

OHIO
House
of
Representatives
JOURNAL

TUESDAY, APRIL 5, 2005

THIRTY-FOURTH DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, April 5, 2005 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Howard Collier of the Church of Jesus in Piqua, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the previous legislative day was read and approved.

The following guests of the House of Representatives were recognized by Speaker Husted prior to the commencement of business:

Lauren McWhorter, a guest of Representative Schaffer-5th district.

Anthony Anderson, a guest of Representatives Carano-59th district and Dolan-98th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 163-Representatives Widener, McGregor, Wagner, C. Evans, Setzer, Kearns, Oelslager, Widowfield, Seaver, Schaffer, Latta, Wagoner, Reidelbach, Webster.

To enact sections 2152.202 and 2925.511 of the Revised Code to authorize a court sentencing a drug abuse offender or imposing disposition on a delinquent child for such an offense to require the offender or child to reimburse involved law enforcement agencies for the costs of tests that determined that a substance involved in the offense contained a controlled substance.

H. B. No. 164-Representatives Boccieri, McGregor, Skindell, Perry, Ujvagi, Otterman, Key, Taylor, Brown, Allen.

To amend section 175.22 of the Revised Code to require the Ohio Housing Finance Agency to develop and implement a program to provide housing for low-income grandparents who are guardians of a grandchild, have legal custody of a grandchild, or adopt a grandchild after a parent's rights are terminated.

H. B. No. 165-Representatives Boccieri, Koziura, Otterman, Brown, Strahorn, Allen.

To amend section 126.03 of the Revised Code to require that each district of the state receive its proportional share of community improvement projects.

H. B. No. 166-Representatives Bocchieri, McGregor, Koziura, Otterman, Taylor.

To amend section 4505.01 and to enact section 4505.063 of the Revised Code to apply the motor vehicle certificate of title law to trailers and semitrailers that weigh 4,000 pounds or less.

H. B. No. 167-Representatives Bocchieri, Miller, Otterman, Key, Taylor, Strahorn, Allen.

To amend section 3314.03 and to enact section 3313.6013 of the Revised Code to require public and chartered nonpublic schools to test students for dyslexia and related disorders and to provide intervention services to students identified as having dyslexia or a related disorder.

H. B. No. 168-Representatives Bocchieri, McGregor, Koziura, Ujvagi, Key, Taylor, Brown, Strahorn, Allen.

To amend sections 121.22 and 323.122 and to enact section 101.17 of the Revised Code to permit members of public bodies who are called to active duty, under specified circumstances, to vote from their active duty locations within twenty-four hours after a vote of the public body, to alter who may apply to extend payment of certain taxes on behalf of armed forces personnel and who shall receive notice of such extensions, and to declare an emergency.

H. B. No. 169-Representatives Carmichael, Blasdel, Flowers, Carano, Wagner, Seitz, Willamowski, Williams, Hagan, Otterman, Raga.

To amend sections 124.23, 124.26, 124.27, 4503.47, 4765.11, 4765.16, 4765.24, 4765.28, 4765.30, 4765.31, 4765.43, 4765.50, and 4766.03 and to enact sections 4765.14, 4765.141, 4765.281, 4765.311, and 4765.431 of the Revised Code to grant firefighters additional credit on civil service examinations based on their training and to revise the law governing volunteer firefighter license plates and the law governing emergency medical services.

H. B. No. 170-Representatives Hughes, Aslanides, Buehrer, Bulp, Collier, D. Evans, Faber, Gibbs, Gilb, Kearns, Law, Martin, Schaffer, Seaver, Trakas, Brown, Cassell, Distel, Hartnett, Harwood, S. Patton, Perry.

To amend section 5709.17 of the Revised Code to exempt from taxation real property held or occupied by fraternal organizations that qualify for tax exemption under the Internal Revenue Code.

H. B. No. 171-Representatives Chandler, S. Patton, Brown, Sykes, Beatty, Williams, Distel, Perry.

To amend sections 5739.02 and 5739.05 of the Revised Code to provide two four-day periods each year during which sales of clothing and footwear are exempt from the sales and use tax.

