

OHIO

House

of

Representatives

JOURNAL

THURSDAY, NOVEMBER 13, 2008

TWO HUNDRED TWENTY-SECOND DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, November 13, 2008, 1:00 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Representative James Zehringer of the 77th district, 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:

Students from Capital University Community Health Class, guests of Representative Flowers-19th district and J. McGregor-20th district.

Alex Wright, a guest of Representative Oelslager-51st district.

Elaine Jackson, a guest of Representative Slesnick-52nd district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 632-Representative McGregor, J.

To amend sections 303.213, 519.213, 713.081, 1506.11, 4906.13, 4906.20, 4906.98, 5751.01, and 5751.20 of the Revised Code and to enact sections 1506.111, 1506.112, and 4906.21 of the Revised Code to require the Director of Natural Resources to establish a plan to make available for lease areas of the bed of Lake Erie for the purpose of wind energy development and to require Lake Erie wind farms to be certified by the Power Siting Board.

H. B. No. 633-Representative Wolpert.

To amend sections 109.42, 109.572, 109.60, 120.03, 120.14, 120.15, 120.16, 120.18, 120.24, 120.25, 120.26, 120.28, 120.33, 120.36, 309.08, 341.23, 503.44, 503.46, 504.04, 504.05, 504.06, 504.08, 504.15, 753.08, 925.31, 1907.012, 2152.021, 2152.16, 2152.18, 2152.21, 2152.41, 2335.08, 2335.09, 2743.51, 2743.60, 2743.70, 2901.01, 2903.04, 2903.06, 2903.08, 2903.212, 2903.213, 2903.214, 2907.24, 2907.27, 2907.28, 2907.41, 2913.01, 2915.01, 2917.11, 2917.41, 2919.25, 2919.251, 2919.26, 2919.271, 2921.51, 2921.52, 2929.142, 2929.21, 2930.01, 2935.01, 2935.03, 2935.13, 2935.14, 2935.17, 2935.27, 2935.33, 2935.36, 2937.221, 2937.23, 2937.46, 2937.99, 2938.02, 2941.51, 2945.17, 2947.23, 2949.02, 2950.01, 2951.041, 2953.02, 2953.03, 2953.09, 2953.31, 2953.32, 2953.36, 3113.31, 3301.88, 3313.662, 3314.403, 3319.20, 3319.31, 3319.311, 3319.317, 3326.243, 3327.10, 3345.23, 3375.50, 3375.51, 3937.41, 3937.43, 4112.02, 4113.52, 4301.252,

4501.11, 4503.234, 4506.07, 4506.15, 4506.18, 4507.02, 4507.06, 4507.164, 4510.01, 4510.03, 4510.031, 4510.032, 4510.034, 4510.036, 4510.038, 4510.04, 4510.05, 4510.07, 4510.11, 4510.12, 4510.13, 4510.14, 4510.15, 4510.16, 4510.161, 4510.17, 4510.22, 4510.31, 4510.41, 4510.43, 4510.54, 4511.01, 4511.181, 4511.19, 4511.191, 4511.192, 4511.193, 4511.194, 4511.195, 4511.196, 4511.197, 4511.203, 4511.211, 4511.512, 4511.63, 4511.69, 4511.76, 4511.761, 4511.762, 4511.764, 4511.77, 4511.79, 4511.81, 4513.35, 4513.37, 4549.17, 4730.31, 4731.223, 4760.15, 4762.15, 5104.09, 5123.081, 5126.28, 5321.05, and 5503.04 and to enact sections 1905.43, 1905.45, 1905.50, 1905.51, 1905.52, 1905.54, 1905.55, 1905.56, and 1905.57 of the Revised Code to authorize townships that meet specified criteria to adopt criminal codes and create community courts.

H. B. No. 634-Representative McGregor, R.

To amend section 124.341 and to enact section 117.103 of the Revised Code to require the Auditor of State to establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices.

H. B. No. 635-Representative Gibbs.

To amend sections 903.01, 903.02, 903.03, 903.04, 903.05, 903.06, 903.07, 903.08, 903.081, 903.082, 903.09, 903.10, 903.15, 903.16, 903.17, and 6111.03 of the Revised Code to revise the Concentrated Animal Feeding Facilities Law.

Said bills were considered the first time.

