

OHIO

House

of

Representatives

JOURNAL

MONDAY, MAY 19, 2008

ONE HUNDRED SEVENTY-FIFTH DAY
Hall of the House of Representatives, Columbus, Ohio
Monday, May 19, 2008, 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 Coley was selected to preside under the Rule.

The journal of the previous legislative day was read and approved.

INTRODUCTION OF BILLS

The following joint resolutions and bills were introduced:

H. J. R. No. 6-Representative Yates.

Proposing to amend Section 1 of Article V of the Constitution of Ohio to permit individuals who otherwise meet the qualifications of an elector to register to vote on the day of an election.

H. J. R. No. 7-Representative Yates.

Proposing to amend Section 2 of Article II and Section 9 of Article V and to repeal Section 8 of Article V of the Ohio Constitution to eliminate the term limits and restrictions on returning to office that apply to members of the General Assembly and to members of Congress.

H. B. No. 562-Representative Hottinger.

To amend sections 9.835, 113.061, 113.40, 117.13, 117.38, 124.152, 125.021, 125.18, 125.25, 133.08, 135.61, 135.63, 135.65, 135.66, 156.02, 165.01, 165.03, 303.12, 303.211, 307.697, 321.261, 351.26, 519.12, 519.211, 1346.03, 2743.49, 2921.13, 3119.023, 3301.0714, 3311.24, 3313.842, 3313.978, 3314.05, 3317.20, 3318.01, 3318.03, 3318.032, 3318.04, 3333.04, 3333.044, 3333.122, 3353.02, 3354.16, 3355.12, 3357.16, 3702.71, 3702.72, 3702.73, 3702.74, 3702.75, 3702.78, 3702.79, 3702.81, 3702.85, 3702.86, 3702.91, 3702.93, 3702.95, 3703.01, 3734.821, 3735.67, 3905.40, 3961.04, 4301.355, 4301.421, 4301.424, 4301.432, 4301.47, 4301.62, 4303.03, 4303.071, 4303.181, 4303.182, 4303.232, 4303.233, 4303.30, 4303.33, 4303.333, 4399.12, 4510.10, 4511.101, 4735.01, 4735.02, 4735.10, 4735.13, 4735.14, 4735.141, 4752.04, 4752.05, 4752.06, 4752.07, 4752.11, 4752.12, 4752.13, 4928.142, 5101.5211, 5101.5212, 5101.5213, 5101.5214, 5101.5215, 5101.572, 5101.80, 5111.032, 5111.31, 5111.941, 5112.31, 5123.0412, 5123.196, 5525.01, 5703.19, 5703.21, 5703.57, 5709.121, 5727.85, 5739.01, 5739.02, 5739.029, 5739.12, 5739.122, 5739.124, 5739.21, 5741.04, 5741.12, 5741.121, 5741.122, 5743.021, 5743.024, 5743.321, 5743.323, 5745.05,

5747.01, 5747.02, 5748.022, 5751.20, 5751.21, 6117.01, 6117.011, 6117.012, 6117.04, 6117.05, 6117.06, 6117.25, 6117.251, 6117.28, 6117.30, 6117.34, 6117.38, 6117.41, 6117.42, 6117.43, 6117.44, 6117.45, and 6117.49; to enact sections 133.52, 135.101, 135.102, 135.103, 135.104, 135.105, 135.106, 3310.42, 3318.034, 3365.15, 4301.404, 4301.441, 4735.142, 4905.84, 5111.874, 5111.875, 5111.876, 5111.877, 5111.878, 5111.879, 5703.82, 5747.082, 5749.17, 6121.045, and 6123.042; to repeal sections 124.821, 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889, 5111.8810, 5111.8811, 5111.8812, 5111.8813, 5111.8814, 5111.8815, 5111.8816, 5111.8817, 5112.311, and 5739.213 of the Revised Code; to amend Sections 315.10 and 555.19 of Am. Sub. H.B. 67 of the 127th General Assembly, to amend Sections 203.10 and 203.50 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended, to amend Section 512.70 of Am. Sub. H.B. 100 of the 127th General Assembly, to amend Sections 207.20.50, 207.20.70, 207.30.10, 207.30.20, 207.30.30, 235.10, 261.10, 263.30.10, 269.30.70, 269.40.50, 269.50.30, 275.10, 293.10, 299.10, 309.10, 309.30.13, 309.30.30, 309.30.41, 309.30.42, 309.40.33, 337.30.43, 337.40.15, 369.10, 375.10, 405.10, 407.10, 512.03, 512.35, and 518.03 of Am. Sub. H.B. 119 of the 127th General Assembly, to amend Sections 101.10, 201.50, 301.20.20, 301.20.80, 401.11, and 401.71 of H.B. 496 of the 127th General Assembly; to repeal Section 5 of Am. Sub. H.B. 24 of the 127th General Assembly and to repeal Section 375.80.10 of Am. Sub. H.B. 119 of the 127th General Assembly to make capital and other appropriations and to provide authorization and conditions for the operation of state programs.

