

**OHIO**

**SENATE**

**JOURNAL**

**WEDNESDAY, FEBRUARY 17, 2010**

ONE HUNDRED FIFTY-THIRD DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, February 17, 2010, 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.

On the motion of Senator Faber, the Senate recessed until 2:15 p.m.

The Senate met pursuant to the recess.

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

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

**Sub. H. B. No. 122**-Representative Boyd, et al.

To enact sections 3964.01 to 3964.03, 3964.05 to 3964.07, 3964.10 to 3964.12, 3964.15 to 3964.17, 3964.21 to 3964.25, 3964.27, and 5111.0210 of the Revised Code to establish standards for physician designations by health care insurers.

To the Committee on Insurance, Commerce and Labor.

**Sub. H. B. No. 292**-Representatives Letson, Oelslager, et al.

To amend sections 5307.11, 5307.12, 5307.13, 5307.14, and 5307.16 and to enact section 5301.057 of the Revised Code to prohibit transfer fee covenants in certain real estate transactions and to enable a court of common pleas to order a licensed auctioneer to conduct a sale of real property pursuant to a writ of partition.

To the Committee on Judiciary - Civil Justice.

**S. B. No. 227**-Senator Turner.

To permit, for a limited time, the abatement of unpaid property taxes,

penalties, and interest owed on property owned by a municipal corporation that would have been tax exempt except for a failure to comply with certain tax-exemption procedures.

To the Committee on Ways and Means and Economic Development.

YES - 4: KEITH L. FABER, BILL HARRIS, CAPRI S. CAFARO,  
DAVID GOODMAN.

NO - 0.

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

The report of the committee was accepted.

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

#### REPORTS OF STANDING AND SELECT COMMITTEES

Senator Harris submitted the following report:

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

**Donald E. Blatt**, Democrat, from Centerburg, Knox County, Ohio, as a Member of the Unemployment Compensation Advisory Council for a term beginning November 4, 2009 and ending at the close of business July 7, 2013, replacing Steven Kasarnich, whose term expired.

**Marilyn M. Brandt**, Republican, from Chardon, Geauga County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning July 30, 2009 and ending at the close of business July 1, 2013.

**Pamela L. Bradshaw**, Democrat, from Wheelersburg, Scioto County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning November 13, 2009 and ending at the close of business November 12, 2012.

**Ted Brown**, Republican, from Tipp City, Miami County, Ohio, as a Member of the State Racing Commission for a new term beginning March 31, 2009 and ending at the close of business March 31, 2013.

**Edward T. Cain**, Democrat, from Granville, Licking County, Ohio, as a Member of the State Board of Pharmacy for a term beginning November 24, 2009 and ending at the close of business June 30, 2012, replacing Barton Kaderly, who resigned.

**Thomas D. Cassidy**, Democrat, from Cincinnati, Hamilton County, Ohio, as

a Member of the University of Cincinnati Board of Trustees for a term beginning January 2, 2010 and ending at the close of business January 1, 2019, replacing Jeffrey Wyler, whose term expired.

**Cathy L. Day**, Republican, from Bryan, Williams County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning March 27, 2009 and ending at the close of business October 31, 2011, replacing Sandra Jensen, who resigned.

**Ronald J. Farabaugh, D.C.**, Democrat, from Westerville, Delaware County, Ohio, as a Member of the State Chiropractic Board for a term beginning December 30, 2009 and ending at the close of business November 1, 2013, replacing Don T. Shaffer, whose term expired.

**Stephen R. Fields**, from West Mansfield, Logan County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of West Mansfield for a term beginning September 1, 2009 and continuing at the pleasure of the Governor.

**Richard Fleischman**, Republican, from Bratenahl, Cuyahoga County, Ohio, as a Member of the State Board of Examiners of Architects for a new term beginning October 2, 2009 and ending at the close of business October 1, 2014.

**Michael G. Florez**, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Commission on Hispanic/Latino Affairs for a new term beginning November 2, 2009 and ending at the close of business October 7, 2012.

