

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

THURSDAY, OCTOBER 25, 2007

ONE HUNDRED FOURTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Thursday, October 25, 2007, 11:00 o'clock a.m.**

The House met pursuant to adjournment.

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

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 364**-Representative Peterson.

Cosponsors: Representatives Combs, Book, Yuko, Evans, Hughes, Ujvagi, Yates, Fende, Stebelton, Oelslager, Bacon, Brown, Strahorn, Wagoner, Otterman, Letson.

To enact section 5533.591 of the Revised Code to designate a portion of United States Route 23 within Delaware County as the "Branch Rickey Memorial Highway."

**H. B. No. 365**-Representative Evans.

Cosponsors: Representatives Setzer, Stebelton, Strahorn, Zehringer.

To amend section 103.14 and to enact section 101.16 of the Revised Code to specify that if a bill provides for a new or increased jail term, prison term, or delinquent child commitment no committee of the General Assembly may report it and neither house of the General Assembly may pass it unless the bill designates one or more funding sources from which the cost of the term or commitment will be paid, to require fiscal analyses prepared by the Legislative Service Commission to include an estimate for each such bill of the cost of the term or commitment, and to require the creation of a task force to establish a state policy to limit future increases in the number of criminal offenders and delinquent children in correctional facilities and Department of Youth Services facilities and provide planning for modifying, expanding, and constructing those facilities necessary to satisfy the projected increased need for them.

**H. B. No. 366**-Representative Webster.

Cosponsor: Representative Schindel.

To amend sections 955.11 and 955.221 of the Revised Code to remove pit bulls from the definition of "vicious dog" in state law and to authorize the adoption of local ordinances or resolutions that define "dangerous dog" and "vicious dog" more broadly than state law defines those terms.

**H. B. No. 367-Representative Blessing.**

Cosponsors: Representatives Flowers, McGregor, J., Fessler, Webster.

To amend section 4710.01 and to enact section 4710.05 of the Revised Code relative to the practice of debt settlement regulation.

Said bills were considered the first time.

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

Representative Williams, B. submitted the following report:

The standing committee on Health to which was referred **H. B. No. 283-Representative Webster, et al.**, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DONATIONS OF DANGEROUS DRUGS - PHARMACY  
SCHOOLS ACCEPT FOR INSTRUCTIONAL PURPOSES

Representative White moved to amend the title as follows:

Add the names: "Letson, Otterman, Williams, B., Uecker."

ROBERT MECKLENBORG  
W. SCOTT OELSLAGER  
JOHN J. WHITE  
BRUCE W. GOODWIN  
TOM LETSON  
BRIAN G. WILLIAMS  
MATT HUFFMAN  
SHANNON JONES

JAY HOTTINGER  
LYNN R. WACHTMANN  
SHAWN N. WEBSTER  
LORRAINE M. FENDE  
ROBERT J. OTTERMAN  
JOSEPH W. UECKER  
JAMES T. RAUSSEN  
CHRIS REDFERN

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 and Senate Bills be considered for the second time and referred to the following committees for consideration:

**H.B. No. 305 - Representative Blessing**

TO CONTINUE AN ELECTRIC DISTRIBUTION UTILITY'S CURRENT RATE STABILIZATION PLAN UNTIL THE PUBLIC UTILITIES COMMISSION DETERMINES THERE IS EFFECTIVE COMPETITION IN RETAIL GENERATION SERVICE WITHIN THE UTILITY'S DISTRIBUTION TERRITORY AND TO REQUIRE THE COMMISSION TO ENSURE ADEQUATE GENERATING CAPACITY IN OHIO THROUGH SPECIFIED MEANS.

To the committee on Public Utilities

**H.B. No. 313 - Representative Skindell, et al**

TO CREATE A RENEWABLE ENERGY PORTFOLIO STANDARD FOR ELECTRIC SUPPLIERS AND AUTHORIZE A STATE SYSTEM OF TRADABLE RENEWABLE ENERGY CREDITS.

