

OHIO

House

of

Representatives

JOURNAL

THURSDAY, JANUARY 19, 2006

ONE HUNDRED THIRTY-FIRST DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, January 19, 2006 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Coley was selected to preside under the Rule.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 477-Representative Patton, T..

To temporarily reduce the natural gas distribution tax rates by one-half and to declare an emergency.

H. B. No. 478-Representatives Wagoner, Ujvagi, Brown, Perry, Latta, Webster.

To amend sections 145.011, 151.04, 154.01, 3305.01, 3307.01, 3333.045, 3334.01, 3345.04, 3345.12, 3345.17, 3345.31, 3345.32, 3345.50, 3345.51, and 3345.71; to enact sections 3364.01, 3364.02, 3364.03, 3364.04, 3364.05, and 3364.06; to repeal sections 3350.01, 3350.02, 3350.03, 3350.04, 3350.05, 3360.01, 3360.02, 3360.03, 3360.04, and 3360.05 of the Revised Code; and to amend Sections 209.63, 209.63.57, and 209.64.22 of Am. Sub. H.B. 66 of the 126th General Assembly to combine the University of Toledo and the Medical University of Ohio at Toledo.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Smith, S. submitted the following report:

The standing committee on Health to which was referred **H. B. No. 46**-Representative Schaffer, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PERMIT POLITICAL SUBDIVISIONS TO OFFER HEALTH SAVINGS ACCOUNTS AND MAKE CONTRIBUTIONS FOR EMPLOYEES

Representative White moved to amend the title as follows:

Add the names: "Reidelbach, Martin."

JAMES M. HOOPS
 EARL MARTIN
 SANDRA STABILE HARWOOD
 JON M. PETERSON
 SHAWN N. WEBSTER
 JOHN J. WHITE
 ROBERT J. OTTERMAN
 MICHELLE G. SCHNEIDER
 LANCE T. MASON

JAMES T. RAUSSEN
 ROSS MCGREGOR
 DIANA M. FESSLER
 SHIRLEY A. SMITH
 LINDA S. REIDELBACH
 JOHN WIDOWFIELD
 EDNA BROWN
 CATHERINE L. BARRETT

The report was agreed to.

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

Representative Skindell submitted the following report:

The standing committee on Juvenile and Family Law to which was referred **H. B. No. 137**-Representative Gilb, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: JUVENILE CT - REVISE EXPUNGEMENT PROCEDURE

MICHAEL J. SKINDELL
 JOHN A. BOCCIERI
 RONALD HOOD
 JOHN R. WILLAMOWSKI
 DIANA M. FESSLER

JOHN WIDOWFIELD
 KENNETH A. CARANO
 MIKE GILB
 LINDA S. REIDELBACH

The report was agreed to.

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

Representative Driehaus submitted the following report:

The standing committee on Public Utilities and Energy to which was referred **H. B. No. 371**-Representative Buehrer, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FUEL PRODUCTION TASK FORCE

Representative Hagan moved to amend the title as follows:

Add the names: "Latta, Stewart, J., Martin."

FRED STRAHORN
 BARBARA A. SYKES
 JIM CARMICHAEL
 ROBERT E. LATTA
 JIMMY STEWART
 STEVE L. DRIEHAUS
 LANCE T. MASON

WILLIAM J. HARTNETT
 JOHN WIDOWFIELD
 KEITH L. FABER
 CHRIS WIDENER
 STEPHEN BUEHRER
 L. GEORGE DISTEL
 TIMOTHY J. DEGEETER

WILLIAM J. HEALY
 JAMES T. RAUSSEN
 JOHN P. HAGAN
 EARL MARTIN
 LOUIS W. BLESSING

JENNIFER GARRISON
 DAVID DANIELS
 MARK D. WAGONER
 GEOFFREY C. SMITH
 TOM BRINKMAN

The report was agreed to.

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

Representative Healy submitted the following report:

The standing committee on Rules and Reference to which was referred **Sub. H. B. No. 118**-Representative Gibbs, et al., having had the same under consideration, recommends its re-referral to the committee on Criminal Justice.

