

OHIO

House

of

Representatives

JOURNAL

THURSDAY, APRIL 7, 2005

THIRTY-SIXTH DAY

Hall of the House of Representatives, Columbus, Ohio
Thursday, April 7, 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 Uecker was selected to preside under the Rule.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 185-Representatives Latta, McGregor, C. Evans, Perry, Carano.

To amend section 4705.10 of the Revised Code to require a depository institution maintaining an interest-bearing trust account (IOLTA) for a lawyer, law firm, or legal professional association to notify the Ohio Supreme Court when a properly payable item is presented for payment from an IOLTA having insufficient funds.

H. B. No. 186-Representatives Buehrer, Seaver, Hood.

To amend Section 23 of Am. Sub. H.B. 95 of the 125th General Assembly to require the Office of Budget and Management to review all services performed by the state, and all goods provided by the state, that are of a commercial nature to determine which of them may be opened to competition by private enterprise, to review the delivery structure of all state administrative services to determine the efficiency of their provision, and to develop a rating system for evaluating the effectiveness of all state programs; to earmark funds appropriated to the Office to support these duties; and to create the Asset and Enterprise Review Committee to inventory and appraise all state assets and enterprises.

H. B. No. 187-Representatives Buehrer, Uecker, Hagan, Gilb, Martin, D. Evans, Aslanides, Seaver, Schaffer.

To amend sections 9.84, 119.12, 124.03, 124.04, 124.07, 124.11, 124.134, 124.14, 124.21, 124.22, 124.23, 124.26, 124.27, 124.271, 124.30, 124.31, 124.32, 124.321, 124.322, 124.323, 124.324, 124.326, 124.327, 124.34, 124.341, 124.38, 124.383, 124.384, 124.385, 124.386, 124.388, 124.40, 124.43, 124.44, 124.45, 124.46, 124.48, 302.202, 325.19, 329.02, 1513.03, 1513.34, 4111.03, 4112.01, 5107.52, 5119.09, and 5155.03, to enact sections 124.12 and 124.141, and to repeal section 124.311 of the Revised Code to implement recommendations of the Civil Service Review Commission.

H. B. No. 188-Representatives Buehrer, Seaver, Brinkman, White, D. Evans.

To amend section 1306.20 and to enact sections 1306.25 to 1306.29 of the Revised Code to adopt the Electronic Government Services Act to prohibit a government agency from providing duplicative or competing electronic commerce services with the private sector unless the government agency complies with specified procedures.

H. B. No. 189-Representatives Walcher, Webster.

To amend sections 955.11, 955.22, 955.28, 955.99, 1901.18, 1907.031, and 4741.03 and to enact section 955.222 of the Revised Code to establish a process by which owners, keepers, or harborers of dogs that have been designated as dangerous or vicious may appeal that designation, to revise the definitions of "dangerous dog," "vicious dog," and "without provocation," to increase the fee imposed for the transfer of ownership of a dog, and to make other changes to the laws governing dogs.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative D. Stewart submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 53**-Representative White, et al., having had the same under consideration, reports it back and recommends its passage.

RE: CORRECTIONAL FAITH BASED INITIATIVES TASK FORCE

Representative Buehrer moved to amend the title as follows:

Add the names: "Flowers, Walcher, Uecker."

T. TODD BOOK	ARLENE J. SETZER
KATHY L. WALCHER	MIKE MITCHELL
THOMAS F. PATTON	LARRY L. FLOWERS
JIM CARMICHAEL	JOSEPH W. UECKER
WILLIAM J. HARTNETT	STEPHEN BUEHRER

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. 163 - Representative Widener, et al

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.

To the committee on Criminal Justice

H.B. No. 164 - Representative Bocchieri, et al

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.

To the committee on Juvenile and Family Law

H.B. No. 165 - Representative Bocchieri, et al

TO REQUIRE THAT EACH DISTRICT OF THE STATE RECEIVE ITS PROPORTIONAL SHARE OF COMMUNITY IMPROVEMENT PROJECTS.

To the committee on Finance and Appropriations

H.B. No. 166 - Representative Bocchieri, et al

TO APPLY THE MOTOR VEHICLE CERTIFICATE OF TITLE LAW TO TRAILERS AND SEMITRAILERS THAT WEIGH 4,000 POUNDS OR LESS.

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 167 - Representative Bocchieri, et al

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.

To the committee on Education

H.B. No. 168 - Representative Bocchieri, et al

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.

To the committee on State Government

H.B. No. 169 - Representative Carmichael, et al

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.

To the committee on State Government

H.B. No. 170 - Representative Hughes, et al

TO EXEMPT FROM TAXATION REAL PROPERTY HELD OR OCCUPIED BY FRATERNAL ORGANIZATIONS THAT QUALIFY FOR TAX EXEMPTION UNDER THE INTERNAL REVENUE CODE.

To the committee on Ways and Means

H.B. No. 171 - Representative Chandler, et al

TO PROVIDE TWO FOUR-DAY PERIODS EACH YEAR DURING WHICH SALES OF CLOTHING AND FOOTWEAR ARE EXEMPT FROM THE SALES AND USE TAX.

