

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, JUNE 15, 2005

SIXTY-SECOND DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, June 15, 2005 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Mike Martinelli of the Central United Brethren Church in Montpelier, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

Robert Laghetto received H. R. No. 35, presented by Representative Sayre-96th district.

The Upper Arlington High School boys lacrosse team received H.R. No. 71, presented by Representative G. Smith-24th district.

Stacie Baker, a guest of Representative D. Stewart-25th district.

Erik Cribley and George Brown, guests of Representative Law-64th district.

Lisa Henry and Klodiana Basko, guests of Representative Kearns-72nd district.

John and Susan Hill, guests of Representative Sayre-96th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 300-Representatives Domenick, Book, DeGeeter.

To amend section 4301.99 and to enact section 4301.601 of the Revised Code to prohibit the sale or delivery of beer or intoxicating liquor to a consumer in Ohio from a location within or outside the state under a delivery sale.

H. B. No. 301-Representatives Seitz, Fessler, Combs, Wagoner, Coley, Trakas, Reidelbach, Gilb, White, Schneider.

To amend sections 121.76, 1701.01, 1701.10, 1701.11, 1701.17, 1701.18, 1701.19, 1701.40, 1701.41, 1701.44, 1701.51, 1701.54, 1701.57, 1701.58, 1701.62, 1701.63, 1701.73, 1701.75, 1701.76, 1701.81, 1701.831, 1701.84, 1701.85, 1701.92, 1704.02, 1704.03, 1705.09, 1705.19, 1705.40, 1705.41, 1705.42, 1707.01, 1707.041, 1707.20, 1707.44, 1775.01, 1775.05, 1775.14, 1775.45 to 1775.52, 1782.435, 1782.436, and 1782.437 and to enact sections 1701.782, 1701.792, 1701.802, 1701.811, 1701.821, 1705.361, 1705.371,

1705.381, 1705.391, 1707.142, 1775.53 to 1775.56, 1782.438, 1782.439, 1782.440, 1782.441, and 1782.65 of the Revised Code to modify state agency rulemaking authority to automatically include any future amendments to federal laws incorporated by reference into a rule; to authorize and specify applicable provisions to conversions of business entities by corporations, limited liability companies, and general, limited liability, and limited partnerships; to expand the limited liability of registered limited liability partnerships; to limit liability to limited partnerships; to modify the Corporation Law relating to regulations or articles, shareholder rights, delegation authority, acceptable payments for shares, director meetings, executive committees, actions authorized after bankruptcy, distributions to shareholders when the issuing corporation "spins off" a subsidiary corporation, reorganization and restructuring of holding company corporations, and control share acquisitions; to modify the Limited Liability Company Law to specify acceptable forms of contributions; and to modify the Securities Law relating to dealer recordkeeping and filing requirements, tender offers, and incorporation in Ohio law of future amendments to federal securities laws.

Said bills were considered the first time.

MOTIONS AND RESOLUTIONS

Representative DeWine moved that majority party members asking leave to be absent or absent the week of Tuesday, June 14, 2005, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Driehaus moved that minority party members asking leave to be absent or absent the week of Tuesday, June 14, 2005, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 79-Representatives Raga, Latta, Setzer, C. Evans, Hagan, DeWine, McGregor, Willamowski, Gilb, Flowers, Seaver, Reidelbach, Schlichter, Reinhard.

To amend sections 3314.03, 3319.291, and 3319.311 and to enact sections 3319.313, 3319.314, 5126.253, 5126.254, and 5153.176 of the Revised Code to require that information about specified professional misconduct or child abuse or neglect committed by a person licensed by the State Board of Education be submitted to the Superintendent of Public Instruction, to require the State Board to request a criminal records check prior to renewing an educator license, and to require the State Board to request a criminal records

check every five years for a person teaching under an eight-year professional teaching certificate or permanent teaching certificate issued under former law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Raga moved to amend as follows:

In line 526, delete "**5123.254**" and insert "**5126.254**"

In line 531, delete "5123.253" and insert "5126.253"

The question being, "Shall the motion to amend be agreed to?"

