

OHIO

SENATE

JOURNAL

TUESDAY, MARCH 25, 2003

THIRTIETH DAY
Senate Chamber, Columbus, Ohio
Tuesday, March 25, 2003, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Colonel Ken Daft, State Chaplain for the Ohio Army National Guard, 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 Randy Gardner the Senate advanced to the Ninth Order of Business.

OFFERING OF RESOLUTIONS

Senator White offered the following resolution :

S. R. No. 181-Senators White, Randy Gardner, Hottinger, Jacobson, DiDonato, Mallory, Prentiss, Fedor, Amstutz, Armbruster, Austria, Blessing, Brady, Carey, Carnes, Coughlin, Dann, Fingerhut, Robert Gardner, Goodman, Hagan, Harris, Herington, Jordan, Miller, Mumper, Nein, Roberts, Schuler, Schuring, Spada, Stivers, Wachtmann.

To support the troops of the United States military stationed worldwide.

WHEREAS, The members of the Senate of the 125th General Assembly of Ohio are pleased to express our support of United States military forces stationed around the world; and

WHEREAS, It is, indeed, an appropriate time to pay tribute to those individuals who have answered this nation's call to arms and who have made great sacrifices in service to the United States of America in times of both peace and conflict. Their selflessness, dedication, and courage only underscore the impressive valor displayed by this host of heroes in the performance of their duties; and

WHEREAS, Each and every day, America's military personnel risk danger and hardship in order to protect the ideals and interests of our country. It is through the hard work, skills, and commitment of Americans like these that the United States remains proud, strong, and respected, and they are truly deserving of high praise; and

WHEREAS, Many in our nation take for granted our precious rights and privileges, never adequately considering the enormous costs so frequently exacted in conjunction with the fulfillment of military obligations. It is imperative that we openly express our appreciation and support of the patriots who serve honorably in America's armed forces, bearing this country's standard with courage, dignity, and decency. Such turbulent times as these impel us to re-examine our own identities as U.S. citizens and to reflect more conscientiously

on our incomparable freedoms and solemn duties; now therefore be it

RESOLVED, That we, the members of the Senate of the 125th General Assembly of Ohio, in adopting this resolution, express our support of United States military forces stationed around the world; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the news media of Ohio.

The question being, "Shall the resolution, **S. R. No. 181**, be adopted?"

So the resolution was adopted.

On the motion of Senator Randy Gardner the Senate reverted to the First Order of Business.

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:

H. B. No. 86-Representatives Hoops, Willamowski, Widowfield, Raga, Buehrer, Daniels, Flowers, Latta, T. Patton, Redfern, Schlichter, Walcher, Webster.

To amend sections 2151.07, 2301.02, and 2301.03 of the Revised Code to add one additional judge to the Henry County Court of Common Pleas to be elected in 2004 as judge of the Domestic Relations Division.

To the Committee on Judiciary - Civil Justice.

S. C. R. No. 5-Senators DiDonato, Herington, Fedor, Goodman, Fingerhut, Prentiss, Miller, Hagan, Dann.

To memorialize the Congress of the United States to appropriate the necessary moneys to fully fund the Help America Vote Act of 2002 to assist states and units of local government in upgrading voting systems and assuring access to the polls for individuals with disabilities.

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

S. B. No. 55-Senators Randy Gardner, Stivers, Miller, Mumper, Schuler, Prentiss, Mallory, Austria, Carey, Dann, Herington, Fedor, Coughlin.

To amend sections 3375.40, 3375.41, and 5705.281 and to enact section 3375.392 of the Revised Code to revise the bidding threshold for public improvements applicable to free public libraries; to eliminate restrictions on group life insurance coverage offered by free public libraries to their employees; to allow a board of library trustees to authorize its employees to use a credit card held by the library to pay for library business expenses; and to allow the county budget commission to waive certain requirements relating

to tax budgets or estimates of contemplated revenue and expenditures in any county in which a single library receives all of the county library and local government support fund or receives all of that portion of the fund that is distributed to libraries.

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

S. B. No. 56-Senator Blessing.

To amend sections 4906.06, 4906.10, 4906.98, and 4906.99 and to enact section 4906.97 of the Revised Code to change the standard for modifying the time when a certificate application can be filed with the Power Siting Board; to state the Board's continuing jurisdiction to enforce a certificate from the date of issuance through the period of the facility's initial operation; to authorize the Board or its chairperson to order the suspension of an activity during the Board's consideration of a complaint about the activity; and to authorize the Board to impose a forfeiture for a violation of power siting law.

To the Committee on Public Utilities.

