

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, NOVEMBER 29, 2006

TWO HUNDRED THIRTY-FOURTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, November 29, 2006 at 1:30 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Father Kenneth Grimes of the St. Adrews Catholic Church in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

House members-elect of the 127th General Assembly.

Tim Neal, a guest of Representative Carmichael-3rd district.

Jonathan Petree, a guest of Representative T. Patton-18th district.

Sarah Cofer, a guest of Representative D. Stewart-25th district.

Ginger, Tom, and Mike Dosedel, Braiden Tom, guests of Representative DeWine-70th district.

Emily and Meredith Book, wife and daughter of Representative Book-89th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 693-Representatives Garrison, Beatty, Brown, Bocchieri, Fende, Perry.

To amend sections 6101.10 and 6101.70 of the Revised Code to revise the membership of the board of directors of a conservancy district that includes all or parts of more than sixteen counties by requiring the membership to consist of county commissioners from the counties comprising the district.

H. B. No. 694-Representative DeWine.

To amend sections 3517.13 and 3517.992 and to enact section 3517.093 of the Revised Code to limit solicitations of and political contributions by owners and certain family members of owners of businesses that are seeking or that have been awarded public contracts.

Said bills were considered the first time.

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

Representative Cassell submitted the following report:

The standing committee on Commerce and Labor to which was referred **Sub. S. B. No. 223**-Senator Niehaus, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: UNCLAIMED FUNDS REGISTER RECOVERERS OF

Representative Schaffer moved to amend the title as follows:

Add the names: "Representatives Combs, Collier, Widener, McGregor, J., Cassell."

THOM COLLIER	JIM MCGREGOR
TIMOTHY O. SCHAFFER	WILLIAM J. SEITZ
TIMOTHY J. CASSELL	L. GEORGE DISTEL
MIKE FOLEY	KENNY YUKO
COURTNEY COMBS	RONALD HOOD
SALLY CONWAY KILBANE	CHRIS WIDENER
DAN STEWART	

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 and Senate Bills be considered for the second time and referred to the following committees for consideration:

H.B. No. 683 - Representative Peterson

TO PROHIBIT FOR A THREE-YEAR PERIOD THE PERFORMANCE OF TRANSVERSE RECTUS ABDOMINIS MUSCLE (TRAM) FLAP PROCEDURES AND TO CREATE THE TRAM FLAP TASK FORCE TO STUDY THE SAFENESS AND EFFICACY OF THESE PROCEDURES.

To the committee on Health

H.B. No. 684 - Representative Fessler, et al

TO TOWNSHIP AND COUNTY TELECOMMUNICATION TOWER ZONING AUTHORITY.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 685 - Representative Faber, et al

TO REVISE THE PROCEDURES FOR RULE-MAKING HEARINGS AND FOR LEGISLATIVE REVIEW OF PROPOSED RULES, TO REQUIRE AGENCIES TO PAY A FEE UPON MAKING FILINGS FOR LEGISLATIVE REVIEW, AND TO REPEAL AN OBSOLETE PROVISION FOR LEGISLATIVE REVIEW OF RULES UPON ADOPTION.

To the committee on State Government

H.B. No. 686 - Representative Daniels, et al

TO REQUIRE INSURERS AND OTHER THIRD-PARTY PAYERS TO ACCEPT AND HONOR ASSIGNMENT-OF-BENEFIT AGREEMENTS ENTERED INTO BETWEEN PLAN BENEFICIARIES AND TREATING HEALTH CARE PROVIDERS OR REMIT PAYMENTS FOR SERVICES RENDERED BY THOSE PROVIDERS TO BENEFICIARIES DIRECTLY.

To the committee on Insurance

H.B. No. 687 - Representative DeGeeter

TO PROVIDE THAT THEFT OF A VEHICLE VALIDATION STICKER IS A FELONY OF THE FIFTH DEGREE.

To the committee on Criminal Justice

H.B. No. 690 - Representative Seitz

TO IMPLEMENT SECTION 34A, ARTICLE II, OF THE CONSTITUTION OF THE STATE OF OHIO AND TO DECLARE AN EMERGENCY.

