

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, OCTOBER 15, 2003

ONE HUNDRED SIXTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, October 15, 2003 at 1:30 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Bishop Bobby Hilton of The Word of Deliverance Ministires for the World, Inc. in Forest Park, 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:

Megan Meister, Dawn Pawliski, and Judith Pindell, guests of Rep. Skindell-13th district.

Cyndie Hill and students from the Grandview Heights Middle School, guests of Rep. G. Smith-24th district.

Elenore Pearlmann, Reverend Majorie McDaniel, members of the Statewide Universal Healthcare Action Network, and members of B.R.E.A.D., guests of Rep. Beatty-27th district.

Kevin Martin, a guest of Rep. J. Stewart-92nd district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 301-Representatives Core, Seitz, Hoops, Gilb, Willamowski, McGregor, Collier.

To amend section 3929.18 of the Revised Code to limit the duration of a mutual insurance company's lien on property it insures to five years from the date of filing.

H. B. No. 302-Representative Walcher.

To amend section 4503.54 of the Revised Code to create a "U.S. Armed Forces Active Duty" license plate.

Said bills were considered the first time.

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

Representative Mason submitted the following report:

The standing committee on Criminal Justice to which was referred **Sub. S.**

B. No. 53-Senator Goodman, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: NATIONAL CRIME PREVENTION AND PRIVACY COMPACT

Representative Latta moved to amend the title as follows:

Add the names: "Representatives Collier, Willamowski, Brown, D. Evans, Seitz, Callender, Faber, Latta, Gilb"

- | | |
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| THOM COLLIER | JOHN R. WILLAMOWSKI |
| ROBERT E. LATTA | TYRONE K. YATES |
| JAMIE CALLENDER | KEITH L. FABER |
| SHIRLEY A. SMITH | EDNA BROWN |
| MIKE GILB | DAVID R. EVANS |
| LANCE T. MASON | EDWARD JERSE |
| DEAN E. DEPIERO | WILLIAM J. SEITZ |
| STEPHEN BUEHRER | ANNIE L. KEY |

The report was agreed to.

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

Representative Hartnett submitted the following report:

The standing committee on Education to which was referred **H. B. No. 102**-Representative Collier, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PERMIT FOUR DAY SCHOOL WEEK

Representative Setzer moved to amend the title as follows:

Add the names: "Setzer, C. Evans."

- | | |
|----------------------|---------------------|
| DERRICK SEAVER | KEVIN DEWINE |
| CLYDE EVANS | MARY TAYLOR |
| BRYAN C. WILLIAMS | JAMES M. HOOPS |
| L. GEORGE DISTEL | WILLIAM J. HARTNETT |
| SHAWN N. WEBSTER | ARLENE J. SETZER |
| STEVE REINHARD | LINDA REIDELBACH |
| MICHAEL DEBOSE | KENNETH A. CARANO |
| CLAUDETTE J. WOODARD | JAMIE CALLENDER |

The following members voted "NO"

- | | |
|--------------------|--------------------|
| DIANA M. FESSLER | MERLE GRACE KEARNS |
| TYRONE K. YATES | KATHLEEN CHANDLER |
| W. SCOTT OELSLAGER | |

The report was agreed to.

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

Representative D. Stewart submitted the following report:

The standing committee on State Government to which was referred **Am. S. B. No. 23**-Senator Goodman, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: LIQUOR COMM'N - CONSIDER BAR WORKER TRAINING

JAMES PETER TRAKAS	STEPHEN BUEHRER
KEVIN DEWINE	LARRY L. FLOWERS
ANNIE L. KEY	DEAN E. DEPIERO
SYLVESTER D. PATTON	DAN STEWART
JIM CARMICHAEL	JOHN A. BOCCIERI
PATRICIA M. CLANCY	

The report was agreed to.

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

Representative D. Stewart submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 185**-Representative Schmidt, et al., having had the same under consideration, reports it back and recommends its passage.

