

OHIO

House

of

Representatives

JOURNAL

THURSDAY, MAY 18, 2006

ONE HUNDRED SEVENTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, May 18, 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 Hagan 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. 599-Representatives Sayre, Gibbs, Fende, Yuko, Hartnett, Boccieri, Perry, Stewart, J., Hood, Garrison, Oelslager, Book, Cassell.

To amend sections 6101.48 and 6101.53 of the Revised Code to prohibit the levy of an assessment by the board of directors of a conservancy district on land that is owned by a school district, volunteer fire department, or church or on a political subdivision within the district.

Said bill was considered the first time.

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

Representative Williams submitted the following report:

The standing committee on Finance and Appropriations to which was referred **H. B. No. 250**-Representative Trakas, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: SCHOOL JOINT TAXING DISTRICTS FOR BEHAVIORIAL
HEALTH

WILLIAM J. HARTNETT
LARRY L. FLOWERS
MARK D. WAGONER
ROSS MCGREGOR
JOHN SCHLICHTER
TOM RAGA
THOMAS F. PATTON
JON M. PETERSON
JAMES M. HOOPS
CLYDE EVANS

DIXIE J. ALLEN
MATTHEW J. DOLAN
BILL COLEY
JIM MCGREGOR
JAMES PETER TRAKAS
ANTHONY CORE
EARL MARTIN
SHAWN N. WEBSTER
JIMMY STEWART
CHARLES E. CALVERT

The following members voted "NO"

KEITH L. FABER
 BARBARA A. SYKES
 BRIAN G. WILLIAMS
 KATHLEEN CHANDLER
 KEVIN DEWINE

DAN STEWART
 FRED STRAHORN
 SYLVESTER D. PATTON
 TYRONE K. YATES
 MICHAEL J. SKINDELL

The report was agreed to.

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

Representative Williams submitted the following report:

The standing committee on Finance and Appropriations to which was referred **H. B. No. 293**-Representative Kilbane, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: LINK DEPOSIT PAYMENT PROGRAMS FOR SENIORS/DISABLED

KEITH L. FABER
 BRIAN G. WILLIAMS
 TYRONE K. YATES
 MATTHEW J. DOLAN
 BILL COLEY
 ANTHONY CORE
 THOMAS F. PATTON
 CLYDE EVANS
 TOM RAGA

WILLIAM J. HARTNETT
 JIM MCGREGOR
 DIXIE J. ALLEN
 JAMES PETER TRAKAS
 CHARLES E. CALVERT
 MICHAEL J. SKINDELL
 EARL MARTIN
 SHAWN N. WEBSTER

The report was agreed to.

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

Representative Harwood submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 285**-Representative Willamowski, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PAROLE AUTHORITY - PROHIBIT MANDATORY USE OF PRIVATE EMPLOYEE VEHICLE

JOHN R. WILLAMOWSKI
 RANDY LAW
 DANNY R. BUBP
 CLAUDETTE J. WOODARD
 MATTHEW J. DOLAN

LOUIS W. BLESSING
 BILL COLEY
 TIMOTHY O. SCHAFFER
 SANDRA STABILE HARWOOD
 TIMOTHY J. DEGEETER

The report was agreed to.

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

Representative Smith, S. submitted the following report:

The standing committee on Health to which was referred **H. B. No. 358**-Representative Wagoner, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: MEDICAID APPLICANTS - SUPPLY CITIZENSHIP DOCUMENTATION

Representative White moved to amend the title as follows:

Add the name: "Martin."

In line 6, delete "5111.0116" and insert "5111.0119"

In line 20, delete "5111.0116" and insert "5111.0119"

In line 96, delete "**5111.0116**" and insert "**5111.0119**"

In line 2 of the title, delete "5111.0116" and insert "5111.0119"

The motion was agreed to and the bill so amended.

JAMES M. HOOPS
 JAMES T. RAUSSEN
 ROBERT J. OTTERMAN
 CATHERINE L. BARRETT
 EDNA BROWN
 LINDA S. REIDELBACH
 JOHN WIDOWFIELD
 KEITH L. FABER
 EARL MARTIN
 ROSS MCGREGOR

JOHN J. WHITE
 SANDRA STABILE HARWOOD
 SHIRLEY A. SMITH
 MICHAEL DEBOSE
 LANCE T. MASON
 SHAWN N. WEBSTER
 COURTNEY COMBS
 CHRIS REDFERN
 JON M. PETERSON
 LARRY L. FLOWERS

The report was agreed to.

