

**OHIO**

**SENATE**

**JOURNAL**

**TUESDAY, MARCH 22, 2011**

THIRTY-FIRST DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, March 22, 2011, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Ernest Creamer, First Church of the Nazarene, Cadiz, 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 Niehaus reports for the Standing Committee on Rules and Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

**H. B. No. 63**-Representatives Young, Slaby, 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. 121**-Senator Patton, et al.

To enact sections 3959.18, 3964.01 to 3964.09, and 5111.0212 of the Revised Code to establish standards for physician designations by health care insurers.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 122**-Senator Oelslager, et al.

To amend sections 2151.312, 2151.354, and 2152.26, to enact new sections 2151.56, 2151.57, 2151.58, and 2151.59 and to repeal sections 2151.56, 2151.57, 2151.58, 2151.59, 2151.60, and 2151.61 of the Revised Code to ratify, enact into law, and enter into as a party the Interstate Compact for Juveniles; to provide for certain entities and officials and assign certain responsibilities that relate to that Compact; to repeal the current Interstate Compact on Juveniles, and to declare an emergency.

To the Committee on Judiciary - Civil Justice.

YES - 9: THOMAS E. NIEHAUS, SHANNON JONES, JIMMY STEWART, MARK D. WAGONER, EDNA BROWN, CAPRI S. CAFARO, KEITH L. FABER, SHIRLEY A. SMITH, JASON H. WILSON.

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 Lehner submitted the following report:

The standing committee on Education, to which was referred **Sub. H. B. No. 36**-Representatives Kozlowski, Carey, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hite, Obhof.

YES - 9: THOMAS SAWYER, SHIRLEY A. SMITH, CHARLETA B. TAVARES, PEGGY B. LEHNER, GAYLE MANNING, BILL BEAGLE, GARY W. CATES, CLIFF HITE, LARRY OBHOF.

NO - 0.

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

The report of the committee was accepted.

### BILLS FOR THIRD CONSIDERATION

**Am. H. B. No. 9**-Representative Coley.

Cosponsors: Representatives Letson, Murray, Barnes, Beck, Blessing, Brenner, Bubp, Budish, Carey, Combs, DeGeeter, Derickson, Driehaus, Fedor, Fende, Gardner, Garland, Gonzales, Goyal, Hackett, Hagan, Huffman, Luckie, Lundy, Mallory, McClain, McGregor, McKenney, Mecklenborg, Milkovich, O'Brien, Patmon, Peterson, Roegner, Rosenberger, Ruhl, Slaby, Slesnick, Snitchler, Stebelton, Stinziano, Szollosi, Thompson, Uecker, Weddington, Young, Yuko, Speaker Batchelder. Senator Wagoner.

