

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, OCTOBER 3, 2007

NINETY-SIXTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, October 3, 2007, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Thom Collier-90th district, 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:

Larry and Della Simoneau, and Sheryl Huffman, family of Representative Huffman-4th district.

Carla Bulford, a guest of Representative Ujvagi-47th district.

Adam Beach, a guest of Representative Oelslager-51st district.

Jill Thompson, a guest of Representative J. Stewart-92nd district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 340-Representative Flowers.

Cosponsors: Representatives Peterson, Fende, Yuko, Miller, Chandler, Evans, Schindel.

To amend sections 4743.05 and 4745.01 and to enact sections 4768.01 to 4768.12 and 4768.99 of the Revised Code to create the State Board for Certified Interior Designers and to permit interior designers who meet certain requirements to be certified by that Board.

H. B. No. 341-Representative Dodd.

Cosponsors: Representatives Dyer, Barrett, Goyal, Domenick, Seitz, Heard, Fende, Sayre, Book, Harwood, Celeste, Okey, Williams, B., Strahorn, Luckie, Bolon.

To enact sections 901.90 to 901.94 of the Revised Code to establish the healthy farms and healthy schools grant program for the purpose of providing grants to schools to establish nutrition education and agricultural education programs for kindergarteners.

H. B. No. 342-Representative Peterson.

Cosponsors: Representatives Williams, B., Koziura, Fende, Stebelton, Wagoner.

To amend sections 109.57, 109.572, 349.01, 921.06, 2151.011, 2151.421, 2907.08, 2919.223, 2919.224, 2919.225, 2919.226, 2923.124, 2923.126, 2923.1212, 2950.11, 2950.13, 3109.051, 3301.52, 3301.53, 3301.58, 3321.01, 3325.07, 3701.80, 3714.03, 3717.42, 3737.22, 3737.83, 3737.841, 3742.01, 3781.06, 3781.10, 3797.06, 4511.01, 4511.81, 4513.182, 5101.29, 5103.03, 5104.01, 5104.011, 5104.014, 5104.015, 5104.02, 5104.021, 5104.03, 5104.04, 5104.05, 5104.051, 5104.052, 5104.053, 5104.054, 5104.06, 5104.07, 5104.08, 5104.11, 5104.13, 5104.21, 5104.22, 5104.30, 5104.301, 5104.31, 5104.32, 5104.34, 5104.35, 5104.36, 5104.38, 5104.99, 5107.16, 5107.60, 5153.175, 5747.35, and 5747.98; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 5104.014 (5104.012), 5104.015 (5104.14), 5104.02 (5104.021), 5104.021 (5104.023), 5104.052 (5104.018), 5104.20 (5104.24), 5104.21 (5104.22), and 5104.22 (5104.23); to enact new sections 5104.013, 5104.014, 5104.015, 5104.02, 5104.09, 5104.20, and 5104.21 and sections 5104.016, 5104.017, 5104.019, 5104.0110, 5104.0111, 5104.0112, 5104.0113, 5104.0114, 5104.0115, 5104.0116, 5104.0117, 5104.022, 5104.024, 5104.025, 5104.031, 5104.041, 5104.082, 5104.091, 5104.092, 5104.093, 5104.094, 5104.095, 5104.096, 5104.097, 5104.098, 5104.099, 5104.0910, 5104.0911, 5104.0912, 5104.0913, 5104.111, 5104.15, 5104.151, 5104.16, 5104.161, 5104.17, 5104.171, 5104.172, 5104.18, and 5104.19; and to repeal sections 5104.012, 5104.013, and 5104.09 of the Revised Code to revise the law governing child care.

Said bills were considered the first time.

MOTIONS AND RESOLUTIONS

Representative DeWine moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 86-Speaker Husted, Representative Beatty.

Relative to travel allowance.

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay the following named persons travel allowance for mileage as provided by section 101.27 of the Revised Code:

Name	District	Round Trip Mileage
Chris Redfern	80	252
Linda S. Bolon	1	358

The yeas and nays were taken and resulted - yeas 97, 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	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gerberry	Gibbs
Goodwin	Goyal	Hagan J.	Hagan R.
Harwood	Healy	Heard	Hite
Hottinger	Huffman	Hughes	Jones
Koziura	Latta	Letson	Luckie
Lundy	Mallory	McGregor J.	McGregor R.
Miller	Oelslager	Okey	Otterman
Patton	Peterson	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-97.

The resolution was adopted.