RE: LONG-TERM CARE INSURANCE PUBLIC EMPLOYER MAY PAY

Representative Carmichael moved to amend the title as follows:

Add the name: "Buehrer."

JAMES PETER TRAKAS	STEPHEN BUEHRER
KEVIN DEWINE	LARRY L. FLOWERS
ANNIE L. KEY	DEAN E. DEPIERO
DAN STEWART	JIM CARMICHAEL
JOHN A. BOCCIERI	PATRICIA M. CLANCY

The report was agreed to.

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

Representative D. Stewart submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 224**-Representative Kearns, et al., having had the same under consideration, reports it back and recommends its passage.

RE: GEORGE ROGERS CLARK DAY - 11/19

Representative Carmichael moved to amend the title as follows:

Add the names: "Clancy, Boccieri, Key, Buehrer, D. Stewart."

JAMES PETER TRAKAS	STEPHEN BUEHRER
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KEVIN DEWINE
ANNIE L. KEY
DAN STEWART
JOHN A. BOCCIERI

LARRY L. FLOWERS
DEAN E. DEPIERO
JIM CARMICHAEL
PATRICIA M. CLANCY

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on County and Township Government to which was referred **H. B. No. 148**-Representative Grendell, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TOWNSHIPS - RECORDS/MODIFY CLERK DUTIES/BOND

Representative Wolpert moved to amend the title as follows:

Add the names: "Wagner, Wolpert, Daniels, Collier, Walcher, Schlichter, Sferra, McGregor, C. Evans, Flowers."

LYNN E. OLMAN
MICHAEL J. SKINDELL
LARRY L. WOLPERT
JIM MCGREGOR
MARY M. CIRELLI
JOHN DOMENICK
JOHN SCHLICHTER
DANIEL J. SFERRA

JEFF WAGNER
LARRY L. FLOWERS
DAVID DANIELS
THOM COLLIER
KATHLEEN WALCHER
CLYDE EVANS
KATHLEEN CHANDLER
DIANA M. FESSLER

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on County and Township Government to which was referred **H. B. No. 204**-Representative Wolpert, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ELECTRONIC RECORDS - CTY USE/DEFINE INTERNET

Representative Wolpert moved to amend the title as follows:

Add the names: "Wolpert, Daniels, Chandler, Cirelli, Collier, Domenick, C. Evans, Fessler, Flowers, McGregor, Olman, Schlichter, Sferra, Skindell, Wagner, Walcher."

DAVID DANIELS
THOM COLLIER

JEFF WAGNER
LARRY L. FLOWERS

LYNN E. OLMAN
 JIM MCGREGOR
 DANIEL J. SFERRA
 MARY M. CIRELLI
 JOHN SCHLICHTER
 JOHN DOMENICK

LARRY L. WOLPERT
 DIANA M. FESSLER
 MICHAEL J. SKINDELL
 KATHLEEN CHANDLER
 CLYDE EVANS
 KATHLEEN WALCHER

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on County and Township Government to which was referred **H. B. No. 246**-Representative T. Patton, having had the same under consideration, reports it back and recommends its passage.

RE: VETERANS - CIVIL SERVICE EXAMS - EXTRA CREDIT

Representative Wolpert moved to amend the title as follows:

Add the names: "Flowers, Daniels, Collier, Walcher, Domenick, C. Evans, Schlichter, Chandler, McGregor, Fessler, Wolpert."

DAVID DANIELS
 LYNN E. OLMAN
 DIANA M. FESSLER
 MICHAEL J. SKINDELL
 KATHLEEN CHANDLER
 LARRY L. FLOWERS
 JOHN DOMENICK
 THOM COLLIER

JEFF WAGNER
 JIM MCGREGOR
 MARY M. CIRELLI
 DANIEL J. SFERRA
 JOHN SCHLICHTER
 CLYDE EVANS
 KATHLEEN WALCHER
 LARRY L. WOLPERT

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. 296 - Representatives Barrett, et al.

