OHIO

SENATE

JOURNAL

TUESDAY, APRIL 29, 2003

FOURTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Tuesday, April 29, 2003, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Joe Hotchkiss, Gahanna Community Congregational Church, Gahanna, 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:

H. B. No. 95-Representative Calvert.

To amend sections 9.01, 9.83, 101.82, 102.02, 109.57, 109.572, 109.71, 117.45, 119.035, 121.04, 121.084, 122.011, 122.04, 122.08, 122.17, 122.25, 122.651, 122.658, 122.87, 122.88, 123.01, 124.03, 125.05, 125.15, 125.91, 125.92, 125.93, 125.95, 125.96, 125.98, 126.11, 127.16, 131.23, 131.35, 147.01, 147.37, 149.011, 149.33, 149.331, 149.332, 149.333, 149.34, 149.35, 153.65, 163.06, 164.27, 165.09, 173.14, 173.20, 173.21, 173.26, 173.55, 173.57, 175.03, 175.21, 175.22, 183.02, 183.28, 307.202, 307.86, 307.98, 307.981, 307.987, 311.17, 317.32, 319.302, 321.24, 323.01, 323.13, 323.152, 329.03, 329.04, 329.05, 329.051, 329.06, 340.03, 505.69, 715.013, 717.01, 718.01, 718.02, 718.03, 718.05, 901.17, 901.21, 902.11, 921.151, 927.69, 1309.109, 1321.21, 1333.99, 1501.04, 1502.02, 1503.011, 1503.05, 1503.99, 1509.06, 1509.08, 1513.02, 1513.07, 1513.13, 1513.131, 1513.14, 1513.16, 1514.021, 1514.071, 1514.09, 1514.10, 1519.05, 1521.06, 1521.063, 1531.26, 1533.08, 1533.10, 1533.101, 1533.11, 1533.111, 1533.112, 1533.12, 1533.13, 1533.151, 1533.19, 1533.23, 1533.301, 1533.32, 1533.35, 1533.40, 1533.54, 1533.631, 1533.632, 1533.71, 1533.82, 1561.31, 1561.35, 1561.351, 1561.51, 1563.13, 1563.42, 1702.59, 2101.16, 2117.06, 2117.25, 2151.3529, 2151.3530, 2151.83, 2151.84, 2305.234, 2329.66, 2505.13, 2715.041, 2715.045, 2716.13, 2743.02, 2915.01, 2921.13, 2925.44, 2933.43, 2935.01, 2949.091, 3111.04, 3111.72, 3119.01, 3123.952, 3125.12, 3125.25, 3301.33, 3301.52, 3301.53, 3301.54, 3301.55, 3301.57, 3301.58, 3301.80, 3301.801, 3313.979, 3314.074, 3316.08, 3317.012, 3317.013, 3317.022, 3317.023, 3317.024, 3317.029, 3317.0213, 3317.0217, 3317.03, 3317.032, 3317.05, 3317.06, 3317.064, 3317.07, 3317.10, 3317.11, 3317.16, 3317.50, 3317.51, 3319.22, 3319.235, 3323.16, 3332.04, 3333.12, 3383.01, 3383.07, 3501.18, 3501.30, 3505.08, 3517.092, 3701.021, 3701.022, 3701.141, 3701.145, 3702.31, 3702.68, 3702.74, 3705.23, 3705.24, 3709.09, 3710.05, 3711.021,

