

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MARCH 20, 2007

TWENTY-EIGHTH DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, March 20, 2007, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Thom Collier-90th district,, 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 Coldwater High School boys bowling team received H.R. 29, presented by Representative Zehringer-77th district.

Colonel Lee Yarberry, Mayor Mary Ann Lefker, and Patty Bates, guests of Representative Bulp-88th district.

Pat and Dean Talbot, Sally Jones, and Doug Hummell, guests of Representative Aslanides-94th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 110-Representative Distel.

Cosponsors: Representatives Harwood, Dodd, Letson, Fende, Yuko, Wachtmann, Fessler, Williams, B., Miller.

To amend sections 3718.02 to 3718.05 and to enact section 3718.022 of the Revised Code to require the Public Health Council to rescind rules related to sewage treatment systems and reinstate the rules related to those systems that were in effect prior to January 1, 2007, to require the Council subsequently to adopt statutorily required rules related to those systems, to revise the requirements governing sewage treatment systems rules that the Council must adopt, to require the Director of Health to develop rules with the Sewage Treatment System Advisory Committee that establish standards for approving a sewage treatment system or components of a system, to revise the membership of the Committee, and to declare an emergency.

H. B. No. 111-Representative Collier.

Cosponsors: Representatives Patton, McGregor, J.

To amend section 2151.03 of the Revised Code to expand the definition of neglected child to include a child whose parent, guardian, or custodian

knowingly allows a sexually oriented offender or juvenile delinquent who committed a sexually oriented offense to reside in the same residence as that child.

H. B. No. 112-Representatives Ujvagi, McGregor, J.

Cosponsors: Representatives Lundy, Healy, Carano, Fende, Latta, Yuko, Harwood, Luckie, Williams, B., Skindell, Collier, Hughes.

To amend section 5747.01 of the Revised Code to exempt military retirement pay from the personal income tax.

H. B. No. 113-Representatives White, Luckie.

Cosponsors: Representatives Combs, McGregor, J., Peterson, Seitz, Webster, Setzer, Latta, Flowers, Schneider, Wagoner, Otterman, Strahorn, Adams, Widener.

To enact sections 5120.034 and 5139.14 of the Revised Code to allow representatives of faith-based and other community organizations to provide reentry services to persons in the custody of the Department of Rehabilitation and Correction or the Department of Youth Services.

H. B. No. 114-Representative Wachtmann.

Cosponsors: Representatives Wagner, Bulp, Goodwin, Fessler, Adams, Brinkman.

To amend sections 3318.03, 3318.032, 3318.36, 3318.37, and 3318.42 and to enact section 3318.033 of the Revised Code to require the Ohio School Facilities Commission to reduce the state funds for a school district's classroom facilities project by twenty per cent if the district requires contractors to pay the prevailing rate of wages.

H. B. No. 115-Representative Williams, B.

Cosponsors: Representatives Seitz, Domenick, Yuko, Dodd, Ujvagi, Luckie, Sayre, Koziura, Strahorn.

To amend sections 2915.02 and 2915.092 of the Revised Code to allow a charitable organization to conduct games of chance and raffles three times per year at certain food service facilities.

H. B. No. 116-Representative Blessing.

To amend section 124.82 and to enact section 9.902 of the Revised Code to require public employers to make health savings accounts available to public employees.

H. B. No. 117-Representative Raussen.

Cosponsors: Representatives McGregor, J., Webster, Seitz, Peterson, Collier, Combs, Wolpert, Stebelton.

To amend sections 5747.021, 5747.03, 5747.112, 5748.03, 5748.06, and 5748.08 and to enact sections 5748.11, 5748.12, 5748.13, 5748.14, 5748.15, and 5748.16 of the Revised Code to authorize school districts to enter into agreements with the Department of Taxation or other entities for the collection and administration of school district income taxes.

H. B. No. 118-Representative Seitz.

Cosponsors: Representatives Blessing, McGregor, J., Uecker, Schneider, Driehaus, Stewart, D., Chandler, Domenick, Adams, Otterman, Yuko, Combs, Skindell, Webster, Brinkman, Distel, Book.