To the committee on Ways and Means

H.B. No. 172 - Representative Bocchieri, et al

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.

To the committee on Ways and Means

H.B. No. 173 - Representative White

TO ESTABLISH THE SCHOOL PHYSICAL FITNESS AND WELLNESS ADVISORY COUNCIL.

To the committee on Education

JON A. HUSTED
JIM CARMICHAEL
KEVIN DEWINE
MERLE GRACE KEARNS
JOHN SCHLICHTER
SHAWN N. WEBSTER
KENNETH A. CARANO
WILLIAM J. HEALY

CHARLES R. BLASDEL
ANTHONY CORE
LARRY L. FLOWERS
TOM RAGA
GEOFFREY C. SMITH
JOYCE BEATTY
TIMOTHY J. DEGEETER
JOSEPH KOZIURA

Representative Bubp 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 Resolutions be read by title only and approved:

H.R. No. 33 - Representative Gibbs

HONORING THE EAST HOLMES HILAND HIGH SCHOOL GIRLS BASKETBALL TEAM AS THE 2005 DIVISION IV STATE CHAMPION.

Add the name: Carmichael

H.R. No. 34 - Representative G. Smith

HONORING LARRY O'FLYNN ON RECEIVING THE 2005 SHELL SCIENCE TEACHING AWARD.

Add the names: Flowers, Carano

H.R. No. 35 - Representative Sayre

HONORING ROBERT LAGHETTO AS THE RECIPIENT OF THE 2005 DISTINGUISHED TEACHING AWARD.

Add the names: Carano, Healy

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Bubp 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.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 5149.22, the Speaker hereby appoints Representative Hughes to the Ohio Council of the Interstate Compact for Adult Offender Supervision.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 122.98(A)(1)(4), the Speaker hereby appoints the following members to the Ohio Aerospace and Defense Advisory Council:

Representatives DeWine and Bocchieri.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 149.303(A)(1)(2), the Speaker hereby appoints Representative Barrett to the National Museum of Afro-American History and Culture Planning Committee.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3119.024, the Speaker hereby

appoints the following members to the Ohio Child Support Guideline Advisory Council:

Representatives Reidelbach, Gilb, and Harwood.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 122.40(A)(B), the Speaker hereby appoints Representative Widener to the Development Financing Advisory Council.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3301.48 - Article III(A) and 3301.49, the Speaker hereby appoints Representative Setzer to the Interstate Education Compact Committee -- Education Commission of the State.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 4928.431(A)(1), the Speaker hereby appoints the following members to the Electric Employee Assistance Advisory Board:

Representatives Hagan and Driehaus.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3745.21(A), the Speaker hereby appoints Representative McGregor to the Environmental Education Council.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 901.13(B), the Speaker hereby appoints Representative Faber to the Ethanol Incentive Board.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 991.02, the Speaker hereby appoints Representative Aslanides to the Ohio Expositions Commission.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3109.401(C), the Speaker hereby appoints the following members to the Task Force on Family Law and Children:

Representative Gilb, Harwood.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 6161.01, Article IV(A) and 6161.02, the Speaker hereby appoints Representative Redfern to the Great Lakes Commission and Great Lakes Basin Compact.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 121.32(J), the Speaker hereby appoints Representative Trakas to the State Interagency Council of

Hispanic-Latino Affairs.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 4121.70(A)(2)(3), the Speaker hereby appoints Representative Schaffer to the Labor-Management Government Advisory Council.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3333.40, Article II(A)(B) and 3333.41(A)(3), the Speaker hereby appoints Representative Webster to the Midwestern Higher Education Commission.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 122.72(A)(B), the Speaker hereby appoints Representative Allen to the Minority Development Financing Advisory Board.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3704.14(L), the Speaker hereby appoints the following members to the Motor Vehicle Inspection and Maintenance Program Legislative Oversight Committee:

Representatives T. Patton, Reinhard, and Skindell.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 1501.25(A)(I), the Speaker hereby appoints the following members to the Muskingum River Advisory Council:

Representatives J. Stewart and Sayre.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3701.77, the Speaker hereby appoints the following members to the Governor's Advisory Council (within the Department of Health) on Physical Fitness, Wellness, and Sports:

Representatives Bubp and Otterman.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3702.81(B), the Speaker hereby appoints the following members to the Physician Loan Repayment Advisory Board:

Representatives Webster and Yates.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 183.04(A), the Speaker hereby appoints the following members to the Board of Trustees Tobacco Use Prevention and Control Foundation:

Representatives Peterson and Allen.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 1513.29, the Speaker hereby appoints the following members to the Council on Unreclaimed Strip Mined Lands:

Representatives C. Evans and Sayre.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 125.833(A)(B), the Speaker hereby appoints the following members to the Vehicle Management Commission (within the Department of Administrative Services):

Representatives Widener and T. Patton.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 5910.02, the Speaker hereby appoints Representative Widowfield to the Ohio War Orphans' Scholarship Board.

On motion of Representative Bulp, the House adjourned until Tuesday, April 12, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.