OHIO

SENATE

JOURNAL

TUESDAY, MAY 11, 2004

ONE HUNDRED SEVENTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, May 11, 2004, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Reverend Joe Hotchkiss, Gahanna Community Congregational Church, Gahanna, Ohio, followed by the Pledge of Allegiance to the Flag.

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

On motion of Senator Coughlin, the Senate recessed until 4:30 p.m.

The Senate met pursuant to recess.

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:

H. B. No. 162-Representatives Webster, Setzer, Cates, Calvert, Hughes, DeWine, Brinkman, Koziura, Hollister, Hoops, Schmidt, McGregor, Widener, Allen, Flowers, Grendell, Schneider, Widowfield, Aslanides, G. Smith, J. Stewart, Schaffer, Husted, Reinhard, Jolivette, Raga, Peterson, Niehaus, Faber, Clancy, Taylor, Reidelbach, Buehrer, Carmichael, Daniels, Gibbs, Hagan, Schlichter, Walcher, Young, Fessler, DeBose, Carano, Williams, Kearns, C. Evans, Domenick, Gilb, Key, Latta, T. Patton, Perry.

To enact section 3345.51 of the Revised Code to require that if a state university provides students with a financial transaction device issued through the university, the university must make the opportunity to participate in the program available to private vendors.

To the Committee on Education.

Am. Sub. H. B. No. 215-Representatives Schmidt, Schneider, White, Collier, Peterson, Hollister, Kearns, Wagner, Faber, Gibbs, DeWine, Flowers, Taylor, Setzer, Raga, Reidelbach, Wolpert, Webster, Aslanides, Raussen, Daniels, Carmichael, Blasdel, Koziura, D. Evans, T. Patton, Sferra, Seaver, Hughes, Barrett, G. Smith, Driehaus, Woodard, Olman, Book, Brown, Brinkman, Calvert, Cates, Chandler, Clancy, Combs, Core, DeGeeter, Distel, Domenick, C. Evans, Fessler, Gilb, Grendell, Hagan, Hartnett, Harwood,

Hoops, Husted, Key, Kilbane, Martin, Mason, Niehaus, Oelslager, Otterman, S. Patton, Price, Reinhard, Schaffer, Schlichter, Seitz, Slaby, J. Stewart, Widowfield, Yates, Young.

To amend section 2743.43, to enact sections 2317.43, 2323.421, 2323.45, and 3929.302, and to repeal section 2303.23 of the Revised Code to prohibit the use of a defendant's statement of sympathy as evidence in a medical liability action, establish qualifications for expert witnesses in medical liability actions, regulate the use of affidavits of noninvolvement in medical claims, and regulate the collection and disclosure of medical claims data.

To the Committee on Insurance, Commerce and Labor.

Am. Sub. H. B. No. 369-Representatives Collier, Calvert, Peterson, Cates, Clancy, T. Patton, Setzer, Hughes, Carano, Skindell, Aslanides, Ujvagi, D. Evans, Harwood, Allen, DeWine, Distel, Perry, Schaffer, Beatty, Barrett, Kearns, Latta, Brown, Chandler, Cirelli, C. Evans, Fessler, Flowers, Hartnett, Hollister, Hoops, Otterman, Raussen, Schmidt, Schneider, Taylor, Walcher.

To amend sections 323.151, 955.011, 2913.01, 2913.02, 2921.321, 4503.064, and 5117.01 of the Revised Code to expand the offense of "harassing a police dog or horse"; to rename "handicapped assistance dogs" as "service dogs"; to enact the offense of "harassing a service dog"; to require an offender who commits any of the assault or harassment offenses related to police dogs or horses or service dogs to pay resulting veterinary, replacement, and training costs; to make theft of a police dog or horse or a service dog a third degree felony; to include seizure assistance, response, and alert dogs as "service dogs" for the assault, harassment, and theft offenses related to service dogs; to exempt seizure assistance, seizure response, or seizure alert dogs from the fee for registration and provide that the registration is permanent; and to replace the phrase "unfit to work" with "unable to work" in various definitions related to persons with a disability.

To the Committee on Judiciary.

