OHIO

SENATE

JOURNAL

WEDNESDAY, MAY 21, 2003

FIFTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Wednesday, May 21, 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:

Sub. H. B. No. 23-Representatives Wolpert, Fessler, Carano, McGregor, Perry, Husted, Calvert, Setzer, Flowers, J. Stewart, Seitz, D. Evans, Webster, Miller, Williams, Reidelbach, Ujvagi, Latta, Grendell, Distel, Widener, Boccieri, Kilbane.

To amend sections 4725.18 and 4733.11 of the Revised Code to permit the State Board of Optometry to license optometrists licensed by another state or a Canadian province regardless of whether the other state or province similarly licenses holders of Ohio licenses and to clarify education requirements in the engineers and surveyors licensing law.

To the Committee on Insurance, Commerce and Labor.

Am. Sub. H. B. No. 152-Representatives Reinhard, Aslanides, Setzer, Niehaus, Gibbs, Distel, C. Evans, Schlichter, Faber, Carmichael, Widener, Walcher, Blasdel, Buehrer, Callender, Carano, Cates, Clancy, Collier, Core, Daniels, DeBose, DeWine, Fessler, Flowers, Hagan, Hartnett, Harwood, Hollister, Hoops, Hughes, Husted, Kearns, Key, McGregor, S. Patton, T. Patton, Peterson, Raga, Schmidt, Schneider, Seaver, Seitz, J. Stewart, Taylor, Webster, Wolpert.

To amend sections 307.204, 505.266, 903.01, 903.02, 903.04, 903.07, 903.08, 903.09, 903.10, 903.16, 903.20, 6111.03, 6111.04, and 6111.44 and to enact sections 903.081 and 903.082 of the Revised Code to revise the statutes governing animal feeding facilities.

To the Committee on Agriculture.

S. B. No. 89-Senators Stivers, Schuring, Miller.

To amend sections 2743.191, 2743.51, 2743.60, 2743.65, 2743.69, and 3701.741 of the Revised Code to modify the crime victims reparations program to increase the allowance for funeral expenses, to provide reimbursement for travel and lost wages for members of deceased victims' families who attend criminal justice proceedings, to limit attorney fees payable under the program, to make other changes in the program, to amend the versions of sections 2743.191 and 2743.51 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, and to declare an emergency.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 90-Senator Schuring.

To amend sections 315.02, 315.08, 315.14, 315.15, 315.16, 315.17, 315.18, 315.22, 315.25, 315.28, 315.29, 315.31, 315.32, 315.33, 315.34, and 315.39 of the Revised Code to eliminate the requirement that a county engineer be a registered surveyor, require that the county engineer have a registered surveyor on county engineer's staff, and require that a county engineer have a degree with a major area of study in civil engineering.

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

S. B. No. 91-Senators Nein, Coughlin.

To amend sections 5511.01, 5511.09, 5541.04, and 5543.04 and to enact section 9.05 of the Revised Code to prohibit naming any state-funded building, highway, road, or other public work for a person who holds any elective office or who held an elective office within five years preceding the proposed naming.

To the Committee on Highways and Transportation.

S. B. No. 92-Senators Nein, Armbruster, Carey.

To amend sections 3121.898, 3121.899, 4141.01, 4141.281, and 4141.29 of the Revised Code, and to amend Section 3 of S.B. 99 of the 124th General Assembly to modify limitations on the use of new hire reports under the Child Support Law, to change unemployment compensation eligibility requirements when unemployment is caused by a major disaster, to modify the authority of reviewing courts with respect to unemployment compensation appeals, and to delay the implementation of specified unemployment compensation application requirements for a year.

To the Committee on Insurance, Commerce and Labor.

S. B. No. 93-Senators Hagan, Fedor, Dann.

To enact section 4905.88 of the Revised Code to establish an annual renewable energy requirement for electric utilities and electric services companies that provide retail electric generation service in Ohio and to authorize the Public Utilities Commission to establish a system of renewable energy credits.

To the Committee on Public Utilities.

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 Amstutz submitted the following report:

The standing committee on Ways and Means and Economic Development, to which was referred **S. B. No. 1**-Senator Amstutz, having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Fingerhut, Spada, Dann, Herington.

YES - 11: RON AMSTUTZ, ROBERT F. SPADA, STEVE AUSTRIA, LOUIS W. BLESSING, KEVIN COUGHLIN, ROBERT GARDNER, JIM JORDAN, TOM ROBERTS, MARC DANN, ERIC D. FINGERHUT, LEIGH E. HERINGTON.

NO - 0.

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

The report of the committee was accepted.

Senator Mumper submitted the following report:

The standing committee on Agriculture, to which was referred **S. B. No. 67**-Senator Mumper, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Carnes, Carey, Schuring, Armbruster.

YES - 9: JAMES E. CARNES, JEFF JACOBSON, JOHN A. CAREY , GREGORY L. DIDONATO, TOM ROBERTS, J. KIRK SCHURING, LARRY A. MUMPER, MARC DANN, JIM JORDAN.

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. S. B. No. 1-Senators Amstutz, Fingerhut, Spada, Dann, Herington.

To amend sections 122.151, 122.152, 122.154, 166.01, 166.02, 166.08, 166.11, 166.13, 166.14, 166.16, 5733.98, and 5747.98 and to enact sections 166.17 to 166.21, 184.04, 5733.352, and 5747.331 of the Revised Code and to amend Sections 41 and 41.15 of Am. Sub. H.B. 94 of the 124th General Assembly, as subsequently amended, to increase the dollar amount that may be invested in technology and revise the eligibility requirements for, and increase the maximum amount of, technology investment tax credits that may be issued; to create the Ohio Research Commercialization Grant Program; to increase the maximum amount of obligations that may be issued to fund economic development programs; to move the Innovation Ohio Loan Fund into the State Treasury; to create the Research and Development Loan Fund, and authorize the Director to make loans from that Fund and issue obligations for research and development projects; to grant tax credits for qualified research and development loan payments; and to make an appropriation, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 1**, 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 Amstutz moved to amend the title as follows:

Add the names : "Armbruster, Austria, Carey, DiDonato, Harris, Jacobson, Mumper, Stivers, Robert Gardner."

The motion was agreed to and the title so amended.

Sub. S. B. No. 67-Senators Mumper, Wachtmann, Randy Gardner, DiDonato, Coughlin, Stivers, Austria, Goodman, Carnes, Carey, Schuring, Armbruster.

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, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 67**, 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 Mumper moved to amend the title as follows:

Add the names : "Harris, Jacobson, Spada, White, Amstutz."

The motion was agreed to and the title so amended.

MOTIONS

Senator Jacobson moved that Senators absent the week of Sunday, May 18, 2003, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 94-Senators Wachtmann, Robert Gardner, Prentiss.

To amend section 4511.21 of the Revised Code to increase from 55 to 65 miles per hour the speed at which motor vehicles weighing more than 8,000

pounds when empty and noncommercial buses are permitted to travel on certain freeways in this state.

On the motion of Senator Randy Gardner the Senate adjourned until Thursday, May 22, 2003, 9:30 a.m.

Attest: MATTHEW T. SCHULER,
Clerk.