

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, MAY 25, 2004

ONE HUNDRED EIGHTY-FIRST DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, May 25, 2004 at 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Reverend Sandy Miller of the New Covenant Christian Church in Stryker, Ohio, and Pastor Russel Johnson of the Fairfield Christian Church in Lancaster, 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:

Wayne Nirode received HR 202, presented by Representative Fessler-79th district.

Rosemarie Rossetti received HR 230, presented by Representative McGregor-20th district.

Blake Tayerel, a guest of Representative Chandler-68th district.

Sheriff Dave Phalen, Michelle Birchak, Dale Christian, and Raymond Willis, guests of Representative Schaffer-5th district.

Jim Connell and Nancy Bradford, guests of Representative T. Patton-18th district.

Fourth grade students from St. Pius School, guests of Representative Flowers-19th district.

Jeff Cabot and Andy Finther, guests of Representative Price-26th district.

Janelle Marie Coutts, a guest of Representative Otterman-45th district.

Billie Brandon, a guest of Representative Hartnett-73rd district.

Dr. Joseph Deluca and Dr. Gene Linton, guests of Representative Faber-77th district.

Emily Judy, a guest of Representative Fessler-79th district.

Lee Schaffer, a guest of Representative Wagner-81st district.

Third and fourth grade students from New Holland Elementary School, guests of Representative Schlichter-85th district.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 505**-Representatives C. Evans, Hollister, J. Stewart, Book, Aslanides, McGregor, Barrett, Chandler, Carmichael, Domenick, Collier, D.

Evans, Redfern, Allen, Oelslager, Blasdel, Daniels, Webster, Carano.

To amend sections 3318.01, 3318.032, 3318.08, 3318.36, 3318.363, 3318.37, and 3318.38 and to enact sections 3318.036, 3318.037, 3318.038, and 3318.039 of the Revised Code to specify a new method of calculating a school district's portion of the cost of a state-assisted classroom facilities acquisition project for certain districts that have a combination of relatively high valuations per pupil and relatively low median incomes.

**H. B. No. 506**-Representative Schaffer.

To enact section 5.2227 of the Revised Code to designate the third week of October "Bioscience Awareness Week in Ohio."

**H. B. No. 507**-Representative J. Stewart.

To amend sections 153.99, 3791.04, and 4113.99 and to enact sections 153.02, 4113.81, 4113.82, and 4113.83 of the Revised Code to require public authorities, contractors, and subcontractors to obtain proof of compliance with specified laws from contractors, subcontractors, and lower tier subcontractors before contracting for public improvements, to prohibit the approval of building plans without proof of compliance with specified laws, and to establish criminal penalties for contractors and subcontractors who contract with subcontractors and lower tier subcontractors who violate specified laws and for employers who employ illegal aliens.

**H. B. No. 508**-Representatives Reinhard, Aslanides, Fessler, McGregor, Miller, S. Patton, Seaver, Widowfield, Willamowski.

To amend section 4501.21 and to enact section 4503.502 of the Revised Code to create Ohio Cattlemen's Foundation Beef license plates and to provide that money from contributions for the license plates be used to pay for scholarships and other educational activities of the Ohio Cattlemen's Foundation.

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 Gibbs 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.

The Senate amendments to **Sub. H. B. No. 126**-Representative Brinkman, et al., were taken up for consideration.

**Sub. H. B. No. 126**-Representatives Brinkman, Blasdel, Buehrer, Callender, Clancy, Collier, Daniels, DeWine, Distel, Driehaus, Faber, Fessler, Flowers, Gibbs, Gilb, Grendell, Hagan, Hughes, Husted, McGregor, Niehaus, T. Patton, Raga, Raussen, Reidelbach, Reinhard, Schneider, Seaver, Wagner, Schaffer, Seitz, Sferra, Taylor, Widowfield, Willamowski, Williams, White, Young, Kearns, Hoops, Jolivette, Aslanides, Calvert, Carmichael, Cates,

DePiero, C. Evans, Martin, Schlichter, Schmidt, Setzer, Widener, Wolpert.  
-Senators Jacobson, Jordan, Wachtmann, Amstutz, Austria, Carey, Harris,  
Hottinger, Schuler, Schuring, Spada, Mumper, Nein.

To amend sections 4729.29, 4731.22, and 4731.223 and to enact section 2919.123 of the Revised Code regarding the provision or use of RU-486 (mifepristone) for an abortion.

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

The yeas and nays were taken and resulted - yeas 83, nays 16, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Blasdel	Bocchieri
Book	Brinkman	Brown	Buehrer
Callender	Calvert	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	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	McGregor
Niehaus	Oelslager	Olman	Otterman
Patton T.	Perry	Peterson	Price
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
Wolpert	Young		Householder-83.

Those who voted in the negative were: Representatives

Allen	Beatty	Carano	Mason
Miller	Patton S.	Redfern	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Wilson	Woodard	Yates-16.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 185**-Representative Schmidt, et al., were taken up for consideration.

**Sub. H. B. No. 185**-Representatives Schmidt, Allen, Setzer, Seitz, Aslanides, C. Evans, Olman, Schneider, Schaffer, Raga, Webster, Buehrer, Skindell, Beatty, Brown, Chandler, Cirelli, Collier, Daniels, DeBose, Domenick, Hartnett, Harwood, Hughes, Jolivette, Key, Miller, Otterman, S. Patton, Perry, Price, Redfern, Reidelbach, Seaver, S. Smith, D. Stewart, J. Stewart, Strahorn, Yates.

To amend sections 9.833, 124.84, 124.841, and 505.60 of the Revised Code to permit the state and political subdivisions to pay some or all of the premium for their employees' long-term care insurance and to permit public officials and employees of political subdivisions to serve on the governing body of a joint self-insurance program of which the subdivision is a member.

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

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	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	Grendell
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	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-99.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 299**-Representative Gibbs, et al., were taken up for consideration.

**Sub. H. B. No. 299**-Representatives Gibbs, Calvert, Seitz, Gilb, Rausen, Fessler, D. Evans, Faber, Collier, Kearns, Schmidt, Hartnett, Barrett, Wolpert, Wagner, Daniels, McGregor, Domenick, C. Evans, Price, Sferra, Martin, Aslanides, Book, Carano, Carmichael, Cates, Chandler, Clancy, DeBose, Distel, Flowers, Grendell, Hagan, Hollister, Hughes, Niehaus, T. Patton, Peterson, Reinhard, Schneider, Setzer, J. Stewart, Taylor, Walcher, Webster, Willamowski. -Senators Zurz, Roberts, Schuler, Goodman, Hottinger, Amstutz, Randy Gardner, Robert Gardner, Harris.

To amend sections 309.09, 5543.01, 5553.04, 5553.042, 5553.043, 5555.02, 5571.02, 5571.08, and 5571.12, to contingently amend sections 1509.03 and 1509.06, and to enact sections 5541.05, 5553.045, and 5571.20 of the Revised Code to authorize a township to vacate upon petition certain township roads that are not used by and maintained for the public, to permit a board of county commissioners and a board of township trustees to place a graveled or unimproved county or township road on nonmaintained status, to preserve certain utility rights of way in vacated roads, to revise the notification requirements governing the drilling of oil and gas wells, to create the Oil and Gas Advisory Council to advise the Chief of the Division of Mineral Resources Management in the Department of Natural Resources regarding the adoption of certain rules governing oil and gas wells, to permit the prosecuting attorney to be the legal adviser to a joint fire district, and to declare an emergency.

The question being, "Shall the emergency clause stand as part of the bill?"

5/25/04

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 **Sub. H. B. No. 299**-Representative Gibbs, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/S/ JIM ASLANIDES  
JIM ASLANIDES  
State Representative  
94th House District

The request was granted.

The yeas and nays were taken and resulted - yeas 79, nays 19, as follows:

Those who voted in the affirmative were: Representatives

Allen	Barrett	Beatty	Blasdel
Boccieri	Book	Brown	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Combs	Core
DeGeeter	DeWine	Distel	Domenick

Evans C.	Evans D.	Faber	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hoops	Hughes
Husted	Jerse	Kearns	Key
Kilbane	Koziura	Latta	Martin
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	Patton T.	Perry
Peterson	Price	Raussen	Reidelbach
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Sferra	Slaby	Smith G.	Stewart D.
Stewart J.	Strahorn	Taylor	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates		Householder-79.

Those who voted in the negative were: Representatives

Brinkman	Buehrer	Callender	Calvert
Daniels	DeBose	Driehaus	Fessler
Hollister	Mason	Patton S.	Raga
Redfern	Skindell	Smith S.	Sykes
Trakas	Ujvagi		Young-19.

Having received a constitutional majority, the emergency clause stood as part of the bill.

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

The yeas and nays were taken and resulted - yeas 95, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Allen	Barrett	Beatty	Blasdel
Boccieri	Book	Brown	Buehrer
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	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	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-95.

Representatives Brinkman, DeBose, and Redfern voted in the negative-3.

The Senate amendments were concurred in.

Representative Gibbs moved to amend the title as follows:

Remove the name: "Aslanides"

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The Senate amendments to **Sub. H. B. No. 323**-Representative Hoops, et al., were taken up for consideration.

