

OHIO

SENATE

JOURNAL

WEDNESDAY, MARCH 24, 2010

ONE HUNDRED SIXTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 24, 2010, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Father Paul Noble, St. Matthew the Apostle Church, Gahanna, 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 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. 39-Representative Fende, et al.

To amend sections 3781.111, 3781.99, and 4511.69 of the Revised Code to require the removal of snow or ice from special parking locations designated for persons with disabilities and to name the act "The Thomas P. Ashbrock Memorial Act."

To the Committee on Highways and Transportation.

Sub. H. B. No. 276-Representative Sayre, et al.

To amend sections 324.01, 324.03, 1332.24, 2317.02, 2917.21, 2929.01, 4901.01, 4901.02, 4901.11, 4901.15, 4901.22, 4903.01, 4903.20, 4903.22, 4903.23, 4905.01, 4905.02, 4905.03, 4905.04, 4905.09, 4905.12, 4905.14, 4905.16, 4905.18, 4905.20, 4905.21, 4905.26, 4905.30, 4905.34, 4905.40, 4905.402, 4905.41, 4905.42, 4905.45, 4905.46, 4905.47, 4905.51, 4905.52, 4905.58, 4905.59, 4905.61, 4905.63, 4905.71, 4905.73, 4905.84, 4905.90, 4905.99, 4907.01, 4907.14, 4907.30, 4909.01, 4909.02, 4909.03, 4909.17, 4911.01, 4921.01, 4923.01, 4927.01, 4927.02, 4929.02, 4931.02, 4931.03, 4931.04, 4931.11, 4931.99, 4933.14, 4933.18, 4933.19, 4939.01, 5515.01, 5733.57, 6101.17, and 6115.21, to amend sections 4931.11 (4931.05) and 4931.35 (4931.06) for the purpose of adopting new section numbers as shown in parentheses, to enact new sections 4927.03 and 4927.04 and sections 4927.05, 4927.06, 4927.07, 4927.08, 4927.09, 4927.10, 4927.11, 4927.12, 4927.13, 4927.14, 4927.15, 4927.16, 4927.17, 4927.18, 4927.19, 4927.20, 4927.21, and 4931.01, and to repeal sections 4905.041, 4905.23, 4905.231, 4905.24, 4905.241, 4905.242, 4905.243, 4905.244, 4905.25, 4905.381, 4905.49, 4905.491, 4905.50, 4927.03, 4927.04, 4931.06, 4931.07, 4931.12, 4931.13, 4931.14, 4931.15, 4931.16, 4931.17, 4931.18, 4931.19, 4931.21,

4931.22, 4931.25, 4931.26, 4931.27, 4931.28, 4931.29, 4931.30, and 4931.31 of the Revised Code to revise state regulation of telephone companies, remove telegraph companies from utility regulation, and revise law concerning confidential information of public utilities.

To the Committee on Energy and Public Utilities.

S. B. No. 241-Senator Faber, et al.

To amend sections 123.01, 1505.07, and 1531.06, to enact sections 1501.50 and 1501.51, and to repeal sections 5119.40, 5120.12, and 5123.23 of the Revised Code to grant the Department of Natural Resources exclusive authority to enter into leases for oil and gas development on state land.

To the Committee on Environment and Natural Resources.

S. B. No. 242-Senators Grendell, Gillmor, et al.

To amend section 2919.121 of the Revised Code to revise the procedures governing a hearing by which a court may permit a pregnant minor to consent to an abortion or by which a court may give judicial consent for a pregnant minor to have an abortion and to require a court to make its findings with respect to such a hearing by clear and convincing evidence.

To the Committee on Judiciary - Civil Justice.

S. B. No. 243-Senator Buehrer, et al.

To amend section 3701.99 and to enact sections 3701.94 and 3701.95 of the Revised Code to prohibit human cloning, the creation, transportation, or receipt of a human-animal hybrid, the transfer of a nonhuman embryo into a human womb, and the transfer of a human embryo into a nonhuman womb.

To the Committee on Health, Human Services and Aging.

YES - 4: DAVID GOODMAN, SHIRLEY A. SMITH, TOM NIEHAUS, BILL HARRIS.

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 Carey submitted the following report:

The standing committee on Finance and Financial Institutions, to which was referred **Sub. H. B. No. 462**-Representative Sykes, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Carey, Miller, D., Sawyer, Smith.

YES - 11: TOM NIEHAUS, JIM HUGHES, KAREN GILLMOR, TOM PATTON, CHRIS WIDENER, JOHN A. CAREY, DALE MILLER, THOMAS SAWYER, SHIRLEY A. SMITH, ERIC H. KEARNEY, JIMMY STEWART.

NO - 0.

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

The report of the committee was accepted.

Senator Cates submitted the following report:

The standing committee on Education, to which was referred **S. B. No. 192**-Senators Cates, Seitz, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 6: GARY W. CATES, J. KIRK SCHURING, JOHN A. CAREY, BOB GIBBS, JON A. HUSTED, TOM NIEHAUS.

NO - 3: THOMAS SAWYER, SUSAN L. MORANO, TERESA FEDOR.

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

The report of the committee was accepted.

Senator Harris submitted the following report:

Pursuant to Senate Rule No. 37, the standing committee on Rules recommends that **Sub. H. B. No. 198**-Representatives Lehner, Ujvagi, et. al, having been referred to the standing committee on Insurance, Commerce and

Labor, be re-referred to the standing committee on Health, Human Services and Aging.

YES - 7: TOM NIEHAUS, STEPHEN BUEHRER, JOHN A. CAREY, KEVIN J. COUGHLIN, JON A. HUSTED, RAY MILLER, JASON H. WILSON.

NO - 0.

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

The report of the committee was accepted.

Senator Hughes submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **Sub. H. B. No. 48**-Representative Ujvagi, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Fedor, Hughes.

YES - 9: JIMMY STEWART, JOHN A. CAREY, TIMOTHY J. GRENDALL, BILL SEITZ, NINA TURNER, RAY MILLER, TERESA FEDOR, KEVIN J. COUGHLIN, JIM HUGHES.

