

OHIO

SENATE

JOURNAL

WEDNESDAY, FEBRUARY 23, 2005

TWENTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Wednesday, February 23, 2005, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, Linworth Baptist Church, Worthington, 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 Schuring reports for the Standing Committee on Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 72-Senators Spada, Cates, Grendell, Armbruster, Hagan, Brady, Fedor, Dann, Zurz, Miller.

To amend sections 119.01, 1733.01, 1733.04, 1733.05, 1733.16, 1733.22, 1733.24, 1733.25, 1733.29 to 1733.33, 1733.37, 1733.38, 1733.412, 1733.44, 2101.161, 2105.31, 2109.13, 2109.372, 2109.41, 4705.09, and 4973.17 and to repeal section 1733.251 of the Revised Code to make changes in the Credit Union Law relating to fields of membership, expansion of authorities, meetings of directors, compensation of officers, fees and interest chargeable on loans, record keeping, eligible investments, liquidity fund requirements, public records, amendments to articles, and use of name; to authorize accounts to be held by credit unions under laws relating to probate and intestate succession; to authorize a credit union insured by a credit union guaranty corporation to maintain interest-bearing trust accounts on behalf of attorneys; and to authorize credit union designees acting for or on the premises of a credit union to be appointed as police officers.

To the Committee on Finance and Financial Institutions.

S. B. No. 73-Senators Hagan, Fedor.

To amend sections 923.45 and 3314.03 and to enact sections 3313.816, 3715.41, and 3715.42 of the Revised Code to establish requirements governing the use of antibiotics in livestock and livestock products and to ban the purchase for school meals of poultry products that have been treated with an antibiotic belonging to the class of fluoroquinolone antibiotics.

To the Committee on Agriculture.

S. B. No. 74-Senator Hagan.

To amend sections 2921.31, 2925.02, 2925.03, 2925.04, 2925.11, 2925.14, and 4731.22 and to enact sections 2925.60 and 3701.148 of the Revised Code to regulate the medical use of marihuana.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 75-Senators Dann, Brady, Fedor, Fingerhut, Hagan, Mallory, Miller, Prentiss, Roberts, Wilson, Zurz.

To amend sections 4141.01 and 4141.33 of the Revised Code to change the requirements to qualify for unemployment compensation from earning a percentage of the statewide average weekly wage to working a certain number of hours each qualifying week.

To the Committee on Insurance, Commerce and Labor.

YES - 5: JEFF JACOBSON, MARK MALLORY, J. KIRK
SCHURING, C. J. PRENTISS, BILL HARRIS.

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 Goodman submitted the following report:

The standing committee on Judiciary - Civil Justice, to which was referred **S. B. No. 10**-Senator Jordan, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 5: DAVID GOODMAN, MARC DANN, KIMBERLY A.
ZURZ, ROBERT L. SCHULER, LYNN R.
WACHTMANN.

NO - 1: RON AMSTUTZ.

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

The report of the committee was accepted.

Senator Goodman submitted the following report:

The standing committee on Judiciary - Civil Justice, to which was referred **S. B. No. 19**-Senator Schuler, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Goodman.

YES - 6: DAVID GOODMAN, MARC DANN, KIMBERLY A. ZURZ, ROBERT L. SCHULER, RON AMSTUTZ, LYNN R. WACHTMANN.

NO - 0.

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

The report of the committee was accepted.

Senator Jordan submitted the following report:

The standing committee on Judiciary - Criminal Justice, to which was referred **S. B. No. 20**-Senator Goodman, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Zurz.

YES - 9: STEPHEN C. AUSTRIA, JIM JORDAN, MARC DANN, MARK MALLORY, KIMBERLY A. ZURZ, PATRICIA M. CLANCY, DAVID GOODMAN, TIMOTHY J. GRENDALL, J. KIRK SCHURING.

NO - 0.

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

The report of the committee was accepted.

Senator Schuring submitted the following report:

The standing committee on Rules to which were referred the appointments by the Governor of:

Robin C. Hovis, Republican, from Millersburg, Holmes County, Ohio, as a Member of the State Board of Education for a term beginning December 27, 2004 and ending at the close of business December 31, 2008, replacing Jo

Thatcher, whose term expired.

Eric C. Okerson, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the State Board of Education for a term beginning December 27, 2004 and ending at the close of business December 31, 2008, replacing James Turner, whose term expired.

Emerson J. Ross, Jr., Democrat, from Toledo, Lucas County, Ohio, as a Member of the State Board of Education for a new term beginning December 27, 2004 and ending at the close of business December 31, 2008.