Am. Sub. H. B. No. 375-Representatives Kilbane, Willamowski, Collier, Kearns, McGregor, Hollister, C. Evans, Clancy, Strahorn, S. Smith, Widener, Key, Hartnett, Ujvagi, Fessler, Harwood, Setzer, Webster, Aslanides, Barrett, Book, Carano, Carmichael, Cates, Chandler, Daniels, DeGeeter, Distel, Domenick, Driehaus, Faber, Flowers, Gibbs, Gilb, Grendell, Hagan, Hoops, Hughes, Jerse, Koziura, Latta, Martin, Niehaus, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Price, Redfern, Reidelbach, Schaffer, Schlichter, Schmidt, Schneider, Skindell, Slaby, G. Smith, D. Stewart, Taylor, Trakas, Walcher, Widowfield, Wolpert, Woodard, Young.

To amend sections 2930.16, 2967.03, 2967.12, and 5149.101 of the Revised Code to require the Parole Board, at the request of the victim of a specified offense or certain other persons, to hold a full board hearing and to permit the victim of such an offense, the victim's representative, and the victim's immediate family to testify at that hearing.

To the Committee on Judiciary.

Sub. H. B. No. 383-Representatives Walcher, D. Evans, Aslanides, Wagner, McGregor, Reidelbach, Fessler, Price, Wolpert, Olman, Kearns, Setzer, Webster, Hagan, Collier, Schaffer, Widener, Distel, Barrett, Beatty, Carano, Carmichael, Chandler, Cirelli, DeGeeter, Domenick, C. Evans, Flowers, Gilb, Harwood, Hollister, Hughes, Jerse, Latta, Mason, Miller, Niehaus, Otterman, S. Patton, Perry, Reinhard, Schmidt, Schneider, Sferra, Slaby, G. Smith, S. Smith, D. Stewart, J. Stewart, Taylor, White, Wilson, Woodard.

To amend sections 2901.11, 2901.12, and 2923.01 and to enact section 2913.421 of the Revised Code to prohibit a person from transmitting multiple electronic mail advertisements, falsifying the originating address or other routing information in multiple electronic mail advertisements, or falsifying registration information for multiple electronic mail accounts, and to prohibit unauthorized access to a public computer to transmit multiple electronic mail advertisements.

To the Committee on Ways and Means and Economic Development.

Sub. H. B. No. 392-Representatives Wagner, Williams, McGregor, Latta, Hoops, Price, Seitz, Aslanides, G. Smith, Hollister, Kearns, Harwood, Perry, Raga, Walcher, Distel, DeGeeter, Collier, Schmidt, C. Evans, Faber, Ujvagi, Gilb, Reidelbach, Barrett, Allen, Willamowski, Beatty, Book, Brown, Carano, Chandler, Cirelli, Core, Daniels, Domenick, D. Evans, Flowers, Gibbs, Hagan, Hartnett, Hughes, Key, Mason, Miller, Niehaus, Otterman, Raussen, Redfern, Schlichter, Schneider, Sferra, Skindell, Slaby, D. Stewart, J. Stewart, Sykes, Taylor, Webster, Wilson, Woodard.

To amend sections 2108.04, 2108.10, 2108.17, 2108.18, and 2133.07 and to enact section 2133.16 of the Revised Code to permit a declarant of a declaration or living will to make an anatomical gift in the declaration and to make changes to the membership of the Second Chance Trust Fund Advisory Committee.

To the Committee on Health, Human Services and Aging.

Am. H. B. No. 406-Representatives Wagner, McGregor, Seitz, Setzer, Collier, DeGeeter, Taylor, Otterman, Latta, Allen, Hollister, Chandler, Kearns, Ujvagi, Webster, Gilb, Flowers, Callender, Brown, Willamowski, D. Evans, Buehrer, Aslanides, Barrett, Beatty, Carmichael, Cirelli, Core, Distel, Domenick, C. Evans, Hagan, Hartnett, Harwood, Hughes, Key, Miller, Oelslager, T. Patton, Price, Reidelbach, Reinhard, Schmidt, D. Stewart, Wilson, Wolpert.

