

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, JUNE 11, 2003

SIXTY-THIRD DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, June 11, 2003 at 1:30 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Jerome Hurst of the Hilltop Seventh Day Adventist Church in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

Members of the Pearl Harbor Survivors Association, guests of Representative Willamowski--4th district.

Cub Scout Pack #51, guests of Representative Schaffer--5th district.

Kara Riener, Michelle Haskins, and George Biggs, guests of Representative Widowfield--42nd district.

Wife, Sally, and children Emily and Brandon, family of Representative Widener--84th district.

Pam, Erica, David and Megan Ball, guests of Representative Widener--84th district.

Ralph Shepard and Joe Witt, guests of Representative Niehaus-- 88th district.

John Webster, a guest of Representative Book--89th district.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 219-Representatives Schlichter, DeWine, C. Evans, Hollister, Husted, McGregor, Reinhard, Schmidt, Setzer, Jerse, Otterman, S. Patton, Price, Redfern.

To enact section 4549.20 of the Revised Code to prohibit any person from installing in any motor vehicle any air bag other than one designed in accordance with and meeting federal law standards for the make, model, and model year of the vehicle.

Said bill was considered the first time.

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

Representative Hartnett submitted the following report:

The standing committee on Education to which was referred **H. B. No. 75**-Representative Buehrer, et al., having had the same under consideration, reports it back and recommends its passage.

RE: KOREAN WAR/NONRESIDENT VETS - GRANT HS DIPLOMA

Representative Setzer moved to amend the title as follows:

Add the names: "Setzer, Chandler, Seaver, Woodard, Reidelbach, Williams, Taylor, Hartnett, Callender."

WILLIAM J. HARTNETT
SHAWN N. WEBSTER
ARLENE J. SETZER
JAMIE CALLENDER
KEVIN DEWINE
W. SCOTT OELSLAGER
CLYDE EVANS
MERLE GRACE KEARNS
MARY TAYLOR
BRYAN C. WILLIAMS
L. GEORGE DISTEL

KENNETH A. CARANO
KATHLEEN CHANDLER
CLAUDETTE J. WOODARD
DERRICK SEAVER
MICHAEL DEBOSE
TYRONE K. YATES
LINDA REIDELBACH
STEVE REINHARD
JAMES M. HOOPS
DIANA M. FESSLER

The report was agreed to.

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

Representative Distel submitted the following report:

The standing committee on Commerce and Labor to which was referred **H. B. No. 64**-Representative Faber, et al., having had the same under consideration, reports back as a substitute bill and recommends its passage.

RE: SCUBA CERTIFICATION - ALLOW OXYGEN SALES

Representative Young moved to amend the title as follows:

Add the names: "D. Stewart, Distel."

DAN STEWART
JOHN A. BOCCIERI
L. GEORGE DISTEL
BRYAN C. WILLIAMS
SALLY CONWAY KILBANE
DALE MILLER

JIM MCGREGOR
TIMOTHY O. SCHAFFER
RON YOUNG
CHRIS WIDENER
TOM BRINKMAN

The report was agreed to.

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

Representative Distel submitted the following report:

The standing committee on Commerce and Labor to which was referred **H. B. No. 120**-Representative Grendell, et al., having had the same under consideration, reports it back and recommends its passage.

RE: SELF-SERVICE STORAGE FACILITY - REASONABLE LATE FEE

Representative Young moved to amend the title as follows:

Add the names: "Miller, Distel, McGregor."

DAN STEWART	BRYAN C. WILLIAMS
JOHN A. BOCCIERI	SALLY CONWAY KILBANE
L. GEORGE DISTEL	DALE MILLER
JIM MCGREGOR	CHRIS WIDENER
TIMOTHY O. SCHAFFER	TOM BRINKMAN
RON YOUNG	

The report was agreed to.

