

OHIO

SENATE

JOURNAL

TUESDAY, NOVEMBER 10, 2009

ONE HUNDRED THIRTEENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, November 10, 2009, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Buehrer was selected to preside according to the rule.

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

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. S. B. No. 93-Senator Buehrer.

Cosponsors: Senators Coughlin, Faber, Miller, R., Morano, Patton, Schaffer, Schuring, Seitz, Wagoner, Fedor, Turner, Hughes, Stewart, Carey, Gibbs, Gillmor, Grendell, Harris, Kearney, Niehaus, Sawyer, Strahorn, Wilson. Representatives Gerberry, Lundy, Sayre, Stewart, Williams, B., Daniels, Hall, Hite, Stebelton, Adams, R., Amstutz, Bacon, Balderson, Batchelder, Beck, Blair, Blessing, Bolon, Book, Boose, Carney, Celeste, Chandler, Coley, Combs, DeBose, DeGeeter, Derickson, Dodd, Dolan, Domenick, Dyer, Fende, Foley, Gardner, Garrison, Goodwin, Goyal, Grossman, Hackett, Hagan, Harris, Harwood, Huffman, Letson, Luckie, Maag, Mallory, Mandel, McClain, McGregor, Mecklenborg, Moran, Murray, Oelslager, Okey, Phillips, Sears, Skindell, Slesnick, Snitchler, Stautberg, Szollosi, Uecker, Wachtmann, Williams, S., Winburn, Yates, Yuko, Zehringer.

To enact sections 149.32 and 149.321 of the Revised Code to establish the War of 1812 Bicentennial Commission, to prescribe the Commission's powers and duties, and to repeal sections 149.32 and 149.321 of the Revised Code on December 31, 2015, to terminate the commission on that date, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

Senator Jones moved that the House amendments to **Am. S. B. No. 93**, be informally passed and retain their place on the calendar.

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

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 200-Senator Morano.

Cosponsors: Senators Cafaro, Miller, D., Kearney, Sawyer, Schiavoni, Turner, Schaffer.

To amend sections 4723.43, 4723.44, 4729.01, and 4761.17 of the Revised Code to authorize certified registered nurse anesthetists to issue prescriptions for the administration of drugs during certain phases of patient care.

S. B. No. 201-Senator Smith.

Cosponsors: Senators Patton, Turner, Schaffer, Miller, D., Hughes, Morano, Goodman, Strahorn, Grendell, Kearney, Wagoner, Cafaro.

To enact section 5.2266 of the Revised Code to designate October 13 as Metastatic Breast Cancer Awareness Day.

S. B. No. 202-Senator Turner.

To amend sections 2903.01, 2903.11, 2903.12, 2903.13, and 2929.04 of the Revised Code to increase the penalties for certain offenses when a public utility worker is the victim and to make the killing of a public utility worker an aggravating circumstance for the imposition of the death penalty for aggravated murder.

OFFERING OF RESOLUTIONS

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

S. R. No. 119-Senator Carey.

Honoring Morgan Dobbins as the 2009 Division II State Champion in boys golf.

S. R. No. 120-Senator Wagoner.

Honoring The Sylvania Herald on its Centennial.

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

So the resolutions were adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

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

I, Ted Strickland, Governor of the State of Ohio, do hereby appoint, Thomas W. Adler, Democrat, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Cleveland State University Board of Trustees for a term beginning July 29, 2009 and ending at the close of business April 30, 2013, replacing Samuel H. Miller, 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 29th day of July 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, Judith A. Amend, Republican, from Portage, Wood County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Portage for a term beginning June 11, 2009 and continuing at the pleasure of the Governor.

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 11th day of June 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, Aaron C. Askew, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning February 12, 2009 and ending at the close of business January 14, 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 12th day of February 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, Jacqueline R. Curl, Democrat, from Dayton, Montgomery County, Ohio, as a Member of the Ski Tramway Board for a term beginning January 23, 2009 and ending at the close of business June 30, 2010, replacing Walter Rodgers, 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 23rd day of January 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, Sue E. Derck, Republican, from Antwerp, Pauling County, Ohio, as a Member of the Northwest State Community College Board of Trustees for a new term beginning July 2, 2009 and ending at the close of business June 9, 2015.

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 2nd day of July 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, Philip L. Ennen, from Bryan, Williams County, Ohio, as a Member of the Northwest State Community College Board of Trustees for a new term beginning July 2, 2009 and ending at the close of business June 9, 2015.

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 2nd day of July 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, Jeffrey M. Jacobson, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Air Quality Development Authority for a term beginning July 24, 2009 and ending at the close of business June 30, 2017, replacing James B. Folger, 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 July 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, Brian M. Joyce, R. Ph., Democrat, from Girard, Trumbull County, Ohio, as a Member of the State Board of Pharmacy for a term beginning July 27, 2009 and ending at the close of business June 29, 2013, replacing Nathan Lipsyc, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of July 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, William G. Jurgensen, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio State University Board of Trustees for a term beginning May 27, 2009 and ending at the close of business May 13, 2018, replacing Dimon McFerson, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of May 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, Vincent J. O'Brien, Independent, from Columbus, Franklin County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic

Trainers Board for a new term beginning August 27, 2009 and ending at the close of business August 26, 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 30th day of July 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, William Ogg, Democrat, from Wheelersburg, Scioto County, Ohio, as a Member of the State Medical Board for a term beginning August 7, 2009 and ending at the close of business July 30, 2013, replacing Jeffrey Jacobson, 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 7th day of August 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, Jack W. Patrick, Democrat, from Toledo, Lucas County, Ohio, as a Member of the Minority Development Financing Advisory Board for a term beginning June 17, 2009 and ending at the close of business September 29, 2009, replacing Samuel T. Britton, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 17th day of June 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, Mary G. Stover, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a new term beginning August 27, 2009 and ending at the close of business August 26, 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 3rd day of June 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, Russell A. Westfall, Democrat, from Cadiz, Harrison County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for a term beginning June 1, 2009 and ending at the close of business December 31, 2010, replacing Michael A. Martin, who passed away.

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 June in the year of our Lord, two thousand and nine.

[Seal]

Ted Strickland,
Governor.

Said appointments were referred to the Committee on Rules.

On the motion of Senator Jones, the Senate adjourned until Thursday, November 12, 2009 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,
Clerk.