TO CREATE AN ASSISTED LIVING PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF AGING PURSUANT TO A HOME AND COMMUNITY-BASED SERVICES WAIVER FROM THE UNITED STATES SECRETARY OF HEALTH AND HUMAN SERVICES
 To the committee on Human Services

H.B. No. 297 - Representatives Buehrer, et al.

TO PROHIBIT COLLECTIVE BARGAINING BETWEEN COUNTY BOARDS OF ELECTIONS AND THEIR EMPLOYEES
 To the committee on State Government

LARRY HOUSEHOLDER
CHARLES CALVERT
PATRICIA M. CLANCY
JIM HUGHES
JON M. PETERSON
JAMES PETER TRAKAS
CHRIS REDFERN
JOYCE BEATTY
EDWARD JERSE
CHARLES A. WILSON

GARY W. CATES
JIM CARMICHAEL
LARRY L. FLOWERS
THOMAS F. PATTON
JOHN SCHLICHTER
KATHLEEN WALCHER
DIXIE J. ALLEN
KENNETH A. CARANO
ROBERT J. OTTERMAN

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

The motion was agreed to without objection.

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Trakas moved that majority party members asking leave to be absent or absent the week of Tuesday, October 14, 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, October 14, 2003, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

H. B. No. 194-Representatives Schneider, Cates, Schmidt, Seitz, Ujvagi, Flowers, McGregor, Schlichter, Walcher, Domenick, Sferra, Cirelli, Price, Wolpert.

To amend section 307.15 of the Revised Code to permit a board of county commissioners to enter into an agreement with a transportation improvement district for the county to exercise any power, or perform or render any function or service, for the district, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, 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	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	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	G. Smith
S. Smith	D. Stewart	J. Stewart	Strahorn
Sykes	Taylor	Trakas	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative Schneider moved to amend the title as follows:

Add the names: "Aslanides, Barrett, Beatty, Brown, Calvert, Carmichael, Chandler, Clancy, Daniels, DeBose, C. Evans, Gibbs, Harwood, Hughes, Jolivette, Kearns, Key, Niehaus, Oelslager, Otterman, S. Patton, T. Patton, Perry, Raga, Redfern, Reidelbach, Seaver, J. Stewart, Wagner, Webster."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 212-Representatives Seitz, McGregor, Setzer, Cates, C. Evans, Wagner, Schmidt, Gilb, Husted, Williams, Blasdel, Wolpert, Schneider, Faber, Driehaus, Webster, Gibbs, Reidelbach, Raussen, Collier, G. Smith, Latta, Widener, Harwood, Book.

To amend sections 1343.03, 2325.18, and 5703.47 and to enact sections 319.19, 1901.313, 1907.202, 2303.25, and 2323.57 of the Revised Code to change the rate of interest on money due under certain contracts and on judgments, to provide trial courts notification of the rate of interest, to specify that the rate of interest is that in effect on the date of the judgment in a civil action and remains in effect until the judgment is satisfied, to change the

computation of the period for which prejudgment interest is due in certain civil actions, to preclude prejudgment interest on future damages, 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 modify the period of limitations for revivor of judgments, and to preclude the accrual of interest from the date a judgment becomes dormant to the date the judgment is revived, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, 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	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	Rausen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	G. Smith
S. Smith	D. Stewart	J. Stewart	Strahorn
Sykes	Taylor	Trakas	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative Seitz moved to amend the title as follows:

Add the names: "Allen, Aslanides, Barrett, Brown, Buehrer, Calvert, Carmichael, Clancy, Core, Daniels, Domenick, Flowers, Hartnett, Hoops, Hughes, Jolivette, Key, Niehaus, Otterman, Perry, Price, Schlichter, S. Smith, J. Stewart, Taylor, Woodard."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On a motion a Representative Cates, the House recessed.