H. B. No. 563-Representative Stibelton.

To enact sections 303.213, 519.213, and 713.081 of the Revised Code to codify federal restrictions on local zoning of the antenna structures of amateur radio stations and place the burden of proof for compliance on the zoning authority.

H. B. No. 564-Representative Stibelton.

Cosponsor: Representative Huffman.

To amend section 2101.16, 2101.162, 2101.17, 2111.51, 2113.031, and 2303.201 of the Revised Code to increase certain fees charged by the probate court.

H. B. No. 565-Representative Yates.

To enact section 3707.012 of the Revised Code to require boards of health to adopt vermin control policies under which bedbug infestations are treated to the same extent as other infestations.

H. B. No. 566-Representative Yates.

To repeal section 9.68 of the Revised Code and Section 9 of Am. Sub. H.B. 12 of the 125th General Assembly to remove provisions regarding the statewide effect of state firearms laws and the Concealed Carry Licensing Law.

H. B. No. 567-Representative Yates.

To amend section 4301.04 of the Revised Code to require that certain hearings of the Liquor Control Commission be held in the county seat of the county where the premises that is the subject of the hearing is located.

H. B. No. 568-Representative Yates.

To amend section 955.11 and to enact section 955.111 of the Revised Code to prohibit the owning, keeping, or harboring of pit bull dogs beginning ninety days after the effective date of the act and to require specified officers to seize all pit bull dogs after that date.

H. B. No. 569-Representative Yates.

To enact section 4511.86 of the Revised Code to prohibit generally the operation of a sound device or system of devices in or on a motor vehicle if the sound is clearly audible to a person who possesses normal hearing at a distance greater than 75 feet from any part of the motor vehicle.

H. B. No. 570-Representative Yates.

To amend sections 2923.24, 2925.12, 2925.14, and 3719.172 of the Revised Code to provide an affirmative defense to certain offenses involving a hypodermic or syringe that the person is 18 years of age or older and possesses or otherwise obtains the hypodermic or syringe for the purpose of having a clean needle to avoid HIV exposure and to permit an authorized person to sell or furnish a hypodermic without a prescription to a person who is 18 years of age or older and who wishes to obtain it for that purpose.

H. B. No. 571-Representative Yates.

To amend sections 3702.51, 3702.511, and 3702.52 of the Revised Code to restore the Certificate of Need Program for the construction of new hospitals and the conduct of other health-related activities.

H. B. No. 572-Representative Yates.

To amend sections 3701.84, 5743.51, 5743.62, and 5743.63 and to enact section 5743.511 of the Revised Code to create the Center for Tobacco Use Prevention in the Department of Health to exercise duties of the former Tobacco Use Prevention and Control Foundation that were transferred to the Department, and to fund the Center's operations with an increased rate of tax on noncigarette tobacco products.

Said joint resolutions and bills were 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. 351**-Representative Brinkman, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COUNTY JAIL INMATES - TRANSFER TO CONTIGUOUS
COUNTIES IN ADJOINING STATES

Representative Blessing moved to amend the title as follows:

Add the name: "Flowers."

LOUIS W. BLESSING
BILL COLEY
RANDY GARDNER

KEVIN BACON
WILLIAM G. BATCHELDER
LARRY L. FLOWERS

The following members voted "NO"

ARMOND BUDISH
MICHAEL J. SKINDELL
SANDRA STABILE HARWOOD

STEPHEN DYER
MARK D. OKEY

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on Local and Municipal Government and Urban Revitalization to which was referred **H. B. No. 446**-Representative Webster, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REVISE STATUTES GOVERNING LOCAL ANIMAL
CONTROL

Representative Wolpert moved to amend the title as follows:

Add the name: "Uecker."

KATHLEEN CHANDLER	DALE MALLORY
KENNY YUKO	TOM BRINKMAN
LORRAINE M. FENDE	LINDA S. BOLON
BRUCE W. GOODWIN	JOSEPH W. UECKER
COURTNEY COMBS	LARRY L. WOLPERT
LARRY L. FLOWERS	

The following members voted "NO"

JEFF WAGNER	DEBORAH NEWCOMB
TED CELESTE	JIM MCGREGOR

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on Local and Municipal Government and Urban Revitalization to which was referred **H. B. No. 470**-Representative Setzer, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TOWNSHIP VEGETATION REMOVAL

Representative Wolpert moved to amend the title as follows:

Add the names: "Uecker, Wagner, McGregor, J.."

