

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
THURSDAY, NOVEMBER 4, 2004

TWO HUNDRED TWENTY-NINTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, November 4, 2004 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

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

Representative Schlichter was selected to preside under the Rule.

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

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 572-Representatives Raussen, McGregor, Calvert, Latta, Clancy, Hughes, Peterson, Seitz, Willamowski, Wolpert, DeWine, Kearns.

To amend sections 5719.04, 5721.01, and 5721.03 of the Revised Code to modify publication requirements for the delinquent land and delinquent personal and classified property tax lists and to permit county auditors to also publish such lists on the internet.

Said bill was considered the first time.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 145.04(E)(1)(2), Sub. S.B. No. 133, 125th General Assembly, the Speaker hereby jointly appoints public member Zuheir Sofia to the Public Employees Retirement System.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3307.05(C), Sub. S.B. No. 133, 125th General Assembly, the Speaker hereby jointly appoints public member Geoffrey G. Meyer to the State Teachers Retirement System.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 742.03(B)(2), Sub. S.B. No. 133, 125th General Assembly, the Speaker hereby jointly appoints public member Gerald Williams to the Ohio Police and Fire Retirement System.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3309.05(D)(1), Sub. S.B. No. 133, 125th General Assembly, the Speaker hereby jointly appoints public member Thomas E. Geyer to the State Employees Retirement System.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 5505.04(A)(2)(e), Sub. S.B. No.

133, 125th General Assembly, the Speaker hereby jointly appoints public member Paul Daniel Lohmeyer to the Ohio Highway Patrol Retirement System.

On motion of Representative McGregor, the House recessed.

The House met pursuant to recess.

Representative Flowers moved that 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 Wilson submitted the following report:

The standing committee on Rules and Reference to which was referred **Sub. H. B. No. 208**-Representative Young, et al., having had the same under consideration, recommends its re-referral to the committee on Commerce and Labor.

RE: Contractors/suppliers-prohib pay retainage

- | | |
|-------------------|-------------------|
| LARRY HOUSEHOLDER | JON M. PETERSON |
| CHARLES CALVERT | LARRY L. FLOWERS |
| THOMAS F. PATTON | JOHN SCHLICHTER |
| JIM CARMICHAEL | KATHLEEN WALCHER |
| JOYCE BEATTY | KENNETH A. CARANO |
| DIXIE J. ALLEN | CHARLES A. WILSON |
| CHRIS REDFERN | EDWARD JERSE |

The report was agreed to.

The bill was ordered to be engrossed and rereferred to the committee on Commerce and Labor.

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

H.B. No. 510 - Representative Flowers, et al
TO DESIGNATE SEPTEMBER 11 AS "OHIO PUBLIC SAFETY EMPLOYEE DAY."
To the committee on State Government

H.B. No. 511 - Representative McGregor, et al
TO EXPAND THE AUTHORITY OF THE OHIO BOARD OF REGENTS TO REGULATE THE PROGRAMS AND RESOURCES OF STATE INSTITUTIONS OF HIGHER EDUCATION

To the committee on Education

H.B. No. 512 - Representative Schneider

TO REQUIRE TITLE INSURANCE AGENTS TO NOTIFY PURCHASERS OF THE AVAILABILITY OF OWNER'S TITLE INSURANCE WHEN ISSUING LENDER'S TITLE INSURANCE IN CONJUNCTION WITH A RESIDENTIAL MORTGAGE LOAN AND TO EXPLAIN WHAT OWNER'S TITLE INSURANCE COVERS, TO REQUIRE TITLE INSURANCE AGENTS TO MAINTAIN ERRORS AND OMISSIONS INSURANCE, AND TO AUTHORIZE TITLE INSURERS TO ISSUE SETTLEMENT PROTECTION

To the committee on Insurance

H.B. No. 513 - Representatives Distel, Hartnett

TO REQUIRE A FARMER WHO PLANTS PATENTED SEED AND SEEKS TO RETAIN SEED FROM THE HARVEST FOR REPLANTING PURPOSES TO REGISTER WITH AND PAY A FEE TO THE DEPARTMENT OF AGRICULTURE, AND TO ESTABLISH A QUALIFIED IMMUNITY FROM LIABILITY FOR A FARMER WHO PLANTS PATENTED SEED

To the committee on Agriculture and Natural Resources

H.B. No. 514 - Representative White, et al

TO CREATE THE CORRECTIONAL FAITH-BASED INITIATIVES TASK FORCE

To the committee on Criminal Justice

H.B. No. 515 - Representative S. Smith, et al

TO CREATE THE COUNCIL ON OBESITY PREVENTION AND MANAGEMENT TO EXIST FROM APRIL 1, 2005, UNTIL NOVEMBER 30, 2006

To the committee on Health

H.B. No. 516 - Representatives Seitz, McGregor

TO ESTABLISH ENVIRONMENTAL COVENANTS AS AN INTEREST IN REAL PROPERTY GENERALLY ARISING UNDER AN ENVIRONMENTAL REMEDIATION OR MITIGATION PROJECT THAT IMPOSES ACTIVITY AND USE LIMITATIONS ON THE PROPERTY, TO REQUIRE THE RECORDING OF SUCH COVENANTS, AND TO ESTABLISH OTHER REQUIREMENTS REGARDING ENVIRONMENTAL COVENANTS

