

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, FEBRUARY 25, 2003

## TWENTIETH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, February 25, 2003 at 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Father Stephen Applegate of the St. Andrews Episcopal Church in Cincinnati, Ohio, followed by the Pledge of Allegiance to the Flag.

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

The following guests of the House of Representatives were recognized by Speaker Householder prior to the commencement of business:

Sherry Rosenfeld and Deborah Shub received H. R. No. 28, presented by Representative Clancy-29th district.

Fourth grade students of Worthington Estates Elementary Schools, guests of Representative Reidelbach-21st district.

Students of London and Deercreek Elementary Schools, guests of Representative Widener-84th district.

Faculty & Students of Xavier University, guests of Representative Driehaus-31st district, and Representative Yates-33rd district.

Drew Mackey, a guest of Representative Boccieri-61st district.

Diane Farbi, Lois Griggs, Mike Baker, Rod Crane, Dr. Howard Werman, Dave Fiffick, Ron Grout, Kathy Dennison and Vikki Cobb-Boes, guests of Representative Raussen-28th district.

Mark, Sharon and Katie Jackson, and Martin Frantz, guests of Representative Carmichael-3rd district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 76**-Representatives Widowfield, Williams, Jolivette, McGregor, Gilb, C. Evans, Schaffer, Miller, Allen, Otterman, Strahorn, Ujvagi.

To enact section 3701.62 of the Revised Code to establish the Shaken Baby Syndrome Education and Prevention Program.

**H. B. No. 77**-Representative DeWine.

To amend sections 9.41, 124.01, 124.11, 124.271, 124.34, 124.38, 124.40, 124.57, 124.60, 124.64, 135.22, 149.43, 2151.011, 3311.10, 3311.19, 3311.52, 3311.72, 3313.208, 3313.209, 3313.48, 3313.53, 3313.533, 3313.62, 3313.641, 3313.646, 3313.68, 3313.713, 3313.975, 3315.17, 3316.07,

3317.01, 3317.02, 3317.023, 3317.029, 3317.0212, 3317.03, 3317.16, 3319.02, 3319.03, 3319.07, 3319.071, 3319.081, 3319.082, 3319.083, 3319.088, 3319.12, 3319.181, 3319.36, 3327.01, 3327.011, 3329.06, 3329.08, and 5705.41; to enact new sections 3313.481 and 3317.11 and sections 3313.681, 3323.013, and 4511.765; and to repeal sections 124.011, 124.54, 3301.078, 3301.0719, 3301.0724, 3313.174, 3313.481, 3313.482, 3313.82, 3313.83, 3313.94, 3317.11, and 3319.06 of the Revised Code to require that schools under the control of school district boards of education be open for instruction for a specified number of hours each school year, to eliminate certain spending requirements for Disadvantaged Pupil Impact Aid moneys paid to school districts, to change the method of payment of special education weights for handicapped students attending joint vocational school districts, to eliminate the requirement that city school districts be subject to the state Civil Service Law, and to make other changes in the administration of the public school system.

**H. B. No. 78**-Representative Skindell.

To amend section 2117.06 of the Revised Code to require the state or any political subdivision of the state to present all claims against an estate within one year after the death of the decedent.

**H. B. No. 79**-Representatives Seaver, Aslanides, Bocchieri, Book, Driehaus, Faber, Flowers, Grendell, Wagner, Wilson, Young.

To amend section 101.27 of the Revised Code to eliminate the cost of living adjustments scheduled to be made in calendar years 2005 through 2008 to the compensation of members and officers of the General Assembly.

**H. B. No. 80**-Representatives Core, Gibbs, Hollister, Hagan, McGregor, Fessler, Calvert, Setzer, Schaffer, Allen, S. Smith.

To enact sections 2925.031, 2925.042, 2925.071, and 2925.111 of the Revised Code to prohibit the possession, sale, transportation, and cultivation of spores or mycelium capable of producing mushrooms that contain psilocin or psilocybin.

**H. B. No. 81**-Representative Core.

To amend section 1724.10 of the Revised Code to specify that a community improvement corporation designated as the agency of a political subdivision may be authorized to take certain other actions on behalf of the political subdivision and retains certain statutory powers to do all things necessary or convenient to carry out its organizational purposes.

**H. B. No. 82**-Representatives DePiero, Bocchieri, Price, Kearns, Carano,

Hughes, Harwood, Distel, Setzer, Cirelli, Wolpert, Hollister, Miller, Young, Barrett, Oelslager, Seaver, Perry, Strahorn, S. Smith, C. Evans, Grendell, Willamowski, Allen, Seitz, Sferra, D. Evans, DeBose, Brown, Skindell.

To amend section 2313.16 of the Revised Code to permit a person who is 70 years of age or older to be excused from jury duty.

**H. B. No. 83**-Representatives DePiero, Redfern, Boccieri, Willamowski, Carano, Flowers, Harwood, Hollister, Young, Seaver, Ujvagi, Allen, Sferra, Jerse, Book, Brown, Schaffer.

To amend sections 2903.06, 2903.08, and 4507.16 of the Revised Code to modify the offenses of aggravated vehicular homicide and aggravated vehicular assault and to amend the version of sections 2903.06 and 2903.08 of the Revised Code that are scheduled to take effect January 1, 2004, to continue the provisions of this act on and after that effective date.