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

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

H.B. No. 588 - Representative Goyal, et al

TO DESIGNATE MAY AS "MELANOMA/SKIN CANCER DETECTION AND PREVENTION MONTH."

To the committee on State Government

H.B. No. 589 - Representative Dodd

TO REVISE THE MEMBERSHIP OF THE TRANSPORTATION REVIEW ADVISORY COUNCIL.

To the committee on State Government

H. B. No. 590 - Representative Mallory, et al

TO ESTABLISH THE BED BUG AWARENESS, EDUCATION, AND PREVENTION PROGRAM AND TO MAKE AN APPROPRIATION.

To the committee on Finance and Appropriations

H.B. No. 591 - Representative B. Williams, et al

TO ESTABLISH ADDITIONAL PUBLIC NOTICE AND PUBLIC MEETING REQUIREMENTS CONCERNING APPLICATIONS FOR CERTAIN PERMITS FOR OIL OR GAS WELLS.

To the committee on Civil and Commercial Law

H.B. No. 592 - Representative Fessler

TO EXEMPT STAND-ALONE BARS FROM THE SMOKING BAN.

To the committee on Civil and Commercial Law

H.B. No. 593 - Representative Uecker, et al

TO CLARIFY THE PENALTIES FOR OPERATING A MOTORCYCLE WITHOUT HAVING EITHER A MOTORCYCLE ENDORSEMENT OR THE PROPER RESTRICTED LICENSE.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 594 - Representative Fessler

TO PROVIDE A 90-DAY MORATORIUM ON THE STATE MOTOR FUEL TAX.

To the committee on Finance and Appropriations

H.B. No. 595 - Representative Wachtmann

TO REQUIRE THE DIRECTOR OF JOB AND FAMILY SERVICES TO SEEK FEDERAL APPROVAL TO ESTABLISH AN ALCOHOL AND CONTROLLED SUBSTANCE TESTING AND TREATMENT COMPONENT OF THE MEDICAID PROGRAM.

To the committee on Health

H.B. No. 596 - Representative Szollosi, et al

TO MAKE A BOARD OF EDUCATION OF A SCHOOL DISTRICT OR THE GOVERNING BOARD OF AN EDUCATIONAL SERVICE CENTER SUBJECT TO THE PREVAILING WAGE LAW FOR PUBLIC IMPROVEMENT CONTRACTS.

To the committee on Commerce and Labor

H.B. No. 597 - Representative Chandler, et al

TO REQUIRE SCHOOL DISTRICTS TO TRANSPORT PUPILS IN GRADES KINDERGARTEN THROUGH EIGHT WHO LIVE WITHIN TWO MILES OF SCHOOL BUT DO NOT HAVE ACCESS TO A SIDEWALK OR PATH CONSTRUCTED FOR PEDESTRIAN USE EN ROUTE TO SCHOOL.

To the committee on Education

H.B. No. 598 - Representative Huffman, Uecker

TO PROHIBIT A PUBLIC SCHOOL OR AN INTERSCHOLASTIC ATHLETIC ORGANIZATION FROM SANCTIONING OR

CONTROLLING FUND-RAISING AND EXPENDITURES BY HEAD COACHES OR SCHOOL BOOSTER CLUBS UNDER SPECIFIED CONDITIONS AND TO PERMIT SCHOOL BOOSTER CLUBS TO PAY COMPENSATION TO COACHES.

To the committee on State Government

H.B. No. 599 - Representative Blessing, et al

TO EXEMPT SALES OF SATELLITE BROADCASTING SERVICES FROM SALES AND USE TAXATION AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT IN SECTION 5739.035 OF THE REVISED CODE TERMINATE ON JANUARY 1, 2010, WHEN THAT SECTION IS REPEALED ON THAT DATE.

To the committee on Ways and Means

H.B. No. 600 - Representative Wachtmann

TO MODIFY THE PURCHASE OF SERVICE CREDIT IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 601 - Representative Wachtmann, et al

TO REQUIRE THE DIRECTOR OF HEALTH TO PRESCRIBE A FORM TO DOCUMENT MEDICAL ORDERS FOR LIFE-SUSTAINING TREATMENT AND TO MAKE CHANGES TO THE LAW GOVERNING DNR IDENTIFICATION AND ORDERS.

