

OHIO

SENATE

JOURNAL

CORRECTED VERSION
TUESDAY, MARCH 10, 2009

TWENTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Tuesday, March 10, 2009, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Peter Foxx, Calvary Bible Church, Columbus, 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 Faber 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. 6-Representatives Patten, Schneider, et al.

To amend sections 5733.98 and 5747.98 and to enact sections 122.85, 5733.58, and 5747.66 of the Revised Code to authorize refundable, nontransferable credits against the corporation franchise tax or income tax for production of motion pictures in Ohio.

To the Committee on Ways and Means and Economic Development.

S. B. No. 63-Senator Fedor, et al.

To enact section 4501.026 of the Revised Code to require the registrar of motor vehicles and deputy registrars to inquire about an individual's veteran status, and, if given permission, to forward the veteran's personal information to the director of veterans services.

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

S. B. No. 64-Senator Coughlin, et al.

To enact sections 1751.69, 3923.651, and 5111.0210 of the Revised Code to require certain health care policies, contracts, agreements, and plans, as well as the state's Medicaid program, to provide benefits for colorectal examinations and laboratory tests for cancer.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 65-Senator Schaffer, et al.

To amend sections 4510.02, 4510.036, 4511.21, 4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.45, 4511.451, 4511.46, 4511.47, and 4513.39 and to enact section 4501.14 of the Revised Code to provide for increased penalties when a person violates the motor vehicle traffic law assured clear distance ahead provision or commits a failure to yield the right-of-way offense that results in serious physical harm or death to another person.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 66-Senator Faber, et al.

To amend sections 146.01, 146.12, and 742.45 of the Revised Code to provide health insurance benefits to dependents of volunteer firefighters killed in the line of duty.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 67-Senator Faber, et al.

To amend sections 2743.191 and 2971.05 and to enact sections 5122.51, 5122.52, 5122.53, 5122.54, 5122.55, 5122.56, 5122.57, 5122.58, 5122.59, 5122.60, and 5122.61 of the Revised Code to require that sexually violent predators who are released from prison be monitored by global positioning system devices, to require sexually violent predators to pay the cost of monitoring by global positioning system devices, and to authorize the civil commitment of certain sexually violent predators.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 68-Senator Sawyer, et al.

To enact section 4509.105 of the Revised Code to require the Registrar of Motor Vehicles to contract with a third party to implement an electronic insurance verification system in Ohio.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 69-Senator Cates, et al.

To amend sections 1713.55, 3332.25, 3345.85, and 3701.133 of the Revised Code to require that students living in on-campus housing at institutions of higher education be vaccinated for meningococcal meningitis and hepatitis B or obtain a waiver.

To the Committee on Health, Human Services and Aging.

S. J. R. No. 3-Senator Coughlin, et al.

Proposing to amend Section 2a of Article XII and to enact Section 2b of Article XII of the Constitution of the State of Ohio to limit increases in the taxable value of real property to two per cent per year.

To the Committee on Ways and Means and Economic Development.

YES - 5: KEITH L. FABER, MARK D. WAGONER, TOM NIEHAUS, CAPRI S. CAFARO, SHIRLEY A. SMITH.

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.

On the motion of Senator Faber the Senate advanced to the eighth order of business, Introduction and First Consideration of Bills.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 70-Senator Schiavoni.

Cosponsors: Senators Miller, D., Schuler, Smith, Seitz, Schuring, Miller, R., Turner, Wilson.

To amend section 725.07 of the Revised Code to allow municipalities to use the money derived from the sale of urban renewal bonds for the demolition of buildings located on tax delinquent property that constitute a public nuisance

due to blight.

S. B. No. 71-Senator Schiavoni.

Cosponsors: Senators Miller, D., Cafaro, Schuler, Morano, Carey, Smith, Seitz, Sawyer, Stewart, Turner.

To enact section 5533.95 of the Revised Code to designate a portion of Interstate 680 within Mahoning County as the "William Holmes McGuffey Memorial Highway."

S. B. No. 72-Senator Patton.

Cosponsor: Senator Hughes.

To enact section 3733.60 of the Revised Code to require railroad companies to maintain certain meeting, housing, and food service facilities according to certain specifications.