**Sub. H. B. No. 323**-Representatives Hoops, Wolpert, Daniels, Chandler, Cirelli, Collier, Domenick, C. Evans, Fessler, Flowers, Martin, McGregor, Olman, Price, Schlichter, Sferra, Skindell, Ujvagi, Wagner, Walcher, Allen, Aslanides, Barrett, Brown, Buehrer, Calvert, Carano, Carmichael, Combs, DeBose, DeGeeter, D. Evans, Gibbs, Gilb, Hagan, Hartnett, Harwood, Hughes, Jerse, Key, Latta, Miller, Niehaus, Otterman, S. Patton, T. Patton, Perry, Peterson, Reidelbach, Schmidt, Seaver, Seitz, Setzer, D. Stewart, Strahorn, Taylor, Webster, Widener, Wilson, Woodard. -Senators Robert Gardner, Mumper, Zurz, Roberts, Harris, Schuler.

To amend sections 307.12, 505.10, and 3313.41 of the Revised Code to allow boards of county commissioners, boards of township trustees, and school boards to donate certain personal property to eligible nonprofit organizations located in Ohio, to authorize the conveyance of certain state-owned real estate in Columbiana County to the East Liverpool Young Men's Christian Association, and to authorize the Governor to convey certain state-owned real estate located in Wood County.

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

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	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	Grendell
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	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-99.

The Senate amendments were concurred in.

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

Representative Sferra submitted the following report:

The standing committee on Municipal Government and Urban Revitalization to which was referred **H. B. No. 256**-Representative Setzer, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MERGER LAW - REVISE

Representative Wolpert moved to amend the title as follows:

Add the names: "Seitz, Sferra, Wolpert, Willamowski."

/s/ WILLIAM J. SEITZ

/s/ PETER UJVAGI

/s/ DANIEL J. SFERRA

/s/ JOHN R. WILLAMOWSKI

/s/ W. SCOTT OELSLAGER

/s/ ARLENE J. SETZER

/s/ ANNIE L. KEY

/s/ LARRY L. WOLPERT

/s/ NANCY P. HOLLISTER

/s/ JOHN A. BOCCIERI

The report was agreed to.

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

Representative Perry submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 307**-Representative Widener, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ABANDON VEHICLE - NO NEW LICENSE REGISTRATION

/s/ JOHN WIDOWFIELD

/s/ JIM ASLANIDES

/s/ JAMES M. HOOPS

/s/ COURTNEY COMBS

/s/ DAVID R. EVANS  
/s/ JOHN SCHLICHTER  
/s/ LARRY L. FLOWERS

/s/ STEVE REINHARD  
/s/ JIM MCGREGOR

The following members voted "NO"

/s/ JEANINE PERRY  
/s/ LARRY PRICE  
/s/ SYLVESTER D. PATTON

/s/ ANNIE L. KEY  
/s/ DANIEL J. SFERRA

The report was agreed to.

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

On motion of Representative Cates, the House recessed.

The House met pursuant to recess.

#### MESSAGE FROM THE SPEAKER

Pursuant to House Rules 12, 27 and 29, the Speaker hereby makes the following changes to House standing committees:

Banking, Pensions, and Securities: remove Representative Hughes, appoint Representative Daniels

Economic Development and Technology: remove Representative Daniels, appoint Representative Hughes

#### BILLS FOR THIRD CONSIDERATION

**Sub. H. B. No. 132**-Representatives Setzer, McGregor, Hughes, Allen, Husted, DeWine, Schaffer, Flowers, Walcher, Aslanides, Seaver, Webster, Latta.

To amend section 2907.09 of the Revised Code to expand and modify the penalty for the offense of public indecency, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 97, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	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	Grendell
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Kearns	Key	Kilbane	Koziura
Latta	Martin	Mason	McGregor
Niehaus	Oelslager	Olman	Otterman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Raussen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	Slaby
Smith G.	Stewart D.	Stewart J.	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Woodard	Yates	Young
			Householder-97.

Representatives Miller and Smith S. voted in the negative-2.

The bill passed.

Representative Setzer moved to amend the title as follows:

Add the names: "Cirelli, C. Evans, D. Evans, Gilb, T. Patton, Raga, Reidelbach, Schmidt, Slaby."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 231**-Representatives Niehaus, Seitz, McGregor, Barrett, Kearns, Husted, Setzer, Collier, Webster, Carano, Allen, Aslanides, Carmichael, Strahorn, Daniels.

To amend sections 307.37, 319.281, 521.01, 711.05, 711.10, 711.131, 3701.83, 3709.085, 3709.09, 3709.091, 4736.01, 5302.30, 6111.04, and 6111.44 and to enact sections 3718.01, 3718.02, 3718.021, 3718.03 to 3718.10, 3718.99, and 6111.441 of the Revised Code to require the Public Health Council to adopt rules governing household sewage treatment systems and small flow on-site sewage treatment systems, to define and authorize boards of health to regulate small flow on-site sewage treatment systems, to create the Sewage Treatment System Technical Advisory Committee to advise the Director of Health on the approval or disapproval of new systems, to require the transferor of real property that is served by a sewage treatment system to provide on the real property disclosure form a statement that operation and maintenance information on the system is available from the Department of Health or the local board of health of the health district in which the system is located, and to establish other requirements governing sewage treatment systems, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Niehaus moved that **Sub. H. B. No. 231**-Representative Niehaus, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

**Sub. H. B. No. 239**-Representatives Core, Seitz, McGregor, Kearns, Aslanides, Gilb, Hollister.

To amend sections 140.01 and 140.03, to enact new section 140.051, and to repeal section 140.051 of the Revised Code to expand the definition of costs of hospital facilities, to specify that a trustee, officer, or director of a hospital agency does not have an interest in the profits or benefits of an agreement between hospital agencies solely by virtue of being a trustee, officer, or director of one of the participating hospital agencies, and to confirm and validate amendments made to section 140.01 and the enactment of section 140.051 of the Revised Code by Am. Sub. S.B. 109 of the 113th General Assembly in order to eliminate any legal challenges that have been or may be raised concerning the constitutionality of these amendments, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Core moved to amend as follows:

In line 17, delete the first "and" and insert a comma; after "140.03" insert ", 5155.01, 5155.02, 5155.03, 5155.04, 5155.14, 5155.16, 5155.19, 5155.27, and 5155.31"

In line 18, after "140.051" insert "and sections 5155.011 and 5155.012"

Between lines 365 and 366, insert:

**"Sec. 5155.01.** The board of county commissioners shall make all contracts for new buildings and for additions to existing buildings necessary for the county home, and shall prescribe rules for the management and good government of ~~such~~ the home ~~and to promote sobriety, morality, and industry among residents.~~ The superintendent or administrator of the county home shall be responsible for maintaining buildings in good repair.

~~In all cases in which both the husband and wife have been admitted to such county home such couple, unless otherwise requested by either of them, shall not be separated, and shall be given quarters in the same part of such facility.~~

The superintendent or administrator may employ an administrative assistant and ~~such~~ additional necessary personnel, at rates of wages to be fixed by the board of county commissioners, as may not be found available on the part of the residents of the facility. The superintendent or administrator and administrative assistant shall be removed if either of them requires or permits residents or employees to render services for the private interests of the

superintendent or administrator, the administrative assistant, or any member of the board of county commissioners, or any private interest, or any member of the board of county hospital trustees if that board has entered into an agreement or otherwise has operational control as provided in section 5155.011 of the Revised Code.

**Sec. 5155.011.** (A) As used in this chapter, "operator" means a board of county hospital trustees acting under an agreement, or pursuant to a resolution adopted by the board of county commissioners, as provided in this section.

(B) The board of county commissioners may transfer operational control of the county home to the board of county hospital trustees of a county hospital located in the county by either of the following means:

(1) By adopting a resolution to transfer all operational control of the home to the board of county hospital trustees of that county hospital. The board of county hospital trustees also must adopt a resolution to accept the transfer of operational control. In transferring operational control, the board of county commissioners cannot and does not transfer ownership of any real or personal property of the county to the board of county hospital trustees.

(2) By entering into an agreement with the board of county hospital trustees of that county hospital to authorize the board of county hospital trustees to manage and operate the home on behalf of the board of county commissioners. Except as otherwise provided in the agreement, the operator shall carry out the duties of an operator authorized in this chapter in the same manner as otherwise would be required of the board of county commissioners. The agreement may specify duties set forth in this chapter that will be retained by the board of county commissioners instead of being carried out by the operator on behalf of the board. The board of county commissioners shall retain ownership of the county home under the agreement.

**Sec. 5155.012.** A board of county commissioners may enter into a contract to aid it in the execution of its powers and duties for the management and good government of the county home.

**Sec. 5155.02.** The clerk of the board of county commissioners; or, if there is no clerk of the board, the county auditor; shall keep a record of the board's transactions respecting the county home, and this record shall be kept in the manner provided by sections 305.10 and 305.11 of the Revised Code. The board of county commissioners may determine that the clerk; or, if there is no clerk of the board, the county auditor; shall keep a separate record of the board's transactions respecting the county home. If a separate record is kept, it shall be kept in the manner provided by sections 305.10 and 305.11 of the Revised Code. Either record shall at all reasonable times be open to public inspection.

The operator shall keep a record of its transactions regarding the county home in the manner provided in sections 305.10 and 305.11 of the Revised Code. The record shall be open to public inspection at all reasonable times.

