

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, FEBRUARY 23, 2005

TWENTIETH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, February 23, 2005 at 1:30 o'clock p.m.**

The House met pursuant to adjournment.

Prayer was offered by Minister Aaron Kemple of the West Broad Street Church of Christ in Columbus, Ohio, 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:

Reverend Mark C. Olds and Reverend Michael Exum, guests of Representative S. Smith-10th district.

Ken and Jackie Patton, guests of Representative DeGeeter-15th district.

Alan Lan, a guest of Representative Beatty-27th district.

Andrew Gascho and Michael Kerns, guests of Representative Core-83rd district.

The Stolzhus family, guests of Representative J. Stewart-92nd district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 78**-Representatives Barrett, Allen, Brown, Carano, Carmichael, Chandler, DeGeeter, Hartnett, Harwood, Healy, Kearns, Key, Koziura, Mason, Miller, Otterman, S. Patton, Perry, Sayre, Skindell, D. Stewart, Taylor, Ujvagi, Williams, Woodard.

To amend sections 1751.62, 3923.52, and 3923.53 of the Revised Code to require health care policies, plans, and agreements to extend coverage to newer forms of screening for cervical cancer detection.

**H. B. No. 79**-Representatives Raga, Latta, Setzer, C. Evans, Hagan, DeWine, McGregor, Willamowski, Gilb, Flowers.

To amend sections 3314.03, 3319.291, and 3319.311 and to enact sections 3319.313, 5126.253, and 5153.176 of the Revised Code to require that information about professional misconduct or child abuse or neglect committed by a person licensed by the State Board of Education be submitted to the Superintendent of Public Instruction and to require the State Board to request a criminal records check prior to renewing an educator license.

**H. B. No. 80**-Representatives G. Smith, Flowers, Hartnett, Calvert, Hagan.

To enact sections 153.73 and 153.731 of the Revised Code to prohibit a state agency from awarding a public improvement contract unless its terms require the contractor to participate in a specified drug-free workplace program.

**H. B. No. 81**-Representatives G. Smith, Webster, McGregor, S. Patton, Ujvagi, Perry, Wolpert, Woodard, Peterson, Barrett, Strahorn, Kearns, Taylor, Allen, Law, Reidelbach, D. Stewart, Carano, Flowers.

To amend sections 119.01, 1733.01, 1733.04, 1733.05, 1733.16, 1733.22, 1733.24, 1733.25, 1733.29 to 1733.33, 1733.37, 1733.38, 1733.412, 1733.44, 2101.161, 2105.31, 2109.13, 2109.372, 2109.41, 4705.09, and 4973.17 and to repeal section 1733.251 of the Revised Code to make changes in the Credit Union Law relating to fields of membership, expansion of authorities, meetings of directors, compensation of officers, fees and interest chargeable on loans, record keeping, eligible investments, liquidity fund requirements, public records, amendments to articles, and use of name; to authorize accounts to be held by credit unions under laws relating to probate and intestate succession; to authorize a credit union insured by a credit union guaranty corporation to maintain interest-bearing trust accounts on behalf of attorneys; and to authorize credit union designees acting for or on the premises of a credit union to be appointed as police officers.

**H. B. No. 82**-Representative Hughes.

To amend sections 4777.01, 4777.02, 4777.03, and 4777.04 of the Revised Code to make changes related to the prohibition against using certain titles in the practice of occupational safety or industrial hygiene.

**H. B. No. 83**-Representative Hughes.

To enact section 2109.361 of the Revised Code to require the probate court, upon application by a fiduciary or interested party, to determine the fairness of an agreement requiring a fiduciary to pay a percentage of an inheritance or a dollar amount to any person other than the beneficiary and to allow the probate court to approve, modify, or invalidate the agreement.

**H. B. No. 84**-Representatives Flowers, Trakas, McGregor, Aslanides, Brinkman, Webster, Wolpert, Seitz, Gilb, D. Evans, Calvert, Hagan, Hood, Reidelbach, Oelslager.

To enact section 9.481 of the Revised Code to prohibit political subdivisions from imposing residency requirements on certain employees.

**H. B. No. 85**-Representative Blessing.

To amend section 4928.20 and to enact section 4928.21 of the Revised Code to limit retail electric service automatic governmental aggregation and to create a "Do Not Aggregate" list.