To the committee on Health

H.B. No. 602 - Representative Patton, et al

TO AUTHORIZE THE CREATION OF LAND REUTILIZATION CORPORATIONS TO FACILITATE THE RECLAMATION, REHABILITATION, AND REUTILIZATION OF VACANT, ABANDONED, TAX-FORECLOSED, OR OTHER REAL PROPERTY AND TO REVISE THE EXPEDITED, NONJUDICIAL FORECLOSURE PROCEDURE FOR ABANDONED LANDS.

To the committee on Ways and Means

H.B. No. 603 - Representative Dodd, et al

TO REQUIRE STATE INSTITUTIONS OF HIGHER EDUCATION TO WAIVE UNDERGRADUATE INSTRUCTIONAL AND STUDENT FEES AND ROOM AND BOARD AND PROVIDE BOOK VOUCHERS FOR OHIO RESIDENTS AWARDED THE PURPLE HEART OR OTHER COMBAT DECORATIONS SUPERIOR IN PRECEDENCE.

To the committee on State Government

H.B. No. 604 - Representative DeGeeter, et al

TO REDUCE, FROM FIFTEEN TO TEN, THE MINIMUM NUMBER OF DAYS FOR BIDDING WHEN A NONCHARTERED MUNICIPAL CORPORATION SELLS PERSONAL PROPERTY BY INTERNET AUCTION.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 605 - Representative Patton

TO PROHIBIT CAMPUS CREDIT CARD MARKETING ACTIVITIES ON THE GROUNDS OF STATE INSTITUTIONS OF HIGHER EDUCATION.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 606 - Representative Peterson

TO MODIFY THE GOVERNANCE AND AUTHORITY OF NEW COMMUNITY AUTHORITIES.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 607 - Representative J. Stewart

TO SPECIFY THAT THE RESTRICTION AGAINST OFFENDERS CONVICTED OF A SEXUALLY ORIENTED OFFENSE OR CHILD-VICTIM ORIENTED OFFENSE LIVING NEAR SCHOOL, PRESCHOOL, OR CHILD DAY-CARE PREMISES APPLIES REGARDLESS OF WHEN THE OFFENSE WAS COMMITTED OR THE OFFENDER BEGAN LIVING IN THE RESIDENCE AND THAT A REGISTRATION REQUIREMENT FOR CHILDREN ADJUDICATED DELINQUENT FOR A SEXUALLY ORIENTED OFFENSE AND CLASSIFIED A JUVENILE OFFENDER REGISTRANT APPLIES REGARDLESS OF WHEN THE OFFENSE WAS COMMITTED.

To the committee on Criminal Justice

H.B. No. 608 - Representatives Lundy and Huffman, et al

TO PROHIBIT CAMPUS CREDIT CARD MARKETING ACTIVITIES AND TO PROHIBIT A STATE INSTITUTION OF HIGHER EDUCATION FROM RELEASING STUDENT DIRECTORY INFORMATION TO ANY PERSON OR GROUP FOR USE IN A PROFIT-MAKING PLAN OR ACTIVITY.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 609 - Representative Patton

TO PROVIDE OHIO PUBLIC SAFETY OFFICERS DEATH BENEFIT FUND COVERAGE TO DRUG AGENTS AND TO INVESTIGATORS AND SPECIAL AGENTS OF THE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 610 - Representative Celeste, et al

REGARDING SENTENCING FOR FAILURE TO PROVIDE ADEQUATE SUPPORT TO A CHILD OR OTHER PERSON AN INDIVIDUAL IS LEGALLY OBLIGATED TO SUPPORT.

To the committee on Juvenile and Family Law

H.B. No. 611 - Representative Patton

TO REQUIRE A CRIMINAL RECORDS CHECK OF A PERSON BEFORE APPOINTMENT AS AN AUXILIARY POLICE OFFICER OF A MUNICIPAL CORPORATION AND TO ESTABLISH QUALIFICATIONS

FOR AUXILIARY POLICE OFFICERS OF MUNICIPAL CORPORATIONS.

To the committee on Criminal Justice

H.B. No. 612 - Representative Fessler

TO CREATE THE LOCAL FARMING TASK FORCE TO DEVELOP RECOMMENDATIONS OF POLICIES AND FUNDING THAT ARE NECESSARY TO ENCOURAGE LOCAL FARMING IN OHIO.

