

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, APRIL 21, 2004

ONE HUNDRED SIXTY-NINTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, April 21, 2004 at 1:30 o'clock p.m.**

The House met pursuant to adjournment.

Prayer was offered by Pastor James L. Meredith of the Groveport United Methodist Church in Groveport, 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 Ohio State University synchronized swimming team received H.R. 219, presented by Representative G. Smith-24th district.

Members of the 2004 All-Ohio Academic Team, the Ohio Association of Community Colleges, and the Honda of America Mfg. Inc., guests of Speaker Householder-91st district.

Dick Childs and Clayton White, guests of Representative Beatty-27th district.

Kevin Freitag, a guest of Representative Barrett-32nd district.

Stephanie Purtell, a guest of Representative Schneider-35th district.

Fourth grade students from Versailles and Franklin Monroe schools, guests of Representative Faber-77th district.

Kim Dickman and Wendy Bookmyer, guests of Representative Wagner-81st district.

Charlotle Good, Kristy, Betty, Darrel, Linda and Misty Pucket, guests of Representative C. Evans-87th district.

Joe Shemasek, Eliza Kelley, Jeff and Jay Foster, Barb Yaussy, Eunice Lincoff, Ed Zotto, Thomas Dulaney, Mary Beth Ruthem, Ray Cummiskey, Kevin, Dawna, and Daniel Kale, Anna D'Andrea, Ann Koon, and Dr. Laura Meeks, guests of Representatives Wilson-96th district and Domenick-95th district.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 468**-Representatives J. Stewart, Aslanides, D. Evans, Hughes, Latta, Olman, Schaffer, Schmidt, Seaver, Seitz.

To amend sections 145.30, 145.301, 3307.58, 3307.751, and 3309.021 of the Revised Code to permit a member of the Public Employees Retirement System to purchase military service credit for inactive duty in the Ohio National Guard or reserves.

**H. B. No. 469**-Representatives J. Stewart, Aslanides, Seitz, Fessler.

To enact section 145.202 of the Revised Code to permit a member of the Public Employees Retirement System (PERS) who serves without compensation as an elected member of a board, commission, or other public body while employed in a position covered by PERS to purchase additional service credit.

**H. B. No. 470**-Representatives G. Smith, Webster, D. Evans, Allen, Grendell, McGregor, Wolpert, Peterson, Kearns, Flowers.

To amend sections 119.01, 135.03, 135.06, 135.08, 135.14, 135.32, 135.35, 135.37, 135.52, 135.53, 1317.01, 1345.01, 1733.01, 1733.04, 1733.05, 1733.16, 1733.22, 1733.24, 1733.25, 1733.29 to 1733.33, 1733.37, 1733.38, 1733.412, 1733.44, 2101.161, 2105.31, 2109.13, 2109.28, 2109.372, 2109.41, 4705.09, and 4973.17, to enact sections 1733.043, 1733.044, and 1733.045, and to repeal section 1733.251 of the Revised Code to authorize credit unions to be fiduciaries and establish and maintain trust accounts; to make changes in the Credit Union Law relating to fields of membership, expansion of authorities, meetings of directors, compensation of officers, fees and interest chargeable on loans, record keeping, eligible investments, liquidity fund requirements, public records, amendments to articles, and use of name; to authorize accounts to be held by credit unions under laws relating to probate and intestate succession; to authorize credit unions to be eligible public depositories and investors of public moneys; to exclude credit union transactions from the Retail Installment Sales Act and the Consumer Sales Practices Act; to authorize a credit union insured by a credit union guaranty corporation to maintain interest-bearing trust accounts on behalf of attorneys; and to authorize credit union designees acting for or on the premises of a credit union to be appointed as police officers.

Said bills were considered the first time.

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

Representative Distel submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 421**-Representative Schlichter, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

**RE: AGRICULTURE COMMODITY DEPOSITORS FUND - REVISE  
LAWS**

Representative Aslanides moved to amend the title as follows:

Add the names: "Carmichael, Distel, Domenick, C. Evans, Niehaus, Perry,

Setzer, Wagner, Widener, Yates, Driehaus."

