

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**WEDNESDAY, FEBRUARY 9, 2005**

## FIFTEENTH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, February 9, 2005 at 1:30 o'clock p.m.**

The House met pursuant to adjournment.

Prayer was offered by Representative Michael DeBose of the 12th House District, 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 Husted prior to the commencement of business:

Joe Albrecta, a guest of Representative Wagner-81st district.

Abe Jacob, a guest of Representative Buehrer-74th district.

Students from the Marburn Academy, guests of Representative Reidelbach-21st district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 49**-Representatives DeGeeter, Brown, Taylor, Strahorn, Hood, Wagner, McGregor, Perry, Allen, Carano, Cassell, Woodard, Barrett, Hartnett, Beatty, Reidelbach, Koziura, Distel.

To amend section 2907.322 of the Revised Code to clarify what constitutes visual representations of a minor for prosecutions of pandering sexually oriented matter involving a minor.

**H. B. No. 50**-Representatives Setzer, Hughes, C. Evans, DeWine, Gilb, McGregor, Fessler, Latta, Walcher.

To amend section 2907.09 of the Revised Code to expand and modify the penalty for the offense of public indecency.

Said bills were considered the first time.

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

Representative Carano submitted the following report:

The standing committee on Education to which was referred **H. B. No. 11**-Representative Schlichter, et al., having had the same under consideration, reports it back and recommends its passage.

RE: VIETNAM VETERANS GRANT HIGH SCHOOL DIPLOMAS

Representative Setzer moved to amend the title as follows:

Add the names: "Fessler, Seaver, Webster, Peterson, Wagner, Hood, Williams, Garrison, Barrett, Distel, Allen."

ARLENE J. SETZER	DIANA M. FESSLER
DERRICK SEAVER	SHAWN N. WEBSTER
KENNETH A. CARANO	JON M. PETERSON
MARY TAYLOR	W. SCOTT OELSLAGER
JOHN SCHLICHTER	JEFF WAGNER
LINDA S. REIDELBACH	RONALD HOOD
BRIAN G. WILLIAMS	JENNIFER GARRISON
CATHERINE L. BARRETT	L. GEORGE DISTEL
DIXIE J. ALLEN	KATHLEEN CHANDLER
CLYDE EVANS	

The report was agreed to.

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

Representative Kearns submitted the following report:

The Special Committee on Mileage appointed under House Resolution 11, having met pursuant to the resolution, reports back the following and recommends its adoption:

That each of the following members be paid the travel allowance provided under section 101.27 of the Revised Code, based upon mileage from and to their places of residence as set opposite their names and district numbers:

<b>Member's Name</b>	<b>District Number</b>	<b>Round Trip Mileage</b>
Dixie Allen	39	166
James Aslanides	94	157.4
Catherine Barrett	32	220
Joyce Beatty	27	N/A
Charles R. Blasdel	1	360
Louis Blessing	29	228
John Boccieri	61	362
Todd Book	89	184
Tom Brinkman	34	205
Edna Brown	48	306.8
Danny Bulp	88	220
Stephen Buehrer	74	318
Charles Calvert	69	220
Kenneth A. Carano	59	350
Jim Carmichael	3	198
Timothy Cassell	63	370
Kathleen Chandler	68	282
Bill Coley	55	205.4

Thomas Collier	90	108
Courtney E. Combs	54	220
Tony Core	83	120
David T. Daniels	86	134
Michael DeBose	12	304
Timothy DeGeeter	15	274.6
Kevin DeWine	70	130
George Distel	99	420
Matthew Dolan	98	306
John Domenick	95	295
Steve Driehaus	31	226
Clyde Evans	87	185
David Evans	71	80
Keith Faber	77	210
Lorraine Fende	62	320.9
Diana Fessler	79	130
Larry L. Flowers	19	N/A
Jennifer Garrison	93	246
Bob Gibbs	97	176
Mike Gilb	76	184.6
John Hagan	50	287
William Hartnett	73	142
Sandra Stabile Harwood	65	352
William Healy II	52	280
Ron Hood	91	45
James M. Hoops	75	306
Jim Hughes	22	N/A
Jon Husted	37	172
Merle Grace Kearns	72	108
Annie L. Key	11	290
Sally Conway Kilbane	16	283
Joe Koziura	56	246
Robert E. Latta	6	248
Randy Law	64	335.8
Earl Martin	57	268
Lance T. Mason	8	293
Jim McGregor	20	N/A
Dale Miller	14	268
Mike Mitchell	26	N/A
Scott Oelslager	51	264
Robert J. Otterman	45	250
Sylvester Patton	60	357
Thomas Patton	18	253
Jeanine Perry	49	306
Jon Peterson	2	62
Tom Raga	67	178
Jim Raussen	28	199

Chris Redfern	80	253.1
Linda Reidelbach	21	N/A
Stephen E. Reinhard	82	126
Allan Sayre	96	244
Tim Schaffer	5	64
John M. Schlichter	85	86
Michelle Glass Schneider	35	196
Derrick Seaver	78	226
William J. Seitz	30	231
Arlene J. Setzer	36	146
Michael Skindell	13	272
Geoffrey Smith	24	N/A
Shirley Smith	10	304
Dan Stewart	25	N/A
Jimmy Stewart	92	151
Fred Strahorn	40	165
Barbara J. Sykes	44	250
Mary Taylor	43	260
James Trakas	17	272
Joseph Uecker	66	98
Peter Ujvagi	47	296
Jeff Wagner	81	160
Mark Wagoner	46	288
Kathleen Walcher	58	225
Shawn Webster	53	214
John J. White	38	150
Chris Widener	84	103
John Widowfield	42	270
John Willamowski	4	186
Brian Williams	41	254
Larry Wolpert	23	N/A
Claudette Woodard	9	307
Tyrone Yates	33	204
Kenny Yuko	7	300

The question being, "Shall the report of the special committee on mileage be agreed to?"