To the committee on Civil and Commercial Law

H.B. No. 517 - Representative Kearns, et al

TO INCREASE THE PENALTIES FOR SOLICITING, PROSTITUTION, AND LOITERING TO ENGAGE IN SOLICITATION AND ALLOW FOR THE CRIMINAL FORFEITURE OF CONTRABAND USED IN THE COMMISSION OF SOLICITING, PROSTITUTION, AND LOITERING TO ENGAGE IN SOLICITATION

To the committee on Criminal Justice

H.B. No. 518 - Representative Hoops

TO CALCULATE THE ANNUAL GENERAL AVIATION AIRCRAFT LICENSE TAX ON A PER SEAT BASIS AND TO DEPOSIT THE MONEY INTO THE RENAMED AIRPORT ASSISTANCE FUND TO BE USED FOR IMPROVEMENTS TO PUBLICLY OWNED AIRPORTS

To the committee on Finance and Appropriations

H.B. No. 519 - Representative Barrett

TO REQUIRE CERTAIN INSURANCE POLICIES EXTEND COVERAGE TO NEWER FORMS OF SCREENING FOR CERVICAL CANCER DETECTION

To the committee on Insurance

H.B. No. 520 - Representative Hughes

TO REQUIRE THE PROBATE COURT, UPON APPLICATION BY A FIDUCIARY OR INTERESTED PARTY, TO DETERMINE THE FAIRNESS OF AN AGREEMENT REQUIRING A FIDUCIARY TO PAY A PERCENTAGE OF AN INHERITANCE OR A DOLLAR AMOUNT TO ANY PERSON OTHER THAN THE BENEFICIARY AND TO ALLOW THE PROBATE COURT TO APPROVE, MODIFY, OR INVALIDATE THE AGREEMENT

To the committee on Judiciary

H.B. No. 521 - Representative Chandler

TO AUTHORIZE THE CONVEYANCE OF STATE-OWNED REAL ESTATE IN PORTAGE COUNTY TO THE BOARD OF COUNTY COMMISSIONERS OF PORTAGE COUNTY

To the committee on State Government

H.B. No. 522 - Representative Hollister

TO DESIGNATE A PORTION OF STATE ROUTE 209 WITHIN GUERNSEY COUNTY AS THE "MEMORIAL HIGHWAY."

To the committee on Transportation and Public Safety

H.B. No. 523 - Representative Kilbane

TO EXEMPT RULES ADOPTED BY COMMUNITY COLLEGE DISTRICTS AND TECHNICAL COLLEGE DISTRICTS FROM THE REQUIREMENT THAT THEY BE FILED WITH THE SECRETARY OF STATE AND THE DIRECTOR OF THE LEGISLATIVE SERVICE COMMISSION, AND TO REQUIRE THAT THE RULES BE MADE AVAILABLE TO FACULTY, STAFF, STUDENTS, AND THE GENERAL PUBLIC

To the committee on Education

H.B. No. 524 - Representative DeGeeter

TO MAKE A VIOLATION OF THE PROHIBITION UNDER THE SEX OFFENDER REGISTRATION AND NOTIFICATION LAW AGAINST CERTAIN OFFENDERS RESIDING WITHIN 1,000 FEET OF ANY SCHOOL PREMISES A FELONY OF THE FIFTH DEGREE

To the committee on Criminal Justice

H.B. No. 525 - Representative Latta, et al

TO REQUIRE DNA SPECIMEN COLLECTION FROM DELINQUENT CHILDREN AND CRIMINAL OFFENDERS FOR ALL FELONIES

To the committee on Criminal Justice

H.B. No. 526 - Representative Trakas, et al

TO GRANT BOARDS OF EDUCATION LIMITED AUTHORITY TO LEVY ADDITIONAL, VOTER-APPROVED PROPERTY TAXES THAT ARE NOT SUBJECT TO THE "H.B. 920" REVENUE GROWTH LIMITATION, TO PERMIT SCHOOL BOARDS TO APPLY SCHOOL DISTRICT INCOME TAXES ONLY TO EARNINGS, TO PROSPECTIVELY LIMIT THE TOTAL RATE OF SCHOOL DISTRICT INCOME TAXES TO 1%, AND TO REAUTHORIZE JOINT MUNICIPAL-SCHOOL DISTRICT INCOME TAXES

To the committee on Ways and Means

H.B. No. 527 - Representative Wolpert

TO REVISE THE CAMPAIGN FINANCE LAW

To the committee on State Government

H.B. No. 528 - Representative Koziura, et al

TO REMOVE THE "LOCKED MOTOR VEHICLE" EXCEPTION FROM THE PROVISION THAT OTHERWISE EXEMPTS PREMISES OF A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION FROM THE RIGHT OF A LICENSEE TO CARRY A CONCEALED HANDGUN; TO LIST BUILDINGS, STRUCTURES, PARCELS OF LAND, AND PARKING LOTS AS EXAMPLES OF SUCH PREMISES; TO REMOVE THE "PRIVATE INSTITUTION OF HIGHER EDUCATION" EXCEPTION FROM THE PROVISION THAT SPECIFIES THAT THE CONCEALED HANDGUN LICENSING LAW DOES NOT NEGATE OR RESTRICT A PRIVATE EMPLOYER'S RULE, POLICY, OR PRACTICE CONCERNING OR PROHIBITING THE PRESENCE OF FIREARMS ON THE EMPLOYER'S PREMISES OR PROPERTY; AND TO SPECIFY THAT NOTHING IN THE CONCEALED HANDGUN LICENSING LAW LIMITS, NEGATES, RESTRICTS, OR AFFECTS ANY RIGHT OR AUTHORITY OF A PEACE OFFICER TO CARRY A CONCEALED HANDGUN