Representative Schlichter moved to amend as follows:

In line 5, after the third comma insert "and"; delete ", and"

In line 6, delete "926.32"

In line 84, reinsert the comma

Reinsert line 85

In line 86, reinsert "section 926.32 of the Revised Code,"

In line 93, after "director" insert ", with the consent of the commodity advisory commission."

Delete lines 268 through 344

In line 345, after the third comma insert "and"

In line 346, delete ", and 926.32"

In line 1 of the title, after the third comma insert "and"; delete ", and"

In line 2 of the title, delete "926.32"

The motion was agreed to and the bill so amended.

JIM CARMICHAEL  
TOM NIEHAUS  
TYRONE K. YATES  
CLYDE EVANS  
JEANINE PERRY  
JEFF WAGNER  
STEVE REINHARD  
L. GEORGE DISTEL  
BOB GIBBS

CHRIS WIDENER  
STEVE L. DRIEHAUS  
JOHN SCHLICHTER  
JOHN DOMENICK  
KATHLEEN WALCHER  
KEITH L. FABER  
ARLENE J. SETZER  
JIM ASLANIDES  
TODD BOOK

The report was agreed to.

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

Representative Distel submitted the following report:

The standing committee on Commerce and Labor to which was referred **Sub. S. B. No. 106**-Senator Carey, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: REALTOR/CUSTOMER RELATIONS-DISCLOSURES

Representative Young moved to amend the title as follows:

Add the names: "Representatives Miller, Distel."

Representative Young moved to amend as follows:

In line 5, after the third comma insert "and"; delete ", and"

In line 6, delete "926.32"

In line 84, reinsert the comma

Reinsert line 85

In line 86, reinsert "section 926.32 of the Revised Code,"

In line 93, after "director" insert ", with the consent of the commodity advisory commission,"

Delete lines 268 through 344

In line 345, after the third comma insert "and"

In line 346, delete ", and 926.32"

In line 1 of the title, after the third comma insert "and"; delete ", and"

In line 2 of the title, delete "926.32"

The motion was agreed to and the bill so amended.

L. GEORGE DISTEL

TONY CORE

RON YOUNG

COURTNEY COMBS

SALLY CONWAY KILBANE

TIMOTHY O. SCHAFFER

DALE MILLER

JIM MCGREGOR

TIMOTHY J. DEGEETER

TOM BRINKMAN

DAN STEWART

The report was agreed to.

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

Representative Mason submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 406**-Representative Wagner, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: MOBILE INFRARED TRANSMITTERS - PROHIBIT

Representative Latta moved to amend the title as follows:

Add the names: "Callender, Brown, Willamowski, D. Evans, Buehrer."

Representative Latta moved to amend as follows:

In line 6, delete "mobile"

Delete lines 7 through 12 and insert "portable signal preemption device."

In line 13, delete "mobile infrared transmitter" and insert "portable signal preemption device"

In line 26, delete "mobile infrared transmitter"

Delete lines 27 and 28 and insert "portable signal preemption device" means a device that, if activated by a person, is capable of changing a traffic control signal to green out of sequence."

In line 2 of the title, delete "mobile"

In line 3 of the title, delete "infrared transmitter" and insert "portable signal preemption device"

The motion was agreed to and the bill so amended.

THOM COLLIER  
ROBERT E. LATTA  
JOHN R. WILLAMOWSKI  
TIMOTHY J. DEGEETER  
LANCE T. MASON  
DAVID R. EVANS  
EDWARD JERSE  
MIKE GILB

JAMIE CALLENDER  
CATHERINE L. BARRETT  
TYRONE K. YATES  
WILLIAM J. SEITZ  
KEITH L. FABER  
TIMOTHY J. GRENDELL  
STEPHEN BUEHRER  
ANNIE L. KEY

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on County and Township Government to which was referred **H. B. No. 355**-Representative Callender, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TWP POPULATION REQS-LIMITED HOME RULE GOV

Representative Wolpert moved to amend the title as follows:

Add the names: "Wolpert, Chandler, Sferra, Domenick, Collier, Walcher, Flowers."