To amend sections 1.01, 926.24, 926.26, 1301.01, 1301.02, 1301.04, 1301.05, 1301.06, 1301.07, 1301.08, 1301.09, 1301.10, 1301.11, 1301.13, 1301.14, 1301.15, 1302.01, 1302.05, 1302.23, 1302.36, 1302.42, 1302.44, 1302.47, 1302.49, 1302.50, 1302.53, 1302.63, 1302.79, 1303.01, 1304.01, 1304.20, 1304.51, 1304.53, 1304.59, 1305.02, 1306.02, 1306.15, 1307.01, 1307.02, 1307.04, 1307.06, 1307.07, 1307.08, 1307.09, 1307.10, 1307.11, 1307.12, 1307.13, 1307.14, 1307.15, 1307.16, 1307.17, 1307.18, 1307.19, 1307.20, 1307.21, 1307.22, 1307.23, 1307.24, 1307.25, 1307.26, 1307.27, 1307.28, 1307.29, 1307.30, 1307.31, 1307.32, 1307.33, 1307.34, 1307.35, 1307.36, 1307.37, 1307.38, 1307.39, 1307.40, 1308.01, 1308.02, 1309.102, 1309.203, 1309.207, 1309.208, 1309.301, 1309.310, 1309.312, 1309.313, 1309.314, 1309.317, 1309.331, 1309.338, 1309.601, 1310.01, 1310.47, 1310.60, 1310.64, 1310.65, 1310.72, 1310.73, 1310.74, 1311.57, 1333.23, 1743.08, 2307.39, 2923.17, 2981.01, 3719.14, 3767.29, 4517.01, 4729.51, and 5322.01; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1301.01 (1301.201), 1301.02 (1301.103), 1301.04 (1301.104), 1301.05 (1301.301), 1301.06 (1301.305), 1301.07 (1301.306), 1301.08 (1301.307), 1301.09 (1301.304), 1301.10 (1301.205), 1301.11 (1301.303), 1301.13 (1301.308), 1301.14 (1301.309), 1301.15 (1301.311), 1301.16 (1333.72), 1301.18 (1333.73), 1301.21 (1319.02), 1307.01 (1307.102), 1307.02 (1307.103), 1307.04 (1307.104), 1307.06 (1307.201), 1307.07 (1307.202), 1307.08 (1307.203), 1307.09 (1307.204), 1307.10 (1307.205), 1307.11 (1307.206), 1307.12 (1307.207), 1307.13 (1307.208), 1307.14 (1307.209), 1307.15 (1307.210), 1307.16 (1307.301), 1307.17 (1307.302), 1307.18 (1307.303), 1307.19 (1307.304), 1307.20 (1307.305), 1307.21 (1307.306), 1307.22 (1307.307), 1307.23 (1307.308), 1307.24 (1307.309), 1307.25 (1307.401), 1307.26 (1307.402), 1307.27 (1307.403), 1307.28 (1307.404), 1307.29 (1307.501), 1307.30 (1307.502), 1307.31 (1307.503), 1307.32 (1307.504), 1307.33 (1307.505), 1307.34 (1307.506), 1307.35 (1307.507), 1307.36 (1307.508), 1307.37 (1307.509), 1307.38 (1307.601), 1307.39 (1307.602), and 1307.40 (1307.603); to enact sections 1301.101, 1301.102, 1301.105, 1301.106, 1301.107, 1301.108, 1301.202, 1301.203, 1301.204, 1301.206, 1301.302, 1301.310, 1307.101, 1307.105, 1307.106, 1307.703, and 1307.704; and to repeal sections 1301.03, 1301.12, 1302.11, 1307.03, 1307.05, and 1310.14 of the Revised Code to adopt the revisions to the general provisions and documents of title portions of the Uniform Commercial Code that were recommended by the National Conference of Commissioners on Uniform State Laws and to make related changes in the Uniform Commercial Code and the Revised Code, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 9**, pass?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Beagle	Brown	Cafaro
Cates	Daniels	Faber	Gillmor
Grendell	Hite	Hughes	Jones
Jordan	Kearney	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Smith	Stewart	Tavares
Turner	Wagoner	Widener	Wilson
			Niehaus-33.

So the bill passed.

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

Senator Wagoner moved to amend the title as follows:

Add the names: "Bacon, Beagle, Brown, Daniels, Faber, Hughes, Kearney, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Schiavoni, Tavares."

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

The motion was agreed to and the title so amended.

**Sub. H. B. No. 36**-Representatives Kozlowski, Carey.

Cosponsors: Representatives Boose, Burke, Dovilla, Grossman, Hayes, Johnson, McKenney, Roegner, Rosenberger, Ruhl, Slaby, Stautberg, Stebelton, Thompson, Young, Combs, Balderson, Gonzales, Martin, Baker, Hottinger, Derickson, Anielski, Ashford, Barnes, Beck, Blessing, Bulp, Buchy, Coley, Duffey, Fedor, Hagan, C., Landis, Milkovich, Newbold, O'Brien, Schuring, Uecker, Yuko. Senators Hite, Obhof.