NO - 0.

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

The report of the committee was accepted.

Senator Hughes submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 35**-Senator Stewart, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 22, correct the spelling of "agreement"

After line 34, insert:

" (D) The participation of any local law enforcement agency in a memorandum of agreement entered into by the attorney general is permissive."

YES - 5: JIMMY STEWART, JOHN A. CAREY, BILL SEITZ,
KEVIN J. COUGHLIN, JIM HUGHES.

NO - 3: TIMOTHY J. GRENDALL, NINA TURNER, TERESA
FEDOR.

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

The report of the committee was accepted.

Senator Hughes submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 150**-Senator Cates, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 5: JIMMY STEWART, JOHN A. CAREY, BILL SEITZ,
KEVIN J. COUGHLIN, JIM HUGHES.

NO - 4: TIMOTHY J. GRENDALL, TERESA FEDOR, RAY
MILLER, NINA TURNER.

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

The report of the committee was accepted.

Senator Hughes submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 218**-Senators Schaffer, Sawyer, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

Delete lines 51 and 52

In line 6 of the title, delete everything after "resource"

In line 7 of the title, delete everything before the period

YES - 8: JOHN A. CAREY, BILL SEITZ, KEVIN J. COUGHLIN,
JIM HUGHES, NINA TURNER, TERESA FEDOR,
JIMMY STEWART, TIMOTHY J. GRENDALL.

NO - 0.

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

The report of the committee was accepted.

Senator Schuring submitted the following report:

The standing committee on Agriculture, to which was referred **Sub. H. B. No. 414**-Representatives Sayre, Bolon, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Morano.

YES - 8: J. KIRK SCHURING, JOHN A. CAREY, BOB GIBBS,
FRED STRAHORN, KAREN GILLMOR, TIMOTHY J.
GRENDALL, SUSAN L. MORANO, JASON H.
WILSON.

NO - 0.

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

The report of the committee was accepted.

Senator Harris submitted the following report:

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

Kenneth R. Barker, Republican, from Galion, Crawford County, Ohio, as a Member of the Financial Planning and Supervision Commission for the City of Galion for a term beginning December 13, 2007 and continuing at the pleasure of the Governor, replacing Charles Miller, whose term expired.

Rebecca Blum Baute, from Mason, Warren County, Ohio, as a Member of the Ohio Medical Transportation Board for a new term beginning August 31, 2009 and ending at the close of business July 4, 2011.

Barbara Hammontree Bennett, Republican, from North Canton, Stark County, Ohio, as a Member of the Ohio Rail Development Commission for a new term beginning October 29, 2009 and ending at the close of business October 20, 2015.

James G. Bradley, Republican, from Huron, Erie County, Ohio, as a Member of the Ohio Rail Development Commission for a term beginning September 14, 2009 and ending at the close of business October 19, 2013, replacing Jolene Molitoris, who resigned.

George W. Byers, Jr., Republican, from London, Franklin County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning November 16, 2009 and ending at the close of business October 4, 2012.

Linda Dukes-Campbell, Democrat, from Beachwood, Cuyahoga County, Ohio, as a Member of the Central State University Board of Trustees for a term beginning October 8, 2009 and ending at the close of business June 30, 2018, replacing Oney Temple, whose term expired.

Louis J. Carson, Republican, from Lancaster, Fairfield County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning November 16, 2009 and ending at the close of business October 4, 2012.

Matthew D. Deliberato, from Brecksville, 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.

Marcia L. Fudge, from Warrensville Heights, 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, replacing Stephanie Tubbs-Jones, who passed away.

Robert E. Greenlese, Democrat, from Waterville, Lucas County, Ohio, as a Member of the Ohio Rail Development Commission for a new term beginning October 28, 2009 and ending at the close of business October 20, 2015.

Christopher J. Haydocy, Democrat, from Dublin, Franklin County, Ohio, as a Member of the Motor Vehicle Dealers Board for a term beginning April 15, 2008 and ending at the close of business October 4, 2010, replacing William Woeste, Jr., whose term expired.

Susan Vander Maas, Democrat, from Galion, Crawford County, Ohio, as a Member of the Financial Planning and Supervision Commission for the City of Galion for a term beginning December 13, 2007 and continuing at the pleasure of the Governor.

Jason E. McDonald, Democrat, from Marion, Marion County, Ohio, as a Member of the Motor Vehicle Dealers Board for a term beginning November 16, 2009 and ending at the close of business October 4, 2010, replacing R. Michael Taylor, who resigned.

Larry C. Sowers, Democrat, from Hilliard, Franklin County, Ohio, as a Member of the Ohio Rail Development Commission for a new term beginning November 4, 2009 and ending at the close of business October 20, 2015.

Hamilton P. Schwartz, MD, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Medical Transportation Board for a new term beginning October 19, 2009 and ending at the close of business July 5, 2011.

Danny L. Waugh, Democrat, from Wellston, Jackson County, Ohio, as a Member of the Financial Planning and Supervision Commission for the City of Wellston for a term beginning October 29, 2009 and continuing as provided in Section 118.05 (B)(2) of the Ohio Revised Code.

John S. Weisheit, from Galion, Crawford County, Ohio, as a Member of the

Financial Planning and Supervision Commission for the City of Galion for a term beginning December 13, 2007 and continuing at the pleasure of the Governor.

David C. Wilhelm, Democrat, from Bexley, Franklin County, Ohio, as a Member of the Ohio Cultural Facilities Commission for a term beginning March 6, 2008 and ending at the close of business December 31, 2010, replacing Ronald Pizzuti, whose term expired.

Harry Wilks, Democrat, from Hamilton, Butler County, Ohio, as a Member of the Miami University Board of Trustees for a term beginning February 28, 2008 and ending at the close of business February 28, 2017, replacing Kathleen M. Zouhary, whose term expired.

Arbor Wayne Williams, from Garfield 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.