DOUG WHITE
BILL HARRIS

MARK MALLORY
GREGORY L. DIDONATO

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 Armbruster submitted the following report:

The standing committee on Highways and Transportation, to which was referred **Am. Sub. H. B. No. 87**-REPRESENTATIVES Buehrer, Setzer, having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: JEFFRY J. ARMBRUSTER, MARK MALLORY, DOUG WHITE, JOHN A. CAREY, LYNN R. WACHTMANN, J. KIRK SCHURING.

NO - 3: ROBERT F. HAGAN, MARC DANN, STEVE STIVERS.

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

The report of the committee was accepted.

BILLS FOR THIRD CONSIDERATION**Sub. H. B. No. 87-REPRESENTATIVE Buehrer.**

To amend sections 723.52, 723.53, 1547.11, 3704.14, 3704.143, 4501.10, 4503.10, 4503.101, 4503.103, 4503.11, 4503.173, 4503.181, 4503.182, 4503.19, 4503.21, 4503.23, 4503.50, 4503.51, 4503.55, 4503.561, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 4503.711, 4503.72, 4503.73, 4503.75, 4505.09, 4506.08, 4507.23, 4511.04, 4511.19, 4511.191, 4511.197, 4513.111, 4513.52, 4513.53, 4549.10, 5501.20, 5501.34, 5501.45, 5502.02, 5517.011, 5517.02, 5525.20, 5531.10, 5543.19, 5575.01, 5735.27, 5735.29, and 5735.291, to enact sections 117.16, 4501.061, 4501.21, 4501.42, 4501.43, 4503.105, 4503.106, 4503.192, 4503.87, 5502.39, and 5543.22, and to repeal sections 4501.20, 4501.22, 4501.29, 4501.30, 4501.311, 4501.32, 4501.33, 4501.39, 4501.40, 4501.41, 4501.61, 4501.71, and 4503.251 of the Revised Code to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2003, and ending June 30, 2005, to provide authorization and conditions for the operation of those programs, and to amend the versions of sections 1547.11, 4503.10, 4503.11, 4503.182, 4503.19, 4503.21, 4511.19, 4513.111, and 4549.10 of the Revised Code that are scheduled to take effect January 1, 2004, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 87**, pass?"

Senator Armbruster moved to amend as follows:

In line 5876, after "effective" insert "on or".

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 87**, pass?"

The yeas and nays were taken and resulted - yeas 20, nays 12, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Blessing	Carey
Fedor	Fingerhut	Randy Gardner	Robert Gardner
Goodman	Harris	Hottinger	Jacobson
Mallory	Miller	Prentiss	Roberts
Schuler	Schuring	Wachtmann	White-20.

Those who voted in the negative were: Senators

Austria	Brady	Coughlin	Dann
DiDonato	Hagan	Herington	Jordan
Mumper	Nein	Spada	Stivers-12.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Armbruster moved to amend the title as follows:

Add the name : "Armbruster."

The motion was agreed to and the title so amended.

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, was considered the third time.

The question being, "Shall the bill, **S. B. No. 23**, pass?"

Senator Dann moved to amend as follows:

In line 29, after "situations" insert:

".

(d) Instruction on methods to safely evacuate the premises of a permit holder in an emergency".

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **S. B. No. 23**, pass?"

The yeas and nays were taken and resulted - yeas 27, nays 5, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Blessing
Brady	Carey	Coughlin	Dann
Fingerhut	Randy Gardner	Robert Gardner	Goodman
Harris	Herington	Hottinger	Jacobson
Jordan	Miller	Mumper	Nein
Prentiss	Schuler	Schuring	Spada
Stivers	Wachtmann		White-27.

Senators DiDonato, Fedor, Hagan, Mallory, and Roberts voted in the negative-5.

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: "Mumper, Dann."

The motion was agreed to and the title so amended.

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

To amend sections 703.21 and 1905.01, and to enact section 703.201 of the Revised Code to permit the dissolution of a village under certain conditions, to

limit mayors courts to municipal corporations with a population of over 100 persons, and to amend the version of section 1905.01 of the Revised Code that is scheduled to take effect January 1, 2004, to continue the provisions of this act on and after that effective date, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 25**, pass?"

Senator Stivers moved to amend as follows:

In line 95, after "pleas" delete "of".

In line 96, delete "Franklin county".

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 25**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Blessing
Brady	Carey	Coughlin	Dann
DiDonato	Fedor	Fingerhut	Randy Gardner
Robert Gardner	Goodman	Hagan	Harris
Herington	Hottinger	Jacobson	Jordan
Mallory	Miller	Mumper	Nein
Prentiss	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	White-32.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Stivers moved to amend the title as follows:

Add the names: "Jacobson, Harris, Hagan, Miller, Austria, Randy Gardner."