To amend sections 3313.482, 3314.08, 3317.01, 3326.11, and 3327.02 and to enact section 3313.88 of the Revised Code to excuse up to five, instead of three, calamity days for the 2010-2011 school year, to broaden schools' authority to make up calamity days by lengthening remaining days in the school year, to waive the number of hours a community school is closed for a public calamity if it meets certain requirements, to allow public and chartered nonpublic schools to make up excess calamity days via lessons posted online, to prohibit school districts from declaring it impractical to transport nonpublic or community school students solely on days scheduled by the schools to make up calamity days, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 28, nays 5, as follows:

Those who voted in the affirmative were: Senators

Bacon	Beagle	Brown	Cafaro
Cates	Daniels	Faber	Gillmor
Grendell	Hite	Hughes	Jones
Jordan	LaRose	Lehner	Manning
Obhof	Oelslager	Patton	Sawyer
Schaffer	Schiavoni	Seitz	Stewart
Wagoner	Widener	Wilson	Niehaus-28.

Senators Kearney, Skindell, Smith, Tavares, and Turner voted in the negative-5.

So the section, Section 4, 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 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Beagle	Brown	Cafaro
Cates	Daniels	Faber	Gillmor
Grendell	Hite	Hughes	Jones
Jordan	LaRose	Lehner	Manning
Obhof	Oelslager	Patton	Sawyer
Schaffer	Schiavoni	Seitz	Skindell
Smith	Stewart	Tavares	Turner
Wagoner	Widener	Wilson	Niehaus-32.

Senator Kearney voted in the negative-1.

So the bill having received the required constitutional majority passed as an emergency measure.

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

Senator Grendell moved to amend the title as follows:

Add the names: "Bacon, Beagle, Brown, Cafaro, Cates, Daniels, Faber, Grendell, Hughes, Jones, LaRose, Lehner, Manning, Patton, Sawyer, Schaffer, Schiavoni, Smith, Stewart, Turner, Wagoner, Widener, Wilson."

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

The motion was agreed to and the title so amended.

**S. B. No. 81**-Senator Cates.

Cosponsors: Senators Lehner, Seitz, LaRose, Jones, Beagle, Obhof, Faber, Hite.

To amend sections 3319.22 and 3319.223 and to enact section 3319.227 of the Revised Code to qualify Teach for America participants for a resident educator license, was considered the third time.

The question being, "Shall the bill, **S. B. No. 81**, pass?"

On the motion of Senator Cafaro, the Senate recessed.

The Senate met pursuant to the recess.

The question recurred, "Shall the bill, **S. B. No. 81**, pass?"

Senator Sawyer moved to amend as follows:

Between lines 304 and 305, insert:

" (D) In order to place teachers in this state, the Teach for America program shall enter into an agreement with one or more accredited four-year public or private institutions of higher education in the state to provide optional training of Teach for America participants for the purpose of enabling those participants to complete an optional master's degree or an equivalent amount of coursework. Nothing in this division shall require any Teach for America participant to complete a master's degree as a condition of holding a license issued under this section."

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

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Beagle	Brown	Cafaro
Cates	Daniels	Faber	Gillmor
Grendell	Hite	Hughes	Jones
Jordan	Kearney	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Smith	Stewart	Tavares
Turner	Wagoner	Widener	Wilson
			Niehaus-33.

The motion was agreed to.

The question recurred, "Shall the bill, **S. B. No. 81**, pass as amended?"

Senator Sawyer moved to amend as follows:

In line 295, after "**(C)**" insert "Each teach for America participant licensed under this section to teach grades kindergarten through six shall complete the coursework in the teaching of reading described in division (B) of section 3319.24 of the Revised Code while teaching under the license.

(D)"

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

Senator Faber moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Beagle	Cates	Daniels
Faber	Gillmor	Grendell	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Schaffer	Seitz	Stewart
Wagoner	Widener		Niehaus-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Kearney	Sawyer
Schiavoni	Skindell	Smith	Tavares
Turner			Wilson-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **S. B. No. 81**, pass as amended?"

