

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**CORRECTED VERSION**  
**THURSDAY, MARCH 17, 2005**

TWENTY-NINTH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Thursday, March 17, 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 Latta 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 Harwood submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 58**-Representative Dolan, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: AMUSEMENT PARK POLICE APPOINTMENT AND TRAINING

Representative Willamowski moved to amend the title as follows:

Add the name: "Willamowski."

|                        |                      |
|------------------------|----------------------|
| JOHN R. WILLAMOWSKI    | LOUIS W. BLESSING    |
| DANNY R. BUBP          | MATTHEW J. DOLAN     |
| TIMOTHY O. SCHAFFER    | CLAUDETTE J. WOODARD |
| SANDRA STABILE HARWOOD | BILL COLEY           |
| TIMOTHY J. DEGEETER    | DALE MILLER          |
| RANDY LAW              |                      |

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. 129 - Representative Ujvagi, et al**

TO REVISE THE ELECTION LAW

To the committee on Elections and Ethics

**H.B. No. 130 - Representative Skindell, et al**

TO CREATE THE HIGH-LEVEL RADIOACTIVE WASTE TRANSPORTATION STUDY COMMISSION TO REVIEW AND EVALUATE ISSUES RELATING TO THE TRANSPORTATION OF HIGH-LEVEL RADIOACTIVE WASTE IN THIS STATE.

To the committee on Economic Development and Environment

**H.B. No. 131 - Representative Skindell, et al**

TO REQUIRE A PERSON SHIPPING CERTAIN RADIOACTIVE MATERIAL WITHIN OR THROUGH THIS STATE TO PROVIDE THE EMERGENCY MANAGEMENT AGENCY WITH NOTICE OF THE SHIPMENT AND PAY THE DEPARTMENT OF PUBLIC SAFETY A FEE FOR EACH SHIPMENT, AND TO ESTABLISH THE RADIATION RESPONSE FUND.

To the committee on Economic Development and Environment

**H.B. No. 132 - Representative Strahorn, et al**

TO REQUIRE PERFORMANCE BUDGETING BY MOST STATE AGENCIES AND TO REQUIRE PERFORMANCE AUDITS OF THOSE AGENCIES.

To the committee on Finance and Appropriations

**H.B. No. 133 - Representative Strahorn, et al**

TO ELIMINATE AN EXEMPTION FROM THE PUBLIC EMPLOYEES' COLLECTIVE BARGAINING LAW FOR SPECIFIED EDUCATIONAL EMPLOYEES.

To the committee on Commerce and Labor

**H.B. No. 134 - Representative Strahorn, et al**

TO REQUIRE PROOF OF FINANCIAL RESPONSIBILITY TO BE SUBMITTED AS A CONDITION OF REGISTERING A MOTOR VEHICLE AND OF BEING ISSUED OR RENEWING A DRIVER'S LICENSE.

To the committee on Transportation, Public Safety and Homeland Security

**H.B. No. 135 - Representative Fende, et al**

TO PROHIBIT THE INCLUSION OF AN INDIVIDUAL'S SOCIAL SECURITY NUMBER ON COPIES OF DOCUMENTS SUBMITTED FOR RECORDING IN THE OFFICE OF THE COUNTY RECORDER, AND TO CREATE AN AFFIRMATIVE DEFENSE TO ASSOCIATED CIVIL LIABILITY OF A GOOD FAITH EFFORT TO COMPLY WITH THE NONINCLUSION REQUIREMENT.

To the committee on Civil and Commercial Law

**H.B. No. 136 - Representative Gilb, et al**

TO PATERNITY ACTIONS AND INTEREST ON CHILD SUPPORT ARREARAGES.

To the committee on Juvenile and Family Law

**H.B. No. 137 - Representative Gilb, et al**

TO REVISE THE PROCEDURE BY WHICH A JUVENILE COURT MAY SEAL RECORDS OF ALLEGED AND ADJUDICATED DELINQUENT AND UNRULY CHILDREN AND ADJUDICATED JUVENILE TRAFFIC OFFENDERS.

To the committee on Juvenile and Family Law

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 Seaver 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 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 Concurrent Resolutions be introduced and referred to the following committees for consideration:

**H. Con. R. No. 11 - Representative Garrison, et al**

TO EXPRESS THE INTENT OF THE GENERAL ASSEMBLY TO ESTABLISH A NEW SCHOOL-FUNDING METHOD THAT RESULTS IN A THOROUGH AND EFFICIENT SYSTEM OF PRIMARY AND SECONDARY SCHOOLS IN THE STATE.

