

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**CORRECTED VERSION**  
**WEDNESDAY, JULY 5, 2006**

ONE HUNDRED NINETY-FIRST DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, July 5, 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 McGregor, J. was selected to preside under the Rule.

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

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 627**-Representative Carmichael.

To amend sections 4501.01, 4507.03, 4511.01, and 4513.11 of the Revised Code to require farm machinery that is designed by its manufacturer to operate at a speed greater than 25 miles per hour to display a speed identification symbol and a slow-moving vehicle emblem when operated on a road or highway and to further address the operation of such farm machinery on roads and highways.

**H. B. No. 628**-Representatives Distel, Allen, Hughes, Evans, C., Latta, Driehaus, Seitz, Foley, Skindell, Reidelbach, Yuko, Williams, Garrison, Evans, D., Fende, Beatty, Hartnett, Mason, McGregor, J., Brown, Setzer, Woodard.

To enact section 5533.281 of the Revised Code to designate State Route 11 within Ashtabula County only the "Marine Private Henry Kalinowski Memorial Highway."

**H. B. No. 629**-Representatives Garrison, Beatty, Brinkman, DeGeeter, Distel, Driehaus, Fende, Oelslager, Perry, Reidelbach, Stewart, D., Stewart, J., Ujvagi, Williams.

To enact section 101.60 of the Revised Code to require that the General Assembly's web site contain information about how each member votes on a bill or resolution during its third consideration on the Senate or House of Representatives floor.

Said bills were considered the first time.

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

Representative Healy reported for the Rules and Reference Committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

**H.B. No. 602 - Representative Schaffer**

TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS ALONG STREETS AND HIGHWAYS INDICATING THE EXISTENCE OF HISTORICAL BUILDINGS OR SITES, IN CERTAIN CIRCUMSTANCES.

To the committee on Transportation, Public Safety and Homeland Security

**H.B. No. 603 - Representative Yates**

TO REQUIRE THE DEPARTMENT OF REHABILITATION AND CORRECTION TO TEST EACH INMATE FOR HIV OR A SEXUALLY TRANSMITTED DISEASE PRIOR TO RELEASE FROM A STATE CORRECTIONAL INSTITUTION OR OTHER FACILITY UNDER THE DEPARTMENT'S CONTROL.

To the committee on Health

**H.B. No. 604 - Representative Wagoner**

TO PROHIBIT COST RECOVERY BY A NATURAL GAS COMPANY, THROUGH A PURCHASED GAS ADJUSTMENT CLAUSE, FOR FAILURE TO FOLLOW PRUDENT AND REASONABLE SUPPLY DIVERSIFICATION POLICIES AND PRACTICES.

To the committee on Public Utilities and Energy

**H.B. No. 605 - Representative Setzer, et al**

TO REQUIRE PUBLIC AND NONPUBLIC SCHOOLS TO MARK THE RECORDS OF STUDENTS IDENTIFIED AS MISSING CHILDREN AND TO NOTIFY LAW ENFORCEMENT OF REQUESTS FOR THOSE RECORDS.

To the committee on Education

**H.B. No. 607 - Representative T. Patton**

TO REQUIRE CERTAIN EMPLOYERS IN THIS STATE WHO DO NOT PROVIDE A SPECIFIED AMOUNT OF HEALTH CARE COVERAGE TO THEIR EMPLOYEES TO MAKE CONTRIBUTIONS TO A FUND TO BE USED TO SUPPLEMENT THIS STATE'S SHARE OF MEDICAID COSTS.

To the committee on Insurance

**H.B. No. 608 - Representative Koziura, et al**

TO SPECIFY CONDITIONS UNDER WHICH A CLAIMANT'S UNEMPLOYMENT COMPENSATION BENEFITS ARE NOT REDUCED BY THE AMOUNT THE CLAIMANT CONCURRENTLY RECEIVES IN SOCIAL SECURITY RETIREMENT BENEFITS.

To the committee on Commerce and Labor

**H.B. No. 609 - Representative J. McGregor, et al**

TO ESTABLISH THE COMMERCIAL FISHING BUY OUT PROGRAM,  
AND TO MAKE AN APPROPRIATION.

To the committee on Finance and Appropriations

**H.B. No. 610 - Representative Law, et al**

TO EXEMPT FROM THE SALES TAX SHOOTING RANGE  
MEMBERSHIP AND ASSESSMENT FEES.

To the committee on Ways and Means

**H.B. No. 611 - Representative Schlichter, et al**

TO MAKE SPYING OR EAVESDROPPING UPON A MINOR IN A  
STATE OF NUDITY FOR THE PURPOSE OF SEXUAL GRATIFICATION  
OR AROUSAL A FELONY OF THE FIFTH DEGREE AND TO  
ELIMINATE MISDEMEANOR OF THE FIRST DEGREE UNDER ALL  
CIRCUMSTANCES.

