

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**CORRECTED VERSION**  
**WEDNESDAY, MARCH 10, 2004**

ONE HUNDRED FIFTY-FIFTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, March 10, 2004 at 1:30 o'clock p.m.**

The House met pursuant to adjournment.

Prayer was offered by Father Rob Willmann of the St. Rose Catholic Church in New Lexington, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

The Mount Vernon Nazarene University women's soccer team received HR 198, presented by Representative Collier-90th district.

John Logue received HR 186, presented by Representative Chandler-68th district.

Heritage Middle School, guests of Representative Price-3rd district.

Briana Breckridge, a guest of Representative Price-3rd district.

Fran Wilson and Lisa Williamson, guests of Representatives Harwood-65th district and Sferra-64th district.

Charles Chandler, husband, Representative Chandler-68th district.

Joe Palmer, a guest of Representative Hartnett-73rd district.

Members of the Logan County Chamber of Commerce, guests of Representative Core-83rd district.

Joseph Jenkins, a guest of Representative C. Evans-87th district.

Debbie Westor, a guest of Representative Hollister-93rd district.

Yuvone Myers, Mary Ella Potter, Melissa Herr, John Marshall, George Carroll, and Sheila Perkins, guests of Representative Wilson-96th district.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 428**-Representatives Reidelbach, Seitz, Schaffer, McGregor, Flowers, Fessler, Brinkman, Wagner, C. Evans, Schmidt, Collier, Aslanides, Young, Price, Allen, Strahorn.

To amend sections 303.02, 503.29, 519.02, 2505.08, 2506.01, 2506.02, 2506.03, 2506.04, and 2907.01, to amend, for the purpose of adopting a new section number as indicated in parentheses, section 503.29 (503.53), to enact new sections 503.51 and 503.52 and sections 2506.05, 2506.06, 2506.07,

2506.08, 2907.38, 3768.01, 3768.02, 3768.03, 3768.04, 3768.05, 3768.06, and 3768.99, and to repeal sections 503.51, 503.52, 503.53, 503.54, 503.55, 503.56, 503.57, 503.58, 503.59, 503.65, and 503.99 of the Revised Code to generally regulate adult entertainment establishments; to permit townships to regulate the location and operation of those establishments; to create an expedited appeal from orders, adjudications, or decisions denying an application for, or suspending or revoking, a license or permit to locate or operate such an establishment; to create an expedited appeal in any case in which a court determines there is a threat of restraint of protected expression; and to create the offense of permitting unlawful operation of viewing booths depicting sexual conduct.

**H. B. No. 429**-Representatives Key, Price, Mason, Fessler, Seitz, Miller, Beatty, Barrett, Harwood, Strahorn, Brinkman.

To amend section 3905.14 and to enact section 4743.06 of the Revised Code to require certain occupational and professional licensing boards to grant a certificate, license, or permit to qualifying persons who have previously been convicted of or pleaded guilty to non-violent felony offenses or been adjudicated delinquent children for committing nonviolent offenses provided certain conditions are satisfied.

**H. B. No. 430**-Representatives Schneider, Schmidt, Schaffer, Reidelbach, Allen, Aslanides, Barrett, Fessler, DeBose, Kearns, Miller, McGregor, Strahorn, Willamowski, Sferra, Oelslager.

To amend section 4734.15 of the Revised Code regarding Medicaid coverage of chiropractic services.

**H. B. No. 431**-Representatives Schneider, Clancy, Peterson, Hollister, Schmidt, Seitz, Carmichael, Carano, Aslanides, Beatty, Flowers, Barrett, Daniels, Chandler, Gilb, Kearns, Koziura, McGregor, Miller, Olman, Strahorn, Skindell, Woodard, Sferra.

To amend sections 122.63, 149.43, 169.05, 173.08, 175.08, 175.09, 175.21, 175.22, 175.23, 175.24, 175.25, 175.26, 176.05, 176.06, 176.07, 319.63, and 1349.11, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 175.08 (175.09), 175.09 (175.10), 175.21 (174.02), 175.22 (174.03), 175.23 (174.04), 175.24 (174.05), 175.25 (174.06), and 175.26 (174.07), to enact new sections 175.01 to 175.08 and 175.11 to 175.13 and section 174.01, and to repeal sections 175.01, 175.02, 175.03, 175.04, 175.05, 175.06, 175.07, 175.10, 175.11, 175.12, 175.13, 175.14, and 175.15 of the Revised Code to remove the Ohio Housing Finance Agency from the Department of Development, making the Ohio Housing Finance Agency an independent agency, and to make other changes to the Ohio Housing Finance Agency Law.

**H. B. No. 432**-Representatives Webster, McGregor, Wolpert.

To amend sections 3714.01, 3714.02, and 3714.09, to enact new section 3714.07 and section 3714.021, and to repeal section 3714.07 of the Revised Code to replace the construction and demolition debris facility license fee with a fee on the disposal of construction and demolition debris at construction and demolition debris facilities and solid waste facilities, and to revise the definition of "construction and demolition debris."

Said bills were considered the first time.

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

Representative Woodard submitted the following report:

The standing committee on Finance and Appropriations to which was referred **Sub. S. B. No. 189**-Senator Harris, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CAPITAL REAPPROPRIATIONS FY 05-06

Representative Calvert moved to amend the title as follows:

Add the names: "Representatives Calvert, D. Evans, Flowers, Peterson."

