

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MAY 6, 2008

ONE HUNDRED SIXTY-NINTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, May 6, 2008, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Donald Beaumont of the Bethel Lutheran Church in Willowick, 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:

The Madison Comprehensive High School construction team received H. R. 185, presented by Representative Goyal-73rd district.

The Ottawa-Glandorf High School boys basketball team received H. R. 189, presented by Representative Wachtmann-75th district.

Students from A.Y.U.S.A., guests of the Franklin County delegation.

Carol Cobbs, Melissa Persic, Brad Stevens, and George Hayes, guests of Representative Bolon-1st district.

Mary Goettmoeller, Robin and Mary Lehman, guests of Speaker Husted-37th district and Representatives White-38th district and Setzer-36th district.

Becky Minger, a guest of Representative Sears-46th district.

Virgil and David Holden, a guest of Representative J. Hagan-50th district.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 550-Representatives Flowers, Driehaus.

Cosponsors: Representatives Hughes, Harwood, Williams, B., Sayre, Yuko, Chandler, Okey, Schneider, Otterman, J., Szollosi, Adams, Dolan, Lundy, Strahorn, Letson, Stebelton, Skindell, Hite, Combs, Brown, McGregor, J., Ujvagi, Zehringer, Uecker.

To amend sections 4931.61, 4931.62, 4931.63, 4931.64, 4931.65, 4931.66, and 4931.70 of the Revised Code to extend until 2013 the wireless 9-1-1 charge, to raise the minimum, annual fund disbursement amount for each county from \$25,000 to \$90,000, and to broaden local uses of that revenue.

Said bill was considered the first time.

BILLS FOR THIRD CONSIDERATION**H. C. R. No. 34-Representative Batchelder.**

Cosponsors: Representatives McGregor, R., Raussen, Driehaus, Book, Hottinger, Harwood, McGregor, J., Adams, Flowers, Webster, Stebelton, Letson, Fessler, Wachtmann, Otterman, Fende, Gibbs, Daniels, Mecklenborg, Widener, Koziura, Barrett, Celeste, Coley, Dyer.

To express the commitment of the 127th Ohio General Assembly to maintain the states as the sole regulators on the business of insurance, and to express the opposition of the 127th Ohio General Assembly to any proposed law that would establish a federal insurance regulatory system, was taken up for consideration the third time.

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

Representative Batchelder moved to amend the title as follows:

Add the names: "Aslanides, Blessing, Brown, Chandler, Evans, Huffman, Hughes, Jones, Luckie, Patton, Schindel, Schneider, Setzer, Yates, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

The yeas and nays were taken and resulted - yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	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.	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Webster	White	Widener	Widowfield
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

The concurrent resolution was adopted.

Sub. H. B. No. 257-Representative Schneider.

Cosponsors: Representatives McGregor, R., Combs, Sayre, Chandler, Harwood, Luckie, Collier.

To amend sections 121.08 and 4745.01 and to enact sections 4768.01 to 4768.19 and 4768.99 of the Revised Code to require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Stebelton moved to amend as follows:

In line 572, delete " fifteen" and insert " six"

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

The yeas and nays were taken and resulted - yeas 55, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Brown	Carmichael
Chandler	Coley	Combs	Core
Daniels	DeWine	Dolan	Evans
Fessler	Flowers	Gardner	Gibbs
Goodwin	Hagan J.	Hagan R.	Hite
Hottinger	Huffman	Jones	Mallory
Mandel	McGregor J.	McGregor R.	Mecklenborg
Oelslager	Okey	Patton	Peterson
Rausen	Reinhard	Schindel	Schlichter
Schneider	Sears	Setzer	Stebelton
Stewart J.	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Wolpert	Zehringer		Husted-55.

Those who voted in the negative were: Representatives

Beatty	Bolon	Book	Boyd
Brady	Budish	Celeste	DeBose
DeGeeter	Dodd	Domenick	Driehaus
Dyer	Fende	Foley	Garrison
Gerberry	Goyal	Harwood	Heard
Hughes	Koziura	Letson	Luckie
Lundy	Miller	Newcomb	Otterman J.
Redfern	Sayre	Skindell	Slesnick
Stewart D.	Sykes	Szollosi	Widowfield
Williams B.	Williams S.	Yates	Yuko-40.

The motion was agreed to and the bill so amended.

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

Representative Schneider moved to amend as follows:

In line 474, after " programs" insert " if"; delete " satisfy" and insert " institution, organization, company, or individual satisfies"

In line 496, delete the underlined semicolon

Delete lines 497 through 499

In line 500, delete " appropriate to enforce this chapter"

In line 507, after " (C)" insert " The superintendent may establish and maintain an investigation and audit section to investigate complaints and conduct inspections, audits, and other inquiries as in the judgment of the superintendent are appropriate to enforce this chapter."

In line 898, delete " this"; after " section" insert " 4768.02 of the Revised Code"

In line 956, delete " superintendent" and insert " Ohio home inspector board"

In line 960, delete " Ohio home inspector"

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

The motion was agreed to without objection.