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. 57-Senators Jacobson, Armbruster, Randy Gardner, Goodman, Harris, Stivers.

To amend sections 2909.06, 2917.04, 2917.11, and 2917.13 and to enact sections 2917.031 and 5502.61 of the Revised Code to increase the penalty under specified circumstances for failure to disperse, criminal damaging or endangering, disorderly conduct, and misconduct at an emergency and to clarify the required proof for the offenses of riot and aggravated riot.

S. B. No. 58-Senators Jacobson, Stivers, Goodman, Armbruster, Harris, Carey, Brady, Fingerhut.

To amend section 2919.22 of the Revised Code to expand the offense of endangering children to also prohibit exposing children to an illegal methamphetamine manufacturing laboratory and to amend the version of section 2919.22 of the Revised Code that is scheduled to take effect January 1, 2004, to continue the provisions of this act on and after that effective date.

S. B. No. 59-Senator Blessing.

To amend section 5739.01 of the Revised Code to exclude from the sales tax refundable payments for recreation and sports club service, and to refund sales taxes paid on any refundable initiation fees paid on or after January 1, 1993.

S. B. No. 60-Senator Armbruster.

To enact sections 1713.55, 3332.25, 3345.85, and 3701.133 of the Revised Code to establish a requirement that institutions of higher education require students living in on-campus housing to be vaccinated for meningitis or obtain a waiver of the vaccination requirement.

S. B. No. 61-Senators Armbruster, Randy Gardner, DiDonato, Robert Gardner, Hagan, Fedor, Fingerhut, Miller, Prentiss.

To enact sections 1751.69, 3923.71, and 3923.72 of the Revised Code to require certain health care policies, contracts, agreements, and plans to provide benefits for equipment, supplies, and medication for the diagnosis, treatment, and management of diabetes and for diabetes self-management education.

S. B. No. 62-Senators Dann, Brady, Miller, Hagan, Fingerhut, Herington.

To enact section 3333.30 of the Revised Code to direct the Ohio board of regents to provide state financial assistance to a community college, technical college, university branch, or state community college that offers noncredit worker retraining courses.

OFFERING OF RESOLUTIONS

Senator Brady moved that the vote, whereby **S. R. No. 181** was adopted, be reconsidered.

The question being, "Shall the motion to reconsider be agreed to?"

The yeas and nays were taken and resulted - yeas 23, nays 9, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Blessing
Carey	Coughlin	Fedor	Randy Gardner
Robert Gardner	Goodman	Harris	Herington
Hottinger	Jacobson	Jordan	Mumper
Nein	Schuler	Schuring	Spada
Stivers	Wachtmann		White-23.

Those who voted in the negative were: Senators

Brady	Dann	DiDonato	Fingerhut
Hagan	Mallory	Miller	Prentiss
			Roberts-9.

The motion to reconsider was not agreed to.

Senator White offered the following resolution :

S. R. No. 182-Senator White.

Authorizing the YMCA Youth in Government program to use the Ohio Senate Chamber to conduct its model legislature, April 4, 5, and 6, 2003.

WHEREAS, The members of the 125th General Assembly of Ohio have learned that the Ohio-West Virginia YMCA Youth in Government program has requested permission to use the Ohio Senate Chamber for its model legislature event, April 4-6, 2003; and

WHEREAS, A beneficial educational event, the YMCA Youth in Government program provides students with the opportunity to better appreciate and understand government and its components, and the knowledge gained through this presentation will certainly be of value to all participants throughout their lifetime; and

WHEREAS, Utilizing the facilities which accommodate those involved in the state legislative process, the YMCA Youth in Government program will effectively offer students an accurate depiction of state government and the manner in which legislation is processed; and

WHEREAS, Through participation in the YMCA Youth in Government program, students will be better prepared to become productive members of our complex and ever-changing society. The maturity and experience which each participant will gain through their involvement in this program will not only enrich their total educational experience, but will also enable each to make better-informed decisions as they assume the responsibilities of adult citizenship; therefore be it

RESOLVED, That we, the members of the 125th General Assembly of Ohio, in adopting this Resolution, permit the Ohio-West Virginia YMCA Youth in Government program to use the Ohio Senate Chamber for its model legislature event, contingent upon the availability of those facilities, and salute its

participants as conscientious young citizens; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to the YMCA Youth in Government program.

The question being, "Shall the resolution, **S. R. No. 182**, be adopted?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Blessing
Brady	Carey	Coughlin	Dann
DiDonato	Fedor	Fingerhut	Randy Gardner
Robert Gardner	Goodman	Hagan	Harris
Herington	Hottinger	Jacobson	Jordan
Mallory	Miller	Mumper	Nein
Prentiss	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	White-32.