CHARLES CALVERT  
JEAN SCHMIDT  
DALE MILLER  
CATHERINE L. BARRETT  
MERLE GRACE KEARNS  
DAVID R. EVANS  
SYLVESTER D. PATTON  
JAMES M. HOOPS  
FRED STRAHORN  
SHAWN N. WEBSTER  
DIXIE J. ALLEN  
WILLIAM J. HARTNETT  
JIM HUGHES  
KEITH L. FABER  
LARRY L. FLOWERS

KEVIN DEWINE  
JON M. PETERSON  
JOYCE BEATTY  
PATRICIA M. CLANCY  
CLYDE EVANS  
TONY CORE  
TOM RAGA  
EDWARD JERSE  
JON A. HUSTED  
CHARLES A. WILSON  
JIMMY STEWART  
JAMES PETER TRAKAS  
CLAUDETTE J. WOODARD  
JOHN SCHLICHTER

The following member voted "NO"

PETER UJVAGI

The report was agreed to.

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

Representative Book submitted the following report:

The standing committee on Civil and Commercial Law to which was referred **H. B. No. 316**-Representative Wolpert, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PRISON WORK DETAILS/CITY OFFICERS IMMUNITY

Representative Seitz moved to amend the title as follows:

Add the names: "Seitz, Latta, Widener."

WILLIAM J. SEITZ  
ROBERT E. LATTA  
TODD BOOK  
JAMIE CALLENDER

CHRIS WIDENER  
JOHN R. WILLAMOWSKI  
SANDRA STABILE HARWOOD  
TONY CORE

The following members voted "NO"

JOYCE BEATTY

LANCE T. MASON

The report was agreed to.

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

Representative Book submitted the following report:

The standing committee on Civil and Commercial Law to which was referred **H. B. No. 350**-Representative Gibbs, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FOOD SUPPLIERS - IMMUNITY - OBESITY CLAIMS

Representative Seitz moved to amend the title as follows:

Add the names: "Seitz, Widener, Latta, Core, Willamowski, Book."

WILLIAM J. SEITZ  
CHRIS WIDENER  
ROBERT E. LATTA  
LANCE T. MASON  
SANDRA STABILE HARWOOD

JAMIE CALLENDER  
TONY CORE  
JOHN R. WILLAMOWSKI  
TODD BOOK  
JOYCE BEATTY

The report was agreed to.

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

Representative D. Stewart submitted the following report:

The standing committee on State Government to which was referred **H. C. R. No. 40**-Representative Taylor, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: "PORTAGE LAKES PURPLE MARTIN CAPITAL"

KEVIN DEWINE  
DAN STEWART  
STEPHEN BUEHRER  
JIM CARMICHAEL

LARRY L. FLOWERS  
ANNIE L. KEY  
PATRICIA M. CLANCY

The report was agreed to.

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

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. 399 - Representative Skindell, et al**

TO REQUIRE APPLICANTS FOR CHIP, DISABILITY MEDICAL ASSISTANCE, AND MEDICAID TO PROVIDE INFORMATION ABOUT THEIR EMPLOYERS AND TO REQUIRE AN ANNUAL REPORT IDENTIFYING THE EMPLOYERS

To the committee on Health

**H.B. No. 400 - Representative Setzer, et al**

TO EXPAND THE TIME IN WHICH A SEARCH WARRANT MUST BE RETURNED IN THE INVESTIGATION OF AN OFFENSE OF IMPORTUNING BY MEANS OF A TELECOMMUNICATIONS DEVICE

To the committee on Criminal Justice

**H.B. No. 401 - Representative Raga**

TO INCREASE THE PENALTIES FOR THE OFFENSE OF PASSING BAD CHECKS, TO EXPAND THE OFFENSE TO APPLY TO ELECTRONIC TRANSACTIONS, AND TO INCLUDE IN THE OFFENSE A PROVISION REGARDING STOP PAYMENT ORDERS ON CHECKS

To the committee on Criminal Justice

**H.B. No. 402 - Representative Fessler, et al**

TO PROVIDE THAT THE PARENTS OF A CHILD'S DECEASED PARENT DO NOT BECOME LEGAL STRANGERS TO THE CHILD WHEN THE CHILD IS ADOPTED BY A STEPPARENT

To the committee on Juvenile and Family Law

**H.B. No. 403 - Representative Callender**

TO ADOPT THE AMERICAN TOAD AS THE STATE AMPHIBIAN

To the committee on State Government

**H.B. No. 404 - Representative Callender** TO INCREASE THE TOTAL INCOME BRACKETS USED TO DETERMINE ELIGIBILITY FOR THE HOMESTEAD EXEMPTION AND TO INCREASE THE REDUCTIONS IN

