

OHIO

SENATE

JOURNAL

TUESDAY, APRIL 8, 2003

THIRTY-SIXTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, April 8, 2003, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by State Representative Larry Price, Pastor of the Triedstone Baptist Church, Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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:

Am. Sub. H. B. No. 7-Representatives Taylor, Seitz, Harwood, Willamowski, Schlichter, Aslanides, Barrett, Buehrer, Calvert, Carmichael, Cates, Cirelli, Clancy, Core, Daniels, DeBose, DePiero, Distel, Domenick, C. Evans, Flowers, Gibbs, Gilb, Hagan, Hartnett, Hollister, Hoops, Hughes, Kearns, Key, Kilbane, Latta, Mason, McGregor, Miller, Niehaus, Oelslager, Oلمان, S. Patton, T. Patton, Peterson, Price, Raussen, Reidelbach, Schmidt, Schneider, G. Smith, D. Stewart, J. Stewart, Strahorn, Widener, Widowfield, Wilson, Woodard, Yates. -Senators Goodman, Stivers, Amstutz.

To amend sections 111.16, 1701.01, 1701.831, 1707.01, 1707.02, 1707.08, 1707.09, 1707.11, 1707.16, 1707.23, 1707.28, 1707.40, 1707.41, 1707.42, 1707.43, 1707.44, and 2913.02 and to enact sections 1707.131 and 1707.261 of the Revised Code to modify the Corporation Law regarding special meetings of shareholders in connection with tender offer, control share acquisition bids; to modify the Securities Law with respect to securities to which it applies, requirements for registration of securities, the designation of the Secretary of State to receive service of process, the application of remedies under the Securities Law, the Attorney General's enforcement authority on behalf of persons injured by a violation, the statutes of limitations governing an action for specified violations, and the prohibitions against certain misleading actions; to increase the criminal penalty for certain theft offenses and create a new criminal aggravated theft offense; and to specify a fee for filing a service of process with the Secretary of State.

To the Committee on Judiciary - Civil Justice.

Am. H. B. No. 72-Representatives Oelslager, C. Evans, Hartnett, Hollister,

Miller, Oلمان, Seitz, Ujvagi, Latta, Book, Harwood, Core, Willamowski, Schlichter, Beatty, Allen, Aslanides, Barrett, Brown, Buehrer, Calvert, Carmichael, Cirelli, Collier, Daniels, DeBose, DePiero, Domenick, Driehaus, Flowers, Gibbs, Hagan, Hoops, Hughes, Jolivet, Kearns, Key, Kilbane, Koziura, Niehaus, S. Patton, T. Patton, Perry, Price, Redfern, Schmidt, Schneider, Setzer, Sferra, Skindell, J. Stewart, Taylor, Walcher, Widener, Widowfield, Woodard, Yates.

To amend sections 1337.11 and 1337.14 and to enact sections 2135.01 to 2135.14 of the Revised Code to permit the execution of a Declaration for Mental Health Treatment.

To the Committee on Judiciary - Civil Justice.

H. C. R. No. 6-Representatives Reidelbach, Raga, Fessler, Gilb, Flowers, Hoops, Niehaus, Wolpert, Seaver, Williams, Young, McGregor, Brinkman, Schmidt, Boccieri, Grendell, Driehaus, Callender, Willamowski, C. Evans, Cates, T. Patton, Aslanides, Jerse, Clancy, Hagan, Hughes, Collier, Oelslager, Gibbs, Schlichter, Kearns, Cirelli, Hollister, Schneider, Harwood, Taylor, White, Jolivet, Buehrer, Carmichael, Core, Daniels, DeBose, DePiero, Distel, Faber, Kilbane, Latta, Oلمان, Price, Raussen, Reinhard, Schaffer, Seitz, Setzer, G. Smith, D. Stewart, Trakas, Wagner, Widener, Widowfield.
-Senators Wachtmann, Jordan, Jacobson.

To memorialize Congress to enact the Human Cloning Prohibition Act of 2003.

To the Committee on Health, Human Services and Aging.

