

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, MARCH 4, 2003

## TWENTY-THIRD DAY

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, March 4, 2003 at 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Pastor Stewart Snow of the Rona Missionary Church in Fairborn, 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:

Students of Talawanda Middle School, guests of Representative Webster-53rd district.

Michael Rodgers, a guest of Representative C. Evans-87th district.

Junior and Senior students of Wellston High School, guests of Representative C. Evans-87th district.

Students of St. Rose School, guests of Speaker Householder-91st district.

Andy Asbury, a guest of Representative Faber-77th district.

March 4, 2003

The Honorable Larry Householder  
Speaker, Ohio House of Representatives  
77 South High Street  
Columbus, Ohio 43215

Dear Speaker Householder:

Please let this letter serve as my letter of resignation from my seat as a member of the Ohio House of Representatives for the 57th House District. I ask that my resignation be made effective the end of the business day on Tuesday, March 4, 2003.

As I am certain you are aware, I have recently been appointed to the position of Lorain County Prosecutor. Although I look forward to the challenges and opportunities this position presents, I have enjoyed my years of service in the Ohio House and count my membership as one of the highlights of my life.

I would like to take this opportunity to thank you for your exemplary leadership and thank all the members for their friendship and their dedicated service to Ohio's citizens.

Best regards,

/S/ JEFFREY H. MANNING  
JEFFREY H. MANNING  
State Representative

March 4, 2003

The Honorable Jeffrey H. Manning  
Ohio House of Representatives  
77 S. High Street  
Columbus, Ohio 43215

Dear Representative Manning:

This is to acknowledge receipt and acceptance of your letter of resignation from the Ohio House of Representatives, effective March 4, 2003.

You have served your constituents well over the years, and I am confident you will continue to do so as the Lorain County Prosecutor.

/S/ LARRY HOUSEHOLDER  
LARRY HOUSEHOLDER  
Speaker  
Ohio House of Representatives

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 96**-Representative Willamowski.

To permit any school district that closed its schools for at least four consecutive days during the first month that school was scheduled to be open for instruction in fiscal year 2003 to not count any of those days the schools were closed toward the number of permitted "calamity" days in that fiscal year if the reason for closing schools was due to damage caused by a broken water pipe and to declare an emergency.

**H. B. No. 97**-Representatives Willamowski, Hagan, McGregor, Seitz, Calvert, Schmidt, Schaffer, Faber, Allen, White, Seaver, Ujvagi, Webster, Fessler, Callender, Buehrer.

To amend sections 505.37, 505.50, and 5549.021 of the Revised Code to permit a board of township trustees to enter into a lease or a lease with an option to purchase for police department or road equipment and a board of township trustees, a board of fire district trustees, or a municipal corporation

legislative authority to enter into a lease or lease with an option to purchase for fire-fighting equipment.

**H. B. No. 98**-Representative Willamowski.

To amend sections 145.323, 145.46, 3105.80, 3307.60, 3307.67, 3309.374, and 3309.46 of the Revised Code to make changes to the optional benefit plans for retirants and the cost-of-living increase in the Public Employee Retirement System, State Teachers Retirement System, and School Employees Retirement System.

**H. B. No. 99**-Representatives Husted, Aslanides, Brinkman, Callender, DeWine, Faber, Jolivette, Kearns, Seitz, Setzer, G. Smith, Webster, White, Widener, Young, Allen, Carano, Seaver, Redfern, Strahorn, Ujvagi.

To amend sections 5.04 and 5.10 of the Revised Code to add a representation of the Wright Brothers' first piloted airplane to the Coat of Arms and Great Seal of the State of Ohio.

**H. B. No. 100**-Representatives Faber, Willamowski, Kearns, Core, Carmichael, Schneider, Taylor.

To enact sections 107.31 and 107.32 of the Revised Code to establish provisions regarding the possible closing of state institutional facilities for the purpose of expenditure reductions or budget cuts.

**H. B. No. 101**-Representatives Willamowski, Driehaus.

To amend sections 145.01, 145.33, and 145.49 of the Revised Code to include municipal park rangers and township police cadets in the law enforcement division of the Public Employees Retirement System (PERS), to provide for conversion by municipal park rangers and township police cadets of regular PERS service credit to PERS law enforcement service credit, and to create special provisions in the Public Employees Retirement System for public safety officers.

**H. B. No. 102**-Representatives Collier, Aslanides, Seitz, Husted, Widener, McGregor, Allen, Koziura, Gilb.

To amend sections 3313.481 and 3313.62 of the Revised Code to permit the board of education of a city, exempted village, local, or joint vocational school district or nonpublic school to adopt a four-day school week.

