

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MAY 18, 2004

ONE HUNDRED SEVENTY-NINTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, May 18, 2004 at 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 McGregor was selected to preside under the Rule.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 499-Representatives Chandler, Miller, Widowfield, Skindell.

To amend section 4513.263 of the Revised Code to make a seat belt violation a primary offense that is enforceable in the same manner as any other traffic offense.

H. B. No. 500-Representatives Hollister, C. Evans, D. Evans, Flowers, Kearns, McGregor, Widener, Wolpert, Chandler, Perry, Yates.

To enact section 121.25 of the Revised Code to prohibit state agencies from conveying real estate to the general public unless the political subdivisions in which the real estate is located have had an opportunity to acquire the real estate.

Said bills were considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 350**-Representative Gibbs, et al., were taken up for consideration.

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, 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. -Senators Goodman, Stivers, Amstutz, Austria, Spada, Wachtmann, Carey, Coughlin, Hottinger, Mumper, Nein, Harris, White.

To amend sections 1533.18, 1775.14, 2117.06, 2125.01, 2125.02, 2125.04, 2305.01, 2305.03, 2305.10, 2305.25, 2307.011, 2307.23, 2307.29, 2307.60,

2307.71, 2307.75, 2307.80, 2315.01, 2315.21, 2315.32, 2315.33, 2315.34, 2315.36, 2323.41, 2323.43, 2323.51, 4507.07, 4513.263, and 4705.15; to enact sections 901.52, 1519.07, 2305.117, 2305.131, 2305.36, 2307.711, and 4705.16; and to repeal sections 2315.41, 2315.42, 2315.43, 2315.44, 2315.45, and 2315.46 of the Revised Code to provide a qualified immunity from civil damages to a manufacturer, seller, or supplier of a food or a nonalcoholic beverage for a claim of weight gain, obesity, or a related physical or mental health condition resulting from the consumption of the food or nonalcoholic beverage unless certain circumstances are proven by a claimant; 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; to modify the provisions on frivolous conduct in filing civil actions; to make changes related to the award of certain damages, collateral benefits evidence, and contributory fault in tort actions; to establish a statute of repose for certain product liability claims and claims based on unsafe conditions of real property improvements and to make other changes related to product liability claims; to provide that the product liability statutes are intended to abrogate common law product liability causes of action; to enact a conflicts of law provision for statutes of limitation in civil actions; to enact a legal consumer's bill of rights; to limit attorney contingency fees in connection with certain tort actions; to provide that a plaintiff generally may include only two defendants in an original tort action complaint; to request the Supreme Court to obtain data regarding frivolous conduct awards; and to make other changes related to civil actions.

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

Representative Wagner moved that the Senate amendments to **Sub. H. B. No. 350**-Representative Gibbs, et al., be informally passed and retain their place on the calendar.

The motion was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Otterman submitted the following report:

The standing committee on Banking, Pensions, and Securities to which was referred **H. B. No. 455**-Representative Schneider, having had the same under consideration, reports it back and recommends its passage.

RE: RETIRANT - CHANGE PLAN ON MARRIAGE, REMARRIAGE

Representative Blasdel moved to amend the title as follows:

Add the names: "Seitz, G. Smith, Gibbs, J. Stewart, Allen, Hughes, Schmidt, Koziura, T. Patton."

/s/ MICHELLE G. SCHNEIDER

/s/ CHARLES R. BLASDEL

<u>/s/</u> LINDA REIDELBACH	<u>/s/</u> DIXIE J. ALLEN
<u>/s/</u> JEAN SCHMIDT	<u>/s/</u> JIMMY STEWART
<u>/s/</u> WILLIAM J. SEITZ	<u>/s/</u> JIM HUGHES
<u>/s/</u> BOB GIBBS	<u>/s/</u> CHRIS WIDENER
<u>/s/</u> JOHN J. WHITE	<u>/s/</u> FRED STRAHORN
<u>/s/</u> CHARLES A. WILSON	<u>/s/</u> DALE MILLER
<u>/s/</u> JOSEPH KOZIURA	<u>/s/</u> THOMAS F. PATTON
<u>/s/</u> GEOFFREY C. SMITH	<u>/s/</u> SHAWN N. WEBSTER

The report was agreed to.

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

Representative Otterman submitted the following report:

The standing committee on Banking, Pensions, and Securities to which was referred **Sub. S. B. No. 151**-Senator Austria, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CONSUMER REPORTING, NONREPORTING/FREE REPORT

Representative Blasdel moved to amend the title as follows:

Add the names: "Representatives G. Smith, Gibbs, Schmidt, Schneider, J. Stewart, Seitz."

<u>/s/</u> CHARLES R. BLASDEL	<u>/s/</u> SHAWN N. WEBSTER
<u>/s/</u> LINDA REIDELBACH	<u>/s/</u> DIXIE J. ALLEN
<u>/s/</u> MICHELLE G. SCHNEIDER	<u>/s/</u> JEAN SCHMIDT
<u>/s/</u> JIMMY STEWART	<u>/s/</u> WILLIAM J. SEITZ
<u>/s/</u> CHARLES A. WILSON	<u>/s/</u> JIM HUGHES
<u>/s/</u> FRED STRAHORN	<u>/s/</u> BOB GIBBS
<u>/s/</u> JOHN J. WHITE	<u>/s/</u> CHRIS WIDENER
<u>/s/</u> JOSEPH KOZIURA	<u>/s/</u> THOMAS F. PATTON
<u>/s/</u> DALE MILLER	<u>/s/</u> GEOFFREY C. SMITH

The report was agreed to.

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

On motion of Representative Wagner, the House adjourned until Thursday, May 20, 2004 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.