The House met pursuant to recess.

Representative Cates moved the the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Cirelli submitted the following report:

The standing committee on Health to which was referred **Sub. S. B. No. 35**-Senator Nein, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PHYSICAL THERAPY WITHOUT PRESCRIPTION

Representative Jolivette moved to amend the title as follows:

Add the names: "Representatives Martin, Beatty, Jerse, Fessler, Olman, Kearns, Jolivette"

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|------------------------|-------------------|
| SANDRA STABILE HARWOOD | JAMES M. HOOPS |
| NANCY P. HOLLISTER | GEOFFREY C. SMITH |
| CHARLES R. BLASDEL | JOYCE BEATTY |
| EDWARD JERSE | LINDA REIDELBACH |
| MICHAEL DEBOSE | TYRONE K. YATES |
| CATHERINE L. BARRETT | SHIRLEY A. SMITH |
| GREGORY JOLIVETTE | JOHN J. WHITE |
| MERLE GRACE KEARNS | EARL MARTIN |
| LYNN E. OLMAN | DIANA M. FESSLER |

The following members voted "NO"

- | | |
|-----------------|-----------------------|
| MARY M. CIRELLI | MICHELLE G. SCHNEIDER |
|-----------------|-----------------------|

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 **H. B. No. 41**-Representative Carmichael, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FIREFIGHTERS/EMTS/PRACTICE/TRAINING

Representative Jolivette moved to amend the title as follows:

Add the names: "Cirelli, Beatty, Kearns, Schneider, Blasdel, Hollister, Martin, G. Smith, S. Smith, Jolivette."

- | | |
|------------------------|----------------|
| SANDRA STABILE HARWOOD | JAMES M. HOOPS |
|------------------------|----------------|

NANCY P. HOLLISTER
 CHARLES R. BLASDEL
 MICHELLE G. SCHNEIDER
 EDWARD JERSE
 DIANA M. FESSLER
 LYNN E. OLMAN
 CATHERINE L. BARRETT
 GREGORY JOLIVETTE
 EARL MARTIN

GEOFFREY C. SMITH
 SHIRLEY A. SMITH
 MERLE GRACE KEARNS
 TYRONE K. YATES
 LINDA REIDELBACH
 JOYCE BEATTY
 MARY M. CIRELLI
 JOHN J. WHITE
 MICHAEL DEBOSE

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. 183**-Representative Daniels, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REGISTER PROFESSIONAL EMPLOYER ORGANIZATIONS

Representative Young moved to amend the title as follows:

Add the names: "Young, McGregor."

DAN STEWART
 JIM MCGREGOR
 DALE MILLER
 JOHN A. BOCCIERI
 SALLY CONWAY KILBANE

TIMOTHY O. SCHAFFER
 RON YOUNG
 L. GEORGE DISTEL
 TOM BRINKMAN
 CHRIS WIDENER

The report was agreed to.

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

Representative Mason submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 184**-Representative Schmidt, et al., having had the same under consideration, reports it back and recommends its passage.

RE: AGGRAVATED MURDER - NO AGGRVT CIRCUM - PENALTY

Representative Latta moved to amend the title as follows:

Add the names: "Collier, Willamowski, Latta, D. Evans."

THOM COLLIER
 JOHN R. WILLAMOWSKI
 TYRONE K. YATES
 KEITH L. FABER
 EDNA BROWN

WILLIAM J. SEITZ
 ROBERT E. LATTA
 JAMIE CALLENDER
 SHIRLEY A. SMITH
 MIKE GILB

DAVID R. EVANS
EDWARD JERSE
ANNIE L. KEY

STEPHEN BUEHRER
DEAN E. DEPIERO

The report was agreed to.