**H. B. No. 103**-Representatives Wilson, Young, Redfern, Allen, Hartnett, Seitz, Chandler, Hagan, Boccieri, Widowfield, Carano, S. Patton, Miller, Book, Ujvagi, Skindell.

To amend sections 4549.61, 4549.62, and 4549.63 of the Revised Code to modify the guidelines governing seizure of a motorcycle by a law enforcement officer when the identity of the motorcycle cannot be determined, to establish limited civil liability with certain exceptions if the law enforcement officer or agency fails to comply with specified guidelines, to entitle an innocent buyer of a motorcycle to repayment of the purchase price, and to maintain the provisions of this act on and after January 1, 2004, by amending the version of section 4549.62 of the Revised Code that takes effect on that date.

**H. B. No. 104**-Representatives Redfern, Miller, Perry, Otterman, Jerse, DeBose, Sykes, Barrett, Domenick, Allen, Beatty, Koziura, Cirelli, Carano, Sferra, Key, Mason, Distel, Boccieri, Woodard.

To amend sections 955.16, 959.06, and 959.99 of the Revised Code to prohibit the use of a firearm to destroy an animal at a publicly owned or operated animal shelter.

**H. B. No. 105**-Representatives Collier, D. Evans, Hollister, McGregor, Raga, Schaffer, Redfern, Widener, Jerse, Webster, Allen, G. Smith.

To amend sections 4745.01, 4761.02, and 4761.03 and to enact sections 4752.01 to 4752.09 and 4752.99 of the Revised Code to require licensure of home medical equipment services providers by the Ohio Respiratory Care Board.

**H. B. No. 106**-Representatives Williams, Otterman, McGregor, Hartnett, Hagan, Perry, Gilb, Koziura, Widowfield, Young, Boccieri, Willamowski.

To amend sections 2152.18, 3313.533, 3313.672, and 5139.05 of the Revised Code to require that upon a child's discharge or release from the custody of the Department of Youth Services certain records pertaining to that child be released to the superintendent of the school district in which the child is entitled to attend school and to specify that a school district's policy on the assignment of students to an alternative school may provide for the assignment of any child released from the custody of the Department of Youth Services to such a school.

Said bills were considered the first time.

The following joint resolution was introduced:

**H. J. R. No. 7**-Representatives Reidelbach, Fessler, Schaffer, Gibbs, Williams, Seaver, Callender, Gilb.

Proposing to enact Section 3a of Article XII of the Constitution of the State of Ohio to require that increases in state taxes be approved by a supermajority of the membership of each house of the General Assembly.

Said joint resolution was considered the first time.

### **REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION**

Representative DePiero submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 26**-Representatives Raga, Schneider, having had the same under consideration, reports it back and recommends its passage.

RE: ADD WARREN COUNTY COURT OF COMMON PLEAS JUDGE

Representative Willamowski moved to amend the title as follows:

Add the names: "Willamowski, Widowfield, Oelslager, Driehaus, Harwood."

JOHN R. WILLAMOWSKI	TIMOTHY J. GRENDALL
JOHN WIDOWFIELD	EDWARD JERSE
SANDRA STABILE HARWOOD	W. SCOTT OELSLAGER
STEVE L. DRIEHAUS	JAMIE CALLENDER
TOM RAGA	

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

### **MOTIONS AND RESOLUTIONS**

Representative Trakas moved that majority party members asking leave to be absent or absent the week of Tuesday, March 4, 2003, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

On motion of Representative Cates, the House recessed. The House met pursuant to recess.

Representative Miller moved that minority party members asking leave to be absent or absent the week of Tuesday, March 4, 2003, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative Schlichter moved that the House revert to the fifth order of business, being Reports of standing and select committees and bills for second consideration.

The motion was agreed to.

### **REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS**

**FOR SECOND CONSIDERATION**

Representative Wilson reported for the Rules and Reference Committee, recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

**H. B. No. 93**-Representatives Beatty, Chandler, Miller, Carano, Key, Otterman, Allen, Sykes, Koziura, Ujvagi, Brown, S. Patton, S. Smith, DeBose, Strahorn, Cirelli, Harwood, Redfern, Book.

To amend section 2935.031 of the Revised Code relative to peace officer motor vehicle pursuit policies.

To the committee on Criminal Justice.

