

OHIO

SENATE

JOURNAL

WEDNESDAY, MARCH 31, 2004

ONE HUNDRED SIXTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 31, 2004, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Diana K. Gugel, Lutheran Church of our Savior, Lancaster, 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 Jordan 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. 216-Senators Stivers, Austria, Dann, Fingerhut, Robert Gardner, Goodman, Harris, Mumper, Schuler, Zurz.

To enact section 5.2227 of the Revised Code to designate the third week of October "Bioscience Awareness Week in Ohio."

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

S. B. No. 217-Senators Amstutz, Goodman.

To amend sections 5739.06, 5739.12, 5740.05, and 5741.12, to enact section 5740.051 of the Revised Code, and to amend Section 3.18 of Am. Sub. H.B. 95 of the 125th General Assembly, as subsequently amended, to delay the effective date of the sales tax sourcing law that was intended to take effect January 1, 2005, until the Tax Commissioner certifies that certain conditions have been met, and to provide temporary compensation to vendors for complying with that sourcing law with regard to out-of-county sales.

To the Committee on Ways and Means and Economic Development.

S. B. No. 218-Senators Amstutz, Goodman.

To amend sections 5739.21 and 5741.03 of the Revised Code to change the procedure used to return sales and use tax collections to counties under the sourcing law that is scheduled to take effect January 1, 2005.

To the Committee on Ways and Means and Economic Development.

S. B. No. 219-Senators Dann, Prentiss, Miller, Brady.

To amend section 3301.0714 and to enact sections 117.53, 3301.41, 3313.21, and 3314.19 of the Revised Code to require school districts and community schools to implement anti-harassment policies, to require the State Board of Education to develop a model anti-harassment policy, to require the Auditor of State to determine whether anti-harassment policies are in place when conducting audits of schools, and to require the State Board of Education to collect and maintain data on harassment in schools through the Education Management Information System.

To the Committee on Education.

JIM JORDAN
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 Nein submitted the following report:

The standing committee on Insurance, Commerce and Labor, to which was referred **S. B. No. 187**-Senator Nein, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 10: LARRY A. MUMPER, STEPHEN C. AUSTRIA, LYNN R. WACHTMANN, JEFFRY J. ARMBRUSTER, SCOTT R. NEIN, JAY HOTTINGER, RAY MILLER, ROBERT F. SPADA, TERESA FEDOR, C. J. PRENTISS.

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 **Sub. H. B. No. 278**-Representative Niehaus, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 7: JOHN A. CAREY , J. KIRK SCHURING, JEFFRY J. ARMBRUSTER, GREGORY L. DIDONATO, JIM JORDAN, LARRY A. MUMPER, JOY PADGETT.

NO - 1: MARC DANN.

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

The report of the committee was accepted.

Senator Blessing submitted the following report:

The standing committee on Public Utilities, to which was referred **H. C. R. No. 34**-Representative Daniels, et al., having had the same under consideration, reports it back and recommends its adoption.

Co-Sponsors: Roberts, Schuler.

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

NO - 0.

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

The report of the committee was accepted.

Senator Jordan submitted the following report:

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

Dorothy Baunach , Independent, from Westlake, Cuyahoga County, Ohio, as a Member of the Industrial Technology and Enterprise Advisory Council for a new term beginning February 10, 2003 and ending at the close of business December 31, 2009.

Dale K. Benington , Republican, from Toledo, Lucas County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning February 13, 2004 and ending at the close of business January 14, 2007.

Julia McNeil Benton , Republican, from Columbus, Franklin County, Ohio, as a Member of the Minority Development Financing Advisory Board for a new term beginning May 16, 2003 and ending at the close of business September 30, 2009.

Linda L. Bluso , Independent, from Cleveland, Cuyahoga County, Ohio, as a Member of the Development Financing Advisory Council for a new term beginning March 25, 2003 and ending at the close of business December 31, 2009.