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

Representative Cirelli submitted the following report:

The standing committee on Health to which was referred **Am. Sub. S. B. No. 51**-Senator Blessing, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DENTAL BOARD - DENTIST LOAN

Representative Jolivette moved to amend the title as follows:

Add the names: "Schneider, Hollister, Beatty, Cirelli, Barrett, Harwood, S. Smith, Jolivette."

TYRONE K. YATES	NANCY P. HOLLISTER
MICHELLE G. SCHNEIDER	SHIRLEY A. SMITH
GREGORY JOLIVETTE	CATHERINE L. BARRETT
JAMES M. HOOPS	MICHAEL DEBOSE
GEOFFREY C. SMITH	LINDA REIDELBACH
JOYCE BEATTY	CHARLES R. BLASDEL
MARY M. CIRELLI	LYNN E. OLMAN
SANDRA STABILE HARWOOD	EDWARD JERSE

The following member voted "NO"

MERLE GRACE KEARNS

The report was agreed to.

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

Representative Wilson reported for the Rules and Reference Committee recommending that the following House Bills be considered for the second time and referred to the following committees for consideration:

H. B. No. 209 - Representative Aslanides.

TO AUTHORIZE THE CONVEYANCE TO THE BOARD OF COUNTY COMMISSIONERS OF MUSKINGUM COUNTY OF ALL OF THE STATE'S RIGHT, TITLE, AND INTEREST IN CERTAIN REAL ESTATE LOCATED IN THAT COUNTY, THAT WAS ORIGINALLY CONVEYED TO THE BOARD OF COUNTY COMMISSIONERS UNDER AM. S. B. 136 OF THE 113TH GENERAL ASSEMBLY AND THAT MAY HAVE REVERTED BACK TO THE STATE DURING THE INTERVENING YEARS

To the committee on County and Township Government.

H. B. No. 210 - Representative Barrett, et al.

TO PROHIBIT ANY PERSON FROM OPERATING CERTAIN VEHICLES WHILE ENGAGED IN ANY ACTIVITY THAT IMPAIRS THE ABILITY OF THE PERSON TO CONTROL FULLY THE VEHICLE, TO PROHIBIT ANY PERSON FROM OPERATING A MOVING VEHICLE AND SIMULTANEOUSLY USING A MOBILE TELEPHONE THAT IS NOT CAPABLE OF BEING OPERATED IN A HANDS-FREE MANNER OTHER THAN TO REPORT AN EMERGENCY, TO PROHIBIT WITHOUT EXCEPTION ANY PERSON WITH A TEMPORARY INSTRUCTION PERMIT FROM OPERATING A MOVING VEHICLE AND SIMULTANEOUSLY USING A MOBILE TELEPHONE, AND TO REQUIRE THE STATE HIGHWAY PATROL TO COMPILE MONTHLY DATA AND STATISTICS ON MOTOR VEHICLE ACCIDENTS IN WHICH MOBILE TELEPHONE USE WAS A MATERIAL FACTOR

To the committee on Transportation and Public Safety.

H. B. No. 211 - Representative Trakas, et al.

INCLUDE METROPOLITAN HOUSING AUTHORITY POLICE OFFICERS IN THE LAW ENFORCEMENT DIVISION OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM

To the committee on Banking, Pensions, and Securities.

H. B. No. 212 - Representative Seitz, et al.

TO CHANGE THE RATE OF INTEREST ON MONEY DUE UNDER CERTAIN CONTRACTS AND ON JUDGMENTS, TO CHANGE THE COMPUTATION OF THE PERIOD FOR WHICH PREJUDGMENT INTEREST IS DUE IN CERTAIN CIVIL ACTIONS, TO PRECLUDE PREJUDGMENT INTEREST ON FUTURE DAMAGES, AND TO REQUIRE THAT THE FINDER OF FACT IN CERTAIN TORT ACTIONS IN WHICH FUTURE DAMAGES ARE CLAIMED SPECIFY THE AMOUNT OF PAST AND FUTURE DAMAGES AWARDED

To the committee on Civil and Commercial Law.