**H. B. No. 94**-Representatives Buehrer, Calvert, Seitz, Faber, Gilb.

To amend sections 9.84, 119.12, 124.03, 124.04, 124.07, 124.09, 124.11, 124.134, 124.14, 124.15, 124.20, 124.21, 124.22, 124.23, 124.26, 124.27, 124.30, 124.31, 124.32, 124.321, 124.322, 124.323, 124.324, 124.326, 124.327, 124.34, 124.341, 124.38, 124.383, 124.384, 124.385, 124.386, 124.388, 124.40, 124.43, 124.44, 124.45, 124.46, 124.48, 302.202, 325.19, 329.02, 1513.03, 1513.34, 4111.03, 4112.01, 5107.52, and 5155.03, to enact sections 124.12 and 124.141, and to repeal sections 124.271 and 124.311 of the Revised Code to implement the recommendations of the Civil Service Review Commission.

To the committee on Finance and Appropriations.

**H. B. No. 95**-Representative Calvert.

To amend sections 9.01, 9.83, 101.82, 102.02, 109.57, 109.572, 109.71, 117.45, 119.035, 121.04, 121.084, 122.011, 122.04, 122.08, 122.17, 122.25, 122.651, 122.658, 122.87, 122.88, 123.01, 124.03, 125.05, 125.15, 125.91, 125.92, 125.93, 125.95, 125.96, 125.98, 126.11, 127.16, 131.23, 131.35, 147.01, 147.37, 149.011, 149.33, 149.331, 149.332, 149.333, 149.34, 149.35, 153.65, 163.06, 164.27, 165.09, 173.14, 173.20, 173.21, 173.26, 173.55, 173.57, 175.03, 175.21, 175.22, 183.02, 183.28, 307.202, 307.86, 307.98, 307.981, 307.987, 311.17, 317.32, 319.302, 321.24, 323.01, 323.13, 323.152, 329.03, 329.04, 329.05, 329.051, 329.06, 340.03, 505.69, 715.013, 717.01, 718.01, 718.02, 718.03, 718.05, 901.17, 901.21, 902.11, 921.151, 927.69, 1309.109, 1321.21, 1333.99, 1501.04, 1502.02, 1503.011, 1503.05, 1503.99, 1509.06, 1509.08, 1513.02, 1513.07, 1513.13, 1513.131, 1513.14, 1513.16, 1514.021, 1514.071, 1514.09, 1514.10, 1519.05, 1521.06, 1521.063, 1531.26, 1533.08, 1533.10, 1533.101, 1533.11, 1533.111, 1533.112, 1533.12, 1533.13, 1533.151, 1533.19, 1533.23, 1533.301, 1533.32, 1533.35, 1533.40, 1533.54, 1533.631, 1533.632, 1533.71, 1533.82, 1561.31, 1561.35, 1561.351, 1561.51, 1563.13, 1563.42, 1702.59, 2101.16, 2117.06, 2117.25, 2151.3529, 2151.3530, 2151.83, 2151.84, 2305.234, 2329.66, 2505.13, 2715.041,