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

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. 6 - Representatives J. Stewart, Allen, Aslanides, Barrett, Beatty, Bocchieri, Brown, Buehrer, Carano, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Core, Daniels, DeBose, DePiero, Domenick, Driehaus, C. Evans, Faber, Flowers, Gibbs, Gilb, Hartnett, Harwood, Hollister, Husted, Jolivette, Key, Latta, Martin, Miller, Niehaus, Oelslager, Oلمان, S. Patton, T. Patton, Perry, Peterson, Price, Raussen, Schaffer, Schlichter, Schmidt, Schneider, Seaver, Seitz, Setzer, Sferra, G. Smith, D. Stewart, Strahorn, Sykes, Taylor, Ujvagi, Walcher, Webster, White, Widowfield, Williams, Wolpert, Woodard, Yates. Senators Carnes, Harris, Stivers, Mumper.

To amend sections 149.43, 339.89, 3701.03, 3701.04, 3701.06, 3701.07, 3701.13, 3701.14, 3701.15, 3701.16, 3701.17, 3701.19, 3701.22, 3701.23, 3701.24, 3701.241, 3701.25, 3701.34, 3701.35, 3701.352, 3701.501, 3701.56, 3701.57, 3701.99, 3707.06, 3707.99, 3715.02, 3901.46, and 4736.01; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3701.16 (3701.161), 3701.17 (3701.162), 3701.23 (3701.221), and 3707.33 (3707.38); and to enact new sections 3701.16, 3701.17, and 3701.23 and sections 3701.072, 3701.146, 3701.201, 3701.231, 3701.232, 3701.571, and 3707.34 of the Revised Code to modify the powers and duties of the Department of Health, Public Health Council, and boards of health relative to bioterrorism and other public health matters.

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

In line 653, delete "(2)"

In line 748, delete "maintained"

In line 749, delete "under" and insert "authorized by"

In line 912, reinsert "authorized by"; delete "maintained"

In line 913, delete "pursuant to"

In line 1321, reinsert "authorized"; delete "maintained"

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. 6**-Representative J. Stewart, et al., be taken up for immediate consideration.

The motion was agreed to.

The Senate amendments to **Am. Sub. H.B. No. 6** - Representative J. Stewart, et al., were taken up for consideration.

Am. Sub. H. B. No. 6-Representatives J. Stewart, Allen, Aslanides, Barrett, Beatty, Boccieri, Brown, Buehrer, Carano, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Core, Daniels, DeBose, DePiero, Domenick, Driehaus, C. Evans, Faber, Flowers, Gibbs, Gilb, Hartnett, Harwood, Hollister, Husted, Jolivet, Key, Latta, Martin, Miller, Niehaus, Oelslager, Olman, S. Patton, T. Patton, Perry, Peterson, Price, Raussen, Schaffer, Schlichter, Schmidt, Schneider, Seaver, Seitz, Setzer, Sferra, G. Smith, D. Stewart, Strahorn, Sykes, Taylor, Ujvagi, Walcher, Webster, White, Widowfield, Williams, Wolpert, Woodard, Yates. -Senators Carnes, Harris, Stivers, Mumper.

To amend sections 149.43, 339.89, 3701.03, 3701.04, 3701.06, 3701.07, 3701.13, 3701.14, 3701.15, 3701.16, 3701.17, 3701.19, 3701.22, 3701.23, 3701.24, 3701.241, 3701.25, 3701.34, 3701.35, 3701.352, 3701.501, 3701.56, 3701.57, 3701.99, 3707.06, 3707.99, 3715.02, 3901.46, and 4736.01; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3701.16 (3701.161), 3701.17 (3701.162), 3701.23 (3701.221), and 3707.33 (3707.38); and to enact new sections 3701.16, 3701.17, and 3701.23 and sections 3701.072, 3701.146, 3701.201, 3701.231, 3701.232, 3701.571, and 3707.34 of the Revised Code to modify the powers and duties of the Department of Health, Public Health Council, and boards of health relative to bioterrorism and other public health matters.