## TAXABLE VALUE OF PROPERTY ELIGIBLE FOR THAT EXEMPTION

To the committee on Ways and Means

**H.B. No. 405 - Representative Grendell, et al**

TO CREATE "ARMED FORCES EXPEDITIONARY MEDAL" LICENSE PLATES

To the committee on Transportation and Public Safety

**H.B. No. 406 - Representative Wagner, et al**

TO PROHIBIT THE USE OR POSSESSION OF A MOBILE INFRARED TRANSMITTER UNDER CERTAIN CONDITIONS

To the committee on Criminal Justice

**H.B. No. 407 - Representative Gibbs, et al**

TO IMPOSE CONDITIONS FOR ENTERING INTO THE STREAMLINED SALES AND USE TAX AGREEMENT AND TO CHANGE THE NEW SALES TAX SOURCING PROVISIONS THAT ARE INTENDED TO TAKE EFFECT JANUARY 1, 2005

To the committee on Ways and Means

**H.B. No. 408 - Representative Taylor**

TO EXEMPT FROM THE SALES TAX MASSAGE THERAPY THAT IS PROVIDED BY AN INDIVIDUAL WHO HOLDS A CERTIFICATE TO PRACTICE MASSAGE THERAPY

To the committee on Ways and Means

**H.B. No. 409 - Representative S. Smith, et al**

TO CLASSIFY FORMALDEHYDE AS A HARMFUL INTOXICANT

To the committee on Criminal Justice

**H.B. No. 410 - Representative Trakas, et al**

TO INCREASE THE PENALTIES FOR CERTAIN DRUG OFFENSES WHEN THE OFFENSE IS COMMITTED IN THE VICINITY OF A DRUG REHABILITATION, TREATMENT, OR COUNSELING FACILITY

To the committee on Criminal Justice

**H.B. No. 411 - Representative Seitz, et al**

TO ALLOW A COUNTY, MUNICIPAL CORPORATION, CONSERVANCY DISTRICT, SANITARY DISTRICT, COUNTY SEWER DISTRICT, OR REGIONAL WATER AND SEWER DISTRICT TO APPROPRIATE LAND WITHOUT A PRIOR JURY ASSESSMENT FOR THE CONSTRUCTION OF SEWERS WHEN THE DIRECTOR OF ENVIRONMENTAL PROTECTION OR A LOCAL BOARD OF HEALTH FINDS THAT UNSANITARY CONDITIONS COMPEL THE IMMEDIATE CONSTRUCTION OF THE SEWERS FOR THE PROTECTION OF THE PUBLIC HEALTH AND WELFARE; TO REVISE THE RULEMAKING AUTHORITY OF A BOARD OF COUNTY COMMISSIONERS THAT ADOPTS RULES GOVERNING EROSION CONTROL, SEDIMENT CONTROL, AND WATER MANAGEMENT; TO ESTABLISH A PENALTY FOR VIOLATION OF THOSE RULES; TO AUTHORIZE A

BOARD OF COUNTY COMMISSIONERS THAT HAS ESTABLISHED A COUNTY SEWER DISTRICT TO ADOPT RULES GOVERNING THE PREVENTION OF SEWER BACK-UPS; AND TO REQUIRE HEALTH DISTRICT LICENSING COUNCILS TO MEET AT LEAST ANNUALLY RATHER THAN QUARTERLY

To the committee on County and Township Government

**H.B. No. 412 - Representative Jerse, et al**

TO AMEND SECTION 31 OF AM. SUB. H.B. 95 OF THE 125TH GENERAL ASSEMBLY AND TO MAKE A SUPPLEMENTAL APPROPRIATION FOR THE ADJUTANT GENERAL IN FISCAL YEAR 2004

To the committee on Finance and Appropriations

**H.B. No. 413 - Representative Peterson, et al**

TO ESTABLISH THE COMMUNITY TECHNOLOGY CENTER GRANT PROGRAM IN THE DEPARTMENT OF DEVELOPMENT

To the committee on Economic Development and Technology

**H.B. No. 414 - Representative Core, et al**

TO PROVIDE FOR THE ESTABLISHMENT OF AGRICULTURAL SECURITY AREAS, TO LIMIT DEVELOPMENT WITHIN THOSE AREAS, AND TO PROVIDE THE OPPORTUNITY FOR CERTAIN TAX EXEMPTIONS FOR LAND WITHIN THOSE AREAS

To the committee on Agriculture and Natural Resources

**H.B. No. 415 - Representative Faber, et al**

TO REQUIRE SCHOOL DISTRICTS AND COMMUNITY SCHOOLS TO DISPLAY THE MOTTOES OF THE UNITED STATES OF AMERICA AND THE STATE OF OHIO IN EACH SCHOOL BUILDING

To the committee on Education

**H.B. No. 416 - Representative C. Evans, et al**

TO DESIGNATE THE PORTION OF UNITED STATES ROUTE 35 WITHIN GALLIA COUNTY THE "BOB EVANS HIGHWAY."

