

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, MARCH 12, 2008

ONE HUNDRED FORTY-SEVENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, March 12, 2008, 1:30 p.m.**

The House met pursuant to adjournment.

Prayer was offered by Chaplain Sokoto Fulani of Maryhaven 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:

Greta Heid, Mike and Allison Crites, guests of Representative Peterson-2nd district.

Suzy Lucci, Tony and Rose Arcaria, Majorie, Lester, Cheryl, Jeff, Justin, and Chad Boyd, guests of Representative Beatty-27th district.

Beautillion Militaire 2008 particiapants, guests of Representative Luckie-39th district.

Madeline Iseli, a guest of Representative Strahorn-40th district.

Ken and Gwen Dunagan, Paul DelPuppo, Peggy Castina, Sue Ryan, Carol DeGrange, Don Hobson, Garnet Young, Bonnie McMahan, and Carolyn Crites, guests of Representative Okey-61st district.

Don Plotts and Matt Smith, guests of Representatives Goyal-73rd district and Reinhard-82nd district.

Boy Scout Troop #235, guests of Representative J. Stewart-92nd district.

Dr. Laura Meeks and students from Jefferson Community College, guests of Representative Domenick-95th district.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 504**-Representative Batchelder.

Cosponsors: Representatives Stebelton, Boyd, Webster.

To amend sections 4510.31 and 4510.311 of the Revised Code to require probationary driver's license holders to complete a juvenile driver improvement program prior to exercising limited driving privileges granted during a license suspension.

**H. B. No. 505**-Representative Batchelder.

Cosponsors: Representatives Flowers, Stebelton, Fessler, Goodwin.

To require the Motor Carrier Enforcement Unit of the Department of Public

Safety to conduct a pilot project involving the inspection of commercial motor vehicles that are registered in another country and are operated in this state.

Said bills were considered the first time.

### CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 125**-Representative Huffman, et al., were taken up for consideration.

**Sub. H. B. No. 125**-Representative Huffman.

Cosponsors: Representatives DeGeeter, Seitz, McGregor, J., Schneider, Latta, Adams, Gibbs, Setzer, Oelslager, Uecker, McGregor, R., Stewart, J., Stebelton, Fessler, Barrett, Wagoner, Celeste, Reinhard, Widener, Blessing, Book, Carmichael, Lundy, Hughes, Core, Dodd, Batchelder, Boyd, Budish, Chandler, Collier, Distel, Driehaus, Dyer, Evans, Flowers, Goyal, Hagan, J., Healy, Koziura, Letson, Luckie, Otterman, Patton, Yuko. Senators Goodman, Seitz, Bocchieri, Cafaro, Carey, Coughlin, Faber, Harris, Kearney, Miller, D., Miller, R., Morano, Mumper, Niehaus, Roberts, Spada, Fedor.

To amend sections 1751.13, 1753.01, 1753.07, 1753.09, 2317.54, 3701.741, 3702.51, and 5111.17, to enact sections 3721.042, 3963.01 to 3963.11, and to repeal sections 1753.03, 1753.04, 1753.05, and 1753.08 of the Revised Code to establish certain uniform contract provisions between health care providers and contracting entities, to establish standardized credentialing, to require the Department of Job and Family Services to allow managed care plans to use providers to render care, to modify the fees for electronic copies of certain medical records and allow an authorized person to obtain one copy of a patient's medical record without charge, to exempt a nursing home that is a converted county or district home from administrative rules regarding the toilet rooms and dining and recreation areas of nursing homes if certain other requirements are met, to create a Joint Legislative Study Commission on Most Favored Nation Clauses in Health Care Contracts, and to create an Advisory Committee on Eligibility and Real Time Claim Adjudication.

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

The yeas and nays were taken and resulted - yeas 93, nays 1, 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	Combs	Core
DeBose	DeGeeter	DeWine	Distel
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	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
Miller	Oelslager	Okey	Otterman J.
Patton	Peterson	Rausen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Slesnick	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	White
Widener	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-93.

Representative Webster voted in the negative-1.

The Senate amendments were concurred in.

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

Representative Chandler submitted the following report:

The standing committee on Local and Municipal Government and Urban Revitalization to which was referred **Am. S. B. No. 192**-Senators Gardner, Carey, Niehaus, Coughlin, Harris, Spada, having had the same under consideration, reports it back and recommends its passage.