Brian Younkin, Republican, from Columbus, Franklin County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning November 16, 2009 and ending at the close of business October 4, 2012.

Kelly A. Zachary, Democrat, from Canton, Stark County, Ohio, as a Member of the Stark State College of Technology Board of Trustees for a term beginning September 23, 2008 and ending at the close of business August 1, 2011, replacing Penny Sherrod-Campanizzi, whose term expired.

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

YES - 7: TOM NIEHAUS, STEPHEN BUEHRER, JON A. HUSTED, JOHN A. CAREY, KEVIN J. COUGHLIN, JASON H. WILSON, RAY MILLER.

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

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the Senate advised and consented to said appointments.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Sub. S. B. No. 77-Senator Goodman. Cosponsors: Senators Seitz, Miller, R., Stewart, Schuring, Miller, D., Kearney, Cates, Coughlin, Fedor, Gibbs, Gillmor, Harris, Husted, Niehaus, Patton, Sawyer, Schiavoni, Smith, Strahorn, Turner, Wagoner, Wilson, Morano. Representatives Amstutz, Bacon, Balderson, Batchelder, Beck, Belcher, Bolon, Boyd, Carney, Coley, Combs, Daniels, Derickson, Domenick, Driehaus, Dyer, Evans, Fende, Gardner, Garland, Garrison, Gerberry, Grossman, Hackett, Hagan, Hall, Harris, Heard, Hite, Hottinger, Koziura, Lehner, Letson, Maag, Martin, McClain, McGregor, Mecklenborg, Oelslager, Okey, Pillich, Ruhl, Sears, Snitchler, Sykes, Szollosi, Uecker, Ujvagi, Wachtmann, Wagner, Weddington.

To amend sections 109.573, 2901.07, 2953.21, 2953.23, 2953.31, 2953.32, 2953.321, 2953.35, 2953.51, 2953.54, 2953.55, 2953.71, 2953.72, 2953.73, 2953.74, 2953.75, 2953.76, 2953.77, 2953.78, 2953.79, 2953.81, 2953.83, and 2953.84, to enact sections 109.561, 2933.81, 2933.82, 2933.83, 2953.56, 2953.57, 2953.58, 2953.59, and 2953.60, and to repeal section 2953.82 of the Revised Code relative to the expansion of DNA testing for certain convicted felons, the elimination of the DNA testing mechanism for felons who pleaded guilty or no contest to the offense, the collection of DNA specimens from all persons eighteen years of age or older who are arrested for a felony offense, the sealing of the official records of persons who have their convictions vacated and set aside due to DNA testing, the preservation and accessibility of biological evidence in a criminal or delinquency investigation or proceeding, the improvement of eyewitness identification procedures, the electronic recording of custodial interrogations, and to provide that DNA records collected in the DNA database and fingerprints filed for record cannot be sealed unless certain circumstances apply, having been informally passed, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Sub. S. B. No. 77**?"

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

Those who voted in the affirmative were: Senators

- | | | | |
|-----------|----------|----------|------------|
| Buehrer | Carey | Cates | Coughlin |
| Faber | Fedor | Gibbs | Gillmor |
| Goodman | Hughes | Husted | Jones |
| Kearney | Miller D | Miller R | Morano |
| Niehaus | Patton | Sawyer | Schaffer |
| Schiavoni | Schuring | Seitz | Smith |
| Stewart | Strahorn | Turner | Wagoner |
| Widener | Wilson | | Harris-31. |

Senator Grendell voted in the negative-1.

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

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 48-Representative Ujvagi.

Cosponsors: Representatives Phillips, Murray, Pryor, Harris, Dodd, Lundy, Book, Letson, Fende, Yuko, Skindell, Goyal, Pillich, Williams, S., Belcher, Boyd, Brown, Carney, Celeste, Chandler, Daniels, Driehaus, Dyer, Foley, Garland, Garrison, Hagan, Harwood, Heard, Koziura, Luckie, Mallory, Newcomb, Okey, Otterman, Patten, Sayre, Schneider, Stewart, Szollosi, Weddington, Williams, B., Winburn. Senators Fedor, Hughes.

To amend sections 3.02, 133.06, 133.18, 302.03, 302.09, 303.11, 303.12, 303.25, 305.02, 305.31, 306.32, 306.321, 306.70, 306.71, 307.676, 307.677, 307.695, 307.697, 307.791, 307.94, 307.95, 322.02, 322.021, 324.02, 324.021, 345.03, 351.26, 503.02, 503.161, 503.24, 503.41, 504.01, 504.03, 505.13, 505.14, 511.01, 511.22, 511.27, 511.28, 511.33, 511.34, 513.06, 513.13, 513.18, 517.05, 519.11, 519.12, 519.25, 705.01, 707.21, 709.29, 709.39, 709.45, 709.462, 709.48, 709.50, 715.69, 715.691, 715.70, 715.71, 715.77, 718.01, 718.09, 718.10, 731.03, 731.28, 731.29, 733.09, 733.261, 733.262, 733.31, 733.48, 749.021, 755.01, 757.02, 759.25, 1515.28, 1545.21, 1545.36, 1711.30, 1901.07, 1901.10, 1901.31, 1907.13, 2101.43, 2301.02, 3311.053, 3311.059, 3311.21, 3311.213, 3311.22, 3311.231, 3311.25, 3311.26, 3311.37, 3311.38, 3311.50, 3311.73, 3316.08, 3318.06, 3318.061, 3318.361, 3354.12, 3355.02, 3355.09, 3357.02, 3357.11, 3375.19, 3375.201, 3375.211, 3375.212, 3501.02, 3501.05, 3501.39, 3503.19, 3505.01, 3505.10, 3505.32, 3506.02, 3509.01, 3509.03, 3509.04, 3509.05, 3511.01, 3511.02, 3511.03, 3511.04, 3511.05, 3511.06, 3511.08, 3511.09, 3511.10, 3511.11, 3511.12, 3511.13, 3513.01, 3513.02, 3513.041, 3513.05, 3513.052, 3513.121, 3513.122, 3513.151, 3513.251, 3513.253, 3513.254, 3513.255, 3513.256, 3513.257, 3513.259, 3513.263, 3513.30, 3513.31, 3513.311, 3513.312, 3519.08, 3519.16, 3709.051, 3709.071, 3709.29, 3767.05, 3769.27, 4117.10, 4301.33, 4301.331, 4301.332, 4301.333, 4301.334, 4301.356, 4301.421, 4301.424, 4303.29, 4305.14, 4504.021, 4504.15, 4504.16, 4504.21, 4928.20, 4929.26, 4931.51, 4931.52, 4931.53, 4951.44, 4955.05, 5705.19, 5705.191, 5705.195, 5705.199, 5705.20, 5705.21, 5705.211, 5705.212, 5705.213, 5705.217, 5705.218, 5705.219, 5705.2111, 5705.22, 5705.221, 5705.222, 5705.23, 5705.24, 5705.25, 5705.251, 5705.261, 5705.27, 5705.71, 5739.021, 5739.022, 5739.026, 5743.021, 5743.024, 5743.026, 5747.01, 5748.02, 5748.04, 5748.08, 6105.18, 6105.20, 6119.31, and 6119.32, and to enact sections 3501.012, 3503.191, 3511.021, 3511.14, 5906.01, 5906.02, 5906.03, and 5906.99, and to repeal section 3509.022 of the Revised Code and to amend Section 409.10 of Am. Sub. H.B. 1 of the 128th General Assembly to provide up to two weeks of leave for any employee who is the spouse, parent,