**Isabel Framer**, Democrat, from Copley, Summit County, Ohio, as a Member of the Commission on Hispanic-Latino Affairs for a term beginning December 14, 2009 and ending at the close of business October 7, 2011, replacing Phillip R. Barbosa, whose term expired.

**Douglas Guinsler**, Republican, from Zanesville, Muskingum County, Ohio, as a Member of the Advisory Council on Amusement Ride Safety for a new term beginning November 24, 2009 and ending at the close of business January 1, 2014.

**Robert C. Hamilton**, Republican, from Coshocton, Coshocton County, Ohio, as a Member of the Savings and Loan Association and Savings Bank Board for a term beginning September 9, 2009 and ending at the close of business January 30, 2012.

**Patricia Lofton Hardaway**, from Wilberforce, Greene County, Ohio, as a Member of the National Museum of Afro-American History and Culture Planning Council for a term beginning July 9, 2009 and ending at the close of business January 31, 2014, replacing Dr. Floyd Flake, who resigned.

**Julie A. Harmon**, Independent, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the State Board of Psychology for a new term beginning October 5, 2009 and ending at the close of business October 5, 2014.

**Todd R. Hoepf**, from Bowling Green, Wood County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of McClure for a term beginning October 14, 2009 and continuing as provided in Section 118.05 (B)(2) of the Ohio Revised Code.

**V. Anthony Simms-Howell**, Republican, from Cincinnati, Hamilton County, Ohio, as a member of the Commission on Hispanic/Latino Affairs for a new term beginning November 2, 2009 and ending at the close of business October 7, 2012.

**Vidya Iyengar**, Independent, from Marion, Marion County, Ohio, as a Member of the Credit Union Council for a term beginning September 8, 2009 and ending at the close of business September 22, 2011.

**Sandra Johnson**, Republican, from Findlay, Hancock County, Ohio, as a Member of the Ohio Community Service Council for a term beginning October 8, 2009 and ending at the close of business April 20, 2012, replacing Albert Penn, whose term expired.

**Edna Marie Jones, M.D.**, Democrat, from Westerville, Franklin County, Ohio, as a Member of the Chemical Dependency Professionals Board for a term beginning January 12, 2009 and ending at the close of business December 23, 2011, replacing Richard Whitney, whose term expired.

**Thomas A. Kayati**, Republican, from Worthington, Franklin County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Committee for a new term beginning September 13, 2007 and ending at the close of business July 2, 2011.

**John P. Kennedy**, from Blacklick, Franklin County, Ohio, as a Member of the State Chiropractic Board for a new term beginning December 31, 2009 and ending at the close of business November 1, 2013.

**Shirley A. Kilpatrick**, from Cleveland, Cuyahoga County, Ohio, as a Member of the National Museum of Afro-American History and Culture Planning Council for a term beginning July 9, 2009 and ending at the close of business January 31, 2012.

**Jeffrey E. King**, from Columbus, Franklin County, Ohio, as a Member of the Ohio Community Service Council for a term beginning June 19, 2009 and ending at the close of business April 20, 2012.

**Jane P. Krites**, Democrat, from Lima, Allen County, Ohio, as a Member of the James A. Rhodes State College Board of Trustees for a term beginning December 8, 2009 and ending at the close of business August 31, 2012, replacing Jack R. Spratt, Jr., whose term expired.

**Allan C. Krulak**, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the State Lottery Commission for a new term beginning August 7, 2009 and ending at the close of business July 31, 2012.

**Joseph S. Kun**, Democrat, from Youngstown, Mahoning County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term

beginning July 30, 2009 and ending at the close of business July 1, 2013, replacing Stephen Bittner, whose term expired.

**Martha Mary Kutik**, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Financial Planning and Supervision Commission for Garfield Heights for a term beginning November 18, 2008 and continuing at the pleasure of the Governor.