The yeas and nays were taken and resulted - yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Book	Brinkman
Brown	Bubp	Buehrer	Calvert
Carano	Carmichael	Cassell	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Distel	Dolan	Domenick	Driehaus
Evans C.	Evans D.	Faber	Fende

Fessler	Flowers	Garrison	Gibbs
Gilb	Hagan	Hartnett	Harwood
Healy	Hood	Hoops	Hughes
Kearns	Key	Kilbane	Koziura
Latta	Law	Mason	McGregor
Miller	Mitchell	Oelslager	Otterman
Patton S.	Patton T.	Perry	Peterson
Raga	Raussen	Redfern	Reidelbach
Sayre	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Skindell
Smith G.	Smith S.	Stewart D.	Stewart J.
Strahorn	Sykes	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Yates	Yuko		Husted-95.

The report of the special committee on mileage was agreed to.

Representative Latta submitted the following report:

Pursuant to House Resolution 10, 126th General Assembly, the Special Committee to Purchase Revised Codes reports back with the following recommendations:

1. Given the availability of the Ohio Revised Code as a public resource on the Internet, this service shall be the default resource for members and staff. As needed to supplement this service, the Chief Administrative Officer is authorized to purchase and make available shared sets of the Revised Code, in hard bound form, as authorized in item two below.

2. The West Group, which publishes Baldwin's Ohio Revised Code, shall be the primary vendor for supplying the value-added version of the Ohio Revised Code to the Ohio House of Representatives during the 126th General Assembly. The Chief Administrative Officer shall purchase sufficient copies of Baldwin's Ohio Revised Code, not to exceed ten copies, as provided below for the use of members, staff or offices of the House in accordance with Banks-Baldwin's proposal of January 11, 2005 with such additional modifications as may be agreed to between Banks-Baldwin and the Chief Administrative Officer. The Chief Administrative Officer shall also purchase an additional 100 copies of the printed index to be distributed to each member and the Clerk's Office.

3. The Chief Administrative Officer with the approval of the Speaker, may purchase additional sets of the Baldwin's Ohio Revised Code and/or supplemental service, replacement units, and legislative bulletins for the committee rooms and offices of the House of Representatives, including shared sets for members and their staff who are using the default service Internet version of the Ohio Revised Code.

4. The Public version of the Administrative Code shall be the default

resource for members appointed to the Joint Committee on Agency Rule Review (JCARR). As needed to supplement this resource, the Chief Administrative Officer is authorized to purchase and make accessible to JCARR members and staff a value-added version of the Ohio Administrative Code. However, copies of the Administrative Code remain the property of the House.

5. All sets of the Ohio Revised Code, supplements, replacement units and legislative bulletins and all sets of the Ohio Administrative Code, including supplement service and replacement units shall remain the property of the House and shall be assigned to the member's office during that member's term.

The question being, "Shall the report of the special committee to purchase revised codes be agreed to?"

The yeas and nays were taken and resulted - yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Book	Brinkman
Brown	Bubp	Buehrer	Calvert
Carano	Carmichael	Cassell	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Distel	Dolan	Domenick	Driehaus
Evans C.	Evans D.	Faber	Fende
Fessler	Flowers	Garrison	Gibbs
Gilb	Hagan	Hartnett	Harwood
Healy	Hood	Hoops	Hughes
Kearns	Key	Kilbane	Koziura
Latta	Law	Mason	McGregor
Miller	Mitchell	Oelslager	Otterman
Patton S.	Patton T.	Perry	Peterson
Raga	Rausen	Redfern	Reidelbach
Sayre	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Skindell
Smith G.	Smith S.	Stewart D.	Stewart J.
Strahorn	Sykes	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Yates	Yuko		Husted-95.

The report of the special committee to purchase revised codes was agreed to.

### MOTIONS AND RESOLUTIONS

Representative DeWine moved that majority party members asking leave to be absent or absent the week of Wednesday, February 9, 2005, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Driehaus moved that minority party members asking leave to be absent or absent the week of Wednesday, February 9, 2005, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 122.651(A), the Speaker hereby appoints the following members to the Clean Ohio Air Council:

Representatives Blasdel, Driehaus

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 183.12(E)(F), the Speaker hereby appoints the following members to the Southern Ohio Agricultural and Community Development Foundation Board of Trustees:

Representatives Bulp, Book

MESSAGE FROM THE SPEAKER

Pursuant to Section 3(A)(F), Sub. H.B. No. 204, 125th General Assembly, the Speaker hereby appoints the following members to the Ohio Privacy/Public Record Access Study Committee:

Representatives Oelslager, Wolpert, Healy

MESSAGE FROM THE SPEAKER

Pursuant Ohio Revised Code section 3334.03(A)(B)(D), and Section 4, Am. Sub. H.B. No. 516, 125th General Assembly, the Speaker hereby appoints Representative Distel to the Ohio Tuition Trust Authority.

On motion of Representative Blasdel, the House adjourned until Thursday, February 10, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.