or a person who has or had legal custody of a member of the uniformed services who is called to active duty or is injured, wounded, or hospitalized while serving on active duty, to revise the election calendar, to revise the law governing absent voter's ballots for uniformed services and overseas voters to comply with federal law, and to make Persian Gulf, Afghanistan, and Iraq Conflicts veterans' bonuses tax deductible and to make an appropriation, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 48**, pass?"

Senator Fedor moved to amend as follows:

In line 74, after "3501.05," insert "3501.11,"

In line 9332, after the underlined period insert "The secretary of state may delegate to the boards of elections responsibilities for the implementation of that act, including responsibilities arising from amendments to that act made by the "Military and Overseas Voter Empowerment Act," Subtitle H of the National Defense Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, 123 Stat. 3190."

Between lines 9382 and 9383, insert:

"**Sec. 3501.11.** Each board of elections shall exercise by a majority vote all powers granted to the board by Title XXXV of the Revised Code, shall perform all the duties imposed by law, and shall do all of the following:

- (A) Establish, define, provide, rearrange, and combine election precincts;
- (B) Fix and provide the places for registration and for holding primaries and elections;
- (C) Provide for the purchase, preservation, and maintenance of booths, ballot boxes, books, maps, flags, blanks, cards of instructions, and other forms, papers, and equipment used in registration, nominations, and elections;
- (D) Appoint and remove its director, deputy director, and employees and all registrars, judges, and other officers of elections, fill vacancies, and designate the ward or district and precinct in which each shall serve;
- (E) Make and issue rules and instructions, not inconsistent with law or the rules, directives, or advisories issued by the secretary of state, as it considers necessary for the guidance of election officers and voters;
- (F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;
- (G) Provide for the issuance of all notices, advertisements, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised

Code;

(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;

(I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling this duty, each board of a county that uses voting machines, marking devices, or automatic tabulating equipment shall conduct a full vote of the board during a public session of the board on the allocation and distribution of voting machines, marking devices, and automatic tabulating equipment for each precinct in the county.

(J) Investigate irregularities, nonperformance of duties, or violations of Title XXXV of the Revised Code by election officers and other persons; administer oaths, issue subpoenas, summon witnesses, and compel the production of books, papers, records, and other evidence in connection with any such investigation; and report the facts to the prosecuting attorney or the secretary of state;

(K) Review, examine, and certify the sufficiency and validity of petitions and nomination papers, and, after certification, return to the secretary of state all petitions and nomination papers that the secretary of state forwarded to the board;

(L) Receive the returns of elections, canvass the returns, make abstracts of them, and transmit those abstracts to the proper authorities;

(M) Issue certificates of election on forms to be prescribed by the secretary of state;

(N) Make an annual report to the secretary of state, on the form prescribed by the secretary of state, containing a statement of the number of voters registered, elections held, votes cast, appropriations received, expenditures made, and other data required by the secretary of state;

(O) Prepare and submit to the proper appropriating officer a budget estimating the cost of elections for the ensuing fiscal year;

(P) Perform other duties as prescribed by law or the rules, directives, or advisories of the secretary of state;

(Q) Investigate and determine the residence qualifications of electors;

(R) Administer oaths in matters pertaining to the administration of the election laws;

(S) Prepare and submit to the secretary of state, whenever the secretary of state requires, a report containing the names and residence addresses of all incumbent county, municipal, township, and board of education officials serving in their respective counties;

(T) Establish and maintain a voter registration database of all qualified

electors in the county who offer to register;

(U) Maintain voter registration records, make reports concerning voter registration as required by the secretary of state, and remove ineligible electors from voter registration lists in accordance with law and directives of the secretary of state;

(V) Give approval to ballot language for any local question or issue and transmit the language to the secretary of state for the secretary of state's final approval;

(W) Prepare and cause the following notice to be displayed in a prominent location in every polling place:

"NOTICE

Ohio law prohibits any person from voting or attempting to vote more than once at the same election.

Violators are guilty of a felony of the fourth degree and shall be imprisoned and additionally may be fined in accordance with law."

(X) In all cases of a tie vote or a disagreement in the board, if no decision can be arrived at, the director or chairperson shall submit the matter in controversy, not later than fourteen days after the tie vote or the disagreement, to the secretary of state, who shall summarily decide the question, and the secretary of state's decision shall be final.

