

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MARCH 13, 2007

TWENTY-FIFTH DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, March 13, 2007, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Paul Dove from Mount Vernon, 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:

Olesia Solomchok, a guest of Representative Hughes-22nd district.

Christian Home School students from Upper Arlington, guests of Representative Wolpert-23rd district.

Nata Gihibradze, a guest of Representative White-38th district.

Michael, D.K., and Peggy Pereira, guests of Representative Dodd-91st district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 104-Representative Core.

Cosponsors: Representatives Setzer, Seitz, Hughes, Dodd, Flowers, Combs, Adams, White, Webster, McGregor, R., Bulp, Collier, McGregor, J., Stebelton, Strahorn.

To amend sections 109.572, 4709.05, 4717.04, 4725.09, 4725.44, 4755.05, 4755.61, 4757.10, 4759.05, 4761.03, and 4779.08 and to enact sections 4701.08, 4709.071, 4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4732.091, 4734.202, 4741.10, 4755.70, 4757.101, 4759.061, 4761.051, 4776.01, 4776.02, 4776.03, 4776.04, and 4779.091 of the Revised Code to require initial license applicants for specified licensed professions to obtain a criminal background check from the bureau of criminal investigation and identification and to require the appropriate licensing board to consider the results of those checks in determining a person's eligibility for licensure.

H. B. No. 105-Representative Celeste.

Cosponsors: Representatives Stebelton, Peterson, Dodd, Ujvagi, Letson, McGregor, J., Miller, Budish, Williams, B., Lundy, Combs, Harwood, Chandler, Carano, Fende, Strahorn, Luckie, Otterman, Yuko, Hagan, R., Skindell, Wolpert, Brown, Brady.

To enact section 5.2235 of the Revised Code to designate May as "Nutrition and Physical Fitness Month."

H. B. No. 106-Representatives Peterson, Stewart, D.

Cosponsors: Representatives Stewart, J., Flowers, Carano, McGregor, J., Stebelton, Yuko, Seitz, Evans, Skindell, Chandler, Combs, Bacon, Hottinger, Setzer, White, Wagoner, Sykes, Strahorn, Wolpert.

To amend sections 5111.011, 5111.0118, and 5111.851 and to enact sections 5111.182, 5111.70, 5111.701, 5111.702, 5111.703, 5111.704, 5111.705, 5111.706, 5111.707, 5111.708, 5111.709, and 5111.7010 of the Revised Code to establish the Medicaid Buy-In for Workers with Disabilities Program and a Medicaid program for individuals who exhaust benefits under a qualified long-term care insurance policy.

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 be considered for the second time and referred to the following committees for consideration:

H.B. No. 88 - Representative Domenick, et al

TO DIRECT THE BOARD OF BUILDING STANDARDS TO ADOPT RULES REQUIRING A CARBON MONOXIDE DETECTOR BE INSTALLED IN EACH RESIDENTIAL DWELLING UNIT IN A MULTIFAMILY BUILDING.

To the committee on Commerce and Labor

H.B. No. 89 - Representative Coley, et al

TO PROVIDE PERSONS WHO DONATE CONSUMER GOODS TO A CHARITABLE AGENCY WITH QUALIFIED IMMUNITY FROM CIVIL LIABILITY FOR HARM THAT ALLEGEDLY ARISES BECAUSE THE CONSUMER GOODS ARE NOT FIT FOR USE AND TO ESTABLISH A QUALIFIED IMMUNITY FROM CIVIL LIABILITY FOR CERTAIN CHARITABLE AGENCIES THAT DISTRIBUTE PERISHABLE FOOD OR CONSUMER GOODS FREE OF CHARGE TO INDIVIDUALS IN NEED.

To the committee on Judiciary

H.B. No. 90 - Representative DeGeeter, et al

TO DESIGNATE THE PORTION OF INTERSTATE 71 LOCATED WITHIN THE CITY OF MIDDLEBURG HEIGHTS AS THE "CORPORAL BRAD D. SQUIRES MEMORIAL HIGHWAY."