To the committee on Criminal Justice

**H.B. No. 612 - Representative Latta, et al**

TO REQUIRE A COURT TO IMPOSE A LIFETIME DRIVER'S LICENSE  
SUSPENSION FOR ATTEMPTED MURDER BY MEANS OF A MOTOR  
VEHICLE, FELONIOUS ASSAULT USING A MOTOR VEHICLE, AND  
AGGRAVATED VEHICULAR HOMICIDE AND VEHICULAR  
HOMICIDE UNDER CERTAIN CIRCUMSTANCES; TO PERMIT A  
COURT TO IMPOSE A LIFETIME DRIVER'S LICENSE SUSPENSION  
FOR AGGRAVATED VEHICULAR ASSAULT; AND TO ESTABLISH  
THAT DRIVING UNDER THESE SPECIFIED LIFETIME SUSPENSIONS  
IS A FELONY OF THE THIRD DEGREE.

To the committee on Criminal Justice

**H.B. No. 613 - Representative Williams, et al**

TO INCREASE CERTAIN PENALTIES FOR CRUELTY TO ANIMALS  
AND TO REQUIRE A CHILD UNDER FIFTEEN YEARS OF AGE WHO  
COMMITTS CRUELTY AGAINST A COMPANION ANIMAL TO  
UNDERGO PSYCHOLOGICAL COUNSELING.

To the committee on Criminal Justice

**H.B. No. 614 - Representative Chandler, et al**

TO ELIMINATE THE PROHIBITION AGAINST USING VIOLATIONS  
OF THE MOTOR VEHICLE CHILD RESTRAINT LAW IN CRIMINAL  
PROCEEDINGS.

To the committee on Criminal Justice

**H.B. No. 615 - Representative Book**

TO DESIGNATE THE GREAT SERPENT MOUND AS THE OFFICIAL  
EFFIGY MOUND OF THE STATE.

To the committee on State Government

**H.B. No. 616 - Representative Gibbs**

TO TERMINATE OHIO ESTATE TAXES; TO REDUCE THE INCOME

TAX RATE ON RETIREMENT INCOME, INVESTMENT INCOME, AND PASSIVE BUSINESS INCOME OF INDIVIDUALS 65 YEARS OF AGE OR OLDER; AND TO REDUCE THE INCOME TAX RATE ON CAPITAL GAINS OF ALL INDIVIDUALS HAVING CAPITAL GAIN INCOME.

To the committee on Ways and Means

**H.B. No. 617 - Representative Barrett, et al**

TO CREATE THE CERVICAL CANCER ELIMINATION TASK FORCE.

To the committee Health

**H.B. No. 618 - Representative Webster, et al**

TO PERMIT PHARMACY SCHOOLS TO ACCEPT FOR INSTRUCTIONAL PURPOSES DONATIONS OF CERTAIN DANGEROUS DRUGS, INCLUDING EXPIRED DRUGS.

To the committee on Health

**H.B. No. 619 - Representative S. Smith, et al**

TO ESTABLISH THE CHILD SUPPORT AMNESTY PROGRAM.

To the committee on Juvenile and Family Law

**H.B. No. 620 - Representative Collier, et al**

TO PROHIBIT THE LEVYING OF AN ASSESSMENT BY THE BOARD OF DIRECTORS OF A CONSERVANCY DISTRICT ON LAND THAT IS OWNED BY A CHURCH WITHIN THE DISTRICT UNLESS THE GOVERNING AUTHORITY OF THE CHURCH REQUESTS THAT THE CHURCH'S LAND BE SUBJECT TO THE ASSESSMENT.

To the committee on Agriculture and Natural Resources

**H.B. No. 621 - Representative Wolpert, et al**

TO INCREASE FROM MORE THAN 100 TO MORE THAN 300 THE POPULATION NECESSARY FOR A MUNICIPAL CORPORATION TO HAVE A MAYOR'S COURT AND TO PROHIBIT A MAYOR FROM CONDUCTING A MAYOR'S COURT UNLESS THE MAYOR HAS BEEN ADMITTED TO THE PRACTICE OF LAW IN OHIO.

To the committee on Judiciary

**H.B. No. 622 - Representative Bocchieri, et al**

TO GRANT TAX CREDITS TO BUSINESSES THAT EMPLOY APPRENTICES.

To the committee on Health

**H.B. No. 626 - Representative Calvert**

TO REDUCE THE INCOME TAX RATE ON CAPITAL GAINS.

To the committee on Ways and Means

**Sub. S.B. No. 88 - Senator Coughlin, et al**

TO ESTABLISH A PILOT PROGRAM MANDATING ARBITRATION FOR CLAIMS OF MEDICAL NEGLIGENCE PRIOR TO THE FILING OF A COMPLAINT, TO SUSPEND, FOR NINE YEARS, SECTIONS 2711.21 TO 2711.24 OF THE REVISED CODE AS THE SECTIONS APPLY TO MEDICAL NEGLIGENCE CLAIMS, AND TO TERMINATE THE

PROVISIONS OF THIS ACT TEN YEARS AFTER THE EFFECTIVE DATE OF THIS ACT BY REPEALING SECTIONS 2339.01, 2339.02, 2339.03, 2339.04, 2339.05, 2339.06, 2339.07, 2339.08, 2339.09, 2339.10, 2339.11, 2339.12, 2339.13, 2339.14, 2339.15, AND 2339.16 OF THE REVISED CODE ON THAT DATE.