Sue Westendorf, Republican, from Napoleon, Henry County, Ohio, as a Member of the State Board of Education for a new term beginning December 27, 2004 and ending at the close of business December 31, 2008.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 8: BILL HARRIS, RANDY GARDNER, ROBERT F. SPADA, J. KIRK SCHURING, ROBERT F. HAGAN, TERESA FEDOR, MARK MALLORY, C. J. PRENTISS.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

Senator Miller demanded that Robin C. Hovis be removed from the list and voted on separately.

The question being, "Shall the Senate advise and consent to the appointment of Robin C. Hovis?"

The yeas and nays were taken and resulted - yeas 26, nays 5, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Gardner	Goodman
Grendell	Hagan	Hottinger	Jacobson
Mumper	Niehaus	Padgett	Roberts
Schuler	Schuring	Spada	Wilson
Zurz			Harris-26.

Senators Jordan, Mallory, Miller, Prentiss, and Wachtmann voted in the negative-5.

So the Senate advised and consented to said appointment.

The question being, "Shall the Senate advise and consent to the remaining appointments by the Governor?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Gardner	Goodman
Grendell	Hagan	Hottinger	Jacobson
Jordan	Mallory	Miller	Mumper
Niehaus	Padgett	Prentiss	Roberts
Schuler	Schuring	Spada	Wachtmann
Wilson	Zurz		Harris-31.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

S. B. No. 10-Senators Jordan, Wachtmann, Mumper, Hottinger, Jacobson, Austria, Goodman, Carey, Cates, Stivers.

To amend sections 5126.01, 5126.02, 5126.021, 5126.022, 5126.023, 5126.03, 5126.031, 5126.033, 5126.034, 5126.056, 5126.058, 5126.081, 5126.30, 5705.191, and 5705.222, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 5126.02 (5126.0212), 5126.021 (5126.029), 5126.022 (5126.0215), 5126.023 (5126.0225), and 5126.024 (5126.0226), and to enact new sections 5126.02, 5126.021, 5126.022, 5126.023, and 5126.024 and sections 5126.025, 5126.026, 5126.027, 5126.028, 5126.0210, 5126.0211, 5126.0213, 5126.0214, 5126.0216, 5126.0217, 5126.0218, 5126.0219, 5126.0220, 5126.0221, 5126.0222, 5126.0223, 5126.0224, 5126.0227, 5126.0228, 5126.037, and 5126.038 of the Revised Code to revise the law governing county boards of mental retardation and developmental disabilities, was considered the third time.

The question being, "Shall the bill, **S. B. No. 10**, pass?"

The yeas and nays were taken and resulted - yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Gardner	Goodman
Grendell	Hagan	Hottinger	Jacobson
Jordan	Mallory	Miller	Mumper
Niehaus	Padgett	Prentiss	Roberts
Schuler	Schuring	Spada	Wachtmann
Zurz			Harris-30.

Senator Wilson voted in the negative-1.

So the bill passed.

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

Senator Jordan moved to amend the title as follows:

Add the names: "Clancy, Miller, Spada."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 20-Senators Goodman, Amstutz, Coughlin, Clancy, Schuler, Jacobson, Cates, Mumper, Austria, Schuring, Grendell, Wachtmann, Gardner, Carey, Padgett, Jordan, Spada, Hottinger, Zurz.

To amend sections 2901.11 and 2901.12 of the Revised Code to clarify the application of the state's criminal jurisdiction statute to offenses committed in a jurisdiction other than Ohio that result from a conspiracy, an attempt, or complicity to commit the offense that occurs in Ohio; to clarify the application of that statute in homicide cases; to clarify that Ohio criminal specifications are applicable to persons who commit an offense in a jurisdiction other than Ohio but are subject to Ohio criminal jurisdiction; and to make other related changes to the state's criminal jurisdiction and venue statutes, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 20**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Gardner	Goodman
Grendell	Hagan	Hottinger	Jacobson
Jordan	Mallory	Miller	Mumper
Niehaus	Padgett	Prentiss	Roberts
Schuler	Schuring	Spada	Wachtmann
Wilson	Zurz		Harris-31.

So the bill passed.

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

Senator Goodman moved to amend the title as follows:

Add the names: "Armbruster, Niehaus, Hagan, Dann, Fedor, Miller."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Hottinger moved that Senators absent the week of Sunday, February 20, 2005, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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. 76-Senators Cates, Gardner, Jacobson, Padgett, Mumper, Clancy, Fedor.