S. B. No. 73-Senators Niehaus, Wilson.

Cosponsors: Senators Carey, Seitz, Patton, Cafaro, Schuler.

To amend sections 1513.01, 1513.07, 1513.08, 1513.18, and 5749.02 of the Revised Code to revise the laws governing coal mining with regard to the imposition of a portion of the severance tax on coal and performance security and reclamation, and to declare an emergency.

S. B. No. 74-Senator Turner.

Cosponsors: Senators Miller, D., Miller, R., Sawyer, Morano.

To enact section 181.27 of the Revised Code to require the State Criminal Sentencing Commission to study sentencing for drug-related offenses and to report its findings and recommendations to the General Assembly.

S. B. No. 75-Senator Kearney.

Cosponsors: Senators Wilson, Fedor, Turner.

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.

S. B. No. 76-Senator Kearney.

Cosponsors: Senators Morano, Miller, D., Turner.

To enact sections 3742.55 and 3742.56 of the Revised Code to establish a grant program to pay lead hazard removal costs incurred by qualified homeowners and to make an appropriation.

OFFERING OF RESOLUTIONS

Senator Schuler offered the following concurrent resolution:

S. C. R. No. 7-Senator Schuler.

Cosponsors: Senators Fedor, Miller, D., Morano, Sawyer.

To designate the month of March 2009 as "Deep-Vein Thrombosis Awareness Month."

The question being, "Shall the concurrent resolution, **S. C. R. No. 7**, be adopted?"

On the motion of Senator Faber, **S. C. R. No. 7**, was referred to the Committee on Reference.

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

S. R. No. 17-Senator Cafaro.

Cosponsor: Senator Schiavoni.

Honoring Barb Neill as the recipient of a Meritorious Lifesaving Award.

S. R. No. 18-Senator Cafaro.

Cosponsor: Senator Schiavoni.

Honoring Albert Campana as the recipient of a Meritorious Lifesaving Award.

S. R. No. 19-Senator Cafaro.

Cosponsor: Senator Schiavoni.

Honoring Mike Grammer as the recipient of a Meritorious Lifesaving Award.

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

So the resolution 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, Lisa A. Aurilio, R.N., Democrat, from Twinsburg, Summit County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, 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 November 20, 2008 and ending at the close of business October 10, 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 20th day of November in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Pamela Williams Briggs, Democrat, from Mansfield, Richland County, Ohio, as a Member of the Board of Embalmers and Funeral Directors for a term

beginning August 29, 2008 and ending at the close of business June 30, 2013, replacing Ross C. DeJohn, 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 29th day of August in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Erskine E. Cade, from Cleveland, Cuyahoga County, Ohio, as a Member of the State Lottery Commission for a new term beginning October 6, 2008 and ending at the close of business August 1, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 6th day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Laurine A. Cetovich, Democrat, from Powell, Delaware County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Marie A. Cobb, Democrat, from Norton, Summit County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Ruby Crawford-Hemphill, Democrat, from Mason, Warren County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Henry F. Curtis, IV, from Cleveland, Cuyahoga County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning October 29, 2008 and ending at the close of business October 4, 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 29th day

of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Julie Marie Dunlea, from Canal Winchester, Fairfield County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Susan Jane Fairless, Republican, from Perrysville, Ashland County, Ohio, as a Member of the Recycling and Litter Prevention Advisory Council for a new term beginning November 19, 2008 and ending at the close of business November 18, 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 4th day of November in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Marjorie Greenfield, M.D., Democrat, from Pepper Pike, Cuyahoga County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Terry Hanker, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Real Estate Commission for a term beginning December 1, 2008 and ending at the close of business June 30, 2012, replacing Stephen Madru, 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 1st day of December in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Brian Hertz, from Pataskala, Licking County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board for a term beginning November 24, 2008 and ending at the close of business August 27, 2011, replacing Jody B. Benda, 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 24th day of November in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Melissa A. Higgs-Horwell, Democrat, from Chillicothe, Ross County, Ohio, as a Member of the Shawnee State University Board of Trustees for a term beginning September 19, 2008 and ending at the close of business June 30, 2017, replacing Klara Boynton Reynolds, 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 eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, James A. Hummel, Republican, from Dover, Tuscarawas County, Ohio, as a Member of the Bureau of Workers Compensation Board of Directors for a new term beginning August 8, 2008 and ending at the close of business June 12, 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 8th day of August in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