The yeas and nays were taken and resulted - yeas 25, nays 8, as follows:

Those who voted in the affirmative were: Senators

Bacon	Beagle	Cates	Daniels
Faber	Gillmor	Grendell	Hite
Hughes	Jones	Jordan	Kearney
LaRose	Lehner	Manning	Obhof
Patton	Schaffer	Seitz	Stewart
Turner	Wagoner	Widener	Wilson
			Niehaus-25.

Senators Brown, Cafaro, Oelslager, Sawyer, Schiavoni, Skindell, Smith, and Tavares voted in the negative-8.

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: "Bacon, Daniels, Manning, Niehaus, Schaffer, Wagoner, Widener."

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



The motion was agreed to and the title so amended.

### **INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bills were introduced and considered the first time:

#### **S. B. No. 123-Senator Bacon.**

To enact sections 4715.70, 4731.37, 4732.32, 4743.10, 4753.20, 4755.69, 4757.50, and 4759.15 of the Revised Code to require that the Ohio eLicense Center web site include information submitted by certain health professionals to their licensing boards regarding the characteristics of their professional practices.

#### **S. B. No. 124-Senator Bacon.**

Cosponsors: Senators Wagoner, Brown, Hughes.

To amend sections 2101.01, 2101.02, 2101.021, 2101.03, 2101.04, 2101.06, 2101.07, 2101.08, 2101.09, 2101.10, 2101.11, 2101.13, 2101.15, 2101.16, 2101.162, 2101.19, 2101.20, 2101.22, 2101.23, 2101.24, 2101.27, 2101.30, 2101.34, 2101.37, 2101.38, 2101.41, 2101.43, 2103.01, 2105.051, 2105.06, 2105.09, 2105.10, 2105.11, 2105.13, 2105.14, 2105.15, 2105.16, 2105.19, 2106.01, 2106.08, 2106.11, 2107.01, 2107.02, 2107.03, 2107.04, 2107.05, 2107.07, 2107.08, 2107.081, 2107.082, 2107.083, 2107.084, 2107.085, 2107.09, 2107.10, 2107.11, 2107.15, 2107.17, 2107.18, 2107.20, 2107.21, 2107.22, 2107.29, 2107.32, 2107.34, 2107.35, 2107.36, 2107.38, 2107.46, 2107.47, 2107.49, 2107.50, 2107.501, 2107.51, 2107.52, 2107.53, 2107.54, 2107.55, 2107.56, 2107.58, 2107.59, 2107.60, 2107.61, 2107.65, 2107.71, 2107.73, 2107.75, 2108.51, 2109.02, 2109.021, 2109.03, 2109.04, 2109.05, 2109.06, 2109.07, 2109.09, 2109.10, 2109.11, 2109.12, 2109.14, 2109.17, 2109.19, 2109.20, 2109.21, 2109.22, 2109.24, 2109.25, 2109.26, 2109.302, 2109.303, 2109.32, 2109.33, 2109.34, 2109.35, 2109.36, 2109.361, 2109.37, 2109.371, 2109.372, 2109.38, 2109.39, 2109.40, 2109.42, 2109.43, 2109.44, 2109.45, 2109.46, 2109.47, 2109.48, 2109.49, 2109.50, 2109.51, 2109.52, 2109.53, 2109.54, 2109.55, 2109.56, 2109.57, 2109.58, 2109.59, 2109.60, 2109.61, 2109.62, 2111.02, 2111.021, 2111.031, 2111.04, 2111.041, 2111.06, 2111.07, 2111.09, 2111.091, 2111.12, 2111.131, 2111.14, 2111.141, 2111.16, 2111.17, 2111.181, 2111.19, 2111.20, 2111.21, 2111.22, 2111.25, 2111.26, 2111.27, 2111.28, 2111.29, 2111.30, 2111.31, 2111.33, 2111.34, 2111.35, 2111.36, 2111.37, 2111.38, 2111.39, 2111.40, 2111.41, 2111.44, 2111.46, 2111.48, 2111.50, 2113.01, 2113.03, 2113.04, 2113.05, 2113.06, 2113.07, 2113.12, 2113.13, 2113.14, 2113.15, 2113.16, 2113.18, 2113.19, 2113.20, 2113.21, 2113.22, 2113.25, 2113.30, 2113.31, 2113.311, 2113.33, 2113.34, 2113.35, 2113.36, 2113.39, 2113.40, 2113.41, 2113.45, 2113.46, 2113.48, 2113.49, 2113.50, 2113.51, 2113.52, 2113.54, 2113.58, 2113.61, 2113.62, 2113.67, 2113.68, 2113.69, 2113.70, 2113.72, 2113.73, 2113.74, 2113.75, 2113.81, 2113.82, 2113.85, 2113.86, 2113.87, 2113.88, 2115.02, 2115.03,