So the resolution was adopted.

The question being, "Shall the title be agreed to?"

The title was agreed to.

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

S. R. No. 183-Senator Mumper.

Honoring Maynard and Glenna McCloud on their Golden Wedding Anniversary.

S. R. No. 184-Senator Mumper.

Honoring Richard and Joan Kirby on their Golden Wedding Anniversary.

S. R. No. 185-Senator Mumper.

Honoring Mr. And Mrs. Willard Garlow on their Wedding Anniversary.

S. R. No. 186-Senator Mumper.

Honoring Lee Street Presbyterian Church on its One Hundredth Anniversary.

S. R. No. 187-Senator Mumper.

Honoring Robert and Janet Bazzle on their Golden Wedding Anniversary.

S. R. No. 188-Senator Mumper.

Honoring James and Sharon Pond on their Golden Wedding Anniversary.

S. R. No. 189-Senator Mumper.

Honoring John and Shirley Halbert on their Golden Wedding Anniversary.

S. R. No. 190-Senator Mumper.

Honoring Edgar and MaryAnn Sutter on their Golden Wedding

Anniversary.

S. R. No. 191-Senator Mumper.

Honoring Francis and Jane Wurm on their Golden Wedding Anniversary.

S. R. No. 192-Senator Mumper.

Honoring Frederick and Phyllis Hall on their Golden Wedding Anniversary.

S. R. No. 193-Senator Austria.

Honoring Marion and Margaret Tyree on their Fifty-seventh Wedding Anniversary.

S. R. No. 194-Senator Austria.

Honoring Robert and Margaret Wood on their Golden Wedding Anniversary.

S. R. No. 195-Senator Mumper.

Honoring Raymond and Norma Babcock on their Golden Wedding Anniversary.

S. R. No. 196-Senator Mumper.

Honoring Herbert and Ruth Ann Weininger on their Golden Wedding Anniversary.

S. R. No. 197-Senator Mumper.

Honoring Ray and Lois Murray on their Golden Wedding Anniversary.

S. R. No. 198-Senator Mumper.

Honoring Everett and Peggy Caskey on their Golden Wedding Anniversary.

S. R. No. 199-Senator Mumper.

Honoring Floyd and Jackie Boyd on their Golden Wedding Anniversary.

S. R. No. 200-Senator Mumper.

Honoring First United Presbyterian Church on its One Hundred Seventy-fifth Anniversary.

S. R. No. 201-Senator Robert Gardner.

Honoring Charles and Nancy Glinski on their Golden Wedding Anniversary.

S. R. No. 202-Senator Herington.

Honoring Arthur and Inda Knight on their Golden Wedding Anniversary.

S. R. No. 203-Senator Herington.

Honoring Ronald and Shirley Chambers on their Golden Wedding

Anniversary.

S. R. No. 204-Senator Herington.

Honoring Russell and Mary Olinger on their Golden Wedding Anniversary.

S. R. No. 205-Senator Herington.

Honoring Edward and Rosemarie Steurer on their Golden Wedding Anniversary.

S. R. No. 206-Senator Herington.

Honoring Herman and Emma Green on their Golden Wedding Anniversary.

S. R. No. 207-Senator Herington.

Honoring Howard and Reba Powell on their Golden Wedding Anniversary.

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, Anne E. Barnett, Republican, from Junction City, Perry County, Ohio, as a Member of the Board of Nursing for a term beginning February 28, 2003, and ending at the close of business December 31, 2006, replacing Randal R. Ruge, 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 28th day of February in the year of our Lord, two thousand and three.

[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, Catherine A. Cunningham, Republican, from Hilliard, Franklin County, Ohio, as a Member of the Ohio Elections Commission for a term beginning March 7, 2003, and ending at the close of business December 31, 2007, replacing Mary W. Sullivan, 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 7th day of March in the year of our Lord, two thousand and three.

[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, Bertha M. Lovelace, Independent, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Board of Nursing for a new term beginning February 28, 2003 and ending at the close of business December 31, 2006.

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 28th day of February in the year of our Lord, two thousand and three.

[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, William L. Mallory, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Elections Commission for a term beginning March 7, 2003, and ending at the close of business December 31, 2007, replacing Alphonse P. Cincione, 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 7th day of March in the year of our Lord, two thousand and three.

[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, Pamela Rose, Democrat, from Maumee, Lucas County, Ohio, as a Member of the State Auctioneer's Commission for a new term beginning January 23, 2003 and ending at the close of business October 9, 2005.

