

OHIO

SENATE

JOURNAL

TUESDAY, FEBRUARY 4, 2003

ELEVENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, February 4, 2003, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

**REPORTS OF REFERENCE AND BILLS FOR SECOND
CONSIDERATION**

Senator Carnes reports for the Standing Committee on Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 15-Senator Brady.

To amend section 3517.08 of the Revised Code to specify that all loans, gifts, and other donations made to, or received or used by, the operating fund of a state or county political party are for the purpose of influencing the next subsequent primary or general election and must be included in campaign finance reports.

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

S. B. No. 16-Senator Coughlin.

To enact section 3345.02 of the Revised Code to establish a limit on the annual increase in undergraduate in-state instructional and general fees that a state university board of trustees may charge.

To the Committee on Finance and Financial Institutions.

S. B. No. 17-Senator Roberts.

To enact section 109.46 of the Revised Code to require every law enforcement agency to record detailed data whenever one of its law enforcement officers causes the operator of a motor vehicle to stop the motor vehicle, to require the data to be submitted to the Attorney General, and to require the Attorney General to analyze the data, draw conclusions from the data, and report the data, analysis, and conclusions to the General Assembly.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 18-Senator Coughlin.

To amend section 3735.27 of the Revised Code to change the composition of certain metropolitan housing authorities.

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

S. B. No. 19-Senator Coughlin.

To amend section 2903.13 of the Revised Code to increase the penalty for assaults on sports officials.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 20-Senator Coughlin.

To require the Department of Education to establish a pilot project to implement and evaluate the effectiveness of the "Heart 'E' Heart" healthy lifestyle curriculum in selected classrooms in grades one, two, and three in selected school districts in Portage and Summit counties and to make an appropriation.

To the Committee on Finance and Financial Institutions.

S. B. No. 21-Senators Coughlin, Jordan.

To amend section 5739.05 and to enact section 5739.0211 of the Revised Code to provide a one-week period each year from 2003 to 2006 during which sales of personal computer systems are exempt from sales and use tax.

To the Committee on Ways and Means and Economic Development.

S. B. No. 22-Senators Coughlin, Mumper, Spada, Fedor.

To amend section 5747.01 of the Revised Code to exempt from the personal income tax up to \$10,000 in state and federal government and military retirement benefits.

To the Committee on Ways and Means and Economic Development.

S. B. No. 23-Senator Goodman.

To enact section 4301.253 of the Revised Code to require the Liquor Control Commission, when considering enforcement actions against the holder of a permit authorizing the sale of beer or intoxicating liquor for consumption on the premises, to take into consideration whether the permit holder and the permit holder's employees have successfully completed a training program on specified topics.

To the Committee on Agriculture.

S. B. No. 24-Senators Wachtmann, Amstutz, Blessing, Carey, Mumper, Schuler, Jordan, Nein, Harris.

To amend sections 1547.69, 2921.13, 2923.12, 2923.121, 2923.123, 2923.16, and 2953.32 and to enact sections 109.579, 109.731, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, and 2923.1212 of the Revised Code to authorize county sheriffs to issue licenses to carry concealed handguns to certain persons and to create the offenses of falsification to obtain a concealed handgun license, falsification of a concealed handgun license, and possessing a revoked or suspended concealed handgun license.

To the Committee on Judiciary - Criminal Justice.

H. C. R. No. 5-Representative Callender, et al.

To designate February 6 of each year as Ronald Reagan Day in Ohio.

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

Said bills and resolution were considered a second time and referred to committee as recommended.

JAMES E. CARNES
DOUG WHITE

BILL HARRIS
MARK MALLORY

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.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 25-Senators Stivers, Goodman, Mumper.

To amend section 703.21 and to enact section 703.201 of the Revised Code to permit the board of county commissioners to dissolve a village under certain conditions.

S. B. No. 26-Senators Coughlin, Spada, Stivers, Schuler.

To amend sections 4111.01, 4111.03, 4111.05, 4111.10, 4111.13, and 4111.99 of the Revised Code to afford to private sector employers the option to offer and to employees the option to accrue and use compensatory time off and to afford to both public and private employees and employers the option to institute biweekly work schedule programs.

OFFERING OF RESOLUTIONS

Senator Mallory offered the following resolution :

S. J. R. No. 2-Senators Mallory, Prentiss, Jacobson, Brady, Herington, Fedor, Fingerhut, Goodman.

Providing for the ratification of the Fourteenth Amendment to the United States Constitution to guarantee equal protection and due process to all persons born or naturalized in the United States.