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

The yeas and nays were taken and resulted - yeas 89, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Boccieri	Book	Brown
Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Core	Daniels

DeBose	DePiero	DeWine	Distel
Domenick	Driehaus	C. Evans	Faber
Fessler	Flowers	Gibbs	Gilb
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Jolivette	Kearns	Key	Kilbane
Koziura	Latta	Mason	McGregor
Miller	Niehaus	Oelslager	Olman
Otterman	S. Patton	T. Patton	Perry
Peterson	Price	Raga	Raussen
Redfern	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Seaver	Seitz
Setzer	Sferra	S. Smith	D. Stewart
J. Stewart	Strahorn	Sykes	Taylor
Trakas	Wagner	Walcher	Webster
Widener	Widowfield	Willamowski	Wilson
Wolpert	Woodard	Yates	Young
			Householder-89.

Representatives Brinkman and Skindell voted in the negative-2.

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. 86 - Representatives Hoops, Willamowski, Widowfield, Raga, Buehrer, Daniels, Flowers, Latta, T. Patton, Redfern, Schlichter, Walcher, Webster. Senators Blessing, Randy Gardner, Mumper.

To amend sections 2151.07, 2301.02, 2301.03, and 3501.38 and to enact sections 2101.023 and 2101.024 of the Revised Code to add one judge to the Erie County Court of Common Pleas, to reallocate jurisdictional responsibilities of current judges of the Erie County Court of Common Pleas, to create the Domestic Relations-Juvenile-Probate Division of the Logan County Court of Common Pleas and to add one judge to the Logan County Court of Common Pleas to be elected in 2004, to specify that a board of elections may not invalidate a petition on the ground that its form does not satisfy statutory requirements, if the board originally distributed the petition form and, at the time of distribution, it did not satisfy statutory requirements, and to amend the version of section 2301.03 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, and to declare an emergency.

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

In line 1586, after the underlined comma delete the balance of the line

Delete line 1587

In line 1588, delete "when the petition is required to be filed."

In line 1591, delete "does not apply" and insert "applies only"

In line 1592, delete "fails to file the petition with the board" and insert "received the petition from the board"

Attest:

Matthew T. Schuler,
Clerk.

Representative Cates moved that House and Constitutional Rules requiring bills to be considered by each house on three separate days be suspended and that **Am. Sub. H.B. No. 86**, with Senate amendments, be brought up for immediate consideration.

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

The yeas and nays were taken and resulted - yeas 91, 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
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Jolivette	Kearns	Key
Kilbane	Koziura	Latta	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	S. Patton	T. Patton
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Seaver
Seitz	Setzer	Sferra	Skindell
S. Smith	D. Stewart	J. Stewart	Strahorn
Sykes	Taylor	Trakas	Wagner
Walcher	Webster	Widener	Widowfield
Willamowski	Wilson	Wolpert	Woodard
Yates	Young		Householder-91.

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 90, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Bocchieri	Book	Brown
Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Core	Daniels
DeBose	DePiero	DeWine	Distel
Domenick	Driehaus	C. Evans	Faber
Fessler	Flowers	Gibbs	Gilb
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Jolivette	Kearns	Key	Kilbane
Koziura	Latta	Mason	McGregor
Miller	Niehaus	Oelslager	Olman
Otterman	S. Patton	T. Patton	Perry
Peterson	Price	Raga	Rausen
Redfern	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Seaver	Seitz
Setzer	Sferra	Skindell	S. Smith
D. Stewart	J. Stewart	Strahorn	Sykes
Taylor	Trakas	Wagner	Walcher
Webster	Widener	Widowfield	Willamowski
Wilson	Wolpert	Woodard	Yates
Young			Householder-90.

Representative Brinkman voted in the negative-1.