3721.02, 3721.19, 3721.56, 3722.15, 3722.16, 3727.17, 3733.43, 3733.45, 3734.02, 3734.05, 3734.12, 3734.123, 3734.124, 3734.18, 3734.28, 3734.42, 3734.44, 3734.46, 3734.57, 3735.67, 3735.671, 3737.81, 3745.04, 3745.11, 3745.14, 3745.40, 3746.13, 3747.16, 3748.07, 3748.13, 3770.07, 3770.10, 3770.99, 3773.33, 3773.43, 3781.19, 4104.01, 4104.02, 4104.04, 4104.06, 4104.07, 4104.08, 4104.15, 4104.18, 4104.19, 4104.20, 4104.41, 4104.44, 4104.45, 4104.46, 4105.17, 4112.15, 4115.03, 4117.02, 4117.10, 4117.14, 4123.27, 4123.41, 4141.04, 4141.09, 4141.23, 4301.12, 4301.30, 4301.42, 4301.43, 4303.02, 4303.021, 4303.03, 4303.04, 4303.05, 4303.06, 4303.07, 4303.08, 4303.09, 4303.10, 4303.11, 4303.12, 4303.121, 4303.13, 4303.14, 4303.141, 4303.15, 4303.151, 4303.16, 4303.17, 4303.171, 4303.18, 4303.181, 4303.182, 4303.183, 4303.184, 4303.19, 4303.20, 4303.201, 4303.202, 4303.203, 4303.204, 4303.21, 4303.22, 4303.23, 4303.231, 4305.01, 4503.06, 4505.06, 4509.60, 4511.75, 4707.071, 4707.072, 4707.10, 4709.12, 4717.07, 4717.09, 4719.01, 4723.06, 4723.08, 4723.082, 4725.44, 4725.45, 4725.48, 4725.50, 4725.51, 4725.52, 4725.57, 4731.65, 4731.71, 4734.15, 4736.12, 4741.17, 4743.05, 4747.05, 4747.06, 4747.07, 4747.10, 4751.06, 4751.07, 4759.08, 4771.22, 4779.08, 4779.17, 4779.18, 4903.24, 4905.79, 4905.91, 4919.79, 4931.45, 4931.47, 4931.48, 4973.17, 4981.01, 4981.03, 4981.031, 4981.032, 4981.033, 4981.04, 4981.06, 4981.07, 4981.08, 4981.09, 4981.091, 4981.10, 4981.11, 4981.12, 4981.13, 4981.131, 4981.14, 4981.15, 4981.16, 4981.17, 4981.18, 4981.19, 4981.20, 4981.21, 4981.22, 4981.23, 4981.25, 4981.26, 4981.28, 4981.29, 4981.30, 4981.31, 4981.32, 4981.33, 4981.34, 4981.35, 4981.361, 5101.11, 5101.14, 5101.141, 5101.142, 5101.144, 5101.145, 5101.146, 5101.16, 5101.162, 5101.18, 5101.181, 5101.21, 5101.211, 5101.212, 5101.22, 5101.24, 5101.36, 5101.58, 5101.59, 5101.60, 5101.61, 5101.611, 5101.62, 5101.63, 5101.65, 5101.67, 5101.68, 5101.69, 5101.70, 5101.75, 5101.80, 5101.83, 5101.97, 5101.99, 5103.031, 5103.033, 5103.034, 5103.036, 5103.037, 5103.038, 5103.0312, 5103.0313, 5103.0314, 5103.0315, 5103.0316, 5103.154, 5104.01, 5104.011, 5104.02, 5104.30, 5104.32, 5104.42, 5107.02, 5107.30, 5107.37, 5107.40, 5107.60, 5108.01, 5108.03, 5108.06, 5108.07, 5108.09, 5108.10, 5111.019, 5111.0112, 5111.02, 5111.021, 5111.022, 5111.03, 5111.06, 5111.111, 5111.17, 5111.171, 5111.20, 5111.204, 5111.21, 5111.22, 5111.231, 5111.25, 5111.252, 5111.26, 5111.263, 5111.28, 5111.29, 5111.30, 5111.31, 5111.32, 5111.33, 5111.34, 5111.85, 5111.87, 5111.872, 5111.94, 5111.99, 5112.03, 5112.08, 5112.17, 5112.31, 5112.99, 5115.01, 5115.02, 5115.03, 5115.04, 5115.05, 5115.07, 5115.10, 5115.11, 5115.13, 5115.15, 5115.20, 5119.61, 5119.611, 5123.01, 5123.051, 5123.19, 5123.61, 5123.801, 5126.042, 5126.12, 5126.31, 5139.36, 5139.87, 5153.16, 5153.163, 5153.60, 5153.69, 5153.72, 5153.78, 5310.15, 5501.03, 5502.13, 5519.01, 5703.054, 5703.19, 5705.19, 5707.03, 5709.01, 5709.20, 5709.21, 5709.22, 5709.25, 5709.26, 5709.27, 5709.62, 5709.63, 5709.632, 5709.64, 5709.67, 5709.84, 5711.02, 5711.13, 5711.22, 5711.27, 5711.33, 5713.07, 5713.08, 5713.081, 5713.082, 5715.27, 5715.39, 5717.02, 5717.03, 5719.07, 5725.01, 5725.14, 5725.25, 5725.26, 5727.01, 5727.06, 5727.111, 5727.15, 5727.24, 5727.25, 5727.26, 5727.27, 5727.28, 5727.30, 5727.32, 5727.33, 5727.38, 5727.56, 5728.04,