To the committee on Criminal Justice

H.B. No. 529 - Representative Seitz

TO REVISE THE STATUTES GOVERNING THE TERMINATION OF MANUFACTURERS' FRANCHISE AGREEMENTS WITH WINE DISTRIBUTORS, TO ELIMINATE THE LIQUOR CONTROL COMMISSION'S AUTHORITY TO SET MINIMUM MARK-UPS ON WHOLESALE WINE SALES AND TO FIX MINIMUM PRICES ON WHOLESALE WINE SALES, TO PROHIBIT VOLUME AND QUANTITY DISCOUNTING FOR THE PURPOSE OF ASSISTING THE WHOLESALE OR RETAIL SALE OF BEER OR INTOXICATING LIQUOR, AND TO

CREATE THE WHOLESALE WINE DISTRIBUTION STUDY COMMITTEE

To the committee on State Government

H.B. No. 530 - Representative J. Stewart

TO REQUIRE THE DEPARTMENT OF EDUCATION TO DEVELOP A MODEL POLICY PROHIBITING HARASSMENT, INTIMIDATION, OR BULLYING; TO REQUIRE EACH SCHOOL DISTRICT BOARD OF EDUCATION TO ADOPT A POLICY PROHIBITING HARASSMENT, INTIMIDATION, OR BULLYING; TO PROVIDE SCHOOL DISTRICT EMPLOYEES, STUDENTS, AND VOLUNTEERS CIVIL IMMUNITY FOR DAMAGE ARISING FROM REPORTING AN INCIDENT OF HARASSMENT, INTIMIDATION, OR BULLYING; TO AUTHORIZE SCHOOL DISTRICTS TO FORM BULLYING PREVENTION INITIATIVES; AND TO REQUIRE SCHOOL DISTRICTS TO PROVIDE TRAINING AND EDUCATION ON HARASSMENT, INTIMIDATION, OR BULLYING POLICIES IF FUNDS ARE APPROPRIATED FOR SUCH PURPOSES

To the committee on Education

H.B. No. 531 - Representative Wagner

TO PERMIT THE LEVY BY A BOARD OF COUNTY COMMISSIONERS OF A SALES AND USE TAX FOR THE PURPOSE OF PROVIDING EMERGENCY MEDICAL SERVICES

To the committee on County and Township Government

H.B. No. 532 - Representative Peterson, et al

TO CHANGE THE METHOD FOR COMPUTING THE SCHOOL FOUNDATION FORMULA CHARGE-OFF

To the committee on Education

H.B. No. 533 - Representative Harwood, et al

TO CREATE BREAST CANCER AWARENESS LICENSE PLATES AND TO PROVIDE THAT MONEY FROM CONTRIBUTIONS FOR THE LICENSE PLATES BE DISTRIBUTED TO THE OHIO AFFILIATES OF THE SUSAN G. KOMEN BREAST CANCER FOUNDATION AND USED FOR BREAST CANCER PREVENTION, DETECTION, TREATMENT, EDUCATION, AND RESEARCH

To the committee on Transportation and Public Safety

H.B. No. 534 - Representative Book

TO ELIMINATE THE ONE-DOLLAR HOUSING TRUST FUND FEE FOR CERTIFYING A PHOTOCOPY, AND THE ONE-DOLLAR HOUSING TRUST FUND FEE FOR PHOTOCOPYING A DOCUMENT, THAT THE COUNTY RECORDER MUST CHARGE

To the committee on County and Township Government

H.B. No. 535 - Representative Ujvagi, et al

TO AUTHORIZE A BOARD OF COUNTY COMMISSIONERS OR A BOARD OF TRUSTEES OF A REGIONAL WATER AND SEWER

DISTRICT TO OFFER DISCOUNTS ON WATER AND SEWER RATES
TO PERSONS SIXTY-FIVE YEARS OF AGE OR OLDER

To the committee on County and Township Government

H.B. No. 536 - Representative Schlichter, et al

TO MAKE THE PENALTY FOR THEFT OF ANHYDROUS AMMONIA A
FELONY OF THE THIRD DEGREE

To the committee on Criminal Justice

H.B. No. 537 - Representative C. Evans

TO DESIGNATE A PORTION OF STATE ROUTE NUMBER 588 AND
JACKSON PIKE WITHIN GALLIA COUNTY AS THE "NEHEMIAH AND
PERMELIA ATWOOD MEMORIAL HIGHWAY."

