

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
THURSDAY, FEBRUARY 10, 2005

SIXTEENTH DAY

Hall of the House of Representatives, Columbus, Ohio
Thursday, February 10, 2005 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 51-Representatives Koziura, Redfern, Carano, Ujvagi, Hartnett, Driehaus, Brown, Woodard, DeGeeter, Chandler, Strahorn.

To enact section 101.533 of the Revised Code to require that an appropriations bill for education agencies be enacted separate from and prior to any other operating appropriations bills.

H. B. No. 52-Representatives White, McGregor, Kearns, Setzer, Fessler, Brown, Webster, Taylor.

To enact section 305.021 of the Revised Code to enable a board of county commissioners to adopt a plan for the temporary appointment of emergency interim successors to county offices to serve during a disaster, emergency, or when an officer is unavailable.

H. B. No. 53-Representatives White, McGregor, C. Evans, Willamowski, Kearns, Setzer, Hoops, Wagner, Seaver, Fessler, Wolpert, Martin, Combs, Hagan, Latta, Faber, Barrett, Webster, Taylor, Strahorn, Raga, Gilb, Brinkman.

To create the Correctional Faith-Based Initiatives Task Force.

H. B. No. 54-Representatives T. Patton, Combs, Martin, C. Evans, McGregor, Fessler, S. Patton, Wagner, Perry, Hughes, Trakas, Seitz, Hagan, DeGeeter, Faber, Taylor, Seaver, Aslanides, Gilb, Reidelbach, Latta, Flowers, White, Law, D. Evans, Harwood, Brown, Bubb.

To enact section 4503.761 of the Revised Code to create "One Nation Under God" license plates.

H. B. No. 55-Representatives Hoops, Combs, Gibbs, Hagan, Kearns, Reidelbach, Schaffer, Setzer, J. Stewart, Taylor, Webster, Allen, Barrett, Chandler, Miller, Perry.

To amend section 5111.97 and to enact section 5111.971 of the Revised

Code to identify matters that must be addressed in rules governing Department of Job and Family Services-administered Medicaid home and community-based services programs.

H. B. No. 56-Representatives Raussen, Seitz, Brinkman, McGregor, D. Evans, Fessler, Aslanides, Koziura, Barrett, Reidelbach, Gilb, Buehrer, Hood, Daniels, Taylor, Martin, Gibbs, Faber, Raga, Blessing, Schneider, Uecker, Bulp, J. Stewart, Schaffer, Webster.

To enact section 4511.092 of the Revised Code to generally prohibit the use by law enforcement agencies of traffic law photo-monitoring devices.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

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. 33 - Representative Wagner et, al

TO PERMIT THE PROSECUTING ATTORNEY TO BE THE LEGAL ADVISER TO A JOINT AMBULANCE DISTRICT, TO A FIRE AND AMBULANCE DISTRICT, AND TO A JOINT EMERGENCY MEDICAL SERVICES DISTRICT.

To the committee on State Government

H.B. No. 34 - Representative Setzer et, al

TO EXPAND THE TIME IN WHICH A SEARCH WARRANT MUST BE RETURNED IN THE INVESTIGATION OF AN OFFENSE OF IMPORTUNING BY MEANS OF A TELECOMMUNICATIONS DEVICE.

To the committee on Criminal Justice

H.B. No. 35 - Representative Hartnett et, al

TO CHANGE THE DATES BY WHICH CERTAIN ACHIEVEMENT TESTS ARE ADMINISTERED AND THE RESULTS ARE RELEASED TO SCHOOL DISTRICTS.

To the committee on Education

H.B. No. 36 - Representative Carmichael et, al

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

To the committee on State Government

H.B. No. 37 - Representative Hartnett et, al

TO PERMIT THE ATTACHMENT OF RETIREMENT ACCOUNTS IN CERTAIN SITUATIONS.

To the committee on Financial Institutions, Real Estate, and Securities

H.B. No. 38 - Representative Schaffer et, al

TO CREATE THE OFFENSE OF NEGLIGENT VEHICULAR ASSAULT.