To enact section 4511.121 of the Revised Code to prohibit the use or possession of a portable signal preemption device under certain conditions.

To the Committee on Highways and Transportation.

Sub. H. B. No. 420-Representatives T. Patton, Otterman, Strahorn, Wilson, Allen, Reidelbach, Miller, Hughes, Barrett, Beatty, Blasdel, Brown, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Core, Daniels, DeGeeter, Domenick, Driehaus, C. Evans, D. Evans, Flowers, Gibbs, Gilb, Hagan, Harwood, Key, Martin, Mason, Niehaus, S. Patton, Perry, Price, Redfern, Schmidt, Seitz, Setzer, S. Smith, D. Stewart, Taylor, Willamowski, Wolpert, Yates.

To amend sections 1309.613, 1309.625, 2716.03, 2716.11, and 4710.01, to enact new sections 4710.02, 4710.03, and 4710.99 and section 4710.04, and to repeal sections 4710.02, 4710.03, and 4710.99 of the Revised Code to modify the Secured Transactions Law relating to notice of the location for the disposition of collateral that is given to certain persons and to reduce the amount of damages recoverable by a debtor or secondary obligor in an action against a person found in violation of the Secured Transactions Law; relative to property subject to garnishment held by a judgment debtor's employer or another person; relative to engaging in the business of debt adjusting for debtors, to specify contribution limits and auditing and insurance coverage duties, to require timely disbursement of debtor funds, and to provide penalties, including a criminal penalty, for a violation; and to eliminate previous provisions regulating entities engaging in the business of debt pooling.

To the Committee on Finance and Financial Institutions.

H. B. No. 422-Representatives Carano, S. Patton, Blasdel, Boccieri, J. Stewart, Seitz, Redfern, Harwood, Barrett, Distel, Domenick, Hollister, Key, Koziura, Miller, Niehaus, Otterman, Perry, Schmidt, Sferra, Skindell, Strahorn, Sykes, Ujvagi.

To amend section 4301.62 and to enact section 4303.207 of the Revised Code to create the F-7 permit to authorize colleges and universities and professional athletic teams to allow the consumption of beer and intoxicating liquor brought into restricted areas on the property they own or lease.

To the Committee on Agriculture.

Am. Sub. H. B. No. 427-Representatives Martin, Calvert, Hoops, C. Evans, D. Evans, Faber, Flowers, Hughes, T. Patton, Schmidt, Schneider, Trakas, Aslanides, Collier, Domenick, Gibbs, Gilb, Hagan, Oelslager, Reidelbach, Walcher.

To amend sections 122.18, 4928.62, 5709.62, 5709.63, 5709.631, and 5709.632 and to enact sections 4928.64 to 4928.644, 4928.65 to 4928.652, and 5709.91 of the Revised Code, to amend Sections 38, 38.18, and 38.20 of Am. Sub. H.B. 95 of the 125th General Assembly, and to repeal Section 2 of Sub. S.B. 186 of the 123rd General Assembly; to increase from 10 to 15 the number of years enterprise zones or urban jobs and enterprise zone agreements may exempt property from taxation, subject to school board approval; to authorize the Director of Development to grant money for the purpose of making loans to businesses located in certain economically distressed counties and for the purpose of improving commercial and industrial areas within the counties; to create the Job Development Initiatives Fund and transfer up to $25.8 million of unclaimed funds to it; to authorize the conveyance of state-owned real estate in Hamilton County to the Board of County Commissioners of Hamilton County; to modify the law authorizing payments to municipalities and counties that attract federal jobs; to prevent the repeal of the Employee Ownership Assistance Program that is to take effect December 31, 2004; and to make appropriations.

To the Committee on Finance and Financial Institutions.

Sub. H. B. No. 434-Representatives Calvert, Allen, Barrett, Beatty, D. Evans, Flowers, Hartnett, Hughes, Miller, T. Patton, Schneider, J. Stewart, Strahorn, Aslanides, Chandler, Collier, C. Evans, Otterman, Peterson, Schlichter, Setzer.

