

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, NOVEMBER 24, 2004

TWO HUNDRED THIRTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, November 24, 2004 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

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

Representative Flowers was selected to preside under the Rule.

The journal of yesterday was read and approved.

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. 30 - Representatives Williams, Kearns, Calvert, Flowers, S. Patton, Perry, Price, Reinhard, Schlichter, Widowfield, Carano, Distel, Driehaus, C. Evans, D. Evans, T. Patton, Peterson, Redfern, Setzer, Sferra, Taylor Senators Mallory, Brady, DiDonato, Fingerhut, Hagan, Harris, Hottinger, Prentiss, Fedor

To amend sections 1901.41, 1907.231, 2301.141, 4521.01, 4521.02, and 4521.10 of the Revised Code to permit a local authority to consider for purposes of the Local Noncriminal Parking Law a fine of \$250 to \$500 for a violation of an ordinance, resolution, or regulation that regulates the standing or parking of a vehicle in a disability parking space, to provide that if a person fails to pay a fine for such a violation that person may not be permitted to register a motor vehicle in that person's name, and to establish retention and other guidelines for documentation of misdemeanor convictions.

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

Attest:

Matthew T. Schuler,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 316 - Representatives Wolpert, McGregor, Hughes, Reidelbach, Cirelli, Raussen, Kearns, Williams, Latta, Brinkman, Seitz, Willamowski, D. Evans, Widener, Aslanides, Buehrer, Calvert, Carmichael, Chandler, Collier, Daniels, Domenick, C. Evans, Faber, Flowers, Gibbs, Gilb, Hagan, Hollister, Niehaus, Olman, T. Patton, Reinhard, Schaffer, Schmidt, Schneider, Setzer, Sferra, G. Smith, J. Stewart, Walcher, Young
Senators Austria, Harris, Spada

To amend sections 9.87, 2743.01, 2743.02, and 5502.52 and to enact sections 341.27 and 753.06 of the Revised Code to provide sheriffs, deputy sheriffs, municipal police officers, and county and municipal correctional officers with qualified immunity from damages caused or suffered by county or municipal prisoners or adult offenders imprisoned for offenses other than felonies of the first or second degree who are working on a work detail and volunteered for the work detail; to provide counties and municipal corporations in which such prisoners or offenders work on a work detail and that employ the sheriff, deputy sheriff, or officer and townships in which such prisoners work on a work detail with a similar qualified immunity; to adopt the "public duty rule" for lawsuits against the state in the Court of Claims pursuant to which the state generally is immune from liability in any civil action or proceeding involving the performance or nonperformance of a public duty; and to provide radio stations, television systems, cable systems, and their officials and employees with immunity from damages related to the broadcast or cablecast, or failure to broadcast or cablecast, information under an Amber Alert program.

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

Attest: Matthew T. Schuler,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 383 - Representatives Walcher, D. Evans, Aslanides, Wagner, McGregor, Reidelbach, Fessler, Price, Wolpert, Olman, Kearns, Setzer, Webster, Hagan, Collier, Schaffer, Widener, Distel, Barrett, Beatty, Carano, Carmichael, Chandler, Cirelli, DeGeeter, Domenick, C. Evans, Flowers, Gilb, Harwood, Hollister, Hughes, Jerse, Latta, Mason, Miller,

Niehaus, Otterman, S. Patton, Perry, Reinhard, Schmidt, Schneider, Sferra, Slaby, G. Smith, S. Smith, D. Stewart, J. Stewart, Taylor, White, Wilson, Woodard Senators Schuler, Amstutz, Austria, Mumper

To amend section 2923.01 and to enact section 2913.421 of the Revised Code to prohibit a person from transmitting multiple commercial electronic mail messages, falsifying routing information in those messages, falsifying registration information for multiple electronic mail accounts, or falsifying the right to use five or more internet protocol addresses, and to prohibit unauthorized access to a computer to transmit multiple commercial electronic mail messages.

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

Attest: Matthew T. Schuler,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. Sub. H. B. No. 431 - Representatives Schneider, Clancy, Peterson, Hollister, Schmidt, Seitz, Carmichael, Carano, Aslanides, Beatty, Flowers, Barrett, Daniels, Chandler, Gilb, Kearns, Koziura, McGregor, Miller, Olman, Strahorn, Skindell, Woodard, Sferra, Allen, Brown, Cirelli, DeBose, Domenick, C. Evans, Grendell, Key, Oelslager, S. Patton, T. Patton, Price, Slaby, Ujvagi, Wilson Senators Carey, Hottinger, Fingerhut, Prentiss, Miller, Mallory, Harris, DiDonato, Zurz, Roberts

To amend sections 9.98, 9.981, 9.982, 122.63, 133.01, 133.08, 133.081, 133.10, 135.80, 135.81, 149.43, 169.05, 173.08, 175.08, 175.09, 175.21, 175.22, 175.23, 175.24, 175.25, 175.26, 176.05, 176.06, 176.07, 319.63, 1349.11, and 4582.54, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 175.08 (175.09), 175.09 (175.10), 175.21 (174.02), 175.22 (174.03), 175.23 (174.04), 175.24 (174.05), 175.25 (174.06), and 175.26 (174.07), to enact new sections 175.01 to 175.08 and 175.11 to 175.13 and sections 174.01 and 175.051, and to repeal sections 175.01, 175.02, 175.03, 175.04, 175.041, 175.05, 175.06, 175.07, 175.10, 175.11, 175.12, 175.13, 175.14, and 175.15 of the Revised Code to remove the Ohio Housing Finance Agency from the Department of Development, making the Ohio Housing Finance Agency an independent agency, and to make other

changes to the Ohio Housing Finance Agency Law; to make certain alternate provisions of the bond issuance law applicable to bonds issued under the Uniform Public Securities Law, to amend the definition of interest rate hedge to allow a requirement that an issuer issue bonds at a future date, and to add to certain financing and credit enhancement techniques applicable to bonds, authority for the bond proceedings to provide for the proceeds from the sale of bonds to be held in escrow and invested in United States government securities and used for the purpose of retiring the bonds or other obligations of the bond issuer; and to authorize certain port authorities to establish linked deposit programs and participate in the Housing Linked Deposit Program.

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

In line 2704, delete "All" and insert "The fund shall consist of all"

In line 2707, delete the underlined comma

In line 2708, delete ", may be deposited into the fund"

In line 2709, delete "or placed with financial organizations"

In line 2716, delete "or placed with financial organizations pursuant to division"

In line 2717, delete "(A) of this section"

In line 2718, delete "those moneys" and insert "the fund"

Delete lines 2721 and 2722

Attest:

Matthew T. Schuler,
Clerk.

The Senate amendments were laid over under the Rule.

On motion of Representative Schlichter, the House adjourned until Tuesday, November 30, 2004 at 11:00 o'clock a.m.

Attest:

SONJA A. HERD,
Assistant Clerk.