

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, NOVEMBER 7, 2007

ONE HUNDRED SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, November 7, 2007, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Peter J. Foxx of the Calvary Bible Church in Columbus, 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:

Members of the Central Ohio and American Military Officers' Association, guests of Representative Flowers-19th district.

Betsy and Suzy Ujvagi, daughters of Representative Ujvagi-47th district.

Students from the Kent State Intergovernmental Program, guests of Representative Chandler-68th district.

Diane, Cathern and Natoli Collier, family of Representative Collier-90th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 379-Representative Fessler.

Cosponsors: Representatives Wagoner, Huffman, McGregor, R., Adams, Brinkman, Combs, Stebelton, Bulp.

To amend sections 3313.60 and 3313.603 of the Revised Code to require the study of specified historical documents be included in the high school American history and government curriculum.

H. B. No. 380-Representative Coley.

Cosponsors: Representatives Evans, McGregor, J., Latta, Stebelton, Batchelder, Setzer.

To amend section 4113.99 and to enact section 4113.80 of the Revised Code to require a commercial or public entity to maintain records regarding each worker who performs services for that entity and to establish penalties for failure to maintain those records.

H. B. No. 381-Representative Webster.

To amend Sections 375.10 and 375.20.40 of Am. Sub. H.B. 119 of the

127th General Assembly, to amend Section 235.10.40 of Am. Sub. H.B. 699 of the 126th General Assembly, and to repeal Section 375.20.80 of Am. Sub. H.B. 119 of the 127th General Assembly to increase the funds available for the Ohio Research Scholars Program and to permit a nonpublic four-year Ohio university to submit a proposal for the Ohio Research Scholars Program if the proposal is to be implemented in collaboration with a state college or university.

H. B. No. 382-Representative Wagoner.

Cosponsors: Representatives Huffman, Ujvagi, Hughes, Zehringer, Latta, Peterson, Stebelton, McGregor, J., Brown, Fende, Batchelder, Goodwin, Combs, Hite.

To amend section 122.171 of the Revised Code to expand the job retention tax credit for eligible businesses with corporate headquarters in this state.

H. B. No. 383-Representative Miller.

Cosponsors: Representatives Beatty, Batchelder, Yates, Yuko, Hagan, R., Harwood, Bolon, Sykes, Stebelton, Foley, Dodd, Skindell, Budish, Brown, Ujvagi, Mallory, Williams, S., Celeste, Hughes, Fende, Fessler, Boyd, Luckie, Heard, Strahorn, Szollosi, DeBose, Goyal, Okey, Schindel, Chandler, DeGeeter, Flowers, Gerberry, Brady, McGregor, J.

To enact section 5533.92 of the Revised Code to designate State Route 2 within Cuyahoga County only as the "Carl B. Stokes Memorial Highway."

H. B. No. 384-Representatives Celeste, Peterson.

Cosponsors: Representatives Beatty, Healy, Brady, Ujvagi, Fende, Skindell, Letson, Hagan, R., Foley, Williams, S., Yuko, Bolon, Otterman, Driehaus, Boyd, Stewart, D., Dyer, Chandler, Distel, Lundy, Luckie, Heard, DeGeeter.

To amend sections 1739.05, 1751.01, 3923.281, 3923.282, and 3923.51 and to repeal sections 3923.28, 3923.29, and 3923.30 of the Revised Code to prohibit discrimination in health care policies, contracts, and agreements in the coverage provided for the diagnosis and treatment of mental illnesses and substance abuse or addiction conditions.

H. B. No. 385-Representative Hottinger.

Cosponsors: Representatives Evans, Wagoner, Flowers, Stebelton.

To amend section 5705.19 of the Revised Code to permit land acquired by a board of township trustees for the purpose of protecting or preserving "greenspace" to be used for recreational purposes.

H. B. No. 386-Representative Harwood.

Cosponsors: Representatives Fende, Hagan, R., Healy, Gerberry, Celeste,

Strahorn, Brady, Hughes, Williams, B., Ujvagi, Skindell, Letson, Chandler, Williams, S., Fessler, Yuko, DeBose, Lundy, Bolon, Otterman, Domenick, Dyer, Stewart, D., DeGeeter, Evans, Goyal, Okey, Heard, Batchelder.

To enact section 1349.38 of the Revised Code to prohibit a creditor within eighteen months of the person's release from active duty from initiating a mortgage foreclosure against a person who is a veteran who has made a claim for disability benefits and to forgive Ohio court costs for veterans seeking civil damages in an Ohio court for denial of rights.

