

OHIO

SENATE

JOURNAL

WEDNESDAY, APRIL 13, 2005

THIRTY-NINTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, April 13, 2005, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Father Michael Gribble, Saint Joseph's Cathedral, Columbus, 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 bill, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 121-Senator Hottinger.

To enact section 5533.321 of the Revised Code to designate a bridge on State Route 13 in Licking County as the "K.I.A. Memorial Bridge" and to declare an emergency.

To the Committee on Highways and Transportation.

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

NO - 0.

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

The report of the committee was accepted.

Said bill was considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coughlin submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **S. B. No. 115**-Senator Jacobson, having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: KIMBERLY A. ZURZ, DANIEL R. BRADY, LARRY A. MUMPER, KEVIN J. COUGHLIN, TIMOTHY J. GRENDELL, TOM NIEHAUS, TERESA FEDOR, 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:

Karen K. Moody-Bierly, Republican, from Mansfield, Richland County, Ohio, as a Member of the Chemical Dependency Professionals Board for a new term beginning February 18, 2005 and ending at the close of business December 23, 2007.

Debra A. Broadnax, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Board of Nursing for a new term beginning February 7, 2005 and ending at the close of business December 31, 2008.

Elizabeth M. Buschmann, Independent, from Oregon, Lake County, Ohio, as a Member of the Board of Nursing for a new term beginning February 7, 2005 and ending at the close of business December 31, 2008.

Gerald V. Carter, Democrat, from Youngstown, Mahoning County, Ohio, as a Member of the Chemical Dependency Professionals Board for a new term beginning February 18, 2005 and ending at the close of business December 23, 2007.

Joe R. A. Gay, Democrat from Athens County, Ohio, as a Member of the Chemical Dependency Professionals Board for a new term beginning February 18, 2005 and ending at the close of business December 23, 2007.

Kathleen S. O'Dell, Republican, from Greenville, Darke County, Ohio, as a Member of the Board of Nursing for a term beginning February 7, 2005 and ending at the close of business December 31, 2008, replacing Patricia A. Schelect, whose term expired.

Linda Swenson, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Chemical Dependency Professionals Board for a new term beginning February 18, 2005 and ending at the close of business December 23, 2007.

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

YES - 11: BILL HARRIS, ROBERT F. SPADA, STEPHEN C. AUSTRIA, JEFF JACOBSON, JAY HOTTINGER, J. KIRK SCHURING, RANDY GARDNER, TERESA FEDOR, ROBERT F. HAGAN, MARK MALLORY, C. J. PRENTISS.

NO - 0.

The question being, "Shall the Senate advise and consent to the 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	Austria	Brady	Carey
Cates	Clancy	Coughlin	Dann
Fedor	Fingerhut	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.

RESOLUTIONS REPORTED BY COMMITTEE

Senator Mallory offered the following resolution:

S. R. No. 35-Senators Mallory, Brady, Dann, Fedor, Miller, Zurz.

To memorialize Congress to amend the Energy Policy Act of 1992 to specify that an electric-hybrid vehicle must receive credit as being an alternative fueled vehicle for purposes of the requirement that 75% of new light duty motor vehicles acquired annually for state government fleets be alternative fueled vehicles.

WHEREAS, The United States' increasing dependence on imported oil and the relative instability of foreign oil-producing countries prompted Congress to enact the Energy Policy Act of 1992. The policy goals of the Act are to reduce our nation's reliance on foreign petroleum and to improve air quality; and

WHEREAS, To achieve these goals, certain portions of the Act establish provisions that are designed to encourage the use of alternative fuels. One such provision, 42 U.S.C. 13257(o), specifies that pursuant to rules adopted by the Department of Energy, 75% of new light duty motor vehicles acquired annually for state government fleets must be alternative fueled vehicles; and