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 23rd day of January in the year of our Lord, two thousand and three.

[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, Norman A. Schultz, Democrat, from Mentor, Lake County, Ohio, as a Member of the Waterways Safety Council for a term beginning February 28, 2003, and ending at the close of business January 31, 2008, replacing Steven Ball 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 28th day of February in the year of our Lord, two thousand and three.

[Seal]

BOB TAFT,
Governor.

Said appointments were referred to the Committee on Rules.

On motion of Senator Randy Gardner, the Senate recessed until 5:30 p.m.

The Senate met pursuant to recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution, in which the concurrence of the Senate is requested:

H. C. R. No. 8 - Representatives S. Patton, McGregor, Hartnett, Sferra, Otterman, Perry, Seitz, Skindell, Jerse, Fessler, Cirelli, Callender, Miller, DeBose, Flowers, Barrett, Allen, Chandler, Key, Schaffer, Latta, Willamowski, Wolpert, S. Smith, Ujvagi, Calvert, Yates, Brinkman, Schlichter, Reidelbach, Setzer, Kearns, Beatty, Brown, Sykes, Redfern, Strahorn, Woodard, Koziura, Carano, Mason, Driehaus, Price, Trakas, Schneider, Clancy, Buehrer, Hughes, Cates, D. Stewart, Boccieri, Blasdel, Book, Carmichael, Daniels, DePiero, Distel, Domenick, C. Evans, D. Evans, Gibbs, Gilb, Hagan, Harwood, Hollister, Hoops, Jolivette, Kilbane, Niehaus, Oelslager, Olman, Reinhard, Schmidt, Seaver, J. Stewart, Taylor, White, Widowfield, Wilson

To recognize the service of the Black Brigade in the defense of Cincinnati in 1862.

Attest:

LAURA P. CLEMENS,
Clerk.

On motion of Senator Mallory, **H. C. R. No. 8** was referred to the Committee on Reference.

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 Hughes, Latta, Flowers, J. Stewart, Gilb, McGregor, DePiero, Redfern, Allen, Seaver, Schaffer, Barrett, Young, Schmidt, Grendell, Mason, S. Smith, Brown, Jerse, Oelslager, D. Evans, Beatty, Book, Calvert, Carmichael, Cates, Chandler, Cirelli, Clancy, Daniels, DeBose, Distel, Fessler, Harwood, Hollister, Hoops, Jolivette, Kilbane, Niehaus, Olman, Otterman, S. Patton, T. Patton, Perry, Price, Reidelbach, Schlichter, Schneider, Sferra, G. Smith, D. Stewart, Strahorn, Wagner, Walcher, Webster, Widener, Wilson, Wolpert

To amend sections 2903.06, 2903.08, 4507.16, and 4549.99 of the Revised Code to increase the penalty for failure to stop after an accident if the violation caused the death of a person, to modify the offenses of aggravated vehicular homicide and aggravated vehicular assault, and to amend the versions of

sections 2903.06, 2903.08, 4549.02, and 4549.021 of the Revised Code that are scheduled to take effect January 1, 2004, to continue the provisions of this act on and after that effective date.

Am. H. B. No. 81 - Representatives Core, S. Patton, Flowers, Schmidt, Walcher

To amend section 1724.10 and to enact section 1724.12 of the Revised Code to specify that a community improvement corporation designated as the agency of a political subdivision may be authorized to take certain other actions on behalf of the political subdivision and retains certain statutory powers to do all things necessary or convenient to carry out its organizational purposes and to prohibit a community improvement corporation from providing certain information or cable services in competition with private enterprise.

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 refused to concur in the Senate amendments to:

Am. Sub. H. B. No. 87 - Representative Buehrer, et al.

Attest:

LAURA P. CLEMENS,
Clerk.

Senator Mallory moved that the Senate insist on its amendments to **Am. Sub. H. B. No. 87**, and ask for a Committee of Conference.

The motion was agreed to.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives accedes to the request of the Senate for a committee of Conference on the matters of difference between the two houses on **Am. Sub. H. B. No. 87**-Representative Buehrer, et al., and that the Speaker of the House has appointed as managers on the part of the House on such matters of difference:

Representatives Calvert, Buehrer and Jerse.

Attest:

LAURA P. CLEMENS,
Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rule 30, the President of the Senate appoints the following members to serve on the Committee of Conference on
Am. Sub. H. B. 87:

Senator Armbruster

Senator Harris

Senator Mallory

On motion of Senator Mallory the Senate adjourned until Wednesday, March 26, 2003, 1:30 p.m..

Attest:

MATTHEW T. SCHULER,
Clerk.