H. B. No. 387-Representative Skindell.

Cosponsors: Representatives Heard, Harwood, Lundy, Brown, Koziura, Williams, S., Stebelton, Williams, B., Yuko, Celeste, Chandler, Otterman.

To enact section 4511.531 of the Revised Code to require bicycle operators and passengers under 18 years of age to wear protective helmets when the bicycle is operated on a roadway and to establish the Bicycle Safety Fund to be used by the Department of Public Safety to assist low-income families in the purchase of bicycle helmets.

H. B. No. 388-Representatives Driehaus, Foley.

To amend section 321.261 of the Revised Code and to repeal Section 757.30 of Am. Sub. H.B. 119 of the 127th General Assembly to extend to all counties the authority to utilize surplus delinquent tax collections to prevent residential mortgage foreclosures and to facilitate nuisance abatement of deteriorated residential buildings in foreclosure.

H. B. No. 389-Representative Setzer.

Cosponsors: Representatives Flowers, Huffman, Webster, Stebelton, McGregor, J., Evans, Fessler.

To amend section 4511.21 of the Revised Code to require the Director of Transportation or a local authority with jurisdiction over a street or highway to establish speed transition zones at locations where a speed limit decreases by 20 or more miles per hour.

H. B. No. 390-Representative Setzer.

Cosponsor: Representative Miller.

To amend sections 4511.07, 4511.132, 4511.27, 4511.55, and 4511.56 of the Revised Code to revise certain laws as they relate to bicycle operation.

Said bills were considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 166**-Representative Schindel, et al., were taken up for consideration.

Sub. H. B. No. 166-Representative Schindel.

Cosponsors: Representatives Adams, Bubp, Combs, DeWine, Flowers, Gibbs, Seitz, Stebelton, Widener, Zehringer, Aslanides, Bacon, Batchelder, Blessing, Coley, Collier, Daniels, Dolan, Evans, Fessler, Hagan, J., Hite, Hottinger, Huffman, Hughes, McGregor, R., Patton, Schneider, Setzer, Uecker, Wachtmann, Wagner, Wagoner, Widowfield. Senators Niehaus, Cates, Miller, D., Gardner, Faber, Padgett, Spada, Austria, Buehrer, Carey, Goodman, Grendell, Harris, Mumper, Roberts, Seitz, Schaffer, Schuler, Schuring, Stivers.

To amend sections 124.341 and 5703.21 and to enact sections 126.45 to 126.48 of the Revised Code to create an Office of Internal Auditing within the Office of Budget and Management, to establish the State Audit Committee, and to prescribe their respective and interrelated functions.

The question being, "Shall the Senate amendments be concurred in?"

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.
Mecklenborg	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Raussen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Wagoner	Webster
White	Widener	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-97.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 190**-Representative Hite, et al., were taken up for consideration.

Sub. H. B. No. 190-Representative Hite.

Cosponsors: Representatives Bubp, Wagner, McGregor, J., Combs, Adams, Goodwin, Wagoner, Stebelton, Webster, Letson, Hottinger, Peterson, Latta, Huffman, Otterman, Okey, Setzer, Dyer, Patton, Lundy, Luckie, Garrison, Evans, Celeste, Heard, Collier, Schlichter, Brady, Aslanides, Bacon, Bolon, Boyd, Budish, Core, DeBose, Domenick, Fende, Fessler, Flowers, Gibbs, Goyal, Hagan, J., Harwood, Healy, Hughes, Koziura, Mallory, Mandel, Oelslager, Sayre, Schindel, Stewart, D., Sykes, Szollosi, Williams, B., Yuko, Zehringer. Senators Roberts, Morano, Sawyer, Jacobson, Mumper, Padgett, Boccieri, Buehrer, Faber, Fedor, Gardner, Grendell, Harris, Kearney, Niehaus, Schaffer, Schuler, Schuring, Spada, Stivers, Wilson, Goodman, Miller, R., Miller, D., Smith, Cafaro, Mason.