To the committee on Transportation and Public Safety

H.B. No. 538 - Representative Skindell, et al

TO REQUIRE MANUFACTURERS AND LABELERS OF DANGEROUS
DRUGS TO DISCLOSE TO THE DIRECTOR OF HEALTH THE VALUE,
NATURE, AND PURPOSE OF CERTAIN GIFTS, FEES, PAYMENTS,
SUBSIDIES, AND OTHER ECONOMIC BENEFITS THEY PROVIDE IN
CONNECTION WITH PHARMACEUTICAL DETAILING, MARKETING,
OR PROMOTION

To the committee on Health

H.B. No. 539 - Representative Hartnett, et al

TO PERMIT THE ATTACHMENT OF RETIREMENT ACCOUNTS IN
CERTAIN SITUATIONS

To the committee on Civil and Commercial Law

H.B. No. 540 - Representative Reidelbach, et al

TO ALLOW A PERSON WHO IS A VICTIM OF A SPECIFIED SEXUAL
OFFENSE TO OBTAIN EITHER A CRIMINAL OR CIVIL PROTECTION
ORDER AGAINST THE ALLEGED OFFENDER

To the committee on Criminal Justice

H.B. No. 541 - Representative Raussen, et al

TO REVISE THE LAW GOVERNING INFORMATION HOSPITALS ARE
TO PROVIDE TO THE DEPARTMENT OF HEALTH AND THE PUBLIC

To the committee on Health

H.B. No. 542 - Representative J. Stewart

TO RECOGNIZE "THE NELSONVILLE PARADE OF THE HILLS
FESTIVAL'S OLD TIME FIDDLERS COMPETITION" AS THE STATE
FIDDLING CHAMPIONSHIP AND TO RECOGNIZE THE WINNER OF
THIS ANNUAL COMPETITION AS THE STATE CHAMPION FIDDLER
FOR THAT YEAR

To the committee on State Government

H.B. No. 543 - Representative C. Evans

TO DESIGNATE STATE ROUTE 160 WITHIN GALLIA COUNTY THE
"CHARLES E. HOLZER HIGHWAY."

To the committee on Transportation and Public Safety

H.B. No. 544 - Representative Raussen, et al

TO REQUIRE A COURT TO CONSIDER CERTAIN FACTORS BEFORE SETTING BAIL FOR A PERSON IF THE PERSON IS CHARGED WITH AN OFFENSE OF VIOLENCE INVOLVING A VICTIM WHO IS A FAMILY OR HOUSEHOLD MEMBER, TO REQUIRE THE PERSON TO APPEAR BEFORE THE COURT BEFORE THE COURT SETS BAIL FOR THAT PERSON, AND TO CREATE THE DOMESTIC VIOLENCE TASK FORCE ON BOND CONSIDERATIONS

To the committee on Juvenile and Family Law

H.B. No. 545 - Representative Distel, et al

TO REQUIRE A SCRAP MATERIAL RECYCLING FACILITY TO BE LICENSED AS A JUNK YARD, TO REQUIRE THAT ALL JUNK YARDS BE IN COMPLIANCE WITH APPLICABLE ENVIRONMENTAL LAWS IN ORDER TO RECEIVE AND RETAIN A LICENSE, AND TO REQUIRE JUNK YARDS TO ERECT PERIMETER FENCING INSIDE THE PROPERTY LINE OF ANY ADJOINING RESIDENTIAL PROPERTY

To the committee on Energy and Environment

H.B. No. 546 - Representative Grendell

TO PROVIDE THAT IF A PERSON IS CONVICTED OF COMMITTING A STATE MOTOR VEHICLE MOVING VIOLATION IMMEDIATELY AFTER INITIATING A ROAD RAGE INCIDENT, THE MOVING VIOLATION IS AT LEAST A FOURTH-DEGREE MISDEMEANOR AND THE COURT MUST FINE THE PERSON AT LEAST \$100 AND REQUIRE THE PERSON TO ATTEND A ROAD RAGE ABATEMENT SEMINAR, AND TO REQUIRE REMEDIAL DRIVING COURSES TO BE TAKEN IN PERSON

To the committee on Criminal Justice

H.B. No. 547 - Representative Grendell

TO REQUIRE THAT AN APPLICATION TO A PROBATE COURT FOR A CHANGE OF NAME INDICATE WHETHER THE APPLICANT IS REQUIRED TO REGISTER FOR HAVING COMMITTED A SEX OFFENSE OR CHILD-VICTIM ORIENTED OFFENSE, TO REQUIRE THAT A PERSON REQUIRED TO REGISTER FOR HAVING COMMITTED A SEX OFFENSE OR CHILD-VICTIM ORIENTED OFFENSE REGISTER ANY CHANGE OF NAME, AND TO REQUIRE THAT THE STATE REGISTRY OF SEX OFFENDERS AND CHILD-VICTIM OFFENDERS IS ACCESSIBLE TO LAW ENFORCEMENT REPRESENTATIVES THROUGH THE LEADS SYSTEM

To the committee on Criminal Justice

H.B. No. 548 - Representative Skindell, et al

TO ESTABLISH AND OPERATE THE OHIO HEALTH CARE PLAN TO PROVIDE UNIVERSAL HEALTH CARE COVERAGE TO ALL OHIO

RESIDENTS

To the committee on Health

H.B. No. 549 - Representative Fessler, et al

TO CREATE THE CYSTIC FIBROSIS ADVISORY COUNCIL TO ADVISE THE DIRECTOR OF HEALTH ON ISSUES PERTAINING TO THE CARE AND TREATMENT OF INDIVIDUALS WITH CYSTIC FIBROSIS

To the committee on Health

H.B. No. 550 - Representative Flowers

TO REQUIRE THE INSPECTION OF INTERMODAL TRANSPORTATION EQUIPMENT IN ACCORDANCE WITH AN INTERMODAL EQUIPMENT SAFETY PROGRAM ESTABLISHED BY THE PUBLIC UTILITIES COMMISSION AND TO RESTRICT CERTAIN INDEMNIFICATION CLAUSES IN TRANSPORTATION CONTRACTS

To the committee on Public Utilities

H.B. No. 551 - Representative Harwood, et al

TO INCREASE FROM \$10,000 TO \$25,000 THE MAXIMUM VALUE OF A CONTRACT FOR AN IMPROVEMENT THAT MAY BE ENTERED INTO BY A SANITARY DISTRICT WITHOUT INITIATING COMPETITIVE BIDDING.

