

OHIO

House

of

Representatives

JOURNAL

TUESDAY, DECEMBER 2, 2008

TWO HUNDRED TWENTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, December 2, 2008, 3:45 p.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Daniels was selected to preside under the Rule.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 648-Representative Jones.

Cosponsors: Representatives Batchelder, Hottinger, Stebelton, Bulp, Nero, Grady, Setzer, Adams, Schindel, Wachtmann, Gardner, Widener, Brinkman, Zehringer, Uecker, Mecklenborg, Wagner, McGregor, R., McGregor, J., Combs, Sears, Goodwin.

To amend section 1347.99 and to enact sections 1347.15 and 5703.211 of the Revised Code to require state agencies to adopt rules governing access to the confidential personal information that they keep, to create a civil action for harm resulting from an intentional violation of these rules, to impose a criminal penalty for such an intentional violation, and to require the Department of Taxation to adopt rules to require the tracking of searches of any of the Department's databases.

H. B. No. 649-Representative Hottinger.

To amend section 5902.02 and to enact sections 5902.16 and 5902.161 of the Revised Code to provide compensation to veterans of the Persian Gulf, Afghanistan, and Iraq conflicts.

H. B. No. 650-Representative Blessing.

To amend sections 303.211 and 519.211 of the Revised Code to enact as a separate act the provisions of law that specify that a public utility does not include a person that owns or operates a solid waste facility, solid waste transfer facility, or construction and demolition debris facility for the purposes of the law that states that boards of county commissioners, boards of township trustees, and boards of zoning appeals do not have the power to adopt zoning requirements applicable to public utilities.

H. B. No. 651-Representative Gardner.

To amend sections 315.02 and 315.14 of the Revised Code to remove the requirement that a county engineer be a registered surveyor in addition to being a registered professional engineer in order to hold or be eligible as a candidate for the office.

H. B. No. 652-Representative Batchelder.

To amend sections 101.532, 101.82, 127.14, 4121.03, 4121.121, 4121.75, 4121.76, 4121.77, 4121.79, 4123.341, 4123.342, and 4123.35 of the Revised Code to make changes to the law governing the Workers' Compensation Council and to make an appropriation.

Said bills were considered the first time.

Message from the Speaker

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

Rules and Reference - remove Representatives DeWine and Flowers, appoint Representatives Daniels and Wolpert;

State Government and Elections - remove Representatives Flowers and Schneider, appoint Representatives Jones and Schlichter;

Finance and Appropriations - remove Representatives Patton and Flowers, appoint Representatives Dolan and Schindel.

On motion of Representative Jones, the House recessed.

The House met pursuant to recess.

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

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. 636 - Representative Batchelder, et al

TO ESTABLISH REQUIREMENTS FOR CONTRACT CARRIERS THAT
TRANSPORT RAILROAD EMPLOYEES.

To the committee on Commerce and Labor

H.B. No. 637 - Representative Setzer, et al

TO ESTABLISH THE MILITARY CHILDREN'S SCHOLARSHIP
PROGRAM.

To the committee on Education

H.B. No. 638 - Representative Sears, et al

TO AUTHORIZE BOARDS OF TOWNSHIP TRUSTEES TO AWARD THE TOWNSHIP'S INACTIVE AND INTERIM DEPOSITS OF PUBLIC MONEYS TO THE ELIGIBLE INSTITUTION THAT OFFERS TO PAY THE HIGHEST RATE OF INTEREST, THAT IS THE MOST RESPONSIBLE, AND WHOSE CERTIFICATES OF DEPOSIT OR SAVINGS OR DEPOSIT ACCOUNTS BEST FIT INTO ANY FINANCIAL INVESTMENT PLAN THE TOWNSHIP HAS ADOPTED.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 639 - Representative Strahorn, et al

TO ESTABLISH PROCEDURES FOR THE OHIO CIVIL RIGHTS COMMISSION TO EXTEND STATE RECOGNITION TO NATIVE AMERICAN TRIBES, NATIVE AMERICAN GROUPS, AND NATIVE AMERICAN SPECIAL INTEREST GROUPS, AND TO SPECIFY THE RIGHTS, DUTIES, AND RESPONSIBILITIES OF ANY NATIVE AMERICAN TRIBE THAT THE COMMISSION RECOGNIZES AND TO EXTEND SUCH STATE RECOGNITION TO THE SHAWNEE NATION UNITED REMNANT BAND.

To the committee on State Government and Elections

H.B. No. 640 - Representative Stibelton, et al

TO PROHIBIT DISQUALIFICATION OF CERTAIN STUDENTS WHO LIVE WITH LEGAL OR TEMPORARY CUSTODIANS OR WITH GUARDIANS FROM INTERSCHOLASTIC ATHLETICS SOLELY BECAUSE THEIR PARENTS DO NOT RESIDE IN THE STATE.

