

OHIO

House

of

Representatives

JOURNAL

THURSDAY, APRIL 28, 2005

FORTY-FOURTH DAY

Hall of the House of Representatives, Columbus, Ohio
Thursday, April 28, 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 Dolan 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. 226-Representatives Hoops, C. Evans, Flowers, Kearns, Martin, McGregor, Seitz, Setzer, Wagoner, Brown, Hartnett, Koziura.

To amend section 1901.26 of the Revised Code to authorize the legislative authority of a municipal corporation to establish a schedule of fees to be taxed as costs in a civil, criminal, or traffic proceeding in a municipal court for services performed by officers or employees of the municipal corporation's police department or marshal's office.

H. B. No. 227-Representatives Faber, T. Patton, Fessler, Widowfield, Trakas, Wagoner, Raga, McGregor, Martin, C. Evans, S. Patton, Setzer, D. Evans, Fende, Gilb, DeGeeter.

To amend section 2967.28 and to enact sections 5122.51, 5122.52, 5122.53, 5122.54, 5122.55, 5122.56, 5122.57, 5122.58, 5122.59, 5122.60, 5122.61, and 5122.62 of the Revised Code to require that sexually violent predators be monitored by global positioning system devices during post-release control and to authorize the civil commitment of certain sexually violent predators.

H. B. No. 228-Representatives Brinkman, Hood, Buehrer, Bulp, Faber, Fessler, Gilb, Hoops, Kearns, Raussen, Reidelbach, Schaffer, Schneider, Seaver, Taylor, Uecker, Wagner, Widowfield.

To amend sections 124.85, 149.43, 2151.421, 2305.11, 2307.46, 2307.52, 2307.53, 2317.56, 2505.02, 2901.01, 2903.09, 2919.12, 2919.123, 2919.13, 2919.14, 2919.24, 2950.03, 3701.341, 4112.01, 4731.22, 4731.91, and 5101.55 and to repeal sections 2151.85, 2505.073, 2919.121, 2919.122, 2919.151, 2919.16, 2919.17, and 2919.18 of the Revised Code to prohibit abortions in this state, to increase the penalties for the offenses of unlawful abortion, unlawful distribution of an abortion-inducing drug, and abortion trafficking, to enact the offense of facilitating an abortion, and to make conforming changes in related provisions.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative S. Smith submitted the following report:

The standing committee on Health to which was referred **S. B. No. 10**-Senator Jordan, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COUNTY MR/DD BOARDS-REVIEW LAW

Representative White moved to amend the title as follows:

Add the names: "Representatives Fessler, Kearns, Brown, Barrett, Beatty, S. Smith, Otterman, DeBose, Combs, Reidelbach, Harwood, Mason."

JAMES M. HOOPS	JAMES T. RAUSSEN
EARL MARTIN	JOHN J. WHITE
SHIRLEY A. SMITH	DIANA M. FESSLER
SANDRA STABILE HARWOOD	MERLE GRACE KEARNS
SHAWN N. WEBSTER	GEOFFREY C. SMITH
JON M. PETERSON	EDNA BROWN
MICHAEL DEBOSE	CATHERINE L. BARRETT
JOYCE BEATTY	LINDA S. REIDELBACH
ROBERT J. OTTERMAN	COURTNEY COMBS
LANCE T. MASON	JOHN WIDOWFIELD

The report was agreed to.

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

Representative S. Smith submitted the following report:

The standing committee on Health to which was referred **H. B. No. 102**-Representative Wolpert, et al., having had the same under consideration, reports it back and recommends its passage.

RE: EMBRYO DONATION-CLARIFY PARENTAGE

Representative White moved to amend the title as follows:

Add the names: "Raussen, Combs, G. Smith, Martin, Hoops, Reidelbach, Harwood."

JAMES M. HOOPS	JAMES T. RAUSSEN
EARL MARTIN	SHIRLEY A. SMITH
ROBERT J. OTTERMAN	MERLE GRACE KEARNS
DIANA M. FESSLER	GEOFFREY C. SMITH
JON M. PETERSON	COURTNEY COMBS
SHAWN N. WEBSTER	SANDRA STABILE HARWOOD
EDNA BROWN	MICHAEL DEBOSE

CATHERINE L. BARRETT
LINDA S. REIDELBACH
LANCE T. MASON

JOYCE BEATTY
JOHN J. WHITE
JOHN WIDOWFIELD

The report was agreed to.

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

Representative DeBose submitted the following report:

The standing committee on Economic Development and Environment to which was referred **H. R. No. 21**-Representative Combs, et al., having had the same under consideration, reports it back with the following amendment and recommends its adoption when so amended.

