

**OHIO**

**SENATE**

**JOURNAL**

**THURSDAY, NOVEMBER 12, 2009**

ONE HUNDRED FOURTEENTH DAY  
Senate Chamber, Columbus, Ohio  
**Thursday, November 12, 2009, 11:00 o'clock a.m.**

The Senate met pursuant to adjournment.

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 House amendments to **Am. S. B. No. 93**?"

Senator Carey 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. 203**-Senator Gibbs.

Cosponsors: Senators Grendell, Niehaus, Schaffer, Seitz.

To amend sections 903.01, 903.02, 903.03, 903.04, 903.05, 903.06, 903.07, 903.08, 903.081, 903.082, 903.09, 903.10, 903.15, 903.16, 903.17, and

6111.03 of the Revised Code to revise the Concentrated Animal Feeding Facilities Law, to specify that certain provisions amended by this act do not become operative until the Administrator of the United States Environmental Protection Agency approves the National Pollutant Discharge Elimination System program submitted by the Director of Agriculture, and to declare an emergency.

**S. B. No. 204**-Senator Wagoner.

Cosponsors: Senators Carey, Gibbs, Grendell, Husted, Jones, Morano, Niehaus, Patton, Schaffer, Widener, Schuring.

To amend sections 4517.52, 4517.54, 4517.55, 4517.57, and 4517.59 and to enact section 4517.541 of the Revised Code relative to the termination of franchises and prohibited acts under the Motor Vehicle Dealers Law.

**S. B. No. 205**-Senators Hughes, Turner.

Cosponsors: Senators Cafaro, Fedor, Miller, D., Morano, Strahorn.

To amend sections 5101.54, 5107.12, and 5111.013 and to enact sections 5101.87 and 5101.871 of the Revised Code to require applicants for the Children's Health Insurance Program, Medicaid, Ohio Works First, and Supplemental Nutrition Assistance Program to provide information about their employers and to require quarterly reports identifying the employers.

**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 E. Allenstein, from Lewis Center, Delaware 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 5, 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 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, Marilyn J. Bergstedt, Democrat, from Napoleon, Henry County, Ohio, as a Member of the Northwest State Community College Board of Trustees for a term beginning July 30, 2009 and ending at the close of business June 10, 2015, replacing Jean Hubbard, 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 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, Jean Byrd, Independent, from Columbus, Franklin County, Ohio, as a Member of the Solid Waste Management Advisory Council for a term beginning July 29, 2009 and ending at the close of business June 23, 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 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, Duane Cable, Independent, from Columbus, Franklin County, Ohio, as a Member of the Petroleum Underground Storage Tank Release Compensation Board for a new term beginning September 1, 2009 and ending at the close of business July 11, 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 September 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, Lisa M. Chambers, from Columbus, Franklin County, Ohio, as a Member of the Ohio Tuition Trust Authority Board for a term beginning August 18, 2009 and ending at the close of business January 31, 2010, replacing Jody Davids, 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 18th 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, Holly F. Christmann, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Solid Waste Management Advisory Council for a term beginning July 30, 2009 and ending at the close of business June 23, 2011, replacing Yolanda Walker, 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 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, Sam M. Coppoletti, Republican, from Portsmouth, Scioto County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a term beginning August 27, 2009 and ending at the close of business August 27, 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 25th 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, Patricia Costello, Independent, from Granville, Licking County, Ohio, as a Member of the Real Estate Appraiser Board for a term beginning September 1, 2009 and ending at the close of business June 30, 2012, replacing Margaret Hambleton, 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 September 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, Dennis L. Deskins, from Ashville, Pickaway County, Ohio, as a Member of the Ohio Private Investigation and Security Services Commission for a term beginning August 19, 2009 and ending at the close of business December 31, 2013, replacing Carl Page, 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 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, Belle Everett, Democrat, from New Philadelphia, Tuscarawas County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning July 29, 2009 and ending at the close of business June 23, 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 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, Andrew M Glockner, Democrat, from Portsmouth, Scioto County, Ohio, as a Member of the Financial Planning and Supervision Commission for Scioto County for a term beginning September 1, 2009 and continuing at the pleasure of the Governor.

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 September 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, Stephen D. Hill, from Mason, Warren County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning July 29, 2009 and ending at the close of business June 23, 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 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, Cheryl A. Hilvert, Republican, from Montgomery, Hamilton County, Ohio, as a Member of the Petroleum Underground Storage Tank Release Compensation Board for a new term beginning September 1, 2009 and ending at the close of business July 11, 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 September 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, Nina Joshi, Independent, from Xenia, Greene County, Ohio, as a Member of the Wright State University Board of Trustees for a term beginning August 7, 2009 and ending at the close of business June 30, 2018, replacing Bonnie

Langdon, 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 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, James P. Joyce, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Water Development Authority for a term beginning September 8, 2009 and ending at the close of business July 1, 2017, replacing John D. McClure, 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 September 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, Ty Marsh, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Board of Embalmers and Funeral Directors for a new term beginning August 3, 2009 and ending at the close of business June 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 3rd 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, J. Patrick McDonald, Republican, from Rocky River, Cuyahoga County, Ohio, as a Member of the State Lottery Commission for a new term beginning August 7, 2009 and ending at the close of business July 31, 2012.

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, James K. McWilliams, Republican, from Baltimore, Fairfield County, Ohio, as a Member of the Reclamation Commission for a new term beginning August 28, 2009 and ending at the close of business June 28, 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 28th 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, Erin M. Miller, Democrat, from Westerville, Franklin County, Ohio, as a Member of the Solid Waste Management Advisory Council for a term beginning August 13, 2009 and ending at the close of business June 23, 2011, replacing Jack Jensen, 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 13th 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, Don A. Nalley, Jr., Democrat, from Fremont, Sandusky County, Ohio, as a Member of the Terra State Community College Board of Trustees for a term beginning July 30, 2009 and ending at the close of business December 31, 2014, replacing James Fruth, 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 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, Joseph D. Ortiz, Democrat, from Hudson, Summit County, Ohio, as a Member of the Ohio Geological Advisory Council for a term beginning September 8, 2009 and ending at the close of business May 3, 2012, replacing Mark Boardman, 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 September 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, Lawrence I. Pollock, Democrat, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Kent State University Board of Trustees for a term beginning June 3, 2009 and ending at the close of business May 16, 2018, replacing Sandra W. Harbrecht, 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 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, Nanette M. Shoemaker, Democrat, from Miamisburg, Montgomery 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 27, 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, Thomas G. Stephenson, Republican, from Hamilton, Butler County, Ohio, as a Member of the Petroleum Underground Tank Release Compensation Board

for a new term beginning September 1, 2009 and ending at the close of business July 11, 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 September 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 J. Tipton, Democrat, from Stout, Scioto County, Ohio, as a Member of the Financial Planning and Supervision Commission for Scioto County for a term beginning September 1, 2009 and continuing at the pleasure of the Governor.

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 September 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, Warren L. Woolford, Democrat, from Akron, Summit County, Ohio, as a Member of the Akron Board of Trustees for a term beginning July 23, 2009 and ending at the close of business June 30, 2018, replacing Roland Bauer, 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 23rd 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, Neal F. Zimmers, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Building Authority for a term beginning August 26, 2009 and ending at the close of business December 31, 2013, replacing John T. Savage, 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 26th day of August 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 Carey, the Senate adjourned until Monday, November 16, 2009 at 10:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.