To the committee on State Government

Am. Sub. S.B. No. 5 - Senators Hottinger, Harris

TO REGULATE DISCOUNT MEDICAL PLAN ORGANIZATIONS CONCERNING PROVIDER AGREEMENTS AND MARKETING, DISCLOSURE, CANCELLATION, AND REFUND REQUIREMENTS; TO MAKE CHANGES TO THE SMALL EMPLOYER HEALTH CARE ALLIANCES LAW AND THE SMALL EMPLOYER HEALTH BENEFIT PLANS LAW; AND TO LIMIT THE AMOUNT OF COPAYMENTS AND DEDUCTIBLES PAID BY PERSONS INSURED BY HEALTH BENEFIT PLANS.

To the committee on Insurance

Sub. S.B. No. 171 - Senator Coughlin, Zurz

TO CLARIFY THAT THE FORMER TOWNSHIP OF NORTHAMPTON IS NO LONGER WITHIN THE JURISDICTION OF THE AKRON MUNICIPAL COURT AND TO CREATE ONE ADDITIONAL JUDGE FOR THE SUMMIT COUNTY COURT OF COMMON PLEAS TO BE ELECTED IN 2006.

To the committee on Judiciary

JON A. HUSTED
CHARLES E. CALVERT
BILL COLEY
KEVIN DEWINE
JOHN SCHLICHTER
LARRY L. WOLPERT
TIMOTHY J. DEGEETER
JOSEPH KOZIURA
CHRIS REDFERN

CHARLES R. BLASDEL
JIM CARMICHAEL
ANTHONY CORE
LARRY L. FLOWERS
ARLENE J. SETZER
JOYCE BEATTY
WILLIAM J. HEALY
ROBERT J. OTTERMAN

Representative Blasdel 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 Resolutions be read by title only and approved:

H.R. No. 253 - Representative Daniels

HONORING DR. LAWRENCE N. DUKES ON HIS RETIREMENT.

H.R. No. 254 - Representative White, D.

HONORING THE ST. PAUL HIGH SCHOOL VOLLEYBALL TEAM AS THE 2006 DIVISION IV STATE CHAMPION.

H.R. No. 255 - Speaker Husted, Representatives Beatty, Aslanides, Blasdel, Blessing, Boccieri, Book, Brinkman, Brown, Bulp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Webster, D. White, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE CATHERINE L. BARRETT ON HER SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 256 - Speaker Husted, Representatives Beatty, Aslanides, Barrett, Blasdel, Blessing, Boccieri, Book, Brinkman, Brown, Bulp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S.

Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Webster, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE DAN WHITE ON HIS SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 257 - Speaker Husted, Representatives Beatty, Aslanides, Barrett, Blasdel, Blessing, Bocchieri, Book, Brinkman, Brown, Bulp, Buehrer, Calvert, Carano, Carmichael, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Webster, D. White, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE TIMOTHY J. CASSELL ON HIS SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 258 - Speaker Husted, Representatives Beatty, Aslanides, Barrett, Blasdel, Blessing, Bocchieri, Book, Brinkman, Brown, Bulp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Peterson, Raga, Raussen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Webster, D. White, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE JEANINE PERRY ON HER SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 259 - Speaker Husted, Representatives Beatty, Aslanides, Barrett, Blasdel, Blessing, Bocchieri, Book, Brinkman, Brown, Bulp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers,

Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Uecker, Ujvagi, Wagner, Wagoner, Webster, D. White, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE JAMES PETER TRAKAS ON HIS SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 260 - Speaker Husted, Representatives Beatty, Aslanides, Barrett, Blasdel, Blessing, Bocchieri, Book, Brinkman, Brown, Bulp, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Webster, D. White, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE STEPHEN BUEHRER ON HIS SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 261 - Speaker Husted, Representatives Beatty, Aslanides, Barrett, Blasdel, Blessing, Bocchieri, Book, Brinkman, Brown, Bulp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Webster, D. White, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE LINDA REIDELBACH ON HER SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 262 - Speaker Husted, Representatives Beatty, Aslanides, Barrett, Blasdel, Blessing, Bocchieri, Book, Brinkman, Brown, Bulp,

Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Webster, D. White, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE SHIRLEY A. SMITH ON HER SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 263 - Speaker Husted, Representatives Beatty, Aslanides, Barrett, Blasdel, Blessing, Bocchieri, Book, Brinkman, Brown, Bubp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Foley, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Luckie, Martin, Mason, J. McGregor, R. McGregor, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Webster, D. White, J. White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko

HONORING REPRESENTATIVE RANDY LAW ON HIS SERVICE TO THE OHIO HOUSE OF REPRESENTATIVES.

H.R. No. 264 - Representative Raussen

HONORING THE MOUNT NOTRE DAME HIGH SCHOOL GIRLS VOLLEYBALL TEAM ON WINNING THE 2006 DIVISION I STATE CHAMPIONSHIP.

/s/ JON A. HUSTED

Jon A. Husted, Chairman

Representative Blasdel 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.

Representative Carmichael moved that majority party members asking leave to be absent or absent the week of Tuesday, November 28, 2006, 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, November 28, 2006, 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. 546-Representatives Dolan, Boccieri, Trakas, Evans, D., Seitz, Setzer, Hartnett, Allen, Yuko, Walcher, Chandler, Collier, Cassell, Aslanides, Schlichter, Willamowski, Combs, Widener, McGregor, J., Patton, T., Book, Stewart, D..

To amend sections 3769.083 and 3769.085 and to enact section 3769.22 of the Revised Code to authorize the State Racing Commission to enter into the National Racing Compact in order to provide for the licensure and regulation of individuals involved in the horse racing industry in the Compact states in a specified manner, to change the definition of "Ohio foaled horse," to specify that a thoroughbred mare may leave Ohio for breeding purposes with the Commission's permission and if the mare returns immediately after that activity, to require that all investment earnings on cash balances in the Ohio Thoroughbred Race Fund be credited to the Fund, and to make changes relating to allocations from the Ohio Standardbred Development Fund for harness races, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

11/29/06

The Honorable Jon A. Husted, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Husted,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on **Sub. H. B. No. 546**-Representative Dolan, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ JIM HUGHES
JIM HUGHES
State Representative
22nd House District

The request was granted.

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Beatty	Blasdel	Blessing
Boccieri	Book	Brinkman	Brown
Bubp	Buehrer	Calvert	Carano
Carmichael	Cassell	Chandler	Coley
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Distel
Dolan	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fende	Fessler
Flowers	Foley	Garrison	Gibbs
Gilb	Hagan	Hartnett	Harwood
Healy	Hoops	Key	Kilbane
Koziura	Latta	Law	Luckie
Martin	McGregor J.	McGregor R.	Mitchell
Oelslager	Otterman	Patton S.	Patton T.
Perry	Peterson	Raga	Raussen
Redfern	Reidelbach	Reinhard	Sayre
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Skindell	Smith S.
Stewart D.	Stewart J.	Strahorn	Taylor
Trakas	Uecker	Ujvagi	Wagner
Wagoner	Webster	White D.	White J.
Widener	Widowfield	Willamowski	Williams
Wolpert	Yates	Yuko	Husted-92.

The bill passed.

Representative Dolan moved to amend the title as follows:

Add the names: "Beatty, Blessing, Brown, Carano, Carmichael, Coley, Daniels, DeBose, Domenick, Driehaus, Gibbs, Harwood, Hoops, Key, Luckie, Martin, McGregor, R., Otterman, Patton, S., Perry, Sayre, Schneider, Stewart, J., Uecker, Wagoner, Webster, White, J.."

The motion was agreed to and the title so amended.