RE: COUNTY COMMISSIONER PLUMBING INSPECTION  
CONTRACTING

Representative Wolpert moved to amend the title as follows:

Add the names: "Representatives Chandler, Wolpert, Combs, McGregor, J.."

JEFF WAGNER  
LORRAINE M. FENDE  
TED CELESTE  
LARRY L. FLOWERS  
JIM MCGREGOR  
COURTNEY COMBS

KENNY YUKO  
LINDA S. BOLON  
JOSEPH W. UECKER  
BRUCE W. GOODWIN  
KATHLEEN CHANDLER  
LARRY L. WOLPERT

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 Tuesday, March 11, 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 Tuesday, March 11, 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 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. R. No. 149**-Speaker Husted, Representative Beatty.

Relative to travel allowance.

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay the following named persons travel allowance for mileage as provided by section 101.27 of the Revised Code:

<b>Name</b>	<b>District</b>	<b>Mileage</b>
Bill Coley	55	178
Eugene Miller	10	300
Stephen Slesnick	52	240

The yeas and nays were taken and resulted - yeas 94, 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	Combs	Core
DeBose	DeGeeter	DeWine	Distel
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	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
Miller	Oelslager	Okey	Otterman J.
Patton	Peterson	Raussen	Redfern

Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Slesnick	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-94.

The resolution was adopted.

**BILLS FOR THIRD CONSIDERATION**

**Sub. S. B. No. 185-Senator Schuler.**

Cosponsors: Senators Kearney, Cates, Grendell, Seitz, Carey, Gardner, Harris, Sawyer, Wilson, Fedor, Morano, Spada, Bocchieri. Representatives Daniels, Brown, Collier, Domenick, Flowers, Lundy, Reinhard, Schneider, Skindell.

To amend sections 127.14, 131.18, 131.44, 131.51, 133.10, 135.35, 135.352, 149.411, 321.08, 3375.05, 3375.121, 3375.32, 3375.35, 3375.36, 3375.37, 3375.38, 3375.39, 3375.40, 3375.404, 3375.41, 3375.42, 3375.85, 3375.91, 3375.92, 5705.28, 5705.281, 5705.31, 5705.32, 5705.321, 5705.37, 5715.36, 5719.041, 5747.03, 5747.46, 5747.47, 5747.48, 5747.51, and 5747.52 and to enact sections 3375.351, 3375.64, 3375.65, 3375.66, and 3375.67 of the Revised Code and to amend Section 323.10 of H.B. 119 of the 127th General Assembly 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, 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	Combs	Core
DeBose	DeGeeter	DeWine	Distel
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	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

Miller	Oelslager	Okey	Otterman J.
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Slesnick	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-94.

The bill passed.

Representative Carmichael moved to amend the title as follows:

Add the names: "Bacon, Batchelder, Bolon, Budish, Carmichael, Celeste, Chandler, DeBose, Dyer, Evans, Gardner, Gerberry, Gibbs, Goodwin, Goyal, Hughes, Koziura, Letson, Luckie, Mecklenborg, Patton, Schindel, Setzer, Stewart, D., Ujvagi, Yates, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 225**-Senator Schaffer.

Cosponsors: Senators Faber, Schuler, Austria, Gardner, Harris, Niehaus, Seitz, Spada, Wilson. Representatives Hughes, Sykes.

To amend sections 125.22, 4703.01 to 4703.15, 4703.151, 4703.16, 4703.18, 4703.181, 4703.19, 4703.331, 4703.34, 4703.37, 4703.50, 4703.51, and 4703.52 of the Revised Code to make changes to the Architects Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

03/12/08

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. S. B. No. 225**-Senator Schaffer, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ CHRIS WIDENER  
CHRIS WIDENER  
State Representative  
84th House District

The request was granted.

The yeas and nays were taken and resulted - yeas 93, 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	Combs	Core
DeBose	DeGeeter	DeWine	Distel
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	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
Miller	Oelslager	Okey	Otterman J.
Patton	Peterson	Rausen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Slesnick	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Webster
White	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-93.

The bill passed.

Representative Brinkman moved to amend the title as follows:

Add the names: "Brown, Combs, DeBose, Domenick, Dyer, Evans, Flowers, Gardner, Harwood, Hottinger, Letson, McGregor, J., Patton, Schneider, Sears, Setzer, Uecker, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.



