OHIO House of Representatives JOURNAL

THURSDAY, MAY 10, 2007

FORTY-EIGHTH DAY

Hall of the House of Representatives, Columbus, Ohio Thursday, May 10, 2007, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Patton was selected to preside under the Rule.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 219-Representative Patton. Cosponsors: Representatives Healy, Yuko.

To amend section 2317.02 of the Revised Code to create a testimonial privilege for communications between a representative of an employee organization and a bargaining unit member.

Said bill was considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Harwood submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 56**-Representative Uecker, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MANUFACTURED HOME PARKS EVICTION

Representative Blessing moved to amend the title as follows:

Add the names: "Blessing, Harwood, Okey, Dyer, Coley, Latta."

MARK D. WAGONER SANDRA STABILE HARWOOD MICHAEL J. SKINDELL MIKE FOLEY ARMOND BUDISH BILL COLEY MATTHEW J. DOLAN

WILLIAM G. BATCHELDER

LOUIS W. BLESSING MARK D. OKEY STEPHEN DYER RON GERBERRY WILLIAM J. SEITZ KEVIN BACON ROBERT E. LATTA

The report was agreed to.

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

Representative Harwood submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 89**-Representative Coley, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: CONSUMER GOODS/FOOD-DONATE-IMMUNITY

Representative Blessing moved to amend the title as follows:

Add the name: "Harwood."

Representative Coley moved to amend as follows:

In line 61, after "entities" insert " and federal instrumentalities"

In line 62, strike through "has the same meaning as in section"

In line 63, strike through "3715.171 of the Revised Code" and insert " means the date by which the manufacturer, processor, or packager of a packaged food product recommends that the food product be sold for consumption based on the food product's quality assurance period"

The motion was agreed to and the bill so amended.

LOUIS W. BLESSING WILLIAM G. BATCHELDER

MARK D. WAGONER BILL COLEY

MICHAEL J. SKINDELL ROBERT E. LATTA

MATTHEW J. DOLAN SANDRA STABILE HARWOOD

KEVIN BACON WILLIAM J. SEITZ MARK D. OKEY ARMOND BUDISH RON GERBERRY MIKE FOLEY

STEPHEN DYER

The report was agreed to.

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

Representative Goyal submitted the following report:

The standing committee on Ways and Means to which was referred **S. B. No. 20**-Senator Clancy, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: INCOME TAX - INCREASE ADOPTION CREDIT

Representative Gibbs moved to amend the title as follows:

Add the names: "Representatives Gibbs, Bubp, Blessing, Brinkman, Hagan, J., Latta, Patton, Widener, Wolpert, Bolon, Chandler, Healy, Letson, Miller,

Yates."

Representative Hagan, J. moved to amend as follows:

In line 23, strike through "during the taxable year"; after the period insert "The taxpayer may claim the credit for each child over a period of three or fewer consecutive taxable years, beginning with the taxable year in which the child was legally adopted. The amount that may be claimed for a taxable year equals the total amount of the credit less any amounts claimed in preceding taxable years."

The motion was agreed to and the bill so amended.

JOHN P. HAGAN
BOB GIBBS
THOMAS F. PATTON
KATHLEEN CHANDLER
WILLIAM J. HEALY
TYRONE K. YATES
DANNY R. BUBP
EUGENE R. MILLER
CHRIS WIDENER

CAROL-ANN SCHINDEL ROBERT E. LATTA TOM BRINKMAN JAY P. GOYAL TOM LETSON LINDA S. BOLON LARRY L. WOLPERT LOUIS W. BLESSING MIKE FOLEY

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 Health to which was referred **Am. S. B. No. 58**-Senator Coughlin, et al., having had the same under consideration, reports it back and recommends its passage.

RE: PHARMACISTS IMMUNIZATION BOARD PROCEDURE

Representative White moved to amend the title as follows:

Add the names: "Representatives Flowers, Yuko, Fende, Brown, Letson, Otterman, DeBose, Williams, B., Uecker, Huffman, White."

SHAWN N. WEBSTER
LARRY L. FLOWERS
KENNY YUKO
LORRAINE M. FENDE
ROBERT J. OTTERMAN
BRIAN G. WILLIAMS
JOSEPH W. UECKER
JAMES T. RAUSSEN
LYNN R. WACHTMANN
BARBARA BOYD

JAY HOTTINGER
BRUCE W. GOODWIN
EDNA BROWN
TOM LETSON
MICHAEL DEBOSE
FRED STRAHORN
MATT HUFFMAN
W. SCOTT OELSLAGER
CHRIS REDFERN
JOHN J. WHITE

The report was agreed to.

The bill 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. No. 207 - Representative Peterson, et al

TO PROVIDE FOR INCREASED PENALTIES WHEN A PERSON VIOLATES THE MOTOR VEHICLE TRAFFIC LAW ASSURED CLEAR DISTANCE AHEAD PROVISION OR COMMITS A FAILURE TO YIELD THE RIGHT-OF-WAY OFFENSE THAT RESULTS IN SERIOUS PHYSICAL HARM OR DEATH TO ANOTHER PERSON.