To amend sections 183.04 and 183.18 and to enact sections 3313.717 and 3314.16 of the Revised Code to provide for the distribution of money received by the state pursuant to the Tobacco Master Settlement Agreement by making operating and capital appropriations for the biennium beginning July 1, 2004, and ending June 30, 2006, and to provide authorization and conditions for the operation of state programs.

To the Committee on Finance and Financial Institutions.

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 Austria submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 292**-Representative Oelslager, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: DAVID GOODMAN, LOUIS W. BLESSING, JIM JORDAN, STEPHEN C. AUSTRIA, STEVE STIVERS, J. KIRK SCHURING.

NO - 3: KIMBERLY A. ZURZ, MARC DANN, TERESA FEDOR.

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

The report of the committee was accepted.

Senator Goodman submitted the following report:

The standing committee on Civil Justice, to which was referred **Sub. H. B. No. 204**-Representative Wolpert, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Amstutz, Goodman.

YES - 7: LYNN R. WACHTMANN, RON AMSTUTZ, MARC DANN, KIMBERLY A. ZURZ, ERIC D. FINGERHUT, DAVID GOODMAN, JAY HOTTINGER.

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:

Barbara K. Andreas, Democrat, from Kent, Portage County, Ohio, as a Member of the Ohio Natural Areas Council for a term beginning April 2, 2004 and ending at the close of business February 1, 2006, replacing David Todt, who resigned.

John W. Bentine, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Veterinary Medical Licensing Board for a term beginning April 2, 2004 and ending at the close of business December 31, 2006, replacing Stacey Polk, who resigned.

G. Courtney Haning, Republican, from New Lexington, Perry County, Ohio, as a Member of the Agricultural Financing Commission for a new term beginning April 2, 2004 and ending at the close of business January 31, 2010.

Barbara B. Lewis, Republican, from Westerville, Delaware County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for a new term beginning February 13, 2004 and ending at the close of business January 1, 2007.

Mary E. Mazey, Democrat, from Dayton, Greene County, Ohio, as a Member of the Ohio Tuition Trust Authority for a new term beginning April 2, 2004 and ending at the close of business January 31, 2008.

Dana Marie Oleskiewiez, Democrat, from Wooster, Wayne County, Ohio, as a Member of the Ohio Water Advisory Council for a term beginning April 2, 2004 and ending at the close of business February 1, 2006, replacing Robert C. Stiefel, whose term expired.

H. Richard Rowe, Jr., Republican, from Findlay, Hancock County, Ohio, as a Member of the Owens State Community College Board of Trustees for a term beginning April 2, 2004 and ending at the close of business September 22, 2004, replacing James Kovac, who resigned.

David E. Todt, Democrat, from Friendship, Scioto County, Ohio, as a Member of the Ohio Natural Areas Council for a term beginning April 2, 2004 and ending at the close of business February 1, 2008, replacing Gloria Letts, who resigned.

David P. Weber, Republican, from West Alexandria, Preble County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for a new term beginning February 13, 2004 and ending at the close of business January 1, 2007.

Ben H. Williams, Independent, from Cleveland, Cuyahoga County, Ohio, as a Member of the Board of Motor Vehicle Collision Repair Registration for

a new term beginning February 13, 2004 and ending at the close of business January 1, 2007.

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, BILL HARRIS, SCOTT R. NEIN, C. J. PRENTISS, TERESA FEDOR, MARK MALLORY, GREGORY L. DIDONATO, JIM JORDAN, 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	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.

On the motion of Senator Randy Gardner, the Senate advanced to the Sixth Order of Business, Bills for Third Consideration.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 292-Representatives Oelslager, Seitz, Widener, Aslanides, Collier, Daniels, Faber, Flowers, Schaffer, Setzer.

To amend section 2505.02 and to enact sections 2307.91 to 2307.94, 2307.941, 2307.95, 2307.96, and 2307.98 of the Revised Code to establish minimum medical requirements for filing certain asbestos claims, to specify a plaintiff's burden of proof in tort actions involving exposure to asbestos, to establish premises liability in relation to asbestos claims, and to prescribe the requirements for shareholder liability for asbestos claims under the doctrine of piercing the corporate veil, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 292**, pass?"