JEFF WAGNER  
LARRY L. WOLPERT  
KATHLEEN WALCHER  
JOHN DOMENICK  
DANIEL J. SFERRA  
MARY M. CIRELLI  
CLYDE EVANS  
PETER UJVAGI  
DIANA M. FESSLER  
DAVID DANIELS

MICHAEL J. SKINDELL  
THOM COLLIER  
JOHN SCHLICHTER  
KATHLEEN CHANDLER  
LARRY L. FLOWERS  
TIMOTHY J. DEGEETER  
COURTNEY COMBS  
LYNN E. OLMAN  
JIM MCGREGOR

The report was agreed to.

The bill 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 be considered for the second time and referred to the following committees for consideration:

**H.B. No. 441 - Representative McGregor, et al**

TO CREATE "SILVER STAR" LICENSE PLATES AND "BRONZE STAR MEDAL" LICENSE PLATES

To the committee on Transportation and Public Safety

**H.B. No. 442 - Representative Olman**

TO DESIGNATE MARCH 31 OF EACH YEAR AS "CESAR E. CHAVEZ DAY."

To the committee on State Government

**H.B. No. 443 - Representative Barrett, et al**

TO PROVIDE AN ADDITIONAL PROCEDURE FOR THE ISSUANCE OF LICENSE PLATES BEARING THE LOGO OF A PROFESSIONAL SPORTS TEAM

To the committee on Transportation and Public Safety

**H.B. No. 444 - Representative J. Stewart**

TO REQUIRE THE CHIEF OF THE DIVISION OF WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES TO ADOPT RULES ESTABLISHING A BOUNTY PROGRAM FOR COYOTES

To the committee on Agriculture and Natural Resources

**H.B. No. 445 - Representative Trakas, et al**

TO REQUIRE THAT THE DEPARTMENTS OF JOB AND FAMILY SERVICES, MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES, MENTAL HEALTH, AND ALCOHOL AND DRUG ADDICTION SERVICES AND OTHER DEPARTMENTS IMPLEMENT PROCEDURES FOR ACCEPTING PRIVATE ACCREDITATION FOR PURPOSES OF LICENSING AND CERTIFYING FACILITIES, PROGRAMS, AND SERVICES AND TO REQUIRE THAT THE DEPARTMENTS ACCEPT FINANCIAL AUDITS COMPLETED IN ACCORDANCE WITH GOVERNMENTAL AUDITING STANDARDS ESTABLISHED BY THE AUDITOR OF STATE

To the committee on Human Services and Aging

**H.B. No. 446 - Representative Webster, et al**

PERMIT CANDIDATES FOR STATEWIDE OFFICE AND CANDIDATES FOR THE OFFICE OF MEMBER OF THE GENERAL ASSEMBLY TO FILE CAMPAIGN FINANCE STATEMENTS BY PAPER, ON COMPUTER DISK, OR BY ELECTRONIC MEANS OF TRANSMISSION

To the committee on Ethics and Elections subcommittee

**H.B. No. 447 - Representative Carano, et al**

TO CREATE A TWO-YEAR MORATORIUM ON THE ESTABLISHMENT OF NEW COMMUNITY SCHOOLS SPONSORED BY ENTITIES OTHER

THAN THE SCHOOL DISTRICTS IN WHICH THEY WOULD BE LOCATED, TO EXTEND AFTER THE MORATORIUM THE STATEWIDE CAP ON THE NUMBER OF COMMUNITY SCHOOLS SPONSORED BY ENTITIES OTHER THAN SUCH SCHOOL DISTRICTS, TO REQUIRE TRAINING IN REPORTING DATA TO THE EDUCATION MANAGEMENT INFORMATION SYSTEM FOR COMMUNITY SCHOOLS AND THEIR SPONSORS, TO INCREASE THE PENALTY FOR COMMUNITY SCHOOL FISCAL OFFICERS WHO FAIL TO REPORT DATA AS REQUIRED, AND TO DIRECT THE LEGISLATIVE OFFICE OF EDUCATION OVERSIGHT TO UPDATE AN EXISTING STUDY OF COMMUNITY SCHOOLS