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

G. Jensen, Republican, from Waterville, Lucas County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Linda Kass, from Bexley, Franklin County, Ohio, as a Member of The Ohio State University Board of Trustees for a term beginning August 1, 2008 and ending at the close of business May 13, 2017, replacing Karen Lafferty Hendricks, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 1st day of August in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Kleia R. Luckner, Democrat, from Toledo, Lucas County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Charles A. McWeeny, Democrat, from Athens, Athens County, Ohio, as a Member of the Ohio Arts Council for a term beginning September 19, 2008 and ending at the close of business July 1, 2012, replacing Lois Rosenthal, 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 19th day of September in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Philip Messer, Independent, from Mansfield, Richland County, Ohio, as a Member of the Ohio Organized Crime Investigations Commission for a term beginning November 24, 2008 and ending at the close of business September 3, 2009, replacing Patricia Lane, 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 24th day of November in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Jay Mulligan, Democrat, from Cortland, Trumbull County, Ohio, as a Member of the Board of Building Appeals for a new term beginning October 27, 2008 and ending at the close of business October 13, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Angela R. Newland, from Hebron, Licking County, Ohio, as a Member of the State Board of Registration for Professional Engineers and Surveyors for a term beginning December 8, 2008 and ending at the close of business September 24, 2013, replacing Alan Olson, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 8th day of December in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, George P. Pettit, M.D., Democrat, from Portsmouth, Scioto County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Thomas R. Pitts, Democrat, from Akron, Summit County, Ohio, as a Member of the Bureau of Workers Compensation Board of Directors for a term beginning August 8, 2008 and ending at the close of business June 12, 2011, replacing Phillip J. Fulton, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 8th day of August in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Susan Sanford, Republican, from Castalia, Erie County, Ohio, as a Member of the Maternity and Newborn Advisory Council for a term beginning November 1, 2008 and ending at the close of business October 31, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 31st day of October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Robert Shenefield, Republican, from Toledo, Lucas County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a new term beginning December 1, 2008 and ending at the close of business July 2, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 1st day

of December in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Kathryn R. Shroder, Independent, from Warren, Trumbull County, Ohio, as a Member of the State Board of Psychology for a new term beginning October 27, 2008 and ending at the close of business October 5, 2013.

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 October in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Diana H. Talmage, Republican, from Toledo, Lucas County, Ohio, as a Member of the Owens State Community College Board of Trustees for a term beginning September 23, 2008 and ending at the close of business September 22, 2014.

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 September in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

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

Richard S. Williams, Democrat, from Oberlin, Lorain County, Ohio, as a Member of the Recycling and Litter Prevention Advisory Council for a new term beginning November 19, 2008 and ending at the close of business November 18, 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 4th day of November in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, James P. Wright, Republican, from Springfield, Clark County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a new term beginning December 1, 2008 and ending at the close of business July 2, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 1st day of December in the year of our Lord, two thousand and eight.

[Seal]

Ted Strickland,
Governor.

Said appointments were referred to the Committee on Rules.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Am. Sub. H. B. No. 2 -Representative Ujvagi

Cosponsors: Representatives Bolon, Boyd, Brown, Carney, Chandler, DeBose, Domenick, Dyer, Fende, Foley, Garrison, Hagan, Harris, Heard, Koziura, Letson, Luckie, Mallory, Otterman, Patten, Pillich, Pryor, Stewart, Sykes, Szollosi, Weddington, Williams, B., Williams, S., Winburn, Yates, Yuko

To amend sections 121.51, 125.11, 133.52, 151.01, 151.09, 151.40, 955.201, 1548.10, 1548.14, 2911.21, 2949.094, 3781.10, 3905.423, 4163.01, 4163.07, 4501.01, 4501.03, 4501.044, 4501.06, 4501.21, 4501.34, 4503.04, 4503.042, 4503.07, 4503.10, 4503.103, 4503.182, 4503.26, 4503.65,