2115.06, 2115.09, 2115.10, 2115.11, 2115.12, 2115.16, 2115.17, 2117.01, 2117.02, 2117.03, 2117.04, 2117.08, 2117.09, 2117.10, 2117.13, 2117.15, 2117.17, 2117.18, 2117.30, 2117.31, 2117.34, 2117.35, 2117.36, 2117.37, 2117.41, 2117.42, 2119.01, 2119.02, 2119.03, 2119.04, 2119.05, 2121.01, 2121.02, 2121.05, 2121.06, 2121.08, 2121.09, 2123.02, 2123.03, 2123.05, 2123.06, 2127.011, 2127.02, 2127.04, 2127.05, 2127.06, 2127.07, 2127.08, 2127.09, 2127.10, 2127.11, 2127.12, 2127.13, 2127.14, 2127.15, 2127.16, 2127.17, 2127.18, 2127.19, 2127.21, 2127.22, 2127.23, 2127.24, 2127.27, 2127.28, 2127.29, 2127.30, 2127.32, 2127.33, 2127.34, 2127.35, 2127.36, 2127.37, 2127.38, 2127.39, 2127.40, 2127.41, 2127.42, 2127.43, 2129.02, 2129.05, 2129.08, 2129.11, 2129.13, 2129.14, 2129.15, 2129.17, 2129.18, 2129.19, 2129.23, 2129.25, 2129.26, 2129.28, 2129.29, 2129.30, 2131.08, 2131.11, 2133.04, 2133.05, 2133.06, 2133.08, 2133.09, 2335.34, 3101.02, 3101.03, 3101.10, 3101.13, 3101.14, 3313.85, and 5111.113; to enact new sections 2113.17 and 2113.26; and to repeal sections 2101.36, 2113.02, 2113.17, 2113.24, 2113.26, 2113.27, 2113.28, 2113.29, 2113.57, and 2113.63 of the Revised Code to make changes relative to the Probate Code.

**S. B. No. 125**-Senators Seitz, Turner.

To enact sections 9.64 and 167.081 of the Revised Code to generally authorize political subdivisions to enter into agreements to perform services for one another and to authorize a regional council of governments to enter into unit price contracts related to buildings on behalf of member political subdivisions.

**S. B. No. 126**-Senator Kearney.

Cosponsors: Senators Smith, Tavares, Turner.

To amend section 3719.41 of the Revised Code to add six synthetic derivatives of cathinone that have been found in bath salts to the list of Schedule I controlled substances.

**S. B. No. 127**-Senator Schiavoni.

Cosponsors: Senators Cafaro, Turner, Tavares, Skindell, Sawyer.

To amend sections 3313.666, 3313.667, and 3319.073 of the Revised Code to enact the "Jessica Logan Act" to require that public school bullying policies prohibit bullying by electronic means and address certain acts that occur off school property and to require staff training on the bullying policy.

**S. B. No. 128**-Senator Faber.

Cosponsors: Senators Seitz, Schaffer, Beagle, Bacon, Jordan.

