

OHIO

House

of

Representatives

JOURNAL

THURSDAY, FEBRUARY 16, 2006

ONE HUNDRED FORTY-SECOND DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, February 16, 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 Daniels was selected to preside under the Rule.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 519-Representatives Barrett, Skindell, Seitz, Yuko, Miller, Brown, Sykes, Fende, Key.

To amend sections 122.71 and 153.59 of the Revised Code to treat equally minority business enterprises owned and controlled by Ohio citizens and minority business enterprises owned and controlled by citizens of another state if the other state requires the same treatment.

H. B. No. 520-Representative Schaffer.

To amend sections 3318.01, 3318.011, 3318.023, and 3318.36 of the Revised Code to prohibit ranking a school district participating in the School Building Assistance Expedited Local Partnership Program in a higher percentile on the eligibility list for state classroom facilities assistance after the district's electors have approved a bond issue for the district's portion of the basic project cost and to grant priority for such assistance to certain school districts participating in the Expedited Program that have a higher percentile ranking than three years ago.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Healy submitted the following report:

The standing committee on Rules and Reference to which was referred **H. B. No. 73**-Representative Trakas, having had the same under consideration, recommends its re-referral to the committee on Ways and Means.

RE: INCOME TAX DOMICILE - NEW TESTS

JON A. HUSTED
CHARLES E. CALVERT

CHARLES R. BLASDEL
JIM CARMICHAEL

ANTHONY CORE
LARRY L. FLOWERS
JOHN SCHLICHTER
GEOFFREY C. SMITH

KEVIN DEWINE
TOM RAGA
ARLENE J. SETZER
LARRY L. WOLPERT

The following members voted "NO"

JOSEPH KOZIURA
TIMOTHY J. DEGEETER
JOYCE BEATTY
CHRIS REDFERN

WILLIAM J. HEALY
KENNETH A. CARANO
ROBERT J. OTTERMAN

The report was agreed to.

The bill was ordered to be engrossed and rereferred to the committee on Ways and Means.

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

H.B. No. 502 - Representative Ujvagi, et al

TO ALLOW AN AUTHORIZED PERSON TO OBTAIN ONE COPY OF A PATIENT'S MEDICAL RECORD WITHOUT CHARGE.

To the committee on Civil and Commercial Law

H.B. No. 503 - Representative Ujvagi

TO PROHIBIT A JUVENILE COURT FROM MAKING CUSTODY DETERMINATIONS OR MODIFICATIONS IN A CASE IN WHICH ONE OF THE PARENTS IS CALLED TO ACTIVE MILITARY SERVICE WITH ANY RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES OR OHIO MILITIA.

To the committee on Juvenile and Family Law

H.B. No. 504 - Representative Ujvagi, et al

TO GRANT PAID LEAVE TO CERTAIN STATE EMPLOYEES SO THAT THEY MAY PARTICIPATE IN A FUNERAL HONORS DETAIL AT THE FUNERAL OF A VETERAN.

To the committee on State Government

H.B. No. 505 - Representative Reinhard, et al

TO REQUIRE THAT STATE ENVIRONMENTAL LAWS BE CONSTRUED TO BE NO MORE STRINGENT THAN THE LAWS' FEDERAL COUNTERPARTS.

To the committee on Economic Development and Environment

H.B. No. 506 - Representative Blessing

TO MAKE HEALTH SAVINGS ACCOUNTS AVAILABLE TO PUBLIC

EMPLOYEES AND PROVIDE TAX BENEFITS TO PUBLIC EMPLOYEES WHO USE HEALTH SAVINGS ACCOUNTS, AND TO INCREASE THE DEDUCTIBLE PERMITTED UNDER THE STATE INCOME TAX FOR UNREIMBURSED MEDICAL CARE.

To the committee on Ways and Means

H.B. No. 507 - Representative T. Patton

TO CREATE A TESTIMONIAL PRIVILEGE FOR COMMUNICATIONS BETWEEN A REPRESENTATIVE OF AN EMPLOYEE ORGANIZATION AND A BARGAINING UNIT MEMBER.

To the committee on Civil and Commercial Law

H.B. No. 508 - Representative Hood, et al

TO PROHIBIT THE CONFISCATION OF LAWFULLY OWNED AND CARRIED FIREARMS DURING A STATE OF EMERGENCY.

To the committee on Criminal Justice

H. B. No. 509 - Representative Ujvagi, et al

TO REINSTATE THE CONSUMER'S COUNSEL'S AUTHORITY TO OPERATE A CALL CENTER.