To amend section 2903.13 of the Revised Code to make assault on any school employee a felony of the fifth degree.

S. B. No. 77-Senator Grendell.

To amend sections 3506.05 and 3506.10 and to enact section 3506.20 of the Revised Code to permit direct recording electronic voting machines certified for use in Ohio on January 1, 2005, to continue to be used in this state if they are modified to meet the requirements of the Help America Vote Act of 2002 and, when technologically and economically feasible, modified to include a voter verified paper audit trail.

S. B. No. 78-Senators Grendell, Cates.

To amend sections 121.02, 121.03, 121.05, 121.06, 121.07, 121.11, 121.13, 121.15, and 121.17, to enact new section 121.04, and to repeal section 121.04 of the Revised Code to reorganize the executive branch of state government.

OFFERING OF RESOLUTIONS

Senator Zurz offered the following concurrent resolution:

S. C. R. No. 4-Senators Zurz, Clancy, Fedor, Prentiss, Roberts, Wachtmann, Gardner, Jacobson, Schuler, Carey, Coughlin, Wilson, Spada, Brady, Miller, Goodman, Hagan.

To designate the month of February in both 2005 and 2006 as American Heart Month in Ohio.

WHEREAS, In the United States, cardiovascular disease (CVD) presents

a serious health problem, annually killing more Americans than any other disease; and

WHEREAS, Although cardiovascular disease claims the lives of more Americans each year than the next seven leading causes of death combined, still the American public fails to recognize the enormity of the threat posed by cardiovascular disease; and

WHEREAS, Each year, cardiovascular disease claims the lives of more women than men: since 1984, women have been dying of cardiovascular disease at the rate of approximately one death per minute - more than 500,000 women per year; and

WHEREAS, Within six years after undergoing a recognized heart attack, 35 per cent of women will suffer a second heart attack, 14 per cent will experience chest pain, 11 per cent will suffer a stroke, 46 per cent will be disabled with heart failure, and 6 per cent will experience sudden cardiac death; and

WHEREAS, In the United States, stroke is the third most frequent cause of death: according to the American Heart Association, stroke killed more than 162,000 Americans in 2002. Stroke also afflicts Americans with permanent and long-term disability more frequently than any other health problem; and

WHEREAS, Stroke poses an especially great threat to women: each year, approximately 40,000 more women than men suffer a stroke. One of every four women dies within one year of her first stroke, and, of the women who suffer a first stroke before age 65, over half die within eight years; and

WHEREAS, A woman's risk for a stroke is closely associated with the condition of her heart: 11 per cent of women who experience a heart attack will also suffer a stroke within six months of the heart attack; and

WHEREAS, A woman's risk for a stroke is also associated with her ancestry: African-American and Mexican-American women have higher heart disease and stroke risk factors than Caucasian American women of comparable socio-economic status; and

WHEREAS, In all women, symptoms of cardiovascular disease are generally recognized later in life, when other health challenges may be present; in fact, 63 per cent of women who die suddenly from coronary heart disease manifested no previous symptoms of the disease; and

WHEREAS, Most women simply do not realize that cardiovascular disease and stroke pose such serious threats to their health: only 38 per cent of women report that their doctors have discussed cardiovascular disease with them, despite the fact that close to one of every three women die of cardiovascular disease; and

WHEREAS, In its commitment to reduce the occurrence of disabilities and death caused by heart disease and stroke, the American Heart Association, a

voluntary, non-profit organization, has dedicated itself to conducting and supporting medical research that advances knowledge in treating and preventing heart disease; and

WHEREAS, The American Heart Association strives to inform all Americans of the critically important role that tools and skills play to increase women's rates of survival from heart disease and stroke; and

WHEREAS, The American Heart Association, in its effort to improve women's rate of survival from heart disease and stroke, strives to inform all Americans of critically important tools and skills to address the causes, prevention, and treatment of heart disease and stroke in women; and

WHEREAS, The American Heart Association, to increase awareness of the health threat to women posed by heart disease and stroke, has proclaimed February as American Heart Month; now therefore be it

RESOLVED, That we, the members of the 126th General Assembly of the State of Ohio, endorse the proclamation by the American Heart Association by designating the month of February in 2005 and 2006 as American Heart Month in Ohio to raise Ohioans' awareness of the effects of heart disease and stroke on women; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the news media of Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 4**, be adopted?"

So the concurrent resolution was adopted.