H. B. No. 213 - Representative Willamowski, et al.

TO EXEMPT FROM THE PERSONAL INCOME TAX UP TO \$10,000 IN STATE AND FEDERAL GOVERNMENT AND MILITARY RETIREMENT BENEFIT

To the committee on Ways and Means.

H. B. No. 214 - Representative Kilbane, et al.

TO ESTABLISH THE FAMILY SUPPORT BOARD TO DEVELOP A FAMILY-CENTERED AND FAMILY-DIRECTED SYSTEM FOR CHILDREN WITH DEVELOPMENTAL DISABILITIES

To the committee on Human Services and Aging.

H. B. No. 215 - Representative Schmidt, et al.

TO REQUIRE MEDICAL CLAIMS AGAINST HEALTHCARE PROVIDERS TO BE REVIEWED BY A MEDICAL REVIEW PANEL PRIOR TO THE CLAIM PROCEEDING IN COURT

To the committee on Insurance.

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

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

Representative Cates moved that the House and constitutional rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills were considered a second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H. Con. R. No. 17 - Representative Niehaus.

RECOGNIZING YOUTH SPORTS DAY, JUNE 11, 2003

Add the names: "Driehaus, Clancy, Buehrer, Peterson, Hughes, Schlichter, Beatty, T. Patton, Carano, Allen."

H. R. No. 90-Representative G. Smith.

HONORING THE UPPER ARLINGTON HIGH SCHOOL SYMPHONY STRINGS AS THE 2003 FAME FESTIVALS NATIONAL ORCHESTRA CUP WINNERS

Add the names: "Buehrer, Calvert, Hughes, Schlichter, Flowers, Carano."

GARY CATES,
Vice Chair.

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

The motion was agreed to.

Representative Trakas moved that majority party members asking leave to be absent or absent the week of Tuesday, June 10, 2003, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Miller moved that minority party members asking leave to be absent or absent the week of Tuesday, June 10, 2003, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

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

H. R. No. 57 -Speaker Householder, Representatives Redfern, Allen, Aslanides, Barrett, Beatty, Blasdel, Bocchieri, Book, Brinkman, Brown, Buehrer, Callender, Calvert, Carano, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Core, Daniels, DeBose, DePiero, DeWine, Distel, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fessler, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Harwood, Hollister, Hoops, Hughes, Husted, Jerse, Jolivette, Kearns, Key, Kilbane, Koziura, Latta, Martin, Mason, McGregor, Miller, Hiehaus, Oelslager, Olman, Otterman, S. Patton, T. Patton, Perry, Peterson, Price, Raga, Raussen, Reidelbach, Reinhard, Schaffer, Schlichter, Schmidt, Schneider, Seaver, Seitz, Setzer, Sferra, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Ujvagi, Wagner, Walcher, Webster, White, Widener, Widowfield, Willamowski, Williams, Wilson, Wolpert, Woodard, Yates, Young.

IN MEMORY OF CHARLES E. FRY

LARRY HOUSEHOLDER,
Chair.

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

The motion was agreed to.

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

H. R. No. 57-Speaker Householder, Representatives Redfern, Allen, Aslanides, Barrett, Beatty, Blasdel, Boccieri, Book, Brinkman, Brown, Buehrer, Callender, Calvert, Carano, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Core, Daniels, DeBose, DePiero, DeWine, Distel, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fessler, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Harwood, Hollister, Hoops, Hughes, Husted, Jerse, Jolivette, Kearns, Key, Kilbane, Koziura, Latta, Martin, Mason, McGregor, Miller, Niehaus, Oelslager, Olman, Otterman, S. Patton, T. Patton, Perry, Peterson, Price, Raga, Raussen, Reidelbach, Reinhard, Schaffer, Schlichter, Schmidt, Schneider, Seaver, Seitz, Setzer, Sferra, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Ujvagi, Wagner, Walcher, Webster, White, Widener, Widowfield, Willamowski, Williams, Wilson, Wolpert, Woodard, Yates, Young.

In memory of Charles E. Fry.