To the committee on Public Utilities and Energy

H.B. No. 510 - Representative Cassell, et al

TO MAKE AN EMPLOYEE WHO IS INJURED ON THE JOB WHILE COMMITTING A THIRD DEGREE MISDEMEANOR OR WORSE OFFENSE AND WHO IS CONVICTED OF OR PLEADS GUILTY TO THE OFFENSE INELIGIBLE FOR WORKERS' COMPENSATION BENEFITS.

To the committee on Commerce and Labor

H.B. No. 511 - Representative Cassell, et al

TO REVISE THE LAW GOVERNING CONTRACTS FOR THE PURCHASE OF GOODS OR SERVICES BETWEEN A BUSINESS ENTITY AND A STATE AGENCY OR POLITICAL SUBDIVISION TO SUBJECT SUCH CONTRACTS BETWEEN A BUSINESS ENTITY AND ALL BOARDS AND COMMISSIONS TO THE EXISTING CONTRIBUTION LIMIT REQUIREMENTS, AND TO REQUIRE APPLICABLE VENDORS TO CERTIFY COMPLIANCE WITH THE CONTRIBUTION LIMIT REQUIREMENTS BEFORE RECEIPT OF A CONTRACT AWARD.

To the committee on State Government

H.B. No. 512 - Representative Gilb, et al

TO DEFINE "HARD-CORE PORNOGRAPHY" AND SPECIFY THAT IT ALWAYS IS OBSCENE.

To the committee on Civil and Commercial Law

H.B. No. 513 - Representative Williams, et al

TO ALLOW A CHARITABLE ORGANIZATION TO CONDUCT GAMES OF CHANCE AND RAFFLES THREE TIMES PER YEAR AT CERTAIN FOOD SERVICE FACILITIES.

To the committee on State Government

Am. S.B. No. 211 - Senator Carey, et al

TO CREATE "GOLD STAR FAMILY" LICENSE PLATES AND TO PERMIT LOCAL JURISDICTIONS TO REQUEST THE DIRECTOR OF TRANSPORTATION TO DESIGNATE A NAME FOR A BRIDGE THAT IS PART OF THE HIGHWAY SYSTEM.

To the committee on Transportation, Public Safety and Homeland Security

S.B. No. 227 - Senator Mumper, et al

TO DESIGNATE A PORTION OF STATE ROUTE 423 WITHIN MARION COUNTY THE "DEPUTY BRANDY WINFIELD MEMORIAL HIGHWAY."

To the committee on Transportation, Public Safety and Homeland Security

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| JON A. HUSTED | CHARLES R. BLASDEL |
| CHARLES E. CALVERT | JIM CARMICHAEL |
| ANTHONY CORE | KEVIN DEWINE |
| LARRY L. FLOWERS | TOM RAGA |
| JOHN SCHLICHTER | ARLENE J. SETZER |
| GEOFFREY C. SMITH | LARRY L. WOLPERT |
| CHRIS REDFERN | JOYCE BEATTY |
| KENNETH A. CARANO | TIMOTHY J. DEGEETER |
| WILLIAM J. HEALY | JOSEPH KOZIURA |
| ROBERT J. OTTERMAN | |

Representative Bubp 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 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 and Senate Bills were considered a second time and referred as recommended.

Message from the Senate

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

H. B. No. 310 - Representatives Oelslager, Fessler, C. Evans, Setzer, McGregor, J., Carano, Gilb, Latta, Combs, Reidelbach, Schaffer, Perry, Collier, Fende, Webster, Hughes, Evans, D., Seitz, Willamowski, Bubp, Aslanides, Barrett, Beatty, Blessing, Book, Brown, Buehrer, Calvert, Cassell, DeBose, Distel, Domenick, Flowers, Garrison, Gibbs, Harwood, Healy, Hood, Hoops, Key, Mason, Miller, Mitchell, Otterman, Sayre, Skindell, Stewart, D., Stewart, J., Taylor, Williams, Woodard, Yates, Yuko Senators Schuring,

Dann, Kearney, Zurz, Amstutz, Carey, Cates, Goodman, Hagan, Padgett, Stivers, Wachtmann, Wilson

To amend section 2907.08 of the Revised Code to clarify that the prohibitions it sets forth that refer to conduct involving the photographing of another also apply to conduct involving the videotaping, filming, or other recording of another.

Attest: David A. Battocletti,
Clerk.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the House standing committee and standing subcommittee:

Criminal Justice: remove Representative Seaver; appoint Representative Uecker.

Human Service Subcommittee of Finance and Appropriation: remove Representative Ross McGregor.

MESSAGE FROM THE SPEAKER

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on **Sub. H.B. No. 79** - Representative Raga - et al.,

Representatives Raga, Schlichter, and Allen.

On motion of Representative Bulp, the House adjourned until Tuesday, February 21, 2006 at 11:00 o'clock a.m.

Attest: LAURA P. CLEMENS,
Clerk.