WHEREAS, Rules adopted by the Department of Energy, which are codified at 10 C.F.R. Part 490 and are commonly known as the Energy Policy Act State and Alternative Fuel Provider Rules, exclude electric-hybrid vehicles that run in part on gasoline from the definition of "alternative fueled vehicle," thus prohibiting states from receiving credit toward the alternative fueled vehicle quota for the acquisition of an electric-hybrid vehicle; and

WHEREAS, This inability of states to use electric-hybrid vehicles in order to receive credit toward the quota is unfortunate and, in fact, does not make sense because those vehicles exhibit excellent fuel efficiency that would serve to accomplish the policy goals of the Energy Policy Act of 1992 by reducing dependence on petroleum products; now therefore be it

RESOLVED, That we, the members of the Senate of the 126th General Assembly of Ohio, request Congress to amend the Energy Policy Act of 1992 to specify that an electric-hybrid vehicle must receive credit as being an alternative fueled vehicle for purposes of the requirement that 75% of new light duty motor vehicles acquired annually for state government fleets be alternative fueled vehicles; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the Speaker and Clerk of the United States House of Representatives, to the President Pro Tempore and Secretary of the United States Senate, to the members of the Ohio Congressional delegation, to the Speaker of the House of Representatives of the General Assembly of Ohio, and to the news media of Ohio.

The question being, "Shall the resolution, **S. R. No. 35**, be adopted?"

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

Those who voted in the affirmative were: Senators

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

So the resolution was adopted.

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

Senator Mallory moved to amend the title as follows:

Add the names: "Roberts, Niehaus, Coughlin, Clancy, Spada, Grendell, Carey, Hagan, Prentiss, Mumper, Harris, Gardner, Goodman, Wachtmann, Padgett, Schuler, Amstutz, Austria, Cates, Hottinger, Jacobson, Jordan,

Schuring, Fingerhut, Wilson."

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

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

S. B. No. 55-Senators Spada, Harris, Prentiss, Amstutz, Armbruster, Austria, Brady, Cates, Clancy, Carey, Coughlin, Dann, Fedor, Fingerhut, Gardner, Goodman, Grendell, Hottinger, Jacobson, Jordan, Mallory, Mumper, Niehaus, Padgett, Roberts, Schuler, Schuring, Wachtmann, Wilson, Zurz.

To enact section 4503.761 of the Revised Code to create "One Nation Under God" license plates, was considered the third time.

The question being, "Shall the bill, **S. B. No. 55**, pass?"

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

Those who voted in the affirmative were: Senators

Amstutz	Austria	Brady	Carey
Cates	Clancy	Coughlin	Dann
Fedor	Fingerhut	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?"

The title was agreed to.

Sub. S. B. No. 115-Senator Jacobson.

To amend sections 102.03, 2921.01, 2921.43, 3517.01, 3517.08, 3517.09, 3517.092, 3517.10, 3517.102, 3517.105, 3517.106, 3517.108, 3517.109, 3517.11, 3517.13, 3517.152, 3517.155, 3517.20, 3517.23, and 3517.992 of the Revised Code to establish political contributing entities for the purpose of the Campaign Finance Law and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Jacobson moved to amend as follows:

In line 709, delete "political contributing entity."

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

The motion was agreed to.

The question recurred, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 27, nays 4, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Brady	Carey
Cates	Clancy	Coughlin	Dann
Gardner	Goodman	Grendell	Hottinger
Jacobson	Jordan	Mallory	Mumper
Niehaus	Padgett	Prentiss	Roberts
Schuler	Schuring	Spada	Wachtmann
Wilson	Zurz		Harris-27.

Senators Fedor, Fingerhut, Hagan, and Miller voted in the negative-4.

So the section, Section 3, 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 28, nays 3, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Austria	Brady	Carey
Cates	Clancy	Coughlin	Dann
Fedor	Gardner	Goodman	Grendell
Hottinger	Jacobson	Jordan	Mallory
Mumper	Niehaus	Padgett	Prentiss
Roberts	Schuler	Schuring	Spada
Wachtmann	Wilson	Zurz	Harris-28.

