

OHIO

SENATE

JOURNAL

TUESDAY, AUGUST 5, 2003

EIGHTIETH DAY
Senate Chamber, Columbus, Ohio
Tuesday, August 5, 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 Goodman was selected to preside according to the rule.

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

REPORTS OF CONFERENCE COMMITTEES

Senator Robert Gardner submitted the following report:

The Committee of Conference, to which the matters of difference between the two houses were referred on Am. Sub. H.B. 3, Representative Schlichter - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

In line 92, delete "3317.01,"; delete "3317.03,"

In line 242, delete "(b)" and insert "(c)"

In line 1424, after "house" insert "of representatives"

In line 1832, delete "buildings" and insert "building's"

In line 1887, after "division" insert "(E)(1)(b) or"

In line 1895, after "divisions" insert "(E)(1)(b) and"

In line 1898, after "division" insert "(E)(1)(b) or"

In line 1907, delete "division" and insert "divisions (E)(1)(b) and"

In line 2737, after "first" insert "full"

Delete lines 3464 through 3612

Delete lines 3776 through 4241

In line 4778, delete "3317.01,"

In line 4779, delete "3317.03,"

In line 4797, delete "the version of"

In line 4798, delete "that is scheduled to take effect July 1, 2003,"

In line 4895, delete "the"; delete "version of"

In line 4896, delete "that is scheduled to take effect July 1, 2003,"

Delete lines 4898 and 4899

In line 4900, delete "7" and insert "6"

In line 5007, delete "8" and insert "7"

In line 5010, delete "9" and insert "8"; delete "7" and insert "6"; delete "8" and insert "7"

In line 5012, delete "10" and insert "9"

In line 5019, delete "11" and insert "10"

In line 5047, delete "12" and insert "11"

In line 5058, delete "13" and insert "12"

In line 5081, delete "14" and insert "13"

In line 5100, delete "15" and insert "14"

In line 5129, delete "16" and insert "15"

In line 5136, delete "17" and insert "16"

In line 5148, delete "18" and insert "17"

In line 5160, delete "19" and insert "18"

In line 5164, delete "20" and insert "19"

In line 5180, delete "21" and insert "20"

In line 5200, delete "22" and insert "21"

In line 5243, delete "23" and insert "22"

In line 5249, delete "24" and insert "23"

In line 5251, delete "Section"

Delete lines 5252 and 5253

In line 5254, delete "Am. Sub. S.B. 1 of the 124th General Assembly."

In line 5258, delete "composites are" and insert "composite is"; delete "versions" and insert "version"; delete "sections" and insert "section"

In line 5259, delete "sections" and insert "section"

In line 5261, delete "25" and insert "24"

In line 4 of the title, after "3313.532," insert "3313.608,"

In line 7 of the title, delete "3317.01,"; delete "3317.03,"

In line 17 of the title, delete "Ohio Graduation Tests" and insert "achievement tests"

In line 42 of the title, delete "disaggregations" and insert "disaggregation"

In line 58 of the title, delete "to require"

Delete line 59 of the title

In line 60 of the title, delete "beginning in FY 2005;"

In line 79 of the title, delete everything after the semicolon

Delete lines 80 through 82 of the title

In line 83 of the title, delete "effective date;"

In line 86 of the title, delete "provision" and insert "provisions"

Managers on the Part of the
House of Representatives

Managers on the Part of the
Senate

/S/ ARLENE J. SETZER
ARLENE J. SETZER

/S/ ROBERT A. GARDNER
ROBERT A. GARDNER

/S/ JOHN M. SCHLICHTER
JOHN M. SCHLICHTER

/S/ RANDY GARDNER
RANDY GARDNER

/S/ WILLIAM J. HARTNETT
WILLIAM J. HARTNETT

/S/ C.J. PRENTISS
C.J. PRENTISS

The report of the Committee of Conference was laid over under the rule.

OFFERING OF RESOLUTIONS

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

S. R. No. 681 - Senator Herington.

Honoring Glenn and Margaret Givler on their Sixtieth Wedding Anniversary.

S. R. No. 682 - Senator Herington.

Honoring Phil and Eleanor Simone on their Golden Wedding Anniversary.

S. R. No. 683 - Senator Herington.

Honoring Paul and Pauline Capron on their Fifty-fifth Wedding Anniversary.

S. R. No. 684 - Senator Herington.

Honoring James and Mary Sipe on their Golden Wedding Anniversary.

S. R. No. 685 - Senator Herington.

Honoring Robert and Joanne Hall on their Golden Wedding Anniversary.