To amend sections 3769.03, 3769.08, 3769.083, 3769.085, and 3769.088 and to enact sections 3769.0811, 3769.0812, and 3769.0813 of the Revised Code to authorize wagering at a track on horse races that are telecast via an instant racing system and to levy a tax on amounts wagered in this manner.

H. B. No. 119-Representative Dolan.

To amend sections 9.24, 9.30, 9.821, 9.822, 9.823, 9.83, 107.40, 109.572, 109.93, 111.18, 118.01, 118.08, 118.17, 118.20, 118.23, 119.07, 120.33, 122.011, 122.17, 122.171, 122.602, 123.10, 123.17, 124.152, 125.01, 125.02, 125.021, 125.022, 125.023, 125.04, 125.041, 125.05, 125.06, 125.07, 125.071, 125.072, 125.073, 125.08, 125.081, 125.082, 125.09, 125.10, 125.11, 125.15, 125.25, 125.45, 125.93, 125.96, 125.97, 125.98, 126.07, 126.08, 126.21, 126.22, 127.14, 127.16, 131.44, 133.01, 133.10, 133.25, 135.35, 135.352, 151.08, 151.40, 152.31, 156.02, 164.03, 164.05, 164.051, 164.08, 164.09, 166.08, 173.04, 173.35, 173.85, 173.86, 176.05, 183.01, 183.021, 183.17, 183.33, 183.34, 183.35, 307.021, 307.695, 307.6910, 307.98, 307.981, 308.04, 317.08, 319.202, 319.54, 321.08, 322.01, 323.151, 323.152, 323.153, 323.154, 325.31, 329.04, 329.05, 329.051, 329.14, 340.03, 709.191, 718.051, 742.301, 1306.20, 1306.21, 1347.06, 1503.05, 1504.02, 1505.07, 1506.01, 1506.99, 1521.01, 1521.20, 1521.21, 1521.22, 1521.23, 1521.24, 1521.25, 1521.26, 1521.27, 1521.28, 1521.29, 1521.99, 1531.06, 1531.35, 1548.06, 1555.08, 1557.03, 1751.60, 2151.43, 2151.49, 2305.234, 2744.05, 2913.40, 2921.42, 2927.023, 2951.02, 3111.04, 3113.06, 3113.07, 3119.022, 3119.023, 3119.27, 3119.29, 3119.30, 3119.54, 3125.12, 3301.0711, 3301.0714, 3301.311, 3301.53, 3302.03, 3302.10, 3310.41, 3313.41, 3313.615, 3313.646, 3313.66, 3313.661, 3313.98, 3314.013, 3314.014, 3314.015, 3314.02, 3314.021, 3314.024, 3314.03, 3314.04, 3314.074, 3314.08, 3314.21, 3314.27, 3317.01, 3317.012, 3317.013, 3317.014, 3317.015, 3317.016, 3317.017, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.025, 3317.026, 3317.027, 3317.028, 3317.029, 3317.0216, 3317.0217, 3317.03, 3317.04, 3317.05,

