

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, MARCH 27, 2007

**THIRTY-FIRST DAY**

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, March 27, 2007, 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Reverend Dennis George of the Northwest Bible Church in Hilliard, 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:

Bruce Lackey, a guest of Representative Wolpert-23rd district.

Moe Ben Zegulu, Tom Milligan, Darryl Mehaffie, and Ken Yowell, guests of Representative Zehringer-77th district.

Members of Leadership Piqua and the Piqua Leadership Team, guests of Representative Fessler-79th district.

Seth Meranda, a guest of Representative Bulp-88th district.

Dr. Krista Adams and students from Owens Community College, guests of the Northwest Ohio delegation.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 126**-Representatives Dyer, McGregor, J.

Cosponsors: Representatives Miller, Letson, Garrison, Brady, Szollosi, Luckie, Strahorn, Ujvagi, Dodd, Brown, Fende, Bolon.

To amend section 9.312 and to enact section 125.112 of the Revised Code to require the Department of Administrative Services to maintain a web site database including apparent low bidders who failed to be awarded a contract because they were found not to be "responsible," and to require public entities to conduct investigations when apparent low bidders are suspected of failing or fail to meet the "responsible" prong of the "responsive and responsible" competitive bidding threshold.

**H. B. No. 127**-Representative Bacon.

Cosponsors: Representatives Seitz, McGregor, R., McGregor, J., Flowers, Setzer, Stebelton, Adams.

To amend section 718.13 of the Revised Code to expressly authorize municipal corporations to disclose to the public aggregated municipal income tax data.

**H. B. No. 128**-Representative Bacon.

Cosponsors: Representatives Evans, Hagan, R., Peterson, Chandler, Hughes, Wagoner, Collier, Adams, Gibbs, Yuko, Combs, Aslanides, Harwood, Stebelton, Carano, Webster, McGregor, J., Miller, Letson, Beatty, Stewart, D., Jones.

To enact section 3701.135 of the Revised Code to create the Autism Diagnosis Education Pilot Program and to provide funding for the Pilot Program by making an appropriation for the biennium beginning on July 1, 2007.

**H. B. No. 129**-Representatives Evans, Book.

Cosponsors: Representatives Seitz, McGregor, J., Stebelton, Peterson, Yuko, Chandler, Letson, Wagoner, Garrison, Sayre.

To authorize for a two-year period a pilot program that allows the members of the Ohio Developmental Disabilities Council, the Ohio Statewide Independent Living Council, the Governor's Council on People with Disabilities, and the facility governing board and judicial advisory board that govern or advise on the STAR Community Justice Center in Franklin Furnace, Ohio, to be present at board meetings by teleconference or interactive video teleconference, and to require reports on the effects of member participation in meetings in this manner.

**H. B. No. 130**-Representatives White, Yates.

Cosponsors: Representatives Seitz, Peterson, Hagan, R., Carano, Miller, Yuko, Wagner, McGregor, J., Flowers, Letson, Strahorn, Williams, S., DeWine, Luckie, Brinkman.

To amend sections 9.06, 121.05, 321.44, 341.192, 1713.34, 2921.36, 2929.01, 2929.12, 2929.13, 2929.14, 2929.141, 2929.15, 2929.17, 2929.19, 2929.20, 2935.36, 2943.032, 2949.12, 2951.021, 2951.041, 2953.08, 2953.13, 2967.03, 2967.05, 2967.141, 2967.28, 3923.233, 3923.301, 4507.50, 4507.51, 4701.16, 4703.15, 4707.02, 4709.13, 4712.03, 4715.30, 4717.14, 4719.03, 4723.07, 4723.28, 4725.19, 4725.53, 4727.15, 4728.13, 4729.16, 4729.53, 4729.56, 4730.25, 4731.22, 4731.224, 4731.225, 4731.226, 4731.25, 4732.02, 4732.17, 4733.20, 4734.31, 4734.39, 4735.07, 4735.09, 4735.13, 4735.27, 4735.28, 4738.07, 4738.12, 4738.18, 4740.06, 4740.10, 4741.22, 4747.12, 4749.03, 4749.04, 4749.06, 4751.10, 4753.10, 4755.11, 4755.47, 4755.64, 4757.36, 4758.30, 4759.07, 4760.13, 4760.15, 4761.09, 4762.13, 4762.15, 4763.11, 4765.18, 4765.301, 4771.18, 4779.28, 4781.09, 5120.52, 5120.53, 5120.63, 5139.02, 5139.18, 5139.281, 5139.31, 5139.36, 5139.38, 5139.41, 5139.43, 5139.50, 5145.01, 5145.163, and 5149.06, to enact sections 9.871, 109.37, 2967.29, 4743.06, 5120.07, 5120.59, and 5120.70, and to repeal section 2967.11 of the Revised Code to modify sentencing procedures with respect to post-release control and related releases from prison, to conform the