JEFF WAGNER	LARRY L. FLOWERS
DALE MALLORY	KENNY YUKO
TED CELESTE	LORRAINE M. FENDE
JIM MCGREGOR	BRUCE W. GOODWIN
LINDA S. BOLON	JOSEPH W. UECKER
LARRY L. WOLPERT	DEBORAH NEWCOMB

The following member voted "NO"

KATHLEEN CHANDLER

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on Local and Municipal Government and Urban Revitalization to which was referred **H. B. No. 525**-Representative Combs, et

al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COUNTY RECORDER STANDARDIZED FORMATTING

Representative Wolpert moved to amend the title as follows:

Add the name: "Uecker."

LARRY L. FLOWERS
JEFF WAGNER
KATHLEEN CHANDLER
KENNY YUKO
DEBORAH NEWCOMB
LINDA S. BOLON
JOSEPH W. UECKER
COURTNEY COMBS

BRUCE W. GOODWIN
LARRY L. WOLPERT
DALE MALLORY
JIM MCGREGOR
LORRAINE M. FENDE
TED CELESTE
TOM BRINKMAN

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 Senate has concurred in the passage of the following bill:

Sub. H. B. No. 331 -Representative Wagoner

Cosponsors: Representatives McGregor, J., Schindel, Fende, Goodwin, Stewart, J., Seitz, Brown, Sears, Bacon, Batchelder, Bolon, Chandler, Combs, Dyer, Evans, Flowers, Hughes, Patton, Schneider, Uecker, Ujvagi, Wachtmann, Williams, B. Senators Schuring, Padgett, Fedor, Goodman, Harris, Kearney, Sawyer, Spada, Wilson

To amend sections 3701.83, 3702.11, 3702.55, and 3709.09; to enact sections 3711.14, 3711.16, 3711.20, 3711.21, and 3711.22; to enact new sections 3711.01, 3711.02, 3711.04, 3711.05, 3711.06, 3711.08, 3711.10, and 3711.12; and to repeal sections 3711.01, 3711.02, 3711.021, 3711.03, 3711.04, 3711.05, 3711.06, 3711.07, 3711.08, 3711.09, 3711.10, 3711.11, 3711.12, 3711.13, and 3711.99 of the Revised Code regarding the licensure of hospital maternity units, hospital newborn care nurseries, and maternity homes.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

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:

Sub. H. B. No. 545 -Representative Widener

Cosponsors: Representatives Koziura, Batchelder, Budish, Stewart, D., Boyd, DeBose, Driehaus, Dyer, Foley, Garrison, Gerberry, Hagan, R., Letson, Luckie, Lundy, Newcomb, Peterson, Skindell, Stebelton, Sykes, Wagner, Widowfield, Yates Senators Jacobson, Cafaro, Roberts, Miller, D., Fedor, Miller, R.

To amend sections 109.572, 135.63, 1181.05, 1181.21, 1181.25, 1315.99, 1321.02, 1321.15, 1321.21, 1321.99, 1345.01, 1349.71, 1349.72, 1733.25, and 2307.61, to enact sections 121.085, 135.68, 135.69, 135.70, 1321.35, 1321.36, 1321.37, 1321.38, 1321.39, 1321.40, 1321.41, 1321.42, 1321.421, 1321.422, 1321.43, 1321.44, 1321.45, 1321.46, 1321.461, 1321.47, and 1321.48, and to repeal sections 1315.35, 1315.36, 1315.37, 1315.38, 1315.39, 1315.40, 1315.41, 1315.42, 1315.43, and 1315.44 of the Revised Code to repeal the Check-Cashing Lender Law, to establish the Short-Term Lender Law, to create a short-term installment loan linked deposit program, to further restrict the making of multiple loans under the Small Loan Law, to expand the responsibilities of the Consumer Finance Education Board, and to make other related changes.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Speaker

Pursuant to House Rules 13, 28, 30, the Speaker hereby makes the following change to the Rules and Reference Committee:

remove Representative DeWine; appoint Representative Schlichter.

Message from the Speaker

The Speaker of the House of Representatives, on May 15, 2008, signed the following:

Sub. S. B. No. 44 - Senator Carey - et al.

Sub. S. B. No. 245 - Senator Schuring - et al.

On motion of Representative Hite, the House adjourned until Tuesday, May 20, 2008 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.