**Sec. 5155.03.** The board of county commissioners or operator shall

appoint a superintendent, ~~whom they who~~ who may authorize ~~be authorized~~ to use the title; "administrator," who may reside on the premises of the county home or other building contiguous ~~thereto to the county home~~, and who shall receive ~~such the~~ compensation for his services as the board or operator determines. The superintendent or administrator and administrative assistant shall each be allowed ~~his~~ actual necessary expenses incurred in the discharge of ~~his~~ official duties. The superintendent or administrator shall perform ~~such the~~ duties ~~as that~~ the board or operator imposes ~~upon him~~, and shall be governed in all respects by ~~its~~ the board's or operator's rules. ~~He shall not be removed by the board except for good and sufficient cause.~~

The board or operator may, by resolution, provide for the appointment by the superintendent or administrator of an assistant superintendent or administrator, who shall perform ~~such the~~ duties at the county home as prescribed by ~~such the~~ superintendent or administrator. The board or operator shall not appoint one of its own board members superintendent or administrator, nor shall any commissioner or trustee be eligible to any other office in the county home, or receive any compensation as physician or otherwise, directly or indirectly, wherein the appointing power is vested in ~~such board~~ the board of county commissioners or board of county hospital trustees, as applicable.

**Sec. 5155.04.** Before entering upon ~~his~~ official duties, the superintendent or administrator of the county home shall give bond ~~to the state in a sum not to exceed twenty thousand and not less than two thousand dollars;~~ as the board of county commissioners or operator requires, with ~~two or more sureties~~ a surety acceptable to the board or operator, conditioned for the faithful discharge of the duties of ~~his~~ that office. ~~Such~~ The bond, with the approval of the board or operator and the oath of office of ~~such the~~ superintendent or administrator, required by sections 3.22 and 3.23 of the Revised Code and by Section 7 of Article XV, Ohio Constitution, ~~indorsed thereon~~ endorsed on it, shall be deposited with the county treasurer and kept in ~~his~~ the treasurer's office.

**Sec. 5155.14.** At the request of the superintendent or administrator of the county home, the board of county commissioners or operator shall set apart from the county home fund, a reserve fund not to exceed four hundred dollars at any time, which, upon the order of the board or operator shall be paid to the superintendent or administrator and expended ~~by him~~ as needed for emergency supplies and expenses. The superintendent or administrator shall keep an accurate account of ~~such funds~~ the reserve fund, in a book to be provided at the expense of the county for that purpose, and all expenditures ~~therefrom from it~~ shall be audited by the board or operator. The county home fund shall be reimbursed by the superintendent or administrator, in full, for any items expended by ~~him~~ the superintendent or administrator from ~~such the~~ the reserve fund, which items are not allowed by the board or operator. When, and as often as such amount is entirely disbursed, on the order of the board or operator, the county auditor shall pay to the superintendent or administrator the amount so appropriated.

**Sec. 5155.16.** ~~Annually, the~~ The superintendent or administrator or, if operational control has been transferred to an operator under section 5155.011 of

~~the Revised Code, the operator of the county home shall submit to the board of county commissioners an annual report giving all statistical information for the year preceding the first day of the month shown by the record of residents of the home required by section 5155.07 of the Revised Code. The~~

~~The report shall show all of the following:~~

~~(A) The number of residents at the beginning of such the year, the number admitted during the year, the number born in the home, and the total number of resident days for the year;~~

~~(B) The number of residents discharged, the number of deaths, the number removed to other counties, states, and institutions during the year, and the number of residents remaining;~~

~~(C) The daily average census;~~

~~(D) The total current expenses for the year, exclusive of farm products;~~

~~(E) The total value of farm products for the year;~~

~~(F) The total amount paid in the county for outdoor relief during the year;~~

~~(G) The amount of salaries paid during the year to the superintendent or administrator and the administrative assistant, and the amount of wages paid other employees;~~

~~(F) Any other information the board or operator requires.~~

~~The report shall contain such other information as the board requires and an account of all moneys received by the superintendent or administrator for the sale of farm products, or from any other sources, and paid into the county treasury by him to the credit of the county home fund, such account to be properly itemized, showing dates of receipts, from whom and for what purpose, and dates of payment of such receipts into the county treasury. Such report shall be examined by the board, and if found correct, shall be accepted, and such acceptance entered in the minutes of the proceedings of the board. Such report shall then be filed in the office of the county auditor, and shall be safely preserved by him.~~

**Sec. 5155.19.** ~~Each month, The board of county commissioners or the operator may require the superintendent or administrator of the county home shall to submit to the board of county commissioners and, if applicable, to the operator a monthly report which shall show. The monthly report may contain any or all of the following:~~

~~(A) The number of residents at the beginning of each month;~~

~~(B) The number of residents admitted during the month;~~

~~(C) The number of residents discharged during the month;~~

~~(D) The number of deaths during the month;~~

~~(E) The total current expenses, exclusive of farm products;~~

(F) ~~The total value of farm products;~~

(G) ~~Any other information the board of county commissioners or operator~~ requires.

**Sec. 5155.27.** The board of county commissioners or operator may contract with one or more competent physicians to furnish medical relief and medicines necessary for the residents of the county home, but no contract shall extend beyond one year. Medical statistics shall be kept by the facility. ~~Such~~ Those statistics shall show the nature and extent of the services rendered, to whom they were rendered, and the character of the diseases treated. The board or operator may discharge any such physician for proper cause. No medical relief shall be furnished by the county to persons in their own homes, except for persons who are not residents of the state or county for one year, or of a township or city for three months, and except under section 5155.22 of the Revised Code.

**Sec. 5155.31.** (A) As used in this section, "county nursing home" means a facility that is owned and operated by the county or, if the board of county commissioners has transferred operational authority of the county home to a board of county hospital trustees, is operated by the board of county hospital trustees and that is used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal assistance, as "mental impairment," "skilled nursing care," and "personal assistance" are defined in section 3721.01 of the Revised Code.

(B) Whenever the buildings of a county home or a county nursing home have become unsuitable for habitation, or whenever the population of ~~such~~ a county home or a county nursing home is too small for economical and efficient operation, or for any other reason made of record, the board of county commissioners may close ~~such~~ the home or sell it to a third party, and provide for the care of ~~the its~~ residents ~~thereof,~~ and of other persons afterwards determined eligible for county care; by housing them in another county home, ~~or~~ a home licensed under Chapter 3721. of the Revised Code, or ~~in such~~ private homes within the county as that the board considers proper, and upon such terms as may be agreed upon by the boards of the respective counties.

(C) Whenever the board of county commissioners closes a county home or a county nursing home pursuant to division (B) of this section, the board may lease the county home to an individual, partnership, firm, association, or corporation for the establishment of a home licensed under Chapter 3721. of the Revised Code. Any lease granted under this division and any renewals ~~thereof~~ it shall not be for a longer period than five years. The form of any ~~such~~ lease shall be approved by the prosecuting attorney.

~~(D) Whenever the board of county commissioners determines that a county home or a county nursing home is unsuitable for habitation or its operation is economically unfeasible, the board may sell or lease the home together with all of its contents of personal property used in connection with and~~

~~incidental to its operation, as a single unit, to an individual, partnership, firm, association, or corporation for the establishment of a home licensed under Chapter 3721. of the Revised Code. Any lease granted under this division and renewals thereof shall not be for a period longer than five years. The form of any such lease shall be approved by the prosecuting attorney. No sale or lease shall be made under this division unless it is authorized by a resolution passed by a majority of the members of the board of county commissioners. No sale shall be made under this division until the board receives an appraisal of the value of the real and personal property to be sold, as determined by one or more competent appraisers. When a sale or lease is authorized, a deed or lease shall be made by the board to the highest responsible bidder after the advertisement, once a week for four consecutive weeks, in a newspaper of general circulation within the county. The board may reject any bids and readvertise until such time as the home and its contents used in connection with and incidental to its operation are sold or leased.~~

~~This division applies only to a sale or lease executed prior to December 31, 1983."~~

In line 366, delete the first "and" and insert a comma; after "140.03" insert ", 5155.01, 5155.02, 5155.03, 5155.04, 5155.14, 5155.16, 5155.19, 5155.27, and 5155.31"

In line 367, delete "section" and insert "sections"; after "140.051" insert ", 5155.05, 5155.06, 5155.07, 5155.28, and 5155.30"

In line 1 of the title, delete "and" and insert a comma; after "140.03," insert "5155.01, 5155.02, 5155.03, 5155.04, 5155.14, 5155.16, 5155.19, 5155.27, and 5155.31,"

In line 2 of the title, after the first "140.051" insert "and sections 5155.011 and 5155.012"; delete the second "section" and insert "sections"; after the second "140.051" insert ", 5155.05, 5155.06, 5155.07, 5155.28, and 5155.30"

In line 9 of the title, delete "and"

In line 16 of the title, after "amendments" insert ", to permit transfer of operational authority of a county home to a board of county hospital trustees, and to authorize a board of county commissioners to contract with third parties to manage a county home"

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

The motion was agreed to without objection.

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

The yeas and nays were taken and resulted - yeas 96, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	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	Grendell
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	Rausen
Redfern	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Sferra	Skindell
Slaby	Smith G.	Smith S.	Stewart D.
Stewart J.	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Woodard	Young	Householder-96.

