

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, AUGUST 11, 2009

EIGHTY-THIRD DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, August 11, 2009, 11:00 o'clock a.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Ed Linville, Grove City Church of the Nazarene, Grove City, Ohio, followed by the Pledge of Allegiance to the Flag.

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

On the motion of Senator Niehaus the Senate advanced to the Ninth Order of Business, Offering of Resolutions.

**OFFERING OF RESOLUTIONS**

**S. R. No. 93**-Senator Niehaus.

Relative to the appointment of Shannon Jones to fill the vacancy in the membership of the Senate for the 7th Senatorial District.

WHEREAS, Section 11 of Article II, Ohio Constitution, provides for the filling of a vacancy in the Senate by appointment by the members of the Senate who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Robert Schuler of the 7th Senatorial District passed away in June, 2009, thus creating a vacancy in the Senate; now therefore be it

RESOLVED, By the members of the Senate who are affiliated with the Republican party, that Shannon Jones (Republican), having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the Senate from the 7th Senatorial District is hereby appointed, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the Senate from the 7th Senatorial District, to fill the vacancy; and be it further

RESOLVED, That a copy of this Resolution be spread upon the journal of the Senate together with the yeas and nays of the members of the Senate affiliated with the Republican party voting on the Resolution, and that the Clerk of the Senate shall certify the Resolution and the vote on its adoption to the Secretary of State.

The question being, "Shall the resolution, **S. R. No. 93**, be adopted?"

The yeas and nays were taken and resulted - yeas 16, nays 0, as follows:

Those who voted in the affirmative were: Senators

Carey	Cates	Faber	Gibbs
Gillmor	Goodman	Hughes	Husted
Niehaus	Patton	Schaffer	Schuring
Stewart	Wagoner	Widener	Harris-16.

So the resolution was adopted.

Senator Jones appeared at the bar of the Senate and was administered the oath of office by the Honorable Bill Harris, Senate President.

**S. R. No. 94**-Senator Niehaus.

Relative to mileage reimbursement.

RESOLVED, Pursuant to section 101.27 of the Revised Code and Am. S.R. No. 3--Senator Niehaus, Relative to mileage reimbursement, adopted January 5, 2009, the Clerk of the Senate is authorized to add the mileage for Shannon Jones of 166 miles round trip.

The question being, "Shall the resolution, **S. R. No. 94**, be adopted?"

So the resolution was adopted.

Senator Turner offered the following concurrent resolution:

**S. C. R. No. 17**-Senator Turner.

To urge the United States Postal Service in its review of postal operations to ensure that certain post offices located in Cuyahoga County, Ohio, remain open to serve the public.

The question being, "Shall the concurrent resolution, **S. C. R. No. 17**, be adopted?"

On the motion of Senator Niehaus, **S. C. R. No. 17**, was referred to the Committee on Reference.

On the motion of Senator Niehaus the Senate reverted to the Eighth Order of Business, Introduction and First Consideration of Bills.

**INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bill was introduced and considered the first time:

**S. B. No. 160**-Senator Miller, R.

To amend sections 4510.01 and 4511.093 and to enact section 4511.204 of the Revised Code to prohibit driving a vehicle while using a handheld or manually operated mobile communication device and to establish the violation as a secondary traffic offense.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the adoption of the following concurrent resolution:

**S. C. R. No. 16** -Senator Harris

To delegate to the President of the Senate and the Speaker of the House of Representatives authority to designate groups of members to prepare arguments for and against amendments to the Ohio Constitution proposed by the General Assembly.

Attest:

Laura Clemens,  
Deputy Clerk.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Ohio Revised Code Section 3505.063 and S. C. R. No. 16 of the 128th General Assembly, the President of the Senate appoints the following members to prepare arguments in favor of SJR 1 proposed State Issue 1:

Senator Grendell  
Senator Patton  
Senator Schaffer  
Senator Wilson  
Senator Morano

**MESSAGE FROM THE PRESIDENT**

Pursuant to Ohio Revised Code Section 3505.063 and S. C. R. No. 16 of the 128th General Assembly, the President of the Senate appoints the following members to prepare arguments in favor of SJR 6 proposed State Issue 2:

Senator Gibbs

Senator Faber  
Senator Gillmor  
Senator Wilson  
Senator Cafaro

On the motion of Senator Niehaus, the Senate adjourned until Thursday,  
August 13, 2009 at 11:00 o'clock a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.