2715.045, 2716.13, 2743.02, 2915.01, 2921.13, 2925.44, 2933.43, 2935.01, 2949.091, 3111.04, 3111.72, 3119.01, 3123.952, 3125.12, 3125.25, 3301.33, 3301.52, 3301.53, 3301.54, 3301.55, 3301.57, 3301.58, 3301.80, 3301.801, 3313.979, 3314.074, 3316.08, 3317.012, 3317.013, 3317.022, 3317.023, 3317.024, 3317.029, 3317.0213, 3317.0217, 3317.03, 3317.032, 3317.05, 3317.06, 3317.064, 3317.07, 3317.10, 3317.11, 3317.16, 3317.50, 3317.51, 3319.22, 3319.235, 3323.16, 3332.04, 3333.12, 3383.01, 3383.07, 3501.18, 3501.30, 3505.08, 3517.092, 3701.021, 3701.022, 3701.141, 3701.145, 3702.31, 3702.68, 3702.74, 3705.23, 3705.24, 3709.09, 3710.05, 3711.021, 3721.02, 3721.19, 3721.56, 3722.15, 3722.16, 3727.17, 3733.43, 3733.45, 3734.02, 3734.05, 3734.12, 3734.123, 3734.124, 3734.18, 3734.28, 3734.42, 3734.44, 3734.46, 3734.57, 3735.67, 3735.671, 3737.81, 3745.04, 3745.11, 3745.14, 3745.40, 3746.13, 3747.16, 3748.07, 3748.13, 3770.07, 3770.10, 3770.99, 3773.33, 3773.43, 3781.19, 4104.01, 4104.02, 4104.04, 4104.06, 4104.07, 4104.08, 4104.15, 4104.18, 4104.19, 4104.20, 4104.41, 4104.44, 4104.45, 4104.46, 4105.17, 4112.15, 4115.03, 4117.02, 4117.10, 4117.14, 4123.27, 4123.41, 4141.04, 4141.09, 4141.23, 4301.12, 4301.30, 4301.42, 4301.43, 4303.02, 4303.021, 4303.03, 4303.04, 4303.05, 4303.06, 4303.07, 4303.08, 4303.09, 4303.10, 4303.11, 4303.12, 4303.121, 4303.13, 4303.14, 4303.141, 4303.15, 4303.151, 4303.16, 4303.17, 4303.171, 4303.18, 4303.181, 4303.182, 4303.183, 4303.184, 4303.19, 4303.20, 4303.201, 4303.202, 4303.203, 4303.204, 4303.21, 4303.22, 4303.23, 4303.231, 4305.01, 4503.06, 4505.06, 4509.60, 4511.75, 4707.071, 4707.072, 4707.10, 4709.12, 4717.07, 4717.09, 4719.01, 4723.06, 4723.08, 4723.082, 4725.44, 4725.45, 4725.48, 4725.50, 4725.51, 4725.52, 4725.57, 4731.65, 4731.71, 4734.15, 4736.12, 4741.17, 4743.05, 4747.05, 4747.06, 4747.07, 4747.10, 4751.06, 4751.07, 4759.08, 4771.22, 4779.08, 4779.17, 4779.18, 4903.24, 4905.79, 4905.91, 4919.79, 4931.45, 4931.47, 4931.48, 4973.17, 4981.01, 4981.03, 4981.031, 4981.032, 4981.033, 4981.04, 4981.06, 4981.07, 4981.08, 4981.09, 4981.091, 4981.10, 4981.11, 4981.12, 4981.13, 4981.131, 4981.14, 4981.15, 4981.16, 4981.17, 4981.18, 4981.19, 4981.20, 4981.21, 4981.22, 4981.23, 4981.25, 4981.26, 4981.28, 4981.29, 4981.30, 4981.31, 4981.32, 4981.33, 4981.34, 4981.35, 4981.361, 5101.11, 5101.14, 5101.141, 5101.142, 5101.144, 5101.145, 5101.146, 5101.16, 5101.162, 5101.18, 5101.181, 5101.21, 5101.211, 5101.212, 5101.22, 5101.24, 5101.36, 5101.58, 5101.59, 5101.60, 5101.61, 5101.611, 5101.62, 5101.63, 5101.65, 5101.67, 5101.68, 5101.69, 5101.70, 5101.75, 5101.80, 5101.83, 5101.97, 5101.99, 5103.031, 5103.033, 5103.034, 5103.036, 5103.037, 5103.038, 5103.0312, 5103.0313, 5103.0314, 5103.0315, 5103.0316, 5103.154, 5104.01, 5104.011, 5104.02, 5104.30, 5104.32, 5104.42, 5107.02, 5107.30, 5107.37, 5107.40, 5107.60, 5108.01, 5108.03, 5108.06, 5108.07, 5108.09, 5108.10, 5111.019, 5111.0112, 5111.02, 5111.021, 5111.022, 5111.03, 5111.06, 5111.111, 5111.17, 5111.171, 5111.20, 5111.204, 5111.21, 5111.22, 5111.231, 5111.25, 5111.252, 5111.26, 5111.263, 5111.28, 5111.29, 5111.30, 5111.31, 5111.32, 5111.33, 5111.34, 5111.85, 5111.87, 5111.872, 5111.94, 5111.99, 5112.03, 5112.08, 5112.17, 5112.31, 5112.99, 5115.01, 5115.02, 5115.03, 5115.04, 5115.05, 5115.07, 5115.10, 5115.11, 5115.13, 5115.15, 5115.20, 5119.61,