To the committee on Agriculture and Natural Resources

H.B. No. 613 - Representative J. McGregor, et al

TO PROVIDE OHIO PUBLIC SAFETY OFFICERS DEATH BENEFIT FUND COVERAGE TO INVESTIGATORS AND SPECIAL AGENTS OF THE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 614 - Representative Otterman, et al

TO REQUIRE PEACE OFFICER BASIC TRAINING PROGRAMS TO INCLUDE TRAINING REGARDING PERSONS WITH AUTISM OR OTHER DEVELOPMENTAL DISABILITIES.

To the committee on State Government

H.B. No. 615 - Representative Fessler, et al

TO CREATE "BROTHERS AND SISTERS' DAY."

To the committee on State Government

H.B. No. 616 - Representatives Combs and Mallory, et al

TO PROHIBIT ENGAGING IN SEXUAL CONDUCT WITH A HUMAN CORPSE.

To the committee on Criminal Justice

H.B. No. 617 - Representative Hughes, et al

TO PROHIBIT A PERSON CONVICTED OF RAPE OF A CHILD LESS THAN THIRTEEN FROM INTERACTING WITH A MINOR WITHOUT THE PARENT'S OR GUARDIAN'S PERMISSION AND TO PROHIBIT A PERSON FROM COLLECTING ANY BODILY SUBSTANCE OF ANOTHER PERSON WITHOUT PRIVILEGE TO DO SO.

To the committee on Criminal Justice

H.B. No. 618 - Representative Peterson

TO SPECIFY THAT THE SCHOOL DISTRICT OF RESIDENCE BEARS THE BURDEN OF PERSUASION AND THE BURDEN OF PRODUCTION IN AN ADMINISTRATIVE HEARING REGARDING THE PROVISION OF SPECIAL EDUCATION AND RELATED SERVICES TO A CHILD WITH A DISABILITY.

To the committee on Education

H.B. No. 619 - Representative Szollosi, et al

TO ELIMINATE AN EXEMPTION FROM THE PUBLIC EMPLOYEES' COLLECTIVE BARGAINING LAW FOR SPECIFIED EMPLOYEES OF

THE COURTS AND CLERKS OF COURTS.

To the committee on Commerce and Labor

H.B. No. 620 - Representative J. Stewart, Strahorn

TO CHANGE THE NAME OF THE DEPARTMENT OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES TO THE DEPARTMENT OF DEVELOPMENTAL DISABILITIES AND TO MAKE SIMILAR NAME CHANGES FOR THE JOINT COUNCIL ON MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES, THE MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES DEVELOPMENTAL CENTER CLOSURE COMMISSION, AND CERTAIN STATE FUNDS.

To the committee on Health

H.B. No. 621 - Representative J. Stewart, Strahorn

TO CHANGE THE NAME OF COUNTY BOARDS OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES TO COUNTY BOARDS OF DEVELOPMENTAL DISABILITIES AND TO MAKE SIMILAR NAME CHANGES FOR CERTAIN COUNTY FUNDS.

To the committee on Health

H.B. No. 622 - Representatives Patton and Schindel, Nero

TO ESTABLISH STANDARDS FOR THE USE OF PHYSICIAN DESIGNATION SYSTEMS BY HEALTH CARE INSURERS.

To the committee on Insurance

H.B. No. 623 - Representative Fessler

TO REQUIRE THE DEPARTMENT OF BUDGET AND MANAGEMENT TO ELECTRONICALLY PUBLISH INFORMATION REGARDING STATE AWARDS.

To the committee on Finance and Appropriations

H.B. No. 624 - Representative Dyer, et al

TO PROHIBIT THE PURCHASE OR SALE OF A PEACE OFFICER'S UNIFORM UNLESS THE PURCHASER SHOWS REQUIRED IDENTIFICATION AND AUTHORIZATION.

To the committee on Criminal Justice

H.B. No. 625 - Representative Mallory

TO DESIGNATE THE MONTH OF SEPTEMBER OHIO PREPAREDNESS MONTH.