RE: URGE CONGRESS TO ENACT CLEAR SKIES ACT OF 2005

Representative Collier moved to amend the title as follows:

Add the names: "Aslanides, Schaffer, Taylor, Hagan, Trakas, Law, Collier, Hughes."

Representative Fende moved to amend as follows:

In line 31, after the comma delete the balance of the line

In line 32, delete everything before "our" and insert "support concepts in the Clerk Skies Act of 2005 and urge Congress to seek resolution of the issues involved and enact legislation for the purpose of improving"

The motion was agreed to and the bill so amended.

JIM ASLANIDES
TIMOTHY O. SCHAFFER
TIMOTHY J. CASSELL
JOHN P. HAGAN
COURTNEY COMBS
RANDY LAW
LORRAINE M. FENDE
JIM HUGHES
EDNA BROWN

SANDRA STABILE HARWOOD
JEFF WAGNER
MARY TAYLOR
JAMES PETER TRAKAS
STEVE REINHARD
THOM COLLIER
JAMES T. RAUSSEN
LARRY L. WOLPERT

The following members voted "NO"

JIMMY STEWART
MICHAEL DEBOSE
KATHLEEN CHANDLER

ROBERT J. OTTERMAN
JOHN DOMENICK

The report was agreed to.

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

Representative DeBose submitted the following report:

The standing committee on Economic Development and Environment to which was referred **H. C. R. No. 5**-Representative Hoops, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: CONT'D DUMPING AND SUBSIDY OFFSET ACT-RETAIN

Representative Collier moved to amend the title as follows:

Add the names: "J. Stewart, Schaffer, Taylor, Hagan, Combs, Trakas, Aslanides, Law, Domenick, Wolpert, Hughes."

THOM COLLIER	JIMMY STEWART
KATHLEEN CHANDLER	TIMOTHY O. SCHAFFER
ROBERT J. OTTERMAN	MICHAEL DEBOSE
MARY TAYLOR	JOHN P. HAGAN
COURTNEY COMBS	JAMES PETER TRAKAS
SANDRA STABILE HARWOOD	JEFF WAGNER
JIM ASLANIDES	RANDY LAW
TIMOTHY J. CASSELL	EDNA BROWN
JOHN DOMENICK	LORRAINE M. FENDE
LARRY L. WOLPERT	STEVE REINHARD
JAMES T. RAUSSEN	JIM HUGHES

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. 215 - Representative Ujvagi, et al

TO AUTHORIZE A BOARD OF COUNTY COMMISSIONERS OR A BOARD OF TRUSTEES OF A REGIONAL WATER AND SEWER DISTRICT TO OFFER DISCOUNTS ON WATER AND SEWER RATES TO PERSONS SIXTY-FIVE YEARS OF AGE OR OLDER.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 217 - Representative DeBose

TO CREATE A SEX OFFENDER LICENSE PLATE AND TO ESTABLISH THE CONDITIONS FOR ITS USE.

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 218 - Representative Daniels, et al

TO REVISE STATE TELECOMMUNICATIONS POLICY, AUTHORIZE THE PUBLIC UTILITIES COMMISSION TO ALLOW ALTERNATIVE REGULATION OF BASIC LOCAL EXCHANGE SERVICE PROVIDED BY LARGER COMPANIES, AND SPECIFY THE SCOPE OF COMMISSION AUTHORITY REGARDING WHOLESALE TELECOMMUNICATIONS SERVICES, ADVANCED SERVICES, AND

INTERNET PROTOCOL-ENABLED SERVICES.

To the committee on Public Utilities and Energy

H.B. No. 219 - Representative Mason, et al

TO PROVIDE FINANCIAL INCENTIVES TO ENCOURAGE COUNTIES, TOWNSHIPS, AND MUNICIPAL CORPORATIONS TO SAVE MONEY THROUGH EXPENDITURE REDUCTIONS AND CONSOLIDATION OF SERVICES.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. 220 - Representative Mason, et al

TO PERMIT DEBTORS DOMICILED IN OHIO TO EXEMPT THE SAME PROPERTY FROM A BANKRUPTCY JUDGMENT THAT IS EXEMPTED UNDER THE FEDERAL BANKRUPTCY LAW.

To the committee on Civil and Commercial Law

H.B. No. 221 - Representative Wolpert, et al

TO PERMIT THE COUNTY CENTRAL COMMITTEE OF A MAJOR POLITICAL PARTY TO BE COMPRISED OF MEMBERS REPRESENTING COMBINATIONS OF ELECTION PRECINCTS, CITY WARDS, VILLAGES, AND TOWNSHIPS, AS DETERMINED BY THE OUTGOING COMMITTEE, AND TO REQUIRE A TOWNSHIP ZONING REFERENDUM TO BE VOTED UPON AT A SPECIAL ELECTION TO BE HELD ON THE DAY OF THE NEXT PRIMARY OR GENERAL ELECTION THAT OCCURS AT LEAST 75 DAYS AFTER THE REFERENDUM PETITION IS FILED, REGARDLESS OF WHETHER ANY ELECTION WILL BE HELD TO NOMINATE OR ELECT CANDIDATES ON THAT DAY.