To the committee on Alternative Energy

**H.B. No. 333 - Representatives Batchelder and R. Hagan, et al**

TO PROHIBIT A CHECK-CASHING BUSINESS FROM MAKING A LOAN TO A BORROWER WHO HAS AN OUTSTANDING LOAN WITH ANY CHECK-CASHING LICENSEE, TO CREATE A STATEWIDE DATABASE OF LOANS BY CHECK-CASHING LICENSEES, TO MODIFY THE TERMS FOR MAKING A LOAN UNDER THE CHECK-CASHING LOAN ACT, TO CREATE A SMALL LOAN LINKED DEPOSIT PROGRAM, TO EXPAND THE RESPONSIBILITIES OF THE CONSUMER FINANCE EDUCATION BOARD TO PROMOTE SMALL LOAN COUNSELING AND EDUCATION FOR BORROWERS, AND TO ELIMINATE A CERTAIN CREDIT UNION LENDING OPTION.

To the committee on Financial Institutions, Real Estate and Securities

**H.B. No. 337 - Representatives R. McGregor and Lundy, et al**

TO MODIFY TERMS AND PERMISSIBLE CHARGES UNDER THE CHECK-CASHING LENDER LAW, TO ESTABLISH THE FINANCIAL LITERACY EDUCATION FUND, TO AUTHORIZE THE DIRECTOR OF COMMERCE TO ADMINISTER THE FUND AND ESTABLISH ADULT FINANCIAL LITERACY EDUCATION PROGRAMS, AND TO CREATE THE SMALL EMERGENCY LOAN TASK FORCE.

To the committee on Financial Institutions, Real Estate and Securities

**H.B. No. 349 - Representatives Hughes and Goyal, et al**

TO ALLOW TRANSIENT HOTELS TO PERMIT GUESTS TO STAY LONGER THAN THIRTY DAYS AND TO ALLOW EXTENDED STAY HOTELS TO PERMIT GUESTS TO STAY LONGER THAN ONE YEAR.

To the committee on Commerce and Labor

**H.B. No. 350 - Representative Wolpert, et al**

TO PERMIT A STUDENT AT AN OHIO INSTITUTION OF HIGHER EDUCATION TO SERVE AS A PRECINCT ELECTION OFFICIAL IN THE COUNTY WHERE THEY ATTEND SCHOOL, AND TO PERMIT UP TO TWO HIGH SCHOOL SENIORS TO SERVE AS PRECINCT OFFICERS AT A POLLING PLACE WITH SIX OR MORE PRECINCT OFFICERS.

To the committee on State Government and Elections

**H.B. No. 351 - Representative Brinkman, et al**

TO PERMIT THE TRANSFER OF COUNTY JAIL INMATES TO CONTIGUOUS COUNTIES IN ADJOINING STATES.

To the committee on Judiciary

**H.B. No. 352 - Representative Patton**

TO INCLUDE ALPACAS IN CERTAIN STATUTORY DEFINITIONS OF "AGRICULTURAL ANIMAL" AND "LIVESTOCK."

To the committee on Agriculture and Natural Resources

**H.B. No. 353 - Representatives Wagoner and Szollosi**

TO CREATE LADYBUG LICENSE PLATES.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

**H.B. No. 354 - Representatives Boyd and S. Williams, et al**

TO PROHIBIT ANY PERSON UNDER TWENTY-ONE YEARS OF AGE FROM POSSESSING A FIREARM, SUBJECT TO SPECIFIED EXCEPTIONS FOR LAWFUL HUNTING, SPORTING, OR EDUCATIONAL PURPOSES AND FOR LAW ENFORCEMENT OFFICERS; TO EXPAND THE OFFENSE OF FAILURE TO SECURE DANGEROUS ORDNANCE SO THAT IT ALSO PROHIBITS A FAILURE TO SECURE A FIREARM; TO AMEND THE VERSION OF SECTION 2152.02 OF THE REVISED CODE THAT TAKES EFFECT ON JANUARY 1, 2008, TO RETAIN THE PROVISIONS OF THIS ACT ON AND AFTER THAT DATE; AND TO DECLARE AN EMERGENCY.

To the committee on Criminal Justice

**H.B. No. 355 - Representative Hughes, et al**

TO PROVIDE FOR THE RECOVERY OF DAMAGES AND CIVIL PENALTIES FOR DEFRAUDING THE STATE OF MONEY, PROPERTY, OR SERVICES IN RELATION TO THE MEDICAID PROGRAM AND TO AUTHORIZE PRIVATE PERSONS TO BRING QUI TAM CIVIL ACTIONS TO REMEDY THE FRAUDS.