Representatives Strahorn, Sykes, and Yates voted in the negative-3.

The bill passed.

Representative Core moved to amend the title as follows:

Add the names: "Flowers, Schmidt, Willamowski."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 257**-Representatives Clancy, McGregor, Reidelbach, Setzer, C. Evans, Fessler, Latta, S. Patton, Kearns, Collier, Young, Seaver, Schmidt, Barrett, DeBose, S. Smith, Hoops, Cirelli, Price, Beatty, Harwood, Martin.

To amend section 3705.08 of the Revised Code regarding the information included on death certificates, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Beatty moved to amend as follows:

In line 18, after "female" insert "and the manner of death is determined to be a suspicious or violent death"

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

The motion was agreed to without objection.

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

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

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
Evans C.	Evans D.	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	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-99.

The bill passed.

Representative Clancy moved to amend the title as follows:

Add the names: "Calvert, DeGeeter, Driehaus, Faber, Flowers, Gilb, Grendell, Hollister, Hughes, Perry, Schaffer, Schlichter."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 329**-Representatives Schlichter, Wagner, Hoops, DeWine, C. Evans, Carano, Hughes, Allen, Husted, Fessler, Ujvagi, Price, Seitz, Clancy, Boccieri, D. Evans, Key, S. Patton, Perry, Reinhard, Sferra.

To amend section 4503.54 and to enact sections 4503.541 and 4503.544 of the Revised Code to create "National Defense" license plates, "U.S. Armed Forces Active Duty" license plates, and special motorcycle license plates for retired and honorably discharged veterans, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Grendell moved to amend as follows:

In line 8, after "4503.541" insert ", 4503.543,"

Between lines 81 and 82, insert:

"Sec. 4503.543. (A) Any person who has been awarded the armed forces expeditionary medal may apply to the registrar of motor vehicles for the registration of any passenger car, noncommercial motor vehicle, motor home, or other vehicle of a class approved by the registrar that the person owns or leases. The application shall be accompanied by such documentary evidence in support of the award as the registrar may require. The application may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code.

Upon receipt of an application for registration of a motor vehicle under this section and the required taxes and fees, and upon presentation of the required supporting evidence of the award of the armed forces expeditionary medal, the registrar shall issue to the applicant the appropriate motor vehicle registration and a set of license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on license plates, the license plates shall be inscribed with the words "expeditionary service" and bear a reproduction of the armed forces expeditionary service ribbon. The license plates shall bear county identification stickers that identify the county of registration by name or number.

The license plates and a validation sticker or, when applicable, a validation sticker alone shall be issued upon payment of the regular license tax required by section 4503.04 of the Revised Code, payment of any local motor vehicle license tax levied under Chapter 4504. of the Revised Code, payment of any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, and compliance with all other applicable laws relating to the registration of motor vehicles.

The registrar shall not issue license plates under this section unless the registrar first receives written permission from the United States department of defense allowing the registrar to place the image of the armed forces expeditionary service ribbon on the license plates.

(B) No person who is not a recipient of the armed forces expeditionary medal shall willfully and falsely represent that the person is a recipient of the armed forces expeditionary medal for the purpose of obtaining license plates under this section. No person shall own a motor vehicle bearing license plates issued under this section unless the person is eligible to be issued those license plates.

(C) Sections 4503.77 and 4503.78 of the Revised Code do not apply to license plates issued under this section."

In line 2 of the title, after "4503.541" insert ", 4503.543,"

In line 4 of the title, after the comma insert "Armed Forces Expeditionary Medal license plates,"

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

The motion was agreed to without objection.

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

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	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	Grendell
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	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-99.

The bill passed.

Representative Schlichter moved to amend the title as follows:

Add the names: "Aslanides, Brown, Buehrer, Callender, Calvert, Carmichael, Cates, Cirelli, Collier, Combs, Core, DeBose, DeGeeter, Distel, Domenick, Faber, Flowers, Gilb, Grendell, Hartnett, Hollister, Jerse, Latta, Martin, Mason, McGregor, Niehaus, Oelslager, Olman, Peterson, Reidelbach, Schaffer, Schmidt, Seaver, Setzer, Slaby, Taylor, Trakas, Walcher, Widowfield, Willamowski, Woodard, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 365**-Representatives Buehrer, Willamowski, Latta, Cirelli, Allen, Seitz, Kearns, Harwood.

To amend section 2317.02 of the Revised Code to waive the

physician-patient and attorney-client privileges in probate cases under certain circumstances, was taken up for consideration the third time.

The question , "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 82, nays 16, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Blasdel
Book	Brinkman	Brown	Buehrer
Calvert	Carano	Carmichael	Cates
Cirelli	Clancy	Collier	Combs
Core	Daniels	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	Latta	Martin	McGregor
Niehaus	Oelslager	Olman	Patton S.
Patton T.	Perry	Peterson	Price
Raga	Rausen	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Slaby	Smith G.	Stewart D.	Stewart J.
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wolpert	Woodard
Yates			Householder-82.

Those who voted in the negative were: Representatives

Beatty	Bocchieri	Callender	Chandler
DeBose	Grendell	Koziura	Mason
Miller	Otterman	Redfern	Skindell
Smith S.	Strahorn	Sykes	Young-16.

The bill passed.

Representative Buehrer moved to amend the title as follows:

Add the names: "Calvert, Clancy, Domenick, C. Evans, Flowers, Gilb, Hagan, Hughes, Key, McGregor, Niehaus, Reidelbach, Sferra."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 402**-Representatives Fessler, Seitz, Grendell, Hughes, Husted, Latta, DeGeeter, Cates, Gilb, Webster, Kearns, Jerse, Seaver, Faber, Setzer, Aslanides, Blasdel, Distel, Gibbs, Brinkman, Hoops, Kilbane, McGregor, Barrett, Niehaus, Olman, Young, Peterson, Wolpert, Price, Reidelbach, Schmidt, Otterman, G. Smith, J. Stewart, Trakas, Wagner, Walcher, Strahorn, Widener, Collier, Woodard, Ujvagi, Martin, Harwood, C. Evans, White,

Allen, Skindell, Widowfield, S. Smith, Hollister, Willamowski.

To amend section 3107.15 of the Revised Code 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Fessler moved that **H.B. No. 402**-Representative Fessler, et al., be rereferred to the committee on Juvenile and Family Law.

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

The motion was agreed to without objection.

**Sub. H. B. No. 454**-Representatives White, Seitz, Clancy, McGregor, Raga, Schmidt, Setzer, Chandler, Kearns, Schaffer, Webster, Miller, Perry, Distel, Strahorn, Hollister, Price, Cirelli, G. Smith, Reidelbach, Hoops, Harwood, Slaby, Combs, Beatty, Barrett.

To amend section 3719.81 and to enact sections 3719.811, 3719.812, and 3719.813 of the Revised Code regarding the distribution of sample drugs by and to charitable pharmacies, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Cates moved that **Sub. H. B. No. 454**-Representative White, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

**Sub. S. B. No. 164**-Senators Schuler, Blessing, Dann, Robert Gardner, Fingerhut, Hagan. -Representative Trakas.

To amend sections 4301.22, 4303.07, 4303.10, 4303.17, and 4303.35 of the Revised Code to remove under specified conditions the prohibition against allowing liquor agency stores to sell spirituous liquor on Sunday, to authorize the sale of beer and wine under a D-4 permit under specified conditions after its location has been transferred, to generally authorize B-2 permit holders to sell wine to retail permit holders and B-5 permit holders to sell wine to wholesale and retail permit holders, and to generally require retail permit holders to purchase beer, wine, and mixed beverages from manufacturers and wholesalers that are A or B permit holders and to purchase spirituous liquor from the Division of Liquor Control, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Trakas moved that **Sub. S. B. No. 164**-Senator Schuler, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

**Sub. S. B. No. 187**-Senators Nein, Robert Gardner, Armbruster, Schuler, Stivers, Mumper, Padgett, Spada. -Representatives D. Evans, G. Smith, Faber, Gibbs, Setzer, Martin, Sferra, Wolpert, Koziura, Daniels, Barrett.

To amend sections 2505.02, 3915.02, 3915.073, 3915.14, 3937.25, 3937.26, and 3937.27 and to enact sections 3937.28 and 3937.29 of the Revised Code to adopt a new formula for determining the minimum nonforfeiture value of an individual deferred annuity, to require insurance companies to obtain the Superintendent of Insurance's approval prior to deferring the payment of a cash surrender benefit, to prohibit the delivery or use of an annuity contract and its related endorsements for thirty days after the form of the contract or endorsement is filed with the Superintendent, unless earlier approved by the Superintendent, to allow immediate appeals of final orders of courts pertaining to the constitutionality of provisions of Am. Sub. S.B. 281 of the 124th General Assembly, and to differentiate provisions for the cancellation, termination, and nonrenewal of policies of medical malpractice insurance from those provisions regulating other policies of insurance, and to amend the version of section 3915.073 of the Revised Code as results from this act two years after the act's effective date, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Cates moved that **Sub. S. B. No. 187**-Senator Nein, et al., be informally passed and retain its place on the calendar.