To the committee on State Government

H.B. No. 626 - Representatives Celeste and Foley, et al

TO SPECIFY THAT, UPON PROPER NOTICE, A RENTAL AGREEMENT FOR A RESIDENTIAL PROPERTY THAT IS THE SUBJECT OF A FORECLOSURE ACTION CONVERTS TO A MONTH-TO-MONTH RENTAL AGREEMENT UNLESS THAT RESIDENTIAL RENTAL AGREEMENT WAS ENTERED INTO AFTER THE INITIATION OF FORECLOSURE PROCEEDINGS AND NOTICE OF AN ONGOING

FORECLOSURE ACTION AND SUBSEQUENT SALE DATE IS NOT PROVIDED, AND TO CREATE PENALTIES FOR A LANDLORD OR A SUCCESSOR IN INTEREST WHO VIOLATES THE BILL'S PROVISIONS.
To the committee on Civil and Commercial Law

H.B. No. 627 - Representative Hottinger

TO REQUIRE THE REGISTRAR OF MOTOR VEHICLES TO DISQUALIFY THE HOLDER OF A COMMERCIAL DRIVER'S LICENSE FROM OPERATING A COMMERCIAL MOTOR VEHICLE UPON A MUNICIPAL OVI CONVICTION.

To the committee on Criminal Justice

H.B. No. 628 - Representative Bacon, et al

REGARDING THE OHIO POLICE AND FIRE PENSION FUND.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 629 - Representative Flowers

TO LIMIT THE USE OF COMPLAINTS ALLEGING VIOLATIONS OF THE PREVAILING WAGE LAW AND FINDINGS OF THE DIRECTOR OF COMMERCE CONCERNING VIOLATIONS OF THE PREVAILING WAGE LAW.

To the committee on Commerce and Labor

H.B. No. 630 - Representative Combs, et al

TO EXEMPT 10% OF A HOMESTEAD'S VALUE FOR TAX YEAR 2009.

To the committee on Finance and Appropriations

H.B. No. 631 - Representative Blessing

TO REQUIRE CLAIMANTS IN ASBESTOS TORT ACTIONS TO MAKE CERTAIN DISCLOSURES PERTAINING TO ASBESTOS TRUST CLAIMS THAT HAVE BEEN SUBMITTED TO ASBESTOS TRUST ENTITIES FOR THE PURPOSE OF COMPENSATING THE CLAIMANT FOR ASBESTOS EXPOSURE.

To the committee on Judiciary

Am. Sub. S.B. No. 275 - Senator Spada, et al

TO ESTABLISH LAWS GOVERNING THE PRACTICES OF HOME IMPROVEMENT CONTRACTORS AND TO PROVIDE CIVIL REMEDIES FOR HOME OWNERS WHO ARE DAMAGED BY A HOME IMPROVEMENT CONTRACTOR WHO VIOLATES THE LAW.

To the committee on Judiciary

JON A. HUSTED
LARRY L. FLOWERS
JOYCE BEATTY

KEVIN DEWINE
SHANNON JONES
CHRIS REDFERN

Representative DeWine 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 Bill 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 Bill were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Redfern reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

H.R. No. 219 - Representative Koziura

HONORING CHERYL BANSEK AS THE 2008 OHIO DIVISION I CO-COACH OF THE YEAR IN GIRLS BASKETBALL.

H.R. No. 223 - Representative Redfern

HONORING CORY LESLIE AS A 2008 DIVISION II STATE TRACK AND FIELD CHAMPION.

H.R. No. 224 - Representative Redfern

HONORING MATTHEW HOTY AS A 2008 DIVISION II STATE TRACK AND FIELD CHAMPION.

H.R. No. 225 - Representative Redfern

HONORING THE PERKINS HIGH SCHOOL BOYS TRACK AND FIELD TEAM AS THE 2008 DIVISION II STATE CHAMPION.

H.R. No. 226 - Representatives Gardner, Ujvagi, Brown, Szollosi, Hite, McGregor, J., Wachtmann, Evans, Oelslager, Beatty, Gerberry, Dodd, Yates, Chandler, Flowers, Yuko, Stebelton, Hughes, Webster, Strahorn, Redfern

RECOGNIZING DR. SIDNEY A. RIBEAU FOR HIS EXEMPLARY RECORD OF SERVICE TO BOWLING GREEN STATE UNIVERSITY.

H.R. No. 227 - Representative Huffman

HONORING CAMERON HERMILLER AS A 2008 DIVISION III STATE TRACK AND FIELD CHAMPION.

