

OHIO

House

of

Representatives

JOURNAL

THURSDAY, MARCH 3, 2005

TWENTY-FOURTH DAY

Hall of the House of Representatives, Columbus, Ohio
Thursday, March 3, 2005 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 McGregor was selected to preside under the Rule.

The journal of yesterday was read and approved.

**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 committee for consideration:

H.B. No. 90 - Representative Chandler, et al

TO MAKE A SEAT BELT VIOLATION A PRIMARY OFFENSE THAT IS ENFORCEABLE IN THE SAME MANNER AS ANY OTHER TRAFFIC OFFENSE.

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 91 - Representative Brinkman, et al

TO AUTHORIZE A PERSON TO CARRY A CONCEALED HANDGUN WITHOUT OBTAINING A LICENSE TO THE SAME EXTENT AS IF THE PERSON HAD OBTAINED SUCH A LICENSE IF THE PERSON QUALIFIES FOR A CONCEALED CARRY LICENSE AND IS LEGALLY PERMITTED TO PURCHASE A HANDGUN; TO REMOVE THE REQUIREMENTS THAT A CONCEALED CARRY LICENSEE MUST BE CARRYING THE LICENSE IN ORDER TO CARRY A CONCEALED HANDGUN, MUST INFORM APPROACHING LAW ENFORCEMENT OFFICERS THAT THE PERSON HAS A LICENSE AND IS CARRYING THE HANDGUN WHEN THE PERSON IS CARRYING A CONCEALED HANDGUN, AND MUST SUBMIT A NEW OR RENEWED COMPETENCY CERTIFICATION WHEN RENEWING THE LICENSE; TO ELIMINATE AS PREMISES IN WHICH A CONCEALED CARRY LICENSEE MAY NOT CARRY A CONCEALED HANDGUN PUBLIC OR PRIVATE INSTITUTIONS OF HIGHER EDUCATION, PLACES OF WORSHIP, DAY-CARE CENTERS AND HOMES, AND GOVERNMENT BUILDINGS OTHER THAN SCHOOLS, COURTHOUSES, LAW ENFORCEMENT OFFICES, AND CORRECTIONAL FACILITIES; TO REPLACE THE PROHIBITIONS THAT APPLY ONLY TO A CONCEALED CARRY LICENSEE WHO IS CARRYING A HANDGUN IN A MOTOR VEHICLE WITH A PROHIBITION AGAINST A LICENSEE WHO IS IN A MOTOR VEHICLE THAT IS STOPPED BY A LAW ENFORCEMENT OFFICER KNOWINGLY MENACING OR

THREATENING AN OFFICER WITH A LOADED HANDGUN OR KNOWINGLY POINTING A LOADED HANDGUN AT AN OFFICER; TO REMOVE THE "IN PLAIN SIGHT OR SECURE ENCASUREMENT" CRITERION THAT A CONCEALED CARRY LICENSEE MUST SATISFY TO LEGALLY POSSESS A HANDGUN IN A MOTOR VEHICLE; TO PROVIDE A SELF-DEFENSE EXEMPTION FROM THE PROHIBITIONS AGAINST DISCHARGING A FIREARM IN OR ON A VESSEL OR MOTOR VEHICLE; AND TO REPEAL THE "JOURNALIST EXCEPTION" TO THE PROVISION THAT OTHERWISE MAKES CONFIDENTIAL THE RECORDS A SHERIFF POSSESSES REGARDING CONCEALED HANDGUN LICENSES AND APPLICATIONS FOR SUCH LICENSES.

To the committee on Criminal Justice

H.B. No. 92 - Representative Sayre, et al

TO GRANT TO OWNERS OF PROPERTIES THAT HAVE BEEN DAMAGED BY FLOODS AN EXTENSION OF TIME IN WHICH TO PAY TAXES CHARGED AGAINST THE PROPERTY.

To the committee on Ways and Means

H.B. No. 93 - Representative Taylor, et al

REGARDING AUDITS OF MEDICAID PROVIDERS AND A PERFORMANCE AUDIT OF THE MEDICAID PROGRAM.

To the committee on Finance and Appropriations

H.B. No. 94 - Representative Taylor, et al

TO EXEMPT FROM THE SALES TAX MASSAGE THERAPY THAT IS PROVIDED BY AN INDIVIDUAL WHO HOLDS A CERTIFICATE TO PRACTICE MASSAGE THERAPY.

To the committee on Ways and Means

H.B. No. 95 - Representative Seitz, et al

RELATIVE TO THE SENTENCES IMPOSED ON REPEAT VIOLENT OFFENDERS AND THE APPEAL OF REPEAT VIOLENT OFFENDER SENTENCES.

To the committee on Criminal Justice

H.B. No. 96 - Representative Seitz, et al

TO CREATE THE OFFENSE OF CRIMINAL TRESPASS ON A PLACE OF PUBLIC AMUSEMENT.