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 concurrent resolution in which the concurrence of the House is requested:

**S. C. R. No. 31** - Senators Austria, Amstutz, Carey, Coughlin, Randy Gardner, Goodman, Harris, Hottinger, Mumper, Roberts, Schuler, Armbruster, DiDonato, Hagan, Jacobson, Zurz, Brady, Jordan, Stivers, Blessing, Dann, Fedor, Fingerhut, Mallory, Miller, Nein, Prentiss, Robert Gardner, Schuring, Spada, Wachtmann, White

To express support for retention and expansion of all military bases and centers in Ohio and to urge that local governments and community, industry, and labor leaders work with the Governor's All-Ohio Task Force to Save Defense Jobs for that purpose.

Attest:

Matthew T. Schuler,  
Clerk.

On motion of Representative Cates, the House recessed.

The House met pursuant to recess.

Representative Cates moved that the House revert to the second order of business, being introduction of bills.

The motion was agreed to.

### INTRODUCTION OF BILLS

The following bill was introduced:

**H. B. No. 509**-Representatives Schlichter, J. Stewart, McGregor, Willamowski, Price, Allen, Kearns, Redfern, T. Patton, Hollister, Daniels, Combs.

To amend section 3313.616 of the Revised Code to grant high school diplomas to certain veterans of the Vietnam Conflict.

Said bill was considered the first time.

### 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 **Sub. S. B. No. 133**-Senator Wachtmann, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: OHIO PUBLIC RETIREMENT SYSTEMS - GOVERNANCE

Representative Blasdel moved to amend the title as follows:

Add the names: "Representatives Schmidt, Reidelbach, White, G. Smith, Schneider."

/s/ MICHELLE G. SCHNEIDER

/s/ JOHN J. WHITE

/s/ LINDA REIDELBACH

/s/ JEAN SCHMIDT

/s/ DAVID DANIELS

/s/ CHRIS WIDENER

/s/ SHAWN N. WEBSTER

/s/ GEOFFREY C. SMITH

/s/ CHARLES R. BLASDEL

/s/ DIXIE J. ALLEN

/s/ WILLIAM J. SEITZ

/s/ BOB GIBBS

/s/ THOMAS F. PATTON

The following members voted "NO"

/s/ DALE MILLER

/s/ JIMMY STEWART

/s/ JOSEPH KOZIURA

/s/ TODD BOOK

/s/ FRED STRAHORN

/s/ CHARLES A. WILSON

/s/ SHIRLEY A. SMITH

/s/ ROBERT J. OTTERMAN

The report was agreed to.

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

### MOTIONS AND RESOLUTIONS

Representative Cates moved that **S.C.R. No. 31**-Senator Austria et al., be brought up for immediate adoption and read by title only.

The motion was agreed to without objection.

**S. C. R. No. 31**-Senators Austria, Amstutz, Carey, Coughlin, Randy Gardner, Goodman, Harris, Hottinger, Mumper, Roberts, Schuler, Armbruster, DiDonato, Hagan, Jacobson, Zurz, Brady, Jordan, Stivers, Blessing, Dann, Fedor, Fingerhut, Mallory, Miller, Nein, Prentiss, Robert Gardner, Schuring, Spada, Wachtmann, White.

To express support for retention and expansion of all military bases and centers in Ohio and to urge that local governments and community, industry, and labor leaders work with the Governor's All-Ohio Task Force to Save Defense Jobs for that purpose.

Representative DeWine moved to amend the title as follows:

Add the names: "Representatives Allen, Aslanides, Boccieri, Book, Brown, Calvert, Carano, Carmichael, Cates, Clancy, Collier, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Domenick, C. Evans, D. Evans, Flowers, Gilb, Grendell, Hagan, Hartnett, Harwood, Hoops, Hughes, Husted, Kearns, Key, Koziura, Latta, Martin, Mason, McGregor, Niehaus, Oelslager, Otterman, S. Patton, T. Patton, Peterson, Price, Raga, Raussen, Redfern, Reidelbach, Reinhard, Schaffer, Schlichter, Schmidt, Schneider, Seaver, Seitz, Setzer, Sferra, Skindell, Slaby, G. Smith, J. Stewart, Trakas, Walcher, White, Widener, Willamowski, Wolpert, Woodard, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the concurrent resolution be adopted?"

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen  
Blasdel

Aslanides  
Boccieri

Barrett  
Book

Beatty  
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	Grendell
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
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-99.

The concurrent resolution was adopted.

### **BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 231**-Representatives Niehaus, Seitz, McGregor, Barrett, Kearns, Husted, Setzer, Collier, Webster, Carano, Allen, Aslanides, Carmichael, Strahorn, Daniels.

To amend sections 307.37, 319.281, 521.01, 711.05, 711.10, 711.131, 3701.83, 3709.085, 3709.09, 3709.091, 4736.01, 5302.30, 6111.04, and 6111.44 and to enact sections 3718.01, 3718.02, 3718.021, 3718.03 to 3718.10, 3718.99, and 6111.441 of the Revised Code to require the Public Health Council to adopt rules governing household sewage treatment systems and small flow on-site sewage treatment systems, to define and authorize boards of health to regulate small flow on-site sewage treatment systems, to create the Sewage Treatment System Technical Advisory Committee to advise the Director of Health on the approval or disapproval of new systems, to require the transferor of real property that is served by a sewage treatment system to provide on the real property disclosure form a statement that operation and maintenance information on the system is available from the Department of Health or the local board of health of the health district in which the system is located, and to establish other requirements governing sewage treatment systems, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 67, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	Brown	Carano
Carmichael	Chandler	Clancy	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Domenick	Driehaus
Evans D.	Flowers	Gibbs	Hollister
Hughes	Husted	Kearns	Key
Kilbane	Koziura	Latta	Martin
McGregor	Miller	Niehaus	Olman
Otterman	Patton S.	Patton T.	Perry
Peterson	Price	Raussen	Redfern
Reidelbach	Schlichter	Seitz	Setzer
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Strahorn	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates		Householder-67.

Those who voted in the negative were: Representatives

Book	Brinkman	Buehrer	Callender
Calvert	Cates	Cirelli	Distel
Evans C.	Faber	Fessler	Gilb
Grendell	Hagan	Hartnett	Harwood
Hoops	Jerse	Mason	Oelslager
Raga	Reinhard	Schaffer	Schmidt
Schneider	Seaver	Sferra	Stewart J.
Sykes	Taylor	Trakas	Young-32.

The bill passed.

Representative Niehaus moved to amend the title as follows:

Add the names: "Domenick, Flowers, Hollister, Otterman, T. Patton, Wolpert."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 454**-Representatives White, Seitz, Clancy, McGregor, Raga, Schmidt, Setzer, Chandler, Kearns, Schaffer, Webster, Miller, Perry, Distel, Strahorn, Hollister, Price, Cirelli, G. Smith, Reidelbach, Hoops, Harwood, Slaby, Combs, Beatty, Barrett.

To amend section 3719.81 and to enact sections 3719.811, 3719.812, and 3719.813 of the Revised Code regarding the distribution of sample drugs by and to charitable pharmacies, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	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	Grendell
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	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-99.

The bill passed.

Representative White moved to amend the title as follows:

Add the names: "Allen, Aslanides, Brown, Buehrer, Carano, Carmichael, Collier, DeBose, DeGeeter, Domenick, Driehaus, C. Evans, D. Evans, Fessler, Flowers, Hagan, Hughes, Husted, Key, Kilbane, Niehaus, Olman, Otterman, S. Patton, T. Patton, Schlichter, S. Smith, D. Stewart, J. Stewart, Sykes, Taylor, Widener, Willamowski."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 164**-Senators Schuler, Blessing, Dann, Robert Gardner, Fingerhut, Hagan. -Representative Trakas.

To amend sections 4301.22, 4303.07, 4303.10, 4303.17, and 4303.35 of the Revised Code to remove under specified conditions the prohibition against allowing liquor agency stores to sell spirituous liquor on Sunday, to authorize the sale of beer and wine under a D-4 permit under specified conditions after its location has been transferred, to generally authorize B-2 permit holders to

sell wine to retail permit holders and B-5 permit holders to sell wine to wholesale and retail permit holders, and to generally require retail permit holders to purchase beer, wine, and mixed beverages from manufacturers and wholesalers that are A or B permit holders and to purchase spirituous liquor from the Division of Liquor Control, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Willamowski moved to amend as follows:

After line 203, insert:

**"Section 3.** Sections 4301.22, 4303.07, 4303.10, and 4303.35 of the Revised Code, as amended by this act, shall take effect on the ninety-first day after the effective date of this act.

**Section 4.** This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for this necessity is that the location of certain D-4 liquor permits cannot be transferred unless the changes this act makes to section 4303.17 of the Revised Code take effect very soon. Therefore, this act shall take immediate effect."

In line 11 of title, delete "and"

In line 16 of the title, after "Control" insert ", and to declare an emergency"

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

The yeas and nays were taken and resulted - yeas 80, nays 18, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	Book	Brown
Buehrer	Callender	Carano	Carmichael
Chandler	Cirelli	Clancy	Collier
Combs	Core	Daniels	DeGeeter
DeWine	Distel	Domenick	Driehaus
Evans C.	Evans D.	Faber	Flowers
Gibbs	Grendell	Hagan	Hartnett
Harwood	Hoops	Husted	Kearns
Key	Kilbane	Koziura	Latta
Martin	Miller	Niehaus	Oelslager
Olman	Otterman	Patton T.	Perry
Peterson	Raga	Raussen	Redfern
Reinhard	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Skindell
Slaby	Smith G.	Stewart D.	Stewart J.
Strahorn	Taylor	Trakas	Ujvagi
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-80.