To the committee on Transportation and Public Safety

**H.B. No. 417 - Representative DeGeeter**

TO ALLOW A TRIER OF FACT IN A PROSECUTION FOR PANDERING SEXUALLY ORIENTED MATTER INVOLVING A MINOR TO CONSIDER DIGITAL IMAGES, COMPUTER IMAGES, OR COMPUTER-GENERATED IMAGES AS VISUAL REPRESENTATIONS OF A MINOR

To the committee on Criminal Justice

**H.B. No. 418 - Representative Wolpert, et al**

TO PERMIT CERTAIN SCHOOL DISTRICTS EXPERIENCING HIGH GROWTH IN STUDENT ENROLLMENT TO RECEIVE ASSISTANCE UNDER THE CLASSROOM FACILITIES ASSISTANCE PROGRAM EARLIER THAN THEY OTHERWISE WOULD BE ELIGIBLE, TO



ELIMINATE THE REQUIREMENT THAT SUCH HIGH-GROWTH SCHOOL DISTRICTS LEVY A TAX FOR MAINTENANCE OF CLASSROOM FACILITIES ACQUIRED WITH STATE ASSISTANCE, AND TO REDUCE THE MAXIMUM SCHOOL DISTRICT SHARE OF THE COST OF ANY PROJECT UNDER THE CLASSROOM FACILITIES ASSISTANCE PROGRAM TO NINETY PER CENT

To the committee on Education

**H.B. No. 419 - Representative J. Stewart**

TO ADOPT THE PAWPAW AS THE STATE FRUIT

To the committee on State Government

**H.B. No. 420 - Representative T. Patton**

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 Banking, Pensions, and Securities

**H.B. No. 421 - Representative Schlichter, et al**

TO REVISE THE STATUTES GOVERNING THE AGRICULTURAL COMMODITY DEPOSITORS FUND

To the committee on Agriculture and Natural Resources

**Sub. S.B. No. 102 - Senator Wachtmann, et al**

TO ESTABLISH THE OHIO MANUFACTURED HOMES COMMISSION TO REGULATE THE INSTALLATION OF MANUFACTURED HOUSING IN OHIO

To the committee on Commerce and Labor

**Sub. S.B. No. 106 - Senator Carey, et al**

TO MODIFY AGENCY RELATIONSHIPS BETWEEN REAL ESTATE LICENSEES AND CUSTOMERS, INCLUDING DISCLOSURES MADE TO CUSTOMERS, TO ESTABLISH A PENALTY FOR NONCOMPLIANCE WITH DISCLOSURE REQUIREMENTS, AND TO MAKE OTHER CHANGES TO THE REAL ESTATE BROKER LAW

To the committee on Commerce and Labor

**Sub. S.B. No. 115 - Senator Robert Gardner**

TO CHANGE THE DEFINITION OF "SUBDIVISION" IN THE PLATTING LAW, TO CHANGE THE PROCEDURE FOR THE APPROVAL OF PLATS BY COUNTY OR REGIONAL PLANNING COMMISSIONS, TO PROVIDE DIFFERENT METHODS FOR IMPLEMENTING THE STATUTE AUTHORIZING THE APPROVAL OF CERTAIN SUBDIVISIONS WITHOUT THE SUBMISSION OF A PLAT, AND TO PERMIT THE PAYMENT OF COMPENSATION TO THE APPOINTIVE

## MEMBERS OF COUNTY OR REGIONAL PLANNING COMMISSIONS

To the committee on County and Township Government

**Sub. S.B. No. 137 - Senator Wachtmann, et al**

TO CHANGE THE STATUS OF THE JUDGE OF THE NAPOLEON MUNICIPAL COURT FROM PART-TIME TO FULL-TIME, TO CREATE THE DARKE COUNTY MUNICIPAL COURT ON JANUARY 1, 2005, TO ESTABLISH ONE FULL-TIME JUDGESHIP IN THAT COURT, TO ABOLISH THE DARKE COUNTY COUNTY COURT ON THAT DATE, AND TO DECLARE AN EMERGENCY

To the committee on Judiciary

**Sub. S.B. No. 144 - Senator Austria, et al**

TO EXPAND THE CRIMINAL OFFENSE OF "DISSEMINATING MATTER HARMFUL TO JUVENILES" TO ALSO PROHIBIT SELLING, PROVIDING, PRESENTING, ETC., A PREPAID ADULT ENTERTAINMENT CARD TO A JUVENILE; TO PROHIBIT PUBLIC LIBRARIES FROM USING STATE MONEY OR MONEY FROM A COUNTY LIBRARY AND LOCAL GOVERNMENT SUPPORT FUND FOR INTERNET ACCESS PURPOSES UNLESS THEY INSTALL SPECIFIED TYPES OF FILTERING DEVICES OR FILTERING SOFTWARE AND REQUIRE PARENTAL APPROVAL FOR A JUVENILE TO BORROW LIBRARY VIDEO MATERIALS; TO ALLOW A PUBLIC LIBRARY OR ITS PERSONNEL TO DISABLE THE FILTERING DEVICES OR SOFTWARE TO ENABLE A PERSON TO HAVE FULL ACCESS TO A COMPUTER FOR SPECIFIED PROPER PURPOSES; AND TO MAKE FUNDING OF ANY PUBLIC LIBRARY WITH STATE MONEY OR MONEY FROM A COUNTY LIBRARY AND LOCAL GOVERNMENT SUPPORT FUND CONTINGENT UPON ITS COMPLIANCE WITH THE FILTER, NOTICE, AND PARENTAL APPROVAL REQUIREMENTS AS TO USE OF PRIOR STATE MONEY OR MONEY FROM THE FUND

To the committee on Juvenile and Family Law

**Sub. S.B. No. 164 - Senator Schuler, et al**

TO REMOVE UNDER SPECIFIED CONDITIONS THE PROHIBITION AGAINST ALLOWING LIQUOR AGENCY STORES TO SELL SPIRITUOUS LIQUOR ON SUNDAY

