

OHIO

House

of

Representatives

JOURNAL

THURSDAY, FEBRUARY 23, 2006

ONE HUNDRED FORTY-FIFTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, February 23, 2006 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

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

Representative Wagner was selected to preside under the Rule.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 522-Representatives Peterson, Schaffer, Chandler.

To amend sections 3702.30, 3702.31, and 4731.22 and to enact sections 3702.33, 3727.30, 3727.31, 3727.32, and 4731.82 of the Revised Code to require ambulatory surgical facilities, hospitals, and physicians who perform surgical procedures in private offices where general anesthesia is administered to assign a circulating nurse to each surgical procedure performed.

Said bill was considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Perry submitted the following report:

The standing committee on Transportation, Public Safety, and Homeland Security to which was referred **H. B. No. 389**-Representative Setzer, et al., having had the same under consideration, reports it back and recommends its passage.

RE: BICYCLE OPERATION - REVISE LAWS

Representative Reinhard moved to amend the title as follows:

Add the name: "Law."

STEVE REINHARD
JOHN WIDOWFIELD
ALLAN R. SAYRE
JIM ASLANIDES
DANNY R. BUBP

STEPHEN BUEHRER
RANDY LAW
LORRAINE M. FENDE
JOSEPH W. UECKER
JEANINE PERRY

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. S. B. No. 148**-Senator Hottinger, et al., having had the same under consideration, recommends its re-referral to the committee on Local and Municipal Government and Urban Revitalization.

RE: FEDERAL LIENS - RECORD ELECTRONICALLY

- | | |
|---------------------|--------------------|
| 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 |
| JOSEPH KOZIURA | WILLIAM J. HEALY |
| TIMOTHY J. DEGEETER | ROBERT J. OTTERMAN |
| KENNETH A. CARANO | |

The report was agreed to.

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

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. 516 - Representative Fessler, et al

TO REQUIRE THE STATE MEDICAL BOARD, NOT LATER THAN TWO YEARS AFTER THE COMPLAINT IS FILED, TO MAKE A DECISION REGARDING THE DISPOSITION OF A COMPLAINT ALLEGING THAT A PHYSICIAN'S FAILURE TO MEET MINIMAL STANDARDS OF CARE RESULTED IN A PATIENT'S DEATH AND TO REQUIRE THE ATTORNEY GENERAL TO MONITOR AND ENFORCE THIS REQUIREMENT.

To the committee on Health

H.B. No. 517 - Representative Gibbs, et al

TO EXEMPT A NONPROFIT ORGANIZATION THAT SELLS AT AUCTION ITEMS DONATED TO THE ORGANIZATION AND THAT MEETS CERTAIN ADVERTISING REQUIREMENTS REGARDING THOSE ITEMS AND A RECOGNIZED AMISH SECT THAT SPONSORS AN AUCTION FOR CHARITABLE PURPOSES FROM HAVING TO RETAIN A LICENSED AUCTIONEER AT SUCH AN AUCTION.

To the committee on State Government

H.B. No. 518 - Representative Reidelbach, et al

REGARDING DENTIST SUPERVISION OF DENTAL HYGIENISTS.

To the committee on Health

H.B. No. 519 - Representative Barrett, et al

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.

To the committee on Economic Development and Environment

H.B. No. 520 - Representative Schaffer

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.

To the committee on Finance and Appropriations

JON A. HUSTED
JIM CARMICHAEL
KEVIN DEWINE
TOM RAGA
ARLENE J. SETZER
LARRY L. WOLPERT
TIMOTHY J. DEGEETER
JOSEPH KOZIURA

CHARLES E. CALVERT
ANTHONY CORE
LARRY L. FLOWERS
JOHN SCHLICHTER
GEOFFREY C. SMITH
KENNETH A. CARANO
WILLIAM J. HEALY
ROBERT J. OTTERMAN

Representative Oelslager 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 all 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 Resolutions be introduced and referred to the following committee for consideration:

H.R. No. 157 - Representative J. McGregor, Wagoner, Seitz, Peterson,

Brown, Hughes, Ujvagi, Skindell, Latta, Perry, Law

TO PROCLAIM JULY 30 OF EACH YEAR "HERITAGE AND FREEDOM
FLAG OF THE FORMER REPUBLIC OF VIETNAM DAY."

To the committee on State Government

H.R. No. 158 - Representative Combs

TO SUPPORT THE NATIONAL SECURITY LANGUAGE INITIATIVE.

To the committee on State Government

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Oelslager 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 resolutions were 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. 156 - Representative T. Patton

HONORING THE STRONGSVILLE HIGH SCHOOL GIRLS SOCCER
TEAM AS THE 2005 DIVISION I STATE CHAMPION.

H.R. No. 159 - Representatives Perry, Brown, Ujvagi, Wagoner

HONORING COSI TOLEDO ON RECEIVING A 2005 NATIONAL
AWARD FOR MUSEUM SERVICE.

H.R. No. 160 - Speaker Husted, Representatives Beatty, Allen, Aslanides, Barrett, Blasdel, Blessing, Boccieri, Book, Brinkman, Brown, Bulp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Walcher, Webster, White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko
HONORING REPRESENTATIVE DALE MILLER FOR HIS SERVICE TO
THE OHIO HOUSE OF REPRESENTATIVES.

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Oelslager 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.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

Sub. S. B. No. 185 - Senators Padgett, Schuring, Roberts, Carey, Amstutz, Armbruster, Brady, Dann, Fedor, Fingerhut, Grendell, Hagan, Harris, Jacobson, Miller, Prentiss, Spada, Zurz, Mumper, Clancy

To amend sections 109.572, 1322.03, 1322.031, 1322.04, 1322.041, 1322.051, 1322.06, 1322.061, 1322.062, 1322.07, 1322.10, 1322.11, 1322.99, 1345.01, 1345.09, 1349.31, 4735.05, 4763.03, 4763.05, 4763.06, 4763.12, 4763.13, and 4763.99 and to enact sections 1321.541, 1322.063, 1322.064, 1322.074, 1322.075, 1322.081, 1345.091, 1349.41, 1349.43, 1349.44, and 4763.19 of the Revised Code to modify the application of, and damages available under, the Consumer Sales Practices Act; to generally prohibit the appraisal of real estate for a mortgage loan without state certification or licensure; to require that a national criminal background check be conducted on all applicants for a mortgage broker certificate of registration, loan officer license, or real estate appraiser certificate or license; to modify the Mortgage Broker/Loan Officer Law with respect to disclosure of information, fiduciary duties, prohibited acts, record keeping, and pre-licensure examination; and to make other changes relative to mortgage lending.

Attest:

David A. Battocletti,
Clerk.

Said bill was considered the first time.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on February 22, 2006, signed the following:

H. B. No. 310 - Representative Oelslager - et al.

S. B. No. 184 - Senator Gardner - et al.

On motion of Representative Oelslager, the House adjourned until Tuesday, February 28, 2006 at 11:00 o'clock a.m.

Attest:

SONJA A. HERD,
Assistant Clerk.