Revised Code to the decision of the Ohio Supreme Court in *State ex rel. Bray v. Russell* (2000), 89 Ohio St.3d 132 by removing provisions related to bad time, to authorize courts to participate in the supervision of released prisoners, to provide released prisoners with identification cards and additional procedures for access to social services, to make other changes relative to opportunities for prisoner training and employment, to modify procedures for the judicial or medical release of prisoners and intervention in lieu of conviction, to grant the Adult Parole Authority more flexibility in determining periods of post-release control, to adopt other cost-control measures, to create the Ex-offender Reentry Coalition, to modify the grounds for disciplinary action by occupational licensing boards against licensees charged with criminal offenses, to provide for the indemnification of the Department of Rehabilitation and Correction for legal costs incurred in certain cases, to provide for legal representation of Department employees charged with offenses in certain cases until a grand jury has acted, to create a fund for the deposit of money received in certain federal law enforcement cases, to authorize the Department to enter into contracts to provide water and sewage treatment services, to make other changes related to the operations of the Department of Rehabilitation and Correction, to clarify the duties of juvenile parole officers, to establish reimbursement rates paid by the Department of Youth Services for outside medical providers, to authorize the Director of Youth Services to designate a deputy director, to modify the formula for expending appropriations for the care and custody of felony delinquents and the purposes for which money in the Felony Delinquent Care and Custody Fund may be used, to allow for unlimited reappointments of members of the Release Authority, and to make other changes related to the operations of the Department of Youth Services.

**H. B. No. 131**-Representative McGregor, R.

Cosponsors: Representatives Stewart, J., Chandler, Seitz, McGregor, J., Bulp, Oelslager, Miller, Harwood, Wagoner, Peterson, Fessler, Bacon.

To amend section 4715.22 of the Revised Code to permit dental hygienists to practice in certain places and to make appropriations to the Departments of Development and Health.

**H. B. No. 132**-Representative Hughes.

Cosponsors: Representatives Bacon, Flowers, McGregor, J., Evans, Collier, Stewart, D., Williams, B., Yuko, White, Adams, DeGeeter.

To amend section 2929.01 and to enact section 2909.031 of the Revised Code to create the offense of unlawful property burning.

**H. B. No. 133**-Representative Hughes.

Cosponsors: Representatives Bacon, Huffman, Miller, McGregor, R., Flowers, Latta, Yuko, Wagoner, Widener, Adams, Stebelton, DeGeeter.

To amend sections 5747.98 and 5751.98 and to enact sections 3333.51, 5747.81, 5747.82, 5751.54, and 5751.55 of the Revised Code to grant tax credits to businesses that provide internships to students attending Ohio's colleges and universities and that hire former interns.

**H. B. No. 134**-Representative Seitz.

Cosponsors: Representatives McGregor, J., Zehringer, Collier, Blessing, Combs, Bacon, Uecker, Harwood, Hughes, Flowers, Latta, White, Huffman, Wagoner, Adams, Letson, Wolpert.

To amend sections 1701.55, 1701.782, 1701.792, 1705.21, and 1775.14 of the Revised Code to modify corporation law relating to the election of directors and to conform conversion provisions of Chapter 1701. of the Revised Code with parallel provisions in Chapters 1705., 1775., and 1782. of the Revised Code.

**H. B. No. 135**-Representative DeWine.

To amend sections 9.30, 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, 125.18, 125.25, 125.30, 718.051, 1306.20, 1306.21, 1347.06, 3353.02, 5111.915, and 5703.57, to amend sections 125.18 (126.17) and 125.30 (126.18) for the purpose of recodifying the sections as indicated in parentheses, and to enact sections 125.011 and 126.19 of the Revised Code and to amend Section 329.10 of Am. Sub. H.B. 699 of the 126th General Assembly; Section 203.57 of Am. Sub. H.B. 66 of the 126th General Assembly, as amended by Am. Sub. H.B. 699 of the 126th General Assembly; and Section 235.30 of Am. Sub. H.B. 530 of the 126th General Assembly, as amended by Sub. H.B. 251 of the 126th General Assembly to transfer the Office of Information Technology from the Department of Administrative Services to the Office of Budget and Management and to make the State Chief Information Officer rather than the Director of Administrative Services responsible for purchasing technology solutions.

Said bills were considered the first time.

