

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, MARCH 16, 2005

TWENTY-EIGHTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, March 16, 2005 at 1:30 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Matt Brooks of Portsmouth, 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:

Aisha Berry received House Resolution No. 23, presented by Representative Driehaus-31st district.

Members of the American Heart Association, guests of Representatives Beatty-27th district and Carano-59th district.

Angela MeLemore, a guest of Representative Barrett-32nd district.

Sheriff Gangwer, Ben Nutter, Dave Sauber, Thomas Woodruff, and George Dupey, guests of Representative Wagner-81st district.

Sheriff Bob Bratton and Sheriff Terry Lyons, guests of Representative Redfern-80th district.

Sheriff Vernon Stanforth and Dwight Radcliff, guests of Representative Schlichter-85th district.

Members of the Northwest Ohio Local Government Funds Delegation, guests of Representatives Wagoner-46th district, Ujvagi-47th district, Brown-48th district, and Perry-49th.

Cheryl Engle, a guest of Representatives Gilb-76th district and Willamowski-4th district.

Brad Core, a guest of Representatives Faber-77th district and Willamowski-4th district.

Bill Tipton, a guest of Representative Book-89th district.

Tom Stocksdale, Melondy Snure, Jaci Snyder, and Amy Hershberger guests of Representative Carmichael-3rd district.

Darryl Smith II, Sharieff Slaughter, Marcus Johnson, Graham Cochran, and Darryl Smith, guests of Representative Allen-39th district.

Kevin and Ben Kinder, guests of Representatives Trakas-17th district and Hughes-22nd district.

Pat Holmes and Jane Marshall, guests of Representative Faber-77th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 138-Representatives Daniels, Combs, C. Evans, D. Evans, Fessler, Kearns, Latta, McGregor, Peterson, Raussen, Reidelbach, Schaffer, Wagner, Wagoner, Webster.

To amend sections 5703.47, 5719.041, 5731.22, and 5731.23 of the Revised Code to reduce the rate at which interest accrues on estate tax and personal property tax overpayments and underpayments, to change the penalty for late estate tax payments and filings, and to authorize county auditors to forgive such penalties for good cause.

H. B. No. 139-Representatives Harwood, Carano, S. Patton, Law.

To authorize the conveyance to Liberty Township of all of the state's right, title and interest in certain real estate located in Trumbull County.

H. B. No. 140-Representative Carmichael.

To enact section 4303.251 of the Revised Code to authorize entities involved in the manufacture or distribution of beer or intoxicating liquor to conduct consumer product instruction, or provide sample servings of their products, at an event at a retail permit holder's premises without having to obtain a retail liquor permit.

Said bills were considered the first time.

REPORTS OF CONFERENCE COMMITTEES

Representative Calvert submitted the following report:

The Committee of Conference to which the matters of difference between the two houses were referred on Sub. H.B. 68, Representative T. Patton - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

In line 25, delete "127.16,"

In line 31, delete "4511.191,"

In line 32, delete "4513.263, "; delete "4513.61,"

In line 33, delete "4765.07, 4765.11, "; delete "5503.04,"

In line 36, delete the first comma and insert "and"; delete ", and 5531.11"

Delete lines 424 through 599

Delete lines 4052 through 4472

In line 4914, after "(N)" insert "(1)(a)"

In line 4917, after "either" insert "one of the following as agreed to by both authorities:

(i) Either"

In line 4918, delete "as agreed to by"

In line 4919, delete "both authorities." and insert ";

(ii) An altered speed limit determined and posted in accordance with this section.

(b)"

In line 4920, delete "in division"

In line 4921, delete "(B) of" and insert "and posted under"; after the underlined period, insert:

"(2)"

Delete lines 4986 through 5144

In line 5249, delete "Been convicted" and insert "Accumulated repeated convictions"; after "federal" insert "safety"

In line 5252, delete "Been convicted" and insert "Accumulated repeated convictions"

In line 5258, delete the underlined semicolon and insert an underlined period

Delete lines 5259 through 5264

Delete lines 5292 through 5369

Delete lines 5916 through 6049

Delete lines 6069 through 6077 and insert:

"(B) To fulfill its functions under division (A) of this section, the department shall develop and maintain a pavement management system. The system shall inventory and evaluate basic road and bridge conditions throughout the state highway system and develop strategies to improve those conditions, minimize annual maintenance of the state highway system, and ensure that a disproportionate percentage of the roads and bridges on the state highway system are not due for replacement or major repair at the same time. The department shall identify and promote longer pavement life spans to lessen user delays and the disruption to traffic on the state highway system."

