

OHIO

SENATE

JOURNAL

THURSDAY, DECEMBER 10, 2009

ONE HUNDRED TWENTY-SIXTH DAY
Senate Chamber, Columbus, Ohio
Thursday, December 10, 2009, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

BILLS FOR THIRD CONSIDERATION

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

Cosponsors: Senators Gibbs, Stewart, Carey, Harris, Seitz.

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, and 5749.06 and to enact sections 1509.021, 1509.062, 1509.073, 1509.19, 1509.34, 1509.50, 1509.60, and 1509.61 of the Revised Code to revise the Oil and Gas Law, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 165**, pass?"

On the motion of Senator Niehaus, **Sub. S. B. No. 165** was informally passed and retained its place on the calendar.

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, Tony Anteau, from Toledo, Wood 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, N. Eugene Brundige, Democrat, from London, Madison County, Ohio, as a Member of the State Employment Relations Board for a new term beginning October 8, 2009 and ending at the close of business October 6, 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 8th day of October 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, George Dixon III, Democrat, from Cleveland, Cuyahoga County, Ohio, as a Member of the Ohio Turnpike Commission for a term beginning August 13, 2009 and ending at the close of business June 30, 2017.

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, Barbara Gould, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Arts Council for a new term beginning September 9, 2009 and ending at the close of business July 1, 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 9th 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, Raymond E. Houk, Democrat, from Lynchburg, Brown County, Ohio, as a Member of the Real Estate Appraiser Board for a new term beginning September 1, 2009 and ending at the close of business June 30, 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, Peter MacKenzie, Republican, from Worthington, Franklin County, Ohio, as a Member of the Ohio Geology Advisory Council for a term beginning September 8, 2009 and ending at the close of business May 3, 2012, replacing William Rike, 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, Bonnie Kaelter Milenthal, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Board of Regents for a term beginning April 20, 2009 and ending at the close of business September 20, 2010, replacing Anthony Houston, 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 April 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, Janet B. Reid, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the The Ohio State University Board of Trustees for a term beginning May 27, 2009 and ending at the close of business May 14, 2018, replacing Gil Cloyd, 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, Gwen L. Robinson, from Cincinnati, Hamilton County, Ohio, as a Member of the Public Benefits Advisory Board for a new term beginning September 9, 2009

and ending at the close of business June 30, 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 9th 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, Robert Schwartz, DVM, Republican, from Washington C.H., Fayette County, Ohio, as a Member of the Ohio Standardbred Development Commission for a new term beginning August 27, 2009 and ending at the close of business June 30, 2013.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of 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, Paul E. Tomes, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio River Valley Water Sanitation Commission for a new term beginning September 11, 2009 and ending at the close of business June 29, 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 11th day of September 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. 106 -Senators Buehrer, Kearney

Cosponsors: Senators Miller, R., Schuler, Seitz, Turner, Fedor, Gillmor, Harris, Hughes, Schiavoni, Wagoner, Wilson, Smith, Sawyer Representatives Book, Stautberg, Harwood, Skindell, Foley, Stebelton, Okey, Adams, J., Blessing, Brown, Bubp, Carney, Chandler, Coley, Combs, DeBose, DeGeeter, Derickson, Domenick, Dyer, Evans, Fende, Gardner, Goyal, Grossman, Hackett, Hite, Huffman, Letson, Luckie, Maag, McClain, Mecklenborg, Moran, Oelslager, Pillich, Pryor, Ruhl, Sayre, Sears, Snitchler, Stewart, Szollosi, Winburn, Yuko

To amend sections 2101.16, 2107.76, 2109.21, 2111.05, 2111.18, 2125.04, 2305.19, 5747.01, and 5815.31 of the Revised Code to exclude from the application of the savings statute certain estate and trust proceedings that have limitation periods, to raise the threshold amount for the termination or avoidance of guardianships of small estates of wards, to raise the threshold amount for the avoidance of guardianship upon the settlement of claims of minors or adult incompetents, to clarify that termination of marriage revokes any trust provision conferring a beneficial interest on the former spouse, to modify the period within which a plaintiff in a wrongful death action may commence a new action after the reversal of a judgment for the plaintiff or the plaintiff's failure otherwise than upon the merits, and to modify the residency qualifications for a person's appointment as a guardian.

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

Attest:

Tom Sherman,
Clerk.

Said amendments were laid over under the rule.

On the motion of Senator Niehaus, the Senate adjourned until Tuesday, December 15, 2009 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.