(Y) Assist each designated agency, deputy registrar of motor vehicles, public high school and vocational school, public library, and office of a county treasurer in the implementation of a program for registering voters at all voter registration locations as prescribed by the secretary of state. Under this program, each board of elections shall direct to the appropriate board of elections any voter registration applications for persons residing outside the county where the board is located within five days after receiving the applications.

(Z) On any day on which an elector may vote in person at the office of the board or at another site designated by the board, consider the board or other designated site a polling place for that day. All requirements or prohibitions of law that apply to a polling place shall apply to the office of the board or other designated site on that day.

(AA) Perform any duties with respect to voter registration and voting by uniformed services and overseas voters that are delegated to the board by law or by the rules, directives, or advisories of the secretary of state."

In line 9479, after " state" insert " or to the board of elections of the county in which the person's voting residence is located"

In line 9490, after " state" insert " or to the board of elections of the county in which the person's voting residence is located"

In line 9575, after " state" insert " or the board of elections of the county

in which the person's voting residence is located"

In line 9585, after " information" insert " that is confidential under state or federal law that is"

In line 9884, after " all" insert " other"; after the first " voters" delete the balance of the line

In line 9885, delete " uniformed services voters."

In line 9886, delete " other than in person"

In line 9887, delete " twenty-eighth" and insert " thirty-fifth"; delete " any" and insert " the"

In line 9888, delete all before the underlined period

Delete lines 9889 through 9893

In line 10224, after " state" insert " or to the board of elections of the county in which the person's voting residence is located"

In line 10357, delete " request" and insert " apply by electronic means to the office of the secretary of state or to the board of elections of the county in which the person's voting residence is located for"

In line 10358, after " ballot" delete the balance of the line

In line 10359, delete all before the underlined period

In line 10369, after " transmitted" insert " by the board of elections of the county in which the person's voting residence is located"

In line 10382, after " state" insert " , in coordination with the boards of elections."

In line 10383, delete " to allow such a person to" and insert " by which an absent uniformed services voter or overseas voter may"

In line 10394, delete " such" and insert " any"

In line 10401, after " information" insert " that is confidential under state or federal law that is"

In line 10403, after " about" insert " the votes cast on"

In line 19468, after "3501.05," insert "3501.11,"

In line 21 of the title, after "3501.05," insert "3501.11,"

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 48**, pass?"

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

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the bill passed.

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

Senator Hughes moved to amend the title as follows:

Add the names: "Cafaro, Faber, Grendell, Harris, Husted, Jones, Kearney, Miller, D., Miller, R., Morano, Niehaus, Patton, Sawyer, Schaffer, Schiavoni, Schuring, Smith, Strahorn, Turner, Wilson, Widener, Wagoner."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 102-Representative Book.

Cosponsors: Representatives Dodd, Williams, B., Harris, Yuko, Adams, J., Wagner, Gardner, Harwood, Huffman, Mecklenborg, Lehner, Okey, DeGeeter, Oelslager, Derickson, Jordan, Wachtmann, Amstutz, Domenick, Garrison, Boyd, Burke, Combs, Goodwin, Slesnick, Winburn, Letson, Carney, Balderson, Newcomb, Hagan, Adams, R., Bacon, Batchelder, Belcher, Blair, Blessing, Bolon, Boose, Brown, Bulp, Celeste, Chandler, Coley, Daniels, DeBose, Dolan, Driehaus, Dyer, Evans, Fende, Foley, Garland, Gerberry, Goyal, Grossman, Hackett, Hall, Heard, Hite, Hottinger, Jones, Koziura, Luckie, Lundy, Maag, Mandel, Martin, McClain, McGregor, Moran, Morgan, Murray, Otterman, Patten, Phillips, Pillich, Ruhl, Sayre, Sears, Skindell, Snitchler, Stautberg, Stewart, Sykes, Szollosi, Uecker, Ujvagi, Weddington, Zehringer. Senators Gillmor, Buehrer, Schuring, Morano, Miller, R., Smith.

To enact sections 2108.61 to 2108.63 of the Revised Code regarding umbilical cord blood donations, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 102**, pass?"

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

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted

Jones	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the bill passed.

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

Senator Gillmor moved to amend the title as follows:

Add the names: "Coughlin, Faber, Fedor, Gibbs, Goodman, Husted, Jones, Miller, D., Niehaus, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Stewart, Strahorn, Turner, Wagoner, Wilson, Harris, Hughes, Widener."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 313-Representatives Ujvagi, Winburn.

Cosponsors: Representatives Domenick, Patten, Murray, Hagan, Driehaus, Williams, B., Foley, Skindell, Williams, S., Letson, Stewart, Lehner, Yuko, Bacon, Belcher, Blair, Bolon, Boose, Boyd, Brown, Carney, Celeste, Chandler, Combs, DeBose, DeGeeter, Dyer, Fende, Garland, Garrison, Gerberry, Goyal, Grossman, Hackett, Harris, Heard, Koziura, Luckie, Mallory, Mecklenborg, Moran, Newcomb, Pillich, Szollosi, Weddington, Yates. Senators Miller, D., Schuring, Strahorn.

To amend sections 1.62, 135.35, 323.78, 349.01, 349.03, 349.04, 349.06, 349.14, 1724.02, 1724.03, 1724.04, 1724.05, 5705.19, and 5722.22 and to enact section 321.343 of the Revised Code to authorize a county with a population greater than 60,000 to organize a county land reutilization corporation, to authorize a county treasurer of a county with such a corporation to utilize the alternative redemption period in actions to foreclose abandoned lands, to immunize a county land reutilization corporation from liability for breach of a common law duty in connection with a parcel of land, to make other changes regarding county land reutilization corporations, to specify that county levies for Ohio state university extension services may be levied in excess of the ten-mill limitation, to authorize levies in excess of the ten-mill limitation for expenses of soil and water conservation districts, and to modify the New Community Authority Law, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 313**, pass?"