To amend sections 109.57, 121.40, 3301.0710, 3301.0711, 3314.03, 3314.19, 3319.089, 3319.291, 3319.31, 3319.39, 3321.01, 3326.11, 3326.23, and 3327.10 and to enact section 3319.391 of the Revised Code and to amend Section 8 of Am. Sub. S.B. 311 of the 126th General Assembly to specify administration dates for the elementary achievement tests, to allow public schools to charge tuition for all-day kindergarten, to require the Department of Education to conduct a survey of the fees charged by school districts, to revise the requirements regarding criminal records checks of school employees, to require the Educator Standards Board to recommend a code of conduct for educators, to require the Department of Education to recommend penalties for failure to report educator misconduct, to permit the State Board of Education to revoke an expired license, to permit waivers from the minimum number of school days in the 2006-2007 school year for certain joint vocational school districts that experienced delays in a state-assisted construction project, to extend the deadline for the commission studying student success with the Ohio Core curriculum to issue its recommendations, to alter the membership of the Ohio Community Service Council, and to declare an emergency.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted - yeas 93, nays 4, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brown
Bubp	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Dodd	Dolan
Domenick	Driehaus	Dyer	Evans
Fende	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.	Mecklenborg	Miller
Oelslager	Okey	Otterman	Patton
Peterson	Raussen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Setzer	Skindell	Stebelton	Stewart D.
Stewart J.	Strahorn	Sykes	Szollosi
Uecker	Ujvagi	Wagoner	Webster
White	Widener	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-93.

Representatives Brinkman, Fessler, Wachtmann, and Wagner voted in the negative-4.

Having received a constitutional majority, the emergency clause stood as part of the bill.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 96, nays 1, 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.
Mecklenborg	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Raussen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagoner	Webster	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

Representative Wagner voted in the negative-1.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 233**-Representative Reinhard, et al., were taken up for consideration.

Sub. H. B. No. 233-Representative Reinhard.

Cosponsors: Representatives Bulp, Collier, DeWine, Evans, Fende, Goodwin, Goyal, Huffman, Latta, McGregor, J., Schlichter, Seitz, Setzer, Webster, Zehringer, Wolpert, Hagan, J., Hagan, R., Reinhard, Schindel, Wagner, Heard, Williams, B., DeBose, Chandler, Lundy, Celeste, Stebelton, Otterman, Mallory, Adams, Aslanides, Bacon, Batchelder, Blessing, Bolon, Brown, Budish, Carmichael, Core, Daniels, Dodd, Domenick, Dyer, Flowers, Garrison, Gibbs, Harwood, Healy, Hite, Hughes, Koziura, Letson, Luckie, Mandel, Miller, Oelslager, Okey, Patton, Sayre, Schneider, Uecker, Ujvagi, Wachtmann, Wagoner, Widener. Senators Faber, Carey, Schuring, Mumper, Amstutz, Boccieri, Buehrer, Cafaro, Cates, Grendell, Harris, Kearney, Miller, D., Morano, Niehaus, Padgett, Roberts, Sawyer, Schuler, Schaffer, Spada, Seitz, Smith, Stivers, Wilson, Mason, Gardner.

To enact sections 122.23, 122.24, 122.25, 122.26, and 122.27 of the Revised Code and to amend Sections 384.10 and 757.03 of Am. Sub. H.B. 119 of the 127th General Assembly to revive the Rural Industrial Parks Loan Program, to make changes regarding the Local Government Service Collaboration Grant Fund Program, and to create the Ohio Agriculture to Chemicals, Polymers, and Advanced Materials Task Force.

The question being, "Shall the Senate amendments be concurred in?"

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	Bulp	Budish	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gerberr	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.
Mecklenborg	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Wagoner	Webster
White	Widener	Williams B.	Williams S.

In line 96, after "exceeding" insert "the lesser of"

In line 98, after "section" insert "or thirty years"

In line 244, after "~~from~~" insert "the lesser of"

In line 246, after "report" insert "or thirty years"

In line 7 of the title, after "within" insert "the lesser of"; after "life" insert "or thirty years"

The motion was agreed to and the bill so amended.

KENNY YUKO
EUGENE R. MILLER
COURTNEY COMBS
KATHLEEN CHANDLER
TOM BRINKMAN
DANNY R. BUBP
BRUCE W. GOODWIN
TED CELESTE
LORRAINE M. FENDE

JEFF WAGNER
JENNIFER BRADY
DALE MALLORY
ARLENE J. SETZER
JIM MCGREGOR
LARRY L. FLOWERS
JOSEPH W. UECKER
LINDA S. BOLON
LARRY L. WOLPERT

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. 372**-Representative McGregor, R., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MILITARY AND VETERAN BENEFITS PROBATE FEES/INCOME TAX/LICENSING

Representative Reinhard moved to amend the title as follows:

Add the names: "Bubp, Wachtmann, Combs, Aslanides, White, Domenick, Healy, Reinhard."