Senators Fingerhut, Hagan, and Miller voted in the negative-3.

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

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

The title was agreed to.

MOTIONS

Senator Hottinger moved that Senators absent the week of Sunday, April 10, 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. 122-Senators Miller, Dann, Brady, Fedor.

To make an appropriation for the provision of state matching funds for federal TRIO programs at Ohio institutions of higher education for the FY 2006-2007 biennium.

S. B. No. 123-Senators Miller, Dann, Zurz, Fedor.

To amend sections 2925.01, 2925.03, 2925.05, 2925.11, and 2929.01 of the Revised Code to eliminate the distinction between powdered cocaine and crack cocaine in the Drug Abuse Law.

S. B. No. 124-Senator Spada.

To amend sections 101.23, 101.82, 101.83, 101.84, 101.85, 101.86, 122.011, 122.40, 123.151, 149.56, 307.674, 340.02, 1501.04, 1502.04, 1502.05, 1502.11, 1502.12, 1506.30, 1506.34, 1506.35, 1517.02, 1517.23, 1518.01, 1518.03, 1551.35, 2323.44, 3358.10, 3375.61, 3375.62, 3383.01, 3383.02, 3383.03, 3383.04, 3383.05, 3383.06, 3383.07, 3383.08, 3383.09, 3746.09, 3746.35, 3747.02, 3748.01, 3748.02, 3748.04, 3748.05, 3748.16, 3929.482, 3929.85, 3931.01, 3955.05, 3960.06, 4117.01, 4121.442, 4167.09, 4167.25, 4167.27, 4731.143, 4741.03, 4755.481, 4981.03, 5123.35, and 5123.352 of the Revised Code, to amend Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly, and to repeal Section 8 of Am. S.B. 80 of the 125th General Assembly to exempt ten state governmental entities from the operation of the Sunset Review Law, to change the membership of the Ohio Subrogation Rights Commission and accelerate its commencement date, to confirm the sunset review and related amendments, enactments, and repeals of Am. Sub. H.B. 516 of the 125th General Assembly, and to declare an emergency.

S. B. No. 125-Senator Schuring.

To amend section 2151.655 and to enact section 133.152 of the Revised Code to authorize joint county juvenile detention facility districts to enter into agreements with the several boards of county commissioners providing for the financing of juvenile detention facility improvements.

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, Anthony Joseph Bitonte, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Optical Dispensers Board for a new term beginning April 1, 2005 and ending at the close of business March 21, 2010.

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 April 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, James M. DeDario, Republican, from Dayton, Montgomery County, Ohio, as a Member of the Ohio Optical Dispensers Board for a new term beginning April 1, 2005 and ending at the close of business March 21, 2010.

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 April 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, Ronda H. Fergus, Republican, from Powell, Delaware County, Ohio, as a Member of the Public Utilities Commission of Ohio for a new term beginning April 10, 2005 and ending at the close of business April 10, 2010.

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 April 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, Jeff Grey, Republican, from Celina, Mercer County, Ohio, as a Member of the County Sheriff's Standard Car-Marking and Uniform Commission for a term beginning April 1, 2005 and serving at the pleasure of the Governor, replacing Sheriff Stephen Saltsman, 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 1st day of April 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, Brian J. Miller, Independent, from Toledo, Lucas County, Ohio, as a Member of the Ohio Optical Dispensers Board for a term beginning April 1, 2005, and ending at the close of business March 21, 2010, replacing Roy R. Miller, 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 April 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, Kamala Saxena, Independent, from Columbus, Franklin County, Ohio, as a Member of the State Medical Board for a term beginning April 1, 2005, and ending at the close of business March 18, 2006, replacing Anand G. Garg, 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 1st day of April 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, Nandlal Varyani, Republican, from Middleburg Heights, Cuyahoga County, Ohio, as a Member of the State Medical Board for a term beginning April 1, 2005, and ending at the close of business March 18, 2010, replacing Anant R. Bhati, 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 April 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, Thomas C.