5119.611, 5123.01, 5123.051, 5123.19, 5123.61, 5123.801, 5126.042, 5126.12, 5126.31, 5139.36, 5139.87, 5153.16, 5153.163, 5153.60, 5153.69, 5153.72, 5153.78, 5310.15, 5501.03, 5502.13, 5519.01, 5703.054, 5703.19, 5705.19, 5707.03, 5709.01, 5709.20, 5709.21, 5709.22, 5709.25, 5709.26, 5709.27, 5709.62, 5709.63, 5709.632, 5709.64, 5709.67, 5709.84, 5711.02, 5711.13, 5711.22, 5711.27, 5711.33, 5713.07, 5713.08, 5713.081, 5713.082, 5715.27, 5715.39, 5717.02, 5717.03, 5719.07, 5725.01, 5725.14, 5725.25, 5725.26, 5727.01, 5727.06, 5727.111, 5727.15, 5727.24, 5727.25, 5727.26, 5727.27, 5727.28, 5727.30, 5727.32, 5727.33, 5727.38, 5727.56, 5728.04, 5728.99, 5733.01, 5733.04, 5733.042, 5733.05, 5733.051, 5733.056, 5733.057, 5733.059, 5733.06, 5733.065, 5733.066, 5733.069, 5733.09, 5733.18, 5733.22, 5733.33, 5733.39, 5733.40, 5733.45, 5733.98, 5735.05, 5735.14, 5735.15, 5735.19, 5735.23, 5735.26, 5735.291, 5735.30, 5735.99, 5739.01, 5739.011, 5739.02, 5739.03, 5739.071, 5739.12, 5739.17, 5739.33, 5741.01, 5741.02, 5743.02, 5743.32, 5745.01, 5745.02, 5745.04, 5747.01, 5747.02, 5747.022, 5747.025, 5747.05, 5747.057, 5747.08, 5747.09, 5747.30, 5747.98, 5748.01, 5749.02, 6101.09, 6109.21, 6111.044, 6111.06, 6115.09, 6301.05, and 6301.07; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3301.33 (3301.40), 3701.145 (3701.0210), 4104.46 (4104.48), 4981.01 (5507.01), 4981.03 (5507.03), 4981.031 (5507.031), 4981.032 (5507.032), 4981.033 (5507.033), 4981.04 (5507.04), 4981.05 (5507.05), 4981.06 (5507.06), 4981.07 (5507.07), 4981.08 (5507.08), 4981.09 (5507.09), 4981.091 (5507.091), 4981.10 (5507.10), 4981.11 (5507.11), 4981.12 (5507.12), 4981.13 (5507.13), 4981.131 (5507.131), 4981.14 (5507.14), 4981.15 (5507.15), 4981.16 (5507.16), 4981.17 (5507.17), 4981.18 (5507.18), 4981.19 (5507.19), 4981.20 (5507.20), 4981.21 (5507.21), 4981.22 (5507.22), 4981.23 (5507.23), 4981.25 (5507.25), 4981.26 (5507.26), 4981.28 (5507.28), 4981.29 (5507.29), 4981.30 (5507.30), 4981.31 (5507.31), 4981.32 (5507.32), 4981.33 (5507.33), 4981.34 (5507.34), 4981.35 (5507.35), 4981.36 (5507.36), 4981.361 (5507.361), 5101.211 (5101.212), 5101.212 (5101.213), 5108.06 (5108.04), 5108.07 (5108.05), 5111.08 (5111.071), 5111.16 (5111.08), 5111.25 (5111.27), 5111.252 (5123.199), 5111.26 (5111.23), 5111.263 (5111.30), 5111.29 (5111.31), 5111.30 (5111.224), 5111.31 (5111.222), 5111.32 (5111.223), 5111.33 (5111.29), 5115.02 (5115.04), 5115.04 (5115.02), 5115.07 (5115.06), 5115.13 (5115.07), and 5115.15 (5115.23); to enact new sections 718.11, 718.12, 3301.33, 4104.42, 4104.43, 4104.46, 5108.06, 5108.07, 5111.16, 5111.173, 5111.221, 5111.24, 5111.241, 5111.25, 5111.251, 5111.252, 5111.255, 5111.257, 5111.26, 5111.261, 5111.262, 5111.263, 5111.264, 5111.32, and 5733.052, and sections 122.90, 123.152, 123.153, 173.08, 305.28, 317.36, 319.63, 718.021, 718.031, 718.051, 718.111, 718.112, 927.701, 1503.50, 1503.51, 1503.52, 1503.53, 1503.54, 1503.55, 1503.56, 1503.57, 1503.58, 2113.041, 2117.061, 3123.97, 3301.31, 3301.34, 3301.35, 3301.36, 3301.37, 3314.083, 3701.029, 3702.63, 3721.561, 4104.47, 4115.17, 4115.18, 4115.19, 4115.20, 4707.24, 5101.1410, 5101.211, 5101.214, 5101.241, 5101.242, 5101.243, 5101.601, 5103.155, 5108.11, 5108.12, 5111.0113, 5111.025, 5111.172, 5111.174, 5111.175, 5111.176, 5111.177, 5111.206, 5111.211,

