

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

THURSDAY, JUNE 16, 2005

## SIXTY-THIRD DAY

Hall of the House of Representatives, Columbus, Ohio  
**Thursday, June 16, 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 Aslanides was selected to preside under the Rule.

The journal of the previous legislative day was read and approved.

**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 **H. B. No. 87**-Representative Willamowski, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PHYSICIAN LOAN REPAYMENT PROGRAM

Representative White moved to amend the title as follows:

Add the names: "Barrett, Brown, DeBose, Fessler, Kearns, Otterman, Schneider, Seaver."

GEOFFREY C. SMITH

DIANA M. FESSLER

DERRICK SEAVER

SANDRA STABILE HARWOOD

MICHAEL DEBOSE

LANCE T. MASON

SHAWN N. WEBSTER

JAMES T. RAUSSEN

JON M. PETERSON

JOHN J. WHITE

JAMES M. HOOPS

MERLE GRACE KEARNS

SHIRLEY A. SMITH

ROBERT J. OTTERMAN

EDNA BROWN

LINDA S. REIDELBACH

JOHN WIDOWFIELD

EARL MARTIN

COURTNEY COMBS

CATHERINE L. BARRETT

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

RE: DENTAL HYGIENIST ADMINISTER ANESTHESIA

Representative White moved to amend the title as follows:

Add the names: "Brown, DeBose, Otterman, Mason."

GEOFFREY C. SMITH  
 COURTNEY COMBS  
 MERLE GRACE KEARNS  
 SHIRLEY A. SMITH  
 ROBERT J. OTTERMAN  
 CATHERINE L. BARRETT  
 LANCE T. MASON  
 SHAWN N. WEBSTER  
 EARL MARTIN  
 JON M. PETERSON

JAMES M. HOOPS  
 DIANA M. FESSLER  
 DERRICK SEAVER  
 SANDRA STABILE HARWOOD  
 MICHAEL DEBOSE  
 EDNA BROWN  
 LINDA S. REIDELBACH  
 JAMES T. RAUSSEN  
 JOHN J. WHITE  
 JOHN WIDOWFIELD

The report was agreed to.

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

Representative DeGeeter submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 108**-Representative Hagan, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: VICTIM RIGHTS LAW - EXTEND TO OVI VICTIMS

Representative Latta moved to amend the title as follows:

Add the names: "Latta, Gilb, Hughes, Seaver."

RONALD HOOD  
 DAVID R. EVANS  
 JIM HUGHES  
 WILLIAM J. SEITZ  
 TIMOTHY J. DEGEETER  
 TYRONE K. YATES  
 JOHN R. WILLAMOWSKI  
 KENNY YUKO  
 WILLIAM J. HEALY

ROBERT E. LATTA  
 MIKE GILB  
 DERRICK SEAVER  
 DANNY R. BUBP  
 SALLY CONWAY KILBANE  
 LANCE T. MASON  
 ANNIE L. KEY  
 STEPHEN BUEHRER  
 JEANINE PERRY

The report was agreed to.

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

Representative DeGeeter submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 118**-Representative Gibbs, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: SEX-OFFENDER-PROHIB RESIDING NEAR PRESCHOOL

Representative Latta moved to amend the title as follows:

Add the name: "D. Evans."

ROBERT E. LATTA  
 RONALD HOOD  
 JIM HUGHES  
 LANCE T. MASON  
 DERRICK SEAVER  
 JOHN R. WILLAMOWSKI  
 SALLY CONWAY KILBANE

DAVID R. EVANS  
 MIKE GILB  
 TYRONE K. YATES  
 JEANINE PERRY  
 STEPHEN BUEHRER  
 DANNY R. BUBP

The following members voted "NO"

WILLIAM J. SEITZ  
 ANNIE L. KEY  
 WILLIAM J. HEALY

TIMOTHY J. DEGEETER  
 KENNY YUKO

The report was agreed to.

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

Representative DeGeeter submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 241**-Representative Latta, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CLARIFY - REVISE FORFETITURE LAWS

Representative Latta moved to amend the title as follows:

Add the names: "D. Evans, Hughes, Perry."

RONALD HOOD  
 MIKE GILB  
 WILLIAM J. SEITZ  
 TIMOTHY J. DEGEETER  
 TYRONE K. YATES  
 LANCE T. MASON  
 JOHN R. WILLAMOWSKI  
 SALLY CONWAY KILBANE  
 WILLIAM J. HEALY

ROBERT E. LATTA  
 DAVID R. EVANS  
 JIM HUGHES  
 DANNY R. BUBP  
 DERRICK SEAVER  
 ANNIE L. KEY  
 KENNY YUKO  
 JEANINE PERRY  
 STEPHEN BUEHRER

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 **Sub. S. B. No. 9**-Senator Jacobson, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REVISE TERRORISM LAWS

JOHN WIDOWFIELD  
STEPHEN BUEHRER  
JAMES M. HOOPS  
DANNY R. BUBP  
JIM ASLANIDES

RANDY LAW  
DAVID R. EVANS  
LORRAINE M. FENDE  
JOSEPH W. UECKER  
STEVE REINHARD

The following members voted "NO"

ANNIE L. KEY  
JEANINE PERRY

ALLAN R. SAYRE

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

RE: ALTERNATIVE FUEL VEHICLES/USE

Representative Reinhard moved to amend the title as follows:

Add the names: "Fende, Perry, Key, Law, Sayre, Bulp, Uecker, Hoops."