5728.99, 5733.01, 5733.04, 5733.042, 5733.05, 5733.051, 5733.056, 5733.057, 5733.059, 5733.06, 5733.065, 5733.066, 5733.069, 5733.09, 5733.18, 5733.22, 5733.33, 5733.39, 5733.40, 5733.45, 5733.98, 5735.05, 5735.14, 5735.15, 5735.19, 5735.23, 5735.26, 5735.291, 5735.30, 5735.99, 5739.01, 5739.011, 5739.02, 5739.03, 5739.071, 5739.12, 5739.17, 5739.33, 5741.01, 5741.02, 5743.02, 5743.32, 5745.01, 5745.02, 5745.04, 5747.01, 5747.02, 5747.022, 5747.025, 5747.05, 5747.057, 5747.08, 5747.09, 5747.30, 5747.98, 5748.01, 5749.02, 6101.09, 6109.21, 6111.044, 6111.06, 6115.09, 6301.05, and 6301.07; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3301.33 (3301.40), 3701.145 (3701.0210), 4104.46 (4104.48), 4981.01 (5507.01), 4981.03 (5507.03), 4981.031 (5507.031), 4981.032 (5507.032), 4981.033 (5507.033), 4981.04 (5507.04), 4981.05 (5507.05), 4981.06 (5507.06), 4981.07 (5507.07), 4981.08 (5507.08), 4981.09 (5507.09), 4981.091 (5507.091), 4981.10 (5507.10), 4981.11 (5507.11), 4981.12 (5507.12), 4981.13 (5507.13), 4981.131 (5507.131), 4981.14 (5507.14), 4981.15 (5507.15), 4981.16 (5507.16), 4981.17 (5507.17), 4981.18 (5507.18), 4981.19 (5507.19), 4981.20 (5507.20), 4981.21 (5507.21), 4981.22 (5507.22), 4981.23 (5507.23), 4981.25 (5507.25), 4981.26 (5507.26), 4981.28 (5507.28), 4981.29 (5507.29), 4981.30 (5507.30), 4981.31 (5507.31), 4981.32 (5507.32), 4981.33 (5507.33), 4981.34 (5507.34), 4981.35 (5507.35), 4981.36 (5507.36), 4981.361 (5507.361), 5101.211 (5101.212), 5101.212 (5101.213), 5108.06 (5108.04), 5108.07 (5108.05), 5111.08 (5111.071), 5111.16 (5111.08), 5111.25 (5111.27), 5111.252 (5123.199), 5111.26 (5111.23), 5111.263 (5111.30), 5111.29 (5111.31), 5111.30 (5111.224), 5111.31 (5111.222), 5111.32 (5111.223), 5111.33 (5111.29), 5115.02 (5115.04), 5115.04 (5115.02), 5115.07 (5115.06), 5115.13 (5115.07), and 5115.15 (5115.23); to enact new sections 718.11, 718.12, 3301.33, 4104.42, 4104.43, 4104.46, 5108.06, 5108.07, 5111.16, 5111.173, 5111.221, 5111.24, 5111.241, 5111.25, 5111.251, 5111.252, 5111.255, 5111.257, 5111.26, 5111.261, 5111.262, 5111.263, 5111.264, 5111.32, and 5733.052, and sections 122.90, 123.152, 123.153, 173.08, 305.28, 317.36, 319.63, 718.021, 718.031, 718.051, 718.111, 718.112, 927.701, 1503.50, 1503.51, 1503.52, 1503.53, 1503.54, 1503.55, 1503.56, 1503.57, 1503.58, 2113.041, 2117.061, 3123.97, 3301.31, 3301.34, 3301.35, 3301.36, 3301.37, 3314.083, 3701.029, 3702.63, 3721.561, 4104.47, 4115.17, 4115.18, 4115.19, 4115.20, 4707.24, 5101.1410, 5101.211, 5101.214, 5101.241, 5101.242, 5101.243, 5101.601, 5103.155, 5108.11, 5108.12, 5111.0113, 5111.025, 5111.172, 5111.174, 5111.175, 5111.176, 5111.177, 5111.206, 5111.211, 5111.253, 5111.254, 5111.256, 5111.265, 5111.266, 5111.267, 5111.268, 5111.269, 5111.2610, 5111.88, 5111.881, 5111.882, 5111.911, 5111.912, 5111.913, 5111.95, 5111.96, 5111.97, 5111.98, 5111.981, 5111.982, 5115.12, 5115.13, 5115.14, 5115.22, 5123.196, 5123.197, 5123.198, 5123.38, 5123.851, 5703.491, 5703.56, 5703.58, 5703.80, 5709.201, 5709.211, 5709.212, 5709.23, 5709.24, 5717.011, 5733.044, 5733.55, 5733.56, 5733.57, 5735.053, 5741.25, 5745.042, and 5745.044; and to repeal sections 122.12, 125.931, 125.932, 125.933, 125.934, 125.935, 131.38, 179.01, 179.02, 179.03, 179.04, 319.311, 718.11, 718.12, 1333.96, 1513.05, 1513.10, 1533.06,