To the committee on Infrastructure, Homeland Securities and Veterans Affairs

H.B. No. 91 - Representative Goyal, et al

TO ALLOW UNITED STATES VETERANS SERVICE ORGANIZATIONS TO REGISTER VEHICLES USED SOLELY FOR PARTICIPATION IN

ORGANIZATIONAL ACTIVITIES, EXHIBITIONS, AND PARADES WITHOUT THE PAYMENT OF ANY REGISTRATION FEE OR SERVICE FEE.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 92 - Representative Dyer, et al

TO REQUIRE LAW ENFORCEMENT AGENCIES TO REPORT TO THE DIRECTOR OF PUBLIC SAFETY THE LOCATION OF ANY REAL PROPERTY ON WHICH AND THE VEHICLE IDENTIFICATION NUMBER OF ANY MOTOR VEHICLE IN WHICH AN ILLEGAL METHAMPHETAMINE MANUFACTURING LABORATORY HAS BEEN DISCOVERED, TO REQUIRE THE DIRECTOR OF PUBLIC SAFETY TO MAINTAIN ON THE DEPARTMENT OF PUBLIC SAFETY WEB SITE A DATABASE OF PROPERTIES ON WHICH AND MOTOR VEHICLES IN WHICH ILLEGAL METHAMPHETAMINE MANUFACTURING LABORATORIES HAVE BEEN DISCOVERED, TO AUTHORIZE A COUNTY RECORDER TO RECORD AN INSTRUMENT IDENTIFYING ANY PROPERTY THAT HAS BEEN INCLUDED IN THAT DATABASE, AND TO PROVIDE A MEANS BY WHICH AN OWNER OF PROPERTY OR A MOTOR VEHICLE INCLUDED IN THAT DATABASE MAY RECEIVE CERTIFICATION FROM THE DIRECTOR OF ENVIRONMENTAL PROTECTION THAT THE PROPERTY OR MOTOR VEHICLE HAS BEEN CLEARED OF METHAMPHETAMINE RESIDUE AND HAVE THE PROPERTY OR MOTOR VEHICLE REMOVED FROM THE DATABASE.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 93 - Representative Koziura, et al

TO REQUIRE THAT AN APPROPRIATIONS BILL FOR EDUCATION AGENCIES BE ENACTED SEPARATELY FROM AND PRIOR TO ANY OTHER OPERATING APPROPRIATIONS BILLS.

To the committee on Finance and Appropriations

H.B. No. 94 - Representative Koziura, et al

TO REQUIRE STATE UNIVERSITIES TO GUARANTEE THAT A FULL-TIME UNDERGRADUATE STUDENT WITH A DECLARED MAJOR FIELD OF STUDY CAN COMPLETE THE COURSEWORK FOR THAT PROGRAM OF STUDY IN A SPECIFIED TIME PERIOD.

To the committee on Education

H.B. No. 95 - Representative Koziura, et al

TO SPECIFY CONDITIONS UNDER WHICH A CLAIMANT'S UNEMPLOYMENT COMPENSATION BENEFITS ARE NOT REDUCED BY THE AMOUNT THE CLAIMANT CONCURRENTLY RECEIVES IN SOCIAL SECURITY RETIREMENT BENEFITS.

To the committee on Commerce and Labor

H.B. No. 96 - Representative Healy, et al

TO EXEMPT ESTATES OF MEMBERS OF THE UNITED STATES

ARMED SERVICES WHO DIED WHILE SERVING IN A COMBAT ZONE FROM BEING CHARGED ANY FEES ASSOCIATED WITH THE FILING OF THE DECEDENT'S WILL FOR PROBATE OR THE ADMINISTRATION OF THE DECEDENT'S ESTATE OR ANY FEES FOR RELIEVING THE ESTATE FROM ADMINISTRATION OR GRANTING AN ORDER FOR SUMMARY RELEASE FROM ADMINISTRATION.

