ohio Teen USA.

S. R. No. 149-Senator Ray Miller.

Honoring Jeffrey J. Doner as recipient of the 2007 Spirit of Nursing Award.

S. R. No. 150-Senator Seitz.

Cosponsors: Senators Kearney, Schuler.

Honoring the St. Xavier High School football team for winning the 2007 Division I State Championship.

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, Steven Reginald Barker, from Toledo, Lucas County, Ohio, as a Student Member of the University of Toledo Board of Trustees for a term beginning October 18, 2007 and ending at the close of business July 1, 2009, replacing Joel Todd, Jr., 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 18th 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, David M. Beam, Republican, from Sabina, Clinton County, Ohio, as a Member of the Reclamation Commission for a term beginning October 23, 2007 and ending at the close of business June 28, 2012, replacing Wanda Stratton, 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, Elizabeth A. Bernard, Democrat, from Canfield, Mahoning County, Ohio, as a Member of the Ohio Quarter Horse Development Commission for a term beginning October 23, 2007 and ending at the close of business June 30, 2011, replacing Jim Barney, 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, David K. Creamer, from Tallmadge, Summit County, Ohio, as a Member of the Midwestern Higher Education Compact Commission for a term beginning

November 14, 2007 and ending at the close of business January 9, 2011, replacing David Ponitz, 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 14th day of November 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, Loretta Embry, from Euclid, Cuyahoga County, Ohio, as a Member of the Board of Speech-Language Pathology and Audiology for a term beginning October 18, 2007 and ending at the close of business September 26, 2010, replacing Susan G. O'Brien, 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 18th 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, J. Paul Good, Democrat, from North Lima, Mahoning County, Ohio, as a Member of the Board of Speech-Language Pathology and Audiology for a term beginning October 30, 2007 and ending at the close of business September 26, 2010, replacing Ann Shotwell, 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 30th 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, Jennifer L. Haley, Republican, from Amelia, Clermont County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for a term beginning October 17, 2007 and ending at the close of business January 1, 2010, replacing Benjamin H. Williams, 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 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, Stephen D. Hill, from Mason, Warren County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 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 14th day of November 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, Lance D. Himes, Democrat, from Hilliard, Franklin County, Ohio, as a Member of the Private Water Systems Advisory Council for a term beginning November 14, 2007 and ending at the close of business March 17, 2009, replacing Scott Golden, 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 14th day of November 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, Jonathan C. Ivec, Independent, from South Euclid, Cuyahoga County, Ohio, as a Member of the Ohio Tuition Trust Authority for a new term beginning November 15, 2007 and ending at the close of business January 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 15th day of November 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, Ralph Jennings, Democrat, from Hamersville, Brown County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 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 14th day of November 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, Jack Jensen, Republican, from West Carrollton, Montgomery County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 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 14th day of November 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, Clifford Jones, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the State Dental Board for a term beginning April 27, 2007 and ending at the close of business April 6, 2011, replacing Sandra Wise, 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 27th day of April 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, John P. Kennedy, from Blacklick, Franklin County, Ohio, as a Member of the State Chiropractic Board for a term beginning October 18, 2007 and ending at the close of business November 2, 2009, replacing Larry Price, 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 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, Kenneth Kiefer, from Okeana, Butler County, Ohio, as a Member of the Labor-Management Government Advisory Council for a term beginning October 30, 2007 and ending at the close of business August 22, 2008, replacing Gary DiCeglio, 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 30th 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, Jala Khateeb, from Orange, Cuyahoga County, Ohio, as a Student Member of the Cleveland State University Board of Trustees for a term beginning September 19, 2007 and ending at the close of business May 1, 2009, replacing Teresa Obrero, 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 September 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, Helene Levenfus, Democrat, from Beachwood, Cuyahoga County, Ohio, as a Member of the Board of Speech-Language Pathology and Audiology for a term beginning October 18, 2007 and ending at the close of business September 26, 2010, replacing Patrick Mangino, 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 18th 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, Richard M. Norman, from Oxford, Butler County, Ohio, as a Member of the Ohio Tuition Trust Authority for a term beginning October 17, 2007 and ending at the close of business January 31, 2012, replacing Michael Mumper, 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 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, Willie F. Peterson, from Youngstown, Mahoning County, Ohio, as a Member of the Ohio Community Service Council for a new term beginning June 28, 2007 and ending at the close of business April 21, 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 28th day of June 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, Walter E. Phillips, Republican, from Lancaster, Fairfield County, Ohio, as a Member of the Private Water Systems Advisory Council for a term beginning November 14, 2007 and ending at the close of business March 17, 2009, replacing Steven P. Binns, 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 14th day of November 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, Loree K. Soggs, Democrat, from North Royalton, Cuyahoga County, Ohio, as a Member of the Ohio Water Development Authority for a term beginning October 17, 2007 and ending at the close of business July 1, 2015, replacing Richard Rench, 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 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, Antoinette Starkey, Independent, from Strongsville, Cuyahoga County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 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 14th day of November 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, Yolanda Walker, Democrat, from Akron, Summit County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning November 14, 2007 and ending at the close of business June 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 14th day of November 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, Valenta Ward-Gravely, from Cleveland, Cuyahoga County, Ohio, as a Member of the Board of Speech-Language Pathology and Audiology for a new term beginning October 18, 2007 and ending at the close of business September 26, 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 18th 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, Robert J. Wasko, from Youngstown, Mahoning County, Ohio, as a Member of the Board of Embalmers and Funeral Directors for a term beginning October 30, 2007 and ending at the close of business June 30, 2012, replacing Robert L. Shank, 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 30th 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, Margaret A. Wildi, from Columbus, Franklin County, Ohio, as a Member of the Ohio Community Service Council for a term beginning October 18, 2007 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 18th day of October in the year of our Lord, two thousand and seven.

[Seal]

Ted Strickland,
Governor.

Said appointments were referred to the Committee on Rules.

MESSAGE FROM THE PRESIDENT

Pursuant to section 4781.02 (B)(3)(a) of the Ohio Revised Code, the President of the Senate reappoints the following public member to serve on the Ohio Manufactured Homes Commission:

Emory Helmuth (installer – new term beginning 1/1/08 and ending
12/31/11)
Modular Dynamics Co.
Plain City, Ohio 43064

On the motion of Senator Jacobson, the Senate adjourned until Wednesday,
December 12, 2007 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.