

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**TUESDAY, JANUARY 29, 2008**

ONE HUNDRED THIRTY-SECOND DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, January 29, 2008, 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Pastor Edwin Lewis of the Columbia Heights Church in Galloway, 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:

The Blanchester FFA received H. R. No. 113, presented by Representative Daniels-86th district.

Todd Eisinger received H. R. No. 101, presented by Representative B. Williams-41st district.

Matt Castelli, a guest of Representative DeGeeter-15th district.

Don Meel and Steve Loomis, guests of Representative Patton-18th district.

Eighth grade students from St. Matthew's School, guests of Representative J. McGregor-20th district.

Liberty Schindel and Amanda Kruze, guests of Representative Schindel-63rd district.

Bill and Janet Knapke, guests of Representative Zehringer-77th district.

Jewell Chappel, a guest of Representative Distel-99th district.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 451**-Representatives Goyal, Hite.

Cosponsors: Representatives Setzer, Peterson, Mallory, Letson, Gardner, Budish, Yuko, Dodd, Sayre, Skindell, Hughes, Flowers, Harwood, Brown, Stebelton, Williams, S., Williams, B., Combs, Domenick, McGregor, J., Sears, Hottinger, Bacon, McGregor, R., Barrett, Goodwin, Zehringer, Adams, Huffman, Uecker, Wagner, Schlichter, Webster, Batchelder, Celeste.

To amend section 4501.21 and to enact section 4503.494 of the Revised Code to create "Multiple Sclerosis Awareness" license plates.

**H. B. No. 452**-Representative Book.

To calculate an alternate equity list for fiscal year 2008 for purposes of determining school districts' eligibility for assistance under the Classroom

Facilities Assistance Program and their local shares in fiscal year 2009.

**H. B. No. 453**-Representative Bacon.

Cosponsors: Representatives Setzer, McGregor, J., Evans, Yuko, Flowers, Wagner, Fessler, Sears, Gardner, Collier.

To enact sections 505.59 and 753.022 of the Revised Code regarding liability for medical care provided to persons imprisoned in a municipal corporation's institution or in the custody of a municipal corporation's law enforcement officer.

**H. B. No. 454**-Representative Brady.

Cosponsors: Representatives Brown, Harwood, Heard, Letson, Luckie, Lundy, Skindell, Stewart, D., Strahorn, Williams, B., Yuko.

To amend sections 3313.41, 3314.013, 3314.014, 3314.02, 3314.021, 3314.051, and 3318.08, to enact section 3314.027, and to repeal sections 3314.016 and 3314.017 of the Revised Code to establish a moratorium on new "brick and mortar" community schools until July 1, 2010, to require community school operators to be nonprofit entities, and to eliminate the requirement that school districts offer property suitable for classroom space for sale to community schools under certain conditions.

**H. B. No. 455**-Representatives Ujvagi, Gardner.

Cosponsors: Representatives Huffman, Hagan, R., McGregor, J., Yuko, Brown, Lundy, Szollosi, Barrett.

To amend sections 149.311, 5725.151, 5733.47, and 5747.76 and to enact section 5703.75 of the Revised Code to authorize a county that is issued a historic building rehabilitation tax credit certificate to assign the certificate to another person.

**H. B. No. 456**-Representative Raussen.

Cosponsors: Representatives Huffman, Peterson, Wolpert, Blessing, Widowfield.

To amend sections 9.901, 1731.03, 1731.05, 1731.09, 1751.14, 1751.15, 1751.16, 3313.814, 3901.386, 3923.05, 3923.122, 3923.24, 3923.58, 3923.581, 3924.01, 3924.02, 3924.06, 3924.73, 4121.44, 4121.441, 4123.29, 4715.22, 4715.23, 4715.39, 4715.64, 5111.162, 5112.08, 5725.24, 5729.03, 5747.01, 5747.08, and 5747.98; to enact sections 185.01, 185.02, 185.03, 185.04, 185.05, 185.06, 185.07, 185.08, 185.09, 185.10, 1753.281, 3314.181, 3702.302, 3702.303, 3702.304, 3702.305, 3727.51, 3923.241, 3923.641, 3923.651, 3923.80, 3923.85, 3923.86, 3923.87, 3923.88, 3923.89, 3923.90, 3923.91, 3923.92, 4123.292, 4715.221, 4715.222, 4715.223, 4715.224, 4715.225, 4715.226, 4715.227, 4715.228, 4715.229, 4715.2210, 5101.90,

5101.91, 5101.92, 5101.93, 5101.94, 5101.95, 5120.052, 5139.031, and 5747.81; and to repeal sections 3923.59, 3924.07, 3924.08, 3924.09, 3924.10, 3924.11, 3924.111, 3924.12, 3924.13, and 3924.14 of the Revised Code to establish Ohio CARE and to amend section 5112.08 of the Revised Code to limit or deny funds under the Hospital Care Assurance Program to a hospital that fails to contract with Medicaid managed care organizations and to provide that these provisions of this act terminate on October 16, 2009, when section 5112.08 of the Revised Code is repealed on that date.