To the committee on State Government

H.B. No. 552 - Speaker Householder, et al

TO ESTABLISH A RECOMMENDED PROCEDURE FOR FOLDING THE STATE FLAG

To the committee on State Government

H.B. No. 553 - Representative Brinkman

TO ALLOW VICTIMS OF DOMESTIC VIOLENCE AND OF STALKERS TO CHANGE THEIR NAMES WITHOUT PUBLICATION, TO LIMIT PUBLIC ACCESS TO THE STREET ADDRESSES OF REGISTERED VOTERS PROTECTED BY PROTECTION ORDERS OR CONSENT AGREEMENTS, TO ALLOW DRIVER LICENSEES TO PREVENT THEIR DATES OF BIRTH AND RESIDENCE ADDRESSES FROM BEING DISPLAYED ON THEIR LICENSES, AND TO LIMIT PUBLIC ACCESS TO POLICE ACCIDENT REPORTS

To the committee on State Government

H.B. No. 554 - Representative Clancy, et al

TO REQUIRE ANY PLACE OF PUBLIC ACCOMMODATION TO ALLOW A MOTHER TO BREAST-FEED WITHIN THE PLACE OF PUBLIC ACCOMMODATION

To the committee on Health

H.B. No. 555 - Representative Hollister

TO FURTHER STATE POLICY UNDER THE ELECTRIC RESTRUCTURING LAW BY PROVIDING FOR IMPLEMENTATION OF

RATE STABILIZATIONS PLANS WHERE THERE IS INSUFFICIENT, GENERATION MARKET DEVELOPMENT OR A LACK OF EFFECTIVE COMPETITION IN AN ELECTRIC UTILITY'S SERVICE AREA AND ENSURING AGAINST ANY UNDUE COMPETITIVE DISADVANTAGE BETWEEN OHIO AND REGIONAL CUSTOMERS OF AN ELECTRIC UTILITY OR ITS AFFILIATES, AND TO DECLARE AN EMERGENCY
To the committee on Public Utilities

H.B. No. 556 - Representatives Gibbs, Daniels

TO PERMIT A DEFENDANT IN ANY TORT ACTION TO INTRODUCE EVIDENCE OF CERTAIN COLLATERAL BENEFITS AND TO PERMIT THE PLAINTIFF TO INTRODUCE EVIDENCE OF AMOUNTS THE PLAINTIFF PAID OR CONTRIBUTED TO RECEIVE THOSE COLLATERAL BENEFITS

To the committee on Judiciary

H.B. No. 557 - Representative Carmichael, et al

TO DESIGNATE SEPTEMBER AS "LEUKEMIA, LYMPHOMA, AND MYELOMA AWARENESS MONTH."

To the committee on State Government

H.B. No. 558 - Representative Daniels, et al

TO REQUIRE THE TRIER OF FACT IN A TORT ACTION TO CONSIDER THE FAILURE TO WEAR A SEAT BELT AS CONTRIBUTORY FAULT OR FOR ANY OTHER RELEVANT PURPOSE IF SUCH FAILURE CONTRIBUTED TO THE ALLEGED INJURY AND TO PERMIT THE TRIER OF FACT, BECAUSE OF THAT FAILURE, TO REDUCE COMPENSATORY DAMAGES

To the committee on Judiciary

H.B. No. 559 - Representative Brinkman, et al

TO AUTHORIZE A PERSON TO CARRY A CONCEALED HANDGUN WITHOUT OBTAINING A LICENSE TO THE SAME EXTENT AS IF THE PERSON HAD OBTAINED SUCH A LICENSE IF THE PERSON QUALIFIES FOR A CONCEALED CARRY LICENSE AND IS LEGALLY PERMITTED TO PURCHASE A HANDGUN; TO REMOVE THE REQUIREMENTS THAT A CONCEALED CARRY LICENSEE MUST BE CARRYING THE LICENSE IN ORDER TO CARRY A CONCEALED HANDGUN, MUST INFORM APPROACHING LAW ENFORCEMENT OFFICERS THAT THE PERSON HAS A LICENSE AND IS CARRYING THE HANDGUN WHEN THE PERSON IS CARRYING A CONCEALED HANDGUN, AND MUST SUBMIT A NEW OR RENEWED COMPETENCY CERTIFICATION WHEN RENEWING THE LICENSE; TO ELIMINATE AS PREMISES IN WHICH A CONCEALED CARRY LICENSEE MAY NOT CARRY A CONCEALED HANDGUN PUBLIC OR PRIVATE INSTITUTIONS OF HIGHER EDUCATION, PLACES OF WORSHIP, DAY-CARE CENTERS AND HOMES, AND GOVERNMENT BUILDINGS OTHER THAN SCHOOLS, COURTHOUSES, LAW ENFORCEMENT OFFICES, AND CORRECTIONAL FACILITIES; TO

