

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**CORRECTED VERSION**  
**THURSDAY, MAY 19, 2005**

## FIFTY-THIRD DAY

Hall of the House of Representatives, Columbus, Ohio  
**Thursday, May 19, 2005 at 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Assistant 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. 272**-Representatives Schneider, D. Evans, Reidelbach.

To amend sections 145.01, 145.19, 145.191, 145.193, 145.20, 145.23, 145.294, 145.325, 145.33, 145.35, 145.38, 145.384, 145.385, 145.401, 145.43, 145.471, 145.472, 145.473, 145.483, 145.49, 145.51, 145.54, 145.58, 145.813, 145.814, 145.82, 145.83, 145.92, and 145.97 and to enact sections 145.016, 145.194, 145.386, 145.52, 145.53, 145.583, 145.62, 145.63, 145.64, and 145.65 of the Revised Code regarding the Public Employees Retirement System and to maintain the provisions of this act on October 27, 2006, by amending the version of section 145.92 of the Revised Code that takes effect on that date.

Said bill was considered the first time.

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

Representative Woodard submitted the following report:

The standing committee on Insurance to which was referred **H. B. No. 193**-Representative Daniels, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PERMIT THE SALE OF GROUP LIFE INSURANCE

Representative G. Smith moved to amend the title as follows:

Add the names: "Gibbs, D. Evans, Setzer, Barrett, Perry, DeBose, Boccieri, Hughes, DeGeeter."

GEOFFREY C. SMITH  
 STEVE L. DRIEHAUS  
 BOB GIBBS  
 ARLENE J. SETZER

CHRIS WIDENER  
 T. TODD BOOK  
 DAVID R. EVANS  
 LARRY L. WOLPERT

|                      |                   |
|----------------------|-------------------|
| CATHERINE L. BARRETT | LOUIS W. BLESSING |
| JEANINE PERRY        | MICHAEL DEBOSE    |
| JAMES T. RAUSSEN     | MATTHEW J. DOLAN  |
| JOHN A. BOCCIERI     | JIM HUGHES        |
| JOSEPH KOZIURA       | DAVID DANIELS     |
| KEITH L. FABER       |                   |

The report was agreed to.

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

Representative Distel submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 119**-Representative Redfern, et al., having had the same under consideration, recommends its re-referral to the committee on Rules and Reference.

RE: BAN REMOVAL OIL FROM UNDER LAKE ERIE

|                    |                   |
|--------------------|-------------------|
| JOHN SCHLICHTER    | JEFF WAGNER       |
| BOB GIBBS          | JENNIFER GARRISON |
| TYRONE K. YATES    | MIKE MITCHELL     |
| JIM MCGREGOR       | ANTHONY CORE      |
| CLYDE EVANS        | JIM ASLANIDES     |
| L. GEORGE DISTEL   | DERRICK SEAVER    |
| ARLENE J. SETZER   | STEVE REINHARD    |
| KATHY L. WALCHER   | ALLAN R. SAYRE    |
| TIMOTHY J. CASSELL | JOHN DOMENICK     |

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. 256 - Representative Collier, et al**

TO PROVIDE ADDITIONAL GROUNDS TO EXCUSE A PROSPECTIVE JUROR FROM JURY SERVICE AND TO SPECIFY THE PROCEDURES FOR REQUESTING AN EXCUSE BASED ON THOSE GROUNDS.

To the committee on Judiciary

**H.B. No. 257 - Representative Hagan, et al**

TO REQUIRE NURSING HOMES AND OTHER HOMES FOR THE ELDERLY TO OFFER RESIDENTS VACCINATIONS AGAINST INFLUENZA AND PNEUMONIA AND TO REQUIRE HOSPITALS TO

OFFER CERTAIN PATIENTS VACCINATIONS AGAINST INFLUENZA AND PNEUMONIA.

To the committee on Health

**H.B. No. 258 - Representative C. Evans, et al**

TO REQUIRE THE REGISTRAR OF MOTOR VEHICLES OR A DEPUTY REGISTRAR TO INQUIRE ABOUT A DURABLE POWER OF ATTORNEY FOR HEALTH CARE OR A DECLARATION GOVERNING LIFE-SUSTAINING TREATMENT WHEN A PERSON APPLIES FOR A LICENSE AND TO REQUIRE THAT THE FORMS BE AVAILABLE FREE FROM THE REGISTRAR OR A DEPUTY REGISTRAR.

To the committee on Transportation, Public Safety and Homeland Security

**H.B. No. 259 - Representative Wagner, et al**

TO PROHIBIT A PERSON, WITH INTENT TO HARASS, ANNOY, THREATEN, OR ALARM A LAW ENFORCEMENT OFFICER, FROM CAUSING OR ATTEMPTING TO CAUSE THE LAW ENFORCEMENT OFFICER TO COME INTO CONTACT WITH A BODILY SUBSTANCE.

To the committee on Criminal Justice

**H.B. No. 261 - Representative S. Smith, et al**

TO CLASSIFY FORMALDEHYDE AS A HARMFUL INTOXICANT.

To the committee on Health

**H.B. No. 262 - Representative Law**

TO REQUIRE THE OWNER OR OPERATOR OF A SOLID WASTE DISPOSAL FACILITY TO MAKE AVAILABLE FOR AUDITING BY THE SOLID WASTE MANAGEMENT DISTRICT IN WHICH THE FACILITY IS LOCATED, OR IN WHICH SOLID WASTE THAT IS DISPOSED OF AT THE FACILITY IS GENERATED, ANY DAILY LOG OF OPERATIONS OF THE FACILITY THAT IS REQUIRED BY THE DIRECTOR OF ENVIRONMENTAL PROTECTION.