Said bills were considered the first time.

### BILLS FOR THIRD CONSIDERATION

#### Sub. S. B. No. 148-Senator Faber.

Cosponsors: Senators Mumper, Harris, Miller, R., Morano, Niehaus, Sawyer, Seitz, Smith, Wilson, Padgett, Amstutz, Spada. Representatives Hite, Zehringer.

To amend sections 3309.33, 3309.34, 3309.36, 3309.38, and 3309.381 of the Revised Code to revise retirement eligibility requirements for members of the School Employees Retirement System, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 88, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Bacon	Barrett	Batchelder	Beatty
Blessing	Bolon	Book	Boyd
Brady	Brinkman	Brown	Budish
Carmichael	Celeste	Coley	Collier
Core	Daniels	DeBose	DeGeeter
DeWine	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Fessler	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	McGregor J.
McGregor R.	Mecklenborg	Oelslager	Okey
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Sears	Setzer	Skindell	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Widowfield	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-88.

Representatives Chandler and Otterman J. voted in the negative-2.

The bill passed.

Representative Zehringer moved to amend the title as follows:

Add the names: "Boyd, Coley, Evans, Flowers, Gibbs, Wolpert."

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 adoption of the following concurrent resolution:

**H. C. R. No. 39** -Speaker Husted, Representative Beatty -Senators Harris, Miller, R.

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.

Attest:

Vincent L. Keeran,  
Clerk.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the House standing committees and standing subcommittees:

ALTERNATIVE ENERGY:

remove Representative Latta; appoint Representative Gardner.

CRIMINAL JUSTICE:

remove Representatives Latta, Jones, Bulp, Widowfield, Barrett, Sykes and Szollosi; appoint Representatives White (Chair), Sears (Vice Chair) and Uecker.

ECONOMIC DEVELOPMENT AND ENVIRONMENT:

remove Representative Robert Otterman; appoint Representative John Otterman.

FINANCE AND APPROPRIATIONS:

remove Representatives Dolan, Wagoner and Webster; appoint Representatives Hottinger (Chair), Gardner, Mecklenborg and Sears.

FINANCE AND APPROPRIATIONS SUBCOMMITTEE ON  
AGRICULTURE AND DEVELOPMENT:

remove Representative Hottinger; appoint Representatives Hite (Vice Chair) and Mecklenborg.

FINANCE AND APPROPRIATIONS SUBCOMMITTEE ON  
HIGHER EDUCATION:

remove Representative Webster; appoint Representative Gardner (Chair).

FINANCE AND APPROPRIATIONS SUBCOMMITTEE ON  
HUMAN SERVICES:

remove Representative Wagoner; appoint Representative Sears.

FINANCE AND APPROPRIATIONS SUBCOMMITTEE ON  
PRIMARY AND SECONDARY EDUCATION:

remove Representative Strahorn; appoint Representative Driehaus (Ranking Member).

FINANCIAL INSTITUTIONS, REAL ESTATE AND SECURITIES:

remove Representatives J. Stewart, Wagoner and Healy; appoint Representatives Gardner and Sears.

HEALTH:

remove Representatives White and Robert Otterman; appoint Representatives Wachtmann (Chair), Webster (Vice Chair), Sears and John Otterman.

INFRASTRUCTURE, HOMELAND SECURITY AND VETERANS  
AFFAIRS:

remove Representatives Bubp, Mallory, Healy and Robert Otterman; appoint Representatives Fessler (Vice Chair) and John Otterman.

JUDICIARY:

remove Representatives Wagoner, Dolan, Latta, Foley and Gerberry; appoint Representatives Bacon (Vice Chair) and Gardner.

LOCAL AND MUNICIPAL GOVERNMENT AND URBAN  
REVITALIZATION:

remove Representatives Bubp, Setzer, Brady and Healy.

STATE GOVERNMENT AND ELECTIONS:

remove Representatives Setzer and Driehaus.

WAYS AND MEANS:

remove Representatives Bubp and Healy; appoint Representatives Gardner and Goyal (Ranking Member).

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

Attest:

LAURA P. CLEMENS,  
Clerk.