

OHIO

SENATE

JOURNAL

TUESDAY, APRIL 19, 2005

FORTY-FIRST DAY
 Senate Chamber, Columbus, Ohio
Tuesday, April 19, 2005, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Pamela Hairston, Rainbow Covenant Ministries, 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 bills, standing in order for second consideration, be referred to committee as recommended:

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.

To the Committee on Finance and Financial Institutions.

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.

To the Committee on Judiciary - Criminal Justice.

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.

To the Committee on State and Local Government and Veterans' Affairs.

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.

To the Committee on State and Local Government and Veterans' Affairs.

YES - 5: MARK MALLORY, J. KIRK SCHURING, C. J. PRENTISS, JEFF JACOBSON, 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 **H. B. No. 42**-Representative Schaffer, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 7: DAVID GOODMAN, RON AMSTUTZ, LYNN R. WACHTMANN, STEPHEN C. AUSTRIA, MARC DANN, KIMBERLY A. ZURZ, ROBERT L. SCHULER.

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:

Floyd H. Flake, from Wilberforce, Green County, Ohio, as a Member of the National Museum of Afro-American History and Culture Planning Council for a new term beginning February 18, 2005 and ending at the close of business January 31, 2009.

John W. Garland, Independent, from Xenia, Greene County, Ohio, as a Member of the National Museum of Afro-American History and Culture Planning Council for a new term beginning February 18, 2005 and ending at the close of business January 31, 2009.

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

YES - 7: BILL HARRIS, J. KIRK SCHURING, STEPHEN C. AUSTRIA, JEFF JACOBSON, TERESA FEDOR, 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	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Fingerhut	Gardner
Goodman	Grendell	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

H. B. No. 42-Representatives Schaffer, McGregor, Reidelbach, Hoops, Taylor, Seitz, Raussen, J. Stewart, C. Evans, Beatty, Carano, D. Evans, Hartnett, Perry, Willamowski, Gilb, Allen, Hagan, Buehrer, Harwood, Mason, Wagoner, Coley, Latta, Oelslager, Book, Barrett, Brown, Bulp, Calvert, Cassell, Collier, Combs, Core, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Faber, Fende, Flowers, Garrison, Gibbs, Hughes, Kearns, Key, Law, Martin, Miller, Otterman, S. Patton, T. Patton, Sayre, Schlichter, Schneider, Seaver, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, Strahorn, Sykes.

To amend sections 1702.01, 1702.02, 1702.08, 1702.11, 1702.17, 1702.18, 1702.19, 1702.20, 1702.22, 1702.25, 1702.27, 1702.31, 1702.33, 1702.38, 1702.39, 1702.42, 1702.47, and 1702.58 of the Revised Code relating to the use of authorized communications equipment, including electronic or telephonic transmissions, in certain meetings and votings of nonprofit corporations and the authority to take action on behalf of a nonprofit corporation without a meeting of incorporators, directors, or members, was considered the third time.

The question being, "Shall the bill, **H. B. No. 42**, 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	Fingerhut	Gardner
Goodman	Grendell	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: "Goodman, Austria, Clancy."

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. 126-Senator Wachtmann.

To amend sections 133.07, 140.03, 140.05, 325.19, 339.01, 339.02, 339.03, 339.06, 339.09, 339.091, 339.14, 339.16, and 339.17 and to repeal section 339.092 of the Revised Code to modify the laws governing county hospitals.

S. B. No. 127-Senator Grendell.

To amend sections 317.08, 1501.01, 1504.02, 1506.01, 1506.02, 1506.06, 1506.08, 1506.10 to 1506.12, 1521.01, 1521.20, 1521.21, 1521.22, 1521.23, 1521.24, 1521.25, 1521.26, 1521.27, 1521.28, 1521.29, 1521.99, and 6121.04; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1521.20 (1506.38), 1521.21 (1506.39), 1521.22 (1506.40), 1521.23 (1506.41), 1521.24 (1506.42), 1521.25 (1506.43), 1521.26 (1506.44), 1521.27 (1506.45), 1521.28 (1506.46), 1521.29 (1506.47), and 1521.30 (1506.48); to enact section 1506.49; and to repeal section 1506.37 of the Revised Code to revise the law governing coastal management and the control of erosion along Lake Erie.

OFFERING OF RESOLUTIONS

Senator Dann offered the following concurrent resolution:

S. C. R. No. 15-Senators Dann, Brady, Hagan, Prentiss, Mallory, Fedor, Miller.

To memorialize the Congress of the United States to reject any plan to privatize the Social Security Program by cutting the Program's guaranteed benefits or diverting money from the Program into private investment accounts.

The question being, "Shall the concurrent resolution, **S. C. R. No. 15**, be adopted?"

On motion of Senator Jacobson, **S. C. R. No. 15**, was referred to the Committee on Reference.

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

S. R. No. 63-Senators Zurz, Schuring.

Honoring Chris Ash as a 2005 State Swimming Champion.

S. R. No. 64-Senator Fingerhut.

Honoring The Legal Aid Society of Cleveland on its One Hundredth Anniversary.

S. R. No. 65-Senator Roberts.

Honoring the Chaminade-Julienne High School girls basketball team on winning the 2005 Division I State Championship.

S. R. No. 66-Senator Dann.

Honoring Amanda Beagle as Miss Ohio 2004.

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, Dolly Bair, Independent, from Camden, Preble County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of West Elkton for a term beginning April 8, 2005 and serving at the pleasure of the Governor, replacing Fred Specht, 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 8th 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, Stanley J. Borgia, Independent, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Peace Officer Training Commission for a term beginning April 8, 2005, and ending at the close of business September 19, 2005, replacing Gerald Mack, 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 8th 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, Susan M. Ciarlariello, Independent, from Dayton, Montgomery County, Ohio, as a Member of the Ohio Respiratory Care Board for a new term beginning April 8, 2005 and ending at the close of business March 14, 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 8th 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, Carol Gilligan, Independent, from Cleveland, Cuyahoga County, Ohio, as a Member of the Ohio Respiratory Care Board for a new term beginning April 8, 2005 and ending at the close of business March 14, 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 8th 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, Douglas R. Murray, Republican, from Piqua, Miami County, Ohio, as a Member of the Edison State Community College Board of Trustees for a term beginning April 8, 2005, and ending at the close of business January 18, 2011, replacing Ray Loffer, 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 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, Margaret F. Traband, Republican, from Toledo, Lucas County, Ohio, as a Member of the Ohio Respiratory Care Board for a new term beginning April 8, 2005 and ending at the close of business March 14, 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 8th 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 PRESIDENT

Pursuant to Section 5537.02 of the Ohio Revised Code, the President of the Senate appoints Senator Armbruster to serve on the Ohio Turnpike Commission.

On the motion of Senator Jacobson, the Senate adjourned until Wednesday, April 20, 2005 at 1:30 p.m.

Attest:

MATTHEW T. SCHULER,
Clerk.