1533.39, 1553.01, 1553.02, 1553.03, 1553.04, 1553.05, 1553.06, 1553.07, 1553.08, 1553.09, 1553.10, 1553.99, 3301.31, 3301.581, 3302.041, 3701.142, 3701.144, 4104.42, 4104.43, 4141.044, 4141.045, 5101.213, 5101.251, 5101.71, 5101.72, 5108.05, 5111.017, 5111.173, 5111.221, 5111.23, 5111.231, 5111.24, 5111.241, 5111.251, 5111.255, 5111.257, 5111.261, 5111.262, 5111.264, 5111.27, 5111.291, 5111.34, 5115.011, 5115.012, 5115.06, 5115.061, 5502.49, 5709.231, 5709.30, 5709.31, 5709.32, 5709.33, 5709.34, 5709.35, 5709.36, 5709.37, 5709.45, 5709.46, 5709.47, 5709.48, 5709.49, 5709.50, 5709.51, 5709.52, 5709.64, 5709.65, 5709.66, 5727.39, 5727.44, 5733.052, 5733.055, 5733.061, 5733.064, 5733.068, 5733.111, 5733.32, 5733.36, 5733.38, 5733.43, 5733.44, 5735.33, 5739.012, 5739.35, 5741.011, 5741.24, 5743.45, 5743.46, 5747.051, 5747.131, 5747.28, 5747.34, 5747.36, 5747.38, 5747.60, 6111.31, 6111.311, 6111.32, 6111.34, 6111.35, 6111.36, 6111.37, 6111.38, and 6111.39 of the Revised Code; to amend Section 14 of Am. Sub. S.B. 242 of the 124th General Assembly; to amend Section 3 of Am. Sub. H.B. 215 of the 122nd General Assembly, as subsequently amended; to amend Section 3 of Am. Sub. H.B. 621 of the 122nd General Assembly, as subsequently amended; to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended; to amend Section 27 of Sub H.B. 670 of the 121st General Assembly, as subsequently amended; to amend Section 5 of Am. Sub. S.B. 50 of the 121st General Assembly, as subsequently amended; to repeal section 63.37 of Am. Sub. H.B. 94 of the 124th General Assembly, as subsequently amended; to repeal Section 129 of Am. Sub. H.B. 283 of the 123rd General Assembly, as subsequently amended; to repeal Section 3 of S.B. 238 of the 123rd General Assembly; and to repeal Section 11 of Am. Sub. S.B. 50 of the 121st General Assembly, as subsequently amended; to levy taxes and provide for implementation of those levies, to make operating appropriations for the biennium beginning July 1, 2003, and ending June 30, 2005, and to provide authorization and conditions for the operation of state programs; to amend the version of section 921.22 of the Revised Code that is scheduled to take effect July 1, 2004, to continue the provisions of this act on and after that effective date; to amend the version of section 3332.04 of the Revised Code that is scheduled to take effect July 1, 2003; to amend the version of section 4511.75 of the Revised Code that is scheduled to take effect January 1, 2004; to amend the versions of sections 5739.03, 5739.12, and 5741.02 of the Revised Code that are scheduled to take effect July 1, 2003, to continue certain provisions of this act on and after that date.

