

OHIO

House

of

Representatives

JOURNAL

THURSDAY, JANUARY 31, 2008

ONE HUNDRED THIRTY-FOURTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, January 31, 2008, 11:00 o'clock a.m.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

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

Representative Williams, B. submitted the following report:

The standing committee on Health to which was referred **H. B. No. 331**-Representative Wagoner, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MATERNITY HOMES/OBSTETRIC AND NEWBORN CARE FACILITIES LICENSE

Representative Wachtmann moved to amend the title as follows:

Add the name: "Sears."

BRUCE W. GOODWIN
CAROL-ANN SCHINDEL
JOSEPH W. UECKER
ROBERT MECKLENBORG
SHANNON JONES
EDNA BROWN
TOM LETSON
KENNY YUKO
LORRAINE M. FENDE
LYNN R. WACHTMANN
JAY HOTTINGER

BARBARA R. SEARS
JAMES T. RAUSSEN
MATT HUFFMAN
W. SCOTT OELSLAGER
MICHAEL DEBOSE
FRED STRAHORN
BRIAN G. WILLIAMS
ROBERT J. OTTERMAN
BARBARA BOYD
SHAWN N. WEBSTER

The report was agreed to.

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

Representative Williams, B. submitted the following report:

The standing committee on Health to which was referred **H. B. No. 405**-Representative Bacon, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COUNTY MRDD BOARDS-REVISE SERVICE LISTS

Representative Wachtmann moved to amend the title as follows:

Add the names: "Schindel, Uecker, Mecklenborg, DeBose, Fende, Webster."

BRUCE W. GOODWIN
CAROL-ANN SCHINDEL
JOSEPH W. UECKER
ROBERT MECKLENBORG
SHANNON JONES
EDNA BROWN
TOM LETSON
KENNY YUKO
LORRAINE M. FENDE
LYNN R. WACHTMANN
JAY HOTTINGER

BARBARA R. SEARS
JAMES T. RAUSSEN
MATT HUFFMAN
W. SCOTT OELSLAGER
MICHAEL DEBOSE
FRED STRAHORN
BRIAN G. WILLIAMS
ROBERT J. OTTERMAN
BARBARA BOYD
SHAWN N. WEBSTER

The report was agreed to.

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

Representative Barrett submitted the following report:

The standing committee on Civil and Commercial Law to which was referred **H. B. No. 374**-Representative Coley, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CORPORATIONS - CUMULATIVE VOTING

Representative Oelslager moved to amend the title as follows:

Add the name: "Hughes."

MATTHEW H. BARRETT
JIM HUGHES
ROBERT MECKLENBORG
GERALD L. STEBELTON
TIMOTHY J. DEGEETER
W. SCOTT OELSLAGER

BILL COLEY
ANTHONY CORE
MATT HUFFMAN
SANDRA STABILE HARWOOD
DAN DODD

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on Local and Municipal Government and Urban Revitalization to which was referred **H. B. No. 385**-Representative Hottinger, et al., having had the same under consideration, reports it back and recommends its passage.

RE: TOWNSHIP TRUSTEES GREENSPACE USE

Representative Wolpert moved to amend the title as follows:

Add the names: "Chandler, Mallory, McGregor, J., Yuko."

JEFF WAGNER
LINDA S. BOLON
KENNY YUKO
BRUCE W. GOODWIN
LARRY L. FLOWERS

DALE MALLORY
TED CELESTE
KATHLEEN CHANDLER
JIM MCGREGOR
LARRY L. WOLPERT

The report was agreed to.

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

Representative Stewart, D. submitted the following report:

The standing committee on State Government and Elections to which was referred **H. B. No. 392**-Representative McGregor, J., et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: BUREAU OF MOTOR VEHICLES-ESTABLISH A NEXT OF KIN DATABASE

Representative Daniels moved to amend the title as follows:

Add the names: "Daniels, Hite, Book, Brown, Carmichael, Domenick, Flowers, Lundy, Reinhard, Schlichter, Skindell, Sykes."

Representative Skindell moved to amend as follows:

In line 11, after "agencies" insert "and is not a public record for purposes of section 149.43 of the Revised Code"

In line 18, delete "is"

In line 19, delete "killed" and insert "dies"

In line 32, delete "is killed" and insert "dies"

The motion was agreed to and the bill so amended.