Delete lines 6078 through 6123

In line 6256, reinsert "A sale under division"; after "(4)" insert "(C)(2)(a)"; reinsert "of this section shall"

In line 6257, reinsert "be made to the highest responsible bidder."

In line 6273, after "~~advertising~~" insert ". A sale under division (C)(2)(b) of this section"

In line 6274, reinsert "shall be made to the highest responsible bidder."

In line 6277, strike through the period

Delete lines 7009 through 7028

In line 7688, delete "127.16,"

In line 7693, delete "4511.191,"

In line 7694, delete "4513.263, "; delete "4513.61,"

In line 7695, delete "4765.07, 4765.11, "; delete "5503.04,"

In line 7721, delete "\$586,240,305 \$579,969,730" and insert "\$585,240,305 \$578,969,730"

In line 7732, delete "\$1,794,813,205 \$1,918,488,530" and insert "\$1,793,813,205 \$1,917,488,530"

In line 7740, delete "\$2,194,813,205 \$2,228,488,530" and insert "\$2,193,813,205 \$2,227,488,530"

In line 7793, delete "\$2,442,047,400 \$2,572,306,900" and insert "\$2,441,047,400 \$2,571,306,900"

In line 7798, delete "\$2,842,047,400 \$2,882,306,900" and insert "\$2,841,047,400 \$2,881,306,900"

Between lines 8071 and 8072, insert:

"83N 761-611 Elementary School Seat Belt Program \$447,895 \$447,895"

Between lines 8073 and 8074, insert:

"844 761-613 Seat Belt Education Program \$482,095 \$482,095"

In line 8076, delete "\$23,098,035 \$23,360,454" and insert "\$24,028,025 \$24,290,444"

In line 8082, delete "\$23,198,035 \$23,460,454" and insert "\$24,128,025 \$24,390,444"

In line 8179, delete "\$9,354,361 \$9,354,361" and insert "\$2,587,627 \$2,587,627"

Between lines 8179a and 8180, insert:

"83P 765-637 EMS Grants \$5,836,744 \$5,836,744"

In lines 8182 and 8184, delete "\$9,936,368 \$9,936,368" and insert "\$9,006,378 \$9,006,378"

Between lines 8184 and 8185, insert:

"CASH TRANSFERS OF SEAT BELT FINE REVENUES

Notwithstanding any other provision of law to the contrary, the Controlling Board, upon request of the Director of Public Safety, may approve the transfer of cash between the following four funds that receive fine revenues from enforcement of the mandatory seat belt law: the Trauma and Emergency Medical Services Fund (Fund 83M), the Elementary School Program Fund (Fund 83N), the Trauma and Emergency Medical Services Grants Fund (Fund 83P), and the Seat Belt Education Fund (Fund 844)."

Delete lines 8185 through 8196

In lines 8359, 8361, and 8362, delete "\$17,699,900 \$17,699,900" and insert "\$18,699,900 \$18,699,900"

In line 8398, delete "Licking,"

In line 8399, after the comma insert "Muskingum,"

In line 8400, delete "The districts may" and insert "Transportation improvement districts that have received earmarked funding from the foregoing appropriation item 195-629, Roadwork Development, in any prior year shall"

In line 8401, after "payments" insert "under this paragraph"

In line 8402, delete everything after "Code" and insert a period

Delete lines 8403 and 8404

In line 8405, delete everything before "shall" and insert "Transportation improvement districts that have not received earmarked funding from the foregoing appropriation item 195-629, Roadwork Development, in any prior year may use the payments for any purpose authorized under Chapter 5540. of the Revised Code, including administrative activities and the purchase of property and rights for the construction, maintenance, or operation of a project. Any payment made under this paragraph"

Delete lines 8469 through 8505

Between lines 8510 and 8511, insert:

"**Section** _____. Notwithstanding section 127.16 of the Revised Code, the Director of Transportation may enter into agreements as provided in this section with the United States or any department or agency of the United States, including, but not limited to, the United States Army Corps of Engineers, the United States Forest Service, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service. An agreement entered into pursuant to this section shall be solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents

submitted by the Department of Transportation, as necessary for the approval of federal permits. Such agreements may include provisions for advance payment by the Department of Transportation for labor and all other identifiable costs of providing the services by the United States or any department or agency of the United States, as may be estimated by the United States, or the department or agency of the United States. Not later than thirty days after the execution of such an agreement, the Director shall submit a written report to the Controlling Board indicating the amount of the agreement, the services to be performed by the United States or the department or agency of the United States, and the circumstances giving rise to the agreement."