To the Committee on Finance and Financial Institutions.

S. B. No. 70-Senators Fedor, Brady, Dann, Miller, Roberts, Herington, Hagan, Prentiss, DiDonato, Fingerhut.

To require the Legislative Service Commission to conduct a study of state agencies to determine the amount of federal assistance available for which agencies have not applied and to submit a report of the findings to various

members of the General Assembly, and to declare an emergency.

To the Committee on Agriculture.

S. B. No. 71-Senators Goodman, Harris, Amstutz.

To amend sections 2313.11, 2313.12, 2313.13, 2313.15, 2313.16, 2313.18, 2313.30, 2313.34, and 2313.99 and to enact section 2313.48 of the Revised Code to change the penalties for failure to attend as required by a notice for jury service and to serve as a juror, to change the circumstances under and methods by which jury service may be postponed, to provide protections for employees and small employers when employees are summoned for jury service, to shorten the period of jury service after which a juror may be discharged, and to create a fund to compensate individuals who serve as petit jurors for more than ten days.

To the Committee on Judiciary - Civil Justice.

S. B. No. 72-Senators Dann, Fingerhut, Brady.

To amend section 175.22 of the Revised Code to require the Ohio Housing Finance Agency to develop and implement a program to provide housing for low-income grandparents who are guardians for grandchildren or have legal or permanent custody of grandchildren.

To the Committee on Finance and Financial Institutions.

S. B. No. 73-Senators Dann, Miller, Schuler, Fingerhut.

To enact section 4503.541 of the Revised Code to create a special motorcycle license plate for retired and honorably discharged veterans.

To the Committee on Highways and Transportation.

S. B. No. 74-Senators Mallory, DiDonato, Goodman, Schuler, Fingerhut, Roberts.

To amend sections 149.43, 2313.06, 3509.02, 3509.03, and 3509.04 and to enact sections 111.26 to 111.35 of the Revised Code to establish an address confidentiality program for victims of menacing, aggravated menacing, menacing by stalking, aggravated trespass, domestic violence, and child abuse, and individuals who possess a protection order or temporary protection order.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 75-Senators Mallory, Herington, Dann, Fingerhut.