Senator Dann moved to amend as follows:

In line 379, delete "or maintain"

In line 380, after "claim" insert "arising on or after the effective date of this section that is"

In line 440, delete "or maintain"

In line 441, after "claim" insert "arising on or after the effective date of this section that is"

In line 505, after "action" insert "brought on or after the effective date of this section"

In line 506, after "claim" insert "arising on or after the effective date of this section"

In line 523, delete "With respect" and insert "This section and the other restrictions and limitations on asbestos claims set forth in sections 2307.91 to 2307.96 of the Revised Code do not apply"

In line 524, delete ", the plaintiff shall file the"

Delete lines 525 through 529

In line 530, delete "(3)(a) For" and insert "or to"

In line 531, delete ", the provisions set forth in" and insert an underlined period

Delete lines 532 through 556

In line 597, after "claims" insert "that arise on or after the effective date of this section and that are"; after "brought" insert "on or after the effective date of this section"

In line 735, delete "alleges" and insert "that is brought on or after the effective date of this section and that includes a claim that arises on or after the effective date of this section alleging"

In line 743, delete "who alleges" and insert "that is brought on or after the effective date of this section and that includes a claim that arises on or after the effective date of this section alleging"

After line 1300, insert:

"Section 8. Sections 1701.76, 1701.82, 2307.91, 2307.92,

2307.93, 2307.94, 2307.941, 2307.95, 2307.96, 2307.97, 2307.98, and 2505.02 of the Revised Code, as amended or enacted by this act, apply only to causes of action that accrue on or after the effective date of this act. Any cause of action that accrues prior to the effective date of this act is governed by law in

effect when the cause of action accrued."

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

Senator Stivers moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 21, nays 12, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Blessing
Carey	Coughlin	Randy Gardner	Robert Gardner
Goodman	Harris	Hottinger	Jacobson
Jordan	Mumper	Nein	Schuler
Schuring	Spada	Stivers	Wachtmann
			White-21.

Those who voted in the negative were: Senators

Brady	Dann	DiDonato	Fedor
Fingerhut	Hagan	Mallory	Miller
Padgett	Prentiss	Roberts	Zurz-12.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 292**, pass?"

Senator Blessing moved to amend as follows:

In line 397, delete "decision is not binding" and insert "findings and decisions are not admissible"

Between lines 397 and 398, insert:

"(4) If the trier of fact is a jury, the court shall not instruct the jury with respect to the court's decision on the prima-facie showing, and neither counsel for any party nor a witness shall inform the jury or potential jurors of that showing."

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

Senator Hagan moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 12, nays 21, as follows:

Those who voted in the affirmative were: Senators

Brady	Dann	DiDonato	Fedor
Fingerhut	Hagan	Mallory	Miller
Prentiss	Roberts	Schuring	Zurz-12.

Those who voted in the negative were: Senators

Amstutz	Armbruster	Austria	Blessing
Carey	Coughlin	Gardner, Randy	Gardner, Robert
Goodman	Harris	Hottinger	Jacobson
Jordan	Mumper	Nein	Padgett
Schuler	Spada	Stivers	Wachtmann
			White-21.

The amendment was not laid on the table.

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

The yeas and nays were taken and resulted - yeas 19, nays 14, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Blessing
Carey	Coughlin	Gardner, Randy	Gardner, Robert
Goodman	Harris	Hottinger	Jacobson
Mumper	Nein	Schuler	Spada
Stivers	Wachtmann		White-19.

Those who voted in the negative were: Senators

Brady	Dann	DiDonato	Fedor
Fingerhut	Hagan	Jordan	Mallory
Miller	Padgett	Prentiss	Roberts
Schuring			Zurz-14.

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 292**, pass?"

The yeas and nays were taken and resulted - yeas 22, nays 11, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Blessing
Carey	Coughlin	Gardner, Randy	Gardner, Robert
Goodman	Harris	Hottinger	Jacobson
Jordan	Mumper	Nein	Padgett
Schuler	Schuring	Spada	Stivers
Wachtmann			White-22.