5111.253, 5111.254, 5111.256, 5111.265, 5111.266, 5111.267, 5111.268, 5111.269, 5111.2610, 5111.88, 5111.881, 5111.882, 5111.911, 5111.912, 5111.913, 5111.95, 5111.96, 5111.97, 5111.98, 5111.981, 5111.982, 5115.12, 5115.13, 5115.14, 5115.22, 5123.196, 5123.197, 5123.198, 5123.38, 5123.851, 5703.491, 5703.56, 5703.58, 5703.80, 5709.201, 5709.211, 5709.212, 5709.23, 5709.24, 5717.011, 5733.044, 5733.55, 5733.56, 5733.57, 5735.053, 5741.25, 5745.042, and 5745.044; and to repeal sections 122.12, 125.931, 125.932, 125.933, 125.934, 125.935, 131.38, 179.01, 179.02, 179.03, 179.04, 319.311, 718.11, 718.12, 1333.96, 1513.05, 1513.10, 1533.06, 1533.39, 1553.01, 1553.02, 1553.03, 1553.04, 1553.05, 1553.06, 1553.07, 1553.08, 1553.09, 1553.10, 1553.99, 3301.31, 3301.581, 3302.041, 3701.142, 3701.144, 4104.42, 4104.43, 4141.044, 4141.045, 5101.213, 5101.251, 5101.71, 5101.72, 5108.05, 5111.017, 5111.173, 5111.221, 5111.23, 5111.231, 5111.24, 5111.241, 5111.251, 5111.255, 5111.257, 5111.261, 5111.262, 5111.264, 5111.27, 5111.291, 5111.34, 5115.011, 5115.012, 5115.06, 5115.061, 5502.49, 5709.231, 5709.30, 5709.31, 5709.32, 5709.33, 5709.34, 5709.35, 5709.36, 5709.37, 5709.45, 5709.46, 5709.47, 5709.48, 5709.49, 5709.50, 5709.51, 5709.52, 5709.64, 5709.65, 5709.66, 5727.39, 5727.44, 5733.052, 5733.055, 5733.061, 5733.064, 5733.068, 5733.111, 5733.32, 5733.36, 5733.38, 5733.43, 5733.44, 5735.33, 5739.012, 5739.35, 5741.011, 5741.24, 5743.45, 5743.46, 5747.051, 5747.131, 5747.28, 5747.34, 5747.36, 5747.38, 5747.60, 6111.31, 6111.311, 6111.32, 6111.34, 6111.35, 6111.36, 6111.37, 6111.38, and 6111.39 of the Revised Code; to amend Section 14 of Am. Sub. S.B. 242 of the 124th General Assembly; to amend Section 3 of Am. Sub. H.B. 215 of the 122nd General Assembly, as subsequently amended; to amend Section 3 of Am. Sub. H.B. 621 of the 122nd General Assembly, as subsequently amended; to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended; to amend Section 27 of Sub H.B. 670 of the 121st General Assembly, as subsequently amended; to amend Section 5 of Am. Sub. S.B. 50 of the 121st General Assembly, as subsequently amended; to repeal section 63.37 of Am. Sub. H.B. 94 of the 124th General Assembly, as subsequently amended; to repeal Section 129 of Am. Sub. H.B. 283 of the 123rd General Assembly, as subsequently amended; to repeal Section 3 of S.B. 238 of the 123rd General Assembly; and to repeal Section 11 of Am. Sub. S.B. 50 of the 121st General Assembly, as subsequently amended; to levy taxes and provide for implementation of those levies, to make operating appropriations for the biennium beginning July 1, 2003, and ending June 30, 2005, and to provide authorization and conditions for the operation of state programs; to amend the version of section 921.22 of the Revised Code that is scheduled to take effect July 1, 2004, to continue the provisions of this act on and after that effective date; to amend the version of section 3332.04 of the Revised Code that is scheduled to take effect July 1, 2003; to amend the version of section 4511.75 of the Revised Code that is scheduled to take effect January 1, 2004; to amend the versions of sections 5739.03, 5739.12, and 5741.02 of the Revised Code that are scheduled to take effect July 1, 2003, to continue certain provisions of this act on and after that date.

To the committee on Finance and Appropriations.

**H. B. No. 96**-Representative Willamowski.

To permit any school district that closed its schools for at least four consecutive days during the first month that school was scheduled to be open for instruction in fiscal year 2003 to not count any of those days the schools were closed toward the number of permitted "calamity" days in that fiscal year if the reason for closing schools was due to damage caused by a broken water pipe and to declare an emergency.

To the committee on Education.

**H. B. No. 97**-Representatives Willamowski, Hagan, McGregor, Seitz, Calvert, Schmidt, Schaffer, Faber, Allen, White, Seaver, Ujvagi, Webster, Fessler, Callender, Buehrer.

To amend sections 505.37, 505.50, and 5549.021 of the Revised Code to permit a board of township trustees to enter into a lease or a lease with an option to purchase for police department or road equipment and a board of township trustees, a board of fire district trustees, or a municipal corporation legislative authority to enter into a lease or lease with an option to purchase for fire-fighting equipment.

To the committee on County and Township Government.

