

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

THURSDAY, JUNE 21, 2007

## SIXTY-FIFTH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Thursday, June 21, 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 Core was selected to preside under the Rule.

The journal of yesterday was read and approved.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 271**-Representative Patton.

To amend section 3313.647 of the Revised Code to permit a school district to establish a policy guaranteeing state institutions of higher education that its graduates will not require remedial coursework in specified subject areas or the district will cover the costs of remediation.

**H. B. No. 272**-Representative Patton.

To enact section 4931.71 of the Revised Code to prohibit broadcasting an actual 9-1-1 call that has been made available as a public record.

**H. B. No. 273**-Speaker Husted, Representative Beatty.

To amend sections 955.202, 4501.21, and 4501.27 and to enact sections 4503.481, 4503.547, 4503.731, 4503.92, 5533.281, 5533.332, 5533.632, 5533.633, 5533.634, 5533.76, 5533.77, and 5533.871 of the Revised Code to designate certain memorial highways and to create certain special license plates.

Said bills were considered the first time.

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

Representative Sayre submitted the following report:

The standing committee on Infrastructure, Homeland Security, and Veterans Affairs to which was referred **H. B. No. 30**-Representative McGregor, R., et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: TRAFFIC PHOTO MONITOR SIGNS INDICATING USE

Representative Reinhard moved to amend the title as follows:

Add the names: "Aslanides, Bulp, Domenick."

Representative Widowfield moved to amend as follows:

In line 22, delete " and" and insert " that is not a"

In line 27, after the first " authority" insert " or, if the signs cannot be located within the first three hundred feet of the boundary of the local authority, as close to that distance as possible"

Between lines 39 and 40, insert:

" (C) A local authority that uses traffic law photo-monitoring devices to enforce any traffic law at an intersection where traffic is controlled by traffic control signals that exhibit different colored lights or colored lighted arrows shall conform the timing of the yellow lights and yellow arrows of those traffic control signals to the provisions of the manual adopted by the department of transportation under section 4511.09 of the Revised Code that are applicable to that type of intersection."

In line 5 of the title, delete "or" and insert "that is not a"

The motion was agreed to and the bill so amended.

DANNY R. BULP  
COURTNEY COMBS  
ALLAN R. SAYRE  
JOHN WIDOWFIELD  
JOHN DOMENICK  
STEVE REINHARD

LYNN R. WACHTMANN  
JIM ASLANIDES  
ROBERT J. OTTERMAN  
JOHN J. WHITE  
DALE MALLORY

The report was agreed to.

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

Representative Sayre submitted the following report:

The standing committee on Infrastructure, Homeland Security, and Veterans Affairs to which was referred **H. B. No. 68**-Representative Wolpert, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: WENDY EVERTT/JERRY NEFF MEMORIAL HIGHWAYS

Representative Reinhard moved to amend the title as follows:

Add the names: "Aslanides, Bulp, Mallory, Wachtmann."

DANNY R. BULP  
COURTNEY COMBS  
JOHN DOMENICK  
ROBERT J. OTTERMAN  
JOHN J. WHITE

LYNN R. WACHTMANN  
JIM ASLANIDES  
JOHN WIDOWFIELD  
DALE MALLORY  
ALLAN R. SAYRE

## STEVE REINHARD

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 **H. B. No. 164**-Representative McGregor, R., et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FEDERAL HEALTH CENTERS/PILOT PROGRAM

Representative White moved to amend the title as follows:

Add the names: "White, Webster, Otterman, Fende, Brown, Boyd."

KENNY YUKO  
LARRY L. FLOWERS  
LYNN R. WACHTMANN  
SHAWN N. WEBSTER  
MATT HUFFMAN  
BRIAN G. WILLIAMS  
TOM LETSON  
EDNA BROWN  
BARBARA BOYD

BRUCE W. GOODWIN  
JOHN J. WHITE  
JAY HOTTINGER  
JAMES T. RAUSSEN  
JOSEPH W. UECKER  
ROBERT J. OTTERMAN  
LORRAINE M. FENDE  
CHRIS REDFERN  
W. SCOTT OELSLAGER

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 **H. B. No. 224**-Representative Schindel, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: MUNICIPAL INCOME TAX FILING DEADLINE

Representative Gibbs moved to amend the title as follows:

Add the names: "Gibbs, Bolon, Chandler, Goyal, Latta, Patton."