**Sub. H. B. No. 346**-Representative Hughes.

Cosponsors: Representatives Hagan, R., DeGeeter, Yuko, Strahorn, Flowers, Peterson, Setzer, Oelslager, Williams, S., Fende, Skindell.

To enact sections 3727.50 to 3727.57 of the Revised Code regarding hospital staffing guidelines for registered nurses and licensed practical nurses, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 93, nays 1, 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	Combs	Core
DeBose	DeGeeter	DeWine	Distel
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	Flowers
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	Miller
Oelslager	Okey	Otterman J.	Patton
Peterson	Rausen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
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-93.

Representative Foley voted in the negative-1.

The bill passed.

Representative Hughes moved to amend the title as follows:

Add the names: "Bacon, Batchelder, Beatty, Boyd, Brown, Celeste, Chandler, Combs, DeBose, Distel, Driehaus, Dyer, Evans, Gerberry, Goyal, Harwood, Heard, Jones, Letson, Luckie, McGregor, J., Okey, Patton, Sayre, Schneider, Slesnick, Szollosi, White, Williams, B., Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 385-Representative Hottinger.**

Cosponsors: Representatives Evans, Wagoner, Flowers, Stebelton, Chandler, Mallory, McGregor, J., Yuko.

To amend section 5705.19 of the Revised Code to permit land acquired by a board of township trustees for the purpose of protecting or preserving "greenspace" to be used for recreational purposes, 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 2, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Bolon	Book
Boyd	Brady	Brown	Budish
Carmichael	Celeste	Chandler	Coley
Combs	Core	DeBose	DeGeeter
DeWine	Distel	Dodd	Dolan
Domenick	Driehaus	Dyer	Evans
Fende	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	Miller	Oelslager
Okey	Otterman J.	Patton	Peterson
Rausen	Redfern	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	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-92.

Representatives Blessing and Brinkman voted in the negative-2.

The bill passed.

Representative Hottinger moved to amend the title as follows:

Add the names: "Bacon, Barrett, Batchelder, Budish, Combs, Domenick, Dyer, Fende, Goyal, Hagan, J., Harwood, Hughes, Luckie, Lundy, Mecklenborg, Otterman, J., Patton, Peterson, Schindel, Stewart, D., Zehringer."

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 passed the following bills in which the concurrence of the House is requested:

**Sub. S. B. No. 247** -Senator Spada

Cosponsors: Senators Grendell, Seitz, Padgett, Schuring, Buehrer, Mumper, Cates, Roberts, Cafaro, Kearney, Morano, Boccieri, Carey, Fedor, Harris, Niehaus, Schaffer, Wagoner, Miller, R., Stivers, Miller, D.

To amend sections 109.572, 926.29, 1733.13, 1733.15, 1733.19, 1733.29, 1733.329, and 1733.34 and to enact sections 1121.23, 1155.03, 1163.05, 1315.141, 1733.241, 1733.242, 1733.243, 1733.291, 1733.292, 1733.47, and 1761.26 of the Revised Code to make changes in the Credit Union Regulation Law and to require criminal background checks whenever the approval of the Superintendent of Financial Institutions is required for a person to serve as a director, officer, or controlling person of a bank, savings and loan association, savings bank, money transmitter, credit union, or credit union share guaranty corporation.

**Sub. S. B. No. 273** -Senator Niehaus

Cosponsors: Senators Mumper, Buehrer, Amstutz, Padgett, Faber, Fedor, Harris, Roberts, Schaffer, Schuler, Seitz, Spada, Wilson, Grendell, Cafaro, Miller, R.

To amend section 3318.032 and to enact section 3318.033 of the Revised Code 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 calculate an alternative equity list for fiscal year 2009 funding under the Classroom Facilities Assistance Program and the Exceptional Needs School Facilities Assistance Program for certain school districts with large one-year reductions in valuation, to recalculate the local share of a current classroom facilities project for certain school districts that had a net gain in interdistrict open enrollment students when they became eligible for state facilities assistance, to specify the local share of new projects for certain school districts that previously received assistance, and to increase the percentage of classroom facilities appropriations that may be used for joint vocational school districts in fiscal year 2008.

Attest:

Vincent L. Keeran,  
Clerk.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate insists on its amendments to:

**Sub. H. B. No. 181** -Representative Setzer - et al.

and asks for a Committee of Conference.

Attest:

Vincent L. Keeran,  
Clerk.

On motion of Representative DeWine, the House adjourned until Thursday, March 13, 2008 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.