Those who voted in the negative were: Representatives

Brinkman	Calvert	Cates	DeBose
Fessler	Gilb	Hollister	Hughes
Jerse	Mason	McGregor	Patton S.
Price	Reidelbach	Schaffer	Smith S.
Sykes			Wagner-18.

The motion was agreed to and the bill so amended.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted - yeas 78, nays 20, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	Book	Brown
Callender	Carano	Carmichael	Chandler
Cirelli	Clancy	Collier	Combs
Core	Daniels	DeGeeter	DeWine
Distel	Domenick	Driehaus	Evans C.
Evans D.	Faber	Flowers	Gibbs
Grendell	Hagan	Hartnett	Harwood
Hoops	Husted	Kearns	Key
Kilbane	Koziura	Latta	Martin
Miller	Niehaus	Oelslager	Olman
Otterman	Patton T.	Perry	Peterson
Raga	Rausen	Reinhard	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Skindell	Slaby	Smith G.
Stewart D.	Stewart J.	Strahorn	Taylor
Trakas	Ujvagi	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wilson	Wolpert	Woodard	Yates
Young			Householder-78.

Those who voted in the negative were: Representatives

Brinkman	Buehrer	Calvert	Cates
DeBose	Fessler	Gilb	Hollister
Hughes	Jerse	Mason	McGregor
Patton S.	Price	Redfern	Reidelbach
Schaffer	Smith S.	Sykes	Wagner-20.

Having received a constitutional majority, the emergency clause stood as part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 80, nays 19, as follows:

Those who voted in the affirmative were: Representatives

Allen	Barrett	Blasdel	Bocchieri
Book	Brinkman	Brown	Buehrer

Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Combs	Core	Daniels	DeGeeter
DeWine	Distel	Domenick	Driehaus
Evans C.	Evans D.	Faber	Flowers
Gibbs	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Kearns
Key	Kilbane	Koziura	Latta
Martin	Mason	McGregor	Miller
Niehaus	Oelsluger	Olman	Otterman
Patton T.	Perry	Peterson	Raga
Raussen	Redfern	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Sferra	Skindell	Slaby	Smith G.
Stewart D.	Stewart J.	Strahorn	Taylor
Trakas	Ujvagi	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wilson	Wolpert	Woodard	Householder-80.

Those who voted in the negative were: Representatives

Aslanides	Beatty	Callender	DeBose
Fessler	Gilb	Grendell	Hagan
Jerse	Patton S.	Price	Reidelbach
Reinhard	Schaffer	Smith S.	Sykes
Wagner	Yates		Young-19.

The bill having received the required constitutional majority, passed as an emergency measure.

Representative Trakas moved to amend the title as follows:

Add the names: "Barrett, Carano, Daniels, DeGeeter, D. Evans, Harwood, Kearns, Niehaus, Seitz, Willamowski."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 187**-Senators Nein, Robert Gardner, Armbruster, Schuler, Stivers, Mumper, Padgett, Spada. -Representatives D. Evans, G. Smith, Faber, Gibbs, Setzer, Martin, Sferra, Wolpert, Koziura, Daniels, Barrett.

To amend sections 2505.02, 3915.02, 3915.073, 3915.14, 3937.25, 3937.26, and 3937.27 and to enact sections 3937.28 and 3937.29 of the Revised Code to adopt a new formula for determining the minimum nonforfeiture value of an individual deferred annuity, to require insurance companies to obtain the Superintendent of Insurance's approval prior to deferring the payment of a cash surrender benefit, to prohibit the delivery or use of an annuity contract and its related endorsements for thirty days after the form of the contract or endorsement is filed with the Superintendent, unless earlier approved by the Superintendent, to allow immediate appeals of final orders of courts pertaining to the constitutionality of provisions of Am. Sub. S.B. 281 of the 124th

General Assembly, and to differentiate provisions for the cancellation, termination, and nonrenewal of policies of medical malpractice insurance from those provisions regulating other policies of insurance, and to amend the version of section 3915.073 of the Revised Code as results from this act two years after the act's effective date, 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 5, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Blasdel
Boccieri	Book	Brinkman	Brown
Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Distel
Domenick	Driehaus	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hollister	Hoops	Hughes
Husted	Jerse	Kearns	Key
Kilbane	Koziura	Latta	Martin
McGregor	Niehaus	Oelslager	Olman
Otterman	Patton S.	Patton T.	Perry
Peterson	Price	Raga	Rausen
Redfern	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Sferra	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.

Representatives Beatty, Cirelli, Mason, Miller, and Skindell voted in the negative-5.

The bill passed.

Representative G. Smith moved to amend the title as follows:

Add the names: "Aslanides, Carano, Collier, Domenick, C. Evans, Flowers, Hughes, Key, Olman, Reidelbach, Seitz, Slaby."

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 **Sub. S. B. No. 133**-Senator Wachtmann, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

**Sub. S. B. No. 133**-Senators Wachtmann, Schuring, Austria, Amstutz, Stivers, Harris, Spada, Coughlin, Armbruster, Jordan, Randy Gardner, Jacobson, Carnes, Robert Gardner, Miller, Mumper, Nein, White, Schuler. -Representatives Schmidt, Reidelbach, White, G. Smith, Schneider.

To amend sections 101.34, 101.99, 102.02, 102.03, 102.06, 117.10, 145.04, 145.05, 145.051, 145.06, 145.09, 145.11, 145.19, 145.193, 145.27, 145.40, 171.01, 171.03, 171.04, 742.03, 742.04, 742.05, 742.10, 742.11, 742.41, 1707.01, 1707.03, 1707.17, 1707.19, 1707.20, 1707.22, 1707.23, 1707.25, 1707.261, 1707.39, 1707.431, 1707.44, 1707.46, 3105.80, 3305.01, 3305.02, 3305.03, 3305.05, 3305.051, 3305.06, 3305.07, 3307.01, 3307.03, 3307.05, 3307.06, 3307.07, 3307.071, 3307.10, 3307.11, 3307.15, 3307.20, 3307.25, 3307.56, 3307.71, 3309.03, 3309.05, 3309.06, 3309.07, 3309.09, 3309.14, 3309.15, 3309.22, 3309.251, 3309.42, 5505.04, 5505.06, and 5505.07; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 145.051 (145.052), 3305.05 (3305.051), 3350.051 (3305.052), and 3309.061 (3309.071); to enact new sections 145.051, 3305.05, and 3309.061; and sections 101.90, 101.91, 101.92, 101.93, 101.94, 101.95, 101.96, 101.97, 101.98, 101.981, 109.98, 111.30, 145.041, 145.042, 145.053, 145.054, 145.055, 145.057, 145.058, 145.092, 145.093, 145.094, 145.095, 145.114, 145.115, 145.116, 145.99, 171.06, 171.50, 742.031, 742.032, 742.042, 742.043, 742.044, 742.045, 742.046, 742.102, 742.103, 742.104, 742.105, 742.114, 742.115, 742.116, 742.99, 1707.162, 1707.163, 3305.053, 3307.041, 3307.042, 3307.043, 3307.044, 3307.051, 3307.052, 3307.061, 3307.072, 3307.073, 3307.074, 3307.075, 3307.152, 3307.153, 3307.154, 3307.99, 3309.041, 3309.042, 3309.043, 3309.044, 3309.051, 3309.052, 3309.072, 3309.073, 3309.074, 3309.075, 3309.157, 3309.158, 3309.159, 3309.99, 5505.041, 5505.042, 5505.043, 5505.044, 5505.045, 5505.046, 5505.047, 5505.048, 5505.049, 5505.062, 5505.063, 5505.064, 5505.065, 5505.068, 5505.069, 5505.0610, 5505.111, 5505.122, and 5505.99 of the Revised Code regarding governance of Ohio's five public retirement systems, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Miller moved to amend as follows:

In section 145.04, at the end of the section, insert:

"The investment expert members appointed to the board pursuant to division (E) of this section shall be non-voting members."

In section 742.03, at the end of the section insert:

"The investment expert members appointed to the board pursuant to division (B)(2) of this section shall be non-voting members."

In section 3307.05, at the end of the section insert:

"The investment expert members appointed to the board pursuant to division (C) of this section shall be non-voting members."

In section 3309.05, at the end of the section insert:

"The investment expert members appointed to the board pursuant to division (D) of this section shall be non-voting members."

In section 5505.04, at the end of the section insert:

"The investment expert members appointed to the board pursuant to division (A)(1) of this section shall be non-voting members."