WHEREAS, The members of the House of Representatives of the 125th General Assembly of Ohio were deeply saddened to learn of the death of Charles E. Fry and extend our heartfelt condolences to his family and friends; and

WHEREAS, Charles Fry left an indelible impression on the people whose lives he touched, and he will be remembered as a spirited individual who contributed immeasurably to the world around him. A former construction worker, contract manager for Warner Brothers Pictures, special agent with the FBI during World War II, and member of Ohio House of Representatives and Senate, Charles Fry was a dedicated and devoted public servant whose exemplary career serves as an inspiration for others; and

WHEREAS, Charles Fry's regard for improving the quality of life in our society was clearly evident in his personal sacrifices of time and effort to family, friends, and community. Giving generously of his energy and abilities in all of his endeavors, he displayed exceptional concern and insight, and his absence will be keenly felt; and

WHEREAS, In his various roles as a loving husband to his wife, the late Marjorie, a devoted father to his four children, Bea Jane, Marmee, Robin, and the late Chuck, a politician, and a member of the community, Charles Fry always used his talents to the benefit of others, and the laurels of his life stand as a tribute not only to him, but also to those he left behind. Although the void which his death has created can never be filled, the legacy of care and commitment which he established will surely live on. The world is a richer

place for his having been in it, and he will be truly missed, therefore be it

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

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of Charles E. Fry.

The resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 117-Representatives Widowfield, Husted, Hollister, McGregor, Kearns, Seitz, White, Gilb, Allen, Schmidt, Schneider, Brown, Perry, Cirelli, Reidelbach, Price, Hagan, Flowers, Otterman.

To amend sections 2151.86, 5103.03, 5103.031, 5103.032, 5103.033, 5103.035, 5103.037, 5103.038, 5103.039, 5103.0311, 5103.0316, 5103.0317, 5120.65, and 5153.60 and to repeal section 5103.0310 of the Revised Code to revise foster caregiver training requirements, add additional offenses to those that disqualify a person as a person responsible for a child's care in out-of-home care or prospective adoptive parent, and permit the Department of Job and Family Services to seek injunctive relief in certain circumstances, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Raga moved to amend as follows:

In line 13, after "2151.86," insert "3107.012, 3107.013, 3107.031,"

Between lines 234 and 235, insert:

"Sec. 3107.012. (A) A foster caregiver who holds a valid foster home certificate issued under section 5103.03 of the Revised Code may use the application prescribed under division (B) of this section to obtain the services of an agency to arrange an adoption for the foster caregiver if ~~the~~one of the following applies:

(1) The foster caregiver seeks to adopt the foster caregiver's foster child who has resided in the foster caregiver's home for at least twelve months prior to the date the foster caregiver submits the application to the agency.

(2) The foster caregiver holds a valid foster home certificate issued under section 5103.03 of the Revised Code on or after the effective date of this amendment.

(B) The department of job and family services shall prescribe an application for a foster caregiver to use under division (A) of this section. The

application shall not require that the foster caregiver provide any information the foster caregiver already provided the department, or undergo an inspection the foster caregiver already underwent, to obtain a foster home certificate under section 5103.03 of the Revised Code.

(C) An agency that receives an application prescribed under division (B) of this section from a foster caregiver authorized to use the application shall not require, as a condition of the agency accepting or approving the application, that the foster caregiver undergo a criminal records check under section 2151.86 of the Revised Code as a prospective adoptive parent. The agency shall inform the foster caregiver, in accordance with division (G) of section 2151.86 of the Revised Code, that the foster caregiver must undergo the criminal records check before a court may issue a final decree of adoption or interlocutory order of adoption under section 3107.14 of the Revised Code.

An agency that receives an application prescribed under division (B) of this section from a foster caregiver who meets the requirements of division (A)(2) of this section shall not require additional training to become a prospective adoptive parent beyond the preplacement training requirements for foster caregivers prescribed in section 5103.031 or 5103.033 of the Revised Code.

(D) The department of job and family services shall adopt rules implementing this section.