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

The yeas and nays were taken and resulted - yeas 84, nays 11, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brinkman	Brown	Budish
Carmichael	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
DeWine	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Flowers	Foley	Gardner	Garrison
Gerberry	Goodwin	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Hite
Hottinger	Hughes	Jones	Koziura
Letson	Luckie	Lundy	Mallory
Mandel	McGregor J.	McGregor R.	Mecklenborg
Miller	Newcomb	Oelslager	Okey
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Slesnick	Stebelton	Stewart D.	Stewart J.
Szollosi	Uecker	Ujvagi	Webster
White	Widener	Williams B.	Williams S.
Wolpert	Yates	Zehringer	Husted-84.

Those who voted in the negative were: Representatives

Brady
Huffman
Wagner

Core
Otterman J.
Widowfield

Fessler
Sykes

Gibbs
Wachtmann
Yuko-11.

The bill passed.

Representative Schneider moved to amend the title as follows:

Add the names: "Beatty, Blessing, Bolon, Boyd, Brown, Celeste, Domenick, Dyer, Evans, Flowers, Koziura, Setzer, Stebelton, Williams, S., Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 420-Representative Brinkman.

Cosponsors: Representatives Evans, McGregor, J., Bulp, Raussen, Blessing, Uecker, Batchelder, Adams, Hughes, Collier, Combs, Patton, Yuko, Stebelton, Hite, Gibbs, Stewart, J., Jones, Webster, Bacon, Schindel, Huffman, Daniels, Dolan, Hagan, J., McGregor, R., Wachtmann, Wagner, Skindell, Fessler, Book, Peterson, Stewart, D., Coley, Goodwin, Domenick.

To enact sections 126.45, 126.46, 126.51, 126.52, 126.53, 126.55, and 126.57 of the Revised Code to promote transparency with respect to state spending by requiring that certain information on state awards and earmarks, state real property management, state agency management, and state program effectiveness be collected and made available on-line, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Brinkman moved to amend as follows:

In line 9, delete "126.45, 126.46,"

In line 10, delete "and"; after "126.57" insert ", 126.61, and 126.62"

In line 12, delete "**126.45**" and insert "**126.61**"

In line 62, delete "**126.46**" and insert "**126.62**"

Relocate lines 12 through 77, as amended, to after line 213

In line 1 of the title, delete "126.45, 126.46,"

In line 2 of the title, delete "and"; after "126.57" insert ", 126.61, and 126.62"

The motion was agreed to without objection.

The question being, "Shall the bill as amended 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	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	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	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Slesnick	Stebelton	Stewart D.
Stewart J.	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

The bill passed.

Representative Brinkman moved to amend the title as follows:

Add the names: "Bolon, Boyd, Brown, Celeste, Core, DeBose, Dodd, Dyer, Flowers, Garrison, Gerberry, Goyal, Hagan, R., Letson, Luckie, Lundy, Mallory, Mecklenborg, Newcomb, Oelslager, Schneider, Setzer, Wolpert, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 444-Representative Stewart, J.

Cosponsors: Representatives Szollosi, Luckie.

To amend sections 4740.01, 4740.02, 4740.04, and 4740.07 and to enact section 4740.16 of the Revised Code to make changes to the construction industry licensing laws to discipline unlicensed contractors and eliminate unlicensed contractor activity, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Stewart, J. moved that **Sub. H. B. No. 444**-Representative Stewart, J., et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

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. 181 -Representative Setzer - et al.

Senators Grendell, Carey and Mason.

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 passage of the following bill:

Am. H. B. No. 281 -Representative Schlichter

Cosponsors: Representatives Gibbs, McGregor, J., Brown, Wagoner, Combs, Webster, Stebelton, Collier, Aslanides, Domenick, Evans, Batchelder, Book, Daniels, Flowers, Gardner, Hagan, R., Harwood, Hottinger, Patton, Setzer, Zehringer Senators Mumper, Padgett, Carey, Harris, Kearney, Morano, Schaffer, Wagoner, Wilson

To amend sections 955.12, 955.14, 955.27, 955.29, 955.32, 955.34, 955.35, 955.37, and 955.38; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 955.34 (955.351); and to repeal sections 955.31 and 955.33 of the Revised Code to provide for the uniform determination of the fair market value of certain animals killed by a dog.

With the following additional amendments, in which the concurrence of the House is requested.

In line 269, strike through "twenty" and insert "ten"

In line 270, strike through "loss or injury was dicovered" and insert "warden finds that not all of the owner's statements are correct or disagrees with the owner's estimated fair market value, whichever is applicable"

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Speaker

Pursuant to Ohio Revised Code section 9.901, the Speaker hereby makes the following change to the School Employees Health Care Board:

Remove Anthony D'Ambrosio; appoint Gary Smiga.

Message from the Speaker

Pursuant to Ohio Revised Code section 9.901, the Speaker hereby makes the following change to the Public Schools Health Care Board:

Remove Bob Hancock; appoint Dan Schall.

Message from the Speaker

The Speaker of the House of Representatives, on April 30, 2008, signed the following:

Sub. S. B. No. 163 - Senator Niehaus - et al.

Message from the Speaker

The Speaker of the House of Representatives, on May 1, 2008, signed the following:

Am. H. B. No. 55 - Representative McGregor, J. - et al.

Sub. H. B. No. 244 - Representative Brinkman - et al.

Am. Sub. H. B. No. 293 - Representative Goodwin - et al.

Am. H. B. No. 381 - Representative Webster - et al.

Sub. S. B. No. 186 - Senator Stivers - et al.

On motion of Representative DeWine, the House adjourned until Wednesday, May 7, 2008 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.