**Timothy S. Lairson**, from Athens, Athens County, Ohio, as a Member of the Financial Planning and Supervision Commission for Youngstown City School District for a term beginning June 12, 2007 and continuing at the pleasure of the Governor.

**George K. Lawson**, Democrat, from Portsmouth, Scioto County, Ohio, as a Member of the Financial Planning and Supervision Commission for Scioto County for a term beginning September 1, 2009 and continuing at the pleasure of the Governor.

**Patricia L. Leppla**, Democrat, from Germantown, Montgomery County, Ohio, as a Member of the Ohio Board of Speech-Language Pathology and Audiology for a new term beginning October 8, 2009 and ending at the close of business September 26, 2012.

**Shannon R. Maloney**, from Waynesville, Warren County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Waynesville for a term beginning June 10, 2008 and continuing at the pleasure of the Governor.

**Mark L. Marchetta, BS, RN**, Democrat, from Hopedale, Harrison County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning November 13, 2009 and ending at the close of business November 12, 2012.

**Tami Martin**, from McClure, Henry County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of McClure for a term beginning October 14, 2009 and continuing as provided in Section 118.05 (B)(2) of the Ohio Revised Code.

**C. Patrick McAllister**, Democrat, from Chillicothe, Ross County, Ohio, as a Member of the Real Estate Appraiser Board for a term beginning March 11, 2009 and ending at the close of business June 30, 2011, replacing Selma Triplett, who resigned.

**Terrence M. McCafferty**, Democrat, from Seven Hills, Cuyahoga County, Ohio, as a Member of the Board of Building Standards for a term beginning December 8, 2009 and ending at the close of business October 13, 2013, replacing Michael Morgan, whose term expired.

**Daryl J. McNutt**, Republican, from Whitehouse, Lucas County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning November 13, 2009 and ending at the close of business November 12, 2012.

**Robert A. Menafee**, Democrat, from Dayton, Montgomery County, Ohio, as a Member of the Minority Development Financing Advisory Board for a term beginning August 18, 2009 and ending at the close of business September 28, 2014, replacing Gwen McFarlin, who resigned.

**Jerald A. Miluk**, Democrat, from Cleveland Hts., Cuyahoga County, Ohio, as a Member of the State Fire Commission for a term beginning December 2, 2009 and ending at the close of business October 31, 2014, replacing Gregory Schneider, whose term expired.

**William N. Morgan**, Republican, from Stoutsville, Pickaway County, Ohio, as a Member of the State Lottery Commission for a term beginning August 7, 2009 and ending at the close of business July 31, 2012, replacing Jon Allison, whose term expired.

**Jacquelyn Nance**, Democrat, from Moreland Hills, Cuyahoga County, Ohio, as a Member of the Ohio Arts Council for a term beginning September 9, 2009 and ending at the close of business July 1, 2014, replacing J. Joseph Hale, whose term expired.

**Raleigh O. Oliver**, from West Mansfield, Logan County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of West Mansfield for a term beginning September 1, 2009 and continuing at the pleasure of the Governor.

**Johnmark Oudersluys**, Independent, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Community Service Council for a term beginning October 8, 2009 and ending at the close of business April 20, 2012, replacing Pakkiri Rajagopal, whose term expired.

**Jack W. Patrick**, Democrat, from Toledo, Lucas County, Ohio, as a Member of the Minority Development Financing Advisory Board for a new term beginning October 29, 2009 and ending at the close of business September 30, 2016.

**Deirdre K. Petrich, Ph.D.**, Independent, from Warren, Trumbull County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a term beginning November 2, 2009 and ending at the close of business October 10, 2012, replacing Kenneth Trivison, whose term expired.

**Anthony L. Pollard**, Independent, from Franklin Furnace, Scioto County, Ohio, as a Member of the Council on Alcohol and Drug Addiction Services for a new term beginning February 5, 2009 and ending at the close of business July 31, 2010.

