

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
WEDNESDAY, APRIL 9, 2008

ONE HUNDRED FIFTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, April 9, 2008, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Rabbi Michael Ungar of Tifereth Israel 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:

Rich Bryan, a guest of Representatives Schneider-35th district and Raussen-28th district.

Sue Williams, Rebecca and Rachel, wife and grandchildren of Representative B. Williams-41st district.

Ruth and Keith Crompton, guests of Representative R. McGregor-72nd district.

Margaret Ann Ruhl, a guest of Representative Collier-90th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 531-Representative Goyal.

Cosponsors: Representatives Foley, Yuko, McGregor, J., Skindell, Hagan, R., Celeste, Brown, Williams, S., Otterman, J., Stewart, D., Letson.

To amend section 3767.41 of the Revised Code to expand the law governing the abatement of public nuisances to buildings not occupied by an owner as a primary residence with three or fewer residential units and to vacant land and to make the title in property sold by court order pursuant to a public nuisance action free and clear of most liens and encumbrances.

H. B. No. 532-Representative Miller.

Cosponsors: Representatives Boyd, Szollosi, Brown, DeBose, Letson, Mallory.

To enact section 3701.136 of the Revised Code to create the Xeroderma Pigmentosum Research Commission.

Said bills were considered the first time.

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

Representative Yuko submitted the following report:

The standing committee on Commerce and Labor to which was referred **H. B. No. 257**-Representative Schneider, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: HOME INSPECTORS CERTIFICATION/REGULATION

COURTNEY COMBS
MATT SZOLLOSI
JOHN ADAMS
JOSEPH W. UECKER
TOM BRINKMAN

STEPHEN SLESNICK
JIM HUGHES
THOM COLLIER
W. SCOTT OELSLAGER

The following members voted "NO"

KENNY YUKO
VERNON SYKES

JENNIFER BRADY
DAN STEWART

The report was agreed to.

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

Representative Yuko submitted the following report:

The standing committee on Commerce and Labor to which was referred **H. B. No. 444**-Representative Stewart, J., et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CONSTRUCTION INDUSTRY LICENSING LAWS

KENNY YUKO
DAN STEWART
MATT SZOLLOSI
THOM COLLIER
JIM HUGHES
W. SCOTT OELSLAGER
TOM BRINKMAN

STEPHEN SLESNICK
JENNIFER BRADY
VERNON SYKES
COURTNEY COMBS
JOHN ADAMS
JOSEPH W. UECKER

The report was agreed to.

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

Representative Luckie submitted the following report:

The standing committee on Insurance to which was referred **Am. S. B. No. 186**-Senator Stivers, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ROUTINE PATIENT CARE IN CANCER CLINICAL TRIALS -
HEALTH INSURANCE NOT EXCLUDED

Representative Batchelder moved to amend the title as follows:

Add the names: "Representatives Adams, Barrett, DeBose, Batchelder."

JOHN ADAMS	JOSEPH KOZIURA
BILL COLEY	LORRAINE M. FENDE
JAMES ZEHRINGER	ROSS MCGREGOR
LYNN R. WACHTMANN	STEPHEN DYER
MICHAEL DEBOSE	BOB GIBBS
CLAYTON LUCKIE	DAVID DANIELS
T. TODD BOOK	TOM LETSON
MATTHEW H. BARRETT	TED CELESTE
JAMES T. RAUSSEN	CHRIS WIDENER
WILLIAM G. BATCHELDER	

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 Education to which was referred **S. C. R. No. 18**-Senator Padgett, having had the same under consideration, reports it back and recommends its adoption.

RE: ACADEMIC ACCOUNTABILITY SYSTEM - APPROVE
PROPOSED CHANGES

Representative Setzer moved to amend the title as follows:

Add the names: "Representatives Setzer, Evans, Williams, B., Schlichter."

VERNON SYKES	ARLENE J. SETZER
JOHN WIDOWFIELD	JOHN SCHLICHTER
STEVE REINHARD	JON M. PETERSON
THOM COLLIER	BRIAN G. WILLIAMS
CLAYTON LUCKIE	MARK D. OKEY
MATT LUNDY	STEPHEN DYER
GERALD L. STEBELTON	SHAWN N. WEBSTER
JEFF WAGNER	JOHN ADAMS
JENNIFER BRADY	RON GERBERRY
TED CELESTE	CLYDE EVANS

The report was agreed to.

