OHIO

SENATE JOURNAL

WEDNESDAY, APRIL 30, 2003

FOURTY-FOURTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, April 30, 2003, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, Linworth Baptist Church, Worthington, 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:

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.

To the Committee on Judiciary - Civil Justice.

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 Blessing submitted the following report:

The standing committee on Public Utilities, to which was referred **Am. S. B. No. 44**-Senators Robert Gardner, Blessing, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

In line 59, delete everything after " (A) "

In line 60, delete everything before "waterworks" and insert " A "

In line 64, delete " including, but "

In line 65, delete, " not limited to, depreciation expenses, "

In line 67, after the underlined period insert " The company's costs of infrastructure plant may include depreciation expenses. "

In line 74, delete " or "

Co-Sponsor: Blessing.

YES - 9: SCOTT R. NEIN, ROBERT F. SPADA, ROBERT L. SCHULER, LOUIS W. BLESSING, TERESA FEDOR, TOM ROBERTS, MARK MALLORY, JEFF JACOBSON, BILL HARRIS.

NO - 0.

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

The report of the committee was accepted.

Senator Carnes submitted the following report:

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

James K. Burt, Republican, from Worthington, Franklin County, Ohio, as a Member of The State Veterinary Medical Board for a term beginning February 14, 2003, and ending at the close of business December 31, 2007, replacing George Norris, whose term expired.

Keith McNamara, from Columbus, Franklin County, Ohio, as a Member of The Liquor Control Commission for a term beginning March 17, 2003, and ending at the close of business February 8, 2009, replacing Eddie Edwards, whose term expired.

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, JAMES E. CARNES, BILL HARRIS, SCOTT R. NEIN, C. J. PRENTISS, TERESA FEDOR, MARK MALLORY, GREGORY L. DIDONATO, JEFF JACOBSON.

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 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 Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Am. S. B. No. 44-Senators Robert Gardner, Blessing.

To amend section 4909.171 and to enact section 4909.172 of the Revised Code to authorize, subject to Public Utilities Commission approval, cost-based rate adjustments for water supplied to a waterworks utility by another waterworks utility, rate adjustment authority for a sewage disposal utility similar to the authority of a waterworks utility, and customer surcharges on waterworks or sewage disposal utility rates to cover specified costs associated with and a return on certain plant investment, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 44**, 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 , "Shall the title be agreed to?"

Senator Robert Gardner moved to amend the title as follows:

Add the names: "Spada, Dann, Mumper, Prentiss."

The motion was agreed to and the title so amended.

MOTIONS

Senator Jacobson moved that Senators absent the week of Sunday, April 27, 2003, be excused, so long as a written request is on file with the Clerk pursuant to Senate Rule No.17.

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

The motion was agreed to.

OFFERING OF RESOLUTIONS

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

S. R. No. 301 - Senator Austria.

Honoring Roger and Wanda Jones on their Golden Wedding Anniversary.

S. R. No. 302 - Senator Austria.

Honoring Clyde and Mary Brooks on their Golden Wedding Anniversary.

S. R. No. 303 - Senator Austria.

Honoring Jay and Peggy Joslin on their Golden Wedding Anniversary.

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

So the resolutions were adopted.

On motion of Senator Randy Gardner the Senate adjourned until Thursday, May 1, 2003, 9:30 a.m.

Attest: MATTHEW T. SCHULER,
Clerk.