To the committee on Elections and Ethics

H.B. No. 223 - Representative Calvert, et al

TO INCREASE THE AMOUNT OF THE GENERAL HOMESTEAD EXEMPTION FROM EXECUTION, ATTACHMENT, OR SALE TO SATISFY A JUDGMENT AND TO EXEMPT FROM EXECUTION, ATTACHMENT, OR SALE TO SATISFY THE JUDGMENT THE PROPERTY USED AS RESIDENCE BY A DEFENDANT AGAINST WHOM A JUDGMENT IS RENDERED IN A CIVIL ACTION UPON A MEDICAL, DENTAL, OPTOMETRIC, OR CHIROPRACTIC CLAIM AND DELAY THE ENFORCEMENT OF A JUDGMENT LIEN UPON THAT PROPERTY UNTIL ITS SALE OR TRANSFER.

To the committee on Ways and Means

H.B. No. 224 - Representative C. Evans, et al

TO ENSURE HANDICAPPED PARKING AT POLLING PLACES AND AT REGISTRATION PLACES THAT ARE AT POLLING PLACES.

To the committee on Elections and Ethics

JON A. HUSTED

CHARLES R. BLASDEL

CHARLES E. CALVERT
ANTHONY CORE
LARRY L. FLOWERS
TOM RAGA
GEOFFREY C. SMITH
CHRIS REDFERN
KENNETH A. CARANO
WILLIAM J. HEALY
ROBERT J. OTTERMAN

JIM CARMICHAEL
KEVIN DEWINE
MERLE GRACE KEARNS
JOHN SCHLICHTER
SHAWN N. WEBSTER
JOYCE BEATTY
TIMOTHY J. DEGEETER
JOSEPH KOZIURA

Representative Coley 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 the 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. 44 - Speaker Husted, et al

RECOGNIZING THE GOVERNOR'S TWENTY-FIFTH ANNUAL
HOLOCAUST COMMEMORATION, MAY 4, 2005.

Add the names: "Calvert, Carmichael, G. Smith, Beatty, Healy, Webster

H.R. No. 45 - Representative Fessler

HONORING ZACHARY SCOTT HANCOCK AS A 2005 JUNIOR HIGH
STATE WRESTLING CHAMPION.

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Coley 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 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. 107 - Senators Schuler, Padgett, Clancy, Schuring, Mumper, Grendell, Coughlin, Fedor, Miller, Niehaus, Roberts, Wilson, Zurz, Mallory

To amend sections 111.21, 111.22, 117.44, 133.01, 133.27, 149.42, 301.01, 306.32, 306.321, 319.51, 321.31, 321.32, 321.34, 345.01, 503.162, 503.25, 503.26, 503.29, 503.41, 503.52, 504.06, 504.07, 504.11, 504.12, 504.14, 504.19, 504.20, 505.03, 505.04, 505.07, 505.108, 505.11, 505.17, 505.24, 505.262, 505.31, 505.32, 505.33, 505.35, 505.37, 505.373, 505.47, 505.511, 505.73, 505.86, 507.01, 507.02, 507.021, 507.03, 507.04, 507.05, 507.051, 507.06, 507.07, 507.08, 507.09, 507.11, 509.02, 511.21, 511.22, 511.33, 513.04, 515.02, 515.04, 515.081, 515.12, 517.05, 517.06, 517.07, 519.16, 519.161, 519.211, 521.02, 521.03, 703.201, 707.28, 709.023, 709.024, 709.03, 709.033, 709.46, 711.05, 711.10, 715.691, 715.70, 715.71, 715.75, 715.76, 971.05, 971.06, 971.08, 971.09, 971.12, 971.35, 971.36, 1341.16, 1533.13, 1710.02, 2927.21, 3381.03, 3501.37, 3513.253, 3517.10, 3709.30, 3734.025, 3734.026, 3734.57, 4301.80, 4303.26, 4928.20, 4929.26, 4929.27, 5123.19, 5126.021, 5541.02, 5543.05, 5552.10, 5571.04, 5571.16, 5573.13, 5573.211, 5575.04, 5575.09, 5579.08, 5705.01, 5709.73, 5735.27, and 5747.061 of the Revised Code to replace the name "township clerk" with the name "township fiscal officer."

Attest:

Matthew T. Schuler,
Clerk.

Said bill was considered the first time.

On motion of Representative Coley, the House adjourned until Tuesday, May 3, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.