To the committee on Judiciary

H.B. No. 97 - Representative Fessler, et al

TO MODIFY THE LAWS PERTAINING TO THE LICENSING OF CHILD CARE PROVIDERS AND THE CHILD ABUSE MEMORANDUM OF UNDERSTANDING THAT MUST BE PREPARED FOR EACH COUNTY.

To the committee on Health

H.B. No. 98 - Representative Schneider, et al

TO REQUIRE CERTAIN HEALTH CARE POLICIES, CONTRACTS, AGREEMENTS, AND PLANS TO PROVIDE BENEFITS FOR EQUIPMENT, SUPPLIES, AND MEDICATION FOR THE DIAGNOSIS, TREATMENT, AND MANAGEMENT OF DIABETES AND FOR DIABETES SELF-MANAGEMENT EDUCATION.

To the committee on Health

H.B. No. 99 - Representative Schneider, et al

REGARDING SUBSTITUTION OF DRUGS INTENDED TO TREAT EPILEPSY.

To the committee on Health

H.B. No. 102 - Representative Uecker, et al

TO ESTABLISH PROCEDURES FOR A BOARD OF TOWNSHIP TRUSTEES TO ALTER THE PRIMA-FACIE SPEED LIMIT ON ANY TOWNSHIP ROAD AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED TRANSITION ZONES ON STATE HIGHWAYS AT LOCATIONS WHERE THE POSTED SPEED LIMIT DECREASES BY 20 OR MORE MILES PER HOUR.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 103 - Representative Blessing, et al

TO MODIFY THE CIRCUMSTANCES UNDER WHICH A LIEN MAY BE CREATED TO COLLECT UNPAID WATER RATES AND CHARGES OWED LOCAL AUTHORITIES AND TO SPECIFY CERTAIN REQUIREMENTS PRIOR TO CREATION OF THE LIEN.

To the committee on Local and Municipal Government and Urban Revitalization

JON A. HUSTED
LARRY L. FLOWERS
JOYCE BEATTY
CHRIS REDFERN

JIM CARMICHAEL
ARLENE J. SETZER
JOSEPH KOZIURA

Representative DeWine 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 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 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 Resolution be read by title only and approved:

H.R. No. 28 - Speaker Husted

HONORING UNITED PARCEL SERVICE OF AMERICA, INC. ON ITS CENTENNIAL.

Add the names: Flowers, Carmichael, Setzer, Beatty

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative DeWine moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be approved.

The motion was agreed to.

Representative Seitz moved that majority party members asking leave to be absent or absent the week of Tuesday, March 13, 2007, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Driehaus moved that minority party members asking leave to be absent or absent the week of Tuesday, March 13, 2007, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 67-Representatives Patton, Webster, Hottinger, Evans, Flowers, Schlichter, Strahorn.

To amend sections 737.04, 737.041, 3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4511.101, 4511.21, 4519.59, 4561.18, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 5537.16, 5577.05, 5591.02, 5735.05, 5751.032, and 5751.20; to enact sections 121.51, 4511.092, 5502.67, 5531.11, 5537.31,

and 5537.32 of the Revised Code; and to amend Sections 235.20.20, 235.30.70, and 237.10 of Am. Sub. H.B. 699 of the 126th General Assembly to make appropriations for, and to prescribe terms and conditions pertaining to, transportation and public safety purposes, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Flowers moved to amend as follows:

In line 17, delete "5531.11,"

Delete lines 2417 through 2439

In line 6 of the title, delete "5531.11,"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 53, nays 45, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Bubp	Carmichael
Coley	Collier	Core	Daniels
DeWine	Dolan	Evans	Fessler
Flowers	Gibbs	Goodwin	Hagan J.
Hite	Hottinger	Huffman	Hughes
Jones	Latta	Mandel	McGregor J.
McGregor R.	Oelslager	Otterman	Patton
Peterson	Raussen	Reinhard	Schindel
Schlichter	Schneider	Seitz	Setzer
Stebelton	Stewart J.	Uecker	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Widowfield	Wolpert	Zehringer
			Husted-53.