To the committee on Education

**H.B. No. 448 - Representative Gilb**

TO DIRECT THAT THE GENERAL ASSEMBLY CONSIDER PROPOSALS TO REFORM CHAPTERS 2151. AND 2153. OF THE REVISED CODE

To the committee on Juvenile and Family Law

**H.B. No. 449 - Representative Seitz, et al**

TO ALLOW A RETIRANT RE-EMPLOYED IN A POSITION COVERED BY THE PUBLIC EMPLOYEES RETIREMENT SYSTEM TO RECEIVE A REFUND OF THE RETIRANT'S CONTRIBUTIONS IN LIEU OF A BENEFIT FOR THE PERIOD OF RE-EMPLOYMENT

To the committee on Banking, Pensions, and Securities

**H.B. No. 450 - Representative Kearns, et al**

TO EXEMPT CERTAIN ARMED FORCES DISCHARGES THAT HAVE BEEN RECORDED WITH A COUNTY RECORDER FROM INSPECTION OR COPYING AS A PUBLIC RECORD

To the committee on Veterans Affairs subcommittee

**H.B. No. 451 - Representative Kearns, et al**

TO CREATE THE STATE BOARD OF NATUROPATHIC MEDICINE, TO PROVIDE FOR THE REGULATION OF NATUROPATHIC PHYSICIANS, TO AUTHORIZE PHARMACISTS TO FILL PRESCRIPTIONS ORDERED BY NATUROPATHIC PHYSICIANS PURSUANT TO A FORMULARY, AND TO EXEMPT NATUROPATHIC PHYSICIANS FROM CERTAIN DRUG AND CONTROLLED SUBSTANCE CRIMINAL LAWS WHEN THEIR CONDUCT IS IN ACCORDANCE WITH NATUROPATHY LAW

To the committee on Commerce and Labor

**H.B. No. 452 - Representative Wolpert, et al**

TO ELIMINATE THE REQUIREMENTS THAT FOREIGN INSURANCE COMPANIES ANNUALLY PUBLISH THEIR CERTIFICATE OF COMPLIANCE IN A NEWSPAPER IN EACH COUNTY WHERE THE INSURER HAS AN AGENCY AND TO NOTIFY THE SUPERINTENDENT OF INSURANCE OF ANY DISCIPLINARY ACTIONS TAKEN BY OTHER STATES



To the committee on Insurance

**H.B. No. 453 - Representative D. Stewart, et al**

PROHIBIT A PERSON FROM KNOWINGLY CAUSING OR ATTEMPTING TO CAUSE PHYSICAL HARM TO PERSONS OR PROPERTY BY DISCHARGING A FIREARM FROM A MOTOR VEHICLE OR UPON OR OVER A PUBLIC ROAD OR HIGHWAY

To the committee on Criminal Justice

**H.B. No. 454 - Representative White, et al**

REGARDING THE DISTRIBUTION OF SAMPLE DRUGS BY AND TO CHARITABLE PHARMACIES

To the committee on Health

**H.B. No. 455 - Representative Schneider**

REGARDING AN ELECTION BY A RETIRANT OF ONE OF THE STATE'S PUBLIC RETIREMENT SYSTEMS WHO HAS MARRIED OR REMARRIED TO CHANGE THE PLAN UNDER WHICH A RETIREMENT BENEFIT IS PAID

To the committee on Banking, Pensions, and Securities

**H.B. No. 456 - Representatives C. Evans, Schmidt**

TO ESTABLISH A COMMUNITY COLLEGE DISTRICT COMPRISED OF THE TERRITORY OF LAWRENCE COUNTY, TO REQUIRE THE OHIO BOARD OF REGENTS UNDER CERTAIN CONDITIONS TO ISSUE A CHARTER FOR A NEW COMMUNITY COLLEGE OPERATED JOINTLY WITH THE COLLINS CAREER CENTER IN THAT DISTRICT, AND TO CREATE A PARTNERSHIP BETWEEN THE COLLINS CAREER CENTER AND INSTITUTIONS OF HIGHER EDUCATION THROUGH WHICH THE INSTITUTIONS OFFER COURSES AT THE CAREER CENTER