Robert L. Bollin , Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Savings and Loan Associations and Saving Banks Board for a new term beginning February 1, 2004 and ending at the close of business January 31, 2007.

Scott P. Borgemenke , Republican, Franklin County, Ohio, as Interim Chairperson of the State Racing Commission for a term beginning February 19, 2004 and ending at the close of business March 31, 2005, replacing C. Luther Heckman, who resigned.

Howard T. Boyle II , Republican, from Kent, Portage County, Ohio, as a Member of the Savings and Loan Associations and Savings Banks Board for a new term beginning February 1, 2004 and ending at the close of business January 31, 2007.

Samuel Britton , Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Minority Development Financing Advisory Board for a term beginning May 16, 2003 and ending at the close of business September 30, 2009, replacing James Crosby, whose term expired.

Herbert R. Brown , Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ethics Commission for a new term beginning February 10, 2003 and ending at the close of business January 1, 2009.

Robert J. Buchert , Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio House Finance Agency for a new term beginning February 10, 2003 and ending at the close of business January 31, 2009.

Martha A. Burton , Republican, from Portsmouth, Scioto County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning February 13, 2004 and ending at the close of business January 14, 2007.

George Byers, Jr. , Republican, from Columbus, Franklin County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning December 12, 2003 and ending at the close of business October 4, 2006.

Louis J. Carson , Republican, from Lancaster, Fairfield County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning December 12, 2003 and ending at the close of business October 4, 2006.

Alfred S. Fricano , Republican, from East Liverpool, Columbiana County, Ohio, as a Member of the Financial Planning and Supervision Commission for

East Liverpool City School District for a term beginning January 16, 2004 and continuing at the pleasure of the Governor or the life of the commission.

Thomas L. Furrey , from Hilliard, Franklin County, Ohio, as a Member of the Credit Union Council for a term beginning January 8, 2004 and ending at the close of business September 22, 2006.

Joseph M. Gerdenich , Republican, from Toledo, Lucas County, Ohio, as a Member of the Ohio House Finance Agency for a new term beginning February 10, 2003 and ending at the close of business January 31, 2009.

Gavin D. Gray , Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Educational Telecommunications Network Commission for a term beginning February 10, 2003 and ending at the close of business November 8, 2006, replacing Brandon Grover, whose term expired.

Douglas Guinsler , Republican, from Zanesville, Muskingum County, Ohio, as a Member of the Advisory Council on Amusement Ride Safety for a term beginning May 9, 2003 and ending at the close of business January 1, 2009, replacing Howard Call, whose term expired.

Lodge L. Hanlon , Republican, from Barnesville, Belmont County, Ohio, as a Member of the Financial Planning and Supervision Commission For Barnesville Exempted Village School District for a term beginning January 16, 2004 and continuing at the pleasure of the Governor or the life of the commission.

Paul Hood , Republican, from Salem, Columbiana County, Ohio, as a Member of the Ohio Educational Telecommunications Network Commission for a new term beginning February 10, 2003 and ending at the close of business November 8, 2006.

John O. Huston , Independent, from New Albany, Franklin County, Ohio, as a Member of the Ohio Venture Capital Authority for a new term beginning January 31, 2004 and ending at the close of business January 31, 2008.

Richard L. Kegg , Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Industrial Technology and Enterprise Advisory Council for a new term beginning February 10, 2003 and ending at the close of business December 31, 2009.

Michael C. Keller , Independent, from Columbus, Franklin County, Ohio, as a Member of the Columbus State Community College Board of Trustees for a term beginning December 5, 2003 and ending at the close of business August 31, 2009, replacing Bradley Lewis, whose term expired.

Doug Kramer , Independent, from Milford, Clermont County, Ohio, as a Member of the Advisory Council on Amusement Ride Safety for a term beginning May 9, 2003 and ending at the close of business January 1, 2009, replacing Gregory Held, whose term expired.

Tiney M. McComb , Republican, from Gahanna, Franklin County, Ohio, as a Member of the Banking Commission for a term beginning February 13, 2004

and ending at the close of business January 31, 2007, replacing Calvin Gebhart, whose term expired.