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

Those who voted in the affirmative were: Senators

Buehrer	Carey	Coughlin	Faber
Fedor	Gibbs	Gillmor	Goodman
Grendell	Hughes	Husted	Jones
Kearney	Miller D	Miller R	Morano
Niehaus	Patton	Sawyer	Schaffer
Schiavoni	Schuring	Seitz	Smith
Stewart	Strahorn	Turner	Wagoner
Widener	Wilson		Harris-31.

Senator Cates voted in the negative-1.

So the bill passed.

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

Senator Fedor moved to amend the title as follows:

Add the names: "Cafaro, Fedor, Harris, Kearney, Miller, R., Morano, Sawyer, Schiavoni, Smith, Strahorn, Turner, Wilson, Gibbs, Wagoner."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 414-Representatives Sayre, Bolon.

Cosponsors: Representatives Boose, Hite, Ruhl, Derickson, Pryor, Weddington, Domenick, Zehringer, Wagner, Adams, R., Balderson, Book, Bupp, Carney, Coley, Combs, Daniels, DeBose, Dyer, Evans, Garland, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hall, Hottinger, Luckie, Lundy, McClain, Murray, Newcomb, Snitchler, Uecker, Williams, B., Winburn, Yuko. Senator Morano.

To amend section 102.02 and to enact sections 904.01 to 904.09 of the Revised Code to establish requirements and responsibilities of the Ohio Livestock Care Standards Board and the Director of Agriculture in administering and enforcing the rules adopted by the Board that govern the care and well-being of livestock in this state, 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 30, nays 2, as follows:

Those who voted in the affirmative were: Senators

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

Wilson

Harris-30.

Senators Coughlin and Smith voted in the negative-2.

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

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	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 Gibbs moved to amend the title as follows:

Add the names: "Buehrer, Gibbs, Harris, Husted, Jones, Niehaus, Patton, Schaffer, Seitz, Strahorn, Wagoner, Widener, Wilson, Hughes, Faber, Kearney."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 462-Representative Sykes.

Cosponsors: Representatives Chandler, Domenick, Driehaus, Dyer, Foley, Garland, Harris, Koziura, Letson, Stewart, Szollosi, Williams, B., Winburn, Yuko. Senators Carey, Miller, D., Sawyer, Smith.

To make capital reappropriations for the biennium ending June 30, 2012, and certain capital appropriations, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 462**, pass?"

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

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor

Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Strahorn	Turner
Wagoner	Widener	Wilson	Harris-32.

So the bill passed.

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

Senator Carey moved to amend the title as follows:

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

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

The motion was agreed to and the title so amended.

Am. S. B. No. 35-Senator Stewart.

Cosponsor: Senator Seitz.

To enact section 109.45 of the Revised Code to direct the Attorney General to pursue a memorandum of agreement that permits the enforcement of federal immigration laws in this state by law enforcement officers, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 35**, pass?"

The yeas and nays were taken and resulted - yeas 21, nays 11, as follows:

Those who voted in the affirmative were: Senators

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

Those who voted in the negative were: Senators

Fedor	Grendell	Kearney	Miller D
Miller R	Morano	Sawyer	Schiavoni
Smith	Strahorn		Turner-11.

So the bill passed.

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

Senator Stewart moved to amend the title as follows:

Add the names: "Cates, Faber, Gibbs, Harris, Niehaus, Patton, Schaffer, Schuring."

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

The motion was agreed to and the title so amended.

S. B. No. 150-Senator Cates.

Cosponsors: Senators Buehrer, Gibbs, Seitz, Schaffer, Patton, Schuring, Husted.

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, was considered the third time.

The question being, "Shall the bill, **S. B. No. 150**, pass?"

The yeas and nays were taken and resulted - yeas 22, nays 10, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Gibbs	Gillmor	Goodman
Hughes	Husted	Jones	Niehaus
Patton	Sawyer	Schaffer	Schuring
Seitz	Stewart	Wagoner	Widener
Wilson			Harris-22.

Those who voted in the negative were: Senators

Fedor	Grendell	Kearney	Miller D
Miller R	Morano	Schiavoni	Smith
Strahorn			Turner-10.

So the bill passed.

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

Senator Cates moved to amend the title as follows:

Add the names: "Faber, Hughes, Harris, Niehaus."

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

The motion was agreed to and the title so amended.

S. B. No. 192-Senators Cates, Seitz.

Cosponsors: Senators Niehaus, Buehrer, Wagoner.

To amend section 3319.081 and to enact section 3319.0810 of the Revised Code to permit non-Civil Service school district boards to terminate positions of district transportation employees for reasons of economy and efficiency and to contract with independent agents to provide transportation services as long as certain conditions are satisfied, was considered the third time.

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

The yeas and nays were taken and resulted - yeas 18, nays 14, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Gibbs	Gillmor	Goodman
Grendell	Husted	Jones	Niehaus
Schaffer	Schuring	Seitz	Wagoner
Widener			Harris-18.

Those who voted in the negative were: Senators

Fedor	Hughes	Kearney	Miller D
Miller R	Morano	Patton	Sawyer
Schiavoni	Smith	Stewart	Strahorn
Turner			Wilson-14.

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: "Gibbs, Gillmor, Goodman, Harris."

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, March 21, 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 bill was introduced and considered the first time:

S. B. No. 244-Senators Jones, Grendell.

Cosponsors: Senators Buehrer, Carey, Gibbs, Schaffer, Seitz.

To enact section 3901.711 of the Revised Code to prohibit requiring an individual to obtain or maintain a policy of health insurance.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 189-Senator Gillmor.

Cosponsors: Senators Wagoner, Fedor, Faber.

In memory of Arthur Jibilian.

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

So the resolution was 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, Samar I. Ahmad, Independent, from Powell, Delaware County, Ohio, as a Member of the Minority Development Financing Advisory Board for a term beginning January 19, 2010 and ending at the close of business September 30, 2016, replacing Julia McNeil Benton, 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 January in the year of our Lord, two thousand and ten.