To the committee on Finance and Appropriations

**H.B. No. 457 - Representative Olman, et al**

TO PERMIT THE OHIO SCHOOL FACILITIES COMMISSION TO ENTER INTO AGREEMENTS WITH SCHOOL DISTRICTS THAT HAVE NOT RECEIVED STATE ASSISTANCE FOR CLASSROOM FACILITIES UNDER WHICH THE DISTRICTS WILL RECEIVE PAYMENTS IN LIEU OF PARTICIPATING IN OTHER STATE PROGRAMS FOR CLASSROOM FACILITIES ASSISTANCE

To the committee on Education

**H.B. No. 458 - Representative Grendell**

TO DELAY FOR ONE YEAR THE INCREASE IN THE MOTOR FUEL TAX THAT IS SCHEDULED TO BEGIN TAKING EFFECT IN FISCAL YEAR 2005, TO AUTHORIZE COUNTY AUDITORS TO ESTABLISH A MOTOR FUEL QUALITY TESTING PROGRAM, AND TO CREATE THE GASOLINE PRACTICES OVERSIGHT COMMISSION FOR THE PERIOD ENDING DECEMBER 31, 2005

To the committee on Ways and Means

**H.B. No. 459 - Representative Trakas, et al**

TO ESTABLISH RESTRICTIONS RELATED TO WORK PERFORMED OUTSIDE THE UNITED STATES OR BY NONCITIZENS WITH REGARD TO STATE CONTRACTS, ECONOMIC DEVELOPMENT ASSISTANCE, EMPLOYMENT TERMINATION NOTICES, TELEPHONE AND INTERNET SALES, AND CONSUMER FINANCIAL INFORMATION

To the committee on State Government

**H.B. No. 460 - Representative Key, et al**

REQUIRE THAT FIFTY PER CENT OF ALL FEES PAID INTO THE FINANCIAL RESPONSIBILITY COMPLIANCE FUND BE DISTRIBUTED TO THE COURTS TO COVER COSTS INCURRED BY THE COURTS IN CONNECTION WITH THE ENFORCEMENT OF THE TRAFFIC LAWS

To the committee on Judiciary

**H.B. No. 461 - Representative Trakas, et al**

TO ADOPT THE HOME IMPROVEMENT CONTRACTOR LAW, ESTABLISH THE HOME IMPROVEMENT CONTRACTOR REGISTRATION BOARD IN THE DEPARTMENT OF COMMERCE, ESTABLISH CIVIL AND CRIMINAL PENALTIES FOR VIOLATION OF THE LAW, AND GRANT THE ATTORNEY GENERAL ENFORCEMENT POWERS

To the committee on Homeland Security, Engineering, and Architectural Design

**H.B. No. 462 - Representative J. Stewart**

TO ESTABLISH REQUIREMENTS GOVERNING THE ISSUANCE OF PERMITS BY THE CHIEF OF THE DIVISION OF WILDLIFE IN THE DEPARTMENT OF NATURAL RESOURCES FOR THE ADMINISTRATION OF CONTRACEPTIVE CHEMICALS TO NONCAPTIVE WILD ANIMALS

To the committee on Agriculture and Natural Resources

**H.B. No. 463 - Representative Combs, et al**

TO REQUIRE STUDENTS TO BE IMMUNIZED AGAINST CHICKEN POX SUBJECT TO CERTAIN EXCEPTIONS

To the committee on Health

GARY W. CATES  
 JIM CARMICHAEL  
 LARRY L. FLOWERS  
 THOMAS F. PATTON  
 JOHN SCHLICHTER  
 KATHLEEN WALCHER  
 DIXIE J. ALLEN  
 EDWARD JERSE

CHARLES CALVERT  
 PATRICIA M. CLANCY  
 JIM HUGHES  
 JON M. PETERSON  
 JAMES PETER TRAKAS  
 CHRIS REDFERN  
 KENNETH A. CARANO  
 ROBERT J. OTTERMAN

CHARLES A. WILSON

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 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 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. 206 - Speaker Householder**

