

**OHIO
SENATE
JOURNAL**

THURSDAY, JULY 10, 2003

SEVENTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Thursday, July 10, 2003, 9:30 a.m.

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Harris was selected to preside according to the rule.

The journal of the last legislative day was read and approved.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 106-Senators Carey, Mumper, Stivers, Harris, Prentiss.

To amend sections 4735.53, 4735.58, 4735.70, 4735.71, and 4735.72, to enact new sections 4735.56 and 4735.57 and section 4735.181, and to repeal sections 4735.56, 4735.57, and 4735.73 of the Revised Code to modify agency relationships between real estate licensees and customers, including disclosures made to customers, and to establish a penalty for noncompliance with disclosure requirements.

OFFERING OF RESOLUTIONS

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

S. R. No. 540 - Senator Herington.

Honoring Raymond and Doris Aeschliman on their Golden Wedding Anniversary.

S. R. No. 541 - Senator Mumper.

Honoring Howard and Dorothy Nowels on their Sixtieth Wedding Anniversary.

S. R. No. 542 - Senator Mumper.

Honoring Eugene and Marguerite Boes on their Golden Wedding Anniversary.

S. R. No. 543 - Senator Mumper.

Honoring Luther and Loraine Buckland on their Golden Wedding Anniversary.

S. R. No. 544 - Senator Mumper.

Honoring Clayton and Mary Jane Hursh on their Golden Wedding

Anniversary.

S. R. No. 545 - Senator Mumper.

Honoring Francis and Carol Craun on their Golden Wedding Anniversary.

S. R. No. 546 - Senator Mumper.

Honoring Lutrelle and Hulda Rausch on their Sixtieth Wedding Anniversary.

S. R. No. 547 - Senator Hagan.

Honoring William and Margaret Artz on their Golden Wedding Anniversary.

S. R. No. 548 - Senator Herington.

Honoring John and Eloise Miley on their Golden Wedding Anniversary.

S. R. No. 549 - Senator Carey.

Honoring Bob Evans Farms, Inc. on its Fiftieth 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, Richard B. McQuade, Republican, from Swanton , Fulton County, Ohio, as a Member of the University of Toledo Board of Trustees for a new term beginning July 2, 2003 and ending at the close of business July 1, 2012.

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 27th day of June 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, John E. Moore, Independent, from Dayton, Montgomery County, Ohio, as a Member of the Bowling Green State University Board of Trustees for a term beginning June 23, 2003, and ending at the close of business May 17, 2012, replacing David Bryan 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 27th day of June 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, Matthew W. Clever, Independent, from Bay Village, Cuyahoga County, Ohio, as a Student Member of the Bowling Green University Board of Trustees for a term beginning June 23, 2003, and ending at the close of business May 17, 2005, replacing Jerrod Hirschfeld 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 27th day of June 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, David J. Gilmore, Democrat, from Coshocton, Coshocton County, Ohio, as a Member of the Ohio Soil and Water Conservation Commission for a new term beginning July 1, 2003 and ending at the close of business July 30, 2007.

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 27th day of June 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, Sue E. Derck, Republican, from Antwerp, Paulding County, Ohio, as a Member of the Northwest State Community College Board of Trustees for a new term beginning June 24, 2003 and ending at the close of business June 10, 2009.

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 27th day of June 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, Darrell W. Handy, Republican, from Defiance, Defiance County, Ohio, as a Member of the Northwest State Community College Board of trustees for a new term beginning June 24, 2003 and ending at the close of business June 10, 2009.

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 27th day of June 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, Jo Ellen Braden, from Waldo, Marion County, Ohio, as a Member of the Marion Technical College Board of Directors for a new term beginning May 1, 2003

and ending at the close of business April 30, 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 27th day of June 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, Carol N. Drake, Republican, from Columbus, Franklin County, Ohio, as a Member of the State Employment Relations Board for a term beginning January 6, 2003, and ending at the close of business October 6, 2008, replacing Sue Pohler 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 27th day of June 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 concurred in the adoption of the following concurrent resolution:

S. C. R. No. 12 - Senator Carey. Representative Schlichter.

Honoring Scott Lewis on being named a 2003 Louisville Slugger TPX First Team All-American.

Attest:

Laura P. Clemens,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bills:

Am. Sub. H. B. No. 1 - Representative T. Patton. Senator Amstutz.,

Sub. H. B. No. 23 - Representative Wolpert. Senator Spada.,

Sub. H. B. No. 152 - Representative Reinhard. Senator Mumper.,

Sub. H. B. No. 159 - Representative Hagan. Senator Schuring.,

Am. Sub. S. B. No. 37 - Senator Blessing. Representative Kilbane.,

Sub. S. B. No. 64 - Senator Goodman. Representative Willamowski.,

Attest:

Laura P. Clemens,
Clerk.

The President signed said bills.

Senator Stivers moved that the Senate insist on the Senate amendments to **Sub. H.B. No. 3**, and ask for a Committee of Conference.

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

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. 3 - Representative Schlichter - 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 Setzer, Schlichter and Hartnett.

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 Conference Committee on **Sub. HB 3** of the 125th General Assembly:

Senator Robert Gardner

Senator Randy Gardner

Senator Prentiss

Pursuant to Section 5740.02 (A) of the Ohio Revised Code, the President of the Senate appoints the following delegate to serve on the **NCSL Delegation of the Implementing States**:

Richard H. Finan

Cincinnati, Ohio

On the motion of Senator Stivers the Senate adjourned until Tuesday, July 15, 2003 at 9:30 a.m.

Attest:

MATTHEW T. SCHULER,
Clerk.