To the committee on Finance and Appropriations

**H. Con R. No. 12 - Representative Wagoner, et al**

TO MEMORIALIZE CONGRESS, THE PRESIDENT, AND THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION TO REFRAIN FROM ALLOWING THE TOLEDO AIR NATIONAL GUARD BASE TO BE CLOSED.

To the committee on State Government

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Seaver 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 Resolution be read by title only and approved:

**H.R. No. 25 - Speaker Husted**

HONORING THE OHIO MILITARY HALL OF FAME ON THE OCCASION OF ITS SIXTH ANNUAL INDUCTION CEREMONY

Add the names: Blasdel, Calvert, Carmichael, Core, DeWine, Flowers, Kearns, Raga, Schlichter, G. Smith, Webster, Beatty, Carano, DeGeeter, Healy, Otterman

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Seaver 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 concurred in the House amendments to:

**Sub. S. B. No. 56** - Senator Mumper- et al.

Attest:

Matthew T. Schuler,  
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has agreed to the report of the Committee of Conference on matters of difference between the two houses on:

**Sub. H. B. No. 68** - Representative T. Patton - et al.

Attest:

Matthew T. Schuler,  
Clerk.

## Message from the Senate

Mr. Speaker:

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

**Sub. S. B. No. 17** - Senators Spada, Jacobson, Fedor, Clancy, Dann, Mallory, Zurz, Armbruster, Cates, Gardner, Hagan, Harris, Hottinger, Miller, Mumper, Padgett, Prentiss, Roberts

To amend sections 2151.03, 2151.281, 2151.421, 2151.99, 2305.10, 2305.111, 2305.115, 2317.02, 2901.13, 2907.03, and 5120.173 of the Revised Code to require a member of the clergy, rabbi, priest, minister, or any person or layperson, other than a volunteer, acting as a leader, official, delegate, or other designated function on behalf of any church, religious society, or faith to report the known or reasonably suspected abuse or neglect of a child by any other member of the clergy, rabbi, priest, minister, or person or layperson, other than a volunteer, so acting on behalf of any church, religious society, or faith; to toll the criminal statute of limitations for violations involving abuse or neglect of a child if certain individuals fail to report the abuse or neglect of the child; to provide a 20-year statute of limitations for civil assault or battery actions brought by victims of childhood sexual abuse based on childhood sexual abuse or civil actions brought by victims of childhood sexual abuse asserting resulting claims; to provide a period of one or two years, depending upon the circumstances, for the filing of assault or battery actions by victims of childhood sexual abuse based on childhood sexual abuse occurring within the preceding 35 years, or civil actions by victims of childhood sexual abuse asserting resulting claims, that otherwise are barred by the expiration of the period of limitations; and to expand the offense of "sexual battery" to also prohibit a cleric from engaging in sexual conduct with a minor who is a member of, or attends, the church or congregation served by the cleric.

**S. B. No. 71** - Senators Wilson, Brady, Schuring, Clancy, Fingerhut, Zurz, Roberts, Carey, Fedor, Padgett, Miller, Niehaus

To permit certain school districts and nonpublic schools located in areas flooded during the 2004-2005 school year to count time that schools are in session beyond the required minimum number of hours in order to make up "calamity days" missed 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.

**Sub. S. B. No. 99** - Senators Mumper, Armbruster, Cates, Niehaus, Schuler, Wilson

To amend sections 4707.01 and 4707.02 of the Revised Code to exclude

persons who sell real or personal property by means of the Internet from having to obtain a license under the Auctioneers Law, to revise the definition of "auction mediation company," and to declare an emergency.

Attest:

Matthew T. Schuler,  
Clerk.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

**S. C. R. No. 7** - Senators Jordan, Wachtmann, Mumper, Amstutz, Armbruster, Austria, Brady, Carey, Clancy, Coughlin, Dann, Fedor, Gardner, Goodman, Grendell, Hagan, Harris, Hottinger, Jacobson, Mallory, Miller, Niehaus, Padgett, Prentiss, Roberts, Schuler, Schuring, Spada, Wilson, Zurz

To memorialize Congress to take appropriate action so that funding to the Joint Systems Manufacturing Center in Lima, Ohio, is not reduced through the Base Realignment and Closure process.