Washbush, Republican, from Dublin, Franklin County, Ohio, as a Member of the Industrial Technology and Enterprise Advisory Council for a term beginning April 1, 2005, and ending at the close of business December 31, 2007, replacing Mark J. Butterworth, 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 1st day of April 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, Oscar J. Watson, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Optical Dispensers Board for a new term beginning April 1, 2005 and ending at the close of business March 21, 2010.

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 April 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:

Am. Sub. H. B. No. 66 - Representatives Calvert, Flowers, Martin, McGregor, Peterson, Schlichter, Webster, Aslanides, Blasdel, Coley, Collier, Combs, DeWine, Dolan, C. Evans, D. Evans, Hagan, Kearns, Kilbane, Law, T. Patton, Seaver, Setzer, Wagoner, White, Widowfield, Husted

To amend sections 9.06, 9.24, 9.833, 9.90, 101.68, 102.01, 105.41, 108.05, 109.57, 109.572, 109.91, 117.10, 117.16, 120.06, 120.13, 120.23, 120.52, 120.53, 121.37, 121.38, 122.011, 122.17, 122.171, 122.603, 122.71, 122.72, 122.73, 122.74, 122.75, 122.751, 122.76, 122.77, 122.78, 122.79, 122.82, 122.83, 123.152, 123.17, 125.041, 125.05, 125.831, 125.832, 126.25, 127.16,

