

OHIO

House

of

Representatives

JOURNAL

TUESDAY, JANUARY 8, 2008

ONE HUNDRED TWENTY-FOURTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, January 8, 2008, 11:00 o'clock a.m.

The House met pursuant to adjournment.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 422-Representative Setzer.

Cosponsors: Representatives McGregor, J., Evans, Yuko, Harwood, Goodwin, DeBose.

To create the Water Resources and Economic Development Study Committee.

H. B. No. 423-Representative Setzer.

To amend sections 3319.55, 4117.08, and 4117.09 and to enact sections 3317.141 and 5126.241 of the Revised Code to revise the eligibility for the state stipends to National Board certified teachers; to permit school districts, educational service centers, and county MR/DD boards to pay wage rate differentials above their regular salary schedules for certain teachers; and to specify that teacher wage rate differentials, the length of the school year, and the length of the school day are not subjects for collective bargaining.

H. B. No. 424-Representative Setzer.

Cosponsors: Representatives Webster, Wagoner, Combs.

To amend sections 3302.01, 3302.021, 3302.03, 3302.031, 3302.04, 3312.04, 3313.6013, 3365.02, 3365.03, 3365.05, 3365.07, and 3365.08 and to enact sections 3313.6015, 3365.022, and 3365.15 of the Revised Code to eliminate the performance index score as a factor in school district and building performance ratings, to make changes in the Post-Secondary Enrollment Options Program, and to make changes in the requirement that schools offer dual enrollment programs.

H. B. No. 425-Representatives Fessler, DeBose.

Cosponsors: Representatives Domenick, Koziura, Harwood, Brown, Williams, B., Boyd.

To amend section 4510.01 and to enact section 4511.204 of the Revised Code to prohibit driving a vehicle while text messaging or typing on a mobile

communication device and to establish the violation as a secondary traffic offense.

H. B. No. 426-Representative DeBose.

To amend section 2744.02 and to enact section 3327.101 of the Revised Code to require a person employed as a driver of a school bus or motor van to maintain control of the pupils on that school bus or motor van and to provide an exception to political subdivision sovereign immunity if injury, death, or loss to person or property results from the failure of the driver of a school bus or motor van to maintain control of the pupils on that school bus or motor van.

Said bills were considered the first time.

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

Representative Koziura 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. 408 - Representatives Dyer and Chandler, et al

TO DESIGNATE THAT PART OF INTERSTATE 76 WITHIN BRIMFIELD TOWNSHIP, IN PORTAGE COUNTY, AS "THE LUKE 'DOC' EMCH AND MATT 'DOC' CONTE CORPSMEN MEMORIAL HIGHWAY."

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 409 - Representative Batchelder, et al

TO REQUIRE THAT COMMERCIAL DRIVER'S LICENSE TESTS BE GIVEN IN ENGLISH.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 410 - Representative Miller, et al

TO CREATE THE SICKLE CELL ANEMIA ADVISORY COMMITTEE.

To the committee on Health

H.B. No. 411 - Representative Miller, et al

TO DESIGNATE THE MONTH OF NOVEMBER AS "OMEGA PSI PHI MONTH."

To the committee on State Government and Elections

H.B. No. 412 - Representative Miller, et al

TO CREATE "SICKLE CELL ANEMIA AWARENESS" LICENSE PLATES.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 413 - Representative Ujvagi, et al

TO AUTHORIZE REGISTERED NURSES TO DETERMINE AND

PRONOUNCE DEATH.

To the committee on Health

H.B. No. 414 - Representative Latta, et al

TO MODIFY WHEN A DEFENDANT WHO IS ACCUSED OF COMMITTING AN OFFENSE OF VIOLENCE AGAINST A FAMILY OR HOUSEHOLD MEMBER MUST PERSONALLY APPEAR FOR THE SETTING OF BAIL.

To the committee on Criminal Justice

H.B. No. 415 - Representatives Blessing and Domenick, et al

TO INCREASE THE PENALTY FOR ANIMAL FIGHTING, INCLUDING COCKFIGHTING AND DOGFIGHTING.

To the committee on Criminal Justice

H.B. No. 416 - Representative Dolan, et al

TO RATIFY THE GREAT LAKES-ST. LAWRENCE RIVER BASIN WATER RESOURCES COMPACT AND TO ESTABLISH RELATED REQUIREMENTS.

To the committee on Economic Development and Environment

H.B. No. 417 - Representative Batchelder

TO DESIGNATE FEBRUARY 6 AS "RONALD REAGAN DAY."

To the committee on State Government and Elections

H.B. No. 418 - Representatives Combs and B. Williams, et al

TO REVISE THE PENALTIES AND SENTENCING PROVISIONS REGARDING VIOLATIONS OF THE CRUELTY TO ANIMALS STATUTES AND TO INCLUDE THE PROTECTION OF COMPANION ANIMALS IN TEMPORARY PROTECTION ORDERS, DOMESTIC VIOLENCE PROTECTION ORDERS, ANTI-STALKING PROTECTION ORDERS, AND RELATED PROTECTION ORDERS, AND TO AMEND THE VERSION OF SECTION 2152.19 OF THE REVISED CODE THAT IS SCHEDULED TO TAKE EFFECT ON JANUARY 1, 2008, TO CONTINUE THE PROVISIONS OF THIS ACT ON AND AFTER THAT EFFECTIVE DATE.

To the committee on Criminal Justice

H.B. No. 419 - Representative Foley, et al

TO CREATE THE OFFENSE OF INTIMIDATION OF A HOMELESS PERSON.