To the committee on Education

H.B. No. 641 - Representative Collier

TO PROHIBIT ISSUANCE OF A RESIDENTIAL LEAD HAZARD CONTROL ORDER UNLESS THE OHIO DEPARTMENT OF HEALTH PROVIDES FINANCIAL ASSISTANCE.

To the committee on Health

H.B. No. 642 - Representative Batchelder, Gibbs

TO CREATE "TEEN DRIVER EDUCATION" LICENSE PLATES.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 643 - Representative Bacon, et al

TO EXEMPT FROM AUTOMATIC CLOSURE CERTAIN COMMUNITY SCHOOLS THAT SERVE CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION AND RELATED SERVICES.

To the committee on Education

H.B. No. 644 - Representatives Goyal and Mandel, et al

TO GRANT AN INCOME TAX CREDIT TO INDIVIDUALS WHO EARN DEGREES IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATH-BASED FIELDS OF STUDY.

To the committee on Ways and Means

H.B. No. 645 - Representative Wolpert

BEGINNING ON JANUARY 1, 2009, ALL NEWLY HIRED MEMBERS OF THE FIVE STATE RETIREMENT SYSTEMS WILL BE REQUIRED TO PARTICIPATE IN DEFINED CONTRIBUTION PLANS.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 646 - Representative Collier

TO EXTEND FROM JANUARY 1, 2009, TO JANUARY 1, 2014, THE TIME BY WHICH ENVIRONMENTAL AUDITS MUST BE COMPLETED IN ORDER TO BE WITHIN THE SCOPE OF CERTAIN PRIVILEGES AND IMMUNITIES THAT APPLY TO SUCH AUDITS, AND TO DECLARE AN EMERGENCY.

To the committee on Economic Development and Environment

H.B. No. 648 - Representative Jones, et al

TO REQUIRE STATE AGENCIES TO ADOPT RULES GOVERNING ACCESS TO THE CONFIDENTIAL PERSONAL INFORMATION THAT THEY KEEP, TO CREATE A CIVIL ACTION FOR HARM RESULTING FROM AN INTENTIONAL VIOLATION OF THESE RULES, TO IMPOSE A CRIMINAL PENALTY FOR SUCH AN INTENTIONAL VIOLATION, AND TO REQUIRE THE DEPARTMENT OF TAXATION TO ADOPT RULES TO REQUIRE THE TRACKING OF SEARCHES OF ANY OF THE DEPARTMENT'S DATABASES.

To the committee on State Government and Elections

H.B. No. 649 - Representative Hottinger

TO PROVIDE COMPENSATION TO VETERANS OF THE PERSIAN GULF, AFGHANISTAN, AND IRAQ CONFLICTS.

To the committee on Finance and Appropriations

Sub. S.B. No. 244 - Senator Sawyer, et al

TO AUTHORIZE THE COURT TO REQUIRE THAT CERTAIN PERSONS WHO ENGAGE IN MENACING BY STALKING AND AGAINST WHOM A CIVIL ORDER OF PROTECTION IS GRANTED BE ELECTRONICALLY MONITORED AND TO AUTHORIZE THE COURT TO REQUIRE THAT CERTAIN PERSONS CONVICTED OF VIOLATING A PROTECTION ORDER THAT REQUIRES ELECTRONIC MONITORING BE ELECTRONICALLY MONITORED.

To the committee on Criminal Justice

S.B. No. 259 - Senator Padgett, et al

TO CREATE OHIO "VOLUNTEER" LICENSE PLATES.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

Am. S.B. No. 266 - Senator Roberts, et al

TO DESIGNATE JANUARY AS "OHIO MENTOR MONTH."

To the committee on State Government and Elections

JON A. HUSTED
SHANNON JONES
JOSEPH KOZIURA

DAVID DANIELS
LARRY L. WOLPERT

Representative Jones 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.

MOTIONS AND RESOLUTIONS

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. 291 – Representative Schindel

HONORING KARA SHERWOOD AS THE 2008 DIVISION I STATE SINGLES TENNIS CHAMPION.

H.R. No. 294 – Representative Stebelton

HONORING SAMANTHA SWINEHART AS THE 2008 DIVISION I STATE CHAMPION IN GIRLS GOLF.

H.R. No. 295 – Representative Sears

HONORING THE OTTAWA HILLS HIGH SCHOOL BOYS SOCCER TEAM ON WINNING THE 2008 DIVISION III STATE CHAMPIONSHIP.

H.R. No. 296 – Representative Gerberry

HONORING THE POLAND SEMINARY HIGH SCHOOL GIRLS GOLF TEAM AS THE 2008 DIVISION II STATE CHAMPION.

H.R. No. 297 – Representatives Celeste, Beatty, Bacon, Flowers, Heard, Hughes, McGregor, J., Stewart, D., Wolpert

HONORING THE COLUMBUS CREW AS THE 2008 MAJOR LEAGUE SOCCER CHAMPION.

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

Representative Jones 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.

On motion of Representative Jones, the House adjourned until Wednesday, December 3, 2008 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.