131.02, 131.23, 133.09, 140.01, 140.08, 141.011, 141.04, 145.01, 145.33, 147.05, 147.10, 147.11, 147.12, 147.371, 150.07, 150.10, 153.44, 173.40, 181.251, 181.51, 181.52, 181.54, 181.55, 181.56, 183.28, 184.02, 307.88, 317.08, 317.36, 319.20, 319.301, 319.302, 319.54, 321.24, 323.01, 323.152, 323.17, 325.31, 329.04, 329.051, 339.72, 339.73, 339.88, 340.03, 340.16, 718.09, 718.10, 723.52, 723.53, 742.59, 901.43, 905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.501, 905.66, 907.16, 911.02, 913.02, 913.23, 915.02, 915.16, 915.24, 921.02, 921.16, 923.44, 923.45, 923.46, 927.69, 1327.511, 1327.62, 1327.99, 1502.02, 1515.14, 1517.02, 1521.062, 1531.27, 1533.10, 1533.11, 1533.111, 1533.112, 1533.12, 1533.32, 1541.03, 1548.06, 1711.53, 1713.03, 1751.03, 1901.26, 1901.31, 1907.24, 2113.041, 2151.031, 2151.352, 2151.416, 2151.86, 2152.43, 2152.74, 2303.201, 2305.234, 2329.66, 2744.05, 2901.07, 2913.40, 2919.22, 2921.13, 2923.25, 2925.01, 2925.04, 2925.041, 2929.13, 2929.14, 2967.13, 3107.10, 3111.04, 3119.54, 3121.12, 3121.50, 3125.18, 3301.079, 3301.0710, 3301.0711, 3301.0714, 3301.0715, 3301.12, 3301.16, 3301.311, 3301.32, 3301.86, 3301.88, 3311.19, 3313.12, 3313.202, 3313.207, 3313.208, 3313.209, 3313.33, 3313.489, 3313.975, 3313.976, 3313.977, 3313.978, 3313.98, 3314.013, 3314.015, 3314.02, 3314.021, 3314.03, 3314.06, 3314.074, 3314.08, 3314.13, 3315.17, 3315.18, 3315.37, 3316.06, 3316.16, 3317.01, 3317.012, 3317.013, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.026, 3317.027, 3317.028, 3317.029, 3317.0212, 3317.0216, 3317.0217, 3317.03, 3317.05, 3317.052, 3317.053, 3317.06, 3317.081, 3317.09, 3317.10, 3317.16, 3317.20, 3317.21, 3317.22, 3317.23, 3317.50, 3317.51, 3318.011, 3318.33, 3319.081, 3319.17, 3319.22, 3319.235, 3319.55, 3323.021, 3323.091, 3323.14, 3323.16, 3327.01, 3332.092, 3333.04, 3333.044, 3333.12, 3333.121, 3333.27, 3333.28, 3333.36, 3333.38, 3334.01, 3334.02, 3334.03, 3334.07, 3334.08, 3334.09, 3334.10, 3334.11, 3334.12, 3334.15, 3334.16, 3334.17, 3334.18, 3345.10, 3345.32, 3353.01, 3353.06, 3353.07, 3365.01, 3365.02, 3365.021, 3365.04, 3365.041, 3365.05, 3365.07, 3365.08, 3365.10, 3375.40, 3375.48, 3375.49, 3375.54, 3375.55, 3377.03, 3383.02, 3501.141, 3501.17, 3701.021, 3701.023, 3701.146, 3701.65, 3702.141, 3702.51, 3702.68, 3702.74, 3703.01, 3703.03, 3703.04, 3703.05, 3703.06, 3703.07, 3703.08, 3703.10, 3703.99, 3705.24, 3709.29, 3709.34, 3712.03, 3714.07, 3721.01, 3721.03, 3721.07, 3721.15, 3721.21, 3721.50, 3721.51, 3721.52, 3721.56, 3721.58, 3722.01, 3722.02, 3734.01, 3734.28, 3734.57, 3734.901, 3734.9010, 3743.57, 3745.11, 3745.12, 3746.04, 3746.071, 3748.07, 3748.13, 3773.34, 3773.38, 3773.39, 3773.40, 3773.57, 3793.09, 3901.021, 3901.17, 3901.78, 3903.14, 3905.04, 3905.36, 3905.40, 3923.27, 4112.12, 4117.03, 4117.08, 4117.24, 4123.27, 4141.29, 4301.10, 4301.42, 4301.43, 4305.01, 4505.06, 4511.75, 4519.02, 4519.09, 4561.17, 4561.18, 4561.21, 4703.15, 4705.09, 4709.05, 4731.65, 4731.71, 4736.11, 4736.12, 4753.03, 4753.06, 4753.071, 4753.08, 4753.09, 4757.30, 4775.04, 4905.10, 4905.54, 4905.95, 4911.02, 4911.18, 4973.171, 5101.181, 5101.21, 5101.24, 5101.241, 5101.26, 5101.31, 5101.35, 5101.36, 5101.46, 5101.47, 5101.75, 5101.752, 5101.80, 5101.801, 5101.821, 5104.01, 5104.32, 5104.38,