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

Representative Reidelbach 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 50, nays 49, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Brinkman	Buehrer
Calvert	Carmichael	Cates	Clancy
Collier	Combs	Core	Daniels
Evans C.	Evans D.	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hoops	Husted	Kilbane
Latta	Martin	Niehaus	Peterson
Raga	Rausen	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seitz	Setzer	Slaby	Smith G.
Trakas	Wagner	Walcher	Webster
White	Widener	Willamowski	Wolpert
Young			Householder-50.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocieri
Book	Brown	Callender	Carano
Chandler	Cirelli	DeBose	DeGeeter
DeWine	Distel	Domenick	Driehaus
Hartnett	Harwood	Hollister	Hughes
Jerse	Kearns	Key	Koziura
Mason	McGregor	Miller	Oelslager
Olman	Otterman	Patton S.	Patton T.
Perry	Price	Redfern	Seaver
Sferra	Skindell	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Ujvagi	Widowfield	Wilson	Woodard
			Yates-49.

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 57, nays 42, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Blasdel	Brinkman
Buehrer	Calvert	Carmichael	Cates
Cirelli	Clancy	Collier	Combs
Core	Daniels	DeWine	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hoops	Husted	Kearns	Kilbane
Latta	Martin	Niehaus	Oelslager
Patton T.	Peterson	Raga	Rausen
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Slaby	Smith G.	Trakas
Wagner	Walcher	Webster	White
Widener	Willamowski	Wolpert	Young
			Householder-57.

Those who voted in the negative were: Representatives

Barrett	Beatty	Boccieri	Book
Brown	Callender	Carano	Chandler
DeBose	DeGeeter	Distel	Domenick
Driehaus	Hartnett	Harwood	Hollister
Hughes	Jerse	Key	Koziura
Mason	McGregor	Miller	Olman
Otterman	Patton S.	Perry	Price
Redfern	Sferra	Skindell	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Ujvagi	Widowfield	Wilson
Woodard			Yates-42.

The bill passed.

Representative Schneider moved to amend the title as follows:

Add the names: "Brinkman, Buehrer, Cates, Clancy, Collier, Flowers, Hagan, Martin, Peterson, Setzer, Trakas, Webster, Willamowski."

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 concurred in the passage of the following bill:

**Sub. H. B. No. 38** - Representatives Willamowski, Hagan, McGregor, Seitz, Setzer, Schaffer, Buehrer, Widener, Latta, Book, Harwood, Mason, Core, Beatty, Callender, Blasdel, Cirelli, Daniels, DeBose, DeGeeter, Domenick, C. Evans, D. Evans, Faber, Flowers, Gilb, Hughes, Key, T. Patton, Schmidt, Skindell, G. Smith, S. Smith, J. Stewart. Senators Austria, Hottinger

To amend sections 1901.01, 1901.02, 1901.03, 1901.07, 1901.08, 1901.34, 1907.11, 2151.23, 2301.02, 2301.03, 4705.07, and 4705.99 of the Revised Code to specifically prohibit a person not licensed to practice law in Ohio from performing any act prohibited by the Supreme Court as the unauthorized practice of law and to provide for the recovery of damages for a violation of the prohibition; 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, and establish one full-time judgeship in that Court; to abolish the Darke County County Court on January 1, 2005; to provide for the nomination only by petition of the judges of the Brown County Municipal Court and the Morrow County Municipal Court; to add one additional judge for the Domestic Relations Division of the Licking County Court of Common Pleas to be elected in 2004; to add one additional judgeship for the Franklin County Court of Common Pleas to be elected in 2004; to clarify the jurisdiction and administration of the Domestic Relations Division of the Muskingum County Court of Common Pleas; to modify the jurisdiction and administration of the Domestic Relations Division of the Richland County Court of Common Pleas; and to declare an emergency.

As a substitute bill, in which the concurrence of the House is requested:

Attest:

Matthew T. Schuler,  
Clerk.

Representative Cates moved that Joint Rule No. 16, be suspended and that the Senate amendments to **Sub. H. B. No. 38**-Representative Willamowski, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 38**-Representative Willamowski, et al., were taken up for consideration.

**Sub. H. B. No. 38**-Representatives Willamowski, Hagan, McGregor, Seitz, Setzer, Schaffer, Buehrer, Widener, Latta, Book, Harwood, Mason, Core, Beatty, Callender, Blasdel, Cirelli, Daniels, DeBose, DeGeeter, Domenick, C. Evans, D. Evans, Faber, Flowers, Gilb, Hughes, Key, T. Patton, Schmidt, Skindell, G. Smith, S. Smith, J. Stewart. -Senators Austria, Hottinger.

To amend sections 1901.01, 1901.02, 1901.03, 1901.07, 1901.08, 1901.34, 1907.11, 2151.23, 2301.02, 2301.03, 4705.07, and 4705.99 of the Revised Code to specifically prohibit a person not licensed to practice law in Ohio from performing any act prohibited by the Supreme Court as the unauthorized practice of law and to provide for the recovery of damages for a violation of the prohibition; 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, and establish one full-time judgeship in that Court; to abolish the Darke County Court on January 1, 2005; to provide for the nomination only by petition of the judges of the Brown County Municipal Court and the Morrow County Municipal Court; to add one additional judge for the Domestic Relations Division of the Licking County Court of Common Pleas to be elected in 2004; to add one additional judgeship for the Franklin County Court of Common Pleas to be elected in 2004; to clarify the jurisdiction and administration of the Domestic Relations Division of the Muskingum County Court of Common Pleas; to modify the jurisdiction and administration of the Domestic Relations Division of the Richland County Court of Common Pleas; and to declare an emergency.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted - yeas 81, nays 16, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Boccieri	Book	Brown
Carano	Carmichael	Cates	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Distel
Domenick	Driehaus	Evans C.	Evans D.
Faber	Flowers	Gibbs	Gilb
Hagan	Hartnett	Harwood	Hoops
Hughes	Husted	Jerse	Kearns
Key	Kilbane	Koziura	Latta
Martin	Miller	Niehaus	Oelslager
Olman	Otterman	Patton T.	Perry
Peterson	Price	Raga	Rausen
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Seaver	Seitz	Setzer
Sferra	Slaby	Smith G.	Stewart D.
Stewart J.	Strahorn	Taylor	Ujvagi
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Woodard	Yates	Young
			Householder-81.

Those who voted in the negative were: Representatives

Brinkman	Buehrer	Callender	Calvert
Cirelli	Fessler	Grendell	Hollister
Mason	McGregor	Patton S.	Redfern
Skindell	Smith S.	Sykes	Trakas-16.

Having received a constitutional majority, the emergency clause stood as part of the bill.

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

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	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	Grendell
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
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-99.

The Senate amendments were concurred in.

#### 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:

**Sub. H. B. No. 223** - Representatives Gibbs, Cates, Schmidt, C. Evans, Calvert, Hagan, Aslanides, D. Evans, Buehrer, Setzer, Webster, McGregor, Raussen, Young, Faber, Peterson, Carmichael, Wolpert, Schlichter, Blasdel, Clancy, Collier, Core, Daniels, DeBose, Flowers, Gilb, Hoops, Martin, Niehaus, Raga, Reidelbach, Reinhard, Schaffer, Schneider. Senators Spada, Mumper, Wachtmann, Nein, Harris, Hottinger, Padgett, Austria

To amend sections 4123.35 and 4123.54 of the Revised Code to specify conditions under which chemical testing of an employee may establish a rebuttable presumption that the employee's injury was proximately caused by use of alcohol or an unprescribed controlled substance.

As a substitute bill, in which the concurrence of the House is requested:

Attest:

Matthew T. Schuler,  
Clerk.

Representative Cates moved that Joint Rule No. 16, be suspended and that the Senate amendments to **Sub. H. B. No. 223**-Representative Gibbs, et al., be taken up for immediate consideration.

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

The yeas and nays were taken and resulted - yeas 63, nays 36, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Blasdel	Buehrer
Callender	Calvert	Carmichael	Cates
Clancy	Collier	Combs	Core
Daniels	DeWine	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hollister
Hoops	Hughes	Husted	Kearns
Kilbane	Latta	Martin	McGregor
Niehaus	Oelslager	Olman	Patton T.
Peterson	Raga	Raussen	Reidelbach
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Slaby	Smith G.	Stewart J.	Taylor
Trakas	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wolpert	Young		Householder-63.

Those who voted in the negative were: Representatives

Barrett	Beatty	Bocchieri	Book
Brinkman	Brown	Carano	Chandler
Cirelli	DeBose	DeGeeter	Distel
Domenick	Driehaus	Hartnett	Harwood
Jerse	Key	Koziura	Mason
Miller	Otterman	Patton S.	Perry
Price	Redfern	Sferra	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Wilson	Woodard	Yates-36.

The motion was agreed to.

The Senate amendments to **Sub. H. B. No. 223**-Representative Gibbs, et al., were taken up for consideration.

**Sub. H. B. No. 223**-Representatives Gibbs, Cates, Schmidt, C. Evans, Calvert, Hagan, Aslanides, D. Evans, Buehrer, Setzer, Webster, McGregor, Raussen, Young, Faber, Peterson, Carmichael, Wolpert, Schlichter, Blasdel, Clancy, Collier, Core, Daniels, DeBose, Flowers, Gilb, Hoops, Martin, Niehaus, Raga, Reidelbach, Reinhard, Schaffer, Schneider. -Senators Spada,

Mumper, Wachtmann, Nein, Harris, Hottinger, Padgett, Austria.

To amend sections 4123.35 and 4123.54 of the Revised Code to specify conditions under which chemical testing of an employee may establish a rebuttable presumption that the employee's injury was proximately caused by use of alcohol or an unprescribed controlled substance.