RE: SEX OFFENDER - PROHIB RESIDING NEAR PRESCHOOL

JON A. HUSTED
 CHARLES E. CALVERT
 ANTHONY CORE
 LARRY L. FLOWERS
 JOHN SCHLICHTER
 SHAWN N. WEBSTER
 WILLIAM J. HEALY
 KENNETH A. CARANO

CHARLES R. BLASDEL
 JIM CARMICHAEL
 KEVIN DEWINE
 TOM RAGA
 ARLENE J. SETZER
 JOSEPH KOZIURA
 TIMOTHY J. DEGEETER
 ROBERT J. OTTERMAN

The report was agreed to.

The bill was ordered to be engrossed and rereferred to the committee on Criminal Justice.

Representative Healy 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. 469 - Representative Faber, et al

CONCERNING DISTRIBUTION OF MEDICATION THAT WILL OR MAY RESULT IN ABORTION OR TERMINATION OF LIFE AND PERFORMANCE OF MEDICAL PROCEDURES THAT WILL OR MAY RESULT IN TERMINATION OF LIFE.

To the committee on Health

H.B. No. 470 - Representative Widowfield, et al

TO PROHIBIT A TELEPHONE SOLICITOR OR SALESPERSON, IN RELATION TO A TELEPHONE SOLICITATION OR A CALL SUBSEQUENTLY ARISING FROM THAT SOLICITATION, FROM FAILING TO DISCLOSE THE PHYSICAL LOCATION WHERE THE CALL IS ORIGINATED OR RECEIVED.

To the committee on Public Utilities and Energy

H.B. No. 471 - Representatives Garrison, Healy

TO REQUIRE CERTAIN EMPLOYERS IN THIS STATE WHO DO NOT PROVIDE A SPECIFIED AMOUNT OF HEALTH CARE COVERAGE TO THEIR EMPLOYEES TO MAKE CONTRIBUTIONS TO A FUND TO BE USED TO SUPPLEMENT THIS STATE'S SHARE OF MEDICAID COSTS.

To the committee on Finance and Appropriations

H.B. No. 472 - Representative Schneider, et al

TO DESIGNATE THE THIRD WEEK OF MAY "CO-OP EDUCATION WEEK."

To the committee on State Government

H.B. No. 473 - Representative Trakas

TO REQUIRE SCHOOL DISTRICT BOARDS OF EDUCATION TO ESTABLISH THROUGH COLLECTIVE BARGAINING MERIT PAY SYSTEMS FOR CLASSROOM TEACHERS AND CERTAIN EDUCATIONAL ASSISTANTS, TO ELIMINATE CONTINUING CONTRACTS FOR TEACHERS AND CERTAIN EDUCATIONAL ASSISTANTS EMPLOYED BY SCHOOL DISTRICTS, AND TO PROHIBIT THE STATE BOARD OF EDUCATION FROM REQUIRING A DEGREE HIGHER THAN A BACHELOR'S DEGREE OR CONTINUING EDUCATION TO OBTAIN OR RENEW AN EDUCATOR LICENSE FOR BEING A CLASSROOM TEACHER.

To the committee on Finance and Appropriation

JON A. HUSTED
CHARLES E. CALVERT
ANTHONY CORE
LARRY L. FLOWERS
JOHN SCHLICHTER
SHAWN N. WEBSTER
TIMOTHY J. DEGEETER
JOSEPH KOZIURA

CHARLES R. BLASDEL
JIM CARMICHAEL
KEVIN DEWINE
TOM RAGA
ARLENE J. SETZER
KENNETH A. CARANO
WILLIAM J. HEALY
ROBERT J. OTTERMAN

Representative Daniels 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 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 Healy reported for the Rules and Reference Committee recommending that the following House Concurrent Resolution and Senate Concurrent Resolution be introduced and referred to the following committees for consideration:

H. Con. R. No. 35 - Representatives Hood, Wagner, Gilb, Hoops, Wagoner, Latta, Brinkman, Reidelbach, Blasdel, McGregor, J., Schlichter, Trakas, DeWine, Fessler, Kilbane, Coley, Evans, D., Peterson, Setzer, Oelslager, Hughes, Flowers, Seitz, Faber, Willamowski
TO RECOGNIZE FEBRUARY 6, 2006 AS "RONALD REAGAN DAY."
To the committee on Financial Institutions, Real Estate and Securities

S. Con. R. No. 23 - Senator Jacobson, et al
TO CONDEMN THE HARMFUL, DESTRUCTIVE, AND ANTI-SEMITIC STATEMENTS OF IRANIAN PRESIDENT MAHMOUD AHMADINEJAD AND TO DEMAND AN APOLOGY FOR THOSE STATEMENTS OF HATE AND ANIMOSITY TOWARDS ALL JEWISH PEOPLE OF THE WORLD.