Delete lines 8537 through 8545

Delete lines 8601 through 8608

In line 1 of the title, delete "127.16,"

In line 9 of the title, delete "4511.191,"

In line 10 of the title, delete "4513.263, "; delete "4513.61,"

In line 11 of the title, delete "4765.07,"

In line 12 of the title, delete "4765.11, "; delete "5503.04,"

In line 16 of the title, delete the first comma and insert "and"; delete ", and 5531.11"

In line 18 of the title, delete "and to amend Section 5"

In line 19 of the title, delete "of Sub. S.B. 59 of the 124th General Assembly"

Managers on the Part of the House of Representatives

Managers on the Part of the Senate

/s/ CHARLES CALVERT
CHARLES CALVERT

/s/ JEFFRY ARMBRUSTER
JEFFRY ARMBRUSTER

/s/ TOM PATTON
TOM PATTON

/s/ KIRK SCHURING
KIRK SCHURING

/s/ SYLVESTER PATTON
SYLVESTER PATTON

/s/ MARK MALLORY
MARK MALLORY

The question being, "Shall the report of the committee of Conference be agreed to?"

The yeas and nays were taken and resulted - yeas 94, nays 4, as follows:

Those who voted in the affirmative were: Representatives

- | | | | |
|------------|-----------|----------|----------|
| Allen | Aslanides | Barrett | Beatty |
| Blasdel | Blessing | Book | Brown |
| Bubp | Buehrer | Calvert | Carano |
| Carmichael | Cassell | Chandler | Coley |
| Collier | Combs | Core | Daniels |
| DeBose | DeGeeter | DeWine | Distel |
| Dolan | Domenick | Driehaus | Evans C. |
| Evans D. | Faber | Fende | Flowers |

Garrison	Gibbs	Gilb	Hagan
Hartnett	Harwood	Healy	Hoops
Hughes	Kearns	Key	Kilbane
Koziura	Latta	Law	Martin
Mason	McGregor	Miller	Mitchell
Oelslager	Otterman	Patton S.	Patton T.
Perry	Peterson	Raga	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	Woodard	Yates
Yuko			Husted-94.

Representatives Brinkman, Fessler, Hood, and Raussen voted in the negative-4.

The report of the committee of Conference was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative DeGeeter submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 50**-Representative Setzer, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PUBLIC INDECENCY - EXPAND MODIFY PENALTY

Representative Latta moved to amend the title as follows:

Add the names: "D. Evans, Willamowski, Seaver, Perry."

ROBERT E. LATTA	DAVID R. EVANS
MIKE GILB	JIM HUGHES
WILLIAM J. SEITZ	DAN STEWART
TIMOTHY J. DEGEETER	KENNY YUKO
SALLY CONWAY KILBANE	STEPHEN BUEHRER
JOHN R. WILLAMOWSKI	DERRICK SEAVER
DANNY R. BUBP	RONALD HOOD
WILLIAM J. HEALY	JEANINE PERRY

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, House Joint Resolution, and Senate Bills be considered for the second time and referred to the following

committees for consideration:

H.B. No. 120 - Representative T. Patton

TO INCREASE THE COST OF LIVING ALLOWANCE FOR CERTAIN OHIO POLICE AND FIRE PENSION FUND MEMBERS TO \$600 PER YEAR.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 121 - Representative Reinhard, et al

TO PERMIT SCHOOL DISTRICTS AND NONPUBLIC SCHOOLS TO COUNT TIME THAT SCHOOLS ARE IN SESSION BEYOND THE REQUIRED MINIMUM NUMBER OF HOURS IN ORDER TO MAKE UP "CALAMITY DAYS" MISSED DURING THE 2004-2005 SCHOOL YEAR IN EXCESS OF THE NUMBER OF DAYS PERMITTED BY LAW AND THE NUMBER OF DAYS SPECIFIED IN THEIR CONTINGENCY PLANS, AND TO DECLARE AN EMERGENCY.

To the committee on Education

H.B. No. 122 - Representative Wagoner, et al

TO PROHIBIT THE CLAIMING AND PAYMENT OF A LOTTERY PRIZE AWARD WITH A VALUE IN EXCESS OF \$599 UNTIL THE BENEFICIAL OWNER'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER ARE DISCLOSED TO THE STATE LOTTERY COMMISSION.