To the committee on Criminal Justice

H.B. No. 39 - Representative Schaffer et, al

TO REDUCE INCOME TAXES BY THE AMOUNT OF ADDITIONAL REVENUE GENERATED BY A STATE SALES TAX RATE ABOVE 5%.

To the committee on Finance and Appropriations

H.B. No. 40 - Representative Schaffer et, al

TO ALLOW A CREDIT AGAINST THE PERSONAL INCOME TAX FOR AMOUNTS SPENT BY TEACHERS FOR INSTRUCTIONAL MATERIALS.

To the committee on Ways and Means

H.B. No. 41 - Representative Schaffer et, al

TO REQUIRE MUNICIPAL CORPORATIONS WITH MORE THAN \$100 MILLION IN ANNUAL INCOME TAX COLLECTIONS TO PROVIDE A TAX CREDIT TO NONRESIDENT TAXPAYERS.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 42 - Representative Schaffer et, al

TO THE USE OF AUTHORIZED COMMUNICATIONS EQUIPMENT, INCLUDING ELECTRONIC OR TELEPHONIC TRANSMISSIONS, IN CERTAIN MEETINGS AND VOTINGS OF NONPROFIT CORPORATIONS AND THE AUTHORITY TO TAKE ACTION ON BEHALF OF A NONPROFIT CORPORATION WITHOUT A MEETING OF INCORPORATORS, DIRECTORS, OR MEMBERS.

To the committee on Civil and Commercial Law

H.B. No. 43 - Representative McGregor, et al

TO REQUIRE THE DEPARTMENT OF JOB AND FAMILY SERVICES TO SEEK A FEDERAL WAIVER TO ESTABLISH AN ASSISTED LIVING MEDICAID WAIVER COMPONENT AND TO MAKE AN APPROPRIATION.

To the committee on Health

JON A. HUSTED
CHARLES E. CALVERT
ANTHONY CORE
LARRY L. FLOWERS
TOM RAGA
GEOFFREY C. SMITH
CHRIS REDFERN
KENNETH A. CARANO

CHARLES R. BLASDEL
JIM CARMICHAEL
KEVIN DEWINE
MERLE GRACE KEARNS
JOHN SCHLICHTER
SHAWN N. WEBSTER
JOYCE BEATTY
TIMOTHY J. DEGEETER

WILLIAM J. HEALY
ROBERT J. OTTERMAN

JOSEPH KOZIURA

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 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 be introduced and referred to the following committee for consideration:

H. Con. R. No. 5 - Representative Hoops et, al

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 Environment

/s/ JON A. HUSTED

Jon A. Husted, Chair

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

The motion was agreed to.

Said resolution was introduced and referred as recommended.

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

H.R. No. 14-1 - Representative Schlichter

HONORING JENNY BRUNEY ON RECEIVING A MILKEN FAMILY FOUNDATION NATIONAL EDUCATOR AWARD

Add the names: Flowers, Beatty, Otterman

H.R. No. 15 - Representative Gilb

HONORING THE HARDIN NORTHERN HIGH SCHOOL FOOTBALL

TEAM ON SECURING THE 2004 DIVISION VI STATE CHAMPIONSHIP.

H.C.R. No. 6 - Representative Latta

HONORING THE BOWLING GREEN HIGH SCHOOL GIRLS CROSS COUNTRY TEAM ON WINNING THE 2004 DIVISION I STATE CHAMPIONSHIP.

Add the names: Beatty, Otterman

/s/ JON A. HUSTED

Jon A. Husted, 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.

CLERK'S NOTATION

Due to a clerical error, today's congratulatory report adopted by the Rules and Reference Committee and accepted by the House incorrectly numbered H.R. No. 14 - Representative Schlichter, honoring Jenny Bruney on receiving a Milken Family Foundation National Educator award. The House had already adopted H.R. No. 14 - Rep. Blasdel, adopting the House Rules, on January 11, 2005.

This resolution will be re-numbered H.R. No. 14-1. The Journal has been corrected to reflect this change and the minutes of the Rules and Reference Committee will also be amended.

On motion of Representative Flowers, the House adjourned until Tuesday, February 15, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.