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

Representative Stewart, D. submitted the following report:

The standing committee on State Government and Elections to which was referred **H. R. No. 22**-Representative Bubb, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: NATIONAL PARK SERVICE - WORLD HERITAGE LIST

Representative Daniels moved to amend the title as follows:

Add the names: "Hite, Brown, Domenick, Flowers, Schneider, Sykes."

VERNON SYKES	DAVID DANIELS
CLIFF HITE	KEVIN DEWINE
JIM CARMICHAEL	THOM COLLIER
WILLIAM J. SEITZ	ARLENE J. SETZER
MICHELLE G. SCHNEIDER	LARRY L. FLOWERS
EDNA BROWN	MICHAEL J. SKINDELL
STEVE L. DRIEHAUS	JOHN DOMENICK
DAN STEWART	MATT LUNDY
T. TODD BOOK	

The report was agreed to.

The resolution 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. 18**-Representative Carano, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COLLEGE/PROF. SPORTS - ALLOW BROUGHT-IN LIQUOR

Representative Daniels moved to amend the title as follows:

Add the names: "Domenick, Driehaus, Flowers, Sykes, Book, Brown."

DAVID DANIELS	CLIFF HITE
KEVIN DEWINE	WILLIAM J. SEITZ
LARRY L. FLOWERS	JIM CARMICHAEL
THOM COLLIER	ARLENE J. SETZER
MICHELLE G. SCHNEIDER	T. TODD BOOK
MATT LUNDY	MICHAEL J. SKINDELL
EDNA BROWN	VERNON SYKES
DAN STEWART	STEVE L. DRIEHAUS
JOHN DOMENICK	

The report was agreed to.

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

### **BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 53**-Representatives Peterson, Yuko, Skindell, Ujvagi, Setzer, Dodd, Bacon, Collier, Fende, Chandler, Strahorn, White, Hagan, R., Wachtmann, Williams, B., Boyd, Brown, DeBose, Flowers, Goodwin, Hottinger, Huffman, Jones, Oelslager, Otterman, Raussen, Uecker, Webster.

To amend sections 701.01, 711.23, 1775.31, 2111.37, 2111.47, 2307.14, 2317.021, 2317.03, 2317.06, 2721.05, 3763.06, 4303.272, 4399.05, 4971.16, 5301.22, 5305.17, 5305.18, 5305.19, 5305.20, 5305.21, 5305.22, 5307.19, 5307.20, 5310.12, 5711.05, 5711.07, 5907.06, 5907.08, and 5907.09 of the Revised Code to replace terms that refer to persons with certain conditions , was taken up for consideration the third time.

The question being, "Shall the bill 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	Combs	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	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 Peterson moved to amend the title as follows:

Add the names: "Adams, Aslanides, Batchelder, Beatty, Bolon, Book, Brady, Bubp, Budish, Carano, Celeste, Combs, DeGeeter, Distel, Dolan, Domenick, Driehaus, Dyer, Evans, Foley, Garrison, Gibbs, Goyal, Harwood, Heard, Hite, Hughes, Latta, Letson, Luckie, Lundy, Mallory, Mandel, McGregor, R., Miller, Okey, Patton, Sayre, Schindel, Schneider, Stebelton, Stewart, D., Stewart, J., Sykes, Wagoner, Williams, S., Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative DeWine, the House recessed.

The House met pursuant to recess.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

**Sub. H. B. No. 67** -Representative Patton.

Cosponsors: Representatives Webster, Hottinger, Evans, Flowers, Schlichter, Strahorn, 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. Senators Clancy, Padgett, Austria, Buehrer, Cafaro, Carey, Fedor, Grendell, Harris, Kearney, Mason, Miller, D., Miller, R., Morano, Mumper, Roberts, Sawyer, Schaffer, Spada, Smith, Amstutz, Gardner.

To amend sections 737.04, 737.041, 1533.18, 3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4510.037, 4510.038, 4511.21, 4513.20, 4517.21, 4519.59, 4561.18, 4707.02, 4707.074, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 5517.03, 5537.16, 5577.05, 5591.02, and 5735.05; to enact sections 121.51, 1327.70, 4511.092, 4517.021, and 5502.67 of the Revised Code; to amend Section 755.03 of Am. Sub. H.B. 530 of the 126th General Assembly, to amend Section 243.10 of Am. Sub. H.B. 530 of the 126th General Assembly, as subsequently amended, and to amend Sections 235.20.20 and 235.30.70 of Am. Sub. H.B. 699 of the 126th General Assembly to prescribe terms and conditions pertaining to transportation and public safety purposes.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

David A. Battocletti,  
Clerk.

