

OHIO

SENATE

JOURNAL

CORRECTED VERSION
THURSDAY, OCTOBER 13, 2005

ONE HUNDRED THIRD DAY
Senate Chamber, Columbus, Ohio
Thursday, October 13, 2005, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Cates submitted the following report:

The standing committee on State and Local Government and Veterans' Affairs, to which was referred **Am. Sub. H. B. No. 234**-Representative Wolpert, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Cates, Niehaus, Mumper.

YES - 6: GARY W. CATES, TIMOTHY J. GRENDALL, JEFFRY J. ARMBRUSTER, TOM NIEHAUS, J. KIRK SCHURING, LARRY A. MUMPER.

NO - 3: DANIEL R. BRADY, TERESA FEDOR, KIMBERLY A. ZURZ.

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 **Am. H. B. No. 140**-Representative Carmichael, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: JIM JORDAN, JOHN A. CAREY, CHARLES A. WILSON, TOM ROBERTS, J. KIRK SCHURING, LARRY A. MUMPER.

NO - 0.

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

The report of the committee was accepted.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 198-Senators Schuler, Miller, Cates.

To amend sections 319.202, 319.302, 323.01, 323.152, 323.153, 323.156, 323.157, 323.159, 323.99, and 5713.011 and to enact sections 113.25, 135.90, 323.16, 323.161, 323.162, 323.163, 323.164, 323.165, and 5703.471 of the Revised Code to permit elderly and disabled taxpayers with limited incomes to defer payment of real property taxes due on their homesteads.

S. B. No. 199-Senators Dann, Roberts, Fingerhut, Brady, Miller, Fedor, Hagan.

To amend sections 1322.061 and 1345.01 of the Revised Code to expand the Consumer Sales Practices Act to include transactions involving dealers in intangibles and their customers and to eliminate the requirement that information related to examinations and investigations of mortgage brokers remain privileged and confidential.

S. B. No. 200-Senators Hagan, Roberts, Dann, Fingerhut, Miller, Zurz, Fedor.

To amend sections 5735.05, 5735.06, and 5735.142 of the Revised Code to exempt from the motor fuel tax any sales of motor fuel sold to school districts or educational service centers for school district or service center operations.

S. B. No. 201-Senators Dann, Miller, Brady, Fingerhut.

To amend sections 3517.13, 3517.151, and 3517.992 of the Revised Code to revise the law governing contracts for the purchase of goods or services between a state agency or political subdivision and a business entity that makes certain campaign contributions, and to prohibit business entities that have entered into those contracts from making certain campaign contributions.

S. B. No. 202-Senators Dann, Hagan, Brady, Fedor, Roberts, Fingerhut, Miller, Zurz, Mallory, Prentiss, Wilson, Schuring.

To amend sections 2923.32, 2923.33, and 2923.36 of the Revised Code to clarify the criminal forfeiture provisions of the Corrupt Activity Law regarding the time at which forfeitures attach, the forfeiture of substitute property for forfeitable property that is unreachable or removed from a forfeiture order to protect the innocent persons, the availability under a forfeiture order of certain property transferred in an attempt to avoid potential forfeiture, and the time at which an order to preserve the reachability of property that might be forfeitable under that Law may be requested and attaches, and to declare an emergency.

S. B. No. 203-Senators Dann, Fedor.

To amend section 126.03 and to enact sections 101.61 and 126.04 of the Revised Code to impose release, disclosure, hearing, and other requirements with respect to the biennial capital budget.

S. B. No. 204-Senators Spada, Fedor, Fingerhut, Zurz.

To enact sections 323.65, 323.66, 323.67, 323.68, 323.69, 323.70, 323.71, 323.72, 323.73, 323.74, and 323.75 of the Revised Code to provide an expedited foreclosure procedure for lands that have had delinquent tax charges for a specified number of years and that are not occupied.

S. B. No. 205-Senators Spada, Cates, Zurz.

To amend section 135.353 and to enact sections 135.804, 135.805, 135.806, and 135.807 of the Revised Code to authorize boards of county commissioners to establish property tax payment linked deposit programs to assist senior citizens and permanently and totally disabled citizens in paying property taxes on their homesteads.

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, Bernice P. Collingsworth, Democrat, from Alger, Hardin County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Alger for a term beginning September 30, 2005 and continuing at the pleasure of the Governor.

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 3rd day of October in the year of our Lord, two thousand and five.

[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 V. Daugherty, Republican, from Mansfield, Richland County, Ohio, as a Member of the Rehabilitation Services Commission for a term beginning September 30, 2005, and ending at the close of business September 8, 2008, replacing David Miller, 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 3rd day of October in the year of our Lord, two thousand and five.

[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, Betty F. Fitzpatrick, from Alger, Hardin County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Alger for a term beginning September 30, 2005 and continuing at the pleasure of the Governor.

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 3rd day of October in the year of our Lord, two thousand and five.

[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 G. Gangwer, Republican, from Fremont, Sandusky County, Ohio, as a Member of the Ohio Organized Crime Investigations Commission for a new term beginning September 30, 2005 and ending at the close of business September

9, 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 3rd day of October in the year of our Lord, two thousand and five.

[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 Hurley, Republican, from Alger, Hardin County, Ohio, as a Member of the Financial Planning and Supervision Commission for the Village of Alger for a term beginning September 30, 2005 and continuing at the pleasure of the Governor.

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 3rd day of October in the year of our Lord, two thousand and five.

[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, Ronald J. O'Brien, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Organized Crime Investigations Commission for a new term beginning September 30, 2005 and ending at the close of business September 9, 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 3rd day of October in the year of our Lord, two thousand and five.

[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, Vandadean Rogers, Democrat, from Dayton, Montgomery County, Ohio, as a Member of the Ohio Board of Dietetics for a term beginning September 30, 2005, and ending at the close of business June 30, 2010, replacing Lorna Fuller, 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 3rd day of October in the year of our Lord, two thousand and five.

[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, Jacqueline Romer-Sensky, Republican, from Westerville, Delaware County, Ohio, as a Member of the Rehabilitation Services Commission for a term beginning September 30, 2005, and ending at the close of business September 8, 2006, replacing Fred Alberini, 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 3rd day of October in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

Said appointments were referred to the Committee on Rules.

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 H.B. No. 122 of the 126th General Assembly:

Senator Coughlin
Senator Armbruster
Senator Mallory

On the motion of Senator Miller, the Senate adjourned until Tuesday, October 18, 2005 at 1:30 p.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.