To amend sections 3517.092 and 3517.992 of the Revised Code to prohibit county elected officers, candidates for county elective offices, campaign committees of those officers or candidates, and others from accepting contributions from specified county employees.

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

S. B. No. 76-Senators Mallory, Herington, DiDonato, Dann, Fingerhut, Roberts.

To amend sections 3517.10 and 3517.102 of the Revised Code to prohibit certain campaign contributions by minors.

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

JAMES E. CARNES
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 Carnes submitted the following report:

The standing committee on Rules to which were referred the appointments by the Governor of:

Glenn J. Abraham, Republican, Dayton, Montgomery County, Ohio, as a Member of the Counselor and Social Worker Board for a term beginning November 8, 2002, and ending at the close of business October 10, 2006, replacing Jane Daroff, whose term expired.

John T. Anderson, Democrat, from Girard, Trumbull County, Ohio, as a Member of the Financial Planning and Supervision Commission For the City of Girard, for a term beginning August 23, 2002, and ending at the pleasure of the Governor, replacing Carl Culp, whose term expired.

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.

Steven M. Bleser, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the State Chiropractic Board for a new term beginning January 8, 2003, and ending at the close of business November 2, 2006.

Larry Brisker, Republican, from Coalton, Jackson County, Ohio, as a Member of the Financial Planning and Supervision Commission For the City of Coalton for a term beginning January 8, 2003, and ending at the pleasure of the Governor.

David S. Buchan, Republican, from Columbus, Franklin County, Ohio, as a Member of the State Medical Board for a new term beginning February 14, 2003, and ending at the close of business December 27, 2007.

Karmen Clay, Independent, from Trotwood, Montgomery County, Ohio, as a Member of the Central State University Board of Trustees for a term beginning September 25, 2002, and ending at the close of business June 30, 2004, replacing Michael Whitefield, whose term expired.

Donald W. Davis, Republican, from Wheelersburg, Scioto County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a new term beginning December 6, 2002, and ending at the close of business November 22, 2005.

Rose M. Quinones-DelValle, Democrat, from Youngstown, Mahoning County, Ohio, as a Member of the Counselor and Social Worker Board for a new term beginning November 8, 2002, and ending at the close of business October 10, 2006.

Jack Edwards, Democrat, from Gahanna, Franklin County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a new term beginning December 6, 2002, and ending at the close of business November 22, 2005.

Sharon M. Evans, from Springfield, Clark County, Ohio, as a Member of the Clark State Community College Board of Trustees for a term beginning January 8, 2003, and ending at the close of business November 3, 2008, replacing Donna Hart, whose term expired.

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.

Phyllis Suhar, Republican, Cambridge, Guernsey County, Ohio, as a Member of the Ohio Advisory Council for the Aging for a new term beginning December 6, 2002, and ending at the close of business November 22, 2005.

C. William Swank, Republican, from Westerville, Franklin County, Ohio, as a Member of the Central State University Board of Trustees for a new term beginning October 25, 2002, and ending at the close of business June 30, 2011.

Gwendolyn DaCons-Taylor, Republican, Woodlawn, Hamilton County, Ohio, as Member of the Counselor and Social Worker Board for a new term beginning November 8, 2002, and ending at the close of business October 10, 2006.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 11: DOUG WHITE, RANDY GARDNER, JAY HOTTINGER, JEFF JACOBSON, JAMES E. CARNES, BILL HARRIS, SCOTT R. NEIN, C. J. PRENTISS, TERESA FEDOR, MARK MALLORY, GREGORY L. DIDONATO.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor ?"

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	Carnes	Coughlin
Dann	DiDonato	Fedor	Fingerhut
Randy Gardner	Robert Gardner	Goodman	Hagan
Harris	Hottinger	Jacobson	Jordan
Mallory	Miller	Mumper	Nein
Prentiss	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	White-32.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

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, Olman, 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, Coughlin, Schuler, Schuring.

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, was considered the third time.