Richard P. Nemetz , Democrat, from North Royalton, Cuyahoga County, Ohio, as a Member of the Ski Tramway Board for a new term beginning October 3, 2003 and ending at the close of business June 30, 2009.

Sally Perz , Republican, from Toledo, Lucas County, Ohio, as a Member of the Transportation Review Advisory Council for a term beginning November 7, 2003 and ending at the close of business June 30, 2007, replacing Don Jakeway, who resigned.

Susan V. Plaisted , Republican, from Columbus, Franklin County, Ohio, as a Member of the Board of Building Appeals for a term beginning February 13, 2004 and ending at the close of business October 13, 2007, replacing Nina Bombelles, whose term expired.

Emily M. Quick , Independent, from Reynoldsburg, Licking County, Ohio, as a Student Member of the Ohio State University Board of Trustees for a term beginning May 28, 2003 and ending at the close business may 13, 2005, replacing Joseph Shultz, whose term expired.

Wayne Rish , Republican, from Bucyrus, Crawford County, Ohio, as a Member of the Advisory Council on Amusement Ride Safety for a term beginning May 9, 2003 and ending at the close of business January 1, 2005, replacing Eldon Phillips, who resigned.

Todd N. Ritterbusch , Independent, from Columbus, Franklin County, Ohio, as a Member of the Development Financing Advisory Council for a term beginning February 13, 2004 and ending at the close of business December 31, 2009, replacing Tom Washbush, whose term expired.

Elwin C. Robison , Republican, from Kent, Portage County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a term beginning February 13, 2004 and ending at the close of business January 14, 2007, replacing Randy Fischer, who resigned.

Amy Salerno , Republican, from Columbus, Franklin County, Ohio, as a Member of the Accountancy Board for a term beginning February 13, 2004 and ending at the close of business October 20, 2010, replacing Edward E. Butler, whose term expired.

Virginia Shimrock , Independent, from Columbus, Franklin County, Ohio, as a Member of the Ohio Tuition Trust Authority for a term beginning November 13, 2003 and ending at the close of business January 31, 2007, replacing George A. Turk, who resigned.

Lee M. Smith , Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Expositions Commission for a term beginning February 13, 2004 and ending at the close of business December 1, 2004, replacing Daniel J. Schroer, who resigned.

Kathleen A. Sommers , from Grove City, Franklin County, Ohio, as a Member of the Ohio Peace Officer Training Commission for a term beginning January 8, 2004 and ending at the close of business September 19, 2005, replacing Robert Bowermeister, who resigned.

Olivia H. Summons , Republican, from Toledo, Lucas County, Ohio, as a Member of the Ohio Educational Telecommunications Network Commission for a term beginning February 13, 2003 and ending at the close of business November 8, 2007.

Ann Marie Tracey , Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Ethics Commission for a term beginning February 13, 2004 and ending at the close of business January 1, 2010, replacing Herbert Asher, whose term expired.

Linda M. Williams , Democrat, from Akron, Summit County, Ohio, as a Member of the Credit Union Council for a term beginning January 8, 2004 and ending at the close of business September 22, 2006.

Howard F. Wise , Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a term beginning February 13, 2004 and ending at the close of business January 14, 2007, replacing Lorie Porter, who resigned.

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

YES - 10: DOUG WHITE, GREGORY L. DIDONATO, RANDY GARDNER, JIM JORDAN, BILL HARRIS, SCOTT R. NEIN, C. J. PRENTISS, MARK MALLORY, JEFF JACOBSON, TERESA FEDOR.

NO - 0.

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

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	Coughlin	Dann
DiDonato	Fedor	Fingerhut	Randy Gardner
Robert Gardner	Goodman	Hagan	Harris
Hottinger	Jacobson	Jordan	Mallory
Miller	Mumper	Nein	Padgett
Prentiss	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	Zurz
			White-33.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 187-Senators Nein, Robert Gardner, Armbruster, Schuler, Stivers, Mumper.