The motion was agreed to without objection.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Bocchieri	Book	Brinkman	Brown
Bubp	Buehrer	Calvert	Carano
Carmichael	Cassell	Chandler	Coley
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Dolan
Domenick	Driehaus	Evans C.	Evans D.
Faber	Fende	Fessler	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hood	Hoops
Hughes	Kearns	Key	Kilbane
Koziura	Latta	Law	Martin
Mason	McGregor	Miller	Mitchell
Oelslager	Otterman	Patton T.	Perry
Peterson	Raga	Raussen	Redfern
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seaver	Seitz
Setzer	Skindell	Smith G.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Uecker	Ujvagi	Wagner
Wagoner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Williams
Wolpert	Woodard	Yates	Yuko
			Husted-93.

The bill passed.

Representative Raga moved to amend the title as follows:

Add the names: "Blasdel, Bocchieri, Brown, Bubp, Calvert, Carmichael, Cassell, Coley, Collier, Combs, Core, Daniels, Dolan, Domenick, D. Evans, Faber, Gibbs, Harwood, Healy, Hughes, Koziura, Law, Martin, Otterman, T. Patton, Schaffer, Schneider, G. Smith, J. Stewart, Strahorn, Trakas, Ujvagi,

Wagoner, Webster, Widener, Williams, Wolpert, Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 96-Representatives Seitz, McGregor, C. Evans, Combs, Hartnett, Latta, Schaffer, Webster, Taylor, Gilb, Otterman, White, D. Evans, Willamowski, Uecker, Koziura, Hughes, Seaver.

To enact sections 2911.10 and 2911.23 of the Revised Code to create the offense of criminal trespass on a place of public amusement and to clarify the element of "trespass" in the offenses of aggravated burglary, burglary, and breaking and entering, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 88, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Book	Brinkman	Brown	Bubp
Buehrer	Calvert	Carano	Carmichael
Cassell	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Dolan	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fende	Fessler	Garrison	Gibbs
Gilb	Hagan	Hartnett	Harwood
Healy	Hood	Hoops	Hughes
Kearns	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor
Oelslager	Otterman	Patton T.	Perry
Peterson	Raga	Raussen	Redfern
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seaver	Seitz
Setzer	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Woodard	Yates	Yuko	Husted-88.

Representatives Boccieri, Key, Miller, Mitchell, Skindell, and Sykes voted in the negative-6.

The bill passed.

Representative Seitz moved to amend the title as follows:

Add the names: "Barrett, Bubp, Buehrer, Carano, Cassell, Collier, Core, Daniels, Dolan, Domenick, Fessler, Gibbs, Hoops, T. Patton, Raga, Reidelbach, Schneider, Setzer, G. Smith, D. Stewart, Wagoner, Walcher."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 105-Representatives Setzer, Kearns, C. Evans, Hartnett, Distel, Walcher, Seaver, Garrison, Seitz, Carano, Webster, Taylor, Collier, Reidelbach, Allen, Chandler.

To amend section 3313.60 and to enact section 3301.078 of the Revised Code to require each school district to provide instruction in physical education in each of grades kindergarten through eight and to require the Department of Education to provide each school district with access to research to facilitate the use of locally developed instructional objectives and to encourage students' regular participation in physical activity, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 93, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Bocchieri	Book	Brown	Bubp
Buehrer	Calvert	Carano	Carmichael
Cassell	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Dolan	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fende	Fessler	Garrison	Gibbs
Gilb	Hagan	Hartnett	Harwood
Healy	Hood	Hoops	Hughes
Kearns	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor	Miller	Mitchell	Oelslager
Otterman	Patton T.	Perry	Peterson
Raga	Raussen	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	Willamowski	Williams
Wolpert	Woodard	Yates	Yuko
			Husted-93.

Representative Brinkman voted in the negative-1.

The bill passed.

Representative Setzer moved to amend the title as follows:

Add the names: "Aslanides, Barrett, Beatty, Bocchieri, Book, Brown, Bubp, Calvert, Coley, Combs, DeBose, Domenick, Gilb, Hagan, Harwood, Healy, Hughes, Latta, Mason, McGregor, Mitchell, Otterman, T. Patton, Perry, Sayre, Schaffer, Schlichter, Schneider, S. Smith, Sykes, Wagoner, White, Williams,

Woodard, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blasdel, the House adjourned until Thursday, June 16, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.