S. B. No. 66-Senators Schuring, Stivers, Jacobson, Dann, Fedor, Miller, Brady.

To amend section 2151.421 and to enact sections 2151.425, 2151.426, 2151.427, and 2151.428 of the Revised Code to permit counties to establish Children's Advocacy Centers to review and assess, and to assist public children's services agencies with, investigations of reports of child sexual abuse or severe physical abuse of a child.

To the Committee on Judiciary - Criminal Justice.

JAMES E. CARNES
DOUG WHITE

MARK MALLORY
GREGORY L. DIDONATO

BILL HARRIS

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

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

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. 47**-Senator Stivers, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Coughlin, Schuler, Mumper, Dann.

YES - 8 DANIEL R. BRADY, TOM ROBERTS, MARC DANN,
LARRY A. MUMPER, KEVIN J. COUGHLIN, ROBERT
L. SCHULER, STEVE STIVERS, ROBERT A.
GARDNER.

NO - 0.

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

The report of the committee was accepted.

Senator Coughlin submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **H. C. R. No. 8**-Representative S. Patton, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Coughlin, Schuler, Brady, Roberts, Dann, Mumper, Stivers.

YES - 8 DANIEL R. BRADY, TOM ROBERTS, MARC DANN,
LARRY A. MUMPER, KEVIN J. COUGHLIN, ROBERT
L. SCHULER, STEVE STIVERS, ROBERT A.
GARDNER.

NO - 0.

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

Senator Coughlin submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **Sub. H. B. No. 24**-Representative Wolpert, et

al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Stivers, Mumper, Robert Gardner.

YES - 8 LARRY A. MUMPER, MARC DANN, TOM ROBERTS,
DANIEL R. BRADY, KEVIN J. COUGHLIN, ROBERT
L. SCHULER, STEVE STIVERS, ROBERT A.
GARDNER.

NO - 0.

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

The report of the committee was accepted.

Senator Nein submitted the following report:

The standing committee on Insurance, Commerce and Labor, to which was referred **Sub. H. B. No. 91**-Representative Young, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 6 SCOTT R. NEIN, JAY HOTTINGER, MARC DANN,
TERESA FEDOR, C. J. PRENTISS, STEPHEN C.
AUSTRIA.

NO - 0.

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

The report of the committee was accepted.

Senator Nein submitted the following report:

The standing committee on Insurance, Commerce and Labor, to which was referred **H. B. No. 92**-Representative Young, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

Between lines 34 and 35, insert:

"Section 2, On July 1, 2003, or as soon as possible thereafter, the Chairperson of the Industrial Commission shall certify to the Director transferred from the Workers' Compensation Fund (Fund 023) to the Industrial Commission Operating Fund (Fund 5W3) The Director shall transfer the amount. Within thirty days after the effective date of this section, the Chairperson of the Industrial Commission shall certify the final transfer amount to the Director of Budget and Management. The Director shall transfer the cash from Fund 023 to Fund 5W3.

On July 1, 2003, or as soon as possible thereafter, the Director of Budget and Management shall transfer cash in an amount equal to the amount of

existing encumbrances in Fund 023, appropriation items 845-321, Operating Expenses; 845-402, Rent - William Green Building; and 845-410, Attorney General Payments, from Fund 023 to Fund 5W3. The encumbrances shall be cancelled and re-established against appropriation items 845-321, Operating Expenses; 845-402, Rent - William Green Building; and 845-410, Attorney General Payments, under Fund 5W3, respectively. The amounts of the re-established encumbrances are hereby appropriated."

YES - 7 SCOTT R. NEIN, JAY HOTTINGER, MARC DANN,
TERESA FEDOR, C. J. PRENTISS, LARRY A.
MUMPER, STEPHEN C. AUSTRIA.

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. H. B. No. 26-Representatives Raga, Schneider, Willamowski, Widowfield, Oelslager, Driehaus, Harwood, Schmidt. -Senator Blessing.