DAVID R. EVANS  
JOHN WIDOWFIELD  
RANDY LAW  
DANNY R. BUBP  
JOSEPH W. UECKER  
JEANINE PERRY  
JIM ASLANIDES

ALLAN R. SAYRE  
LORRAINE M. FENDE  
STEPHEN BUEHRER  
STEVE REINHARD  
JAMES M. HOOPS  
ANNIE L. KEY

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. 296 - Representative Buehrer, et al**  
TO PROVIDE FOR THE ISSUANCE OF APPRENTICE HUNTING  
LICENSES AND APPRENTICE FUR TAKER PERMITS AND TO  
ENABLE PERSONS WHO ARE SIXTEEN OR SEVENTEEN YEARS OF  
AGE TO OBTAIN YOUTH HUNTING LICENSES AND YOUTH FUR  
TAKER PERMITS.

To the committee on Agriculture and Natural Resources

**H.B. No. 297 - Representative Wagoner, et al**

TO PERMIT STATUTORY VILLAGES TO PUBLISH ORDINANCES AND RESOLUTIONS OR THEIR SUMMARIES ON THE INTERNET RATHER THAN BY OTHER PUBLICATION METHODS.

To the committee on Local and Municipal Government and Urban Revitalization

**H.B. No. 298 - Representative Peterson, et al**

TO ESTABLISH AN AUTISM AWARENESS LICENSE PLATE AND TO PROVIDE THAT MONEY FROM THE CONTRIBUTIONS FOR THE LICENSE PLATES BE USED TO PAY FOR PROGRAMS AND AWARENESS EFFORTS OF THE AUTISM SOCIETY OF OHIO.

To the committee on Transportations, Public Safety and Homeland Security

**H.B. No. 299 - Representative Peterson, et al**

TO AUTHORIZE COUNTIES, TOWNSHIPS, AND SCHOOL DISTRICTS TO LEVY IMPACT FEES ON NEW DEVELOPMENT TO FINANCE CAPITAL IMPROVEMENTS NECESSITATED BY THAT DEVELOPMENT.

To the committee on Local and Municipal Government and Urban Revitalization

JON A. HUSTED  
CHARLES E. CALVERT  
ANTHONY CORE  
MERLE GRACE KEARNS  
JOHN SCHLICHTER  
SHAWN N. WEBSTER  
JOYCE BEATTY  
TIMOTHY J. DEGEETER  
JOSEPH KOZIURA

CHARLES R. BLASDEL  
JIM CARMICHAEL  
KEVIN DEWINE  
TOM RAGA  
GEOFFREY C. SMITH  
CHRIS REDFERN  
KENNETH A. CARANO  
WILLIAM J. HEALY

Representative Law 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.

**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 Law 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 House amendments to:

**Sub. S. B. No. 124** - Senator Spada- et al.

Attest:

Matthew T. Schuler,  
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has refused to concur in the House amendments to:

**Am. S. B. No. 128** - Senator Cates- et al.

Attest:

Matthew T. Schluler,  
Clerk.

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. 33** - Senators Spada, Jacobson, Amstutz, Schuler, Mumper, Armbruster, Dann, Zurz

To enact section 1349.19 of the Revised Code to prohibit the sale of a gift

card that has an expiration date that is less than two years after the date the gift card is issued and to prohibit, for two years after issuance, any service charges or fees having the effect of reducing the value of the gift card.

Attest:

Matthew T. Schuler,  
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 passage of the following bill:

**Am. Sub. H. B. No. 218** - Representatives Daniels, Taylor, McGregor, Bupp, J. Stewart, Gibbs, Raussen, Cassell, Uecker, T. Patton, Buehrer, Webster, Aslanides, Widener, Martin, Seitz, Flowers, Carmichael, G. Smith, Schlichter, Schneider, Coley, White, Reinhard, C. Evans, Collier, Hood, Hartnett, Latta, Strahorn, Distel, Hagan, Wagoner, Calvert, Carano, Peterson, Setzer Senators Niehaus, Jacobson, Schuler

To amend sections 4905.04, 4927.02, 4927.03, and 4927.04 and to enact sections 4905.041 and 4905.042 of the Revised Code 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.

With the following additional amendments, in which the concurrence of the House is requested:

In line 45, delete "or that exceeds"

In line 164, delete "unique" and insert "specific"; after "to" insert "a"; delete "companies" and insert "company that is an incumbent local exchange carrier as defined in 47 U.S.C. 252 (h)"

In line 165, delete "252(h)" and insert "251(h)"

In line 219, delete "252(h)" and insert "251(h)"

Attest:

Matthew T. Schuler,  
Clerk.



The Senate amendments were laid over under the Rule.

On motion of Representative Law, the House adjourned until Tuesday, June 21, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.