**Steven T. Polovick**, Independent, from Westerville, Franklin County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a new term beginning November 2, 2009 and ending at the close of business October 10, 2012, replacing Molly Tucker, whose term expired.

**William E. Quinn, Jr.**, from Trenton, Butler County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning November 13, 2009 and ending at the close of business November 12, 2012.

**Carlos I. Ramos**, Independent, from Westlake, Cuyahoga County, Ohio, as a Member of the Council on Alcohol and Drug Addiction Services for a new term beginning November 2, 2009 and ending at the close of business July 31, 2011.

**Joanna K. River**, Democrat, from Chillicothe, Ross County, Ohio, as a Member of the Rehabilitation Services Commission for a term beginning September 24, 2008 and ending at the close of business September 8, 2015.

**Terry J. Robbins**, Democrat, from Marion, Marion County, Ohio, as a Member of the Marion Technical College Board of Trustees for a term beginning July 29, 2009 and ending at the close of business April 30, 2012, replacing Jo Ellen Braden, whose term expired.

**Tommie L. Robertson**, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Counselor, Social Worker, and Marriage and Family Therapist Board for a new term beginning November 2, 2009 and ending at the close of business October 10, 2012.

**Susan Rogers**, Democrat, from Jackson, Jackson County, Ohio, as a Member of the Ohio Community Service Council for a term beginning June 19, 2009 and ending at the close of business April 21, 2012.

**Richard Romero**, Democrat, from Lorain, Lorain County, Ohio, as a Member of the Commission on Hispanic-Latino Affairs for a new term beginning December 5, 2007 and ending at the close of business October 7, 2010.

**Charles J. Ruma**, Independent, from Columbus, Franklin County, Ohio, as a Member of the Board of Building Standards for a term beginning November 9, 2009 and ending at the close of business October 13, 2013.

**Craig Self**, from Centerville, Montgomery County, Ohio, as a Member of the State Board of Emergency Medical Services for a new term beginning November 13, 2009 and ending at the close of business November 12, 2012.

**David Shanteau**, Republican, from Maineville, Warren County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning July 30, 2009 and ending at the close of business July 1, 2013, replacing Gregory Roberts, whose term expired.

**Minnie E. Shupert**, from Midland, Clinton County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Midland for a term beginning April 4, 2007 and continuing at the pleasure of the Governor.

**Jay A. Smith**, Republican, from Powell, Delaware County, Ohio, as a Member of the Ohio Community Service Council for a new term beginning June 19, 2009 and ending at the close of business April 21, 2012.



**Jayne P. Smoot**, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Elections Commission for a new term beginning October 29, 2009 and ending at the close of business December 31, 2012, replacing Yvette McGee Brown, who resigned.

**Steven M. Steinberg, MD**, Independent, from Columbus, Franklin County, Ohio, as a Member of the State Board of Emergency Medical Services for a term beginning November 13, 2009 and ending at the close of business November 12, 2012, replacing Jonathon Groner, who resigned.

**Steven L. Swart**, from Nelsonville, Athens County, Ohio, as a Member of the Hocking Technical College Board of Trustees for a new term beginning August 27, 2008 and ending at the close of business August 26, 2011.

**Sonia Troche**, Democrat, from Perrysburg, Wood County, Ohio, as a Member of the Commission on Hispanic-Latino Affairs for a term beginning October 30, 2009 and ending at the close of business October 7, 2012.

**Sarah M. Vance**, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Arts Council for a term beginning October 6, 2009 and ending at the close of business July 1, 2014, replacing Ginger Warner, whose term expired.

**Henry Warren Jr.**, Democrat, from Garfield Heights, Cuyahoga County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning March 31, 2008 and ending at the close of business January 31, 2014, replacing Oren Henry, whose term expired.

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

YES - 9: BILL HARRIS, KEITH L. FABER, STEPHEN BUEHRER, JON A. HUSTED, JOHN A. CAREY, KEVIN J. COUGHLIN, JASON H. WILSON, RAY MILLER, CAPRI S. CAFARO.