**CONSIDERATION OF SENATE AMENDMENTS**

Pursuant to Joint Rule 16, Representative DeWine moved that the Senate amendments to **Sub. H. B. No. 67**-Representative Patton, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 67**-Representative Patton, et al., were taken up for consideration.



**Sub. H. B. No. 67**-Representative Patton.

Cosponsors: Representatives Webster, Hottinger, Evans, Flowers, Schlichter, Strahorn, 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. Senators Clancy, Padgett, Austria, Buehrer, Cafaro, Carey, Fedor, Grendell, Harris, Kearney, Mason, Miller, D., Miller, R., Morano, Mumper, Roberts, Sawyer, Schaffer, Spada, Smith, Amstutz, Gardner.

To amend sections 737.04, 737.041, 1533.18, 3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4510.037, 4510.038, 4511.21, 4513.20, 4517.21, 4519.59, 4561.18, 4707.02, 4707.074, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 5517.03, 5537.16, 5577.05, 5591.02, and 5735.05; to enact sections 121.51, 1327.70, 4511.092, 4517.021, and 5502.67 of the Revised Code; to amend Section 755.03 of Am. Sub. H.B. 530 of the 126th General Assembly, to amend Section 243.10 of Am. Sub. H.B. 530 of the 126th General Assembly, as subsequently amended, and to amend Sections 235.20.20 and 235.30.70 of Am. Sub. H.B. 699 of the 126th General Assembly to prescribe terms and conditions pertaining to transportation and public safety purposes.

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

The yeas and nays were taken and resulted - yeas 43, nays 55, as follows:

Those who voted in the affirmative were: Representatives

Barrett	Beatty	Bolon	Book
Boyd	Brady	Brown	Budish
Carano	Celeste	Chandler	DeBose
DeGeeter	Distel	Dodd	Domenick
Driehaus	Fende	Foley	Garrison
Goyal	Hagan R.	Harwood	Heard
Koziura	Letson	Luckie	Lundy
Mallory	Miller	Okey	Otterman
Redfern	Sayre	Skindell	Stewart D.
Strahorn	Sykes	Szollosi	Williams B.
Williams S.	Yates		Yuko-43.

Those who voted in the negative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Bubp	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Dyer
Evans	Fessler	Flowers	Gibbs
Goodwin	Hagan J.	Hite	Hottinger
Huffman	Hughes	Jones	Latta
Mandel	McGregor J.	McGregor R.	Oelslager
Patton	Peterson	Raussen	Reinhard
Schindel	Schlichter	Schneider	Seitz
Setzer	Stebelton	Stewart J.	Uecker
Ujvagi	Wachtmann	Wagner	Wagoner

Webster  
Wolpert

White  
Zehringer

Widener

Widowfield  
Husted-55.

The Senate amendments were not concurred in.

On motion of Representative DeWine, the House recessed.

The House met pursuant to recess.

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. 67** -Representative Patton. - et al.

and asks for a Committee of Conference.

Attest:

David A. Battocletti,  
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the President of the Senate has appointed as managers on the part of the Senate on matters of difference between the two Houses on:

**Sub. H. B. No. 67** -Representative Patton. - et al.

Senators Clancy, Carey and Cafaro.

Attest:

David A. Battocletti,  
Clerk.

MESSAGE FROM THE SPEAKER

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on:

**Sub. H. B. No. 67** - Representative Patton - et al.

Representatives Dolan, Patton, and Hagan, R.

## Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

**Sub. S. B. No. 41** -Senator Spada.

Cosponsors: Senators Gardner, Clancy, Schuler, Amstutz, Padgett, Miller, D., Smith, Cafaro, Schaffer, Austria, Boccieri, Carey, Fedor, Goodman, Harris, Kearney, Mason, Miller, R., Morano, Mumper, Sawyer, Wilson, Roberts.

To amend sections 701.01, 711.23, 1775.31, 2111.37, 2111.47, 2307.14, 2317.021, 2317.03, 2317.06, 2721.05, 3763.06, 4303.272, 4399.05, 4971.16, 5301.22, 5305.17, 5305.18, 5305.19, 5305.20, 5305.21, 5305.22, 5307.19, 5307.20, 5310.12, 5711.05, 5711.07, 5907.06, 5907.08, and 5907.09 of the Revised Code to replace terms that refer to persons with certain conditions.

Attest:

David A. Battocletti,  
Clerk.

Said bill was considered the first time.

On motion of Representative Carmichael, the House adjourned until Wednesday, March 28, 2007, 1:30 p.m.

Attest:

LAURA P. CLEMENS,  
Clerk.