Representative Schindel moved to amend as follows:

In line 23, delete " is" and insert " files"; after " individual" insert " tax return"

In line 26, strike through "an" and insert " the"

The motion was agreed to and the bill so amended.

TOM BRINKMAN  
MIKE FOLEY

BOB GIBBS  
KATHLEEN CHANDLER

EUGENE R. MILLER  
CHRIS WIDENER  
JAY P. GOYAL  
DANNY R. BUBP  
CAROL-ANN SCHINDEL  
LARRY L. WOLPERT

LINDA S. BOLON  
THOMAS F. PATTON  
ROBERT E. LATTA  
LOUIS W. BLESSING  
JOHN P. HAGAN  
TOM LETSON

The report was agreed to.

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

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:

**Am. Sub. H. B. No. 119** -Representative Dolan - et al.

Senators Carey, Niehaus and D. Miller

Attest:

David A. Battocletti,  
Clerk.

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. 25** -Senator Carey

Cosponsors: Senators Gardner, Cafaro, Clancy, Goodman, Niehaus, Padgett, Boccieri, Miller, D., Faber, Schuler, Grendell, Schuring, Schaffer, Kearney, Amstutz, Austria, Cates, Harris, Morano, Mumper, Roberts, Spada, Stivers, Wilson, Sawyer, Mason, Miller, R., Fedor, Buehrer, Smith

To enact section 4503.546 of the Revised Code to create "Gold Star Family" license plates.

**S. B. No. 35** -Senator Goodman

Cosponsors: Senators Jacobson, Austria, Gardner, Amstutz, Clancy, Grendell, Padgett, Spada, Mumper, Carey, Buehrer, Faber, Schaffer, Schuler, Miller, R., Miller, D., Mason, Cafaro, Boccieri, Smith, Cates, Harris, Kearney, Sawyer,

Stivers, Niehaus, Morano

To amend section 5533.09 of the Revised Code to designate Interstate Routes 70 and 71 as the "Purple Heart Trail."

**S. B. No. 82** -Senator Stivers

Cosponsors: Senators Schuler, Niehaus, Smith, Amstutz, Carey, Grendell, Faber, Mumper, Clancy, Goodman, Bocchieri, Austria, Schaffer, Padgett, Buehrer, Cafaro, Cates, Fedor, Kearney, Mason, Miller, R., Morano, Sawyer, Spada, Wilson, Miller, D.

To enact section 4503.481 of the Revised Code to create "Ohio National Guard Retired" license plates.

**Sub. S. B. No. 155** -Senator Faber

Cosponsors: Senators Schuler, Grendell, Spada, Kearney, Austria, Bocchieri, Buehrer, Cates, Harris

To amend sections 2151.07, 2301.02, and 2301.03 and to enact section 2101.025 of the Revised Code to create a Domestic Relations-Juvenile-Probate Division of the Champaign County Court of Common Pleas, to designate the Champaign County Probate and Juvenile Judge as a judge of that division, and to add a judge to that division to be elected in 2008.

**Sub. S. B. No. 160** -Senator Amstutz

Cosponsors: Senators Schuring, Spada, Sawyer, Miller, D., Mumper, Fedor, Schuler, Stivers, Wilson, Harris

To amend sections 5739.033, 5739.035, 5739.123, 5741.03, and 5741.05 and to enact section 5740.10 of the Revised Code to authorize retail vendors with annual delivery sales in Ohio of less than \$500,000 to continue to use origin-based situsing rules for determining the appropriate sales tax jurisdiction in which a sale is taxable, to authorize all retail vendors currently using origin-based situsing to continue to do so if the Tax Commissioner determines that the Streamlined Sales and Use Tax Agreement does not allow origin-based situsing by vendors with delivery sales of less than \$500,000, to authorize out-of-state sellers with annual delivery sales in Ohio of less than \$500,000 to collect Ohio use taxes at a single uniform rate if the Commissioner makes that determination, and to provide for the distribution of use tax collected at a single uniform rate to counties and transit authorities.

Attest:

David A. Battocletti,  
Clerk.

Said bills were considered the first time.

Message from the Speaker

Pursuant to Ohio Revised Code section 4121.123, the Speaker hereby appoints Tami Hagberg to the Workers' Compensation Oversight Commission Nominating Committee.

Message from the Speaker

Pursuant to Ohio Revised Code section 107.12 (D), the Speaker hereby appoints the following public members to the Governor's Advisory Board of Faith-Based and Community Initiatives:

Chip Weiant, Wilburt Shanklin, and Tom Gunlock.