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 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Patton	Sawyer	Schaffer
Schiavoni	Schuring	Seitz	Stewart
Strahorn	Turner	Wagoner	Widener

Wilson

Harris-30.

So the Senate advised and consented to said appointments.

### **RESOLUTIONS REPORTED BY COMMITTEE**

**Am. S. C. R. No. 6**-Senators Grendell, Buehrer.

Cosponsors: Senators Coughlin, Gibbs, Schaffer, Seitz, Wagoner, Schuring, Faber.

To urge the President of the United States and the Congress of the United States to oppose the Freedom of Choice Act if introduced again during the 111th Congress.

WHEREAS, The Freedom of Choice Act (H.R. 1964 and S. 1173 of the 110th Congress) was introduced on April 19, 2007, and sought a declaration that it is the policy of the United States that every woman has the fundamental right to choose to bear a child, terminate a pregnancy prior to fetal viability, or terminate a pregnancy after fetal viability when necessary to protect her life or her health, and also sought a prohibition on federal, state, or local governmental entities from denying or interfering with a woman's right to exercise such choices or discriminating against the exercise of those rights in the regulation or provision of benefits, facilities, services, or information; and

WHEREAS, The Freedom of Choice Act is a radical attempt to enshrine abortion-on-demand into American law, to sweep aside existing laws that the majority of Americans support, such as requirements involving fully informed consent, parental involvement, and that licensed physicians perform abortions, and seeks to prevent states from enacting similar protective measures in the future; and

WHEREAS, The Freedom of Choice Act is a cynical attempt to prematurely end the debate over abortion and declare "victory" in the face of mounting evidence that the American public does not support the vast majority of abortions being performed in the United States each year and that abortion has a substantial negative impact on women; and

WHEREAS, Thirty-six years after *Roe v. Wade*, 410 U.S. 113(1973) abortion supporters are dismayed that abortion remains a divisive issue and that their radical agenda has not been submissively accepted by the American public; now therefore be it

RESOLVED, That we, the members of the 128th General Assembly of the State of Ohio, urge the President of the United States and the Congress of the United States to oppose the Freedom of Choice Act, should it or similar legislation be introduced during the 111th Congress; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the United States, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and the Secretary of the United States Senate, the members of the Ohio Congressional delegation, the Governor of the State of Ohio, and the news media of Ohio.

The question being, "Shall the concurrent resolution, **Am. S. C. R. No. 6**, be adopted?"

Senator Jones moved to amend as follows:

In line 5, delete "The" and insert "Thirty-seven years after *Roe v. Wade*, 410 U.S. 113 (1973) was decided on January 22, 1973, abortion supporters continue to advocate for policies that increase access to abortion, require health plans to include abortion coverage, and utilize taxpayer money to fund abortion; and

WHEREAS, In the current deliberations over a final version of comprehensive health care legislation, the United States Congress is considering provisions that may increase access to abortion, authorize direct or indirect federal or state funding for abortion services, require private insurers to offer health plans that include abortion coverage, and provide individuals with federally subsidized public health plans that include abortion coverage; and

Whereas, In previous sessions of Congress, legislation such as the"

In line 6, delete "was" and insert "has been"; delete "on April 19, 2007,"

In line 16, delete "The Freedom of Choice Act" and insert "Any federal legislation that increases access to abortion"

In line 23, delete "The Freedom of Choice Act is" and insert "Such federal legislation not only usurps the moral right of every American to condemn a practice that has a substantial negative impact on women and a deleterious effect on society as a whole, it also constitutes"

In line 27, delete all after "year"

Delete lines 28 through 31

In line 32, delete all before the semicolon

In line 35, after "oppose" insert "any legislation that in any manner increases access to or funding for abortion, including such provisions of any final version of comprehensive health care legislation or any legislation introduced during the 111th Congress that is the same as or similar to"

In line 36, delete all after "Act"

In line 37, delete "111th Congress"

In line 2 of the title, delete the second "the"

Delete line 3 of the title

In line 4 of the title, delete "the 111th Congress" and insert "any federal legislation that increases access to or funding for abortion"

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

The yeas and nays were taken and resulted - yeas 21, nays 9, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Gibbs	Gillmor	Goodman
Grendell	Hughes	Husted	Jones
Patton	Schaffer	Schuring	Seitz
Stewart	Wagoner	Widener	Wilson
			Harris-21.