To amend sections 3915.02, 3915.073, 3915.14, 3937.25, 3937.26, and 3937.27 and to enact sections 3937.28 and 3937.29 of the Revised Code to adopt a new formula for determining the minimum nonforfeiture value of an individual deferred annuity, to require insurance companies to obtain the Superintendent of Insurance's approval prior to deferring the payment of a cash surrender benefit, to prohibit the delivery or use of an annuity contract and its related endorsements for thirty days after the form of the contract or endorsement is filed with the Superintendent, unless earlier approved by the Superintendent, and to differentiate provisions for the cancellation, termination, and nonrenewal of policies of medical malpractice insurance from those provisions regulating other policies of insurance, and to amend the version of section 3915.073 of the Revised Code as results from this act two years after the act's effective date, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 187**, 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	Coughlin	Dann
DiDonato	Fedor	Fingerhut	Randy Gardner
Robert Gardner	Goodman	Hagan	Harris
Hottinger	Jacobson	Jordan	Mallory
Miller	Mumper	Nein	Padgett
Prentiss	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	Zurz
			White-33.

So the bill passed.

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

Senator Nein moved to amend the title as follows:

Add the names : "Padgett, Spada."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 252-Representatives Cates, Aslanides, D. Evans, Faber, Flowers, Gilb, Hagan, Hughes, Latta, Martin, McGregor, Schaffer, Schmidt, Webster, Willamowski.

To amend section 309.05 of the Revised Code to regulate when motions for judgment on the pleadings, motions to dismiss, and motions for summary judgment may be filed in actions to remove a prosecuting attorney, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 252**, 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	Coughlin	Dann
DiDonato	Fedor	Fingerhut	Randy Gardner
Robert Gardner	Goodman	Hagan	Harris
Hottinger	Jacobson	Jordan	Mallory
Miller	Mumper	Nein	Padgett
Prentiss	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	Zurz
			White-33.

So the bill passed.

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

Senator Austria moved to amend the title as follows:

Add the name : "Austria."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Jacobson moved that Senators absent the week of Sunday, March 28, 2004, be excused, so long as a written explanation 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

Senator White offered the following resolution:

S. R. No. 1663-Senator White.

Authorizing The Ohio Junior State of America to use the Ohio Senate Chamber to conduct its 2004 Ohio Spring State Convention.

WHEREAS, The members of the Senate of the 125th General Assembly of Ohio have learned that The Ohio Junior State of America has requested permission to use the Ohio Senate Chamber and three hearing rooms for its annual Ohio Spring State Convention, April 17-18, 2004; and

WHEREAS, A beneficial educational program, The Ohio Junior State of America provides students with the opportunity to better appreciate and understand government and its components, and the knowledge gained through this event will certainly be of value to participants in the years to come; and

WHEREAS, Utilizing the facilities which accommodate those involved in the state legislative process, The Ohio Junior State of America will effectively offer students an accurate depiction of state government and the manner in which legislation is processed; and

WHEREAS, Through participation in The Ohio Junior State of America's annual Ohio Spring State Convention, students will be better prepared to become productive members of our complex and ever-changing society. The maturity and experience participants will gain through their involvement in this program will not only enrich their total educational experience but also enable them to make better-informed decisions as they assume the responsibilities of adult citizenship; therefore be it

RESOLVED, That we, the members of the Senate of the 125th General Assembly of Ohio, in adopting this Resolution, permit The Ohio Junior State of America to use the Ohio Senate Chamber and three hearing rooms for its 2004 Ohio Spring State Convention, contingent upon the availability of those facilities, and salute its participants as some of Ohio's finest young citizens; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to The Ohio Junior State of America.

The question being, "Shall the resolution, **S. R. No. 1663**, be adopted?"