On motion of Representative Bulp, the House recessed.

The House met pursuant to recess.

Representative Carmichael moved that the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

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

Representative Koziura reported for the Rules and Reference Committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

**H.B. No. 266 - Representative Huffman, et al**

TO ENABLE MORE FLEXIBLE COMPOSITION OF VETERANS  
MEMORIAL BOARDS OF TRUSTEES.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

**H.B. No. 267 - Representative Huffman, et al**

TO PERMIT THE DEPARTMENT OF REHABILITATION AND  
CORRECTION TO ESTABLISH A LOAN REPAYMENT PROGRAM FOR  
RECRUITMENT OF NURSES AND TO MODIFY THE LAWS  
GOVERNING THE CORRECTIONAL INSTITUTION INSPECTION  
COMMITTEE.

To the committee on Criminal Justice

**H.B. No. 268 - Representative Beatty, et al**

TO PROHIBIT INSURERS, PUBLIC EMPLOYEE BENEFIT PLANS, AND MULTIPLE EMPLOYER WELFARE ARRANGEMENTS FROM EXCLUDING COVERAGE FOR ROUTINE PATIENT CARE ADMINISTERED AS PART OF A CANCER CLINICAL TRIAL.

To the committee on Insurance

**H.B. No. 269 - Representative Driehaus, et al**

TO PROVIDE FOR AN APPRAISAL OF THE EFFECTIVENESS OF TAX EXPENDITURES AND FOR THEIR EXPIRATION AFTER APPRAISAL IF NOT RENEWED.

To the committee on Ways and Means

**H.B. No. 270 - Representative Schneider, et al**

TO PROVIDE THAT A MEMBER OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, OHIO POLICE AND FIRE PENSION FUND, STATE TEACHERS RETIREMENT SYSTEM, OR SCHOOL EMPLOYEES RETIREMENT SYSTEM WHO RETIRES AND THEN RETURNS TO PUBLIC EMPLOYMENT IN THE SAME POSITION WILL NOT RECEIVE A PENSION WHILE EARNING A SALARY FOR THAT EMPLOYMENT.

To the committee on Financial Institutions, Real Estate and Securities

**H.B. No. 273 - Representatives Husted and Beatty**

TO DESIGNATE CERTAIN MEMORIAL HIGHWAYS AND TO CREATE CERTAIN SPECIAL LICENSE PLATES.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

**Sub. S.B. No. 30 - Senator Kearney, et al**

TO ALLOW THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES TO MAKE STATE ADOPTION ASSISTANCE LOANS TO PROSPECTIVE ADOPTIVE PARENTS AND TO MAKE AN APPROPRIATION.

To the committee Finance and Appropriations

**Sub. S.B. No. 157 - Senator Buehrer, et al**

TO SPECIFICALLY AUTHORIZE A PERSON TO DESIGNATE A GUARDIAN FOR THE PERSON'S INCOMPETENT ADULT CHILD, TO MAKE CORRECTIONS REGARDING INCOMPETENT AND MENTALLY ILL PERSONS, AND TO DECLARE AN EMERGENCY.

To the committee on Judiciary

JON A. HUSTED  
ARLENE J. SETZER

KEVIN DEWINE  
JOSEPH KOZIURA

Representative Carmichael 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 and Senate



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 and Senate 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 Resolutions be read by title only and approved:

**H.R. No. 66 – Representative Sayre**

HONORING THOMAS E. JONES AS OHIO'S MIDDLE SCHOOL PRINCIPAL OF THE YEAR FOR 2007.

**H.R. No. 68 – Representative Sykes**

HONORING THE BUCHTEL HIGH SCHOOL GIRLS TRACK AND FIELD TEAM AS THE 2007 DIVISION II STATE CHAMPION.

**H.R. No. 69 – Representative Stebelton**

HONORING THE BLOOM-CARROLL HIGH SCHOOL SOFTBALL TEAM AS THE DIVISION III STATE CHAMPION.

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Carmichael 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.

#### Message from the Speaker

Pursuant to House Rules 13, 28, 30, the Speaker hereby makes the following change to the Criminal Justice Committee: Remove Representative Brinkman; appoint Representative Carmichael.

#### Message from the Speaker

Pursuant to Ohio Revised Code section 5123.60 (D), the Speaker hereby appoints Kalpana Yalamanchili to the Legal Rights Service Commission.

On motion of Representative Carmichael, the House adjourned until Tuesday, June 26, 2007, 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.