H. B. No. 172-Representatives Bocchieri, Hood, Perry, Ujvagi, Allen.

To amend sections 5747.01, 5747.08, and 5747.98, and to enact section 5747.72 of the Revised Code to exempt from the personal income tax the salaries of registered and practical nurses in the first five years of employment and to create a refundable tax credit for nurses who teach nursing at post-secondary educational institutions.

H. B. No. 173-Representative White.

To establish the School Physical Fitness and Wellness Advisory Council.

Said bills were considered the first time.

MOTIONS AND RESOLUTIONS

Representative Blasdel moved that House Rules be suspended and that the following House Resolution be read by title only and brought up for immediate adoption:

H. R. No. 31 - Speaker Husted

AUTHORIZING THE USE OF THE HALL OF THE HOUSE FOR THE OHIO YOUTH IN GOVERNMENT PROGRAM TO CONDUCT ITS MODEL LEGISLATURE, APRIL 7, 8, 9, 2005 AND THE NATIONAL FORENSIC LEAGUE TO CONDUCT ITS STUDENT CONGRESS COMPETITION, APRIL 16, 2005.

The motion was agreed to without objection.

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

The yeas and nays were taken and resulted - yeas 92, 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	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Dolan
Domenick	Driehaus	Evans C.	Evans D.
Faber	Fende	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hood	Hoops
Hughes	Kearns	Key	Kilbane

Koziura	Latta	Law	Martin
Mason	McGregor	Miller	Mitchell
Oelslager	Patton T.	Perry	Peterson
Raga	Rausen	Redfern	Reidelbach
Reinhard	Sayre	Schaffer	Schlichter
Schneider	Seaver	Seitz	Setzer
Skindell	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-92.

The resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 58-Representatives Dolan, Willamowski.

To amend sections 109.71, 109.73, 109.79, 4973.17, and 4973.171 of the Revised Code relative to the appointment and commissioning of amusement park police officers and to the training of those officers and to declare an emergency, was taken up for consideration the third time.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted - yeas 85, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Book	Brown
Bubp	Calvert	Carano	Carmichael
Cassell	Chandler	Coley	Combs
Core	DeBose	DeGeeter	DeWine
Dolan	Domenick	Driehaus	Evans C.
Evans D.	Fende	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hoops	Hughes
Kearns	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor	Miller	Mitchell	Oelslager
Patton T.	Perry	Peterson	Rausen
Redfern	Reidelbach	Reinhard	Sayre
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Skindell	Smith G.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Uecker	Ujvagi	Wagner
Wagoner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Williams
Wolpert	Woodard	Yates	Yuko
			Husted-85.

Representatives Brinkman, Buehrer, Daniels, Faber, Hood, Raga, Smith S., and Trakas voted in the negative-8.

Having received a constitutional majority, the emergency clause stood as part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 91, nays 2, 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
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	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	Patton T.
Perry	Peterson	Raga	Rausen
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
Williamowski	Williams	Wolpert	Woodard
Yates	Yuko		Husted-91.

Representatives Brinkman and Hood voted in the negative-2.

The bill having received the required constitutional majority, passed as an emergency measure.

Representative Dolan moved to amend the title as follows:

Add the names: "Barrett, Beatty, Brown, Carano, Cassell, Chandler, Coley, Daniels, Domenick, C. Evans, Fende, Flowers, Hartnett, Hughes, Key, Law, Martin, McGregor, Redfern, Schaffer, Schlichter, Schneider, Seitz, J. Stewart, Uecker, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 5537.24(A)(2), the Speaker hereby appoints the following members to the Ohio Turnpike Oversight Committee:

Representatives Reinhard, T. Patton, and Yuko.

On motion of Representative Blasdel, the House adjourned until
Wednesday, April 6, 2005 at 1:30 o'clock p.m.

Attest:

LAURA P. CLEMENS,
Clerk.