Sec. 3107.013. An agency arranging an adoption pursuant to an application submitted to the agency under section 3107.012 of the Revised Code for a foster caregiver seeking to adopt ~~the foster caregiver's foster child~~ shall provide the foster caregiver information about adoption, including information about state adoption law, adoption assistance available pursuant to section 5153.163 of the Revised Code and Title IV-E of the "Social Security Act," 94 Stat. 501, 42 U.S.C.A. 670 (1980), as amended, the types of behavior that the prospective adoptive parents may anticipate from children who have experienced abuse and neglect, suggested interventions and the assistance available if the child exhibits those types of behavior after adoption, and other adoption issues the department of job and family services identifies. The agency shall provide the information to the foster caregiver in accordance with rules the department of job and family services shall adopt in accordance with Chapter 119. of the Revised Code.

Sec. 3107.031. Except as otherwise provided in this section, an assessor shall conduct a home study for the purpose of ascertaining whether a person seeking to adopt a minor is suitable to adopt. A written report of the home study shall be filed with the court at least ten days before the petition for adoption is heard.

The report shall contain the opinion of the assessor as to whether the person who is the subject of the report is suitable to adopt a minor and other information and documents specified in rules adopted by the director of job and

family services under section 3107.032 of the Revised Code. The assessor shall not consider the person's age when determining whether the person is suitable to adopt if the person is old enough to adopt as provided by section 3107.03 of the Revised Code.

An assessor may request departments or agencies within or outside this state to assist in the home study as may be appropriate and to make a written report to be included with and attached to the report to the court. The assessor shall make similar home studies and reports on behalf of other assessors designated by the courts of this state or another place.

Upon order of the court, the costs of the home study and other proceedings shall be paid by the person seeking to adopt, and, if the home study is conducted by a public agency or public employee, the part of the cost representing any services and expenses shall be taxed as costs and paid into the state treasury or county treasury, as the court may direct.

On request, the assessor shall provide the person seeking to adopt a copy of the report of the home study. The assessor shall delete from that copy any provisions concerning the opinion of other persons, excluding the assessor, of the person's suitability to adopt a minor.

This section does not apply to either of the following:

(A) A foster caregiver seeking to adopt the foster caregiver's foster child if the foster child has resided in the foster caregiver's home for at least twelve months prior to the date the foster caregiver submits an application prescribed under division (B) of section 3107.012 of the Revised Code to the agency arranging the adoption;

(B) A foster caregiver who meets the requirements of division (A)(2) of section 3107.012 of the Revised Code and submits an application prescribed under division (B) of that section to the agency arranging the adoption."

In line 635, after "2151.86," insert "3107.012, 3107.013, 3107.031,"

In line 1 of the title, after "2151.86," insert "3107.012, 3107.013, 3107.031,"

In line 9 of the title, after the comma insert "permit foster caregivers to make application to agencies arranging adoptions,"

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

The yeas and nays were taken and resulted - yeas 98, 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	Core
Daniels	DeBose	DePiero	DeWine

Distel	Domenick	Driehaus	C. Evans
D. Evans	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Jolivette
Kearns	Key	Kilbane	Koziura
Latta	Martin	Mason	McGregor
Miller	Niehaus	Oelslager	Olman
Otterman	T. Patton	Perry	Peterson
Price	Raga	Raussen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	G. Smith
S. Smith	D. Stewart	J. Stewart	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Williams
Wilson	Wolpert	Woodard	Yates
Young			Householder-98.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 98, 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	Core
Daniels	DeBose	DePiero	DeWine
Distel	Domenick	Driehaus	C. Evans
D. Evans	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Jolivette
Kearns	Key	Kilbane	Koziura
Latta	Martin	Mason	McGregor
Miller	Niehaus	Oelslager	Olman
Otterman	T. Patton	Perry	Peterson
Price	Raga	Raussen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	G. Smith
S. Smith	D. Stewart	J. Stewart	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Williams
Wilson	Wolpert	Woodard	Yates
Young			Householder-98.