To the committee on Judiciary

**Sub. S.B. No. 126 - Senators Wachtmann, Stivers**

TO MODIFY THE LAWS GOVERNING COUNTY HOSPITALS.

To the committee on Health

**S.B. No. 290 - Senator Schuring, et al**

TO AUTHORIZE A DEFINITE JAIL TERM OF NOT MORE THAN ONE YEAR FOR PETTY THEFT IF THE OFFENDER, WITHIN FIVE YEARS OF THE OFFENSE, PREVIOUSLY HAS BEEN CONVICTED OF TWO OR MORE OFFENSES OF THEFT.

To the committee on Criminal Justice

**Sub. S.B. No. 305 - Senator Stivers, et al**

TO MODIFY REQUIREMENTS APPLIED TO DIFFERING TYPES OF HOTELS AND TO SPECIFY DUTIES OF LOCAL BOARDS OF HEALTH REGARDING SANITARY STANDARDS APPLICABLE TO HOTELS.

To the committee on Commerce and Labor

**S.B. No. 330 - Senator Schuler, et al**

TO DESIGNATE OCTOBER AS "GERMAN HERITAGE MONTH."

To the committee on State Government

JON A. HUSTED  
BILL COLEY  
KEVIN DEWINE  
JOHN SCHLICHTER  
GEOFFREY C. SMITH  
CHRIS REDFERN

JIM CARMICHAEL  
ANTHONY CORE  
LARRY L. FLOWERS  
ARLENE J. SETZER  
LARRY L. WOLPERT

Representative Carmichael 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 and Senate 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 and Senate 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 Concurrent Resolutions and Senate Concurrent Resolution be introduced and referred to the following committees for consideration:

**H. Con. R. No. 45 - Representatives Fende, Patton, S., Bocchieri, Chandler, Yuko, Strahorn, Otterman, Skindell, Perry, Williams, Beatty, Carano, Hartnett**

TO MEMORIALIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO DEMONSTRATE TO CONGRESS THAT IMPLEMENTING THE PROVISION OF THE MEDICARE PRESCRIPTION DRUG, IMPROVEMENT, AND MODERNIZATION ACT OF 2003, WHICH AUTHORIZES THE IMPORTATION OF PRESCRIPTION DRUGS FROM CANADA TO THE UNITED STATES, POSES NO RISKS TO THE PUBLIC HEALTH AND SAFETY AND REDUCES SIGNIFICANTLY THE COST OF PRESCRIPTION DRUGS TO AMERICAN CONSUMERS.

To the committee on Health

**H. Con. R. No. 47 - Representatives Woodard, Chandler, Stewart, D., Allen, Yuko, Yates, Fende, Perry, Evans, C., DeBose, Domenick, Skindell, Hoops, Hughes, Beatty, Patton, S., Harwood, DeGeeter**

TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO INCREASE NATIONAL INSTITUTES OF HEALTH FUNDING FOR ALZHEIMER'S DISEASE RESEARCH.

To the committee on Health

**S.Con.R. No. 30 - Senators Schuring, Dann, Hottinger, Coughlin, Fingerhut, Hagan, Mumper, Miller, R., Armbruster, Padgett, Zurz, Stivers, Fedor, Miller, D., Gardner, Spada, Kearney, Roberts, Grendell, Jacobson, Clancy**

REQUESTING THE SUPPORT OF THE OHIO CONGRESSIONAL DELEGATION FOR FEDERAL FUNDING FOR A TIER 1 ENVIRONMENTAL IMPACT STATEMENT FOR THE OHIO HUB PLAN, INCREASING PASSENGER AND FREIGHT RAIL CAPACITY IN OHIO.

To the committee on Economic Development and Environment

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Carmichael moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolutions were introduced and referred as recommended.

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. 218 - Representative Hughes, Flowers, J. McGregor, Reidelbach, Wolpert, G. Smith, Oelslager, D. Stewart, Mitchell, Beatty**  
HONORING RONNIE BOURQUIN AS THE 2006 BIG TEN  
CONFERENCE BASEBALL PLAYER OF THE YEAR.

**H.R. No. 219 - Representative Smith, G.**  
HONORING THE UPPER ARLINGTON HIGH SCHOOL BOYS  
LACROSSE TEAM ON WINNING THE 2006 DIVISION I STATE  
CHAMPIONSHIP.

Add the name: Flowers

**H.R. No. 220 - Representative Patton, T.**  
HONORING THE STRONGSVILLE HIGH SCHOOL BASEBALL TEAM  
AS THE 2006 DIVISION I STATE CHAMPION.

**H.R. No. 221 - Representatives Daniels, Schlichter**  
HONORING DANTE JACKSON AS A 2006 DIVISION II STATE TRACK  
AND FIELD CHAMPION.

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Carmichael 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.

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

Attest:

LAURA P. CLEMENS,  
Clerk.