

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, JUNE 14, 2005

SIXTY-FOURTH DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, June 14, 2005, 1:30 p.m.**

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Mumper 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 Schuler submitted the following report:

The standing committee on Energy and Public Utilities, to which was referred **Sub. H. B. No. 218**-Representative Daniels, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 45, delete "or that exceeds"

In line 164, delete "unique" and insert "specific"; after "to" insert "a"; delete "companies" and insert "company that is an incumbent local exchange carrier as defined in 47 U.S.C. 252 (h)"

Co-Sponsors: Niehaus, Jacobson, Schuler.

YES - 7: CHARLES A. WILSON, DAVID GOODMAN, TOM NIEHAUS, TOM ROBERTS, KIMBERLY A. ZURZ, ROBERT L. SCHULER, JEFF JACOBSON.

NO - 0.

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

The report of the committee was accepted.

**BILLS FOR THIRD CONSIDERATION**

**Sub. S. B. No. 33**-Senators Spada, Jacobson, Amstutz, Schuler, Mumper.

To enact section 1349.19 of the Revised Code to prohibit the sale of a gift card that has an expiration date that is less than two years after the date the gift card is issued and to prohibit, for two years after issuance, any service charges

or fees having the effect of reducing the value of the gift card, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 33**, pass?"

On the motion of Senator Clancy, **Sub. S. B. No. 33** was informally passed and retained its place on the calendar.

### **INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bills were introduced and considered the first time:

**S. B. No. 154**-Senator Wachtmann.

To amend sections 1.64, 1751.01, 2305.113, 2925.02, 2925.03, 2925.11, 2925.12, 2925.14, 2925.23, 2925.36, 3327.10, 3331.02, 3719.06, 3719.81, 4723.481, 4723.50, 4729.01, 4729.51, 4730.01, 4730.02, 4730.03, 4730.05, 4730.06, 4730.07, 4730.10, 4730.11, 4730.12, 4730.16, 4730.18, 4730.19, 4730.21, 4730.22, 4730.25, 4730.26, 4730.27, 4730.28, 4730.31, 4730.32, 4730.33, 4730.34, 4731.141, and 5903.12; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4730.11 (4730.12), 4730.12 (4730.14), and 4730.18 (4730.15); to enact new sections 4730.11, 4730.17, and 4730.18 and sections 4730.08, 4730.081, 4730.09, 4730.091, 4730.13, 4730.20, 4730.38, 4730.39, 4730.40, 4730.401, and 4730.41 to 4730.52; and to repeal sections 4730.15 and 4730.17 of the Revised Code to revise the laws regarding the practice of physician assistants, including the establishment of physician-delegated prescriptive authority, and to modify the authority of advanced practice nurses to furnish supplies of drugs to patients.

**S. B. No. 155**-Senators Clancy, Dann, Coughlin.

To amend section 5747.98 and to enact sections 122.85 and 5747.66 of the Revised Code to create a tax credit for individuals who invest in state-certified motion pictures.

### **OFFERING OF RESOLUTIONS**

Senator Mumper offered the following resolution:

**S. R. No. 80**-Senator Mumper.

Honoring the Gibsonburg High School baseball team on winning the 2005 Division IV State Championship.

The question being, "Shall the resolution, **S. R. No. 80**, be adopted?"

So the resolution was adopted.

Senator Mallory offered the following resolution:

**S. R. No. 81**-Senators Mallory, Dann, Fedor, Fingerhut, Hagan, Miller, Prentiss, Roberts, Wilson, Zurz, Amstutz, Armbruster, Carey, Cates, Clancy, Gardner, Goodman, Harris, Jacobson, Jordan, Mumper, Niehaus, Padgett, Schuler, Schuring, Spada, Wachtmann.

Honoring Mr. and Mrs. William L. Mallory, Sr. on their Golden Wedding Anniversary.

The question being, "Shall the resolution, **S. R. No. 81**, be adopted?"

So the resolution was adopted.

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:

**Sub. S. B. No. 124** - Senators Spada, Harris Representatives Seitz, Willamowski, Aslanides, Coley, Domenick, Key, McGregor, Miller, Oelslager, Schneider, Seaver, G. Smith, Wagoner

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.

As a substitute bill, in which the concurrence of the Senate is requested:

Attest:

Laura P. Clemens,  
Clerk.

Said amendments were laid over under the rule.

On the motion of Senator Clancy, the Senate adjourned until Wednesday, June 15, 2005 at 1:30 p.m.

Attest:

MATTHEW T. SCHULER,  
Clerk.