**H. B. No. 98**-Representative Willamowski.

To amend sections 145.323, 145.46, 3105.80, 3307.60, 3307.67, 3309.374, and 3309.46 of the Revised Code to make changes to the optional benefit plans for retirants and the cost-of-living increase in the Public Employee Retirement System, State Teachers Retirement System, and School Employees Retirement System.

To the committee on Banking, Pensions, and Securities.

**H. B. No. 99**-Representatives Husted, Aslanides, Brinkman, Callender, DeWine, Faber, Jolivette, Kearns, Seitz, Setzer, G. Smith, Webster, White, Widener, Young, Allen, Carano, Seaver, Redfern, Strahorn, Ujvagi.

To amend sections 5.04 and 5.10 of the Revised Code to add a representation of the Wright Brothers' first piloted airplane to the Coat of Arms and Great Seal of the State of Ohio.

To the committee on State Government.

**H. B. No. 100**-Representatives Faber, Willamowski, Kearns, Core, Carmichael, Schneider, Taylor.

To enact sections 107.31 and 107.32 of the Revised Code to establish provisions regarding the possible closing of state institutional facilities for the

purpose of expenditure reductions or budget cuts.

To the committee on Finance and Appropriations.

**H. B. No. 101**-Representatives Willamowski, Driehaus.

To amend sections 145.01, 145.33, and 145.49 of the Revised Code to include municipal park rangers and township police cadets in the law enforcement division of the Public Employees Retirement System (PERS), to provide for conversion by municipal park rangers and township police cadets of regular PERS service credit to PERS law enforcement service credit, and to create special provisions in the Public Employees Retirement System for public safety officers.

To the committee on Banking, Pensions, and Securities.

**H. B. No. 102**-Representatives Collier, Aslanides, Seitz, Husted, Widener, McGregor, Allen, Koziura, Gilb.

To amend sections 3313.481 and 3313.62 of the Revised Code to permit the board of education of a city, exempted village, local, or joint vocational school district or nonpublic school to adopt a four-day school week.

To the committee on Education.

**H. B. No. 103**-Representatives Wilson, Young, Redfern, Allen, Hartnett, Seitz, Chandler, Hagan, Boccieri, Widowfield, Carano, S. Patton, Miller, Book, Ujvagi, Skindell.

To amend sections 4549.61, 4549.62, and 4549.63 of the Revised Code to modify the guidelines governing seizure of a motorcycle by a law enforcement officer when the identity of the motorcycle cannot be determined, to establish limited civil liability with certain exceptions if the law enforcement officer or agency fails to comply with specified guidelines, to entitle an innocent buyer of a motorcycle to repayment of the purchase price, and to maintain the provisions of this act on and after January 1, 2004, by amending the version of section 4549.62 of the Revised Code that takes effect on that date.

To the committee on Civil and Commercial Law.

**H. B. No. 104**-Representatives Redfern, Miller, Perry, Otterman, Jerse, DeBose, Sykes, Barrett, Domenick, Allen, Beatty, Koziura, Cirelli, Carano, Sferra, Key, Mason, Distel, Boccieri, Woodard.

To amend sections 955.16, 959.06, and 959.99 of the Revised Code to prohibit the use of a firearm to destroy an animal at a publicly owned or operated animal shelter.

To the committee on Criminal Justice.

**H. B. No. 105**-Representatives Collier, D. Evans, Hollister, McGregor,

Raga, Schaffer, Redfern, Widener, Jerse, Webster, Allen, G. Smith.

To amend sections 4745.01, 4761.02, and 4761.03 and to enact sections 4752.01 to 4752.09 and 4752.99 of the Revised Code to require licensure of home medical equipment services providers by the Ohio Respiratory Care Board.

To the committee on Commerce and Labor.

**H. J. R. No. 7**-Representatives Reidelbach, Fessler, Schaffer, Gibbs, Williams, Seaver, Callender, Gilb.

Proposing to enact Section 3a of Article XII of the Constitution of the State of Ohio to require that increases in state taxes be approved by a supermajority of the membership of each house of the General Assembly.

To the committee on Ways and Means.

**Sub. S. B. No. 8**-Senators Austria, Amstutz, Jacobson, Spada, Harris, Mumper, Randy Gardner, Prentiss, Miller, DiDonato, Fedor, Stivers, Herington, Goodman, Carey, Roberts, Brady, Schuring, Armbruster, Schuler, Coughlin, Carnes, Dann, Fingerhut, Hagan, Robert Gardner, Mallory, Nein.  
-Representatives Willamowski, Widowfield, DePiero.

