

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, JANUARY 23, 2008

ONE HUNDRED THIRTIETH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, January 23, 2008, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Peter J. Foxx of the Calvary Bible Church in Columbus, 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:

Bart Tanski received H. R. 107, presented by Representative Schindel-63rd district.

The Big Walnut High School football team received H. R. 126, presented by Representative Peterson-2nd district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 444-Representative Stewart, J.
Cosponsors: Representatives Szollosi, Luckie.

To amend sections 4740.01, 4740.02, 4740.04, and 4740.07 and to enact section 4740.16 of the Revised Code to make changes to the construction industry licensing laws to discipline unlicensed contractors and eliminate unlicensed contractor activity.

H. B. No. 445-Representative Schlichter.

To require adjustments in a school district's state education aid and Classroom Facilities Assistance Program rankings to correct certifications of tax-exempt property erroneously treated as taxable property.

H. B. No. 446-Representative Webster.
Cosponsors: Representatives Evans, Setzer, Combs, Skindell, Yuko.

To amend sections 951.01, 951.10, 951.11, 951.12, 951.13, 951.99, 955.01, 955.011, 955.02, 955.04, 955.05, 955.06, 955.08, 955.10, 955.11, 955.12, 955.14, 955.15, 955.16, 955.17, 955.18, 955.19, 955.20, 955.201, 955.21, 955.22, 955.23, 955.26, 955.261, 955.27, 955.28, 955.29, 955.32, 955.34, 955.35, 955.37, 955.38, 955.42, 955.44, 955.50, 955.51, 955.52, 955.53, 955.99, 957.16, 959.131, 959.99, 1717.02, 1717.05, 1717.06, 1717.08, 1717.09, 1717.14, 3719.01, 4501.21, 4729.01, and 4736.01; to amend, for the

purpose of adopting new section numbers as indicated in parentheses, sections 955.26 (955.40), 955.261 (955.41), 955.34 (955.351), 955.41 (955.43), 955.43 (955.45), 955.44 (955.46), and 957.16 (901.36); to enact new section 955.39 and sections 109.804, 951.20, 951.21, 951.22, 955.014, 955.13, 955.161, 957.01, 957.02, 957.03, 957.04, 957.05, 957.06, and 957.99; and to repeal sections 951.02, 955.202, 955.31, 955.33, 955.39, 955.40, 1717.03, and 1717.04 of the Revised Code to revise the statutes governing animal control.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Distel submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 281**-Representative Schlichter, et al., having had the same under consideration, reports it back and recommends its passage.

RE: DETERMINE FAIR MARKET VALUE OF ANIMAL KILLED BY DOG

Representative Aslanides moved to amend the title as follows:

Add the names: "Domenick, Evans."

- | | |
|------------------|------------------------|
| JOHN SCHLICHTER | CLYDE EVANS |
| BOB GIBBS | SANDRA STABILE HARWOOD |
| JEFF WAGNER | TYRONE K. YATES |
| TRACY HEARD | JIM ASLANIDES |
| MARK D. OKEY | L. GEORGE DISTEL |
| CLAYTON LUCKIE | JAMES ZEHRINGER |
| BRUCE W. GOODWIN | STEVE REINHARD |
| ANTHONY CORE | CLIFF HITE |
| ALLAN R. SAYRE | JOHN DOMENICK |
| MATT HUFFMAN | |

The report was agreed to.

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

Representative Distel submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 352**-Representative Patton, having had the same under consideration, reports it back and recommends its passage.

RE: ALPACAS AS AGRICULTURAL ANIMAL

Representative Aslanides moved to amend the title as follows:

Add the names: "Schlichter, Gibbs, Aslanides, Sayre, Okey, Luckie,

Domenick."

JOHN SCHLICHTER
BOB GIBBS
JEFF WAGNER
JOHN DOMENICK
L. GEORGE DISTEL
TRACY HEARD
BRUCE W. GOODWIN
ALLAN R. SAYRE
DAN DODD

CLAYTON LUCKIE
SANDRA STABILE HARWOOD
CLYDE EVANS
JIM ASLANIDES
JAMES ZEHRINGER
STEVE REINHARD
CLIFF HITE
MARK D. OKEY
MATT HUFFMAN

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Schneider moved that majority party members asking leave to be absent or absent the week of Wednesday, January 23, 2008, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Strahorn moved that minority party members asking leave to be absent or absent the week of Wednesday, January 23, 2008, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative DeWine moved that the following concurrent resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. C. R. No. 39-Speaker Husted, Representative Beatty.

Authorizing a joint convention of the Ohio General Assembly for the purpose of receiving a message from the Governor and calling for a committee to wait upon the Governor in anticipation of his State of the State Address.

