

OHIO

House

of

Representatives

JOURNAL

THURSDAY, MARCH 23, 2006

ONE HUNDRED FIFTY-EIGHTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, March 23, 2006 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.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 546-Representatives Dolan, Boccieri, Trakas, Evans, D., Seitz, Setzer, Hartnett, Allen, Yuko, Walcher, Chandler, Collier, Cassell, Aslanides, Schlichter, Willamowski, Combs, Widener, McGregor, J..

To amend section 3769.083 and to enact section 3769.22 of the Revised Code to authorize the State Racing Commission to enter into the National Racing Compact in order to provide for the licensure and regulation of individuals involved in the horse racing industry in the Compact states in a specified manner, to change the definition of "Ohio foaled horse," to specify that a thoroughbred mare may leave Ohio for breeding purposes with the Commission's permission and if the mare returns immediately after that activity, and to require that all investment earnings on cash balances in the Ohio Thoroughbred Race Fund be credited to the Fund.

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. 298**-Representative Peterson, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: AUTISM AWARENESS LICENSE PLATE

Representative Bubp moved to amend as follows:

In line 215, delete "forty" and insert "twenty-five"

The motion was agreed to and the bill so amended.

JOSEPH W. UECKER
DAVID R. EVANS

STEVE REINHARD
ANNIE L. KEY

JEANINE PERRY
 RANDY LAW
 JOHN WIDOWFIELD
 DANNY R. BUBP

JIM ASLANIDES
 ALLAN R. SAYRE
 STEPHEN BUEHRER
 LORRAINE M. FENDE

The report was agreed to.

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

Representative Perry submitted the following report:

The standing committee on Transportation, Public Safety, and Homeland Security to which was referred **H. B. No. 236**-Representative White, et al., having had the same under consideration, reports it back and recommends its passage.

RE: DONATE LIFE LICENSE PLATE

STEVE REINHARD
 JOSEPH W. UECKER
 ANNIE L. KEY
 JEANINE PERRY
 JOHN WIDOWFIELD
 DANNY R. BUBP

DAVID R. EVANS
 JIM ASLANIDES
 RANDY LAW
 ALLAN R. SAYRE
 STEPHEN BUEHRER
 LORRAINE M. FENDE

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. 540 - Representative Latta, et al

TO DIRECT THE CHIEF OF THE DIVISION OF WILDLIFE TO ENTER INTO THE WILDLIFE VIOLATORS COMPACT AND TO AUTHORIZE THE CHIEF TO ENTER INTO AGREEMENTS WITH LAW ENFORCEMENT AGENCIES FOR JOINT LAW ENFORCEMENT OPERATIONS.

To the committee on Agriculture and Natural Resources

H.B. No. 541 - Representative Buehrer, et al

TO PROVIDE STATUTORY CRITERIA FOR WHEN A PERSON MAY USE FORCE OR DEADLY FORCE TO DEFEND THE PERSON OR ANOTHER PERSON OR TO PREVENT OR TERMINATE A TRESPASS ON OR ILLEGAL INTERFERENCE WITH PROPERTY; TO ESTABLISH A PRESUMPTION RELATED TO USE OF DEFENSIVE FORCE INTENDED OR LIKELY TO CAUSE DEATH OR SERIOUS PHYSICAL HARM OF WHEN THE USER OF THE DEFENSIVE FORCE HOLDS A REASONABLE FEAR OF IMMINENT PERIL OF DEATH OR SERIOUS

PHYSICAL HARM; TO PROVIDE THAT A PERSON AUTHORIZED TO USE DEADLY FORCE OR DEFENSIVE FORCE INTENDED OR LIKELY TO CAUSE DEATH OR SERIOUS PHYSICAL HARM GENERALLY DOES NOT HAVE A DUTY TO RETREAT; AND TO REPEAL THE EXISTING STATUTORY PROVISIONS REGARDING THE IMMUNITY OF AN OWNER, LESSEE, OR RENTER OF REAL PROPERTY AS TO SELF-DEFENSE OR DEFENSE OF OTHERS.