5107.05, 5107.10, 5107.26, 5107.30, 5107.58, 5110.01, 5110.05, 5110.352, 5110.39, 5111.019, 5111.0112, 5111.02, 5111.021, 5111.023, 5111.025, 5111.042, 5111.06, 5111.082, 5111.11, 5111.111, 5111.113, 5111.16, 5111.19, 5111.20, 5111.204, 5111.21, 5111.22, 5111.221, 5111.23, 5111.231, 5111.235, 5111.24, 5111.241, 5111.25, 5111.251, 5111.255, 5111.257, 5111.26, 5111.261, 5111.263, 5111.264, 5111.27, 5111.28, 5111.29, 5111.291, 5111.30, 5111.31, 5111.32, 5111.33, 5111.62, 5111.85, 5111.87, 5111.88, 5111.911, 5111.97, 5111.99, 5112.03, 5112.08, 5112.17, 5112.30, 5112.31, 5115.20, 5115.22, 5115.23, 5119.61, 5120.09, 5120.16, 5120.48, 5120.51, 5121.01, 5121.02, 5121.03, 5121.04, 5121.05, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5121.21, 5122.03, 5122.04, 5122.31, 5123.01, 5123.046, 5123.047, 5123.049, 5123.0412, 5123.19, 5123.196, 5123.20, 5123.34, 5123.701, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054, 5126.055, 5126.056, 5126.057, 5126.12, 5139.01, 5139.36, 5153.16, 5502.01, 5502.03, 5517.02, 5540.01, 5540.09, 5543.19, 5549.01, 5573.13, 5575.01, 5701.03, 5703.052, 5703.053, 5703.47, 5703.50, 5703.70, 5703.80, 5705.02, 5705.091, 5705.214, 5705.29, 5705.391, 5705.392, 5709.07, 5709.40, 5709.41, 5709.73, 5709.77, 5709.78, 5711.21, 5711.22, 5713.08, 5715.24, 5719.041, 5725.19, 5727.01, 5727.02, 5727.06, 5727.10, 5727.11, 5727.111, 5727.12, 5727.81, 5727.82, 5727.84, 5727.85, 5728.01, 5728.02, 5728.03, 5728.04, 5728.06, 5728.08, 5729.08, 5731.01, 5731.05, 5731.131, 5731.14, 5731.18, 5731.181, 5731.22, 5731.23, 5731.39, 5731.41, 5733.01, 5733.065, 5733.066, 5733.33, 5733.351, 5733.352, 5733.40, 5733.41, 5733.49, 5739.01, 5739.02, 5739.025, 5739.10, 5741.02, 5743.01, 5743.02, 5743.03, 5743.05, 5743.071, 5743.08, 5743.14, 5743.15, 5743.16, 5743.18, 5743.19, 5743.20, 5743.32, 5743.33, 5743.51, 5743.62, 5743.63, 5747.01, 5747.02, 5747.05, 5747.08, 5747.331, 5747.70, 5747.80, 5747.98, 5748.01, 5748.02, 5748.03, 5748.04, 5748.08, 5749.02, 5919.33, 5920.01, 6109.21, and 6111.02; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 181.251 (5502.63), 181.51 (5502.61), 181.52 (5502.62), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 3317.21 (3318.47), 3317.22 (3318.48), 3317.23 (3318.49), 5101.75 (173.42), 5101.752 (173.43), 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0114), 5111.112 (5111.113), 5111.113 (5111.114), 5111.231 (5111.232), 5111.257 (5111.258), 5111.88 (5111.97), 5111.97 (5111.86), 5121.01 (5121.02), 5121.02 (5121.03), and 5121.03 (5121.01); to enact new sections 5111.02, 5111.112, 5111.231, 5111.257, and 5111.262, and sections 9.901, 117.162, 120.36, 121.381, 121.382, 121.403, 122.083, 125.18, 131.022, 131.46, 153.692, 173.39, 173.391, 173.392, 173.393, 173.394, 173.395, 173.396, 173.397, 173.44, 173.45, 173.46, 173.47, 173.48, 173.49, 173.50, 341.192, 901.44, 907.111, 1327.70, 1327.71, 1547.721, 1547.722, 1547.723, 1547.724, 1547.725, 1547.726, 1751.271, 2925.15, 2967.24, 3125.191, 3310.01, 3310.02, 3310.03, 3310.04, 3310.05, 3310.06, 3310.07, 3310.08, 3310.09, 3310.10, 3310.11, 3310.12, 3310.13, 3310.14, 3310.15, 3310.16, 3310.17, 3314.035, 3314.061, 3314.29, 3316.043, 3317.034, 3317.035, 3317.201, 3318.111, 3319.0810,