Those who voted in the negative were: Senators

Cafaro	Kearney	Miller D	Miller R
Morano	Sawyer	Schiavoni	Strahorn
			Turner-9.

The motion was agreed to.

The question recurred, "Shall the concurrent resolution, **Am. S. C. R. No. 6**, be adopted?"

The yeas and nays were taken and resulted - yeas 21, nays 9, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Gibbs	Gillmor	Goodman
Grendell	Hughes	Husted	Jones
Patton	Schaffer	Schuring	Seitz
Stewart	Wagoner	Widener	Wilson
			Harris-21.

Those who voted in the negative were: Senators

Cafaro	Kearney	Miller D	Miller R
Morano	Sawyer	Schiavoni	Strahorn
			Turner-9.

So the concurrent resolution was adopted.

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

Senator Grendell moved to amend the title as follows:

Add the names: "Cates, Gillmor, Jones, Carey, Patton, Harris, Husted."

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

The motion was agreed to and the title so amended.

**S. C. R. No. 20**-Senators Buehrer, Coughlin.

Cosponsors: Senators Miller, D., Gibbs.

To reaffirm the sister-state relationship that the State of Ohio has with Taiwan Province of the Republic of China.

WHEREAS, In 1985, the State of Ohio established sister-state relations with Taiwan Province of the Republic of China (Taiwan) through joint actions undertaken by then Ohio Director of Agriculture Dale Locker and then Governor Chiu Chuang-huan of Taiwan Province. The State of Ohio and Taiwan enjoy a deep and longstanding partnership built on a shared dedication to freedom, democracy, and the market economy; and

WHEREAS, In 2007, Taiwan ranked as the seventh largest export market in the world for agricultural exports from the United States and was the fourth largest market for U.S. corn exports. In 2008, Ohio's exports to Taiwan increased in value from the prior year from \$301.45 million to \$412.15 million. Taiwan has imported a variety of Ohio products such as chemicals, machinery, crops, transportation equipment, and computers and electronics; and

WHEREAS, Between 1978 and 2007, Taiwan sent twenty-four procurement missions to the United States that have enhanced mutually beneficial trade relations and permanent friendship between the two nations. Most recently, as a result of a Taiwan Agricultural Mission to the United States, \$3.9 billion worth of products were purchased; and

WHEREAS, The Taiwanese government has invited delegations of leaders from Midwestern state legislatures to visit Taiwan, including leaders from the State of Ohio. Further, through the efforts of the Taipei Economic and Cultural Office in Chicago, Illinois, Taiwan and the State of Ohio have engaged in a variety of cultural exchanges, including visits to and from Ohio and Taiwan by teachers from both nations who are qualified in the study of languages, particularly English and Chinese, artistic performances in schools, educational programs conducted in both Ohio and Taiwan, and exhibits during Asian-Pacific American Heritage Month and Taiwanese-American Heritage Week; and

WHEREAS, The Taiwanese community in Ohio is an important contributor to Ohio's economy and the business and civic community of the state as well as supporting strong relations between Taiwan and the State of Ohio; and

WHEREAS, The government of Ohio, including the General Assembly, has been a cordial supporter of Taiwan's appeal to participate in the activities of the World Health Assembly of the World Health Organization and of the signing of a Free Trade Agreement between the United States and Taiwan; now therefore be it

RESOLVED, That we, the members of the 128th General Assembly of the State of Ohio, in adopting this resolution, reaffirm the sister-state relationship that the State of Ohio has with Taiwan Province and support exchanges between Ohio and Taiwan of all types that are mutually beneficial; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to Director General Perry Pei-hwang Shen of the Taipei Economic and Cultural Office in Chicago, Illinois; His Excellency Dr. Tsai Hsung Hsiung, Governor of Taiwan Province, the Republic of China; the Honorable Ted Strickland, Governor of Ohio; and the news media of Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 20**, be adopted?"