To the committee on State Government

H.B. No. 123 - Representative Skindell, et al

TO REVISE THE CORPORATION FRANCHISE TAX LAW BY LOWERING TAX RATES, ADDING ALTERNATIVE MINIMUM TAX BASES, EXPANDING ADD-BACKS FOR EXPENSES PAID TO RELATED COMPANIES, ADDING A SALES FACTOR "THROWBACK," ELIMINATING FUTURE NET OPERATING LOSS DEDUCTIONS, REQUIRING "WATER'S EDGE" COMBINED TAX REPORTING, ELIMINATING THE IMPLIED DEDUCTION FOR TAXES PAID TO OTHER JURISDICTIONS, INCREASING THE MAXIMUM TAX COMPUTED ON A NET WORTH BASIS, EXPRESSLY NARROWING THE NET WORTH EXCLUSION FOR FINANCIAL INSTITUTIONS RELATIVE TO APPRECIATION, CLARIFYING THE PASS-THROUGH ENTITY WITHHOLDING TAX BASE, REQUIRING CORPORATE TAXPAYERS TO DISCLOSE CERTAIN TAX-RELATED INFORMATION, AND ELIMINATING SEVERAL CREDITS AND TO ELIMINATE CORRESPONDING PERSONAL INCOME TAX CREDITS FOR BUSINESS OWNERS.

To the committee on Ways and Means

H.B. No. 124 - Representative Skindell, et al

TO REQUIRE TAXPAYERS USING ABUSIVE TAX AVOIDANCE TRANSACTIONS, AND ORGANIZERS OF SUCH TRANSACTIONS, TO DISCLOSE SUCH TRANSACTIONS; TO CREATE A PERMANENT VOLUNTARY TAXPAYER DISCLOSURE PROGRAM WHEREBY

CERTAIN CLASSES OF TAXPAYERS DISCLOSE OUTSTANDING LIABILITIES IN EXCHANGE FOR WAIVER OF SOME PENALTIES; TO REQUIRE THE TAX COMMISSIONER TO CONDUCT A TEMPORARY VOLUNTARY DISCLOSURE INITIATIVE WHEREBY TAXPAYERS MAY DISCLOSE ABUSIVE TAX AVOIDANCE TRANSACTIONS IN EXCHANGE FOR WAIVER OF PENALTIES; AND TO REPEAL SECTION 3 OF THIS ACT ONE YEAR AFTER THE INITIATIVE IT PROVIDES CLOSES.

To the committee on Ways and Means

H.B. No. 125 - Representative Wolpert, et al

TO REQUIRE THAT THE DECLARATION OF CANDIDACY AND PETITION OR THE NOMINATING PETITION FOR A CANDIDATE FOR MUNICIPAL COURT JUDGE OR CLERK BE SIGNED BY AT LEAST FIFTY ELECTORS OF THE TERRITORY OF THE COURT; THAT THE DECLARATION OF CANDIDACY AND PETITION FOR A PARTISAN CANDIDATE FOR MUNICIPAL COURT JUDGE OR CLERK BE FILED BY THE 75TH DAY BEFORE THE PRIMARY ELECTION OR, IN THE YEAR OF A PRESIDENTIAL PRIMARY ELECTION, THE 60TH DAY BEFORE THE PRIMARY ELECTION; AND THAT THE NOMINATING PETITION FOR A NONPARTISAN CANDIDATE FOR MUNICIPAL COURT JUDGE OR CLERK BE FILED BY THE DAY BEFORE THE PRIMARY ELECTION.

To the committee on Elections and Ethics

H.B. No. 126 - Representative Widener, et al

TO PROVIDE THAT THE OWNER OF A MOTOR VEHICLE THAT IS REMOVED FROM A PUBLIC ROAD MAY BE PREVENTED FROM REGISTERING ANY VEHICLE OR OBTAINING A DRIVER'S LICENSE UNTIL THE TOWING AND STORAGE FEES ON THE VEHICLE REMOVED ARE PAID.

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 127 - Representative Ujvagi, et al

TO CREATE A REFUNDABLE TAX CREDIT FOR NURSES WHO TEACH NURSING AT POST-SECONDARY EDUCATIONAL INSTITUTIONS AND TO DECLARE AN EMERGENCY.

To the committee on Ways and Means

H.B. No. 128 - Representative Allen

TO ESTABLISH THE EDUCATIONAL CHOICE SCHOLARSHIP PROGRAM FOR STUDENTS IN ACADEMIC WATCH AND ACADEMIC EMERGENCY SCHOOL DISTRICTS.