4505.032, 4505.09, 4505.14, 4506.07, 4506.08, 4506.11, 4507.05, 4507.06, 4507.071, 4507.13, 4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 4511.01, 4511.093, 4511.181, 4511.191, 4511.213, 4513.03, 4513.263, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 4519.44, 4519.47, 4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 4981.02, 4981.02, 5501.03, 5501.311, 5501.34, 5502.03, 5502.39, 5502.67, 5502.68, 5515.01, 5515.07, 5517.011, 5525.01, 5525.15, 5531.09, 5537.07, 5537.99, 5735.06, and 5735.141; to enact sections 5.24, 121.53, 122.077, 123.153, 1519.20, 3905.425, 4163.08, 4163.09, 4501.026, 4511.108, 4981.40, 5502.131, 5525.012, 5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 5531.16, 5531.17, 5531.18, 5531.99, 5539.01, 5539.02, 5539.03, 5539.031, 5539.04, 5539.05, 5539.06, 5539.07, 5539.08, 5539.09, 5539.10, and 5539.11; and to repeal sections 955.202 and 5902.09 of the Revised Code and to amend Section 229.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended; and to amend Sections 217.10, 217.11, 239.10, 241.10, 243.10, 243.11, and 503.40 of Am. Sub. H.B. 562 of the 127th General Assembly to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2009, and ending June 30, 2011, to provide authorization and conditions for the operation of those and other programs, to appropriate federal stimulus moneys received under the American Recovery and Reinvestment Act of 2009, to repeal section 121.53 of the Revised Code on September 30, 2013.

Attest:

Tom Sherman,
Clerk.

Said bill was considered the first time.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rule No. 19 and 20, the Senate President makes the following appointment changes to the following Standing Committee effective through the close of business today, Tuesday, March 10, 2009:

Removes Senator Robert Schuler from the Standing Committee on Reference.

Appoints Senator Keith Faber to the Standing Committee on Reference.

Removes Senator Schuler as Chairman of the Standing Committee on Reference.

Appoints Senator Faber as Chairman of the Standing Committee on Reference.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rule No. 19, the President of the Senate removes Senator Wilson from the Senate Insurance, Commerce, and Labor Committee.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 3379.02 of the Ohio Revised Code, the President of the Senate appoints the following members to serve on the Ohio Arts Council:

Senator Coughlin
Senator Fedor

MESSAGE FROM THE PRESIDENT

Pursuant to Section 1501.25 of the Ohio Revised Code, the President of the Senate appoints the following members to serve on the Muskingum River Advisory Council:

Senator Stewart
Senator Wilson

MESSAGE FROM THE PRESIDENT

Pursuant to Section 4141.08 of the Ohio Revised Code, the President of the Senate appoints the following members to serve on the Unemployment Compensation Advisory Council:

Senator Buehrer (Chair, Senate Insurance, Commerce and Labor Committee)
Senator Gillmor
Senator Cafaro

On the motion of Senator Faber the Senate reverted to the sixth order of business, Bills for Third Consideration.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 42-Senator Schaffer.

Cosponsors: Senators Wagoner, Gibbs, Coughlin, Stewart, Hughes, Grendell.

To amend sections 2950.02, 2950.034, and 2950.04 of the Revised Code to specify that the restriction against offenders convicted of a sexually oriented offense or child-victim oriented offense establishing or occupying a residence near school, preschool, or child day-care premises generally applies regardless of when the offense was committed or the offender began living in the residence, to provide an exemption from the ban for offenders who occupy residential premises they or their spouse own at the time of occupancy and also owned prior to the ban's effective date, and to specify that a registration

requirement for children adjudicated delinquent for a sexually oriented offense and classified a juvenile offender registrant applies regardless of when the offense was committed, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 42**, 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 | Fedor | Gibbs |
| Gillmor | Goodman | Grendell | Hughes |
| Husted | Kearney | Miller D | Miller R |
| Morano | Niehaus | Patton | Sawyer |
| Schaffer | Schiavoni | Schuring | Seitz |
| Smith | Stewart | Turner | Wagoner |
| Widener | | | Wilson-30. |

So the bill passed.

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

Senator Schaffer moved to amend the title as follows:

Add the names: "Fedor, Patton, Turner, Widener, 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 Faber, the Senate adjourned until Wednesday, March 11, 2009 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.