To the committee on Economic Development and Environment

**H.B. No. 263 - Representative Skindell, et al**

TO ESTABLISH AND OPERATE THE OHIO HEALTH CARE PLAN TO PROVIDE UNIVERSAL HEALTH CARE COVERAGE TO ALL OHIO RESIDENTS.

To the committee on Insurance

**H.B. No. 264 - Representative Skindell**

TO GRANT WORKERS' COMPENSATION BENEFITS TO AN EMPLOYEE WHO SUFFERS AN ADVERSE MEDICAL CONDITION AS A RESULT OF RECEIVING A SMALLPOX VACCINATION AS PART OF HOMELAND SECURITY MEASURES.

To the committee on Commerce and Labor

JON A. HUSTED  
JIM CARMICHAEL  
KEVIN DEWINE

CHARLES E. CALVERT  
ANTHONY CORE  
LARRY L. FLOWERS

MERLE GRACE KEARNS  
JOHN SCHLICHTER  
SHAWN N. WEBSTER  
TIMOTHY J. DEGEETER  
JOSEPH KOZIURA

TOM RAGA  
GEOFFREY C. SMITH  
JOYCE BEATTY  
WILLIAM J. HEALY

Representative Latta 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 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 and approved:

**H.R. No. 59 - Representative Schlichter**

IN MEMORY OF PRIVATE FIRST CLASS GAVIN J. COLBURN.

Add the names: Carmichael, DeWine, Flowers, G. Smith

**H.R. No. 60 - Representative Schlichter**

IN MEMORY OF OFFICER LARRY COX.

Add the names: Carmichael, DeWine, Flowers, G. Smith

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Latta moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be approved.

### BILLS FOR THIRD CONSIDERATION

**H. B. No. 157**-Representatives Distel, Aslanides, McGregor, S. Patton, Seitz, C. Evans, Carano, Cassell, Hartnett, Brown, Strahorn, Perry, Gibbs, Setzer, Domenick.

To amend section 1541.31 of the Revised Code to revise the Pymatuning Lake Compact, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Latta moved that **H. B. No. 157**-Representative Distel, et al.,

be informally passed and retain its place on the calendar.

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. 2** - Representatives Widowfield, Buehrer, Flowers, Walcher, Hartnett, Mitchell, Uecker, Carmichael, Book, D. Stewart, Aslanides, Beatty, Blasdel, Blessing, Brown, Calvert, Carano, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeWine, Distel, Dolan, Domenick, C. Evans, D. Evans, Faber, Fende, Garrison, Gibbs, Gilb, Hagan, Harwood, Hoops, Hughes, Kearns, Key, Kilbane, Koziura, Latta, Law, Martin, Mason, Miller, Oelslager, Otterman, T. Patton, Perry, Peterson, Raga, Raussen, Reidelbach, Reinhard, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, J. Stewart, Strahorn, Taylor, Trakas, Ujvagi, Wagner, Wagoner, Webster, White, Widener, Willamowski, Williams, Wolpert, Yuko  
Senators Carey, Amstutz, Padgett, Gardner, Niehaus, Clancy, Roberts, Wilson, Goodman, Austria, Brady, Cates, Dann, Fedor, Grendell, Harris, Jordan, Mallory, Miller, Mumper, Prentiss, Schuler, Schuring, Hagan, Zurz, Fingerhut, Wachtmann, Coughlin, Armbruster, Hottinger, Jacobson, Spada

To amend sections 5747.026 and 5747.08 of the Revised Code to grant to all members of the National Guard and reserve components of the United States armed forces who have been called to active duty an extension of time in which to file income tax returns and pay income taxes, to increase the number of authorized participants in the Ohio National Guard Scholarship Program for the 2005 summer term, and to declare an emergency.

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

Attest:

Matthew T. Schuler,  
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. 4** - Representatives Dolan, Latta, D. Evans, Gilb, Hughes,

Seitz, Perry, Allen, Brown, Bulp, Calvert, Cassell, Coley, DeBose, Distel, Domenick, C. Evans, Flowers, Gibbs, Hagan, Hartnett, Hoops, Key, Law, Martin, McGregor, Miller, Oelslager, Otterman, T. Patton, Reidelbach, Reinhard, Schaffer, Schlichter, Seaver, Setzer, G. Smith, J. Stewart, Strahorn, Wagner, Wagoner, Walcher, Widener, Widowfield, Williams, Wolpert  
Senators Clancy, Grendell, Schuring, Goodman, Dann, Zurz, Austria, Cates, Niehaus, Harris

To amend section 181.52 of the Revised Code to create the Ohio Incident-Based Reporting System in the Office of Criminal Justice Services and to require that law enforcement agencies that receive certain types of funding participate in the system, in the Uniform Crime Reporting Program of the F.B.I., or in the Ohio Local Law Enforcement Information Sharing Network.

Attest:

Matthew T. Schuler,  
Clerk.

#### MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on May 18, 2005, signed the following:

**Sub. H. B. No. 50** - Representative Setzer - et al.

On motion of Representative Latta, the House adjourned until Tuesday, May 24, 2005 at 11:00 o'clock a.m.

Attest:

SONJA A. HERD,  
Assistant Clerk.