To the committee on Criminal Justice

H.B. No. 542 - Representative Fende, et al

TO REQUIRE THE BOARD OF PHARMACY TO ESTABLISH A DRUG COMPOUNDING LICENSING PROGRAM FOR TERMINAL DISTRIBUTORS OF DANGEROUS DRUGS AND TO PROVIDE THAT BUSINESS ENTITIES FORMED BY PHYSICIANS OR DENTISTS ARE PERMITTED TO RECEIVE AND SELL DRUGS WITHOUT BEING LICENSED AS TERMINAL DISTRIBUTORS OF DANGEROUS DRUGS.

To the committee on Health

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

CHARLES R. BLASDEL
JIM CARMICHAEL
KEVIN DEWINE
TOM RAGA
ARLENE J. SETZER
JOYCE BEATTY
TIMOTHY J. DEGEETER
JOSEPH KOZIURA
CHRIS REDFERN

Representative Schaffer 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 Concurrent Resolutions be introduced and referred to the following committee for consideration:

H.Con.R. No. 23 - Representatives Redfern, Allen, Barrett, Beatty, Boccieri, Book, Brown, Carano, Cassell, Chandler, DeBose, DeGeeter, Distel, Domenick, Driehaus, Fende, Garrison, Hartnett, Harwood, Healy,

Key, Koziura, Mason, Miller, Mitchell, Otterman, S. Patton, Perry, Sayre, Skindell, S. Smith, D. Stewart, Strahorn, Sykes, Ujvagi, Williams, Woodard, Yates, Yuko

TO CREATE THE BUREAU OF WORKERS' COMPENSATION INVESTMENT REVIEW COMMITTEE TO INVESTIGATE THE ALLEGATIONS OF MALFEASANCE CONCERNING THE BUREAU OF WORKERS' COMPENSATION.

To the committee on State Government

H.Con.R. No. 25 - Representative Redfern, Allen, Barrett, Beatty, Boccieri, Book, Brown, Carano, Cassell, Chandler, DeBose, DeGeeter, Distel, Domenick, Driehaus, Fende, Garrison, Hartnett, Harwood, Healy, Key, Koziura, Mason, Miller, Mitchell, Otterman, S. Patton, Perry, Sayre, Skindell, S. Smith, D. Stewart, Strahorn, Sykes, Ujvagi, Williams, Woodard, Yates, Yuko

TO CREATE THE STATE GOVERNMENT INVESTMENT AND PERFORMANCE REVIEW COMMITTEE TO INVESTIGATE ALLEGATIONS OF MALFEASANCE CONCERNING ANY AGENCY, BOARD, OR COMMISSION OF THE STATE, AND TO TERMINATE THE PROVISIONS OF THIS RESOLUTION ON DECEMBER 31, 2006.

To the committee on State Government

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Schaffer 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. 171 - Representative Fessler

HONORING KRISTIN KING AS A 2006 OLYMPIC BRONZE MEDALIST.

H.R. No. 172 - Representatives Bubp, Uecker

TO DESIGNATE APRIL 9, 2006, AS "YELLOW RIBBON DAY."

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Schaffer 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.

Representative Schaffer moved that House rules be suspended and that the following concurrent resolution be read by title only and brought up for immediate adoption:

H. C. R. No. 39-Representative Blasdel.

To designate the twenty-ninth day of April of each year as "Dale Earnhardt Day" in Ohio.

The motion was agreed to without objection.

The question being, "Shall the concurrent resolution be adopted?"

The concurrent resolution was adopted.

MESSAGE FROM THE SPEAKER

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

Sub. H. B. No. 231 - Representative Mason - et al.

Am. Sub. H. B. No. 235 - Representative Wagner - et al.

Am. H. B. No. 265 - Representative Seitz - et al.

On motion of Representative Schaffer, the House adjourned until Monday, March 27, 2006 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.