S. R. No. 686 - Senators White, Jordan, Mumper.

Honoring the late Dr. Eugene Byers as a member of the 2003 Ohio Agricultural Hall of Fame.

S. R. No. 687 - Senators White, Jordan, Mumper.

Honoring William James Eyssen as a member of the 2003 Ohio Agricultural Hall of Fame.

S. R. No. 688 - Senators White, Jordan, Mumper.

Honoring Jack C. Foust on his induction into the Ohio Agricultural Hall of Fame.

S. R. No. 689 - Senators White, Jordan, Mumper.

Honoring Bill Funderburg on his induction into the Ohio Agricultural Hall of Fame.

S. R. No. 690 - Senator Hottinger.

Honoring Jay and Juanita Larrison on their Golden Wedding Anniversary.

S. R. No. 691 - Senator Hottinger.

Honoring Richard and Shirlene Weaver on their Golden Wedding Anniversary.

S. R. No. 692 - Senator Hottinger.

Honoring Robert and Marlene Goff on their Golden Wedding Anniversary.

S. R. No. 693 - Senator Hottinger.

Honoring Sherman and Evelyn Clay on their Golden Wedding Anniversary.

S. R. No. 694 - Senator Herington.

Honoring James and Ruby Wise on their Sixtieth Wedding Anniversary.

S. R. No. 695 - Senator Dann.

Honoring Andrew and Dorothy Hartman on their Sixty-eighth Wedding Anniversary.

S. R. No. 696 - Senator Dann.

Honoring Raymond and Cecelia Liberatore on their Sixtieth Wedding Anniversary.

S. R. No. 697 - Senator Dann.

Honoring John and Eva Joanou on their Golden Wedding Anniversary.

S. R. No. 698 - Senator Dann.

Honoring Mr. and Mrs. J.D. Borthwick on their Golden 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, Claire Adkins, Republican, from Akron, Summit County, Ohio, as a Member of the Ohio Board of Dietetics for a term beginning June 27, 2003, and ending at the close of business June 30, 2008, replacing Claire Charley 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, Joseph Balog, Democrat, from Independence, Cuyahoga County, Ohio, as a Member of the Ohio Turnpike Commission for a term beginning June 27, 2003, and ending at the close of business June 30, 2007, replacing Stephen Strisha .

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, Robert J. D'Anniballe, Democrat, from Steubenville, Jefferson County, Ohio, as a Member of the Advisory Board on Amusement Ride Safety for a term beginning June 27, 2003, and ending at the close of business January 1, 2009, replacing Gregory P. Held 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, Della M. Heitkamp, from Cincinnati, Hamilton County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning June 27, 2003 and ending at the close of business June 23, 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 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, Stephen D. Hill, from Mason, Warren County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning June 27, 2003 and ending at the close of business June 23, 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 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, Sean D. Logan, from Salineville, Columbiana County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning June 27, 2003 and ending at the close of business June 23, 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 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, Michael D. Long, from Grove City, Franklin County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning June 27, 2003 and ending at the close of business June 23, 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 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, Richard K. Mavis, from Mount Vernon, Knox County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning June 27, 2003 and ending at the close of business June 23, 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 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, Thomas Noe, Republican, from Maumee, Lucas County, Ohio, as a Member of the Ohio Turnpike Commission for a term beginning July 1, 2003, and ending at the close of business June 30, 2011, replacing Tim Greenwood 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, Melissa M. Shilling, Republican, from Johnstown, Licking County, Ohio, as a Member of the Environmental Review Appeals Commission for a term beginning July 27, 2003, and ending at the close of business October 22, 2008, replacing Jeffrey

Cabot who resigned.

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, Antoinette Starkey, from Medina, Cuyahoga County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning June 27, 2003 and ending at the close of business June 23, 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 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, Richard S. Williams, from Oberlin, Lorain County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning June 27, 2003 and ending at the close of business June 23, 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 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, Dustin M. Wood, Independent, from Delaware, Delaware County, Ohio, as a Member of the Ohio University Board of Trustees for a term beginning June 27, 2003, and ending at the close of business May 13, 2005, replacing Barry Spurlock 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 PRESIDENT

Pursuant to Section 183.04 of Am. Sub. SB 192 of the 123rd General Assembly, the President of the Senate appoints the following public member to serve on the **Tobacco Use Prevention and Control Foundation Board of Trustees** :

James F. Sandmann, M.P.H. (for a 5-year term beginning June 8, 2003 and ending June 8, 2008)

Cincinnati, Ohio 45219

On the motion of Senator Stivers the Senate adjourned until Thursday, August 7, 2003 at 11:00 o'clock a.m.

Attest:

MATTHEW T. SCHULER,
Clerk.