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

Senator Zurz moved to amend the title as follows:

Add the names: "Amstutz, Austria, Dann, Mallory, Niehaus, Harris, Jordan, Padgett."

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

The motion was agreed to and the title so amended.

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

S. R. No. 28-Senators Cates, Harris, Jacobson, Gardner, Spada, Austria, Hottinger, Prentiss, Mallory, Fedor, Hagan, Amstutz, Armbruster, Brady, Clancy, Carey, Coughlin, Dann, Fingerhut, Goodman, Grendell, Jordan, Miller, Mumper, Niehaus, Padgett, Roberts, Schuler, Schuring, Wachtmann, Wilson, Zurz.

Honoring the Ohio National Guard for outstanding military service.

S. R. No. 29-Senator Prentiss.

Honoring Rhonda Wells for outstanding service to the State of Ohio.

S. R. No. 30-Senators Carey, Coughlin, Wachtmann, Spada, Gardner, Mumper, Armbruster, Niehaus, Schuler, Cates, Zurz, Dann, Padgett, Brady, Jordan, Harris, Roberts, Hottinger, Miller, Schuring, Fingerhut, Clancy, Fedor, Austria.

Honoring Rotary International on its One Hundredth Anniversary.

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, Bob Taft, Governor of the State of Ohio, do hereby appoint, Sandra P. Baird, Republican, from Dublin, Franklin County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning February 7, 2005 and ending at the close of business October 4, 2007.

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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

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

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Ralph C. Emus, Republican, from Conneaut, Ashtabula County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for a new term beginning February 7, 2005 and ending at the close of business January 1,

2008.

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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

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

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Richard P. Finney, Republican, from Cadiz, Harrison County, Ohio, as Member of the Board of Motor Vehicle Collision Repair Registration for a term beginning February 7, 2005, and ending at the close of business January 1, 2008, replacing Robert Anderson, 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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

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

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Gary L. Jones, Democrat, from Gahanna, Franklin County, Ohio, as a Member of the Motor Vehicles Dealers Board for a new term beginning February 7, 2005 and ending at the close of business October 4, 2007.

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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

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

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, William J. Napier, Republican, from Upper Arlington, Franklin County, Ohio, as a Member of the Midwestern Higher Education Compact Commission for a new term beginning February 7, 2005 and ending at the close of business January 9, 2009.

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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

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

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Michelle Primm, Independent, from Akron, Summit County, Ohio, as a Member of the Motor Vehicles Dealers Board for a term beginning February 7, 2005 and ending at the close of business October 4, 2007.

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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

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

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, David Raizk, Democrat, from Wilmington, Clinton County, Ohio, as Member of the Motor Vehicle Dealers Board for a term beginning February 7, 2005, and ending at the close of business October 4, 2007, replacing Jeffrey Rader, 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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

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

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Roberto Vazquez, Independent, from Galloway, Franklin County, Ohio, as Member of the Motor Vehicle Dealers Board for a term beginning February 7, 2005, and ending at the close of business October 4, 2007, replacing Norma J. Ross, 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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

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

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, William F. Woeste, Jr., Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning February 7, 2005 and ending at the close of business October 4, 2007.

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 February in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

Said appointments were referred to the Committee on Rules.

On the motion of Senator Jacobson the Senate reverted to the Second Order of Business, Reports of Standing and Select Committees.

Senator Jacobson moved that the vote, whereby the Senate advised and consented to the appointment of Robin C. Hovis, be now reconsidered.

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

The yeas and nays were taken and resulted - yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Gardner	Goodman
Grendell	Hagan	Hottinger	Jacobson
Jordan	Mallory	Miller	Mumper
Niehaus	Padgett	Prentiss	Roberts
Schuring	Spada	Wachtmann	Wilson
Zurz			Harris-30.

Senator Schuler voted in the negative-1.

The motion was agreed to.

The question being, "Shall the Senate advise and consent to the appointment of Robin C. Hovis?"

The yeas and nays were taken and resulted - yeas 25, nays 6, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Gardner	Goodman
Grendell	Hagan	Hottinger	Jacobson
Mumper	Niehaus	Padgett	Roberts
Schuler	Schuring	Spada	Zurz
			Harris-25.

Senators Jordan, Mallory, Miller, Prentiss, Wachtmann, and Wilson voted in the negative-6.

So the Senate advised and consented to said appointment.

On the motion of Senator Jacobson, the Senate adjourned until Thursday, February 24, 2005 at 11:00 o'clock a.m.

Attest:

MATTHEW T. SCHULER,
Clerk.