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

The yeas and nays were taken and resulted - yeas 58, nays 41, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Blasdel	Buehrer
Calvert	Carmichael	Cates	Cirelli
Clancy	Collier	Combs	Core
Daniels	DeWine	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hoops
Hughes	Husted	Kearns	Latta
Martin	McGregor	Niehaus	Oelslager
Peterson	Raga	Raussen	Reidelbach
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Slaby	Smith G.	Taylor	Trakas
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wolpert
Young			Householder-58.

Those who voted in the negative were: Representatives

Barrett	Beatty	Boccieri	Book
Brinkman	Brown	Callender	Carano
Chandler	DeBose	DeGeeter	Distel
Domenick	Driehaus	Hartnett	Harwood
Hollister	Jerse	Key	Kilbane
Koziura	Mason	Miller	Olman
Otterman	Patton S.	Patton T.	Perry
Price	Redfern	Sferra	Skindell
Smith S.	Stewart D.	Stewart J.	Strahorn
Sykes	Ujvagi	Wilson	Woodard
			Yates-41.

The Senate amendments were concurred in.

#### 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. Sub. H. B. No. 342** - Representatives Widener, Daniels, Flowers, Schaffer, Schmidt, Setzer, G. Smith, Widowfield. Senators Hottinger, Stivers,

Amstutz, Harris, Schuler

To amend section 2505.02 and to enact sections 2307.84 to 2307.90, 2307.901, and 2307.902 of the Revised Code to establish minimum medical requirements for filing certain silicosis claims or mixed dust disease claims, to establish premises liability in relation to those claims, to specify a plaintiff's burden of proof in tort actions involving exposure to silica or mixed dust, and to prescribe the requirements for shareholder liability for silicosis claims or mixed dust disease claims under the doctrine of piercing the corporate veil.

With the following additional amendment, in which the concurrence of the House is requested:

In line 872, after "That" insert "existing"

Attest:

Matthew T. Schuler,  
Clerk.

Representative Cates moved that Joint Rule No. 16, be suspended and that the Senate amendments to **Am. Sub. H. B. No. 342**-Representative Widener, et al., be taken up for immediate consideration.

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

The yeas and nays were taken and resulted - yeas 60, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Buehrer	Callender
Calvert	Carmichael	Cates	Clancy
Collier	Combs	Core	Daniels
DeWine	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hollister	Hoops
Husted	Kearns	Kilbane	Latta
Martin	McGregor	Niehaus	Olman
Patton T.	Peterson	Raga	Rausen
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Slaby	Smith G.	Stewart J.
Taylor	Trakas	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Wolpert	Young	Householder-60.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brinkman	Brown	Carano
Chandler	Cirelli	DeBose	DeGeeter
Distel	Domenick	Driehaus	Hartnett
Harwood	Hughes	Jerse	Key

Koziura	Mason	Miller	Oelslager
Otterman	Patton S.	Perry	Price
Redfern	Sferra	Skindell	Smith S.
Stewart D.	Strahorn	Sykes	Ujvagi
Wilson	Woodard		Yates-39.

The motion was agreed to.

The Senate amendments to **Am. Sub. H. B. No. 342**-Representative Widener, et al., were taken up for consideration.

**Am. Sub. H. B. No. 342**-Representatives Widener, Daniels, Flowers, Schaffer, Schmidt, Setzer, G. Smith, Widowfield. -Senators Hottinger, Stivers, Amstutz, Harris, Schuler.

To amend section 2505.02 and to enact sections 2307.84 to 2307.90, 2307.901, and 2307.902 of the Revised Code to establish minimum medical requirements for filing certain silicosis claims or mixed dust disease claims, to establish premises liability in relation to those claims, to specify a plaintiff's burden of proof in tort actions involving exposure to silica or mixed dust, and to prescribe the requirements for shareholder liability for silicosis claims or mixed dust disease claims under the doctrine of piercing the corporate veil.

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

The yeas and nays were taken and resulted - yeas 70, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Blasdel
Boccieri	Book	Buehrer	Callender
Calvert	Carmichael	Cates	Chandler
Clancy	Collier	Combs	Core
Daniels	DeBose	DeWine	Distel
Driehaus	Evans D.	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hoops
Hughes	Husted	Kearns	Kilbane
Latta	Martin	McGregor	Niehaus
Olman	Patton T.	Perry	Peterson
Raga	Raussen	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Slaby
Smith G.	Stewart J.	Taylor	Trakas
Wagner	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Young			Householder-70.

Those who voted in the negative were: Representatives

Beatty	Brinkman	Brown	Carano
Cirelli	DeGeeter	Domenick	Evans C.
Hollister	Jerse	Key	Koziura

Mason	Miller	Oelslager	Otterman
Patton S.	Price	Redfern	Sferra
Skindell	Smith S.	Stewart D.	Strahorn
Sykes	Walcher	Woodard	Yates-28.

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following concurrent resolution:

**H. C. R. No. 27** - Representatives Flowers, White, McGregor, DeWine, S. Patton, J. Stewart, Sykes, Oelslager, Seitz, Williams, Chandler, Webster, Setzer, Price, Beatty, Carano, Miller, Olman, Hoops, Allen, Calvert, Hughes.

To endorse the proclamation by the American Adhesion Support Group of the fourth Thursday of each September as Adhesion Related Disorder Awareness Day.

Attest:

Matthew T. Schuler,  
Clerk.

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. Sub. H. B. No. 183** - Representatives Daniels, Allen, C. Evans, Seitz, Setzer, Raga, Ujvagi, Young, McGregor, Barrett, Carano, Cates, Chandler, Cirelli, Clancy, DeBose, Domenick, Jolivette, Niehaus, Olman, T. Patton, Schaffer, Schlichter, Schmidt, Webster, Yates. Senators Fedor, Prentiss, Nein, Carey, Padgett, Zurz, DiDonato, Austria

To amend sections 121.083, 3781.10, 3781.19, 4123.01, and 4123.291; to enact new sections 4104.41, 4104.42, 4104.43, 4104.44, and 4104.45 and sections 4125.01 to 4125.09 and 4125.99; and to repeal sections 4104.41, 4104.42, 4104.43, 4104.44, 4104.45, and 4104.47 of the Revised Code and to amend Section 3 of Sub. H.B. 75 of the 124th General Assembly to register professional employer organizations for purposes of enforcing compliance with workers' compensation laws, to extend the time period wherein the Administrator of Workers' Compensation is permitted to grant immediate

allowance of specified medical conditions, to exclude from required workers' compensation coverage an individual incorporated as a corporation, and to adopt a new Ohio pressure piping law.

As a substitute bill with the following additional amendment, in which the concurrence of the House is requested:

In line 995, after "violates" insert "division (A) of"

Attest:

Matthew T. Schuler,  
Clerk.

The Senate amendments were laid over under the Rule.

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. 185** - Senators Jordan, Robert Gardner, Dann, Schuler, Wachtmann, Brady, Padgett, Harris, Spada, Stivers

To amend sections 2111.06, 2151.23, 2151.27, 2152.021, 3109.04, 3109.27, 3109.29, and 3109.37, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3109.27 (3127.23), 3109.29 (3127.24), and 3109.37 (3127.06), to enact sections 3127.01 to 3127.05, 3127.07 to 3127.11, 3127.15 to 3127.22, 3127.31 to 3127.47, 3127.51, 3127.52, and 3127.53, and to repeal sections 3109.21, 3109.22, 3109.23, 3109.24, 3109.25, 3109.26, 3109.28, 3109.30, 3109.31, 3109.32, 3109.33, 3109.34, 3109.35, and 3109.36 of the Revised Code to repeal the Uniform Child Custody Jurisdiction Act and replace it with the Uniform Child Custody Jurisdiction and Enforcement Act.

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:

**Sub. H. B. No. 322** - Representatives Widener, Hollister, Kilbane, Taylor, Otterman, Allen, Barrett, Book, Carmichael, Chandler, Cirelli, Collier, Daniels, C. Evans, Flowers, Hoops, Key, Olman, S. Patton, Schlichter, Setzer, J. Stewart, Webster. Senators Coughlin, Miller

To amend sections 4733.15 and 4733.16 and to enact section 4733.151 of the Revised Code to increase the annual renewal of registration fee for professional engineers and professional surveyors, to implement continuing professional development requirements for registration renewals of professional engineers and surveyors beginning in calendar year 2008, and to modify requirements concerning the type of professional designated to be responsible for decisions of a professional engineering or professional surveying business.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Matthew T. Schuler,  
Clerk.

The Senate amendments were laid over under the Rule.

## 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. Sub. H. B. No. 368** - Representatives Gibbs, Aslanides, Allen, Collier, McGregor, Faber, Taylor, Domenick, C. Evans, Niehaus, Walcher, Setzer, Distel, Perry, Seaver, Barrett, Calvert, Carmichael, Chandler, Cirelli, Gilb, Grendell, Hughes, T. Patton, Reidelbach, Reinhard. Senators Amstutz, Armbruster, Robert Gardner, Schuler

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.

Attest:

Matthew T. Schuler,  
Clerk.

On motion of Representative Cates, the House adjourned until Wednesday, May 26, 2004 at 1:30 o'clock p.m.

Attest:

LAURA P. CLEMENS,  
Clerk.