HONORING THE EIGHTH ANNUAL ALL-OHIO ACADEMIC TEAM

Add the names: "Allen, Cates, Flowers, T. Patton, Walcher"

**H.R. No. 207 - Representative Seaver**

HONORING THE MINSTER HIGH SCHOOL GIRLS BASKETBALL TEAM ON WINNING THE 2004 DIVISION IV STATE CHAMPION

Add the name: "Allen"

**H.R. No. 208 - Representatives Raussen, Cates, Clancy, Raga, Schneider**

HONORING THE MOUNT NOTRE DAME HIGH SCHOOL GIRLS BASKETBALL TEAM AS THE 2004 DIVISION I STATE CHAMPION

**H.R. No. 209 - Representative Hughes**

HONORING RYAN MORGAN AS THE 2004 DIVISION II STATE WRESTLING CHAMPION

Add the name: "Allen"

**H.R. No. 210 - Speaker Householder**

RECOGNIZING THE GOVERNOR'S TWENTY-FOURTH ANNUAL HOLOCAUST COMMEMORATION, APRIL 21, 2004

Add the names: "Allen, Calvert, Carano, Carmichael, Clancy, Hughes, T. Patton, Peterson, Schlichter, Trakas, Walcher, Cates, Flowers, Otterman"

**H.R. No. 211 - Representative Daniels**

HONORING THE WILMINGTON COLLEGE WOMEN'S BASKETBALL TEAM ON WINNING THE 2004 NCAA DIVISION III NATIONAL CHAMPION

**H.R. No. 212 - Representative Hughes**

RECOGNIZING ARMED FORCES DAY MAY 15, 2004

Add the names: "Allen, Calvert, Carano, Carmichael, Cates, Clancy, Flowers, Otterman, T. Patton, Peterson, Schlichter, Trakas, Walcher, Wilson"

**H.R. No. 213 - Representative Daniels**

HONORING EMILY HERRING AS THE 2004 NCAA DIVISION III WOMEN'S INDOOR HIGH JUMP CHAMPION

**H.R. No. 214 - Representative Cirelli**

HONORING THE PERRY HIGH SCHOOL SPEECH TEAM AS THE 2004 OHIO HIGH SCHOOL SPEECH LEAGUE TOURNAMENT CHAMPIONS

Add the name: "Allen"

**H.R. No. 215 - Representative Cates**

HONORING JIM JURGENSEN AS A 2003 INDUCTEE OF THE OHIO CONTRACTORS ASSOCIATION HALL OF FAME

Add the names: "Calvert, Carano, Clancy, Hughes, T. Patton, Schlichter, Wilson"

**H.R. No. 216 - Representative Cates**

HONORING JENNIFER MILLER AS OHIO'S 2004 JOURNALIST OF THE YEAR

Add the name: "Walcher"

**H.R. No. 217 - Representative Widener**

HONORING JASMINE HOUSE AS THE 2004 OHIO DIVISION II CO-PLAYER OF THE YEAR IN GIRLS BASKETBALL

Add the name: "Allen"

**H.R. No. 218 - Representative G. Smith**

HONORING THE OHIO STATE UNIVERSITY FENCING TEAM AS THE 2004 NATIONAL CHAMPION

Add the names: "Allen, Hughes"

**H.R. No. 219 - Representative G. Smith**

HONORING THE OHIO STATE UNIVERSITY SYNCHRONIZED SWIMMING TEAM AS THE 2004 COLLEGIATE NATIONAL CHAMPION

Add the names: "Allen, Hughes, Flowers"

**H.R. No. 220 - Representative J. Stewart**

HONORING THE OHIO UNIVERSITY MEN'S HOCKEY TEAM AS THE 2003-2004 AMERICAN CLUB HOCKEY ASSOCIATION NATIONAL CHAMPION

**H.R. No. 221 - Representative Olman**

HONORING JEREMY CARPENTER AS A 2004 DIVISION I STATE WRESTLING CHAMPION

**H.R. No. 222 - Representative Raussen, Clancy, Cates, Raga, Schneider**

HONORING MOUNT NOTRE DAME GIRLS GOLF TEAM AS THE 2003 DIVISION I STATE CHAMPION

**H.R. No. 223 - Representative Trakas**

HONORING THE BRECKSVILLE-BROADVIEW HEIGHTS HIGH SCHOOL GYMNASTICS TEAM ON WINNING THE 2004 STATE CHAMPION

/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, April 20, 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, April 20, 2004, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