The yeas and nays were taken and resulted - yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Patton	Sawyer	Schaffer
Schiavoni	Schuring	Seitz	Stewart
Strahorn	Turner	Wagoner	Widener
Wilson			Harris-30.

So the concurrent resolution was adopted.

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

Senator Buehrer moved to amend the title as follows:

Add the names: "Harris, Patton, Seitz, Strahorn, Hughes, Turner, Miller, R.."

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

The motion was agreed to and the title so amended.

### **BILLS FOR THIRD CONSIDERATION**

**Sub. S. B. No. 186**-Senator Schuring.

Cosponsors: Senators Grendell, Fedor.

To amend sections 2915.01, 2915.02, and 2915.091 of the Revised Code to authorize a charitable organization to purchase, lease, and use instant bingo ticket dispensers, to specify that these dispensers are not slot machines, to modify the definitions of veteran's and fraternal organizations, to increase the number of times in a preceding year a veteran's or fraternal organization may lease premises to charitable organizations for festivals at which games of chance are conducted, and to allow a charitable organization to spend a

reasonable amount of its gross profit to pay property taxes and assessments on the premises where the organization conducts bingo, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 186**, pass?"

The yeas and nays were taken and resulted - yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Patton	Sawyer	Schaffer
Schiavoni	Schuring	Seitz	Stewart
Strahorn	Turner	Wagoner	Widener
Wilson			Harris-30.

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: "Cafaro, Gibbs, Gillmor, Goodman, Harris, Hughes, Kearney, Morano, Patton, Schaffer, Schiavoni, Seitz, Strahorn, Widener, Faber, Wagoner."

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

The motion was agreed to and the title so amended.

**S. B. No. 187**-Senator Seitz.

Cosponsor: Senator Sawyer.

To enact sections 5312.01 to 5312.15 of the Revised Code to establish the Ohio Planned Community Law, was considered the third time.

The question being, "Shall the bill, **S. B. No. 187**, pass?"

Senator Seitz moved to amend as follows:

Between lines 140 and 141, insert:

" (G) The board of directors of an owners association shall comply with all applicable state and federal laws concerning prohibitions against discrimination on the basis of race, color, religion, sex, military status, national origin, disability, age, or ancestry, including, but not limited to, Chapter 4112. of the Revised Code. No private right of action additional to those conferred by the

applicable state and federal anti-discrimination laws is conferred on any aggrieved individual by the preceding sentence."

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

The motion was agreed to.

The question recurred, "Shall the bill, **S. B. No. 187**, pass?"

The yeas and nays were taken and resulted - yeas 29, nays 1, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Patton	Sawyer	Schaffer
Schiavoni	Schuring	Seitz	Stewart
Strahorn	Turner	Wagoner	Wilson
			Harris-29.

Senator Widener voted in the negative-1.

So the bill passed.

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

Senator Seitz moved to amend the title as follows:

Add the names: "Cates, Gillmor, Grendell, Kearney, Miller, R., Patton, Harris, Hughes."

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

The motion was agreed to and the title so amended.

**Sub. S. B. No. 194**-Senator Kearney.

Cosponsors: Senators Miller, D., Fedor, Goodman, Jones, Morano, Turner, Schiavoni, Sawyer.

To amend section 5747.08 of the Revised Code to permit individual taxpayers to direct the state to transmit an income tax refund directly to the taxpayer's savings account or individual retirement account, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 194**, pass?"

The yeas and nays were taken and resulted - yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R



Morano  
Schiavoni  
Strahorn  
Wilson

Patton  
Schuring  
Turner

Sawyer  
Seitz  
Wagoner

Schaffer  
Stewart  
Widener  
Harris-30.