DANNY R. BUBP
STEVE REINHARD
JIM ASLANIDES
PETER S. UJVAGI
WILLIAM J. HEALY
DIANA M. FESSLER
EUGENE R. MILLER

LYNN R. WACHTMANN
COURTNEY COMBS
JOHN J. WHITE
JOHN DOMENICK
ALLAN R. SAYRE
DALE MALLORY

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Koziura reported for the Rules and Reference Committee recommending that the following House Resolution be read and approved:

H.R. No. 88 - Speaker Husted, Representatives Beatty, Adams, Aslanides, Bacon, Barrett, Batchelder, 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, Mandel, McGregor, J., McGregor, R., Miller, Oelslager, Okey, Otterman, Patton, Peterson, Raussen, 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

IN MEMORY OF ROGER WAHLQUIST TRACY, JR.

/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 resolution contained therein be brought up for immediate adoption, read in full 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. 88-Speaker Husted, Representatives Beatty, Adams, Aslanides, Bacon, Barrett, Batchelder, 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, Mandel, McGregor, J., McGregor, R., Miller, Oelslager, Okey, Otterman, Patton, Peterson, Raussen, 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.

In memory of Roger Wahlquist Tracy, Jr.

WHEREAS, The members of the House of Representatives of the 127th General Assembly of Ohio were deeply saddened to learn of the death of Roger Wahlquist Tracy, Jr., and extend our heartfelt condolences to his family and friends; and

WHEREAS, Roger Tracy left an indelible impression on the people whose lives he touched, and he will be remembered as a spirited individual who contributed immeasurably to the world around him. A graduate of The Ohio State University College of Law, he served on the White House staff as a special messenger to President Dwight Eisenhower in 1959 before moving on to serve as an attorney in the U.S. Air Force Reserves for six years. Elected to his first of two terms in the Ohio House of Representatives in 1967, where he served on the Finance-Appropriations, Taxation, and State Government committees, he was later appointed superintendent of the division of savings and loans for the Ohio Commerce Department prior to his election as auditor, and then commissioner, for Franklin County; and

WHEREAS, Roger Tracy held the post of tax commissioner for the State of Ohio from 1991-1999 before being appointed to serve as a member of the State Personnel Board of Review, and his commitment to serving the Franklin County Republican Central Committee, as well as his regard for improving the quality of life in our society, was clearly evident in his personal sacrifices of time and effort to his family, friends, and community. Giving generously of his energy and abilities in all of his endeavors, he displayed exceptional concern and insight, and his absence will be keenly felt; and

WHEREAS, A loving husband to his wife, Elizabeth, Roger Tracy always used his talents to the benefit of others, and the laurels of his life stand as a tribute not only to him but also to those he left behind. Although the void his death has created can never be filled, the legacy of care and commitment he established will surely live on, and he will be sorely missed; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 127th General Assembly of Ohio, in adopting this Resolution, express a profound sense of loss and sincere regret at the death of Roger Wahlquist Tracy, Jr., and, in so doing, pay tribute to the memory of a truly unique individual; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of Roger Wahlquist Tracy, Jr.

The resolution was adopted.

Representative DeWine moved that the following resolution be brought up for immediate adoption, read in full 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. 97-Speaker Husted, Representatives Beatty, Williams, S., Adams, Aslanides, Bacon, Barrett, Batchelder, Blessing, Bolon, Book, Boyd, Brady, Brinkman, Brown, Bulp, 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, Mandel, McGregor, J., McGregor, R., Mecklenborg, Miller, Oelslager, Okey, Otterman, Patton, Peterson, Raussen, Redfern, Reinhard, Sayre, Schindel, Schlichter, Schneider, Setzer, Skindell, Stebelton, Stewart, D., Stewart, J., Strahorn, Sykes, Szollosi, Uecker, Ujvagi, Wachtmann, Wagner, Wagoner, Webster, White, Widener, Widowfield, Williams, B., Wolpert, Yates, Yuko, Zehringer.

In memory of Troy Lee James.