**BILLS FOR THIRD CONSIDERATION****H. B. No. 30**-Representatives Williams, Kearns, Calvert, Flowers.

To amend sections 4521.01, 4521.02, and 4521.10 of the Revised Code to permit a local authority to consider for purposes of the Local Noncriminal Parking Law a fine of up to \$500 for a violation of an ordinance, resolution, or regulation that regulates the standing or parking of a vehicle in a disability parking space, and to provide that if a person fails to pay a fine for such a violation and the fine exceeds \$100 that person may not be permitted to register a motor vehicle in that person's name, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 91, nays 4, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	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	Flowers	Gibbs	Gilb
Grendell	Hartnett	Hollister	Hoops

Hughes	Husted	Jerse	Kearns
Key	Kilbane	Koziura	Latta
McGregor	Miller	Niehaus	Oelslager
Oلمان	Patton S.	Patton T.	Perry
Peterson	Price	Raga	Raussen
Redfern	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-91.

Representatives Brinkman, Fessler, Hagan, and Martin voted in the negative-4.

The bill passed.

Representative Reinhard moved to amend the title as follows:

Add the names: "Carano, Distel, Driehaus, C. Evans, D. Evans, T. Patton, Peterson, Redfern, Setzer, Sferra, Taylor."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 236**-Representatives Willamowski, Kearns, Schmidt, McGregor, Hughes, C. Evans, Allen, Key, Ujvagi.

To amend sections 3119.89, 3119.90, 3119.94, and 3121.38 and to enact sections 3121.373 and 3121.382 of the Revised Code to increase penalties against and permit electronic transfers from the bank account of an employer who willfully fails to withhold the amount required under a support order and to make changes to the laws governing the impoundment of child support, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	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	Grendell	Hagan	Hartnett
Hollister	Hoops	Hughes	Husted

Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	McGregor
Miller	Niehaus	Oelslager	Olman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Raussen	Redfern
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-94.

Representative Brinkman voted in the negative-1.

The bill passed.

Representative Willamowski moved to amend the title as follows:

Add the names: "Beatty, Brown, Buehrer, Carano, Cirelli, DeBose, DeGeeter, Distel, Domenick, Gilb, Hagan, Hartnett, Latta, Miller, Price, Reidelbach, S. Smith, D. Stewart, J. Stewart, Sykes, Woodard, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 368**-Representatives Gibbs, Aslanides, Allen, Collier, McGregor, Faber, Taylor, Domenick, C. Evans, Niehaus, Walcher, Setzer, Distel, Perry, Seaver.

To amend sections 1901.184, 1907.032, 1923.01, 3701.83, 3709.085, 3709.09, 3733.01, 3733.02, 3733.021, 3733.023, 3733.03, 3733.031, 3733.04, 3733.05, 3733.06, 3733.07, 3733.081, 4503.06, 4736.01, 5321.01, and 6111.46; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3733.023 (3729.04), 3733.081 (3729.12), and 3733.082 (3729.13); and to enact sections 3729.01, 3729.02, 3729.03, 3729.05, 3729.06, 3729.07, 3729.08, 3729.09, 3729.10, 3729.11, and 3729.99 of the Revised Code to create separate regulatory programs for manufactured home parks and recreational vehicle parks, recreation camps, combined park-camps, and temporary park-camps, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Gibbs moved to amend as follows:

In line 264, after "as" insert "a"

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 94, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	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	Grendell	Hagan	Hartnett
Hollister	Hoops	Hughes	Husted
Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	McGregor
Miller	Niehaus	Oelslager	Olman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Rausen	Redfern
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-94.

Representative Brinkman voted in the negative-1.

The bill passed.