REPLACE THE PROHIBITIONS THAT APPLY ONLY TO A CONCEALED CARRY LICENSEE WHO IS CARRYING A HANDGUN IN A MOTOR VEHICLE WITH A PROHIBITION AGAINST A LICENSEE WHO IS IN A MOTOR VEHICLE THAT IS STOPPED BY A LAW ENFORCEMENT OFFICER KNOWINGLY MENACING OR THREATENING AN OFFICER WITH A LOADED HANDGUN OR KNOWINGLY POINTING A LOADED HANDGUN AT AN OFFICER; TO REMOVE THE "IN PLAIN SIGHT OR SECURE ENCASMENT" CRITERION THAT A CONCEALED CARRY LICENSEE MUST SATISFY TO LEGALLY POSSESS A HANDGUN IN A MOTOR VEHICLE; TO PROVIDE A SELF-DEFENSE EXEMPTION FROM THE PROHIBITIONS AGAINST DISCHARGING A FIREARM IN OR ON A VESSEL OR MOTOR VEHICLE; AND TO REPEAL THE "JOURNALIST EXCEPTION" TO THE PROVISION THAT OTHERWISE MAKES CONFIDENTIAL THE RECORDS A SHERIFF POSSESSES REGARDING CONCEALED HANDGUN LICENSES AND APPLICATIONS FOR SUCH LICENSES

To the committee on Criminal Justice

H.B. No. 560 - Representative Hagan, et al

TO REQUIRE NURSING HOMES AND OTHER HOMES FOR THE ELDERLY TO OFFER RESIDENTS VACCINATIONS AGAINST INFLUENZA AND PNEUMONIA

To the committee on Human Services and Aging

H.B. No. 561 - Representative Sferra

TO PROHIBIT THE CARRYING OF CONCEALED HANDGUNS IN ANY PARK, SWIMMING POOL, SPORTS FIELD, OR OTHER OUTDOOR PREMISES OR PROPERTY OWNED, LEASED, OR OTHERWISE UNDER THE CONTROL OF THE POLITICAL SUBDIVISION

To the committee on Criminal Justice

H.B. No. 562 - Representative Raga

TO IDENTIFY CHILDREN AT RISK OF INTERNATIONAL PARENTAL CHILD ABDUCTION AND TO AUTHORIZE COURTS TO TAKE MEASURES DESIGNED TO DETER INTERNATIONAL PARENTAL CHILD ABDUCTION

To the committee on Juvenile and Family Law

H.B. No. 563 - Representative DeGeeter

TO INCREASE THE PENALTY FOR OFFENSE OF IMPORTUNING

To the committee on Criminal Justice

H.B. No. 564 - Representatives D. Stewart, Skindell

TO SPECIFY THAT CERTAIN OVERTIME RULES ADOPTED BY THE UNITED STATES SECRETARY OF LABOR DO NOT APPLY TO EMPLOYERS AND EMPLOYEES WHO ARE GOVERNED BY OHIO'S MINIMUM WAGE AND OVERTIME LAW

To the committee on Commerce and Labor

H.B. No. 565 - Representatives Hughes, DeGeeter

TO PROHIBIT THE UNLAWFUL SALE OR PURCHASE OF A PEACE OFFICER BADGE OR UNIFORM

To the committee on Criminal Justice

H.B. No. 566 - Representative Willamowski

TO CREATE A TESTIMONIAL PRIVILEGE BETWEEN EMPLOYEE-ASSISTANCE PROGRAM PERSONNEL AND PROGRAM CLIENTS

To the committee on Judiciary

H.B. No. 567 - Representative Setzer

TO ESTABLISH THE OHIO REGIONAL EDUCATION DELIVERY SYSTEM AND TO REQUIRE THE DEVELOPMENT OF A NEW DATA SYSTEM FOR THE EDUCATION MANAGEMENT INFORMATION SYSTEM

To the committee on Education

H.B. No. 568 - Representative White

TO IMPLEMENT THE REPORT OF THE SUNSET REVIEW COMMITTEE BY ABOLISHING, RETAINING, AND CHANGING THE NAMES OF VARIOUS AGENCIES AND BY REESTABLISHING THE SUNSET REVIEW COMMITTEE BUT POSTPONING ITS OPERATION UNTIL THE 128TH GENERAL ASSEMBLY, TO TERMINATE THE OPERATION OF CERTAIN PROVISIONS OF THIS ACT ON DECEMBER 31, 2010, BY REPEALING SECTIONS 101.82, 101.83, 101.84, 101.85, 101.86, AND 101.87 OF THE REVISED CODE ON THAT DATE, AND TO DECLARE AN EMERGENCY

To the committee on State Government

H.B. No. 569 - Representative Price, et al

TO PERMIT CERTAIN ELECTORS TO VOTE BY PROVISIONAL BALLOT IN FEDERAL AND STATEWIDE ELECTIONS

To the committee on State Government

H.B. No. 570 - Representative Niehaus

TO DESIGNATE STATE ROUTE 756 WITHIN BROWN AND CLERMONT COUNTIES AS THE "OHIO ARMY NATIONAL GUARD 216TH ENGINEERING BATTALION MEMORIAL HIGHWAY."