H.R. No. 228 - Representative Huffman

HONORING THE DELPHOS ST. JOHN'S HIGH SCHOOL BOYS 400-METER RELAY TEAM AS THE 2008 DIVISION III STATE CHAMPION.

H.R. No. 229 - Representative Huffman

HONORING THE BLUFFTON HIGH SCHOOL BOYS 1,600-METER RELAY TEAM AS THE 2008 DIVISION III STATE CHAMPION.

H.R. No. 230 - Representative Huffman

HONORING THE BLUFFTON HIGH SCHOOL BOYS 800-METER RELAY TEAM AS THE 2008 DIVISION III STATE CHAMPION.

H.R. No. 231 - Representative Huffman

HONORING JOHN GUAGENTI AS A 2008 DIVISION III STATE TRACK AND FIELD CHAMPION.

H.R. No. 232 - Representative Huffman

HONORING BONNIE STRATTON AS A 2008 DIVISION III STATE TRACK AND FIELD CHAMPION.

H.R. No. 233 - Representative Huffman

HONORING THE BLUFFTON HIGH SCHOOL BOYS TRACK AND FIELD TEAM AS THE 2008 DIVISION III STATE CHAMPION.

H.R. No. 235 - Representative Schlichter

HONORING GALEN DILLS AS A 2008 DIVISION II STATE TRACK AND FIELD CHAMPION.

H.R. No. 236 - Representative Oelslager

HONORING THE HOOVER HIGH SCHOOL SOFTBALL TEAM ON WINNING THE 2008 DIVISION I STATE CHAMPIONSHIP.

H.R. No. 238 - Representative Gerberry

HONORING THE CANFIELD HIGH SCHOOL SOFTBALL TEAM ON WINNING THE 2008 DIVISION II STATE CHAMPIONSHIP.

H.R. No. 239 - Representative Wachtmann

Honoring Heath Nickles as a 2008 Division III State Track and Field Champion.

H.R. No. 240 - Representative Wachtmann

HONORING THE PATRICK HENRY HIGH SCHOOL BASEBALL TEAM ON WINNING THE 2008 DIVISION IV STATE CHAMPIONSHIP.

H.R. No. 242 - Representative Goyal

HONORING AUDRIA GRUBBS AS THE 2008 STATE IGNITING CREATIVE ENERGY CHALLENGE CHAMPION.

H.R. No. 243 - Speaker Husted, Representatives Beatty, Adams, Aslanides, Bacon, Batchelder, 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, Gardner, Gerberry, Gibbs, Goodwin, Goyal, Hagan, J., Hagan, R., Harwood, Heard, Heydinger, Hite, Hottinger, Huffman, Hughes, Jones, Koziura, Letson, Luckie, Lundy, Mallory, Mandel, McGregor, J., McGregor, R., Mecklenborg, Miller, Nero, Newcomb, Oelslager, Okey, Otterman, J., Patton, Peterson, Redfern, Reinhard, Sayre, Schindel, Schlichter, Schneider, Sears, Setzer, Skindell, Slesnick, Stebelton, Stewart, D., Stewart, J., Strahorn, Sykes, Szollosi, Uecker, Ujvagi, Wachtmann, Wagner, Webster, White, Widener, Williams, B., Williams, S., Wolpert, Yates, Yuko, Zehringer

HONORING NASA ON ITS FIFTIETH ANNIVERSARY.

H.R. No. 245 - Representative Szollosi

HONORING MIKE PODDANY AS THE 2008 OHIO D.A.R.E. OFFICER OF THE YEAR.

H.R. No. 246 - Representative Core

HONORING NATE BRATKA AS THE 2008 DIVISION III STATE DISCUS CHAMPION.

H.R. No. 247 - Representative Carmichael

HONORING DEVONNE HOWARD AS A 2008 DIVISION II STATE TRACK AND FIELD CHAMPION.

H.R. No. 249 - Representative Hughes

RECOGNIZING DOMESTIC VIOLENCE AWARENESS MONTH, OCTOBER 2008.

H.R. No. 250 - Representative Dodd

HONORING SAMANTHA ROBERTS AS THE 2008 JUNIOR PRE-TEEN AMERICA.