Representative Gibbs moved to amend the title as follows:

Add the names: "Barrett, Calvert, Carmichael, Chandler, Cirelli, Gilb, Grendell, Hughes, T. Patton, Reidelbach, Reinhard."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Cates moved that House Rule 65, pertaining to bills being placed on the calendar, be suspended and that **Am. H. B. No.**

**421**-Representative Schlichter, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

**Am. H. B. No. 421**-Representatives Schlichter, McGregor, Fessler, Gibbs, Collier, Aslanides, Wolpert, Seaver, Reinhard, Carmichael, Distel, Domenick, C. Evans, Niehaus, Perry, Setzer, Wagner, Widener, Yates, Driehaus.

To amend sections 926.16, 926.17, 926.18, and 926.19 of the Revised Code to revise the statutes governing the Agricultural Commodity Depositors Fund, was taken up for consideration the third time.



The question being, "Shall the bill pass?"

04/21/04

The Honorable Larry Householder, Speaker  
The Ohio House of Representatives  
Columbus, Ohio

Speaker Householder,

Pursuant to House Rule No. 56, I respectfully request that I be excused from voting on **Am. H. B. No. 421**-Representative Schlichter, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/S/ DAVID DANIELS  
DAVID DANIELS  
State Representative  
86th House District

The request was granted.

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
Blasdel	Book	Brinkman	Brown
Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Combs	Core
DeBose	DeGeeter	DeWine	Distel
Domenick	Driehaus	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Hollister	Hoops	Hughes	Husted
Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	McGregor
Miller	Niehaus	Oelslager	Olman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Raussen	Redfern
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-94.

The bill passed.

Representative Schlichter moved to amend the title as follows:

Add the names: "Barrett, Book, Carano, Chandler, Cirelli, Combs, D. Evans, Flowers, Grendell, Hollister, Hoops, Hughes, Schaffer, Schmidt, Seitz, G. Smith, Taylor, Wilson."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

**Sub. S. B. No. 124** - Senators Amstutz, Nein, Randy Gardner, Carey, Jacobson, Spada, Blessing, Stivers, Austria, Harris, Mumper

To amend section 2305.234 of the Revised Code to modify the civil immunity for health care professionals and health care workers and to amend the version of section 2305.234 of the Revised Code that is scheduled to take effect July 12, 2004, to continue the provisions of this act on and after that date.

Attest:

Matthew T. Schuler,  
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

**Am. H. B. No. 288** - Representatives Faber, McGregor, Seitz, Willamowski, Latta, Gibbs, Aslanides, Carmichael, Distel, Domenick, Driehaus, C. Evans, Niehaus, Perry, Reinhard, Schlichter, Seaver, Setzer, Walcher, Widener, Book, Barrett, Beatty, Brown, Buehrer, Callender, Carano, Chandler, Clancy, Collier, Daniels, DeBose, D. Evans, Flowers, Gilb, Grendell, Hagan, Hartnett, Harwood, Hollister, Hoops, Hughes, Jolivette, Kearns, Olman, Raussen, Schmidt, Schneider, G. Smith, J. Stewart, Williams, Yates. Senators Robert Gardner, Jordan

To amend sections 1729.01, 1729.02, 1729.03, 1729.04, 1729.06, 1729.07, 1729.08, 1729.11, 1729.16, 1729.18, 1729.19, 1729.22, 1729.23, 1729.26, 1729.28, 1729.35, 1729.36, 1729.38, 1729.42, 1729.46, 1729.47, 1729.49, 1729.55, 1729.56, 1729.58, 1729.59, 1729.61, 1729.69, and 1729.85 and to enact section 1729.031 of the Revised Code to modify the Cooperative Law.

Attest:

Matthew T. Schuler,  
Clerk.

#### MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on April 20, 2004, signed the following:

**Sub. H.B. No. 252** - Representative Cates - et al.

#### MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on April 21, 2004, signed the following:

**Sub. H.B. No. 243** - Representative Raussen - et al.,

**Am. H.B. No. 288** - Representative Faber - et al.

On motion of Representative Cates, the House adjourned until Thursday, April 22, 2004 at 10:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.