To the committee on Criminal Justice

H.B. No. 208 - Representatives Latta, J. McGregor

TO ALLOW A SUBDIVISION THAT IS A MEMBER OF A REGIONAL TRANSIT AUTHORITY TO WITHDRAW FROM THE AUTHORITY. To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 209 - Representative Core, et al

TO EXPAND THE OFFENSE OF "SEXUAL BATTERY" TO PROHIBIT A PEACE OFFICER FROM ENGAGING IN SEXUAL CONDUCT WITH A MINOR WHO IS NOT THE OFFICER'S SPOUSE.

To the committee on Criminal Justice

H.B. No. 210 - Representative Schlichter, et al

TO ADOPT THE TOMATO AS THE STATE FRUIT.

To the committee on State Government and Elections

H.B. No. 211 - Representative Schlichter

REGARDING THE PRACTICE OF DENTAL HYGIENE.

To the committee on Health

H.B. No. 212 - Representative Carmichael, et al

TO MODIFY THE STAFFING REQUIREMENTS FOR AMBULANCES DURING EMERGENCY RUNS AND WHILE TRANSPORTING PATIENTS, AND TO REQUIRE CERTAIN MINIMUM STANDARDS FOR AMBULANCE DRIVERS.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 213 - Representatives Combs and Wagner, et al

TO IMPROVE FOSTER CAREGIVER BACKGROUND CHECKS, CLARIFY WHEN A COURT MUST ORDER A PERSON TO BE FINGERPRINTED, AND ESTABLISH THE RETAINED APPLICANT FINGERPRINT DATABASE.

To the committee on Criminal Justice

H.B. No. 214 - Representative Wagner and Combs, et al

RELATIVE TO TRAINING FOR FOSTER CAREGIVERS, THE PUBLIC

RECORD STATUS OF IDENTIFYING INFORMATION OF CURRENT AND PROSPECTIVE FOSTER CAREGIVERS, DEPARTMENT OF JOB AND FAMILY SERVICES AUTHORITY TO BEGIN THE CHILD PLACEMENT LEVEL OF CARE PILOT PROGRAM AND PETITION CONGRESS FOR EXPANDED USAGE OF TITLE IV-E FUNDING, AND THE COORDINATION OF THE PROVISION OF SERVICES FOR FOSTER CHILDREN WITH MENTAL RETARDATION OR DEVELOPMENTAL DISABILITIES, AND TO AMEND THE VERSION OF SECTION 149.43 OF THE REVISED CODE THAT IS SCHEDULED TO TAKE EFFECT SEPTEMBER 29, 2007, TO MAINTAIN THE PROVISIONS OF THIS ACT ON AND AFTER THAT EFFECTIVE DATE. To the committee on Juvenile and Family Law

JON A. HUSTED LARRY L. FLOWERS JOYCE BEATTY CHRIS REDFERN KEVIN DEWINE ARLENE J. SETZER JOSEPH KOZIURA

Representative McGregor, J. 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. 55 – Representative Ujvagi, Wagoner, Brown, Szollosi HONORING THE ST. JOHN'S JESUIT HIGH SCHOOL HOCKEY TEAM ON WINNING THE 2007 STATE CHAMPIONSHIP.

> /s/ JON A. HUSTED Jon A. Husted, Chair

Representative McGregor, J. 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 McGregor, J. moved that the following House Resolution be read by title only and brought up for immediate adoption:

H.R. No. 56 – Representative Daniels

IN MEMORY OF PRIVATE FIRST CLASS ZACHARY GULLETT.

The motion was agreed to without objection.

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

The resolution was adopted.

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:

S. B. No. 9 - Senator Clancy.

Cosponsors: Senators Stivers, Faber, Padgett, Jacobson, Cates, Grendell, Mumper, Harris, Austria, Goodman, Morano, Niehaus, Schaffer, Schuler, Spada, Wilson, Mason, Fedor, Kearney.

To amend section 2901.13 of the Revised Code to permit a prosecution for a felony sex offense or kidnapping offense involving a victim under 13 years of age to be commenced at any time after the commission of the offense and to require the division of Criminal Justice Services in the Department of Public Safety to apply to the United States Attorney General for a "Jessica Lunsford and Sarah Lunde Grant."

Sub. S. B. No. 102 -Senators Schuler, Spada, Niehaus, Miller, D., Kearney, Clancy, Mumper.

To amend section 4303.99 and to enact section 4303.208 of the Revised Code to authorize the F-8 liquor permit to be issued to certain nonprofit organizations to allow the sale of beer and intoxicating liquor at specific events that occur on public space that the organization manages.

Sub. S. B. No. 117 - Senator Jacobson.

Cosponsors: Senators Miller, R., Spada, Buehrer, Mumper, Niehaus, Stivers, Mason, Fedor, Harris, Coughlin, Wilson, Sawyer.

To amend section 153.64, to enact sections 1332.21, 1332.22, 1332.23, 1332.24, 1332.25, 1332.26, 1332.27, 1332.28, 1332.29, 1332.30, 1332.31, 1332.32, 1332.33, and 1332.34, and to repeal sections 505.90, 505.91, and 505.92 of the Revised Code to provide for the issuance of video service authorizations by the Director of Commerce.

Attest:	David A. Battocletti
	Clark

Said bills were considered the first time.

On motion of Representative McGregor, J., the House adjourned until Tuesday, May 15, 2007, 11:00 o'clock a.m.

Attest: LAURA P. CLEMENS, Clerk.