3317.06, 3317.08, 3317.14, 3317.16, 3317.20, 3317.201, 3318.08, 3318.15, 3318.26, 3319.081, 3319.089, 3319.17, 3319.55, 3321.01, 3323.11, 3333.04, 3333.122, 3333.27, 3333.38, 3345.51, 3353.02, 3365.01, 3375.05, 3375.121, 3375.40, 3375.85, 3381.04, 3503.10, 3701.741, 3702.52, 3702.5211, 3702.5212, 3702.5213, 3702.57, 3702.68, 3702.74, 3704.03, 3704.14, 3705.24, 3721.51, 3721.541, 3721.56, 3734.57, 3735.672, 3745.11, 3746.04, 3769.087, 3770.03, 3770.06, 3773.35, 3773.36, 3901.021, 3901.86, 4115.04, 4117.01, 4123.27, 4123.35, 4141.09, 4301.43, 4503.06, 4503.061, 4503.064, 4503.065, 4503.066, 4503.067, 4503.10, 4503.35, 4505.06, 4513.263, 4519.55, 4717.07, 4723.621, 4723.63, 4723.64, 4723.65, 4723.651, 4723.66, 4731.65, 4731.71, 4743.05, 4755.03, 4766.05, 4775.08, 4921.40, 5101.16, 5101.162, 5101.17, 5101.181, 5101.182, 5101.184, 5101.21, 5101.211, 5101.212, 5101.213, 5101.24, 5101.242, 5101.244, 5101.26, 5101.28, 5101.31, 5101.35, 5101.36, 5101.51, 5101.54, 5101.571, 5101.572, 5101.58, 5101.59, 5101.802, 5101.97, 5101.98, 5104.30, 5107.01, 5107.02, 5107.03, 5107.05, 5107.10, 5107.12, 5107.14, 5107.16, 5107.161, 5107.162, 5107.17, 5107.281, 5107.30, 5107.36, 5107.41, 5107.42, 5107.44, 5107.52, 5107.54, 5107.541, 5107.61, 5107.65, 5107.66, 5107.67, 5107.68, 5107.69, 5107.70, 5111.01, 5111.014, 5111.016, 5111.019, 5111.0112, 5111.023, 5111.03, 5111.06, 5111.10, 5111.101, 5111.163, 5111.17, 5111.20, 5111.871, 5111.8814, 5111.915, 5111.941, 5111.95, 5111.96, 5112.03, 5112.08, 5112.341, 5115.12, 5117.10, 5119.611, 5120.03, 5123.01, 5123.043, 5123.045, 5123.051, 5123.19, 5123.196, 5123.198, 5123.20, 5123.211, 5123.38, 5123.41, 5123.51, 5123.99, 5126.038, 5126.042, 5126.046, 5126.055, 5126.057, 5126.06, 5126.11, 5126.12, 5126.15, 5126.18, 5126.19, 5126.25, 5126.40, 5126.42, 5126.43, 5126.45, 5126.47, 5139.27, 5139.271, 5139.43, 5528.54, 5531.10, 5703.57, 5703.80, 5705.28, 5705.281, 5705.29, 5705.30, 5705.31, 5705.32, 5705.321, 5705.37, 5709.68, 5709.882, 5713.34, 5715.36, 5719.041, 5725.151, 5725.24, 5727.45, 5727.84, 5727.85, 5727.87, 5733.12, 5739.02, 5739.033, 5739.12, 5739.21, 5741.02, 5741.03, 5743.01, 5743.20, 5745.02, 5745.05, 5745.13, 5747.03, 5747.122, 5747.46, 5747.47, 5747.48, 5747.50, 5747.501, 5747.51, 5747.52, 5747.53, 5747.54, 5747.55, 5748.01, 5748.02, 5751.20, 5751.21, 5751.23, 5907.15, 6109.21, 6121.04, and 6121.043; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1521.20 (1506.38), 1521.21 (1506.39), 1521.22 (1506.40), 1521.23 (1506.41), 1521.24 (1506.42), 1521.25 (1506.43), 1521.26 (1506.44), 1521.27 (1506.45), 1521.28 (1506.46), 1521.29 (1506.47), 1521.30 (1506.48), 3702.63 (3702.591), 3702.68 (3702.59), 5107.44 (5107.60), 5107.52 (5107.46), 5107.54 (5107.58), 5107.541 (5107.47), 5107.61 (5107.48), 5107.65 (5107.50), 5107.66 (5107.44), 5107.67 (5107.54), 5107.68 (5107.56), 5107.69 (5107.61), 5111.95 (5111.033), and 5111.96 (5111.034); to enact new sections 5107.40, 5107.52, and 5123.16 and sections 122.014, 122.051, 122.071, 122.076, 122.174, 125.011, 126.17, 126.18, 126.19, 126.24, 126.40, 131.51, 183.51, 183.52, 901.261, 3123.23, 3301.162, 3314.027, 3314.19, 3318.47, 3333.50, 3345.02, 4703.071, 4923.26, 5101.541, 5101.573, 5101.574, 5101.575, 5101.591, 5107.04, 5107.45, 5111.0119,

