

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**THURSDAY, MAY 8, 2003**

## FOURTY-EIGHTH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Thursday, May 8, 2003, 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Pursuant to House Rule No. 21, the Clerk called the House to order.

Representative Peterson was selected to preside under the Rule.

The journal of yesterday was read and approved.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 179**-REPRESENTATIVES Wolpert, McGregor, DeWine, C. Evans, Carano, Schmidt, Flowers, Aslanides, D. Evans, Gibbs, Allen.

To amend section 2913.02 of the Revised Code to require a suspension of the driver's license of a person who causes a motor vehicle to leave the premises of a retail gasoline establishment without full payment for gasoline dispensed into the motor vehicle's fuel tank or another container and to declare that those sections in the Revised Code that regulate theft of gasoline in certain circumstances are general laws.

**H. B. No. 180**-REPRESENTATIVES Wolpert, Seitz, White, Webster, Allen, Koziura, Price.

To enact section 505.96 of the Revised Code to permit a township to prohibit the discharge of a firearm in designated districts in the unincorporated area of the township.

**H. B. No. 181**-REPRESENTATIVES Schaffer, McGregor, Willamowski, Allen, Flowers, Brinkman, C. Evans, Setzer, Wolpert, Aslanides, G. Smith, Buehrer.

To enact sections 3.16 and 2961.02 of the Revised Code to permit the Governor to suspend from office in accordance with a specified procedure any elected local government official charged with a felony related to the official's administration of, or conduct in the performance of the duties of, the office and to prohibit a person who is convicted of certain theft offenses, or any other felony or recent misdemeanor involving fraud, deceit, or theft, from holding a public office or position of public employment, or serving in certain unpaid volunteer positions, that involve substantial management or control of certain public or private property.

Said bills were considered the first time.

**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 Bill be considered for the second time and referred to the following committees for consideration:

**H.B. No. 171 - Representatives S. Smith, et al**

TO CREATE THE MINORITY HIV AND AIDS TASK FORCE, TO REQUIRE THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A STATEWIDE HIV AND AIDS PREVENTION CAMPAIGN DIRECTED TOWARD AT RISK MEMBERS OF MINORITY GROUPS, AND TO MAKE AN APPROPRIATION

To the committee on Health

**H.B. No. 172 - Representatives S. Smith, et al**

TO CREATE A CAPITAL CASE COMMISSION TO STUDY THE IMPOSITION AND ADMINISTRATION OF CAPITAL PUNISHMENT IN OHIO AND TO MAKE RECOMMENDATIONS FOR IMPROVING OHIO'S PROCEDURES IN CAPITAL CASES AND ITS CAPITAL SENTENCING PROCEDURES

To the committee on Judiciary

**H.B. No. 173 - Representative Oelslager**

TO MODIFY THE OHIO TUITION TRUST AUTHORITY LAW WITH RESPECT TO THE ADMINISTRATION OF THE COLLEGEADVANTAGE SAVINGS PLAN

To the committee on Finance and Appropriations

**H.B. No. 174 - Representatives Core, et al**

TO CREATE OHIO STATE PARKS LICENSE PLATES

To the committee on Transportation and Public Safety

**Am. S.B. No. 44 - Senators Robert Gardner, et al**

TO AUTHORIZE, SUBJECT TO PUBLIC UTILITIES COMMISSION APPROVAL, COST-BASED RATE ADJUSTMENTS FOR WATER SUPPLIED TO A WATERWORKS UTILITY BY ANOTHER WATERWORKS UTILITY, RATE ADJUSTMENT AUTHORITY FOR A SEWAGE DISPOSAL UTILITY SIMILAR TO THE AUTHORITY OF A WATERWORKS UTILITY, AND CUSTOMER SURCHARGES ON WATERWORKS OR SEWAGE DISPOSAL UTILITY RATES TO COVER SPECIFIED COSTS ASSOCIATED WITH AND A RETURN ON CERTAIN PLANT INVESTMENT

To the committee on Public Utilities

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

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

Representative Clancy 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 Bill 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 Bill 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. 72** - Representative Allen.

HONORING CHAMINADE-JULIENNE HIGH SCHOOL GIRLS  
 BASKETBALL TEAM AS THE 2003 DIVISION II STATE CHAMPION  
 Add the names: "Cates, Beatty, Otterman."

**H. R. No. 73** - Representative Redfern.

HONORING JUDE ROTH AS THE 2002 MIDWEST COACH OF THE  
 YEAR  
 Add the names: "Cates, Beatty, Otterman."

LARRY HOUSEHOLDER,  
 Chair.

Representative Clancy 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.

## Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following bills in which the concurrence of the House is requested.

**Am. Sub. S. B. No. 28** - Senators Spada, Hagan, Blessing, Austria, Miller, Goodman, Brady, DiDonato, Coughlin, Schuring, Robert Gardner, Armbruster, Fingerhut, Jacobson, Hottinger, Randy Gardner, Dann, Roberts, Mallory, Fedor, Amstutz, Carnes, Herington, Prentiss

To enact sections 4719.25 to 4719.38 of the Revised Code to establish certain restrictions regarding telephone solicitations, to require the Attorney General to provide for a do-not-call registry of residential telephone numbers, and to provide certain remedies and penalties for violations.

**Sub. S. B. No. 37** - Senator Blessing

To amend sections 165.09, 902.11, 2915.01, 4505.06, 4981.20, 5739.01, 5739.02, 5739.03, 5739.11, and 5741.02 of the Revised Code to clarify who pays the sales or use tax on packaging material used in highway transportation for hire and to clarify when the transfer of motion picture films is a sale.

Attest:

Matthew T. Schuler,  
Clerk

Said bills were considered the first time.

On motion of Representative Clancy, the House adjourned until Tuesday, May 13, 2003 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.