The bill passed.

Representative Widowfield moved to amend the title as follows:

Add the names: "Aslanides, Barrett, Beatty, Bocchieri, Carano, Carmichael, Clancy, Collier, Daniels, DeBose, Distel, C. Evans, Hartnett, Harwood, Hoops, Hughes, Jerse, Jolivette, Key, Martin, Niehaus, T. Patton, Raussen, Reinhard, Schlichter, Setzer, Sferra, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Taylor, Ujvagi, Wagner, Walcher, Widener, Williams, Wilson, Wolpert, Woodard, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 135-Representatives Willamowski, Seitz, Latta, Beatty, Book, Harwood, Schlichter, Mason.

To amend sections 317.08, 317.09, 5301.01, 5301.25, 5301.255, 5311.03, 5311.04, 5311.05, 5311.051, 5311.052, 5311.06, 5311.07, 5311.08, 5311.09, 5311.10, 5311.11, 5311.12, 5311.13, 5311.14, 5311.16, 5311.17, 5311.18, 5311.19, 5311.20, 5311.21, 5311.22, 5311.23, 5311.24, 5311.25, 5311.26, 5311.27, and 5721.35, to enact new section 5311.01 and sections 5311.031, 5311.032, 5311.033, 5311.041, 5311.081, and 5311.091, and to repeal sections 5311.01, 5311.15, and 5311.241 of the Revised Code to revise the Ohio Condominium Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Willamowski moved to amend as follows:

In line 53, delete "and" and insert a comma.

In line 55, after "Code" insert ", and any restrictions on the use of property contained in a deed or other instrument as provided in division (E) of section 3737.882 of the Revised Code".

The motion was agreed to and the bill so amended.

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

6/11/03

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. 135**, because it might be construed that I have an interest in the legislation.

Sincerely yours,

/S/ CHRIS WIDENER
CHRIS WIDENER
State Representative
84th House District

The request was granted.

The yeas and nays were taken and resulted - yeas 97, 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	Core
Daniels	DeBose	DePiero	DeWine
Distel	Domenick	Driehaus	C. Evans
D. Evans	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Jolivette
Kearns	Key	Kilbane	Koziura
Latta	Martin	Mason	McGregor
Miller	Niehaus	Oelslager	Olman
Otterman	T. Patton	Perry	Peterson
Price	Raga	Raussen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	G. Smith
S. Smith	D. Stewart	J. Stewart	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widowfield	Willamowski	Williams	Wilson
Wolpert	Woodard	Yates	Young
			Householder-97.

The bill passed.

Representative Willamowski moved to amend the title as follows:

Add the names: "Barrett, Buehrer, Collier, Daniels, DePiero, C. Evans, D. Evans, Flowers, Gilb, Grendell, Hagan, Hughes, Husted, Jolivette, Kearns, Koziura, McGregor, Niehaus, T. Patton, Perry, Reidelbach, Schmidt, Seaver, Setzer, J. Stewart, Widowfield, Woodard."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

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

Sub. S. B. No. 86 - Senators Stivers, Miller, Goodman, Jacobson, Randy Gardner, Coughlin, Amstutz, Brady, Herington, Fedor, Wachtmann, Schuring, Mumper, Spada, Harris, Nein, Carey, Schuler, DiDonato, Prentiss, Robert Gardner, Armbruster, White

To amend sections 2305.234, 3701.071, 4715.42, and 4731.295 of the Revised Code to extend immunity from liability for services provided by volunteer health care professionals and workers to additional health care facilities and locations and to nonprofit health care referral organizations, to increase the maximum allowable income of individuals who may be served by volunteers having immunity from liability, and to amend the version of section 2305.234 of the Revised Code that is scheduled to take effect January 1, 2004, to continue the provisions of this act on and after that effective date.

Attest:

Matthew T. Schuler,
Clerk

Said bill was considered the first time.

On motion of Representative Cates, the House adjourned until Thursday, June 12, 2003 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.