Representative Flowers moved to amend as follows:

In line 36, after "neither" insert "the bureau of motor vehicles nor"

The motion was agreed to and the bill so amended.

DAVID DANIELS
T. TODD BOOK
KEVIN BACON
MATT LUNDY
VERNON SYKES
JOHN SCHLICHTER
STEVE REINHARD
JIM CARMICHAEL

MICHAEL J. SKINDELL
CLIFF HITE
EDNA BROWN
JOHN DOMENICK
LARRY L. FLOWERS
THOM COLLIER
DAN STEWART

The report was agreed to.

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

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

H.B. No. 446 - Representative Webster, et al

TO REVISE THE STATUTES GOVERNING ANIMAL CONTROL.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 451 - Representatives Goyal and Hite, et al

TO CREATE "MULTIPLE SCLEROSIS AWARENESS" LICENSE PLATES.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

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.

To the committee on Finance and Appropriations

H.B. No. 453 - Representative Bacon, et al

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.

To the committee on Civil and Commercial Law

H.B. No. 454 - Representative Brady, et al

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.

To the committee on Finance and Appropriations

H.B. No. 455 - Representatives Ujvagi and Gardner, et al

TO AUTHORIZE A COUNTY THAT IS ISSUED A HISTORIC BUILDING REHABILITATION TAX CREDIT CERTIFICATE TO ASSIGN THE CERTIFICATE TO ANOTHER PERSON.

To the committee on Ways and Means

H.B. No. 456 - Representative Raussen, et al

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.

To the committee on Healthcare Access and Affordability

Am. S.B. No. 186 - Senator Stivers, et al

TO PROHIBIT INSURERS, PUBLIC EMPLOYEE BENEFIT PLANS, AND MULTIPLE EMPLOYER WELFARE ARRANGEMENTS FROM EXCLUDING COVERAGE FOR ROUTINE PATIENT CARE ADMINISTERED AS PART OF A CANCER CLINICAL TRIAL.

To the committee on Insurance

JON A. HUSTED
SHANNON JONES
JOYCE BEATTY
CHRIS REDFERN

LARRY L. FLOWERS
ARLENE J. SETZER
JOSEPH KOZIURA

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 the Senate Bill 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 the Senate Bill 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 Resolutions be read by title only and approved:

H.R. No. 131 – Representative Zehringer

HONORING THE MARION LOCAL HIGH SCHOOL FOOTBALL TEAM AS THE 2007 DIVISION V STATE CHAMPION.

H.R. No. 132 – Representative Zehringer

HONORING THE MARION LOCAL HIGH SCHOOL GIRLS VOLLEYBALL TEAM AS THE 2007 DIVISION IV STATE 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.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

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

Attest: Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following joint resolution in which the concurrence of the House is requested:

Am. S. J. R. No. 5 -Senator Grendell

Cosponsors: Senators Austria, Cafaro, Carey, Cates, Faber, Fedor, Gardner, Harris, Kearney, Mason, Miller, D., Miller, R., Morano, Mumper, Niehaus, Padgett, Roberts, Sawyer, Schaffer, Schuring, Smith, Spada, Wilson, Wagoner, Buehrer, Goodman, Jacobson, Schuler

Proposing to enact Section 2q of Article VIII of the Constitution of the State of Ohio to provide compensation to veterans of the Persian Gulf, Afghanistan, and Iraq conflicts.

Attest: Vincent L. Keeran,
Clerk.

Said joint resolution was referred to the committee on Rules and Reference under the Rule.

Message from the Speaker

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

Rules and Reference: remove Representative Jones; appoint Representative DeWine.

State Government and Elections: remove Representatives Schlichter and Bacon; appoint Representatives DeWine and Schneider.

Message from the Speaker

Pursuant to Ohio Revised Code section 127.12, the Speaker hereby makes the following change to the Controlling Board:

Remove Representative Dolan and appoint Representative Flowers.

Message from the Speaker

Pursuant to H. Con. R. No. 39, the Speaker hereby appoints the following members to wait upon the Governor in anticipation of his State of the State address:

Representatives DeWine, Flowers, Carmichael, Schneider, Jones, Beatty, Book, Strahorn, and Foley.

On motion of Representative Carmichael, the House adjourned until Tuesday, February 5, 2008 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.