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

Representative Smith, S. submitted the following report:

The standing committee on Health to which was referred **H. B. No. 383**-Representative Fessler, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CHILD CARE PROVIDER LICENSING/ABUSE MEMO

KEITH L. FABER
 JOHN J. WHITE
 EARL MARTIN
 LANCE T. MASON
 SHIRLEY A. SMITH
 JOHN WIDOWFIELD

ROSS MCGREGOR
 JAMES T. RAUSSEN
 SANDRA STABILE HARWOOD
 ROBERT J. OTTERMAN
 JON M. PETERSON
 LINDA S. REIDELBACH

EDNA BROWN
 CATHERINE L. BARRETT
 SHAWN N. WEBSTER
 CHRIS REDFERN

MICHAEL DEBOSE
 LARRY L. FLOWERS
 COURTNEY COMBS
 JAMES M. HOOPS

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. 343**-Representative Raga, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TEMP INSTRUCTN PERMITS/PROBATIONARY DRIVERS

Representative Reinhard moved to amend the title as follows:

Add the names: "Bubp, Evans, D., Key, Law, Widowfield."

DANNY R. BUBP
 JOHN WIDOWFIELD
 ALLAN R. SAYRE
 ANNIE L. KEY
 DAVID R. EVANS

STEPHEN BUEHRER
 RANDY LAW
 JEANINE PERRY
 JIM ASLANIDES
 STEVE REINHARD

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. 401**-Representative Law, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FIREFIGHTER TRAINING - ADOPT RULES

Representative Reinhard moved to amend the title as follows:

Add the names: "Bubp, Evans, D., Key, Perry, Sayre."

DANNY R. BUBP
 JOHN WIDOWFIELD
 ALLAN R. SAYRE
 ANNIE L. KEY
 DAVID R. EVANS

STEPHEN BUEHRER
 RANDY LAW
 JEANINE PERRY
 JIM ASLANIDES
 STEVE REINHARD

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 **S. B. No. 227**-Senator Mumper, et al., having had the same under consideration, reports it back and recommends its passage.

RE: DEPUTY BRANDY WINFIELD MEMORIAL HWY-SR 423

Representative Reinhard moved to amend the title as follows:

Add the names: "Representatives Evans, D., Law, Perry, Reinhard."

DANNY R. BUBP	STEPHEN BUEHRER
JOHN WIDOWFIELD	RANDY LAW
ALLAN R. SAYRE	JEANINE PERRY
ANNIE L. KEY	JIM ASLANIDES
DAVID R. EVANS	STEVE REINHARD

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. 589 - Representative Setzer, et al

TO REDUCE THE ESTATE TAX BY INCREASING THE CREDIT AND EXCLUSION AMOUNTS.

To the committee on Ways and Means

H.B. No. 590 - Representative Hartnett, et al

TO SPECIFY THAT EDUCATIONAL CHOICE SCHOLARSHIPS MAY BE USED ONLY AT CHARTERED NONPUBLIC SCHOOLS THAT PERFORM COMPARABLY TO OR BETTER THAN PUBLIC SCHOOLS IN CONTINUOUS IMPROVEMENT.

To the committee on Education

H.B. No. 591 - Representative Garrison, et al

TO DESIGNATE STATE ROUTE 660 IN GUERNSEY COUNTY AS THE "MAJOR JAMES W. REED MEMORIAL HIGHWAY."

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 592 - Representative Cassell, et al

TO PROVIDE THAT ANY INFORMATION ON A VOTER VERIFIED PAPER AUDIT TRAIL IDENTIFYING THE TIME AT WHICH A BALLOT WAS CAST IS NOT A PUBLIC RECORD AND MUST BE REDACTED IF THE PAPER AUDIT TRAIL IS MADE AVAILABLE TO THE PUBLIC.

To the committee on Elections and Ethics

H.B. No. 593 - Representative Carano, et al

TO REQUIRE THE SUPERINTENDENT OF FINANCIAL INSTITUTIONS TO PRORATE THE RENEWAL FEE FOR A NEW CERTIFICATE OF

REGISTRATION OR LICENSE FOR A MORTGAGE BROKER OR LOAN OFFICER.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 594 - Representative Wagoner, et al

TO REQUIRE THAT THE AMOUNT SPENT BY COUNTIES ON ENERGY CONSERVATION MEASURES BE UNLIKELY TO EXCEED THE AMOUNT SAVED IN ENERGY AND OPERATING COSTS OVER THE AVERAGE SYSTEM LIFE OF THE MEASURES, AND TO REQUIRE THAT FINANCED MEASURES BE PAID FOR WITHIN THEIR AVERAGE SYSTEM LIFE.

To the committee on Local and Municipal Government and Urban Revitalization

CHARLES R. BLASDEL
JIM CARMICHAEL
KEVIN DEWINE
JOHN SCHLICHTER
GEOFFREY C. SMITH
JOYCE BEATTY
WILLIAM J. HEALY
ROBERT J. OTTERMAN

CHARLES E. CALVERT
ANTHONY CORE
LARRY L. FLOWERS
ARLENE J. SETZER
LARRY L. WOLPERT
TIMOTHY J. DEGEETER
JOSEPH KOZIURA

Representative Bulp 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 Resolution be read by title only and approved:

H.R. No. 211 - Representative Hughes

RECOGNIZING NATIONAL POLICE WEEK, MAY 14-20, 2006.