H.R. No. 252 - Representatives Stebelton, Flowers

HONORING THE WILLIAM V. FISHER CATHOLIC HIGH SCHOOL IN THE KNOW TEAM AS THE 2008 TOURNAMENT CHAMPION.

/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 resolutions contained therein be approved.

The motion was agreed to.

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

H.R. No. 220 – Representative Garrison, Speaker Husted, Representatives Beatty, Adams, Aslanides, Bacon, Batchelder, Blessing, Bolon, Book, Boyd, Brady, Brinkman, Brown, Bulp, Budish, Carmichael, Celeste, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Dodd, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Fessler, Flowers, Foley, Gardner, Gerberry, Gibbs, Goodwin, Goyal, Hagan, J., Hagan, R., Harwood, Heard, Heydinger, Hite, Hottinger, Huffman, Hughes, Jones, Koziura, Letson, Luckie, Lundy, Mallory, Mandel, McGregor, J., McGregor, R., Mecklenborg, Miller, Nero, Newcomb, Oelslager, Okey, Otterman, J., Patton, Peterson, Redfern, Reinhard, Sayre, Schindel, Schlichter, Schneider, Sears, Setzer, Skindell, Slesnick, Stebelton, Stewart, D., Stewart, J., Strahorn, Sykes, Szollosi, Uecker, Ujvagi, Wachtmann, Wagner, Webster, White, Widener, Williams, B., Williams, S., Wolpert, Yates, Yuko, Zehringer
IN MEMORY OF SPECIALIST KYLE PHILIP NORRIS.

/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 approved.

The motion was agreed to.

Representative Schneider moved that majority party members asking leave to be absent or absent the week of Thursday, November 13, 2008, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Strahorn moved that minority party members asking leave to be absent or absent the week of Thursday, November 13, 2008, 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. 253-Speaker Husted.

Relative to the election of Andrew D. Ciafardini to fill the vacancy in the membership of the House of Representatives created by the resignation of Jim Raussen of the 28th House District.

WHEREAS, Section 11 of Article II, Ohio Constitution provides for the filling of a vacancy in the membership of the House of Representatives by election by the members of the House of Representatives who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Jim Raussen of the 28th House District has resigned as a member of the House of Representatives of the 127th General Assembly effective August 15, 2008, thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Republican party that Andrew D. Ciafardini, Republican, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 28th House District, is hereby elected, effective November 13, 2008 pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 28th House District, to fill the vacancy created by the unexpired portion of the term of

said Jim Raussen, ending on December 31, 2008; and be it further

RESOLVED, That a copy of this resolution be spread upon the pages of the Journal of the House of Representatives together with the yeas and nays of the members of the House of Representatives affiliated with the Republican party voting on the resolution, and that the Clerk of the House of Representatives shall certify the resolution and vote on its adoption to the Secretary of State.

The yeas and nays were taken and resulted - yeas 49, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Carmichael	Coley
Combs	Core	Daniels	DeWine
Dolan	Evans	Fessler	Flowers
Gardner	Gibbs	Goodwin	Hagan J.
Hite	Hottinger	Huffman	Hughes
Jones	Mandel	McGregor J.	McGregor R.
Mecklenborg	Nero	Oelslager	Patton
Peterson	Reinhard	Schindel	Schlichter
Schneider	Sears	Setzer	Stebelton
Stewart J.	Uecker	Wachtmann	Wagner
Webster	Widener	Wolpert	Zehringer
			Husted-49.

The resolution was adopted.

Mr. Ciafardini was escorted to the bar of the House by Representatives DeWine, Flowers, Carmichael, Schneider and Jones, 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 his duties.

State of Ohio
County of Franklin

I, Andrew D. Ciafardini, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and faithfully to discharge and perform all duties incumbent upon me as a member of the Ohio House of Representatives, according to the best of my ability and understanding; and this I do as I shall answer unto God.

/s/ ANDREW D. CIAFARDINI
Andrew D. Ciafardini

Sworn to and subscribed before me this 13th day of November, 2008.

/s/ JON A. HUSTED
Jon A. Husted
Speaker
Ohio House of Representatives

BILLS FOR THIRD CONSIDERATION

Am. H. B. No. 501-Representatives Okey, Stebelton.