5111.028, 5111.031, 5111.032, 5111.102, 5111.861, 5114.01, 5114.02, 5114.03, 5114.04, 5114.05, 5123.033, 5123.0414, 5123.0415, 5123.161, 5123.162, 5123.163, 5123.164, 5123.165, 5123.166, 5123.167, 5123.168, 5123.169, 5123.605, 5739.029, 5739.213, 5748.022, 5907.16, and 6111.0381; to repeal sections 125.18, 125.30, 125.95, 183.02, 183.27, 183.32, 3310.01, 3310.02, 3310.03, 3310.04, 3310.05, 3310.06, 3310.07, 3310.08, 3310.09, 3310.10, 3310.11, 3310.12, 3310.13, 3310.14, 3310.17, 3314.051, 3318.47, 3318.48, 3318.49, 3319.0810, 3333.29, 3702.68, 4911.021, 5101.213, 5107.40, 5107.43, 5107.50, 5107.58, 5107.60, 5107.62, 5107.64, 5111.161, 5123.16, 5123.182, 5123.199, 5126.035, 5126.036, 5126.053, 5126.431, 5126.44, 5126.451, 5743.331, 5747.61, 5747.62, and 5747.63 of the Revised Code; to amend Section 611.03 of Am. Sub. H.B. 66 of the 126th General Assembly, to amend Sections 227.10, 235.20.20, 235.30.70, and 329.10 of Am. Sub. H.B. 699 of the 126th General Assembly, to amend Section 235.30 of Am. Sub. H.B. 530 of the 126th General Assembly, as subsequently amended, to amend Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly, as subsequently amended, to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended, and to amend the version of section 127.16 of the Revised Code that is scheduled to take effect July 1, 2007, to repeal the version of section 3702.68 of the Revised Code that was to have taken effect July 1, 2007, to make operating appropriations for the biennium beginning July 1, 2007, and ending June 30, 2009, and to provide authorization and conditions for the operation of state programs.

Said bills were considered the first time.

MOTIONS AND RESOLUTIONS

Representative DeWine moved that the following House Resolution be read by title only and brought up for immediate adoption:

H. R. No. 20-Speaker Husted.

Authorizing the use of the Hall of the House for the National Forensic League to conduct its Student Congress competition, March 31, 2007.

The question being, "Shall the resolution be adopted?"

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	Combs	Core	Daniels

DeBose	DeGeeter	DeWine	Distel
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	Rausen	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 resolution was adopted.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 3109.15, the Speaker hereby appoints Representative Wagner to the Children's Trust Fund Board.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 101.38, Sub. S.B. No. 250, 125th General Assembly, the Speaker hereby appoints the following members to the Ohio Cystic Fibrosis Legislative Task Force:

Representatives Fessler, Schneider and Yuko.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code section 5111.34, Am. Sub. H. B. No. 516, 125th General Assembly, the Speaker hereby appoints Representative Budish to the Nursing Facility Reimbursement Study Council.

MESSAGE FROM THE SPEAKER

Pursuant to Section 755.03 (A) of Am. Sub. H.B. No. 530, 126th General Assembly, the Speaker hereby appoints the following members to the Ohio Transportation Task Force:

Representatives Reinhard (co-chair), Patton and Sayre.

MESSAGE FROM THE SPEAKER

Pursuant to Section 755.03 (A) of Am. Sub. H.B. No. 530, 126th General Assembly, the President of the Senate and the Speaker of the House of Representatives jointly appoint the following public members to the Ohio Transportation Task Force:

Dennis Garrison
(representing the Ohio Aggregates and Industrial Minerals Association)

Keith Stimpert
(representing the Ohio Farm Bureau Federation)

Larry Davis
(representing the Ohio Trucking Association)

Raymond Huber
(representing the County Engineers Association)

Jim DeSanto
(representing the Ohio Municipal League)

Michael Cochran
(representing the Ohio Township Association)

Donald Spang
(representing the Ohio Association of Regional Councils)

Steve Sobat
(representing the Ohio Manufactures' Association)

Art Arnold
(representing freight by rail)

Larry Przybylski
(representing freight by air)

Tracy Drake
(representing freight by water)

On motion of Representative DeWine, the House adjourned until Wednesday, March 21, 2007, 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.