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

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

The yeas and nays were taken and resulted - yeas 91, 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
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Jolivette	Kearns	Key
Kilbane	Koziura	Latta	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	S. Patton	T. Patton
Perry	Peterson	Price	Raga
Rausen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Seaver
Seitz	Setzer	Sferra	Skindell
S. Smith	D. Stewart	J. Stewart	Strahorn

Sykes	Taylor	Trakas	Wagner
Walcher	Webster	Widener	Widowfield
Willamowski	Wilson	Wolpert	Woodard
Yates	Young		Householder-91.

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

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. 17 - Senators Austria, White, Amstutz, Armbruster, Blessing, Brady, Carey, Carnes, Coughlin, Dann, DiDonato, Fedor, Fingerhut, Randy Gardner, Robert Gardner, Goodman, Hagan, Harris, Hottinger, Jordan, Jacobson, Mallory, Miller, Mumper, Nein, Prentiss, Roberts, Schuler, Schuring, Spada, Stivers, Wachtmann, Zurz.

To recognize Clark County and the State of Ohio as the birthplace of 4-H.

Attest:

Matthew T. Schuler,
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference 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. 92 - Senators Nein, Armbruster, Carey, Austria, Mumper, Roberts, White, Harris.

To amend sections 3121.898, 3121.899, 4141.01, 4141.281, and 4141.29 of the Revised Code, and to amend Section 3 of S.B. 99 of the 124th General Assembly to modify limitations on the use of new hire reports under the Child Support Law, to change unemployment compensation eligibility requirements when unemployment is caused by a major disaster, to modify the authority of reviewing courts with respect to unemployment compensation appeals, to

delay the implementation of specified unemployment compensation application requirements for a year and to declare an emergency.

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. 139 - Representatives G. Smith, Gibbs, Barrett, Setzer, Sferra, Driehaus, Koziura, Faber, Cates, Clancy, Daniels, D. Evans, Fessler, Flowers, Gilb, Hughes, Martin, Niehaus, Olman, Raussen, Reidelbach, Schmidt, Schneider, Seitz, J. Stewart, Wolpert. Senators Nein, Mumper, White, Harris.

To amend sections 4509.51 and 4509.53 of the Revised Code to specify that policies under the Financial Responsibility Law remain subject to their terms and conditions.

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. 139**-Representative G. Smith, et al., be taken up for immediate consideration.

The motion was agreed to.

The Senate amendments to **Sub. H.B. No. 139** - Representative G. Smith, et al., were taken up for consideration.

Sub. H. B. No. 139-Representatives G. Smith, Gibbs, Barrett, Setzer, Sferra, Driehaus, Koziura, Faber, Cates, Clancy, Daniels, D. Evans, Fessler, Flowers, Gilb, Hughes, Martin, Niehaus, Olman, Raussen, Reidelbach, Schmidt, Schneider, Seitz, J. Stewart, Wolpert. -Senators Nein, Mumper, White, Harris.

To amend sections 4509.51 and 4509.53 of the Revised Code to specify that policies under the Financial Responsibility Law remain subject to their terms and conditions.

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

The yeas and nays were taken and resulted - yeas 89, 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	Cirelli
Clancy	Collier	Core	DeBose
DePiero	DeWine	Distel	Domenick
Driehaus	C. Evans	Faber	Fessler
Flowers	Gibbs	Gilb	Hagan
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Jolivette
Kearns	Key	Kilbane	Koziura
Latta	Mason	McGregor	Miller
Niehaus	Oelslager	Olman	Otterman
S. Patton	T. Patton	Perry	Peterson
Price	Raga	Raussen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Seaver	Seitz	Setzer
Sferra	Skindell	S. Smith	D. Stewart
J. Stewart	Strahorn	Taylor	Trakas
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Woodard	Yates	Young
			Householder-89.

Representatives Daniels and Sykes voted in the negative-2.

The Senate amendments were concurred in.

On motion of Representative Cates, the House adjourned until Thursday, October 16, 2003 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.