The question being, "Shall the bill, **Am. Sub. H. B. No. 7**, 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 Coughlin moved to amend the title as follows:

Add the names: "Coughlin, Schuler, Schuring."

The motion was agreed to and the title so amended.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 77-Senators Brady, Hagan, Dann, Prentiss, Fingerhut, DiDonato, Herington, Fedor.

To amend sections 4112.01, 4112.02, 4112.021, 4112.04, 4112.05, and 4112.08 of the Revised Code to prohibit discrimination on the basis of sexual orientation.

OFFERING OF RESOLUTIONS

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

S. R. No. 290-Senator Mumper.

Honoring Clarence and Mary Jane Snodgres on their Golden Wedding Anniversary.

S. R. No. 291-Senator Mumper.

Honoring Richard and Annette Nelson on their Golden Wedding

Anniversary.

S. R. No. 292-Senator Mumper.

Honoring Elbert and Phyllis Taylor on their Golden Wedding Anniversary.

S. R. No. 293-Senator Mumper.

Honoring Eugene and Donna Orians on their Golden Wedding Anniversary.

S. R. No. 294-Senator Mumper.

Honoring Mr. and Mrs. Rockford Redmond on their Golden Wedding Anniversary.

S. R. No. 295-Senator Mumper.

Honoring Earnest and Dorothy Gast on their Sixty-fifth Wedding Anniversary.

S. R. No. 296-Senator Herington.

Honoring Madison and Evelyn Atchison on their Fifty-fifth Wedding Anniversary.

S. R. No. 297-Senator Herington.

Honoring Jack and Norma Alldredge on their Fifty-fifth Wedding Anniversary.

S. R. No. 298-Senator Herington.

Honoring Henry and Geraldine Juvan on their Sixtieth Wedding Anniversary.

S. R. No. 299-Senator Hagan.

Honoring Harry and Dorothy Meyer on their Golden Wedding Anniversary.

S. R. No. 300-Senator Hagan.

Honoring Richard and Jacquelyn Davison on their Golden Wedding Anniversary.

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

So the resolutions were adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 4121.123 (A)(2) of the Ohio Revised Code, the President of the Senate re-appoints the following public member, who represents employees who are not members of an employee organization, to serve on the **Workers' Compensation Oversight Commission Nominating Committee**:

Jerald D. Harris

Cincinnati, Ohio 45242

Pursuant to Section 145.72 of the Ohio Revised Code, the President of the Senate appoints Senator Hottinger to serve on the **Public Employees Deferred Compensation Board**.

Pursuant to Section 3333.01 of the Ohio Revised Code, the President of the Senate appoints the following senator as an ex-officio member of the **Ohio Board of Regents**: Senator Robert Gardner (Chair of the Senate Education Committee)

Pursuant to Section 122.97 of the Ohio Revised Code, the President of the Senate appoints Senator Nein to serve on the **Ohio Steel Industry Advisory Council**.

Pursuant to Section 3332.081 of the Ohio Revised Code, the President of the Senate appoints Senator Robert Gardner (Chair of the Senate Education Committee) to serve on the **Student Tuition Recovery Authority**.

Pursuant to Section 109.91 of the Ohio Revised Code, the President of the Senate appoints Senator Blessing to serve on the **State Victims Assistance Advisory Board**.

Pursuant to Sub. S. B. 161 of the 123rd General Assembly, the President of the Senate appoints Senator Randy Gardner to serve on the **Rules Advisory Committee**.

Pursuant to Section 3734.51 of the Ohio Revised Code, the President of the Senate appoints Senato Spada (Chair of the Senate Energy, Natural Resources & Environment Committee) to serve on the **Solid Waste Management Advisory Council**.

Pursuant to Section 3924.08 (A) of the Ohio Revised Code, the President of the Senate appoints Senator Nein to serve as an ex-officio member of the **Ohio Health Reinsurance Program**.

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

Attest: MATTHEW T. SCHULER,
Clerk.