Those who voted in the negative were: Representatives

Barrett	Beatty	Bolon	Book
Boyd	Brady	Brown	Budish
Carano	Celeste	Chandler	DeBose
DeGeeter	Distel	Dodd	Domenick
Driehaus	Dyer	Fende	Foley
Garrison	Goyal	Hagan R.	Harwood
Healy	Heard	Koziura	Letson
Luckie	Lundy	Mallory	Miller
Okey	Redfern	Sayre	Skindell
Stewart D.	Strahorn	Sykes	Szollosi
Ujvagi	Williams B.	Williams S.	Yates
			Yuko-45.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

Representative Flowers moved to amend as follows:

In line 3909, delete the first comma and insert "and"; delete ", and"

In line 3910, delete "237.10"

Delete lines 3936 through 4052

In line 4053, delete the first comma and insert "and"; delete the second comma

In line 4054, delete "and 237.10"

In line 8 of the title, delete the first comma and insert "and"; delete ", and 237.10"

In line 9 of the title, delete "to"

In line 10 of the title, delete "make appropriations for, and"

In line 11 of the title, delete the comma

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 98, 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	Bubp	Budish	Carano
Carmichael	Celeste	Chandler	Coley
Collier	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Seitz	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Wagoner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-98.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Driehaus moved to amend as follows:

In line 16, after "5591.02," insert "and"; delete ", 5751.032, and 5751.20"

Delete lines 2733 through 3118

In line 3122, after "5591.02," insert "and"; delete ", 5751.032, and 5751.20"

Delete lines 3412 through 3419

Delete lines 4292 through 4300

In line 5 of the title, after "5591.02," insert "and"; delete ", 5751.032, and 5751.20"

The question being, "Shall the motion to amend be agreed to?"

Representative Flowers moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 51, nays 47, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Bubp	Carmichael
Coley	Collier	Core	Daniels
DeWine	Dolan	Evans	Fessler
Flowers	Gibbs	Goodwin	Hagan J.
Hite	Hottinger	Huffman	Hughes
Jones	Latta	Mandel	McGregor J.
McGregor R.	Oelsluger	Patton	Peterson
Rausen	Reinhard	Schindel	Schlichter
Schneider	Seitz	Setzer	Stebelton
Stewart J.	Wachtmann	Wagner	Wagoner
Webster	White	Widener	Widowfield
Wolpert	Zehringer		Husted-51.

Those who voted in the negative were: Representatives

Barrett	Beatty	Bolon	Book
Boyd	Brady	Brown	Budish
Carano	Celeste	Chandler	DeBose
DeGeeter	Distel	Dodd	Domenick
Driehaus	Dyer	Fende	Foley
Garrison	Goyal	Hagan R.	Harwood
Healy	Heard	Koziura	Letson
Luckie	Lundy	Mallory	Miller
Okey	Otterman	Redfern	Sayre
Skindell	Stewart D.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Williams B.
Williams S.	Yates		Yuko-47.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 98, 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	Bubp	Budish	Carano
Carmichael	Celeste	Chandler	Coley
Collier	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Seitz	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Wagoner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-98.

The bill passed.

Representative Patton moved to amend the title as follows:

Add the names: "Aslanides, Batchelder, Bolon, Brown, Carmichael, Collier, Daniels, DeBose, Dolan, Domenick, Fende, Garrison, Gibbs, Hagan, J., Hagan, R., McGregor, J., Miller, Okey, Otterman, Uecker, Williams, B.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

MESSAGE FROM THE SPEAKER

Pursuant to H. Con. R. No. 6, 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, Seitz, Schneider, Beatty, Book, Driehaus, and Strahorn.

MESSAGE FROM THE SPEAKER

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

Remove Representative Carmichael; appoint Representative DeWine.

On motion of Representative DeWine, the House adjourned until Wednesday, March 14, 2007, 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.