So the bill passed.

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

Senator Kearney moved to amend the title as follows:

Add the names: "Buehrer, Cafaro, Carey, Coughlin, Gibbs, Gillmor, Grendell, Harris, Hughes, Strahorn, Wagoner, Wilson, Patton, Seitz."

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

The motion was agreed to and the title so amended.

### MOTIONS

Senator Buehrer moved that Senators absent the week of Sunday, February 14, 2010, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

### INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

**S. B. No. 228**-Senators Goodman, Hughes.

Cosponsor: Senator Miller, D.

To enact section 4909.181 of the Revised Code to limit recovery of rate-case expenses for certain water-works and sewage disposal system companies.

**S. B. No. 229**-Senator Patton.

To amend section 4507.13 of the Revised Code to allow a notation on a driver's license that the licensee has suffered a traumatic brain injury.

**S. B. No. 230**-Senator Patton.

Cosponsors: Senators Grendell, Morano.

To amend section 4511.191 of the Revised Code to revise the drug abuse resistance education (D.A.R.E.) grant program funded by a portion of the license reinstatement fee charged to obtain a driver's license following an

OVI-related license suspension.

**S. B. No. 231**-Senators Schaffer, Wilson.

Cosponsors: Senators Gibbs, Goodman, Grendell, Morano, Seitz, Stewart, Turner.

To amend sections 1517.11, 1531.26, 5101.98, and 5747.113 and to enact section 5502.23 of the Revised Code to allow taxpayers to make contributions to the American Red Cross Ohio Disaster Response Readiness and Preparedness Fund through their income tax returns.

### 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:

**Sub. S. B. No. 131** -Senators Gillmor, Cafaro

Cosponsors: Senators Widener, Grendell, Schuring, Gibbs, Carey, Faber, Morano, Fedor, Goodman, Harris, Hughes, Kearney, Miller, D., Miller, R., Niehaus, Patton, Sawyer, Schaffer, Seitz, Smith, Stewart, Wagoner, Schiavoni  
Representatives Okey, Sayre, Adams, J., Adams, R., Balderson, Beck, Belcher, Blessing, Book, Boose, Brown, Bulp, Celeste, Chandler, Combs, Daniels, DeGeeter, Derickson, Dodd, Domenick, Driehaus, Dyer, Evans, Foley, Garland, Garrison, Goodwin, Goyal, Hackett, Harris, Harwood, Heard, Hite, Koziura, Letson, Luckie, Mallory, McClain, McGregor, Newcomb, Oelslager, Patten, Phillips, Pillich, Pryor, Ruhl, Skindell, Slesnick, Snitchler, Stebelton, Stewart, Uecker, Ujvagi, Wagner, Weddington, Williams, B., Winburn, Yuko, Zehringer

To amend sections 125.04, 5513.02, and 5747.77 and to enact sections 125.091, 125.092, 125.093, 3345.691, and 3345.692 of the Revised Code to require that the Director of Administrative Services establish a program that ensures that supplies composed of biobased products are purchased by the Department of Administrative Services, other state agencies, and state institutions of higher education, and to extend the income tax credit for retail sales of alternative fuel for two additional years.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Tom Sherman,  
Clerk.

Senator Faber moved that Senate Rule 44 be suspended and that **Sub. S. B.**

**No. 131** be brought up for a vote on concurrence.

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

The motion was agreed to.

The question being, "Shall the Senate concur in the House amendments to **Sub. S. B. No. 131**?"

The yeas and nays were taken and resulted - yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Patton	Sawyer	Schaffer
Schiavoni	Schuring	Seitz	Stewart
Strahorn	Turner	Wagoner	Widener
Wilson			Harris-30.

So the Senate concurred in the amendments of the House of Representatives.

On the motion of Senator Faber, the Senate adjourned until Thursday, February 18, 2010 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.