To the committee on State Government

**Am. S.B. No. 180 - Senator Hottinger**

TO ADD ONE ADDITIONAL JUDGE FOR THE DOMESTIC RELATIONS DIVISION OF THE LICKING COUNTY COURT OF COMMON PLEAS TO BE ELECTED IN 2004, AND TO DECLARE AN EMERGENCY

To the committee on Judiciary

**Sub. S.B. No. 189 - Senator Harris, et al**

TO MAKE CAPITAL REAPPROPRIATIONS FOR THE BIENNIUM ENDING JUNE 30, 2006, TO MAKE CERTAIN SUPPLEMENTAL AND

CAPITAL APPROPRIATIONS, AND TO PROVIDE AUTHORIZATION  
AND CONDITIONS FOR THE OPERATION OF STATE PROGRAMS  
To the committee on Finance and Appropriations

LARRY HOUSEHOLDER  
CHARLES CALVERT  
PATRICIA M. CLANCY  
JIM HUGHES  
JON M. PETERSON  
JAMES PETER TRAKAS  
DIXIE J. ALLEN  
KENNETH A. CARANO  
CHARLES A. WILSON

GARY W. CATES  
JIM CARMICHAEL  
LARRY L. FLOWERS  
THOMAS F. PATTON  
JOHN SCHLICHTER  
KATHLEEN WALCHER  
JOYCE BEATTY  
ROBERT J. OTTERMAN

Representative Cates 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 the 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 and Senate Bills 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. 189 - Representative Book HONORING JAKE PORTER AS THE RECIPIENT OF A 2003 ESPY AWARD**

Add the names: "Allen, Beatty, Schlichter"

**H.R. No. 190 - Representative Book**

HONORING BRIAN GAHM AS A 2003 INTERNATIONAL HOTROD ASSOCIATION WORLD CHAMPION

Add the names: "Allen, Beatty, Carano, Hughes, Walcher, Wilson"

**H.R. No. 191 - Representative Buehrer**

HONORING AUSTIN-NICHOLE ZACHRICH AS A 2004 PRUDENTIAL SPIRIT OF COMMUNITY AWARD STATE HONOREE

**H.R. No. 196 - Representative Hartnett**

HONORING LINDSEY BRENKUS AS A 2004 PRUDENTIAL SPIRIT OF COMMUNITY AWARD STATE HONOREE

Add the name: "Carano"

**H.R. No. 197 - Speaker Householder**

HONORING THE OHIO MILITARY HALL OF FAME ON THE  
OCCASION OF ITS FIFTH ANNUAL INDUCTION CEREMONY

Add the names: "Allen, Beatty, Carano, Calvert, Cates, Flowers, Hughes,  
Otterman, T. Patton, Schlichter, Trakas, Schlichter, Walcher, Wilson"

**H.R. No. 198 - Representative Collier**

HONORING THE MOUNT VERNON NAZARENE UNIVERSITY  
WOMEN'S SOCCER TEAM ON WINNING THE 2003 NATIONAL  
CHRISTIAN COLLEGE ATHLETIC ASSOCIATION CHAMPIONSHIP

Add the names: "Allen, Hughes, Walcher"

/s/ LARRY HOUSEHOLDER

Larry Householder, Chair

Representative Cates moved that the Rules and Reference Committee  
Report on resolutions be agreed to and that the resolutions contained therein  
be approved.

The motion was agreed to.

Representative Trakas moved that majority party members asking leave to  
be absent or absent the week of Tuesday, March 9, 2004, be excused, so long  
as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Miller moved that minority party members asking leave to  
be absent or absent the week of Tuesday, March 9, 2004, be excused, so long  
as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative Wilson reported for the Rules and Reference Committee  
recommending that the following House Resolution be read and approved:

**H.R. No. 195 - Speaker Householder, Representatives Redfern, Allen,  
Aslanides, Barrett, Beatty, Blasdel, Boccieri, Book, Brinkman, Brown,  
Buehrer, Callender, Calvert, Carano, Carmichael, Cates, Chandler,  
Cirelli, Clancy, Collier, Combs, Core, Daniels, DeBose, DeGeeter,  
DeWine, Distel, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fessler,  
Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Harwood, Hollister,  
Hoops, Hughes, Husted, Jerse, Kearns, Key, Kilbane, Koziura, Latta,  
Martin, 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**

IN MEMORY OF FRANCES MCGOVERN

/s/ LARRY HOUSEHOLDER

Larry Householder, Chair

Representative Cates moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be brought up for immediate adoption, read in full, and spread upon the pages of the journal.

The motion was agreed to without objection.

The question being on the adoption of the resolution, reading as follows:

**H. R. No. 195**—Speaker Householder, Representatives Redfern, Allen, Aslanides, Barrett, Beatty, Blasdel, Boccieri, Book, Brinkman, Brown, Buehrer, Callender, Calvert, Carano, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fessler, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Harwood, Hollister, Hoops, Hughes, Husted, Jerse, Kearns, Key, Kilbane, Koziura, Latta, Martin, 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.

In memory of Frances McGovern.