Representative Seitz moved that majority party members asking leave to be absent or absent the week of Wednesday, October 3, 2007, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Driehaus moved that minority party members asking leave to be absent or absent the week of Wednesday, October 3, 2007, 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

Sub. H. B. No. 214-Representatives Wagner, Combs.

Cosponsors: Representatives Seitz, McGregor, J., Stebelton, Brown.

To amend sections 2151.152, 2151.23, 2151.39, 3313.64, 5103.031, 5103.032, 5103.035, 5103.0312, 5103.0313, 5103.16, 5103.391, 5126.04,

5153.122, and 5153.123 and to enact sections 5103.23, 5103.231, 5103.232, 5103.233, 5103.234, 5103.235, 5103.236, and 5103.237 of the Revised Code relative to training for 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, the Interstate Compact on the Placement of Children, and the coordination of the provision of services for foster children with mental retardation or developmental disabilities , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Wagner moved that **Sub. H. B. No. 214**-Representatives Wagner, Combs, et al., be informally passed and that it be taken up for consideration on: Tuesday, October 9, 2007.

The motion was agreed to.

Am. H. B. No. 224-Representative Schindel.

Cosponsors: Representatives McGregor, J., Evans, Setzer, Garrison, Huffman, Seitz, Adams, Fessler, Otterman, Zehringer, Miller, Jones, Bubp, Widener, Stebelton, Webster, Wagoner, Gibbs, Bolon, Chandler, Goyal, Latta, Patton.

To amend section 718.05 of the Revised Code to specify that the municipal income tax annual return filing date for individuals shall not be earlier than the federal income tax filing date, to allow return preparers to use facsimile signatures on returns, and to permit taxpayers to authorize return preparers to communicate directly with municipal tax administrators , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, nays 2, 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	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Dodd	Dolan
Domenick	Driehaus	Dyer	Evans
Fende	Fessler	Flowers	Foley
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Healy	Heard	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Latta	Letson	Luckie	Lundy
Mallory	McGregor J.	McGregor R.	Miller
Oelslager	Okey	Otterman	Patton

Peterson	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-95.

Representatives Distel and Redfern voted in the negative-2.

The bill passed.

Representative Schindel moved to amend the title as follows:

Add the names: "Bacon, Batchelder, Blessing, Coley, Collier, Combs, Core, DeBose, Domenick, Dyer, Flowers, Hagan, J., Harwood, Healy, Heard, Hughes, McGregor, R., Oelslager, Peterson, Schneider, Wolpert, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. B. No. 134-Senator Faber.

Cosponsors: Senators Harris, Kearney, Sawyer, Wilson, Schuler, Spada, Smith, Mason. Representatives Seitz, Huffman, Hughes, Oelslager.

To amend sections 5301.01 and 5301.255 of the Revised Code to provide that memoranda of trust be executed and acknowledged only by the trustee of the trust instead of both the settlor and trustee , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 97, 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	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gerberry	Gibbs
Goodwin	Goyal	Hagan J.	Hagan R.
Harwood	Healy	Heard	Hite
Hottinger	Huffman	Hughes	Jones
Koziura	Latta	Letson	Luckie
Lundy	Mallory	McGregor J.	McGregor R.

Miller	Oelslager	Okey	Otterman
Patton	Peterson	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-97.

The bill passed.

Representative Oelslager moved to amend the title as follows:

Add the names: "Batchelder, Blessing, Bolon, Bubp, Budish, Coley, Combs, Core, DeGeeter, Domenick, Evans, Flowers, Garrison, Gibbs, Harwood, Letson, Okey, Schindel, Williams, B., Yates, 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 adopted the following concurrent resolution in which the concurrence of the House is requested:

S. C. R. No. 17 -Senator Stivers

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

To designate October 2007 as Disability Employment Awareness Month in Ohio.

Attest:

David A. Battocletti,
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

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. 145 -Senator Stivers

Cosponsors: Senators Schuring, Gardner, Goodman, Grendell, Schaffer, Clancy, Cates, Faber, Harris, Mumper, Niehaus, Padgett, Spada, Wilson, Buehrer, Schuler

To amend sections 2921.331, 4510.036, and 4510.31 of the Revised Code to prohibit a person from fleeing from a law enforcement officer who gives a lawful order to stop.

Attest:

David A. Battocletti,
Clerk.

Said bill was considered the first time.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the House standing committees:

Judiciary: remove Representative Seitz.

Criminal Justice: remove Representative Seitz

State Government: remove Representatives Seitz and Schneider; appoint Representatives Reinhard and J. McGregor.

On motion of Representative DeWine, the House adjourned until Thursday, October 4, 2007 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.