Those who voted in the negative were: Senators

Brady	Dann	DiDonato	Fedor
Fingerhut	Hagan	Mallory	Miller
Prentiss	Roberts		Zurz-11.

So the bill passed.

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

Senator Stivers moved to amend the title as follows:

Add the names : "Stivers, Amstutz, Austria, Coughlin, Harris, Jacobson, Mumper, Wachtmann, Spada."

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

The motion was agreed to and the title so amended.

S. B. No. 156-Senators Jordan, Roberts, Jacobson, Stivers, Armbruster, Carey.

To enact section 5533.62 of the Revised Code to designate State Route 48 the "U.S.A.F. Pararescue Memorial Parkway, was considered the third time."

The question being, "Shall the bill, **S. B. No. 156**, pass?"

On motion of Senator Randy Gardner, **S. B. No. 156** was informally passed and retained its place on the calendar.

Sub. H. B. No. 204-Representatives Wolpert, Gilb, Seitz, McGregor, Collier, Barrett, Allen, Kearns, Seaver, Chandler, Daniels, Cirelli, Domenick, C. Evans, Fessler, Flowers, Olman, Schlichter, Sferra, Skindell, Wagner, Walcher, Carano, DePiero, Distel, Gibbs, Harwood, Hughes, Key, Miller, Niehaus, S. Patton, Raussen, Reidelbach, Schmidt, Schneider, G. Smith, J. Stewart, Sykes Senators Amstutz, Goodman.

To amend sections 1.59, 9.08, 9.314, 9.48, 101.691, 113.40, 125.04, 125.072, 149.38, 149.432, 307.12, 341.42, 505.10, 718.07, 721.15, 753.32, 955.013, 1306.16, 2307.64, 3517.10, 3517.106, 3517.11, 5145.31, and 5703.49 and to enact sections 117.111, 304.01, 304.02, 304.03, and 304.04 of the Revised Code to provide for the use of electronic records and signatures by county offices if specified security procedures are adopted, to require the Auditor of State to audit electronic record security procedures adopted by county offices, to create a single definition of the "internet" to be used throughout the Revised Code, to allow a county or township to participate in contract offerings from the federal government, to modify the law governing payment of state expenses by a financial transaction device, to provide notice to county historical societies and other local entities that county records are being sent to the Ohio Historical Society for potential distribution, to create the Ohio Privacy/Public Access Study Committee, and to amend Section 3.18

of Am. Sub. H.B. 95 of the 125th General Assembly, as subsequently amended, and Section 4 of Am. Sub. H.B. 168 of the 125th General Assembly to delay until July 1, 2005, the effective date of certain sales and use tax sourcing laws that were intended to take effect January 1, 2005, and to authorize vendors to commence destination-based sourcing prior to that effective date, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 204**, pass?"

On motion of Senator Randy Gardner, **Sub. H. B. No. 204** was informally passed and retained its place on the calendar.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 237-Senator Zurz.

To amend section 5747.98 and to enact section 5747.68 of the Revised Code to grant a refundable credit against the personal income tax in the amount of fees paid by the taxpayer to have a motor vehicle inspected under the emissions inspection program.

OFFERING OF RESOLUTIONS

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

S. R. No. 1794-Senator Randy Gardner.

Recognizing National Tourism Week in Ohio May 8-16, 2004.

S. R. No. 1795-Senator Randy Gardner.

Honoring Jack Fletcher on his contributions to the amusement industry in Ohio.

S. R. No. 1796-Senator Mumper.

Honoring Lowell and Miriam Evarts on their Golden Wedding Anniversary.

S. R. No. 1797-Senator Austria.

Honoring Colonel Michael J. Belzil on his retirement.

S. R. No. 1798-Senator Austria.

Honoring Chester and Mary Moore on their Seventieth Wedding Anniversary.

S. R. No. 1799-Senator Stivers.

Honoring Tommy Rowlands as a 2004 NCAA All-American wrestler.

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

So the resolutions were adopted.

On the motion of Senator Randy Gardner, the Senate adjourned until Wednesday, May 12, 2004 at 1:30 p.m.

Attest: MATTHEW T. SCHULER,
Clerk.