*WHEREAS, The members of the House of Representatives of the 125th General Assembly of Ohio were deeply saddened to learn of the death of Frances McGovern and extend our heartfelt condolences to her family and friends; and*

*WHEREAS, Frances McGovern left an indelible impression on the people whose lives she touched, and she will be remembered as a spirited individual who contributed immeasurably to the world around her. A member of the Ohio House of Representatives for three terms in the 1950s, she later became the first woman to chair the Public Utilities Commission of Ohio, and she was an attorney for Motz, Morris, Wilson, and Quine and for the Ohio Edison Company, from which she retired in 1989. In addition, she was an author and an active participant with the Summit County Charter Commission, the United Way of Summit County, and the boards of the Ohio Historical Society and Progress Through Preservation, and she received the 1960 Ohio Democratic Woman of the Year Award and a 1998 Woman of the Year Award from the Women's History Project of Summit County; and*

*WHEREAS, Frances McGovern's regard for improving the quality of life in our society was clearly evident in her personal sacrifices of time and effort to her family, friends, and community, and she will be remembered for her generosity, talents, and seemingly inexhaustible energy. She displayed exceptional concern and insight in all of her endeavors, and her absence will be keenly felt; and*

*WHEREAS, Frances McGovern always used her talents to the benefit of others, and the warmth and understanding she readily extended to those around her will stand as a testament to her personal character. Although the void her death has created can never be filled, the legacy of care and commitment she established will surely live on; therefore be it*

*RESOLVED, That we, the members of the House of Representatives of the 125th General Assembly of Ohio, in adopting this Resolution, express a profound sense of loss and sincere regret at the death of Frances McGovern and, in so doing, pay tribute to the memory of a truly unique individual; and be it further*

*RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of Frances McGovern.*

The resolution was adopted.

Representative Cates moves that **H.R. No. 174** - Speaker Householder, Representative Redfern, be brought up for immediate adoption, read by title only and spread upon the pages of the journal.

The motion was agreed to without objection.

The question being on the adoption of the resolution, reading as follows:

**H. R. No. 174**-Speaker Householder, Representative Redfern.

Relative to travel allowance.

*RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay the following named persons travel allowance for mileage as provided by section 101.27 of the Revised Code:*

NAME	DISTRICT	MILEAGE ROUND TRIP
John Boccieri	#61	362
Courtney Combs	#54	220
Timothy J. DeGeeter	#15	274.6
Timothy J. Grendell	#98	309.24
Marilyn Slaby	#41	260

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Book	Brinkman	Brown	Buehrer
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Distel
Domenick	Driehaus	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted

Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Sferra	Skindell
Slaby	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Wilson	Wolpert	Woodard
Yates			Householder-94.

The resolution was adopted.

### BILLS FOR THIRD CONSIDERATION

**Sub. S. B. No. 58**-Senators Jacobson, Stivers, Goodman, Armbruster, Harris, Carey, Brady, Fingerhut, Hottinger, Austria, Carnes, Dann, Randy Gardner, Hagan, Miller, Mumper, Roberts, Zurz. -Representatives Willamowski, Gilb, Brown, Latta, Callender, Grendell.

To amend sections 2919.22, 2925.04, and 2925.041 of the Revised Code to increase the penalties for certain drug offenses if the offense is committed in the vicinity of a school or in the vicinity of a juvenile and to expand the offense of endangering children to prohibit allowing children to be within the vicinity of certain drug offenses, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Latta moved to amend as follows:

Delete lines 44 through 46

In line 47, delete "Code" and insert:

"(6) Allow the child to be on the same parcel of real property and within one hundred feet of, or, in the case of more than one housing unit on the same parcel of real property, in the same housing unit and within one hundred feet of, any act in violation of section 2925.04 or 2925.041 of the Revised Code when the person knows that the act is occurring, whether or not any person is prosecuted for or convicted of the violation of section 2925.04 or 2925.041 of the Revised Code that is the basis of the violation of this division"

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

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	Brinkman	Brown
Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Distel	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hartnett
Harwood	Hollister	Hoops	Hughes
Husted	Jerse	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	Otterman	Patton S.
Patton T.	Perry	Peterson	Price
Raga	Raussen	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	Brinkman	Brown
Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Distel	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hartnett
Harwood	Hollister	Hoops	Hughes
Husted	Jerse	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	Otterman	Patton S.
Patton T.	Perry	Peterson	Price
Raga	Raussen	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner



Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative Latta moved to amend the title as follows:

Add the names: "Representatives Allen, Aslanides, Beatty, Book, Buehrer, Calvert, Carmichael, Cates, Cirelli, Collier, Core, Daniels, DeBose, DeGeeter, Distel, Domenick, Driehaus, C. Evans, D. Evans, Flowers, Hartnett, Harwood, Hughes, Martin, McGregor, Niehaus, Oelslager, Olman, Otterman, T. Patton, Price, Raga, Reidelbach, Schaffer, Schlichter, Schmidt, Seaver, Setzer, Sferra, Slaby, G. Smith, J. Stewart, Strahorn, Taylor, Walcher, White, Widener, Woodard, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 350**-Representatives Gibbs, Wagner, Setzer, Seitz, Husted, Williams, Hollister, Young, C. Evans, Webster, Hagan, Martin, Aslanides, McGregor, Collier, Allen, Raussen, Faber, Schaffer, Seaver, Widener, Latta, Core, Willamowski, Book.