[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,

Dorothy S. Blaner, Democrat, from Toronto, Jefferson County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning December 14, 2009 and ending at the close of business October 16, 2010.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 14th day of December in the year of our Lord, two thousand and nine.

[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, Barbara P. Fleming, Ph.D, Democrat, from Yellow Springs, Greene County, Ohio, as a Member of the National Museum of Afro-American History and Culture Planning Committee for a term beginning January 19, 2010 and ending at the close of business January 31, 2012, replacing George Clark, 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 January in the year of our Lord, two thousand and ten.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Patricia L. Fletcher, Democrat, from Steubenville, Jefferson County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning December 14, 2009 and ending at the close of business October 16, 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 14th day of December in the year of our Lord, two thousand and nine.

[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, Presley Gillespie, Democrat, from Youngstown, Mahoning County, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning December 14, 2009 and ending at the close of business October 16, 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 14th day of December in the year of our Lord, two thousand and nine.

[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 T. Gilmore, Democrat, from Steubenville, Jefferson County, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning December 14, 2009 and ending at the close of business October 16, 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 14th day of December in the year of our Lord, two thousand and nine.

[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, Gene

Horney, 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 January 20, 2010 and continuing as provided in Section 118.05 (B)(2) of the Ohio Revised Code, replacing Stephen Fields, 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 20th day of January in the year of our Lord, two thousand and ten.

[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, Sherri J. Hughes, Republican, from Dublin, Franklin County, Ohio, as a Member of the Hearing Aid Dealers and Fitters Licensing Board for a new term beginning January 26, 2010 and ending at the close of business January 25, 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 26th day of January in the year of our Lord, two thousand and ten.

[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, Tracey L. Lloyd, Democrat, from St. Clairesville, Belmont County, Ohio, as a Member of the Financial Planning and Supervision Commission for Bellaire Local School District for a term beginning January 20, 2010 and continuing as provided in Section 118.05 (B)(2) of the Ohio Revised Code.

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 January in the year of our Lord, two thousand and ten.

[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, Joseph D. Lewis, Democrat, from Beavercreek, Greene County, Ohio, as a Member of the National Museum of Afro-American History and Culture Planning Committee for a term beginning January 19, 2010 and ending at the close of business January 31, 2012, replacing Shirley Kilpatrick, 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 January in the year of our Lord, two thousand and ten.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, William R. Martin, Democrat, from Concord, Lake County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning January 19, 2010 and ending at the close of business January 31, 2015, replacing Charles Ruma, 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 January in the year of our Lord, two thousand and ten.

[Seal]

Ted Strickland,
Governor.

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, William E. Mullane, Democrat, from Warren, Trumbull County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning December 14, 2009 and ending at the close of business October 16, 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 14th day of December in the year of our Lord, two thousand and nine.

[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, Tracy Ruegg, Democrat, from Powell, Delaware County, Ohio, as a Member of the Board of Nursing for a term beginning January 25, 2010 and ending at the close of business December 31, 2013, replacing Janet Boeckman, 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 25th day of January in the year of our Lord, two thousand and ten.

[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, Molly S. Seals, Democrat, from Canfield, Mahoning County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning February 5, 2010 and ending at the close of business October 16, 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 5th day of February in the year of our Lord, two thousand and ten.

[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, Kathi McNabb Welsh, from Boardman, Mahoning County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning February 5, 2010 and ending at the close of business October 16, 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 5th day of February in the year of our Lord, two thousand and ten.

[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, Esther P. Williams, Democrat, from Wilberforce, Greene County, Ohio, as a Member of the National Museum of Afro-American History and Culture Planning Committee for a term beginning January 19, 2010 and ending at the close of business January 31, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 19th day of January in the year of our Lord, two thousand and ten.

[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, Dante J. Zambrini, Democrat, from Canfield, Mahoning County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning December 14, 2009 and ending at the close of business October 16, 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 14th day of December in the year of our Lord, two thousand and nine.

[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 concurred in the passage of the following bill:

Sub. S. B. No. 165 -Senator Niehaus

Cosponsors: Senators Gibbs, Stewart, Carey, Harris, Seitz, Hughes, Schaffer, Wilson, Cates, Wagoner, Coughlin Representatives Domenick, Boose, Hite, Balderson, Adams, J., Adams, R., Amstutz, Batchelder, Beck, Bulp, Carney, Chandler, Coley, Combs, Daniels, DeBose, Derickson, Evans, Gardner, Garland, Garrison, Gerberry, Grossman, Hall, Hottinger, Huffman, Koziura, Letson, Luckie, Martin, McClain, Phillips, Ruhl, Sayre, Snitchler, Stebelton, Szollosi, Uecker, Walter, Weddington, Yuko, Zehringer

To amend sections 1509.01, 1509.02, 1509.03, 1509.04, 1509.05, 1509.06, 1509.07, 1509.071, 1509.072, 1509.10, 1509.11, 1509.12, 1509.13, 1509.14, 1509.17, 1509.18, 1509.20, 1509.21, 1509.22, 1509.221, 1509.222, 1509.225, 1509.226, 1509.23, 1509.24, 1509.27, 1509.31, 1509.35, 1509.36, 1565.07, 1565.13, 1571.05, 5703.052, 5703.21, 5749.01, 5749.03, 5749.06, 5749.07, 5749.08, 5749.10, 5749.12, 5749.13, 5749.14, 5749.15, and 5749.17 and to enact sections 1509.021, 1509.041, 1509.062, 1509.073, 1509.181, 1509.19, 1509.34, 1509.50, 1509.60, 1509.61, 1571.18, and 4929.041 of the Revised Code to revise the Oil and Gas Law.

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

Attest:

Tom Sherman,
Clerk.

Senator Niehaus moved that Senate Rule No. 44 be suspended and that the

House amendments to **Sub. S. B. No. 165** be brought up for consideration.

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. 165**?"

The yeas and nays were taken and resulted - yeas 26, nays 6, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Hughes	Husted	Jones
Kearney	Morano	Niehaus	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Stewart	Strahorn	Wagoner	Widener
Wilson			Harris-26.