To amend sections 2151.07, 2301.02, and 2301.03 of the Revised Code to add one additional judge for the general division of the Warren County Court of Common Pleas to be elected in 2004 and 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, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 26**, pass?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|---------------|----------------|-----------|-----------|
| Amstutz | Armbruster | Austria | Blessing |
| Brady | Carey | Carnes | 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-33. |

So the bill passed.

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

Senator Wachtmann moved to amend the title as follows:

Add the names : "Wachtmann, Schuler."

The motion was agreed to and the title so amended.

Sub. H. B. No. 91-Representatives Young, Core, Grendell, Calvert, Beatty, Buehrer.

To amend sections 2305.24, 2305.25, 4121.121, 4121.44, 4123.01, 4123.31, 4123.342, and 4123.80 and to enact sections 4121.021 and 4123.15 of the Revised Code to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2003, and ending June 30, 2005, to authorize and provide conditions that govern the operation of Bureau and Industrial Commission programs, and to authorize an exemption from participation in the workers' compensation insurance program for certain employers and employees based upon religious tenets or beliefs, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 91**, pass?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|---------------|----------------|-----------|-----------|
| Amstutz | Armbruster | Austria | Blessing |
| Brady | Carey | Carnes | 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-33. |

So the bill passed.

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

Senator Nein moved to amend the title as follows:

Add the names : "Nein, White, Harris."

The motion was agreed to and the title so amended.

Am. H. B. No. 92-Representatives Young, Core, Grendell, Hoops, Calvert, Willamowski.

To make appropriations for the Industrial Commission for the biennium beginning July 1, 2003, and ending June 30, 2005, and to provide authorization and conditions for the operation of Commission programs, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 92**, pass?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|---------------|----------------|-----------|-----------|
| Amstutz | Armbruster | Austria | Blessing |
| Brady | Carey | Carnes | 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-33. |

So the bill passed.

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

Senator Nein moved to amend the title as follows:

Add the names : "Nein, Harris."

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. 67-Senators Mumper, Wachtmann, Randy Gardner, DiDonato, Coughlin, Stivers, Austria, Goodman.

To amend section 901.99 and to enact section 901.511 of the Revised Code to prohibit damaging or destroying crops, timber, livestock, or equipment.

S. B. No. 68-Senators Hagan, Prentiss, Fedor, Brady.

To amend sections 4715.30, 4730.25, 4731.22, and 4760.13, to enact new section 2951.041 and sections 2951.042, 2951.043, and 2951.044, and to repeal section 2951.041 of the Revised Code, and to repeal section 2951.041 of the Revised Code as amended by Am. Sub. H.B. 490 of the 124th General Assembly effective January 1, 2004, relative to treatment of certain drug offenders and to make an appropriation.

S. B. No. 69-Senators Herington, Dann, Fedor, Fingerhut, Mallory, Miller.

To amend sections 2929.01, 2929.13, 2929.21, and 4511.99 and to enact sections 2941.1413 and 2941.1414 of the Revised Code to provide an additional prison term or term of imprisonment for certain repeat OMVI or OMVUAC offenders and to maintain the provisions of this act on and after January 1, 2004, by amending the versions of sections 2929.01, 2929.13, and 4511.19 of the Revised Code that take effect on that date.

OFFERING OF RESOLUTIONS

Senator White offered the following resolution :

S. R. No. 231-Senator White.

Authorizing the Ohio Junior State of America to use the Ohio Senate Chamber to conduct its 2003 Ohio Spring State Convention.

WHEREAS, The members of the 125th General Assembly of Ohio have learned that The Ohio Junior State of America has requested permission to use the Ohio Senate Chamber and three hearing rooms for its annual Ohio Spring State Convention, April 26-27, 2003; and

WHEREAS, A beneficial educational program, The Ohio Junior State of America provides students with the opportunity to better appreciate and understand government and its components, and the knowledge gained through this event will certainly be of value to participants in the years to come; and

WHEREAS, Utilizing the facilities which accommodate those involved in the state legislative process, The Ohio Junior State of America will effectively offer students an accurate depiction of state government and the manner in which legislation is processed; and

WHEREAS, Through participation in The Ohio Junior State of America's annual Ohio Spring State Convention, students will be better prepared to become productive members of our complex and ever-changing society. The maturity and experience which participants will gain through their involvement in this program will not only enrich their total educational experience, but will also enable them 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 Junior State of America to use the Ohio Senate Chamber and three hearing rooms for its 2003 Ohio Spring State Convention, contingent upon the availability of those facilities, and salute its participants as some of Ohio's finest young citizens; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to The Ohio Junior State of America.