To the committee on Transportation and Public Safety

H.B. No. 571 - Representative Clancy

TO PERMIT A LICENSED PROFESSIONAL CLINICAL COUNSELOR TO TAKE CERTAIN PERSONS INTO CUSTODY AND TRANSPORT THOSE PERSONS TO A HOSPITAL

To the committee on Health

H.J.R. No. 16 - Representative Yates

TO AMEND SECTION 6 IF ARTICLE XV OF THE OHIO CONSTITUTION TO PERMIT ONE RIVERBOAT GAMBLING FRANCHISE TO BE OPERATED IN EACH OF THE CITIES OF

CINCINNATI AND CLEVELAND

To the committee on Finance and Appropriations

Sub. S.B. No. 148 - Senator Austria, et al

TO REVISE THE LAW PERTAINING TO CHILD DAY-CARE; TO INCLUDE ADDITIONAL OFFENSES IN CRIMINAL BACKGROUND CHECKS OF CHILD DAY-CARE PROVIDERS; TO MAKE CHANGES IN THE LAW GOVERNING CERTIFICATION OF TYPE B FAMILY DAY-CARE HOMES; AND TO CREATE THE OFFENSES OF MISREPRESENTATION BY A CHILD DAY-CARE PROVIDER, FAILURE OF A CHILD DAY-CARE CENTER TO DISCLOSE THE DEATH OR SERIOUS INJURY OF A CHILD, AND FAILURE OF A TYPE A OR TYPE B FAMILY DAY-CARE HOME TO DISCLOSE THE DEATH OR SERIOUS INJURY OF A CHILD

To the committee on Juvenile and Family Law

S.B. No. 160 - Senator Wachtmann, et al

TO SPECIFICALLY IDENTIFY VESSELS AS PLACES THAT ARE WITHIN THE OFFENSE OF CRIMINAL CHILD ENTICEMENT

To the committee on Juvenile and Family Law

Sub. S.B. No. 176 - Senator Miller, et al

TO ESTABLISH THE OHIO AFRICAN-AMERICAN HALL OF FAME

To the committee on State Government

Sub. S.B. No. 185 - Senator Jordan, et al

TO REPEAL THE UNIFORM CHILD CUSTODY JURISDICTION ACT AND REPLACE IT WITH THE UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT

To the committee on Juvenile and Family Law

LARRY HOUSEHOLDER
JIM CARMICHAEL
THOMAS F. PATTON
JOHN SCHLICHTER
CHRIS REDFERN
JOYCE BEATTY
EDWARD JERSE

CHARLES CALVERT
LARRY L. FLOWERS
JON M. PETERSON
KATHLEEN WALCHER
DIXIE J. ALLEN
KENNETH A. CARANO
CHARLES A. WILSON

Representative Flowers 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, House Joint Resolution, and Senate 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, House Joint Resolution, and Senate 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 Resolution, House Concurrent Resolutions, and Senate Concurrent Resolutions be introduced and referred to the following committees for consideration:

H.R. No. 239 - Representative Cirelli

TO URGE THE GOVERNOR TO TAKE ANY STEPS NECESSARY TO ACT AGAINST THE OUTSOURCING OF UNITED STATES JOBS TO CHEAPER OFFSHORE LOCATIONS AND TO CREATE INCENTIVES TO ENCOURAGE BUSINESSES TO EMPLOY UNITED STATES RESIDENTS

To the committee on Economic Development and Technology

H. Con. R. No. 45 - Representative Young

TO MEMORIALIZE CONGRESS TO ADD PRESIDENT RONALD REAGAN'S LIKENESS TO THE MOUNT RUSHMORE NATIONAL MEMORIAL

To the committee on Agriculture and Natural Resources

H. Con. R. No. 46 - Representatives Trakas, McGregor, Buehrer, Willamowski, Kearns, Yates, Seitz, Skindell, Distel, Carano, DeGeeter, Miller, D, Evans, Jerse

TO URGE THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO MAKE THE REPUBLIC OF POLAND ELIGIBLE FOR THE UNITED STATES DEPARTMENT OF STATE'S VISA WAIVER PROGRAM

To the committee on Economic Development and Technology

H. Con. R. No. 48 - Representatives Hoops, Stewart, McGregor, Faber, Webster, Gibbs, Miller, Perry, Setzer, Seitz, C. Evans, S. Patton, Reidelbach

TO MEMORIALIZE THE PRESIDENT OF THE UNITED STATES TO SUPPORT THE RETENTION OF THE CONTINUED DUMPING AND SUBSIDY OFFSET ACT, WHICH IS IMPORTANT TO OHIO INDUSTRIES, ENABLING THEM TO REINVEST AND REMAIN COMPETITIVE IN THE INTERNATIONAL MARKET

To the committee on Economic Development and Technology

S. Con. R. No. 26 - Senators Blessing, Schuler, Spade, Brady, Dann, Fedor, Fingerhut, Harris, Zurz, Prentiss, Padgett, DiDonato, Robert Gardner, Mallory

TO MEMORIALIZE THE UNITED STATES CONGRESS TO PROVIDE FOR A NATIONAL ENTITY TO ESTABLISH AND ENFORCE MANDATORY, NATIONAL ELECTRIC TRANSMISSION RELIABILITY STANDARDS AND TO ENSURE FEDERAL OVERSIGHT OF THAT

ENTITY AND FEDERAL AUTHORITY TO REQUIRE TRANSMISSION
OWNER PARTICIPATION IN A REGIONAL TRANSMISSION
ORGANIZATION

To the committee on Public Utilities

S. Con. R. No. 32 - Senators Spada, Amstutz, Austria, Prentiss, Randy Gardner, Armbruster, Coughlin, DiDonato, Fedor, Fingerhut, Robert Gardner, Harris, Jordan, Mumper, Schuler, Wachtmann

TO ENCOURAGE THE UNITED STATES CONGRESS TO SUPPORT
AND FULLY FUND THE NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION'S VISION FOR SPACE EXPLORATION PROGRAM

To the committee on Finance

Add the names: "Beatty, Calvert, T. Patton"

/s/ LARRY HOUSEHOLDER

Larry Householder, Chair

Representative Flowers moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolutions were introduced and referred as recommended.