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	Coughlin	Dann
DiDonato	Fedor	Fingerhut	Randy Gardner
Robert Gardner	Goodman	Hagan	Harris
Hottinger	Jacobson	Jordan	Mallory
Miller	Mumper	Nein	Padgett
Prentiss	Roberts	Schuler	Schuring
Spada	Stivers	Wachtmann	Zurz
			White-33.

So the resolution was adopted.

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

S. R. No. 1664-Senator White.

Recognizing the Twenty-fourth Annual Holocaust Remembrance April 21, 2004.

S. R. No. 1665-Senator Harris.

Honoring Robert and LaRue Valentine on their Golden Wedding Anniversary.

S. R. No. 1666-Senator Harris.

Honoring Charles and Jeraldine Martin on their Golden Wedding Anniversary.

S. R. No. 1667-Senator Hagan.

Honoring Ralph and Amelia Eger on their Golden Wedding Anniversary.

S. R. No. 1668-Senator Hagan.

Honoring Walter and Marlyn Ibele on their Golden Wedding Anniversary.

S. R. No. 1669-Senators White, Armbruster, Amstutz, Austria, Blessing, Brady, Carey, Carnes, Coughlin, Dann, DiDonato, Fedor, Fingerhut, Goodman, Hagan, Harris, Hottinger, Jacobson, Jordan, Mallory, Miller, Mumper, Nein, Padgett, Prentiss, Randy Gardner, Robert Gardner, Roberts, Schuler, Schuring, Spada, Stivers, Wachtmann, Zurz.

Honoring Kevin M. Hughes for outstanding service to the State of Ohio.

The question being, "Shall the resolution 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, Susan L. Hiatt, from Mentor, Lake County, Ohio, as a Member of the Radiation Advisory Council for a new term beginning March 5, 2004 and ending at the close of business September 8, 2008.

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 5th day of March in the year of our Lord, two thousand and four.

[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, Phil H. Jenkins, from Centerville, Montgomery County, Ohio, as a Member of the Radiation Advisory Council for a new term beginning March 5, 2004 and ending at the close of business September 8, 2008.

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 5th day of March in the year of our Lord, two thousand and four.

[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, Mark K. Milligan, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning March 5, 2004, and ending at the close of business January 31, 2010, replacing Ken Kabelka 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 5th day of March in the year of our Lord, two thousand and four.

[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, J. Gordon Priemer, Independent, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning March 5, 2004, and ending at the close of business January 31, 2005, replacing Alan F. Scott 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 5th day of March in the year of our Lord, two thousand and four.

[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, Alan R. Rosenfield, from Columbus, Franklin County, Ohio, as a Member of the Radiation Advisory Council for a new term beginning March 5, 2004 and ending at the close of business September 8, 2008.

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 5th day of March in the year of our Lord, two thousand and four.

[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, Charles J. Ruma, Independent, from Columbus, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning March 5, 2004, and

ending at the close of business January 31, 2009, replacing Robert Buchert 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 5th day of March in the year of our Lord, two thousand and four.

[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 C. Sacco, Democrat, from Westlake, Cuyahoga County, Ohio, as a Member of the Recreation and Resources Commission for a new term beginning March 5, 2004 and ending at the close of business February 1, 2008.

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 5th day of March in the year of our Lord, two thousand and four.

[Seal]

Bob Taft,
Governor.

Said appointments were referred to the Committee on Rules.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 5123.032 (E) (1) of Am. SB 178 of the 125th General Assembly, the Speaker of the House and the President of the Senate jointly appoint the following public members to serve on the **Mental Retardation and Developmental Disabilities Developmental Center Closure Commission** :

Amy Gerowitz (representing expertise in facility utilization)
Cincinnati, Ohio 45208

Monty Blanton (representing the OCSEA)
Vinton, Ohio 45686

Richard H. Klein (representing family member of a resident)
Dayton, Ohio 45420

On the motion of Senator Randy Gardner, the Senate adjourned until Thursday, April 1, 2004 at 11:00 o'clock a.m.

Attest:

MATTHEW T. SCHULER,
Clerk.