Cosponsors: Representatives DeGeeter, Sayre, Brown, Brady, Luckie, Setzer, Williams, B., Yuko, Yates, Hite, Dodd, Budish, Skindell, Evans, McGregor, J., Dyer, Szollosi, Foley, Bolon, Schlichter, Gibbs, Aslanides, Zehringer, Reinhard, Goodwin, Newcomb, Domenick, Heard.

To create the Ohio Beekeepers Task Force, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Boyd
Brady	Brinkman	Brown	Budish
Carmichael	Celeste	Chandler	Ciafardini
Coley	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Gardner	Garrison	Gerberry
Gibbs	Goodwin	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Heydinger
Hite	Hottinger	Huffman	Hughes
Jones	Koziura	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Nero
Newcomb	Oelslager	Okey	Otterman J.
Patton	Peterson	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Webster	Widener
Williams B.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

The bill passed.

Representative Okey moved to amend the title as follows:

Add the names: "Adams, Bacon, Batchelder, Beatty, Blessing, Boyd, Celeste, Chandler, Ciafardini, Combs, Daniels, DeBose, Fende, Flowers, Garrison, Gerberry, Hagan, J., Hagan, R., Harwood, Heydinger, Hottinger, Huffman, Hughes, Koziura, Letson, Lundy, Mallory, Nero, Oelslager, Otterman, J., Patton, Peterson, Schneider, Slesnick, Stewart, D., Stewart, J.,

Strahorn, Uecker, Ujvagi, Wachtmann."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 525-Representative Combs.

Cosponsors: Representatives McGregor, J., Peterson, Setzer, Harwood, Szollosi, Raussen, Chandler, Uecker.

To amend section 317.36 and to enact sections 317.083, 317.114, and 5301.461 of the Revised Code to establish standard format requirements for documents to be recorded by a county recorder and to allow recording of a single instrument for multiple transactions pertaining to oil and gas, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Combs moved to amend as follows:

In line 8, delete "317.083,"; after "317.114" delete the comma; delete "5301.461" and insert "317.37"

Delete lines 10 through 12

Delete lines 70 through 73 and insert:

" **Sec. 317.37.** As used in sections 5301.28 to 5301.35 of the Revised Code, "separate instrument" means either the recording of an entirely new instrument or a written and signed entry on the margin of the original instrument bearing the proper endorsement that is recorded distinct and apart from the original instrument of record. For instruments that convey or affect an interest in crude oil or natural gas, such as a lease, assignment, easement, lien, or right-of-way, in a county in which the county recorder requires an assignment, release, partial release, satisfaction, cancellation, or waiver of priority to be made by separate instrument, the county recorder does not have the power to limit the number of assignments, releases, partial releases, satisfactions, cancellations, or waivers of priority that may be executed and recorded by means of a single instrument."

After line 75, insert:

"Section 3. Sections 1 and 2 of this act take effect July 1, 2009."

In line 2 of the title, delete "317.083,"; after "317.114" delete the comma; delete "5301.461" and insert "317.37"

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

The motion was agreed to without objection.

The yeas and nays were taken and resulted - yeas 91, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Boyd
Brady	Brown	Budish	Carmichael
Celeste	Chandler	Ciafardini	Coley
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Dodd	Dolan
Domenick	Driehaus	Dyer	Evans
Fende	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Heydinger	Hite	Hottinger
Huffman	Hughes	Jones	Koziura
Letson	Luckie	Lundy	Mallory
Mandel	McGregor J.	McGregor R.	Mecklenborg
Miller	Nero	Newcomb	Oelslager
Okey	Otterman J.	Patton	Peterson
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Slesnick	Stebelton	Stewart D.
Stewart J.	Strahorn	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Webster	Widener	Williams B.	Wolpert
Yuko	Zehringer		Husted-91.

Representatives Brinkman and Fessler voted in the negative-2.

The bill passed.

Representative Combs moved to amend the title as follows:

Add the names: "Adams, Batchelder, Blessing, Boyd, Brown, Ciafardini, Coley, Domenick, Dyer, Evans, Flowers, Gardner, Gerberry, Hite, Huffman, Letson, Lundy, Mecklenborg, Nero, Patton, Schneider, Stebelton."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following change to the Ways and Means committee:

Remove Representative Patton; appoint Representative Dolan.

On motion of Representative DeWine, the House adjourned until Tuesday, November 18, 2008 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.