WHEREAS, The members of the 127th General Assembly of Ohio, by adoption of this Resolution, call for a joint session of the legislature, to be held in the House Chambers of the Ohio Statehouse, February 6, 2008 at 12:00 o'clock p.m.; and

WHEREAS, The Ohio General Assembly annually convenes a joint session of the House and Senate for the purpose of receiving a message from the Governor as to the State of the State; and

WHEREAS, The members of the 127th General Assembly of Ohio, by adoption of the Resolution, call for a committee of nine on the part of the House of Representatives and eight on the part of the Senate to be appointed to wait upon the Governor in anticipation of his State of the State Address, February 6, 2008 at 12:00 o'clock p.m.; and

WHEREAS, It is a tradition of courtesy for the Ohio General Assembly to appoint a committee to wait upon the Governor; therefore be it

RESOLVED, That we, the members of the 127th General Assembly of Ohio, in adopting this Resolution, authorize a joint convention of the legislature to be held in the House Chambers of the Ohio Statehouse, Columbus, February 6, 2008 at 12:00 o'clock p.m., for the purpose of welcoming the Governor, the Honorable Ted Strickland, and receiving his message on the State of the State; and be it further

RESOLVED, That we, the members of the 127th General Assembly of Ohio, in adopting this Resolution, call for a committee of nine on the part of the House of Representatives and eight on the part of the Senate to be appointed to wait upon the Governor; and be it further

RESOLVED, That the rules and customs of the House shall be observed during the use of the House Chambers; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit duly authenticated copies of this Resolution to Governor Ted Strickland and to the news media of Ohio.

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

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Dodd	Dolan
Domenick	Driehaus	Dyer	Fende
Fessler	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Koziura	Letson	Luckie
Lundy	Mallory	McGregor J.	McGregor R.
Mecklenborg	Miller	Oelslager	Okey
Otterman J.	Patton	Peterson	Raussen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Webster	Widener

Widowfield Yates	Williams B. Yuko	Williams S. Zehringer	Wolpert Husted-92.
---------------------	---------------------	--------------------------	-----------------------

The concurrent resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Am. Sub. S. B. No. 157-Senator Buehrer.

Cosponsors: Senators Carey, Faber, Goodman, Mason, Boccieri, Clancy, Fedor, Harris, Miller, R., Morano, Mumper, Niehaus, Padgett, Schuler, Spada, Wilson, Miller, D., Smith, Stivers. Representatives Blessing, Coley, Harwood, Okey, Flowers, Bacon.

To amend sections 1337.09, 2109.21, 2111.02, 2111.121, 2307.14, 5305.22, 5711.05, 5711.07, 5907.06, and 5907.09 of the Revised Code to specifically authorize a person to designate a guardian for the person's incompetent adult child and to make corrections regarding incompetent and mentally ill persons, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Dodd	Dolan
Domenick	Driehaus	Dyer	Fende
Fessler	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Koziura	Letson	Luckie
Lundy	Mallory	McGregor J.	McGregor R.
Mecklenborg	Miller	Oelslager	Okey
Otterman J.	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Webster	Widener
Widowfield	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-92.

The bill passed.

Representative Blessing moved to amend the title as follows:

Add the names: "Batchelder, Beatty, Bolon, Book, Boyd, Brown, Budish, Celeste, Chandler, Collier, Combs, DeBose, DeGeeter, Distel, Domenick, Driehaus, Dyer, Fessler, Garrison, Goodwin, Hughes, Letson, Luckie, McGregor, J., Mecklenborg, Oelslager, Otterman, Patton, Raussen, Sayre, Schindel, Schneider, Setzer, Skindell, Stebelton, Strahorn, Williams, S., Yates, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 244-Representative Brinkman.

Cosponsors: Representatives Flowers, Mallory, Uecker, Chandler, Wagner.

To amend sections 515.04, 515.05, 515.08, 515.11, 515.12, and 515.15 and to enact section 515.16 of the Revised Code to authorize townships to relocate underground overhead cables, wires, and appurtenant equipment upon petition; to pay for a relocation by assessing abutting and otherwise specially benefited properties; to collect interest on unpaid assessments for an underground relocation project or an artificial lighting district project; and to exempt townships from liability for outages or other damage caused by a relocation project, and to exempt the owners of the cables, wires, and appurtenant equipment from liability, unless the outage or other damage was caused by the owner's negligence, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

- | | | | |
|-------------|-----------|-------------|-------------|
| Adams | Aslanides | Bacon | Barrett |
| Batchelder | Beatty | Blessing | Bolon |
| Book | Boyd | Brady | Brinkman |
| Brown | Budish | Carmichael | Celeste |
| Chandler | Coley | Collier | Combs |
| Core | Daniels | DeBose | DeGeeter |
| DeWine | Distel | Dodd | Dolan |
| Domenick | Driehaus | Dyer | Fende |
| Fessler | Flowers | Foley | Gardner |
| Garrison | Gerberry | Gibbs | Goodwin |
| Goyal | Hagan J. | Hagan R. | Harwood |
| Heard | Hite | Hottinger | Huffman |
| Hughes | Koziura | Letson | Luckie |
| Lundy | Mallory | McGregor J. | McGregor R. |
| Mecklenborg | Miller | Oelslager | Okey |
| Otterman J. | Patton | Peterson | Raussen |
| Redfern | Reinhard | Sayre | Schindel |

Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Webster	Widener
Widowfield	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-92.

The bill passed.

Representative Brinkman moved to amend the title as follows:

Add the names: "Bacon, Batchelder, Blessing, Combs, Daniels, Dolan, Domenick, Dyer, Fessler, Gardner, Hagan, R., Hite, Hughes, Koziura, McGregor, J., Mecklenborg, Patton, Schindel, Schneider, Sears, Setzer, Williams, B., Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

Pursuant to Ohio Revised Code section 4781.02, the Speaker hereby re-appoints public member Dan Rolfes to the Ohio Manufactured Homes Commission.

On motion of Representative DeWine, the House adjourned until Thursday, January 24, 2008 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.