**H. B. No. 84**-Representative DePiero.

To amend sections 2945.38, 2945.40, 2950.13, 5122.011, 5122.05, 5122.15, and 5122.38 and to enact sections 5122.50, 5122.51, 5122.52, 5122.53, 5122.54, 5122.55, 5122.56, and 5122.57 of the Revised Code to authorize the civil commitment of certain sexually aberrant persons.

**H. B. No. 85**-Representatives Raussen, Raga, Wagner, McGregor, Kearns, Husted, Ujvagi, Allen, Schneider.

To amend sections 307.051, 307.055, 505.37, 505.375, 505.72, 4503.49, 4513.263, 4766.01, 4766.02, 4766.03, 4766.04, 4766.05, 4766.06, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11, 4766.12, 4766.13, and 5503.12 and to enact sections 4766.15, 4766.17, and 4766.20 of the Revised Code to authorize the Ohio Ambulance Licensing Board to license commercial medical service organizations that operate ambulette vehicles for the transportation of persons who require the use of a wheelchair and air medical service organizations that operate air medical transportation, to add four members to the Board, to rename the Board the Ohio Medical Transportation Board, and to amend the version of section 4513.263 of the Revised Code that is scheduled to take effect January 1, 2004, to continue the provisions of this act on and after that effective date.

**H. B. No. 86**-Representative Hoops.

To amend sections 2151.07, 2301.02, and 2301.03 of the Revised Code to add one additional judge to the Henry County Court of Common Pleas to be elected in 2004 as judge of the Domestic Relations Division.

**H. B. No. 87**-Representative Buehrer.

To amend sections 4501.10, 4503.042, 4503.10, 4503.173, 4503.50, 4503.51, 4503.55, 4503.561, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 4503.711, 4503.72, 4503.73, 4503.75, 4505.09, 4506.08, 4507.23, 4511.04, 4513.52, 4513.53, 5501.20, 5501.34, 5501.45, 5502.02, 5517.011, 5525.20, 5531.10, 5735.29, and 5735.291, to enact sections 4501.21, 5502.39, and 5543.22, and to repeal sections 4501.20, 4501.22, 4501.29, 4501.30, 4501.311, 4501.32, 4501.33, 4501.39, 4501.40, 4501.41, 4501.61, 4501.71, and 4503.251 of the Revised Code to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2003, and ending June 30, 2005, to provide authorization and conditions for the operation of those programs, and to amend the version of section 4503.10 of the Revised Code that is scheduled to take effect January 1, 2004.

Said bills were considered the first time.

On motion of Representative Cates, the House recessed.

The House met pursuant to recess.

### CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Am. Sub. H. B. No. 40**-Representative Calvert (By Request), et al. , were taken up for consideration.

**Am. Sub. H. B. No. 40**-Representatives Calvert (By Request), D. Evans, Hoops.

To amend sections 5104.01, 5104.04, 5104.30, 5104.32, 5104.34, 5104.35, 5104.38, 5104.39, 5139.41, 5739.031, 5739.032, 5739.12, 5739.122, 5739.21, 5741.03, 5741.12, and 5741.121 and to enact sections 107.31, 107.32, 5101.31, and 5104.382 of the Revised Code to make program and budgetary modifications, to establish provisions regarding the possible closing of state institutional facilities for the purpose of expenditure reductions or budget cuts, to amend the versions of sections 5739.031, 5739.12, and 5741.12 of the Revised Code that are scheduled to take effect July 1, 2003, to continue the provisions of this act on and after that effective date, to amend Section 125 of Am. Sub. H.B. 94 of the 124th General Assembly, as subsequently amended, to amend Section 142 of Am. Sub. H.B. 94 of the 124th General Assembly, and to make an appropriation.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 52, nays 44, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Brinkman	Buehrer
Callender	Calvert	Carmichael	Cates
Clancy	Collier	Daniels	DeWine
D. Evans	Faber	Fessler	Flowers

Gibbs	Gilb	Grendell	Hoops
Hughes	Husted	Kearns	Kilbane
Latta	McGregor	Niehaus	Oelslager
Oلمان	T. Patton	Peterson	Raga
Raussen	Reidelbach	Reinhard	Schmidt
Schneider	Seitz	Setzer	G. Smith
Taylor	Trakas	Wagner	Walcher
Webster	White	Widener	Widowfield
Williams	Wolpert	Young	Householder-52.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Carano	Chandler	Cirelli
Core	DeBose	DePiero	Distel
Domenick	Driehaus	C. Evans	Hagan
Hartnett	Harwood	Hollister	Jerse
Jolivette	Key	Koziura	Mason
Miller	Otterman	S. Patton	Perry
Price	Redfern	Schaffer	Schlichter
Seaver	Skindell	S. Smith	D. Stewart
J. Stewart	Strahorn	Sykes	Ujvagi
Willamowski	Wilson	Woodard	Yates-44.

The Senate amendments were concurred in.

#### MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3113.215(G), the Speaker hereby appoints the following members to the Ohio Child Support Guideline Advisory Council:

Representatives Raga, Gilb, and Harwood

#### CLERK'S NOTATION

This is to acknowledge receipt from the office of the Ohio Secretary of State, on February 24, 2003, of the biennial analysis summary of procedure and findings for adjustments to the State contribution limitations.

On motion of Representative Cates, the House adjourned until Wednesday, February 26, 2003 at 1:30 o'clock p.m.

Attest:

LAURA P. CLEMENS,  
Clerk.