3319.172, 3323.20, 3323.30, 3323.31, 3323.32, 3323.33, 3324.10, 3325.10, 3325.11, 3325.12, 3325.15, 3325.16, 3325.17, 3333.047, 3333.122, 3333.162, 3365.11, 3702.83, 3705.242, 3714.073, 3715.04, 3719.47, 3719.48, 3721.032, 3721.541, 3721.561, 3745.015, 3745.114, 3770.061, 3903.421, 4905.261, 4911.021, 5101.07, 5101.071, 5101.461, 5101.802, 5101.803, 5107.301, 5111.026, 5111.027, 5111.061, 5111.062, 5111.072, 5111.083, 5111.10, 5111.161, 5111.176, 5111.177, 5111.191, 5111.222, 5111.234, 5111.242, 5111.254, 5111.256, 5111.265, 5111.266, 5111.851, 5111.852, 5111.853, 5111.854, 5111.855, 5111.89, 5111.891, 5111.892, 5111.893, 5111.914, 5111.915, 5111.98, 5112.341, 5121.30, 5121.31, 5121.32, 5121.33, 5121.34, 5121.35, 5121.36, 5121.37, 5121.38, 5121.39, 5121.40, 5121.41, 5121.42, 5121.43, 5121.44, 5121.45, 5121.46, 5121.47, 5121.49, 5121.50, 5121.51, 5121.52, 5121.53, 5121.54, 5121.55, 5123.1910, 5540.032, 5703.057, 5705.219, 5707.031, 5727.031, 5727.241, 5743.021, 5743.031, 5743.072, 5743.331, 5743.71, 5743.72, 5743.73, 5743.74, 5743.75, 5743.76, 5747.056, 5751.01, 5751.011, 5751.012, 5751.02, 5751.021, 5751.03, 5751.031, 5751.032, 5751.033, 5751.034, 5751.04, 5751.05, 5751.06, 5751.07, 5751.08, 5751.081, 5751.09, 5751.10, 5751.11, 5751.12, 5751.20, 5751.21, 5751.22, 5751.31, 5751.50, 5751.51, 5751.52, 5751.98, 5751.99, 5919.31, 5919.341, 6111.0210, 6111.0211, 6111.0212, and 6111.0213; and to repeal sections 181.53, 339.77, 742.36, 1541.221, 3301.31, 3301.33, 3301.34, 3301.35, 3301.36, 3301.37, 3301.38, 3301.80, 3301.85, 3301.87, 3311.40, 3317.0213, 3353.02, 3353.03, 3353.04, 3721.511, 3901.41, 3901.781, 3901.782, 3901.783, 3901.784, 5101.751, 5101.753, 5101.754, 5111.041, 5111.205, 5111.262, 5111.34, 5115.10, 5115.11, 5115.12, 5115.13, 5115.14, 5123.041, 5123.048, 5571.13, 5731.20, 5733.122, and 6111.028 of the Revised Code; to amend Sections 16.09, 19.01, 20.01, 22.03, 23.11, 23.12, 23.13, 23.26, 23.45, and 24.01 of Am. Sub. H.B. 16 of the 126th General Assembly; to amend Sections 203.03.09 and 203.03.10 of Am. Sub. H.B. 68 of the 126th General Assembly; to amend Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly; to amend Section 3 of Am. Sub. H.B. 621 of the 122nd General Assembly, as subsequently amended; to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended; to amend Section 5 of Am. Sub. S.B. 50 of the 121st General Assembly, as subsequently amended; and to repeal Sections 59.19 and 147 of Am. Sub. H.B. 95 of the 125th General Assembly to make operating appropriations for the biennium beginning July 1, 2005 and ending June 30, 2007, and to provide authorization and conditions for the operation of state programs, and to further amend sections 3215.18, 5101.35, 5101.80, 5101.801, and 5153.16 of the Revised Code on January 1, 2006, to provide authorization and continuation for the operation of certain state programs, and to repeal Section 553.01 of this act on December 16, 2005.

Attest:

Laura P. Clemens,

Clerk.

Said bill was considered the first time.

On the motion of Senator Jacobson, the Senate adjourned until Thursday, April 14, 2005 at 11:00 o'clock a.m.

Attest:

MATTHEW T. SCHULER,
Clerk.