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

H. R. No. 244 - Representative Peterson

HONORING CHAD POLING AS THE 2004 NCAA DIVISION III
NATIONAL GOLF CHAMPION

H. R. No. 245 - Representative Skindell

HONORING THE LAKEWOOD ST. EDWARD HIGH SCHOOL HOCKEY
TEAM AS THE 2004 STATE CHAMPION

Add the name: "T. Patton"

H. R. No. 246 - Representative Skindell

HONORING THE LAKEWOOD ST. EDWARD HIGH SCHOOL
WRESTLING TEAM AS THE 2004 DIVISION I STATE CHAMPION

Add the name: "T. Patton"

H. R. No. 247 - Representatives Hughes, Reidelbach

HONORING VERONA JOHNSTON AS THE OLDEST AMERICAN

Add the names: "Allen, Beatty, Calvert, Carano, Flowers, T. Patton,
Schlichter, Walcher, Wilson, Carmichael"

H. R. No. 248 - Representative Hughes

RECOGNIZING NATIONAL POLICE MEMORIAL WEEK MAY 9-15,
2004

Add the names: "Allen, Beatty, Carano, Flowers, T. Patton, Schlichter,

Walcher"

H. R. No. 249 - Representative Hollister HONORING THE MONROE CENTRAL HIGH SCHOOL SOFTBALL TEAM AS THE 2004 DIVISION III STATE CHAMPION

Add the name: "Wilson"

H. R. No. 250 - Representative Olman

HONORING THE SOUTHVIEW HIGH SCHOOL MOCK TRIAL TEAM AS THE 2004 OHIO MOCK TRIAL STATE CHAMPION

H. R. No. 251 - Representatives Raussen, Cates, Clancy, Raga, Schneider, Yates

HONORING THE MOELLER HIGH SCHOOL BASEBALL TEAM ON WINNING THE 2004 DIVISION I STATE CHAMPIONSHIP

H. R. No. 252 - Representative G. Smith

HONORING THE UPPER ARLINGTON HIGH SCHOOL GIRLS LACROSSE TEAM ON WINNING THE 2004 DIVISION I STATE CHAMPIONSHIP

H. R. No. 253 - Representative G. Smith

HONORING THE UPPER ARLINGTON HIGH SCHOOL BOYS LACROSSE TEAM ON WINNING THE 2004 DIVISION I STATE CHAMPIONSHIP

H. R. No. 254 - Representative Schlichter

HONORING THE OHIO UNIVERSITY CHILLICOTHE MEN'S GOLF TEAM AS THE 2004 OHIO REGIONAL CAMPUS CONFERENCE CHAMPION

H. R. No. 255 - Representative Raussen

HONORING HAROLD JONES AS A 2004 DIVISION II STATE TRACK AND FIELD CHAMPION

H. R. No. 256 - Representatives Raussen, Yates, Clancy, Schneider, Cates

HONORING THE ARCHBISHOP MOELLER HIGH SCHOOL BOYS VOLLEYBALL TEAM AS THE 2004 DIVISION I STATE CHAMPION

H. R. No. 258 - Representative DeWine

HONORING MAJOR GENERAL EDWARD JOHN MECHENBIER ON HIS RETIREMENT FROM THE U.S. AIR FORCE

Add the names: "Allen, Beatty, Calvert"

H. R. No. 259 - Representative Raga

HONORING THE MASON HIGH SCHOOL GIRLS TRACK AND FIELD TEAM ON WINNING THE 2004 DIVISION I STATE CHAMPIONSHIP

H. R. No. 261 - Representative Cirelli

HONORING DR. MURLI MANOHAR ON RECEIVING THE 2003 VOLUNTEERISM AND COMMUNITY SERVICE AWARD

Add the name: "Beatty"

H.R. No. 266 - Representative Fessler

HONORING LEVI LONG ON RECEIVING THE 2004 NATIONAL
AGRI-ENTREPRENEURSHIP AWARD

H.R. No. 267 - Representative Husted

RECOGNIZING NATIONAL ADOPTION DAY IN OHIO, NOVEMBER
20, 2004

Add the names: "Allen, Beatty, Calvert, Flowers, T. Patton, Redfern,
Schlichter, Walcher"

H. Con. R. No. 47 - Representative Schneider

HONORING MORROW ELEMENTARY SCHOOL AS THE 2004 OHIO
AND NATIONAL PRIMARY SCHOOL OF THE YEAR

Add the name: "Calvert"

/s/ LARRY HOUSEHOLDER
Larry Householder, Chair

Representative Flowers 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.

On motion of Representative Flowers, the House adjourned until Tuesday,
November 9, 2004 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.