To amend sections 1533.18 and 2323.51 and to enact sections 901.52, 1519.07, and 2305.36 of the Revised Code to provide qualified immunity from civil damages for food manufacturers, sellers, and trade associations for claims resulting from a person's cumulative consumption, obesity, or weight gain or any health condition related to cumulative consumption, obesity, or weight gain; to prohibit imputing any assurances or assumption of liability regarding public access to premises used for growing agricultural produce; to preclude assumption of liability regarding the use of recreational trails; and to modify the provisions on frivolous conduct in filing civil actions, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Skindell moved to amend as follows:

In line 16, delete "and"; after "2305.36" insert ", and 3717.53"

Between lines 308 and 309, insert:

**Sec. 3717.53. (A) As used in this section:**

(1) "Chain restaurant" means a food service operation that is one of at least ten food service operations in the United States and at least five food service operations in this state that do business as food service operations under common ownership or under the same trade name and that offer predominantly the same types of meals or food and predominantly the same types of menus.

(2) "Food service operation" has the same meaning as in section 3717.01 of the Revised Code. "Food service operation" does not include a catering food service operation, food delivery sales operation, mobile food service operation, seasonal food service operation, temporary food service operation, or vending machine location, as those terms are defined in section 3717.01 of the Revised Code.

(3) "Nutritional information" means the total number of calories, total grams of saturated fat, total grams of trans fat, total grams of carbohydrates, and total milligrams of sodium per serving of a food or beverage item.

(B)(1) No person that owns or operates a chain restaurant shall fail to disclose in a clear and conspicuous manner, as provided in division (B)(1) of this section, the nutritional information per serving of each food or beverage item as usually prepared and offered for sale in the restaurant. The nutritional information shall be located adjacent to each food or beverage item listed on the standard printed menu of the chain restaurant. If the chain restaurant uses only menu boards or similar signs listing each food or beverage item that is offered for sale, the nutritional information shall be located adjacent to each food or beverage item listed on the menu board or similar sign.

(2) The disclosure of nutritional information pursuant to division (B)(1) of this section may include a disclaimer that acknowledges that there may be minimal variations in nutritional content across servings of the food or beverage item, based on slight variations in overall size and quantities of the ingredients of the food or beverage item, or based on a customer's special order regarding the preparation of the food or beverage item other than its usual preparation.

(3) Nothing in this section prohibits any owner or operator of a chain restaurant from providing any other information regarding nutritional content, in addition to the nutritional information provided in division (B)(1) of this section, pertaining to any food or beverage item that is offered for sale in the restaurant.

(C) Division (B)(1) of this section does not apply to any food or beverage item that is offered for sale at a chain restaurant and the preparation of which, at the request of a customer, is modified from the restaurant's usual preparation of the food or beverage.

(D) Any owner or operator of a chain restaurant that violates any provision of this section is subject to a civil penalty in the amount of two hundred fifty dollars for each violation.

(E) The director of the department of health shall promulgate rules pursuant to Chapter 119. of the Revised Code to implement the provisions of this section."

In line 2 of the title, delete "and"; after "2305.36" insert ", and 3717.53"

In line 13 of the title, delete "and"

In line 14 of the title, after "actions" insert "; and to require chain

restaurants to disclose the nutritional information of each food or beverage item prepared and offered for sale in the restaurant"

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

Representative Faber moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 68, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Buehrer	Callender
Calvert	Carano	Carmichael	Cates
Clancy	Collier	Combs	Core
Daniels	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Hagan	Hollister	Hoops	Hughes
Husted	Kearns	Kilbane	Koziura
Latta	Martin	McGregor	Niehaus
Oelslager	Patton T.	Peterson	Raga
Raussen	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Sferra	Slaby
Smith G.	Stewart J.	Taylor	Trakas
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Yates	Young	Householder-68.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Book
Brinkman	Brown	Chandler	Cirelli
DeBose	DeGeeter	Hartnett	Harwood
Jerse	Key	Mason	Miller
Olman	Otterman	Patton S.	Perry
Price	Skindell	Smith S.	Stewart D.
Strahorn	Sykes	Ujvagi	Woodard-28.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 89, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	Brinkman	Brown
Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Distel	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hartnett

Harwood	Hollister	Hoops	Hughes
Husted	Jerse	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Niehaus	Oelslager
Oلمان	Otterman	Patton S.	Patton T.
Perry	Peterson	Raga	Rausen
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Slaby	Smith G.
Smith S.	Stewart D.	Stewart J.	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Wilson	Wolpert	Young
			Householder-89.

Representatives Miller, Price, Skindell, Strahorn, Sykes, Woodard, and Yates voted in the negative-7.

The bill passed.

Representative Gibbs moved to amend the title as follows:

Add the names: "Buehrer, Calvert, Carmichael, Cates, Clancy, Daniels, Distel, Domenick, D. Evans, Flowers, Gilb, Harwood, Hoops, Hughes, Niehaus, T. Patton, Peterson, Raga, Reidelbach, Reinhard, Schlichter, Schneider, Sferra, G. Smith, J. Stewart, Taylor, Trakas, Walcher, White, Wilson, Wolpert."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Cates, the House recessed.

The House met pursuant to recess.