On motion of Senator Harris, **S. J. R. No. 2** was referred to the Committee on Reference.

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

S. R. No. 74 -Senator Mumper.

Honoring Ohmer and Jean Swart on their Golden Wedding Anniversary.

S. R. No. 75-Senators Robert Gardner, Austria, Amstutz, Randy Gardner, Harris, Mumper, Prentiss, Brady, Fedor.

Honoring Eric Van Raepenbusch as Technology Teacher of the Year for 2003.

S. R. No. 76 -Senator Mumper.

Honoring Roy and Theresa Paxton on their Golden Wedding Anniversary.

S. R. No. 77 -Senator Mumper.

Honoring Junior and Carol Jones on their Golden Wedding Anniversary.

S. R. No. 78 -Senator Mumper.

Honoring John and Hilda Wollenslegel on their Sixtieth Wedding Anniversary.

S. R. No. 79 -Senator Mumper.

Honoring Clinton and Dorothy Nye on their Sixtieth Wedding Anniversary.

S. R. No. 80 -Senator Mumper.

Honoring Carl and Patricia Pensinger on their Golden Wedding Anniversary.

S. R. No. 81 -Senator Randy Gardner.

Honoring the Douthit Family on receiving the First Families of Ohio Newspapers Award.

The question being, "Shall the resolutions listed under the President ' s prerogative be adopted?"

So the resolutions were adopted.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following:

H. C. R. No. 3 - Speaker Householder, et al.,

H. C. R. No. 4 - Speaker Householder, et al.,

H. J. R. No. 1 - Representative Cates, et al.

Attest:

LAURA P. CLEMENS,
Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 5540.02 (A)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Carnes to serve as an ex-officio member on the **Muskingum County Transportation Improvement District Board of Trustees** .

Pursuant to Section 5540.02 (C)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Jacobson to serve as an ex-officio, non-voting member on the **Montgomery County Transportation Improvement District Board of Trustees** .

Pursuant to Section 5540.02 (C)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Hottinger to serve as an ex-officio member on the **Licking County Transportation Improvement District Board of Trustees** .

Pursuant to Section 5540.02 (C)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Armbruster to serve as an ex-officio member of the **Lorain County Transportation Improvement District Board of Trustees** .

Pursuant to Section 5540.02 (C)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Nein to serve as an ex-officio member on the **Butler County Transportation Improvement District** .

Pursuant to Section 5540.02 (C)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Schuring to serve as an ex-officio member on the **Stark County Transportation Improvement District** .

Pursuant to Section 5540.02 (C)(2)(c) of the Ohio Revised Code, the President of the Senate appoints Senator Randy Gardner to serve as an ex-officio member on the **Wood County Transportation Improvement District** .

Pursuant to Section 4906.02 of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the **Power Siting Board** :

Senator Blessing

Senator Schuler (alternate)

Senator Hagan

Senator Mallory (alternate)

Pursuant to Section 183.12 of Am. Sub. SB 242 of the 124th General Assembly, the President of the Senate appoints the following senators to serve as non-voting members on the **Southern Ohio Agricultural and Community Development Foundation** :

Senator Carey

Senator Roberts

Pursuant to Section 4501.025 of Am. HB 182 of the 124th General Assembly, the President of the Senate appoints the following senator to serve on the **Citizens Advisory Committee within the Bureau of Motor Vehicles**:

Senator Schuring to replace Senator Harris

(term ending February 2005)

Pursuant to Am. Sub. Senate Bill 102 of the 122nd General Assembly, the President of the Senate appoints the following senators to serve as non-voting members on the **Ohio School Facilities Commission** :

Senator Harris

Senator Fedor

Pursuant to Section 3701.77 of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the **Governor's Advisory**

Council on Physical Fitness, Wellness & Sports :

Senator Jordan

Senator Fingerhut

Pursuant to Section 3301.68 of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the **Legislative Committee on Education Oversight :**

Senator Robert Gardner

Senator Harris

Senator Mumper

Senator Fedor

Senator Prentiss

Pursuant to Section 171.01 of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the Ohio Retirement Study Council:

Senator Wachtmann

Senator Schuring

Senator Herington

Pursuant to Section 1502.04 of the Ohio Revised Code, the President of the Senate appoints Senator Mumper to serve on the **Recycling and Litter Prevention Advisory Council.**

Pursuant to Section 1501.25 of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the **Muskingum River Advisory Board :**

Senator Carnes

Senator DiDonato

On the motion of Senator Harris the Senate adjourned until Thursday, February 6, 2003 at 9:30 a.m.

Attest:

MATTHEW T. SCHULER,
Clerk.