To amend sections 109.57, 109.572, 3301.0714, 3310.01, 3310.04, 3310.06, 3310.07, 3310.11, 3310.12, 3310.14, 3310.15, 3310.17, 3317.03, 4776.01, and

5727.84; to enact new sections 3310.02, 3310.03, 3310.05, 3310.08, 3310.09, 3310.10, and 3310.13 and sections 3310.16, 3310.18, 3310.51, 3310.52, 3310.521, 3310.53, 3310.54, 3310.55, 3310.56, 3310.57, 3310.58, 3310.59, 3310.60, 3310.61, 3310.62, 3310.63, 3310.64, and 3323.052; and to repeal sections 3310.02, 3310.03, 3310.05, 3310.08, 3310.09, 3310.10, 3310.13, 3313.974, 3313.975, 3313.976, 3313.977, 3313.978, 3313.979, and 3314.111 of the Revised Code to replace the Educational Choice and the Cleveland scholarship programs with the Parental Choice and Taxpayer Savings Scholarship Program and to establish the Special Education Scholarship Program.

**S. B. No. 129**-Senators Bacon, Hite.

Cosponsors: Senators Schaffer, Stewart, Obhof, Jordan, Lehner, Gillmor, Widener.

To enact section 2305.2310 of the Revised Code to grant qualified civil immunity to a physician, physician assistant, dentist, or optometrist who provides emergency medical, dental, or optometric services, first-aid treatment, or other emergency professional care in compliance with the federal Emergency Medical Treatment and Active Labor Act or as a result of a disaster and to a certified nurse-midwife, certified nurse practitioner, clinical nurse specialist, or registered nurse who provides emergency services, first-aid treatment, or other emergency professional care as a result of a disaster and to provide that these provisions do not apply to wrongful death actions.

**S. B. No. 130**-Senators Hughes, Cates.

Cosponsors: Senators Lehner, Seitz, Skindell, Turner.

To amend sections 955.02, 955.10, 955.12, 955.20, 955.26, and 1901.183 and to enact sections 956.01, 956.011, 956.02 to 956.20, 956.98, and 956.99 of the Revised Code to establish licensing requirements and standards of care for certain dog breeding kennels, dog retailers, and animal rescues for dogs.

## **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, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Michael A. Flack, Democrat, from Columbus, Franklin County, Ohio, as a

Member of the Ethics Commission for a term beginning March 14, 2011 and ending at the close of business January 1, 2017, replacing Merom Brachman, 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 14th day of March in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Jack R. Marchbanks, from Columbus, Franklin County, Ohio, as a Member of the Transportation Review Advisory Council for a term beginning March 9, 2011 and ending at the close of business June 29, 2014, replacing Tom Studevart, 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 9th day of March in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Thomas P. Milligan, Independent, from Sidney, Shelby County, Ohio, as a Member of the Edison State Community College Board of Trustees for a new term beginning February 25, 2011 and ending at the close of business January 17, 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 25th day of February in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,

Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Kevin Mitchell, from Marion, Marion County, Ohio, as a Member of the State Board of Pharmacy for a term beginning March 9, 2011 and ending at the close of business June 30, 2014, replacing Elizabeth Gregg, 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 9th day of March in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Michael A. Mone, from Dublin, Delaware County, Ohio, as a Member of the State Board of Pharmacy for a term beginning March 8, 2011 and ending at the close of business June 30, 2014, replacing Heather Lee Pasquale, 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 March in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Scott J. Nally, from Franklin County, Ohio, as Director of the Environmental Protection Agency for a term beginning March 21, 2011 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 18th day of March in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Shaun K. Petersen, from Canal Winchester, Fairfield County, Ohio, as a Member of the Environmental Review Appeals Commission for a term beginning March 7, 2011 and ending at the close of business October 22, 2016, replacing Toni Mulrane, 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 March in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

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

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Karen Sue Stewart-Linkhart, Democrat, from Xenia, Greene County, Ohio, as a Member of the Wildlife Council for a term beginning March 10, 2011 and ending at the close of business January 31, 2015, replacing Dominic Marchese, 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 10th day of March in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,  
Governor.