To the committee on Education

H.J.R. No. 6 - Representative Driehaus, et al

TO CHANGE THE COMPOSITION OF THE APPORTIONMENT BOARD AND TO REQUIRE THE APPORTIONMENT BOARD TO APPORTION THE STATE FOR MEMBERS OF THE GENERAL ASSEMBLY AND FOR

REPRESENTATIVES TO CONGRESS.

To the committee on Elections and Ethics

Am. S.B. No. 6 - Senator Padgett, et al

TO ESTABLISH THE PARTNERSHIP FOR CONTINUED LEARNING TO MAKE RECOMMENDATIONS FOR FACILITATING COLLABORATION AMONG PROVIDERS OF PRESCHOOL THROUGH POSTSECONDARY EDUCATION AND FOR MAINTAINING A HIGH-QUALITY WORKFORCE IN OHIO.

To the committee on Education

Sub. S.B. No. 9 - Senator Jacobson, et al

TO BAR STATE AND LOCAL EMPLOYEES FROM UNREASONABLY FAILING TO COMPLY WITH CERTAIN REQUESTS FOR ASSISTANCE BY FEDERAL AUTHORITIES REGARDING HOMELAND SECURITY; TO RESTRICT MUNICIPAL ORDINANCES AND OTHER ENACTMENTS FROM MATERIALLY HINDERING OR PREVENTING COMPLIANCE WITH IMMIGRATION OR TERRORISM INVESTIGATIONS OR WITH FEDERAL LAWS OR ORDERS PERTAINING TO TERRORISM OR HOMELAND SECURITY; TO CREATE THE OFFENSES OF CRIMINAL POSSESSION OF A CHEMICAL WEAPON, BIOLOGICAL WEAPON, RADIOLOGICAL OR NUCLEAR WEAPON, OR EXPLOSIVE DEVICE, CRIMINAL USE OF A CHEMICAL WEAPON, BIOLOGICAL WEAPON, RADIOLOGICAL OR NUCLEAR WEAPON, OR EXPLOSIVE DEVICE, ILLEGAL ASSEMBLY OR POSSESSION OF CHEMICALS FOR THE MANUFACTURE OF A CHEMICAL WEAPON, BIOLOGICAL WEAPON, RADIOLOGICAL OR NUCLEAR WEAPON, OR EXPLOSIVE DEVICE, AND MONEY LAUNDERING IN SUPPORT OF TERRORISM; TO PROVIDE A 20-YEAR LIMITATIONS PERIOD FOR CERTAIN TERRORISM-RELATED OFFENSES; TO REQUIRE PROSECUTORS AND JUDGES TO NOTIFY FEDERAL IMMIGRATION AUTHORITIES WHEN AN ILLEGAL ALIEN IS CONVICTED OF A FELONY; TO PROVIDE FOR THE TRANSFER PURSUANT TO A VALID DETAINER FROM THE DEPARTMENT OF REHABILITATION AND CORRECTION TO FEDERAL IMMIGRATION AUTHORITIES OF AN ILLEGAL ALIEN IN THE DEPARTMENT'S CUSTODY UPON COMPLETION OF THE ALIEN'S PRISON TERM; TO REQUIRE PERSONS IN OR NEAR A CRITICAL TRANSPORTATION INFRASTRUCTURE SITE TO SHOW IDENTIFICATION WHEN REQUESTED BY A LAW ENFORCEMENT OFFICER IN SPECIFIED CIRCUMSTANCES; TO REQUIRE APPLICANTS FOR CERTAIN SPECIFIED LICENSES TO DISCLOSE THROUGH A QUESTIONNAIRE ANY MATERIAL ASSISTANCE THEY HAVE PROVIDED TO AN ORGANIZATION ON THE UNITED STATES DEPARTMENT OF STATE TERRORIST EXCLUSION LIST AND GENERALLY RESTRICT THE ISSUANCE OF THE LICENSES TO APPLICANTS WHO DISCLOSE ANY SUCH MATERIAL ASSISTANCE; TO GENERALLY PROHIBIT THE STATE OR A POLITICAL

