

**OHIO**

**SENATE**

**JOURNAL**

**THURSDAY, MARCH 25, 2010**

ONE HUNDRED SIXTY-EIGHTH DAY  
Senate Chamber, Columbus, Ohio  
**Thursday, March 25, 2010, 11:00 o'clock a.m.**

The Senate met pursuant to adjournment.

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

**OFFERING OF RESOLUTIONS**

Senator Gibbs offered the following concurrent resolution:

**S. C. R. No. 27**-Senator Gibbs.

Cosponsors: Senators Grendell, Seitz, Buehrer.

To urge the Congress of the United States to adopt legislation invalidating regulations of the United States Environmental Protection Agency related to greenhouse gases.

The question being, "Shall the concurrent resolution, **S. C. R. No. 27**, be adopted?"

On the motion of Senator Sawyer, **S. C. R. No. 27**, was referred to the Committee on Reference.

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

**S. R. No. 190**-Senator Kearney.

Honoring Bishop E. Lynn Brown on his retirement from the Christian Methodist Episcopal Church.

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, Jagdish K. Bhati, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of

the Miami University Board of Trustees for a term beginning March 5, 2010 and ending at the close of business February 28, 2019, replacing Fred Wall, 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 5th day of March 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 J. Bishilany, Republican, from Seven Hills, Cuyahoga County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning February 24, 2010 and ending at the close of business January 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 24th 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, Lisa M. Chambers, from Columbus, Franklin County, Ohio, as a Member of the Ohio Tuition Trust Authority for a new term beginning February 26, 2010 and ending at the close of business January 30, 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 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, Brian Galligher, Democrat, from Delaware, Delaware County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning February 24, 2010 and ending at the close of business January 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 24th 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, Allen L. Gruber, Democrat, from Marion, Marion County, Ohio, as a Member of the State Emergency Response Commission for a term beginning February 24, 2010 and ending at the close of business January 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 24th 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, Renee Jessen, Independent, from Berkey, Lucas County, Ohio, as a Member of the State Veterinary Medical Licensing Board for a new term beginning February 26, 2010 and ending at the close of business December 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 26th 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, Jerome W. Jones, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Development Financing Advisory Council for a term beginning March 5, 2010 and ending at the close of business December 31, 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 5th day of March 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, Ali Keyhani, Ph.D, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Power Siting Board for a term beginning March 5, 2010 and ending at the close of business January 10, 2014, replacing Lory Wagner, 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 5th day of March 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, Timothy L. Kolb, DVM, Democrat, from Delaware, Delaware County, Ohio, as a Member of the State Veterinary Medical Licensing Board for a term beginning February 26, 2010 and ending at the close of business December 31, 2012, replacing Darell Gitz, 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 26th 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, Laura Kramer Kuns, Democrat, from Highland Heights, Cuyahoga County, Ohio, as a Member of the State Board of Sanitarian Registration for a term beginning March 5, 2010 and ending at the close of business August 14, 2012, replacing Angela Townsend, 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 5th day of March 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, Raenell L. Nagel, Democrat, from Columbus, Franklin County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning

February 24, 2010 and ending at the close of business January 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 24th 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, Jack R. Pounds, Republican, from Dublin, Franklin County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning February 24, 2010 and ending at the close of business January 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 24th 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, Timothy W. Ratliff, Republican, from Winchester, Brown County, Ohio, as a Member of the Wildlife Council for a term beginning February 26, 2010 and ending at the close of business January 30, 2014, replacing Howard Calhoun, 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 26th 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, Paul A. Stull, Republican, from Dayton, Montgomery County, Ohio, as a Member of the State Veterinary Medical Licensing Board for a term beginning February 26, 2010 and ending at the close of business December 31, 2012, replacing Janet Small, 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 26th 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, Nicholas C. York, Democrat, from Avon Lake, Lorain County, Ohio, as a Member of the University of Akron Board of Trustees for a term beginning March 5, 2010 and ending at the close of business July 1, 2014, replacing Jack Morrison, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 5th day of March in the year of our Lord, two thousand and ten.

[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 bills in which the concurrence of the Senate is requested:

**Am. Sub. H. B. No. 377** -Representative Garrison



Cosponsors: Representatives Okey, Murray, Harris, Domenick, Williams, B., Phillips, Pryor, Goyal, Luckie, Newcomb, Pillich, Slesnick, Dyer, Book, Fende, Yuko, Brown, Chandler, Yates, Winburn, Bolon, Stewart

To amend sections 2961.01, 2967.16, 3501.38, 3519.01, 3519.05, and 3519.21 and to enact sections 3519.011, 3519.012, and 3519.013 of the Revised Code to prohibit persons who have been convicted of or pleaded guilty to an offense involving identity theft, forgery, or fraud from witnessing or circulating election petitions, to require entities that provide compensation to circulators of initiative or referendum petitions to be licensed, to require such an entity's license to be revoked if it authorizes or knowingly permits violations of the law governing election petitions, to require circulators of initiative or referendum petitions to register with the secretary of state, to provide for public input in the determination of ballot titles, and to require the title of an initiative or referendum petition to be submitted to the Attorney General for review.

**Am. Sub. H. B. No. 398** -Representatives Newcomb, Lehner

Cosponsors: Representatives Harwood, Derickson, Domenick, Grossman, Garland, Hagan, Evans, Snitchler, Phillips, Williams, B., Dyer, Fende, Wachtmann, Ruhl, Hackett, Letson, Stebelton, Harris, Bubp, Hottinger, Stautberg, Pillich, Murray, Driehaus, Brown, McClain, Weddington, Mallory, Goyal, Baker, Blessing, Dolan, Yuko, Okey, Foley

To amend sections 173.401, 173.501, 3702.51, 3702.59, 5111.65, 5111.651, 5111.68, 5111.681, 5111.685, 5111.686, 5111.688, 5111.874, 5111.875, and 5111.894; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5111.688 (5111.689); and to enact new section 5111.688 and section 173.404 of the Revised Code; and to amend Section 209.20 of Am. Sub. H.B. 1 of the 128th General Assembly to revise the waiting list provisions of the PASSPORT, PACE, and Assisted Living programs, to revise the law governing the collection of long-term care facilities' Medicaid debts, and to revise the law governing the reasons for denying a Certificate of Need application.

**Sub. H. B. No. 415** -Representatives DeBose, Garland

Cosponsors: Representatives Ujvagi, Domenick, Williams, B., Pillich, Celeste, Boyd, Bacon, Bolon, Brown, Carney, Chandler, Combs, Dodd, Evans, Fende, Garrison, Goyal, Grossman, Hagan, Harris, Heard, Koziura, Lehner, Letson, Luckie, Mallory, Newcomb, Oelslager, Phillips, Pryor, Stebelton, Stewart, Szollosi, Walter, Weddington, Winburn

To enact section 4511.204 of the Revised Code to prohibit driving a vehicle while writing, sending, or reading a text-based communication on an

electronic wireless communications device.

Attest:

Tom Sherman,  
Clerk.

Said bills were considered the first time.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the Senate amendments to:

**Sub. H. B. No. 48** -Representative Ujvagi - et al.

**Sub. H. B. No. 102** -Representative Book - et al.

**Sub. H. B. No. 313** -Representatives Ujvagi, Winburn - et al.

**Sub. H. B. No. 414**-Representatives Sayre, Bolon - et al.

Attest:

Tom Sherman,  
Clerk.

On the motion of Senator Sawyer, the Senate adjourned until Tuesday, March 30, 2010 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.