To amend section 2903.211 of the Revised Code to expand menacing by stalking to prohibit the posting of a computer-related message with intent to urge or incite a person to illegally stalk another, to specifically include electronic communication and telecommunication as a pattern of conduct under the crime, and to clarify the nature of the mental distress that constitutes an element of the crime.

To the committee on Judiciary.

**Am. S. J. R. No. 1**-Senators Austria, Carnes, Amstutz, Harris, Jacobson, Mumper, Dann, Goodman, Stivers, Prentiss.

Proposing to enact Section 2p of Article VIII of the Constitution of the State of Ohio relating to science and technology based research and development purposes, including authorizing the issuance of general obligations of the state to pay costs related to those purposes.

To the committee on Economic Development and Technology.

GARY W. CATES  
CHARLES CALVERT  
PATRICIA M. CLANCY  
LARRY L. FLOWERS  
JIM HUGHES  
THOMAS F. PATTON  
JON M. PETERSON

JAMES PETER TRAKAS  
CHRIS REDFERN  
DIXIE J. ALLEN  
JOYCE BEATTY  
KENNETH A. CARANO  
STEVE L. DRIEHAUS  
ROBERT J. OTTERMAN

JOHN SCHLICHTER

CHARLES A. WILSON

Representative Schlichter moved that the House and constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills and Senate Bills contained in the report of the committee on Rules and Reference. The motion was agreed to without objection.

The report was agreed to.

Said House Bills, House Joint Resolution, Senate Bill, and Senate Joint Resolution were considered a second time and referred as recommended.

### MOTIONS AND RESOLUTIONS

Representative Wilson reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

**H. R. No. 34**-Representatives Husted, Redfern, Schaffer, Walcher, Raga, Hughes, Faber, Reidelbach, Aslanides, Schlichter, Fessler, Cates, DeWine, Jolivette, Woodard, Price, C. Evans, Willamowski, McGregor, T. Patton, G. Smith, Young, Webster, Olman, Beatty, Hartnett, Hoops, D. Miller, Setzer, Skindell, Carano, White, Boccieri, Latta, Taylor, Key, Stewart, S. Patton, DeBose, DePiero, Otterman, Yates, Wilson, Domenick, Distel, Barrett, Flowers, Koziura, Mason, Jerse, Perry, Seaver, Sykes, Sferra, S. Smith, Strahorn, Ujvagi.

HONORING JON GRUDEN AS COACH OF THE SUPER BOWL CHAMPION TAMPA BAY BUCCANEERS

Add the names: " Peterson, Carmichael, Allen, Clancy, Cates ."

**H. R. No. 35**-Representative Kilbane.

HONORING GAYLE MANNING ON RECEIVING THE 2002 LEAVEY AWARD EXCELLENCE IN PRIVATE ENTERPRISE EDUCATION

Add the names: " Beatty, Carmichael, Clancy, Flowers, T. Patton, Schlichter, Hughes, Calvert, Cates, Redfern, Carano, Wilson, Driehaus, Otterman ."

**H. R. No. 36**-Representative Kilbane.

HONORING MARGE KASTNER ON RECEIVING THE 2002 LEAVEY AWARD EXCELLENCE IN PRIVATE ENTERPRISE EDUCATION

Add the names: " Schlichter, Cates, Driehaus, Otterman ."

**H. R. No. 37**-Speaker Householder, Representatives Redfern, Allen, Aslanides, Barrett, Beatty, Blasdel, Boccieri, Book, Brinkman, Brown, Buehrer, Callender, Calvert, Carano, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Core, Daniels, DeBose, DePiero, DeWine, Distel, Domenick,

Driehaus, C. Evans, D. Evans, Faber, Fessler, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Harwood, Hollister, Hoops, Hughes, Husted, Jerse, Jolivette, Kearns, Key, Kilbane, Koziura, Latta, Mason, McGregor, Miller, Niehaus, Oelslager, Olman, Otterman, S. Patton, T. Patton, Perry, Peterson, Price, Raga, Raussen, Reidelbach, Reinhard, Schaffer, Schlichter, Schmidt, Schneider, Seaver, Seitz, Setzer, Sferra, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Ujvagi, Wagner, Walcher, Webster, White, Widener, Widowfield, Willamowski, Williams, Wilson, Wolpert, Woodard, Yates, Young.

HONORING JEFFREY H. MANNING FOR HIS SERVICE TO THE  
OHIO HOUSE OF REPRESENTATIVES

GARY CATES,  
Vice Chair.

Representative Schlichter moved that rules and reference committee report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

#### MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on March 4, 2003, signed the following:

**S. J. R. No. 5**-Senator White, et al.,

**S. J. R. No. 6**-Senator White, et al.

On motion of Representative Schlichter, the House adjourned until Thursday, March 6, 2003 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.