

OHIO

SENATE

JOURNAL

THURSDAY, APRIL 7, 2005

THIRTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Thursday, April 7, 2005, 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 Schuring was selected to preside according to the rule.

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

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 120-Senators Grendell, Coughlin, Fingerhut.

To amend sections 3704.035, 3704.05, 3704.141, 3704.143, 3704.16, 3704.99, 3706.01, 4503.03, 4503.10, 4503.102, 4503.103, 4503.51, 5552.01, and 5739.02, to enact sections 3704.20, 3704.21, 3704.22, 3704.23, and 4503.043, and to repeal sections 3704.14, 3704.142, and 3704.17 of the Revised Code regarding motor vehicle emissions inspections.

OFFERING OF RESOLUTIONS

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

S. R. No. 55-Senator Schuring.

Honoring Jeff Young as the 2005 NAIA Division II Men's Basketball Coach of the Year.

S. R. No. 56-Senator Schuring.

Honoring the Walsh University men's basketball team as the 2005 NAIA Division II Champion.

S. R. No. 57-Senator Schuring.

Honoring the Canton McKinley High School boys basketball team as the 2005 Division I State Champion.

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, Mark A. Forni, Democrat, from Woodsfield, Monroe County, Ohio, as a Member of the Clean Ohio Council for a new term beginning March 18, 2005 and ending at the close of business November 23, 2006.

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 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, L. Rainy Gates Stitzlein, Democrat, from Akron, Summit County, Ohio, as a Member of the State Racing Commission for a new term beginning March 18, 2005 and ending at the close of business March 31, 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 18th day of March 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, Henry Gilliland, Republican, from Coalton, Summit County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Coalton for a term beginning March 18, 2005 and serving at the pleasure of the Governor, replacing James S. Milliken, 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 March 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, Dawn Gleason, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Board of Speech Language Pathology and Audiology for a term beginning March 18, 2005, and ending at the close of business September 26, 2005, replacing Debra Abel, 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 March 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 F. Herche, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Miami University Board of Trustees for a new term beginning March 18, 2005 and ending at the close of business February 28, 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 18th day of March 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, Matthew J. Kridler, Independent, from Springfield, Clark County, Ohio, as a Member of the Clean Ohio Council for a term beginning March 18, 2005, and ending at the close of business November 23, 2006, replacing R. Patrick DeWine, 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 18th day of March 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, Christopher B. Nichols, Republican, from Canton, Stark County, Ohio, as a Member of the Clean Ohio Council for a new term beginning March 18, 2005 and ending at the close of business November 23, 2006.

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 five.

[Seal]

Bob Taft,
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 passed the following bill in which the concurrence of the Senate is requested:

Sub. H. B. No. 25 - Representatives Wagner, J. Stewart, Hartnett, Carano, Otterman, Latta, Widener, Aslanides, S. Patton, Buehrer, Wolpert, Combs, Kearns, Webster, McGregor, Reidelbach, Law, Core, Schaffer, Faber, Chandler, Cassell, Hagan, Wagoner, Martin, Gilb, Allen, Barrett, Blessing, Book, Carmichael, Coley, Collier, Daniels, DeBose, Dolan, Domenick, C. Evans, Fessler, Flowers, Gibbs, Harwood, Hughes, Key, Mason, Miller, Perry, Schneider, Seaver, Seitz, D. Stewart, Strahorn, Taylor, Walcher, Willamowski, Williams, Yates, Yuko

To amend section 2743.02 of the Revised Code to allow a state officer or employee who in a civil action is alleged to lack immunity from personal liability to participate in proceedings to determine whether the officer or employee is entitled to personal immunity.

Attest:

Laura P. Clemens,
Clerk.

Said bill was considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Sub. H. B. No. 58 - Representatives Dolan, Willamowski, Barrett, Beatty, Brown, Carano, Cassell, Chandler, Coley, Daniels, Domenick, C. Evans, Fende, Flowers, Hartnett, Hughes, Key, Law, Martin, McGregor, Redfern, Schaffer, Schlichter, Schneider, Seitz, J. Stewart, Uecker, Yuko

To amend sections 109.71, 109.73, 109.79, 4973.17, and 4973.171 of the Revised Code relative to the appointment and commissioning of amusement park police officers and to the training of those officers and to declare an emergency.

Attest:

Laura P. Clemens,
Clerk.

Said bill was considered the first time.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 107.12 (D) (1) of Am. Sub. H.B. No. 95 of the 125th General Assembly, the President of the Senate appoints Senator Amstutz to serve on the Governor's Advisory Board of Faith-Based and Community Initiatives.

Pursuant to Section 107.12 (D) (1) of Am. Sub. H.B. No. 95 of the 125th General Assembly, the President of the Senate appoints the following public members to serve on the Governor's Advisory Board of Faith-Based and Community Initiatives:

Pastor Daniel L. Whisner
Mt. Vernon, Ohio 43050

Pastor Bob Burney
Westerville, Ohio 43081

Pastor G. Bruce Wilkinson
Ashland, Ohio 44805

Pursuant to Section 4121.123 (A) (2) of the Ohio Revised Code, the President of the Senate re-appoints the following public member, who represents employees who are not members of an employee organization, to serve on the Workers' Compensation Oversight Commission Nominating Committee:

Jerald D. Harris
Cincinnati, Ohio 45242

Pursuant to Section 109.91 of the Ohio Revised Code, the President of the Senate appoints Senator Goodman to serve on the State Victims Assistance Advisory Board.

Pursuant to Section 122.97 of the Ohio Revised Code, the President of the Senate appoints Senator Schuring to serve on the Ohio Steel Industry Advisory Council.

On the motion of Senator Niehaus, the Senate adjourned until Tuesday, April 12, 2005 at 1:30 p.m.

Attest:

MATTHEW T. SCHULER,
Clerk.