Said appointments were referred to the Committee on Rules and Reference.

### **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:

#### **H. B. No. 20** -Representatives Burke, Letson

Cosponsors: Representatives Amstutz, Boose, Derickson, Gardner, Grossman, Murray, Pillich, Snitchler, Stautberg, Stinziano, Winburn, Garland, Bulp, Blessing, Hayes, Slaby, Adams, R., Anielski, Ashford, Barnes, Beck, Blair, Brenner, Butler, Carney, Coley, Combs, DeGeeter, Dovilla, Driehaus, Fedor, Fende, Gerberry, Gonzales, Goyal, Hackett, Hagan, C., Hagan, R., Luckie, Lundy, Mallory, McClain, McKenney, Milkovich, Newbold, O'Brien, Patmon, Phillips, Ramos, Reece, Roegner, Rosenberger, Ruhl, Sears, Szollosi, Thompson, Uecker, Weddington, Young, Speaker Batchelder

To amend section 2921.04 of the Revised Code to specify that the offense of intimidation of an attorney, victim, or witness in a criminal case also applies to delinquency cases and to any attempt to influence, intimidate, or hinder a witness to a criminal or delinquent act and to create an affirmative defense to a charge of intimidation of an attorney, victim, or witness in a criminal case.

#### **Sub. H. B. No. 64** -Representatives Ruhl, Burke

Cosponsors: Representatives Murray, Snitchler, Maag, Combs, Phillips, Stebelton, Boose, McClain, Grossman, Patmon, Adams, J., Winburn, Garland, Hayes, Bulp, Slaby, Adams, R., Amstutz, Ashford, Barnes, Blair, Blessing, Buchy, Budish, Butler, Celeste, Dovilla, Fedor, Gerberry, Gonzales, Hackett, Hagan, C., Hall, Heard, Landis, Letson, Newbold, O'Brien, Pillich, Schuring, Uecker, Weddington, Speaker Batchelder

To amend sections 2925.02, 2925.03, 2925.11, and 3719.41 of the Revised Code to add synthetic cannabinoids commonly known as K2 or Spice to the list of Schedule I controlled substances, prohibit the possession of Spice, prohibit trafficking in Spice, and provide that if Spice is the drug involved in a violation of the offense of corrupting another with drugs the penalty for the violation will be the same as if marijuana was the drug involved in the offense.

Attest:

Laura P. Clemens,  
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:

**Am. Sub. H. B. No. 30** -Representative Gardner - et al.

**Am. Sub. H. B. No. 122** -Representative Hottinger - et al.

Attest: Laura P. Clemens,  
Clerk.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the Speaker Pro Tempore of the House of Representatives has signed the following bills:

**Am. Sub. H. B. No. 30** -Representative Gardner - et al.

**Am. Sub. H. B. No. 122** -Representative Hottinger - et al.

Attest: Laura P. Clemens,  
Clerk.

The President signed said bills.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 3334.03(B) of the Ohio Revised Code, the President of the Senate appoints the following members to serve on the Ohio Tuition Trust Authority:

Senator Cates  
Senator Turner

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 164.02 of the Ohio Revised Code, the President of the



Senate reappoints the following public member to serve on the Ohio Public Works Commission:

Janine Conrad  
125 South Main Street  
New Lexington, OH 43764

(Term beginning January 1, 2011 and ending December 31, 2013)

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 3745.21(A) of the Ohio Revised Code, the President of the Senate appoints Senator Hite (as Chair of the Senate Agriculture, Environment and Natural Resources Committee) to serve on the Environmental Education Council.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 122.26(B) of the Ohio Revised Code, the President of the Senate appoints Senator Beagle to serve on the Industrial Technology Enterprise Advisory Council.

On the motion of Senator Faber, the Senate adjourned until Wednesday, March 23, 2011 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,  
Clerk.