To the committee on Civil and Commercial Law

**H.B. No. 356 - Representative Hottinger, et al**

TO EXPAND THE OFFENSE OF GROSS SEXUAL IMPOSITION TO ALSO PROHIBIT A PERSON FROM HAVING SEXUAL CONTACT WITH ANOTHER OR CAUSING TWO OR MORE OTHER PERSONS TO HAVE SEXUAL CONTACT IF THE OTHER PERSON OR ONE OF THE OTHER PERSONS IS A MINOR AND THE OFFENDER IS THE MINOR'S PARENT, STEPPARENT, GUARDIAN, CUSTODIAN, OR PERSON IN LOCO PARENTIS AND TO INCLUDE A PERSON WHO VIOLATES THIS PROHIBITION AS A TIER II SEX OFFENDER/CHILD-VICTIM OFFENDER UNDER THE SEX OFFENDER REGISTRATION AND NOTIFICATION LAW.

To the committee on Criminal Justice

**H.B. No. 357 - Representative J. McGregor, et al**

TO MODIFY AND EXPAND THE LAWS GOVERNING ENERGY DEVELOPMENT AND SUPPLY IN THE STATE.

To the committee on Alternative Energy

**H.B. No. 358 - Representative Yates, et al**

TO MODIFY THE PROVISIONS FOR MAKING A LOAN UNDER THE

**CHECK-CASHING BUSINESS LOAN LAW.**

To the committee on Financial Institutions, Real Estate and Securities

**H.B. No. 359 - Representative Huffman, et al**

TO EXTEND TO ALL COUNTIES THE AUTHORITY TO UTILIZE SURPLUS DELINQUENT TAX COLLECTIONS TO FACILITATE NUISANCE ABATEMENT OF DETERIORATED RESIDENTIAL BUILDINGS IN FORECLOSURE AND TO TERMINATE THE TEMPORARY AUTHORITY OF A COUNTY WITH A POPULATION EXCEEDING 1.2 MILLION TO USE SUCH COLLECTIONS TO PREVENT RESIDENTIAL MORTGAGE FORECLOSURES.

To the committee on Ways and Means

**S.B. No. 84 - Senator Schaffer, et al**

TO SPECIFY AN ADDITIONAL TYPE OF EMERGENCY MANAGEMENT AGENCY FOR WHICH A POLITICAL SUBDIVISION MAY MAKE AN APPROPRIATION.

To the committee on Local and Municipal Government and Urban Revitalization

**S.B. No. 132 - Senator Schuring, et al**

TO AUTHORIZE THE DISPLAY OF COMBAT BATTLE STARS ON CERTAIN SPECIAL COMBAT OR MILITARY LICENSE PLATES.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

JON A. HUSTED  
LARRY L. FLOWERS  
JOYCE BEATTY  
CHRIS REDFERN

KEVIN DEWINE  
ARLENE J. SETZER  
JOSEPH KOZIURA

Representative Reinhard 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.

Representative Koziura reported for the Rules and Reference Committee recommending that the following House Concurrent Resolutions and Senate Concurrent Resolution be introduced and referred to the following committees for consideration:

**H. Con. R. No. 30 – Representatives Yates, Batchelder, Bolon, Budish, Collier, Dodd, Dyer, Fende, Flowers, Foley, Goyal, Huffman, Hughes, Jones, Luckie, McGregor, J., Patton, Sayre, Seitz, Setzer, Strahorn, Webster, Williams, S., Yuko**

TO CONDEMN STATEMENTS MADE BY IRANIAN PRESIDENT MAHMOUD AHMADINEJAD REGARDING THE NAZI HOLOCAUST, ISRAEL, THE UNITED STATES, AND HOMOSEXUALITY.

To the committee on State Government and Elections

**H. Con. R. No. 31 – Representatives McGregor, J., Setzer, Stebelton, Peterson, Hughes, Flowers, Fessler**

TO URGE THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO OPPOSE ANY EFFORT TO IMPLEMENT A TRI-NATIONAL POLITICAL, GOVERNMENTAL ENTITY AMONG THE UNITED STATES, CANADA, AND MEXICO, AND TO OPPOSE THE SECURITY AND PROSPERITY PARTNERSHIP OF NORTH AMERICA AND INITIATIVES PURSUED IN CONJUNCTION WITH THE PARTNERSHIP THAT THREATEN THE SOVEREIGNTY OF THE UNITED STATES.