Add the names: Flowers, Beatty, Healy

/s/ CHARLES R. BLASDEL
Charles R. Blasdel, Vice Chair

Representative Bulp 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 passage of the following bill:

Sub. H. B. No. 311 - Representatives White, McGregor, J., Setzer, Schaffer, Oelslager, Coley, Allen, Peterson, Hood, Flowers, Brown, Evans, C., Barrett, Martin, Schneider, Reidelbach, Smith, S., DeBose, Aslanides, Beatty, Blessing, Bubp, Buehrer, Calvert, Cassell, Collier, Combs, Distel, Domenick, Evans, D., Fessler, Hughes, Key, McGregor, R., Miller, Patton, S., Patton, T., Perry, Seitz, Woodard, Yuko Senators Hagan, Clancy, Austria, Gardner, Niehaus, Spada

To amend section 4715.39 of the Revised Code to allow a dental assistant to apply pit and fissure sealants.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

David A. Battocletti,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill.

Sub. H. B. No. 458 - Representatives Core, Webster, McGregor, J., Fessler, Setzer, Reinhard, Seitz, Hartnett, Reidelbach, Aslanides, Gibbs, Dolan, Schlichter, Distel, Domenick, Sayre, Widener, Cassell, Barrett, Blessing, Brown, Buehrer, Calvert, Coley, Collier, Combs, Daniels, DeBose, Evans, C., Faber, Flowers, Hughes, Law, Otterman, Schaffer, Skindell, Smith, G., Uecker, Wagoner, Williams, Yates Senators Mumper, Niehaus, Kearney

To amend sections 4741.01, 4741.02, 4741.03, 4741.09, 4741.11, 4741.12, 4741.14, 4741.16, 4741.17, 4741.171, 4741.19, 4741.20, 4741.21, 4741.22, 4741.221, 4741.24, 4741.26, 4741.31, and 4741.99, to enact new sections 4741.13 and 4741.28 and sections 4741.04, 4741.15, and 4741.40 to 4741.47, and to repeal sections 4741.13, 4741.27, and 4741.28 of the Revised Code to

revise the veterinary practice law and to create the Veterinarian Loan Repayment Program.

As a substitute bill, in which the concurrence of the House is requested.

Attest: David A. Battocletti,
Clerk.

The Senate amendments were laid over under the Rule.

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:

Am. S. B. No. 279 - Senators Stivers, Cates, Spada, Armbruster, Goodman, Mumper, Wachtmann

To amend sections 3955.01 and 3955.12 of the Revised Code to exempt the Ohio Insurance Guaranty Association from being obligated to pay more than a single three hundred thousand dollar claim for injury or death to any one person and a claim of an insured whose net worth exceeds fifty million dollars.

Attest: David A. Battocletti,
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following concurrent resolution:

H. C. R. No. 40 - Representatives Schneider, Flowers, Setzer, Smith, G., Beatty Senators Carey, Grendell, Harris, Padgett, Roberts, Schuring, Spada, Stivers, Niehaus, Clancy, Gardner, Kearney, Zurz, Mumper, Amstutz, Hagan, Wilson, Fingerhut, Armbruster, Miller, R., Fedor, Miller, D., Jacobson

Recognizing Co-op Education Week in Ohio, May 14-20, 2006.

Attest: David A. Battocletti,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate accedes to the request of the House of Representatives for a Committee of Conference on matters of difference between the two Houses on:

Am. Sub. S. B. No. 185 - Senator Padgett- et al.

The President of the Senate has appointed as managers on the part of the Senate on such matters of difference:

Senators Padgett, Carey and Roberts.

Attest: David A. Battocletti,
Clerk.

MESSAGE FROM THE SPEAKER

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on **Am. Sub. S.B. No. 185** - Senator Padgett - et al.,

Representatives Widener, Wagoner, and D. Stewart.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate accedes to the request of the House of Representatives for a Committee of Conference on matters of difference between the two Houses on:

Sub. S. B. No. 238 - Senator Niehaus- et al.

The President of the Senate has appointed as managers on the part of the Senate on such matters of difference:

Senators Niehaus, Gardner and R. Miller.

Attest:

David A. Battocletti,
Clerk.

MESSAGE FROM THE SPEAKER

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on **Sub. S.B. No. 238** - Senator Niehaus - et al.,

Representatives White, Raussen, and S. Smith.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on May 17, 2006, signed the following:

Sub. H. B. No. 294 - Representative Kilbane - et al.

Am. Sub. H. B. No. 301 - Representative Seitz - et al.

CLERK'S NOTATION

This is to acknowledge receipt on May 17, 2006, of the report of the Committee of Conference on **Sub. H.B. No. 162** - Representative Peterson, et al.

On motion of Representative Bubp, the House adjourned until Tuesday, May 23, 2006 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.