**H. B. No. 86**-Representatives Willamowski, Aslanides, Seitz.

To enact section 5111.131 of the Revised Code to establish a medical assistance program that offers access to sickness and accident insurance as an alternative to standard Medicaid pay-per-service coverage.

**H. B. No. 87**-Representatives Willamowski, C. Evans, McGregor, Seitz, Perry, S. Smith, Hartnett, Taylor, Martin, Hagan, Reidelbach, Hood.

To amend section 3702.76 of the Revised Code to require the Director of Health to designate state correctional institutions as health resource shortage areas for the purposes of the Physician Loan Repayment Program.

**H. B. No. 88**-Representatives Willamowski, Perry, Aslanides, Skindell, Combs, McGregor, Buehrer, Oelslager, D. Evans, Hartnett, Faber, Barrett, Law, Taylor, Daniels, Brown, Martin, Hagan, Otterman, Reidelbach, Hood.

To amend section 5747.01 of the Revised Code to exempt from the personal income tax up to \$10,000 in state and federal government and military retirement benefits.

Said bills were considered the first time.

#### **MOTIONS AND RESOLUTIONS**

Representative DeWine moved that majority party members asking leave to be absent or absent the week of Wednesday, February 23, 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 23, 2005, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

#### **BILLS FOR THIRD CONSIDERATION**

**H. B. No. 65**-Representative Schaffer.

To amend section 125.021 of the Revised Code to allow the Industrial Commission to make contracts concerning telecommunications and computer services and to make appropriations for the Industrial Commission for the

biennium beginning July 1, 2005, and ending June 30, 2007, and to provide authorization and conditions for the operation of Commission programs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

|            |            |             |            |
|------------|------------|-------------|------------|
| Allen      | Aslanides  | Barrett     | Beatty     |
| Blasdel    | Blessing   | Book        | Brinkman   |
| Brown      | 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        | Martin     | Mason       | McGregor   |
| Miller     | Mitchell   | Oelslager   | Otterman   |
| Patton S.  | Patton T.  | Perry       | Peterson   |
| Raga       | Raussen    | Redfern     | Reidelbach |
| Reinhard   | 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-96. |

The bill passed.

Representative Schaffer moved to amend the title as follows:

Add the names: "Beatty, Calvert, Cassell, Chandler, Combs, Daniels, DeBose, Distel, Domenick, C. Evans, D. Evans, Fende, Flowers, Gibbs, Kearns, Mason, McGregor, Miller, Otterman, T. Patton, Seitz, Setzer, Uecker, Willamowski, Williams."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 67**-Representatives Schaffer, Beatty, Flowers, Hartnett, Miller, Strahorn.

To amend sections 121.08, 4121.12, 4121.121, 4121.37, 4123.511, 4167.02, 4167.06, 4167.07, 4167.08, 4167.09, 4167.10, 4167.11, 4167.12, 4167.14,

4167.15, 4167.16, 4167.17, 4167.19, and 4167.27, to enact section 4121.48, and to repeal section 4167.18 of the Revised Code to transfer the Public Employees Risk Reduction Program and the Occupational Safety and Health Act On-site Consultation Program from the Department of Commerce to the Bureau of Workers' Compensation, to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2005, and ending June 30, 2007, and to provide authorization and conditions for the operation of the Bureau's programs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

|            |            |             |            |
|------------|------------|-------------|------------|
| Allen      | Aslanides  | Barrett     | Beatty     |
| Blasdel    | Blessing   | Book        | Brinkman   |
| Brown      | 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        | Martin     | Mason       | McGregor   |
| Miller     | Mitchell   | Oelslager   | Otterman   |
| Patton S.  | Patton T.  | Perry       | Peterson   |
| Raga       | Rausen     | Redfern     | Reidelbach |
| Reinhard   | 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-96. |

The bill passed.

Representative Schaffer moved to amend the title as follows:

Add the names: "Barrett, Buehrer, Calvert, Cassell, Chandler, Daniels, Distel, Domenick, C. Evans, D. Evans, Fende, Gibbs, Hughes, Kearns, Mason, McGregor, Otterman, Seitz, Setzer, Webster, Williams."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blasdel, the House adjourned until Thursday, February 24, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.