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

H.B. 522 - Representative Oelslager, et al

FOR THE PURPOSE OF ADOPTING THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT BY REVISING THE OHIO UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT.

To the committee on Civil and Commercial Law

H.B. No. 523 - Representative Domenick, et al

TO REQUIRE A CORONER, DEPUTY CORONER, OR PATHOLOGIST TO ADMINISTER CHEMICAL TESTS TO THE BLOOD OF A DECEASED PERSON WHO DIED BY SUICIDE OR IN ANY SUSPICIOUS OR UNUSUAL MANNER WHEN THE TESTS ARE REQUESTED AND PAID FOR BY A FAMILY MEMBER OF THE DECEASED AND TO CLARIFY THAT THE RESULTS OF THE TESTS ARE PUBLIC RECORDS.

To the committee on Criminal Justice

H.B. No. 524 - Representative Sykes, et al

TO ADOPT THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.

To the committee on State Government and Elections

H.B. No. 525 - Representative Combs, et al

TO ESTABLISH STANDARD FORMAT REQUIREMENTS FOR DOCUMENTS TO BE RECORDED BY A COUNTY RECORDER.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 526 - Representative Combs, et al

TO CREATE THE "THANK YOU U.S. MILITARY" LICENSE PLATE.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 527 - Representative Koziura

TO PREVENT THE CHANGES PROVIDED FOR IN AM. SUB. S.B. 128 OF THE 126TH GENERAL ASSEMBLY WITH REGARD TO THE PROBATE JUDGE AND THE JUDGES OF THE DOMESTIC RELATIONS DIVISION OF THE LORAIN COUNTY COURT OF COMMON PLEAS FROM GOING INTO EFFECT.

To the committee on Judiciary

H.B. No. 528 - Representative Miller, et al

TO PROHIBIT A PERSON FROM SELLING A WATER KEY TO ANY INDIVIDUAL OTHER THAN A PLUMBER.

To the committee on Commerce and Labor

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.

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

KEVIN DEWINE
LARRY L. WOLPERT
JOSEPH KOZIURA

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. 168 – Representatives Raussen, Yates, Schneider, Coley, Combs, Mallory

HONORING MOUNT NOTRE DAME HIGH SCHOOL GIRLS BASKETBALL TEAM ON WINNING THE 2008 DIVISION I STATE CHAMPIONSHIP.

H.R. No. 169 – Representative Gerberry

HONORING TONY JAMESON AS A 2008 DIVISION I STATE WRESTLING CHAMPION.

H.R. No. 172 – Speaker Husted, Representatives Beatty, Dolan, Patton, Daniels, Zehringer, Sayre, Dodd, Newcomb, Carmichael, Foley, Gerberry, Bacon, Yuko, Williams, B., Stebelton, Mallory, Chandler, DeWine, Coley, Adams, Redfern, Brady, Hottinger, Luckie, Yates, Sears, Wagner, Szollosi, Oelslager, Gardner, Brown, Budish, Lundy, Slesnick, Mandel, Evans, Ujvagi, Combs, Peterson, McGregor, J., Blessing, Dyer, Flowers, Fessler, Stewart, D., Driehaus, Schindel, Huffman, Batchelder, Okey, Strahorn, Letson, Heard, Uecker, Celeste, Koziura, Hite
RECOGNIZING THE STATE OF ISRAEL ON THE SIXTIETH ANNIVERSARY OF ITS FOUNDING.

/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 resolutions contained therein be approved.

The motion was agreed to.

Representative Koziura reported for the Rules and Reference Committee

recommending that the following House Resolutions be read and approved:

H.R. No. 170 - Representative Blessing, Speaker Husted, Representatives Beatty, Adams, Aslanides, Bacon, Barrett, Batchelder, Bolon, Book, Boyd, Brady, Brinkman, Brown, Bubb, Budish, Carmichael, Celeste, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Dodd, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Fessler, Flowers, Foley, Gardner, Garrison, Gerberry, Gibbs, Goodwin, Goyal, Hagan, J., Hagan, R., Harwood, Heard, Hite, Hottinger, Huffman, Hughes, Jones, Koziura, Letson, Luckie, Lundy, Mallory, Mandel, McGregor, J., McGregor, R., Mecklenborg, Miller, Newcomb, 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
IN MEMORY OF CAPTAIN ROBIN BROXTERMAN.