Add the names: Healy, Koziura
To the committee on State Government

/s/ JON A. HUSTED
Jon A. Husted, Chair

Representative Daniels 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 concurrent resolutions were introduced and referred as recommended.

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

H.R. No. 147 - Representatives Willamowski, Hoops
HONORING DELPHOS ST. JOHN'S HIGH SCHOOL FOOTBALL TEAM AS THE 2005 DIVISION VI STATE CHAMPION.

/s/ JON A. HUSTED
Jon A. Husted, Chair

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

The motion was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has receded from its amendments to:

Sub. H. B. No. 157 - Representatives Distel, Aslanides, McGregor, S. Patton, Seitz, C. Evans, Carano, Cassell, Hartnett, Brown, Strahorn, Perry, Gibbs, Setzer, Domenick, Allen, Blessing, Book, Chandler, Coley, Collier, Core, DeBose, Dolan, Driehaus, Fende, Flowers, Harwood, Hughes, Kearns, Key, Koziura, Latta, Law, Martin, Miller, Oelslager, Otterman, T. Patton, Reinhard, S. Smith, D. Stewart, J. Stewart, Taylor, Wagoner, Walcher, Williams, Woodard, Yates, Yuko Senators Zurz, Grendell, Gardner, Harris, Niehaus, Mumper, Armbruster, Carey, Kearney, Cates, Dann, Prentiss, Fedor

To amend section 1541.31 of the Revised Code and to amend Sections 209.18 and 209.18.03 of Am. Sub. H.B. 66 of the 126th General Assembly to revise the Pymatuning Lake Compact, to exempt the Division of Wildlife from making payments into the Department of Natural Resources' Central Support Indirect Fund, and to make an appropriation.

Attest:

David A. Battocletti,
Clerk.

Message from the Senate

Mr. Speaker:

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

Am. Sub. H. B. No. 143 - Representatives Willamowski, White, Raussen, Combs, Fessler, Kearns, Martin, Peterson, Reidelbach, Schneider, Seaver, Webster, Widowfield, Barrett, Beatty, Harwood, C. Evans, McGregor, Seitz, Gilb, Hood, Flowers, Driehaus, Blasdel, Carmichael, Brown, DeBose, Otterman, Mason, Allen, Blessing, Book, Carano, Cassell, Chandler, Core, DeGeeter, Domenick, Gibbs, Hartnett, Hughes, Key, Latta, Law, Miller, Oelslager, Sayre, Stewart, D., Taylor, Yuko Senators Gardner, Austria, Cates, Clancy, Coughlin, Mumper, Niehaus, Padgett, Roberts, Schuring, Armbruster, Schuler

To amend sections 4715.02, 4715.30, 4715.39, 4715.51, 4715.52, 4715.53, 4715.57, and 4715.99, to enact sections 4715.231, 4715.61, 4715.62, 4715.63, 4715.64, 4715.65, and 4715.66, and to repeal sections 4715.54, 4715.55, and 4715.58 of the Revised Code to allow a dental hygienist under the supervision

of a dentist to administer local anesthesia to a patient, to make changes to the law governing dental x-ray machine operators, to provide for the registration of expanded function dental auxiliaries, and to make changes in the composition of the State Dental Board.

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

In line 15, delete "3715.64," and insert "4715.64,"

Attest:

David A. Battocletti,
Clerk.

The Senate amendments were laid over under the Rule.

MESSAGE FROM THE SPEAKER

Pursuant to House Concurrent Resolution No. 34, the Speaker hereby appoints the following members to a committee to wait upon the Governor:

Representatives Blasdel, Flowers, DeWine, Carmichael, Seitz, Beatty, Book, Driehaus, and Mason.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on January 18, 2006, signed the following:

H. C. R. No. 33 - Speaker Husted - et al.,

H. C. R. No. 34 - Speaker Husted - et al.,

Sub. H. B. No. 136 - Representative Gilb - et al.

On motion of Representative Daniels, the House adjourned until Tuesday, January 24, 2006 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.