The question being, "Shall the resolution, **S. R. No. 231**, be adopted?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|---------------|----------------|-----------|-----------|
| Amstutz | Armbruster | Austria | Blessing |
| Brady | Carey | Carnes | Coughlin |
| Dann | DiDonato | Fedor | Fingerhut |
| Randy Gardner | Robert Gardner | Goodman | Hagan |
| Harris | Herington | Hottinger | Jacobson |
| Jordan | Mallory | Miller | Mumper |

Nein
Schuring

Prentiss
Spada

Roberts
Stivers

Schuler
Wachtmann
White-33.

So the resolution was adopted.

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

The title was agreed to.

Senator Jordan offered the following resolution :

S. R. No. 232-Senator Jordan.

Authorizing TeenPact Leadership School to utilize the Ohio Senate Chamber and Senate hearing rooms to conduct TeenPact Ohio, April 14-18, 2003.

WHEREAS, The members of the Senate of the 125th General Assembly of Ohio have learned that TeenPact Leadership School has requested permission to conduct its TeenPact Ohio program in the Ohio Senate Chamber and Senate hearing rooms on April 14-18, 2003; and

WHEREAS, TeenPact Ohio is a leadership training program promoting student understanding of and involvement in the legislative process. A beneficial educational event, TeenPact Ohio will provide its participants with the opportunity to better understand our democratic system of government and its components firsthand and to appreciate the challenges and duties confronted by state legislators. The knowledge gained through this experience will certainly be of value to all who participate in this program and will also inspire each student to take a more active role in carrying out his or her responsibilities as a citizen of the State of Ohio and the United States of America; and

WHEREAS, It is, indeed, an appropriate choice of the TeenPact Leadership School to utilize the Ohio Senate Chamber for the TeenPact Ohio program, since it is within this very setting that the state's legislative process takes place; and

WHEREAS, Through their involvement in the TeenPact Ohio program, participants will not only gain a better comprehension of the rules and procedures of the state legislature, which is the foundation of our democratic nation, but also will be able to make better-informed decisions as citizens; therefore be it

RESOLVED, That we, the members of the Senate of the 125th General Assembly of Ohio, in adopting this Resolution, authorize the TeenPact Leadership School to utilize the Ohio Senate Chamber and Senate hearing rooms, contingent upon the availability of those facilities, to conduct its TeenPact Ohio program, April 14-18, 2003, and commend the program's participants for their display of civic responsibility; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated

copy of this Resolution to the TeenPact Leadership School.

The question being, "Shall the resolution, **S. R. No. 232**, be adopted?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

| | | | |
|---------------|----------------|-----------|-----------|
| Amstutz | Armbruster | Austria | Blessing |
| Brady | Carey | Carnes | 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-33. |

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. 233-Senator Mumper.

Honoring Aaron and Lucille Parish on their Golden Wedding Anniversary.

S. R. No. 234-Senator Mumper.

Honoring Neal and Alice Steed on their Golden Wedding Anniversary.

S. R. No. 235-Senator Mumper.

Honoring Willis and Harriet Trumble on their Sixtieth Wedding Anniversary.

S. R. No. 236-Senator Carnes.

Honoring Gene and Eileen Haines on their Golden Wedding Anniversary.

S. R. No. 237-Senator Carnes.

Honoring Mr. and Mrs. Logan Bowman on their Golden Wedding Anniversary.

S. R. No. 238-Senator Carnes.

Honoring Mr. and Mrs. James Factor on their Sixtieth Wedding Anniversary.