To the committee on Criminal Justice

H.B. No. 420 - Representative Brinkman, et al

TO PROMOTE TRANSPARENCY WITH RESPECT TO STATE SPENDING BY REQUIRING THAT CERTAIN INFORMATION ON STATE AWARDS AND EARMARKS, STATE REAL PROPERTY MANAGEMENT, STATE AGENCY MANAGEMENT, AND STATE PROGRAM EFFECTIVENESS BE COLLECTED AND MADE AVAILABLE ON-LINE.

To the committee on State Government and Elections

Sub. S.B. No. 217 - Senator Kearney, et al

TO DESIGNATE THE SATURDAY BEFORE THANKSGIVING AS "ADOPTION DAY" AND TO DECLARE AN EMERGENCY.

To the committee on State Government and Elections

Sub. S.B. No. 241 - Senator Cates, et al

TO MODIFY THE LAW GOVERNING PAYMENT OF COUNTY EXPENSES BY A FINANCIAL TRANSACTION DEVICE.

To the committee on Financial Institutions, Real Estate and Securities

Sub. S.B. No. 185 - Senator Schuler, et al

TO REVISE CERTAIN LAWS GOVERNING PUBLIC LIBRARIES, TO CHANGE THE NAME OF THE LIBRARY AND LOCAL GOVERNMENT SUPPORT FUND, AND TO CODIFY THE CREATION OF THE OHIO PUBLIC LIBRARY INFORMATION NETWORK.

To the committee on State Government and Elections

Am. S.B. No. 192 - Senators Gardner, Carey, Niehaus, Coughlin, Harris, Spada

TO PERMIT THE BOARD OF HEALTH OF A HEALTH DISTRICT TO ENTER INTO A CONTRACT WITH A BOARD OF COUNTY COMMISSIONERS TO AUTHORIZE THE COUNTY BUILDING DEPARTMENT TO INSPECT PLUMBING IN ANY TYPE OF BUILDING FOR WHICH THE COUNTY DEPARTMENT IS CERTIFIED AND TO PERMIT THE BOARD OF HEALTH OF A HEALTH DISTRICT TO ENTER INTO A CONTRACT WITH THE BOARD OF HEALTH OF ANOTHER HEALTH DISTRICT FOR THE INSPECTION OF PLUMBING WITHIN THE FIRST BOARD'S DISTRICT.

To the committee on Local and Municipal Government and Urban Revitalization

S.B. No. 219 - Senator Schuring, et al

TO MAKE THE PERIOD OF LIMITATION FOR THE CRIMINAL PROSECUTION OF A PERSON FOR AN OFFENSE DIRECTLY RELATED TO MISCONDUCT IN OFFICE OF A PUBLIC SERVANT THE SAME AS THE PERIOD OF LIMITATION FOR THE CRIMINAL PROSECUTION OF THAT PUBLIC SERVANT FOR THE OFFENSE INVOLVING THE PUBLIC SERVANT'S MISCONDUCT IN OFFICE.

To the committee on Criminal Justice

S.B. No. 240 - Senators Grendell, Cates, Fedor, Harris, Wilson

TO ADOPT THE SPOTTED SALAMANDER AS THE STATE AMPHIBIAN.

To the committee on State Government and Elections

JON A. HUSTED
ARLENE J. SETZER
JOYCE BEATTY

KEVIN DEWINE
LARRY L. WOLPERT
JOSEPH KOZIURA

Representative Uecker 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 the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Koziura reported for the Rules and Reference Committee recommending that the following House Concurrent Resolutions be introduced and referred to the following committees for consideration:

H. Con. R. No. 37 - Representatives Harwood, Skindell, Ujvagi, McGregor, R., Lundy, Hagan, R., Evans, Peterson, Foley, Gerberry, DeGeeter, McGregor, J., Fende, Brady, Flowers, Brown, Dodd, Budish, Bacon, Williams, S., Oelslager, Wagoner, Hughes, Williams, B., Letson, Yates, Chandler, Strahorn, Stebelton, Luckie, Yuko, Szollosi, Bolon
TO MEMORIALIZE THE UNITED STATES POSTAL SERVICE TO
ISSUE A COMMEMORATIVE UNITED STATES POSTAGE STAMP
HONORING AMERICA'S STEELWORKERS.

To the committee on State Government and Elections

H. Con. R. No. 38 - Representative Jones
TO DESIGNATE THE WEEK OF APRIL 13 TO 19, 2008, AS
"CONTRACT MANAGEMENT WEEK."

To the committee on State Government and Elections

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Uecker 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 Koziura reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

H.R. No. 113 – Representative Daniels
HONORING THE BLANCHESTER FFA AS A NATIONAL MODEL OF
INNOVATION WINNER.

H.R. No. 114 – Representatives Beatty, Hughes, Bacon, Celeste, Flowers, Heard, McGregor, J., Stewart, D., Wolpert

HONORING PAUL WARFIELD TIBBETS, JR. FOR OUTSTANDING LIFETIME ACCOMPLISHMENT.

H.R. No. 115 – Speaker Husted

HONORING THE ARCHBISHOP ALTER HIGH SCHOOL GIRLS CROSS COUNTRY TEAM AS THE 2007 DIVISION II STATE CHAMPION.

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Uecker 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.

Clerk's Notation

In accordance with the provisions of Article II, Section 1b and 1g, of the Ohio Constitution and Ohio Revised Code sections 3519, the Secretary of State has transmitted to my office, on January 8, 2008, a petition seeking to initiate a statute entitled "The Ohio Healthy Families Act." This petition contains the required number of valid signatures as certified by the Secretary of State, which warrants the filing of said proposed law with the General Assembly.

On motion of Representative Uecker, the House adjourned until Wednesday, January 9, 2008 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.