To the committee on State Government and Elections

**S.Con.R. No. 19 - Senators Niehaus, Amstutz, Coughlin, Faber, Gardner, Harris, Mumper, Carey, Stivers, Jacobson, Spada, Buehrer, Padgett, Cates, Austria**

TO URGE THE CONGRESS OF THE UNITED STATES TO REAUTHORIZE THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM IN A MANNER THAT ENABLES OHIO TO IMPLEMENT AN EXPANSION AUTHORIZED BY AM. SUB. H.B. 119 OF THE 127TH GENERAL ASSEMBLY AND THE PRESIDENT OF THE UNITED STATES TO SIGN THE REAUTHORIZATION INTO LAW.

To the committee on Finance and Appropriations

Add the name: Beatty

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Reinhard moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolutions were introduced and referred as recommended.

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. 91 – Representatives Heard, Beatty**

HONORING THE COLUMBUS CHAPTER OF THE NBMBA AS A 2007 CHAPTER OF THE YEAR.

**H.R. No. 92 – Representatives Heard, Beatty**

HONORING OYAUMA M. GARRISON AS THE 2007 NATIONAL MBA OF THE YEAR.

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

Representative Reinhard 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.

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

**H.R. No. 90 - 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., 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., Williams, S., Wolpert, Yates, Yuko, Zehringer**

IN MEMORY OF JAMES W. BURLEY.

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

Representative Reinhard 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.

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:

**Sub. S. B. No. 6** -Senator Niehaus

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

To amend sections 125.18, 317.082, 319.28, 319.54, 2305.09, and 2901.13 and to enact sections 109.941, 111.241, 149.434, 149.45, 1349.52, and



1349.53 of the Revised Code to allow a consumer to place a security freeze on the consumer's credit report, to require a public office to redact from a document that is otherwise a public record certain information, to require a public office to redact Social Security numbers or federal tax identification numbers from any document that is made available online to the public through the internet, to require the Office of Criminal Justice Services to make state funding grants available to local law enforcement agencies for enforcement of identity fraud laws, to require the attorney general to support local law enforcement agencies with the enforcement of identity fraud laws, to enact a special statute of limitations for criminal prosecutions and civil actions against identity fraud, to allow a safety worker to request the county auditor to remove the safety worker's name from the general tax list of real and public utility property and the general duplicate of real and public utility property and insert the safety worker's initials, and to prohibit a county auditor from charging a real property conveyance fee to a safety worker who changes the current owner name on the general tax list of real and public utility property and the general duplicate of real and public utility property to the safety worker's initials.

**Sub. S. B. No. 148** -Senator Faber

Cosponsors: Senators Mumper, Harris, Miller, R., Morano, Niehaus, Sawyer, Seitz, Smith, Wilson, Padgett, Amstutz, Spada

To amend sections 3309.33, 3309.34, 3309.36, 3309.38, and 3309.381 of the Revised Code to revise retirement eligibility requirements for members of the School Employees Retirement System.

Attest:

David A. Battocletti,  
Clerk.

Said bills were considered the first time.

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. 73** -Senator Miller, R.

Cosponsors: Senators Smith, Mason, Goodman, Stivers, Clancy, Boccieri, Cafaro, Fedor, Harris, Jacobson, Kearney, Morano, Padgett, Roberts, Sawyer, Schuring, Wilson, Grendell

To amend sections 2925.01, 2925.03, 2925.05, 2925.11, and 2929.01 of the Revised Code to eliminate the distinction between powdered cocaine and crack cocaine in the Drug Abuse Law and to amend the version of section 2925.03 of the Revised Code that takes effect on July 1, 2007, to maintain the provisions of this act on and after that date.

**Sub. S. B. No. 175** -Senator Coughlin

Cosponsors: Senators Clancy, Carey, Schuler, Buehrer, Jacobson, Goodman, Schuring, Gardner, Amstutz, Cates, Faber, Harris, Niehaus, Schaffer, Austria

To amend sections 3705.01, 3705.16, 3705.20, and 3705.29 and to enact sections 517.071, 759.49, 1721.071, 3727.16, 4731.82, and 4765.57 of the Revised Code to enact the Grieving Parents Act, regarding fetal death certificates for, and burials of, the product of human conception that suffers a fetal death.

Attest:

David A. Battocletti,  
Clerk.

Said bills were considered the first time.

On motion of Representative Reinhard, the House adjourned until Tuesday, October 30, 2007 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.