Representative Trakas 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 be considered for the second time and referred to the following committees for consideration:

**H.B. No. 422 - Representative Carano, et al**  
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 State Government

**H.B. No. 423 - Representative Webster, et al**

TO REQUIRE PARENTS IN A PROCEEDING FOR A DIVORCE, DISSOLUTION OF MARRIAGE, LEGAL SEPARATION, ANNULMENT, OR ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES TO CONSIDER THE COST OF EACH CHILD'S POSTSECONDARY EDUCATION

To the committee on Juvenile and Family Law

**H.B. No. 424 - Representative McGregor, et al**

TO REQUIRE THE SUPERINTENDENT OF INDUSTRIAL COMPLIANCE TO REGULATE ELEVATOR MECHANICS AND ELEVATOR CONTRACTORS AND TO MAKE CHANGES TO THE LAWS GOVERNING ELEVATOR SERVICING AND INSPECTIONS

To the committee on Commerce and Labor

**H.B. No. 425 - Representative J. Stewart, et al**

TO REMOVE CURRENT LIMITS ON MINE SUBSIDENCE COVERAGE AND CHANGE PROVISIONS GOVERNING DEDUCTIBLES, TO REMOVE THE CAP ON THE AMOUNT OF REINSURANCE COVERAGE THAT THE MINE SUBSIDENCE UNDERWRITING ASSOCIATION MAY OFFER, TO END THE ANNUAL DISTRIBUTION OF EXCESS MONEYS IN THE MINE SUBSIDENCE INSURANCE FUND TO POLICYHOLDERS, TO PERMIT A REPRESENTATIVE TO BE ELECTED TO THE MINE INSURANCE GOVERNING BOARD WITHOUT A MEETING OF THE MEMBERS, AND TO SPECIFY THE OHIO COUNTIES IN WHICH MINE SUBSIDENCE INSURANCE MUST BE OFFERED IN CONNECTION WITH PROPERTY AND HOMEOWNERS INSURANCE

To the committee on Energy and Environment

**H.B. No. 426 - Representative Ujvagi, et al**

TO PROHIBIT A RETAIL SELLER IN A RETAIL INSTALLMENT CONTRACT FROM CHARGING OR COLLECTING MORE THAN A SIX PER CENT ANNUAL PERCENTAGE RATE ON CONTRACTS WITH RETAIL BUYERS WHO ARE DEPLOYED ON ACTIVE DUTY; TO PERMIT A CHILD WHOSE PARENT IS DEPLOYED ON ACTIVE DUTY TO CONTINUE TO ATTEND SCHOOL IN THE DISTRICT IN WHICH THE CHILD'S PARENT LIVED BEFORE BEING CALLED TO ACTIVE MILITARY DUTY; TO PROHIBIT THE EVICTION OF A TENANT WHO IS DEPLOYED ON ACTIVE DUTY OR A MEMBER OF HIS OR HER IMMEDIATE FAMILY FROM RESIDENTIAL PREMISES; TO ENSURE THAT LIFE INSURANCE POLICIES CONTINUE IN FORCE DESPITE NONPAYMENT OF PREMIUMS DURING THE INSURED'S PERIOD OF ACTIVE DUTY; TO PROHIBIT DISCRIMINATION UNDER THE OHIO CIVIL RIGHTS COMMISSION LAW AND CERTAIN OTHER LAWS ON THE BASIS OF MILITARY STATUS; TO PROHIBIT A GAS OR ELECTRIC COMPANY FROM DISCONNECTING SERVICE TO THE

RESIDENTIAL PREMISES OF ANY CONSUMER WHO IS DEPLOYED ON ACTIVE DUTY; TO REQUIRE PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION TO GRANT A MILITARY LEAVE OF ABSENCE TO STUDENTS WHO ARE DEPLOYED ON ACTIVE DUTY, TO REINSTATE THOSE STUDENTS TO THE SAME EDUCATIONAL STATUS AS BEFORE ACTIVE DUTY, AND TO EITHER PARTIALLY REFUND PAID TUITION OR CREDIT PAID TUITION TO A FUTURE ACADEMIC TERM; TO PERMIT A PERSON DEPLOYED ON ACTIVE DUTY TO TERMINATE A MOTOR VEHICLE LEASE OR CELLULAR PHONE CONTRACT UNDER SPECIFIED CONDITIONS; AND TO ESTABLISH A VOLUNTARY, STATE-SPONSORED "PATRIOT DISCOUNT CARD" PROGRAM TO PROVIDE REDUCED PRICE DISCOUNTS FOR MERCHANDISE AND SERVICES FOR MILITARY PERSONNEL

To the committee on State Government

**H.B. No. 427 - Representative Martin**

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 CREATE THE JOB DEVELOPMENT INITIATIVES FUND AND TRANSFER UP TO \$25.8 MILLION OF UNCLAIMED FUNDS TO IT; AND TO MAKE APPROPRIATIONS

To the committee on Finance and Appropriations

Representative Trakas 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 House Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

**MOTIONS AND RESOLUTIONS**

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

**H.R. No. 199 - Representative J. Stewart**

HONORING THE GLOUSTER BOXING CLUB KICKBOXING TEAM AS THE NATIONAL KICKBOXING CHAMPION

/s/ LARRY HOUSEHOLDER  
Larry Householder

Representative Trakas moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be approved.

The motion was agreed to.

On motion of Representative Trakas, the House adjourned until Thursday, March 11, 2004 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.