S. R. No. 239-Senator Carnes.

Honoring Dennis and Ruth Trotter on their Sixtieth Wedding Anniversary.

S. R. No. 240-Senator Carnes.

Honoring Wilbur and Icie Jones on their Golden Wedding Anniversary.

S. R. No. 241-Senator Carnes.

Honoring Donald and Ruth Mercer on their Golden Wedding Anniversary.

S. R. No. 242-Senator Carnes.

Honoring Bob and Nancy Bender on their Golden Wedding Anniversary.

S. R. No. 243-Senator Carnes.

Honoring Richard and Eloise Eschbaugh on their Golden Wedding Anniversary.

S. R. No. 244-Senator Carnes.

Honoring John and Anna Huddleston on their Golden Wedding Anniversary.

S. R. No. 245-Senator Herington.

Honoring Kenneth and Mary Schartiger on their Golden Wedding Anniversary.

S. R. No. 246-Senator Herington.

Honoring Alfred and Glenna Gareri on their Golden Wedding Anniversary.

S. R. No. 247-Senator Herington.

Honoring Ronald and Emma Porter on their Golden Wedding Anniversary.

S. R. No. 248-Senator Herington.

Honoring Richard and Dalene Brandon on their Golden Wedding Anniversary.

S. R. No. 249-Senator Herington.

Honoring Francis and Alice Hagan on their Golden Wedding Anniversary.

S. R. No. 250-Senator Mumper.

Honoring Pete and Norma Horner on their Sixtieth Wedding Anniversary.

S. R. No. 251-Senator Mumper.

Honoring Bob and Edna Westerman on their Sixtieth Wedding Anniversary.

S. R. No. 252-Senator Mumper.

Honoring Jack and Marsena Miller on their Golden Wedding Anniversary.

S. R. No. 253-Senator Mumper.

Honoring David and Donna Ehret on their Golden Wedding Anniversary.

S. R. No. 254-Senator Mumper.

Honoring Ivan and Bertha Langjahr on their Golden Wedding Anniversary.

S. R. No. 255-Senator Robert Gardner.

Honoring Rodgers and Shirley Dean on their Golden Wedding Anniversary.

S. R. No. 256-Senator Austria.

Honoring John and Ruth Osborne on their Golden Wedding Anniversary.

S. R. No. 257-Senator Austria.

Honoring Robert and June Martin on their Golden Wedding Anniversary.

S. R. No. 258-Senator Austria.

Honoring Russ and Florence Boone on their Sixtieth Wedding Anniversary.

S. R. No. 259-Senator Austria.

Honoring George and Shirley Keating on their Golden Wedding Anniversary.

S. R. No. 260-Senator Austria.

Honoring James and Ruby Comer on their Golden Wedding Anniversary.

S. R. No. 261-Senator Austria.

Honoring John and Esther Groves on their Golden Wedding Anniversary.

S. R. No. 262-Senator Schuler.

Honoring Shelby and Louise Bryant on their Golden Wedding Anniversary.

S. R. No. 263-Senator Schuler.

Honoring Ambrose and Hattie Riley on their Golden Wedding Anniversary.

S. R. No. 264-Senator Schuler.

Honoring Gardie and Ella Rose Johnson on their Golden Wedding Anniversary.