WHEREAS, The members of the House of Representatives of the 127th General Assembly of Ohio were deeply saddened to learn of the death of Troy Lee James and extend our heartfelt condolences to his family and friends; and

WHEREAS, Troy James left an indelible impression on the people whose lives he touched, and he will be remembered as a spirited individual who contributed immeasurably to the world around him. A decorated U.S. armed forces veteran of World War II, he served as a member of the Ohio House of Representatives from 1967 to 2000, the longest serving Democrat in state history, and he helped to start the Ohio Department of Aging and the Golden Buckeye Program. In addition, he was involved with such organizations as the Ohio Legislative Black Caucus, the Federation on Community Planning, the NAACP, and Antioch Baptist Church; and

WHEREAS, Troy James' regard for improving the quality of life in our society was clearly evident in his personal sacrifices of time and effort to his family, friends, and community, and in recognition of his remarkable work, he was inducted into the Ohio Senior Citizens Hall of Fame and a section of Interstate 490 was named in his honor. Giving generously of his energy and abilities in all of his endeavors, he displayed exceptional concern and insight, and his absence will be keenly felt; and

WHEREAS, A loving husband to his wife, Alice, Troy James always used his talents to the benefit of others, and the laurels of his life stand as a tribute not only to him but also to those he left behind. Although the void his death has created can never be filled, the legacy of care and commitment he established will surely live on. The world is a richer place for his having been in it, and he will be sorely missed; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 127th General Assembly of Ohio, in adopting this Resolution, express a profound sense of loss and sincere regret at the death of Troy Lee James and, in

so doing, pay tribute to the memory of a truly unique individual; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of Troy Lee James.

The resolution was adopted.

Representative Schneider moved that majority party members asking leave to be absent or absent the week of Wednesday, November 7, 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, November 7, 2007, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

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. 98-Representative DeWine.

Relative to the election of the majority whip and the assistant majority whip for the 127th General Assembly of Ohio.

WHEREAS, William J. Seitz of the 30th House District has resigned as a member of the House of Representatives of the 127th General Assembly, thus creating a vacancy in the position of majority whip of the House of Representatives; and

WHEREAS, The members of the House of Representatives of the 127th General Assembly of Ohio have been advised that the caucus of Republican members have chosen Michelle G. Schneider of House District #35 as majority whip and Shannon Jones of House District #67 as assistant majority whip; therefore be it

RESOLVED, By the members of the House of Representatives of the 127th General Assembly that Michelle G. Schneider be, and upon the adoption of this resolution is, hereby elected to the office of majority whip; and that Shannon Jones be, and upon adoption of this resolution is, hereby elected to the office of assistant majority whip.

The resolution was adopted.

Representatives Schneider and Jones proceeded to the bar of the House, took the oath of office administered by the Honorable Jon A. Husted, Speaker of the Ohio House of Representatives, and entered upon the discharge of their duties.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 372-Representatives McGregor, R., Ujvagi.
Cosponsors: Representatives Bubp, Wachtmann, Combs, Aslanides, White, Domenick, Healy, Reinhard.

To amend sections 124.93, 125.111, 153.59, 153.591, 176.04, 176.06, 717.01, 1751.18, 2101.16, 2927.03, 3905.55, 4112.01, 4112.02, 4112.021, 4112.04, 4112.05, 4112.08, 4117.19, 4503.571, 4735.16, 4735.55, 5747.01, 5903.10, and 5903.12 and to enact sections 1349.04, 2101.164, 4112.023, and 5903.121 of the Revised Code to exempt estates of armed forces members who died while serving in a combat zone from probate fees, to exempt military retirement pay from the income tax, to provide that reservists and National Guard members may renew their professional licenses within six months after active duty service, to extend continuing education reporting periods for National Guard members ordered to duty by the Governor, to provide that standard "Purple Heart" license plates be issued without charge, to prohibit discrimination under the Ohio Civil Rights Commission Law and certain other laws on the basis of military status, to require the Attorney General to appoint a staff member of the Consumer Protection Division to expedite certain cases or issues raised by a person, or the person's immediate family, who is deployed on active duty, and to require relevant military experience to be considered in continuing education determinations , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Flowers moved to amend as follows:

In line ____, after the underlined period insert "The deduction does not include total amounts received by the taxpayer under the public employees retirement system, the Ohio police and fire pension fund, the school employees retirement system, the state teachers retirement system, the state highway patrol retirement system, or the city of Cincinnati retirement system as retirement benefits that includes credit for military service."