The title as amended 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. 401 - Representatives Law, Flowers, Coley, Uecker, Patton, S., Bubp, Evans, D., Key, Perry, Sayre, Blessing, Book, Brown, DeBose, Distel, Dolan, Domenick, Driehaus, Fende, Hagan, Harwood, Hughes, Koziura, Martin, McGregor, J., Otterman, Patton, T., Reed, Reidelbach, Schaffer, Setzer, Smith, G., Stewart, D., Wagoner, Widener, Williams, Yuko
Senators Cates, Grendell, Armbruster, Niehaus, Mumper, Miller, D., Fedor, Kearney, Austria, Roberts, Stivers

To amend sections 505.38, 737.08, 737.22, 3737.66, 4765.01, 4765.04, 4765.49, and 4765.55 of the Revised Code to provide for the adoption of rules governing firefighter training.

Attest:

David A. Battocletti,
Clerk.

On motion of Representative Blasdel, the House recessed.

The House met pursuant to recess.

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. 347 - Representatives Aslanides, Buehrer, Latta, Webster, Garrison, Hagan, Reidelbach, Schneider, Raga, Faber, Schlichter, Stewart, J., Seaver, Evans, D., Setzer, Carano, Gibbs, Willamowski, Patton, T., Reinhard, Allen, Raussen, Fessler, Bubp, Daniels, Uecker, Hoops, McGregor, J., Seitz, Law, Peterson, Hood, Cassell, Collier, Schaffer, Domenick, Combs, Taylor, Blasdel, Oelslager, White, Carmichael, Flowers, Gilb, Distel, Wagoner, Blessing, Book, Brinkman, Calvert, Coley, Core, DeWine, Evans, C., Hartnett, Martin, McGregor, R., Redfern, Sayre, Wolpert, Yuko
Senators Clancy, Grendell, Amstutz, Austria, Cates, Harris, Hottinger, Jordan, Mumper, Niehaus, Padgett, Schuring, Wachtmann, Carey

To amend sections 109.71, 109.731, 109.801, 311.41, 1547.69, 2903.11, 2903.12, 2903.13, 2913.01, 2913.02, 2923.12, 2923.121, 2923.122, 2923.123,

2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 2923.1210, 2923.1213, and 2923.16 and to enact section 9.68 of the Revised Code to revise the laws regarding licenses to carry a concealed handgun, the issuance of such licenses, and the authority to carry a concealed handgun under such a license; to provide exemptions from certain carrying of firearms-related offenses for persons in compliance with the Ohio Peace Officer Training Commission's firearms requalification program and revise the list of persons who must comply with that program; to include Bureau of Criminal Identification and Investigation investigators as "peace officers" for certain purposes; to increase to a felony of the first degree the penalty for theft of a firearm or dangerous ordnance from a federally licensed firearms dealer; to expand the restrictions imposed upon persons issued a license to carry a concealed handgun who are carrying a concealed handgun and are stopped for a law enforcement purpose; to revise the penalty for the offenses of carrying concealed weapons and improperly handling firearms in a motor vehicle when committed in certain circumstances; to provide that retired peace officers who satisfy certain specified criteria, including firearms requalification within the preceding year, have the same right to carry a concealed handgun as persons issued a license to carry a concealed handgun and are subject to the same restrictions that apply to persons who carry such a license; to revise the manners in which persons issued a license to carry a concealed handgun may lawfully have a loaded handgun in a motor vehicle; to impose notification duties upon persons issued a license to carry a concealed handgun when in a commercial motor vehicle approached by an employee of the State Highway Patrol's Motor Carrier Enforcement Unit; to provide an increased penalty for felonious assault, aggravated assault, or assault committed against a Bureau of Criminal Identification and Investigation investigator; and to identify the right of any person, except as provided in the U.S. or Ohio Constitution, federal law, or Revised Code, to own, possess, purchase, sell, transfer, transport, store, or keep a firearm, part of a firearm, firearm component, or ammunition.

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

Attest:

David A. Battocletti,
Clerk.

Pursuant to Joint Rule 16, Representative Blasdel moved that the Senate amendments to **Sub. H.B. No. 347** - Representative Aslanides et al., be taken up for immediate consideration.

The motion was agreed to without objection.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 347**-Representative Aslanides, et al., were taken up for consideration.