S. R. No. 265-Senator Schuler.

Honoring Lloyd and Estelle Cole on their Sixtieth 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, Ronald Billow, Republican, from Fremont, Sandusky County, Ohio, as a Member of the Terra State Community College Board of Trustees for a term beginning March 18, 2003, and ending at the close of business January 31, 2008, replacing Kay Reiter, 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 18th 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, Kenny Delaney, Democrat, from Riverside, Montgomery County, Ohio, as a Member of the Unemployment Compensation Review Commission for a term beginning January 8, 2003 and ending at the close of business February 27, 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 16th 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, Betty Kimbrew, Democrat, from Newbury, Geauga County, Ohio, as a Member of the Savings and Loan Associations and Savings Banks Board for a new term beginning March 18, 2003 and ending at the close of business January 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 18th 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, Charlotte Martin, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Banking Commission for a new term beginning March 18, 2003 and ending at the close of business January 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 18th 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, Fred Recktenwald, Democrat, from Fremont, Sandusky County, Ohio, as a Member of the Terra State Community College Board of Trustees for a term beginning March 18, 2003, and ending at the close of business January 31, 2008, replacing Richard Hopkins, 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 18th 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, Thomas R. Smith, from Port Clinton, Ottawa County, Ohio, as a Member of the Terra State Community College Board of Trustees for a term beginning March 18, 2003, and ending at the close of business January 31, 2008, replacing John Bolte, 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 18th 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, Zuheir Sofia, Republican, from Columbus, Franklin County, Ohio, as a Member of the Banking Commission for a new term beginning March 18, 2003 and ending at the close of business January 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 18th 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, Charles Thigpen, Democrat, from Cleveland Heights, Cuyahoga County, Ohio, as a Member of the Savings and Loan Associations and Savings Banks Board for a new term beginning March 18, 2003 and ending at the close of business January 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 18th day of March in the year of our Lord, two thousand and three.

[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. 51 - Representatives Hughes, Willamowski, Oelslager, Harwood, Book, Brown, Carmichael, C. Evans, Fessler, Flowers, Gilb, Hartnett, Latta, Martin, McGregor, T. Patton, Perry, Reidelbach, Schmidt, Schneider, Skindell, S. Smith, D. Stewart, Yates.

To amend sections 2106.01, 2106.02, 2107.19, 2109.301, 2109.32, 2113.53, 2117.06, 2117.07, 2117.11, 2117.12, and 5731.21 and to enact section 2101.163 of the Revised Code relative to the election by a surviving spouse, notice of admission of a will to probate, accounts of administrators and executors, distribution of estate assets, presentation of creditors' claims to distributees, dispute resolution procedures in probate court, time for presenting claims against an estate, and elimination of the duty to file an estate tax return in specified circumstances.

Am. H. B. No. 82 - Representatives DePiero, Boccieri, Price, Kearns, Carano, Hughes, Harwood, Distel, Setzer, Cirelli, Wolpert, Hollister, Miller, Young, Barrett, Oelslager, Seaver, Perry, Strahorn, S. Smith, C. Evans, Willamowski, Allen, Seitz, Sferra, D. Evans, DeBose, Brown, Skindell, Beatty, Book, Chandler, Clancy, Collier, Core, Daniels, Driehaus, Flowers, Gibbs, Hagan, Hoops, Jerse, Jolivette, Key, Martin, Mason, Niehaus, S. Patton, Reidelbach, Schlichter, Schmidt, Schneider, D. Stewart, J. Stewart, Sykes, Taylor, Ujvagi, Wilson, Woodard, Yates.

To amend section 2313.16 of the Revised Code to permit a person who is 75 years of age or older to be excused from jury duty.

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 adoption of the following joint resolution:

Am. S. J. R. No. 1 - Senators Austria, Carnes, Amstutz, Harris, Jacobson, Mumper, Dann, Goodman, Stivers, Prentiss. Representatives C. Evans, Aslanides, Brown, Chandler, Distel, Gibbs, Hagan, Harwood, Perry, Schaffer, Schlichter, J. Stewart, Walcher, Wolpert, Allen, Carmichael, Collier, DeBose, DePiero, DeWine, Flowers, Hughes, Husted, Martin, McGregor, Miller, Olman, Otterman, S. Patton, T. Patton, Raussen, Redfern, Reidelbach, Schmidt, Seitz, Setzer, G. Smith, Taylor, Trakas, Widowfield.

Proposing to enact Section 2p of Article VIII of the Constitution of the State of Ohio relating to science and technology based research and development purposes, including authorizing the issuance of general obligations of the state to pay costs related to those purposes.

Attest:

LAURA P. CLEMENS,
Clerk.

On the motion of Senator Randy Gardner the Senate adjourned until Wednesday, April 9, 2003 at 1:30 p.m.

Attest:

MATTHEW T. SCHULER,
Clerk.