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

The yeas and nays were taken and resulted - yeas 96, nays 1, 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.
Mecklenborg	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Wagoner	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

Representative Webster voted in the negative-1.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 96, nays 1, 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.
Mecklenborg	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Wagoner	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

Representative Webster voted in the negative-1.

The bill passed.

Representative McGregor, R. moved to amend the title as follows:

Add the names: "Bacon, Barrett, Batchelder, Beatty, Blessing, Bolon, Book, Boyd, Brady, Brown, Budish, Carmichael, Celeste, Chandler, Coley, Collier, Daniels, DeBose, DeGeeter, DeWine, Distel, Dodd, Dolan, Driehaus, Dyer, Evans, Fende, Flowers, Foley, Garrison, Gerberry, Gibbs, Goodwin, Goyal, Hagan, J., Hagan, R., Harwood, Heard, Hite, Hottinger, Huffman, Hughes, Jones, Latta, Letson, Luckie, Lundy, Mallory, McGregor, J., Mecklenborg, Oelslager, Okey, Otterman, Patton, Peterson, Raussen, Redfern, Sayre, Schindel, Schlichter, Schneider, Setzer, Skindell, Stebelton, Stewart, D., Stewart, J., Strahorn, Sykes, Szollosi, Uecker, Wagner, Wagoner, Widener, Williams, B., Williams, S., Wolpert, Yates, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. S. B. No. 144-Senator Stivers.

Cosponsors: Senators Goodman, Miller, D., Schuler, Gardner, Schuring, Padgett, Morano, Austria, Boccieri, Clancy, Faber, Fedor, Harris, Kearney, Mason, Miller, R., Mumper, Niehaus, Roberts, Sawyer, Schaffer, Spada, Wilson, Cafaro, Buehrer. Representatives Schindel, Flowers, Yuko, Hagan, R., DeBose, Otterman, Letson, Boyd, Fende, Brown, Williams, B., Uecker, Raussen, Jones.

To enact sections 3701.63, 3701.64, and 5101.135 of the Revised Code to require the Director of Health to establish the Shaken Baby Syndrome Education Program and to require the Department of Job and Family Services to record in the statewide automated child welfare information system whether a reported case of child abuse involved shaken baby syndrome , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, 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	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.	Mecklenborg
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Rausen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Setzer	Skindell	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

The bill passed.

Representative White moved to amend the title as follows:

Add the names: "Beatty, Blessing, Bolon, Brady, Budish, Celeste, Chandler, Collier, Combs, DeGeeter, Distel, Domenick, Dyer, Evans, Hagan, J., Harwood, Healy, Heard, Hite, Hottinger, Huffman, Hughes, Luckie, Lundy, McGregor, J., Mecklenborg, Oelslager, Peterson, Sayre, Schlichter, Schneider, Setzer, Skindell, Stewart, D., Strahorn, Szollosi, Wachtmann, Wagoner, White, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative DeWine moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **Sub. S. B. No. 36**-Senator Schuler, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

Sub. S. B. No. 36-Senator Schuler.

Cosponsors: Senators Clancy, Mumper, Schaffer, Cates, Wilson, Kearney. Representatives Combs, Chandler, Fende, Mallory, Yuko, Uecker, Wolpert, McGregor, J.

To amend sections 133.09, 504.01, 504.02, and 505.031 of the Revised Code and to amend Section 555.10 of Am. Sub. H.B. 67 of the 127th General Assembly to authorize transportation projects entered into on or before May 1, 2008, between transportation improvement districts and two or more governmental agencies for the joint financing of projects and to permit townships with a population of at least three thousand five hundred but less than five thousand in its unincorporated territory to adopt a limited home rule government under certain conditions , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, 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	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.	Mecklenborg
Miller	Oelslager	Okey	Otterman
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Setzer	Skindell	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

The bill passed.

Representative Wolpert moved to amend the title as follows:

Add the names: "Adams, Bacon, Daniels, Dodd, Domenick, Dyer, Evans, Flowers, Hughes, Koziura, Luckie, Lundy, Otterman, Sayre, Schindel, Schneider, Setzer, Williams, B., Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on Am. Sub. S.B. No. 155 - Senator Faber - et al.

Representatives Blessing, Adams and Harwood.

Message from the Speaker

The Speaker of the House of Representatives, on November 1, 2007, signed the following:

Am. S. B. No. 116 - Senator Padgett - et al.

On motion of Representative DeWine, the House adjourned until Thursday, November 8, 2007 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.