To the committee on Criminal Justice

H.B. No. 97 - Representative Barrett, et al

TO DESIGNATE MARCH AS "2ND CHANCE OF LIFE: SAVING BABIES, SUPPORTING FAMILIES MONTH."

To the committee on State Government

H.B. No. 98 - Representative Setzer, et al

TO INCREASE THE PENALTY FOR ASSAULT WHEN THE VICTIM IS PERFORMING SERVICES IN AN EMERGENCY FACILITY.

To the committee on Criminal Justice

H.B. No. 99 - Representative DeGeeter, et al

TO IMPOSE RESTRICTIONS ON THE SALE OF EPHEDRINE, PHENYLPROPANOLAMINE, AND PSEUDOEPHEDRINE PRODUCTS; TO PROVIDE THAT A CHILD EXPOSED TO METHAMPHETAMINE OR THE "MANUFACTURE OF DRUGS" INVOLVING METHAMPHETAMINE OR TO A SPECIFIED AMOUNT OF AN EPHEDRINE, PHENYLPROPANOLAMINE, OR PSEUDOEPHEDRINE PRODUCT OR "ILLEGAL ASSEMBLY OR POSSESSION OF CHEMICALS FOR THE MANUFACTURE OF DRUGS" INVOLVING SUCH A PRODUCT IS AN ABUSED CHILD; TO EXPAND THE OFFENSE OF "ENDANGERING CHILDREN"; TO SPECIFICALLY INCLUDE IN THE OFFENSE OF "ILLEGAL ASSEMBLY OR POSSESSION OF CHEMICALS FOR THE MANUFACTURE OF DRUGS" THE ASSEMBLY OR POSSESSION OF ANY SUCH PRODUCT TO MANUFACTURE METHAMPHETAMINE OR ANY OTHER SCHEDULE I OR II CONTROLLED SUBSTANCE AND PROVIDE WHAT CONSTITUTES PRIMA-FACIE EVIDENCE OF INTENT TO USE THE PRODUCT TO COMMIT THAT OFFENSE; AND TO REQUIRE RETAILERS, TERMINAL DISTRIBUTORS OF DANGEROUS DRUGS, PHARMACIES, PRESCRIBERS, AND WHOLESALERS TO REPORT THE THEFT OR SIGNIFICANT LOSS OF MORE THAN SIX GRAMS OF ANY EPHEDRINE, PHENYLPROPANOLAMINE, OR PSEUDOEPHEDRINE PRODUCT OR PRODUCTS.

To the committee on Health

H.B. No. 100 - Representative Taylor, et al

TO AUTHORIZE A SOLID WASTE MANAGEMENT DISTRICT TO EXEMPT AUTOMOTIVE SHREDDER RESIDUE FROM THE DISTRICT'S GENERATION FEE.

To the committee on Economic Development and Environment

H.B. No. 101 - Representative Wolpert, et al

TO CREATE THE LOCAL GOVERNMENT PUBLIC NOTICE TASK FORCE TO STUDY LOCAL GOVERNMENT PUBLIC NOTICE REQUIREMENTS AND TO ISSUE A REPORT INCLUDING RECOMMENDATIONS FOR MEETING THOSE REQUIREMENTS IN ECONOMIC AND EFFICIENT ALTERNATIVE WAYS.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 102 - Representative Wolpert, et al

TO CLARIFY THE PARENTAGE OF CHILDREN BORN AS A RESULT OF EMBRYO DONATION.

To the committee on Health

H.B. No. 103 - Representative Reinhard, et al

TO EXCLUDE FROM ADJUSTED GROSS INCOME FOR INCOME TAX PURPOSES INTEREST FROM DEPOSITS IN CERTAIN BANK ACCOUNTS.

To the committee on Ways and Means

H.B. No. 104 - Representative Martin, et al

TO REQUIRE A STATE AGENCY, PERSON, OR BUSINESS TO CONTACT INDIVIDUALS IF UNENCRYPTED PERSONAL INFORMATION ABOUT THOSE INDIVIDUALS THAT IS MAINTAINED ON THE COMPUTERS OF THE AGENCY, PERSON, OR BUSINESS IS OBTAINED BY UNAUTHORIZED PERSONS.

To the committee on Civil and Commercial Law

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

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 Resolution be read by title only and approved:

H.R. No. 22 - Representative Fende

HONORING THE WILLOUGHBY SOUTH HIGH SCHOOL ACADEMIC DECATHLON TEAM AS THE 2005 STATE CHAMPION.

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 resolution 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:

S. B. No. 56 - Senators Mumper, Wachtmann, Harris, Cates, Jacobson

To amend section 3318.31 of the Revised Code to enact as a separate act the provision of law exempting employees of the Ohio School Facilities Commission from the collective bargaining law.

Attest:

Matthew T. Schuler,
Clerk.

Said bill was considered the first time.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 5123.60(D), the Speaker hereby appoints Kalpana Yalamanchili to the Ohio Legal Rights Service Commission.

On motion of Representative Flowers, the House adjourned until Tuesday, March 8, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.