

**OHIO**

**SENATE**

**JOURNAL**

THURSDAY, APRIL 21, 2005

FORTY-THIRD DAY  
Senate Chamber, Columbus, Ohio  
**Thursday, April 21, 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 Niehaus was selected to preside according to the rule.

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

**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. 107**-Senator Schuler, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Mumper, Grendell, Coughlin.

YES - 9: LARRY A. MUMPER, TIMOTHY J. GRENDALL, TOM NIEHAUS, J. KIRK SCHURING, JEFFRY J. ARMBRUSTER, KIMBERLY A. ZURZ, KEVIN J. COUGHLIN, DANIEL R. BRADY, TERESA FEDOR.

NO - 0.

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

The report of the committee was accepted.

**INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bill was introduced and considered the first time:

**S. B. No. 131**-Senators Mumper, Dann, Zurz.

To amend sections 4301.333, 4301.334, 4301.351, 4301.354, 4301.355, 4301.356, 4301.361, 4301.364, 4301.365, 4301.366, 4301.62, 4301.99, and 4303.182 and to enact section 4301.65 of the Revised Code to authorize certain Sunday liquor sales to begin at 11 a.m. even if these sales previously were approved by the voters to commence at 1 p.m., to change from 1 p.m. to 11 a.m. the time at which Sunday liquor sales may start as specified in certain local option questions submitted to the voters, to prohibit the sale, offering for sale, purchase, and use of alcohol vaporizing devices, and to allow opened bottles of wine that are purchased at restaurants to be transported in vehicles under certain conditions.

**S. B. No. 132**-Senators Coughlin, Clancy, Goodman.

To amend section 2903.13 of the Revised Code to increase the penalty for assaults on sports officials and health care professionals and health care workers providing health care services in a health care facility or location.

**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, Ted Brown, Republican, from Tipp City, Montgomery County, Ohio, as a Member of the State Racing Commission for a term beginning April 15, 2005, and ending at the close of business March 31, 2009, replacing C. William Swank, 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 15th 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, Edward R. Hills, Independent, from Orange Village, Geauga County, Ohio, as a Member of the State Dental Board for a new term beginning April 15, 2005 and ending at the close of business April 6, 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 15th 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, Mark Landes, Republican, from Columbus, Franklin County, Ohio, as a Member of the State Dental Board for a term beginning April 15, 2005 and ending at the close of business April 6, 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 15th 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, Linda R. Leshner, Republican, from Lima, Allen County, Ohio, as a Member of the State Dental Board for a term beginning April 15, 2005, and ending at the close of business April 6, 2009, replacing Lynda Sabat, 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 15th 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, Howard W. Lowery, Republican, from Columbus, Franklin County, Ohio, as a Member of the Hearing Aid Dealers and Fitters Licensing Board for a new term beginning April 15, 2005 and ending at the close of business January 25, 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

15th 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, Jenine M. Porter, Republican, from Catawba, Ottawa County, Ohio, as a Member of the Terra State Community College Board of Trustees for a term beginning April 15, 2005, and ending at the close of business December 31, 2010, replacing Casimir Drabik, 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 15th 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, Larry C. Sowers, Democrat, from Hilliard, Franklin County, Ohio, as a Member of the Capitol Square Review and Advisory Board for a new term beginning April 15, 2005 and ending at the close of business April 22, 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 15th 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, Joyce C. Young, Republican, from Dayton, Montgomery County, Ohio, as a Member of the Rehabilitation Services Commission for a term beginning April 15, 2005, and ending at the close of business September 8, 2009, replacing Douglas C. Hunt, 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 15th 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 bills in which the concurrence of the Senate is requested:

**Sub. H. B. No. 50** - Representatives Setzer, Hughes, C. Evans, DeWine, Gilb, McGregor, Fessler, Latta, Walcher, D. Evans, Willamowski, Seaver, Perry, Allen, Buehrer, Calvert, Carmichael, Cassell, Chandler, Collier, Combs, Daniels, DeBose, Domenick, Faber, Gibbs, Hagan, Harwood, Kearns, Kilbane, Law, Martin, Otterman, T. Patton, Peterson, Raga, Reidelbach, Schaffer, Schlichter, Schneider, D. Stewart, J. Stewart, Strahorn, Taylor, Uecker, Webster, Widener, Widowfield, Williams, Yuko

To amend section 2907.09 of the Revised Code to expand and modify the penalty for the offense of public indecency.

**Sub. H. B. No. 2** - Representatives Widowfield, Buehrer, Flowers, Walcher, Hartnett, Mitchell, Uecker, Carmichael, Book, D. Stewart, Aslanides, Beatty, Blasdel, Blessing, Brown, Calvert, Carano, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeWine, Distel, Dolan, Domenick, C. Evans, D. Evans, Faber, Fende, Garrison, Gibbs, Gilb, Hagan, Harwood, Hoops, Hughes, Kearns, Key, Kilbane, Koziura, Latta, Law, Martin, Mason, Miller, Oelslager, Otterman, T. Patton, Perry, Peterson, Raga, Raussen, Reidelbach, Reinhard, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, J. Stewart, Strahorn, Taylor, Trakas, Ujvagi, Wagner, Wagoner, Webster, White, Widener, Willamowski, Williams, Wolpert, Yuko

To amend sections 5101.184, 5747.026, 5747.08, and 5747.113 and to enact section 5903.21 of the Revised Code to grant to all members of the National Guard and reserve components of the United States armed forces who have been called to active duty an extension of time in which to file income tax

returns and pay income taxes, to increase the number of authorized participants in the Ohio National Guard Scholarship Program for the 2005 summer term, to allow taxpayers to donate a portion of their Ohio income tax refund to injured military personnel, and to declare an emergency.

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 passage of the following bill:

**Am. Sub. S. B. No. 115** - Senator Jacobson Representatives Carano, Cassell, Domenick, D. Evans, Faber, Flowers, McGregor, Otterman, Reidelbach, Seaver, Setzer, G. Smith, Widowfield, Williams, Wolpert

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.

Attest: Laura P. Clemens,  
Clerk.

On the motion of Senator Schuler, the Senate adjourned until Tuesday, April 26, 2005 at 1:30 p.m.

Attest: MATTHEW T. SCHULER,  
Clerk.