Sub. H. B. No. 347-Representatives Aslanides, Buehrer, Latta, Webster, Garrison, Hagan, Reidelbach, Schneider, Raga, Faber, Schlichter, Stewart, J., Seaver, Evans, D., Setzer, Carano, Gibbs, Willamowski, Patton, T., Reinhard, Allen, Raussen, Fessler, Bubp, Daniels, Uecker, Hoops, McGregor, J., Seitz, Law, Peterson, Hood, Cassell, Collier, Schaffer, Domenick, Combs, Taylor, Blasdel, Oelslager, White, Carmichael, Flowers, Gilb, Distel, Wagoner, Blessing, Book, Brinkman, Calvert, Coley, Core, DeWine, Evans, C., Hartnett, Martin, McGregor, R., Redfern, Sayre, Wolpert, Yuko. -Senators Clancy, Grendell, Amstutz, Austria, Cates, Harris, Hottinger, Jordan, Mumper, Niehaus, Padgett, Schuring, Wachtmann, Carey.

To amend sections 109.71, 109.731, 109.801, 311.41, 1547.69, 2903.11, 2903.12, 2903.13, 2913.01, 2913.02, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 2923.1210, 2923.1213, and 2923.16 and to enact section 9.68 of the Revised Code to revise the laws regarding licenses to carry a concealed handgun, the issuance of such licenses, and the authority to carry a concealed handgun under such a license; to provide exemptions from certain carrying of firearms-related offenses for persons in compliance with the Ohio Peace Officer Training Commission's firearms requalification program and revise the list of persons who must comply with that program; to include Bureau of Criminal Identification and Investigation investigators as "peace officers" for certain purposes; to increase to a felony of the first degree the penalty for theft of a firearm or dangerous ordnance from a federally licensed firearms dealer; to expand the restrictions imposed upon persons issued a license to carry a concealed handgun who are carrying a concealed handgun and are stopped for a law enforcement purpose; to revise the penalty for the offenses of carrying concealed weapons and improperly handling firearms in a motor vehicle when committed in certain circumstances; to provide that retired peace officers who satisfy certain specified criteria, including firearms requalification within the preceding year, have the same right to carry a concealed handgun as persons issued a license to carry a concealed handgun and are subject to the same restrictions that apply to persons who carry such a license; to revise the manners in which persons issued a license to carry a concealed handgun may lawfully have a loaded handgun in a motor vehicle; to impose notification duties upon persons issued a license to carry a concealed handgun when in a commercial motor vehicle approached by an employee of the State Highway Patrol's Motor Carrier Enforcement Unit; to provide an increased penalty for felonious assault, aggravated assault, or assault committed against a Bureau of Criminal Identification and Investigation investigator; and to identify the right of any person, except as provided in the U.S. or Ohio Constitution, federal law, or Revised Code, to own, possess, purchase, sell, transfer, transport, store, or

keep a firearm, part of a firearm, firearm component, or ammunition.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 74, nays 14, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bocchieri
Brinkman	Bubp	Buehrer	Calvert
Carano	Carmichael	Cassell	Chandler
Coley	Collier	Combs	Core
Daniels	DeWine	Distel	Dolan
Domenick	Driehaus	Evans C.	Evans D.
Faber	Fende	Fessler	Flowers
Garrison	Gibbs	Gilb	Hagan
Hartnett	Healy	Hoops	Hughes
Kilbane	Latta	Law	Luckie
Martin	McGregor J.	McGregor R.	Otterman
Patton T.	Perry	Peterson	Raga
Rausen	Redfern	Reidelbach	Reinhard
Sayre	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Stewart J.
Taylor	Trakas	Uecker	Wagner
Wagoner	Webster	White D.	White J.
Widener	Widowfield	Willamowski	Wolpert
Yuko			Husted-74.

Those who voted in the negative were: Representatives

Beatty	Brown	DeBose	DeGeeter
Foley	Key	Koziura	Mitchell
Skindell	Stewart D.	Strahorn	Ujvagi
Williams			Yates-14.

The Senate amendments were concurred in.

On motion of Representative Blasdel, the House adjourned until Thursday, November 30, 2006 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.