SUBDIVISION OF THE STATE FROM CONDUCTING BUSINESS WITH ANY PERSON, COMPANY, OR OTHERS THAT PROVIDE, AND FROM EMPLOYING ANY PERSON THAT PROVIDES, MATERIAL ASSISTANCE TO ANY ORGANIZATION ON THE UNITED STATES DEPARTMENT OF STATE TERRORIST EXCLUSION LIST; TO REQUIRE A PERSON IN A PUBLIC PLACE TO PROVIDE THE PERSON'S NAME AND OTHER IDENTIFYING INFORMATION TO A LAW ENFORCEMENT OFFICER WHEN THE OFFICER HAS REASONABLE SUSPICION THAT EITHER THE PERSON IS OR HAS BEEN ENGAGED IN CRIMINAL ACTIVITY OR THE PERSON HAS WITNESSED A FELONY OFFENSE OF VIOLENCE; TO INCLUDE THE TERRORISM-RELATED OFFENSES ENACTED IN THE BILL AND ANIMAL AND ECOLOGICAL TERRORISM AS "CORRUPT ACTIVITY" UNDER THE CORRUPT ACTIVITY LAW; TO INCLUDE THE TERRORISM-RELATED OFFENSES ENACTED IN THE BILL AS "DESIGNATED OFFENSES" FOR WHICH AN INTERCEPTION WARRANT MAY BE ISSUED UNDER THE COMMUNICATIONS INTERCEPTION LAW; TO CLARIFY THE AUTHORITY OF OHIO PEACE OFFICERS AND DEPARTMENT OF PUBLIC SAFETY PERSONNEL TO ASSIST FEDERAL LAW ENFORCEMENT OFFICERS IN CERTAIN CIRCUMSTANCES; TO PROHIBIT THE REINSTATEMENT OF A SUSPENDED DRIVER'S LICENSE TO A PERSON WHO IS THE SUBJECT OF AN ACTIVE ARREST WARRANT; TO AUTHORIZE EMERGENCY NOTIFICATION THROUGH THE REVERSE-911 DATABASE; TO PROVIDE CERTAIN SECURITY-RELATED MEASURES REGARDING PUBLIC-USE AND PRIVATE-USE AIRPORTS; AND TO EXPAND THE HOMELAND SECURITY DUTIES OF THE DEPARTMENT OF PUBLIC SAFETY.

To the committee on Transportation, Public Safety and Homeland Security

JON A. HUSTED
 CHARLES E. CALVERT
 ANTHONY CORE
 LARRY L. FLOWERS
 TOM RAGA
 GEOFFREY C. SMITH
 JOYCE BEATTY
 WILLIAM J. HEALY
 ROBERT J. OTTERMAN

CHARLES R. BLASDEL
 JIM CARMICHAEL
 KEVIN DEWINE
 MERLE GRACE KEARNS
 JOHN SCHLICHTER
 SHAWN N. WEBSTER
 KENNETH A. CARANO
 JOSEPH KOZIURA

Representative Blasdel 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 House Bills, House Joint Resolution, 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, House Joint Resolutions, and Senate Bills were considered a second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative DeWine moved that majority party members asking leave to be absent or absent the week of Tuesday, March 15, 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 Tuesday, March 15, 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. 42-Representatives Schaffer, McGregor, Reidelbach, Hoops, Taylor, Seitz, Raussen, J. Stewart, C. Evans, Beatty, Carano, D. Evans, Hartnett, Perry, Willamowski, Gilb, Allen, Hagan, Buehrer, Harwood, Mason, Wagoner, Coley, Latta, Oelslager, Book.

To amend sections 1702.01, 1702.02, 1702.08, 1702.11, 1702.17, 1702.18, 1702.19, 1702.20, 1702.22, 1702.25, 1702.27, 1702.31, 1702.33, 1702.38, 1702.39, 1702.42, 1702.47, and 1702.58 of the Revised Code relating 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 98, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Book	Brinkman
Brown	Bubp	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	Woodard	Yates
Yuko			Husted-98.

The bill passed.

Representative Schaffer moved to amend the title as follows:

Add the names: "Barrett, Brown, Bubp, Calvert, Cassell, Collier, Combs, Core, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Faber, Fende, Flowers, Garrison, Gibbs, Hughes, Kearns, Key, Law, Martin, Miller, Otterman, S. Patton, T. Patton, Sayre, Schlichter, Schneider, Seaver, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, Strahorn, Sykes."

The motion was agreed to and the title so amended.

The title as amended 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. 61 - Senator Wachtmann

To amend sections 4169.01, 4169.03, 4169.08, and 4169.09 of the Revised Code to modify duties and liabilities of ski operators and skiers, including duties and liabilities relating to the use of freestyle terrain and tubing parks in ski areas.

Attest:

Matthew T. Schuler,
Clerk.

Said bill was considered the first time.

On motion of Representative Blasdel, the House adjourned until Thursday, March 17, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.