H.R. No. 171 - Representative Blessing, Speaker Husted, Representatives Beatty, Adams, Aslanides, Bacon, Barrett, Batchelder, Bolon, Book, Boyd, Brady, Brinkman, Brown, Bubb, Budish, Carmichael, Celeste, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Dodd, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Fessler, Flowers, Foley, Gardner, Garrison, Gerberry, Gibbs, Goodwin, Goyal, Hagan, J., Hagan, R., Harwood, Heard, Hite, Hottinger, Huffman, Hughes, Jones, Koziura, Letson, Luckie, Lundy, Mallory, Mandel, McGregor, J., McGregor, R., Mecklenborg, Miller, Newcomb, 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
IN MEMORY OF FIREFIGHTER BRIAN SCHIRA.

/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 resolutions contained therein be approved.

The motion was agreed to.

Representative Schneider moved that majority party members asking leave to be absent or absent the week of Tuesday, April 8, 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, April 8, 2008, 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

S. B. No. 219-Senator Schuring.

Cosponsors: Senators Grendell, Faber, Niehaus, Padgett, Schaffer, Schuler, Stivers, Wilson. Representative Hughes.

To amend section 2901.13 of the Revised Code to make the period of limitation for the criminal prosecution of a person for an offense directly related to misconduct in office of a public servant the same as the period of limitation for the criminal prosecution of that public servant for the offense involving the public servant's misconduct in office, 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 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeWine	Dodd
Dolan	Domenick	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	Newcomb
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-93.

The bill passed.

Representative White moved to amend the title as follows:

Add the names: "Adams, Bacon, Batchelder, Bolon, Combs, Dolan, Domenick, Dyer, Jones, Letson, Lundy, Patton, Strahorn, White."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 367-Representative Blessing.

Cosponsors: Representatives Flowers, McGregor, J., Fessler, Webster.

To amend section 4710.01 and to enact section 4710.05 of the Revised Code relative to the practice of debt settlement regulation, 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 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeWine	Dodd
Dolan	Domenick	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	Newcomb
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-93.

The bill passed.

Representative Widener moved to amend the title as follows:

Add the names: "Adams, Batchelder, Combs, Daniels, Domenick, Evans, Gibbs, Hite, Hughes, Schindel, 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. 267 -Senator Faber

Cosponsors: Senators Seitz, Cates, Coughlin, Fedor, Harris, Kearney, Miller, D., Niehaus, Wilson, Spada, Miller, R., Wagoner, Stivers, Schuler, Mumper, Mason, Smith, Amstutz, Padgett

To amend sections 145.01, 145.19, 145.191, 145.33, 145.35, 145.47, and 145.49 and to enact section 145.2914 of the Revised Code regarding the Public Employees Retirement System law enforcement division and late penalties assessed by the retirement system.

Sub. S. B. No. 268 -Senator Seitz

Cosponsors: Senators Niehaus, Gardner, Schuler, Schuring, Cates, Fedor, Roberts, Buehrer, Harris, Kearney, Mumper, Spada, Wilson

To amend sections 9.48, 125.04, 307.86, and 3313.46 and to enact section 307.862 of the Revised Code to allow a county contracting authority to use competitive sealed proposals instead of competitive sealed bidding when doing so would be advantageous to the county, to extend the current county and township joint purchasing authority to other political subdivisions, and to authorize boards of education to forgo the second newspaper publication of bid advertisement in lieu of an internet web site posting.

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 has concurred in the House amendments to:

Am. Sub. S. B. No. 84 -Senator Schaffer - 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 concurred in the House amendments to:

Am. S. B. No. 192 - Senator Gardner - et al.

Attest: Vincent L. Keeran,
Clerk.

Message from the Speaker

Pursuant to House Rules 13, 28 and 30, the Speaker hereby makes the following change to the Criminal Justice Committee:

remove Representatives Hughes and Yuko.

Message from the Speaker

The Speaker of the House of Representatives, on April 8, 2008, signed the following:

Am. S. B. No. 192 - Senator Gardner - et al.

Sub. S. B. No. 241 - Senator Cates - et al.

Message from the Speaker

The Speaker of the House of Representatives, on April 9, 2008, signed the following:

Am. Sub. S. B. No. 84 - Senator Schaffer - et al.

On motion of Representative DeWine, the House adjourned until Thursday, April 10, 2008 at 11:00 o'clock a.m.

Attest: LAURA P. CLEMENS,
Clerk.