Attest:

Matthew T. Schuler,  
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

**S. C. R. No. 8** - Senators Gardner, Harris, Carey, Zurz, Wachtmann, Padgett, Schuler, Clancy, Fedor, Coughlin, Armbruster, Amstutz, Grendell, Goodman, Austria, Brady, Dann, Hagan, Hottinger, Jacobson, Jordan,

Mallory, Miller, Mumper, Niehaus, Prentiss, Roberts, Schuring, Spada,  
Wilson

To memorialize Congress, the President, and the Defense Base Closure and  
Realignment Commission to refrain from allowing the Toledo Air National  
Guard Base to be closed.

Attest:

Matthew T. Schuler,  
Clerk.

Said concurrent resolution was referred to the committee on Rules and  
Reference under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has  
adopted the following concurrent resolution in which the concurrence of the  
House is requested:

**S. C. R. No. 9** - Senators Harris, Carey, Coughlin, Amstutz, Clancy,  
Gardner, Goodman, Austria, Schuler, Spada, Fedor, Grendell, Niehaus,  
Padgett, Miller, Mumper, Brady, Roberts, Armbruster, Dann, Hagan,  
Hottinger, Jacobson, Jordan, Mallory, Prentiss, Schuring, Wachtmann,  
Wilson, Zurz

To memorialize Congress to take appropriate action so that the 179th Airlift  
Wing, Ohio Air National Guard, at the Mansfield Lahm Airport is excluded  
from the list of base closures for the Base Realignment and Closure process.

Attest:

Matthew T. Schuler ,  
Clerk.

Said concurrent resolution was referred to the committee on Rules and  
Reference under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has  
adopted the following concurrent resolution in which the concurrence of the

House is requested:

**S. C. R. No. 10** - Senators Austria, Amstutz, Clancy, Coughlin, Dann, Fedor, Goodman, Grendell, Harris, Jordan, Mumper, Armbruster, Brady, Carey, Gardner, Hagan, Hottinger, Jacobson, Mallory, Miller, Niehaus, Padgett, Prentiss, Roberts, Schuler, Schuring, Spada, Wachtmann, Wilson, Zurz

To memorialize Congress to take appropriate action so that the 178th Fighter Wing, Ohio Air National Guard at the Springfield-Beckley Municipal Airport in Springfield, Ohio, is excluded from the list of base closures for the Base Realignment and Closure process.

Attest:

Matthew T. Schuler,  
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

**S. C. R. No. 11** - Senators Austria, Jacobson, Schuler, Amstutz, Brady, Carey, Clancy, Coughlin, Dann, Goodman, Grendell, Harris, Jordan, Mumper, Roberts, Spada, Armbruster, Fedor, Gardner, Hagan, Hottinger, Mallory, Miller, Niehaus, Padgett, Prentiss, Schuring, Wachtmann, Wilson, Zurz

To memorialize Congress to take appropriate action so that Wright-Patterson Air Force Base is excluded from the list of base closures for the Base Realignment and Closure process.

Attest:

Matthew T. Schuler,  
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

## Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

**S. C. R. No. 12** - Senators Spada, Harris, Austria, Goodman, Carey, Schuler, Clancy, Grendell, Zurz, Brady, Fedor, Amstutz, Armbruster, Coughlin, Dann, Gardner, Hagan, Hottinger, Jacobson, Jordan, Mallory, Miller, Mumper, Niehaus, Padgett, Prentiss, Roberts, Schuring, Wachtmann, Wilson

To memorialize Congress to take appropriate action so that NASA Glenn Research Center is excluded from the list of base closures for the Base Realignment and Closure process.

Attest:

Matthew T. Schuler,  
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

## Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

**S. C. R. No. 13** - Senators Dann, Hagan, Harris, Amstutz, Fedor, Zurz, Goodman, Miller, Grendell, Brady, Armbruster, Austria, Carey, Clancy, Coughlin, Gardner, Hottinger, Jacobson, Jordan, Mallory, Mumper, Niehaus, Padgett, Prentiss, Roberts, Schuler, Schuring, Spada, Wachtmann, Wilson

To memorialize Congress to take appropriate action so that the Youngstown Joint Air Reserve Station in Vienna Township, Ohio, is excluded from the list of base closures for the Base Realignment and Closure process.

Attest:

Matthew T. Schuler,  
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

On motion of Representative Seaver, the House adjourned until Tuesday, March 22, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.