Senators Grendell, Miller D, Miller R, Patton, Smith, and Turner voted in the negative-6.

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

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 bills:

Sub. S. B. No. 85 -Senator Stewart

Cosponsors: Senators Seitz, Wagoner, Fedor, Harris, Hughes, Husted, Kearney, Miller, D., Morano, Patton, Sawyer, Smith, Turner, Wilson
 Representatives Gerberry, Lundy, Belcher, Williams, B., Daniels, Hite, Stebelton, Bacon, Balderson, Blair, Bolon, Book, Boose, Brown, Bulp, Carney, Chandler, Coley, Combs, DeBose, Derickson, Domenick, Dyer, Evans, Gardner, Garland, Garrison, Grossman, Hackett, Hagan, Harris, Heard, Letson, Luckie, Mallory, Mandel, McClain, Moran, Murray, Patten, Phillips, Ruhl, Sayre, Snitchler, Stewart, Weddington, Winburn, Yuko, Zehringer

To enact sections 9.29, 735.054, 6101.161, 6103.101, 6115.201, and 6119.101 of the Revised Code to authorize certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of a water storage tank through a professional service contract under specified conditions.

Sub. S. B. No. 147 -Senator Hughes

Cosponsors: Senators Faber, Fedor, Goodman, Grendell, Miller, R., Wilson,

Carey, Wagoner, Stewart, Buehrer, Cates, Gibbs, Jones, Miller, D., Morano, Patton, Schaffer, Schiavoni, Smith, Turner, Harris, Strahorn Representatives Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Batchelder, Beck, Belcher, Blair, Blessing, Bolon, Boose, Boyd, Brown, Bubp, Burke, Carney, Celeste, Chandler, Coley, Combs, Daniels, DeBose, Derickson, Dodd, Domenick, Driehaus, Dyer, Evans, Fende, Gardner, Garland, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, Hall, Harris, Harwood, Hite, Hottinger, Huffman, Jordan, Koziura, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Mecklenborg, Morgan, Murray, Oelslager, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Reece, Ruhl, Sayre, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Szollosi, Uecker, Wachtmann, Walter, Weddington, Williams, B., Winburn, Yuko, Zehringer

To amend section 4717.27 of the Revised Code to give the right of disposal to the United States Secretary of Veterans Affairs regarding unclaimed cremated remains of persons who are entitled to be buried in a national cemetery.

Attest:

Tom Sherman,
Clerk.

On the motion of Senator Niehaus, the Senate recessed until 5:48 p.m.

The Senate met pursuant to the recess.

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. 155 -Senators Carey, Miller, D.
Cosponsors: Senators Buehrer, Cafaro, Fedor, Gibbs, Goodman, Harris, Hughes, Kearney, Morano, Niehaus, Schaffer, Schiavoni, Strahorn, Widener, Gillmor, Turner, Sawyer, Smith, Miller, R. Representatives Sykes, Bolon, Boyd, Celeste, Chandler, Brown, Dyer, Fende, Luckie, Driehaus, Garrison, Garland, Goodwin, Balderson, Book, Boose, Bubp, Carney, Coley, Combs, Derickson, Dodd, Domenick, Evans, Foley, Gardner, Gerberry, Hagan, Harris, Harwood, Hite, Hottinger, Letson, Mallory, McClain, Murray, Newcomb, Oelslager, Patten, Phillips, Pillich, Pryor, Slesnick, Szollosi, Uecker, Walter, Williams, B., Yuko

To amend sections 117.13, 1515.14, 3306.052, 3734.901, 4141.301, 4582.06, 4582.48, and 5747.08 of the Revised Code and to amend Sections 281.20, 343.40, and 371.50.90 of Am. Sub. H.B. 1 of the 128th General Assembly to require that the costs of all biennial audits of state agencies be charged to the state agency being audited, to alter the allocation of the proceeds of the existing fee on the sale of new tires in order to provide funding for the Soil and Water Conservation District Assistance Fund, to increase the maximum amount of the annual soil and water conservation district subsidy, to permit individual taxpayers to direct the state to transmit an income tax refund directly to certain accounts, to allow the use of the state on and off triggers for state extended unemployment benefits using the total unemployment rate and the payment of high-unemployment period benefits if the benefits are federally funded, to modify the computation of payments for career-technical education for certain school districts for fiscal years 2010 and 2011, to modify the effective date of certain changes to the Uniform Public Securities Law made in Am. Sub. H.B. 1 of the 128th General Assembly, to establish that the final maturity for a port authority revenue bond must not be later than 45 years after the issuance of the bond rather than 40 years, to make changes to the eTech Ohio clearinghouse, to transfer the Louvee Theater Project from Rio Grande Community College to Ohio University, to redirect certain capital appropriations, to modify appropriation intent language, and to declare an emergency.

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

Attest: Tom Sherman,
Clerk.

Senator Niehaus moved that Senate Rule No. 44 be suspended and that the House amendments to **Sub. S. B. No. 155** be brought up for consideration.

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

The motion was agreed to.

The question being, "Shall the section, Section 14, 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 0, as follows:

Those who voted in the affirmative were: Senators

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

Widener Wilson Harris-31.

So the section, Section 14, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the Senate concur in the House amendments to **Sub. S. B. No. 155?**"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

- | | | | |
|-----------|----------|----------|------------|
| Buehrer | Carey | Cates | Coughlin |
| Faber | Fedor | Gillmor | Goodman |
| Grendell | Hughes | Husted | Jones |
| Kearney | Miller D | Miller R | Morano |
| Niehaus | Patton | Sawyer | Schaffer |
| Schiavoni | Schuring | Seitz | Smith |
| Stewart | Strahorn | Turner | Wagoner |
| Widener | Wilson | | Harris-31. |

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

On the motion of Senator Niehaus, the Senate adjourned until Thursday, March 25, 2010 at 11:00 o'clock a.m.

Attest: VINCENT L. KEERAN, Clerk.