

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, FEBRUARY 9, 2010

ONE HUNDRED FORTIETH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, February 9, 2010, 1:30 p.m.**

The House met pursuant to adjournment.

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

Representative Driehaus was selected to preside under the Rule.

The journal of yesterday was read and approved.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 447**-Representative Murray.

Cosponsors: Representatives Hagan, Foley, Domenick, Chandler, Skindell, Phillips, Harris, Williams, B., Okey, Winburn, Letson, Stewart, Fende.

To enact sections 3734.92, 3734.921, 3734.922, 3734.923, 3734.924, 3734.925, 3734.926, and 3734.927 of the Revised Code to establish a recycling program for covered electronic devices, to create the Electronic Waste Advisory Council to evaluate and make recommendations and prepare a report concerning recycling of those devices, and to terminate the Electronic Waste Advisory Council on July 1, 2013, by repealing section 3734.927 of the Revised Code on that date.

**H. B. No. 448**-Representative Chandler.

Cosponsors: Representatives Ujvagi, Letson, Hagan, Brown, Okey, Skindell, Yuko, Harwood.

To enact section 4511.773 of the Revised Code to require all school buses purchased, leased, or rented after January 1, 2014, to transport students to and from school to be equipped with a seat belt assembly for all passengers.

Said bills were considered the first time.

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

Representative Blessing 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. 434 - Representative Yuko, et al**

**TO REQUIRE CERTAIN EMPLOYERS TO GIVE ADVANCED NOTICE**

OF MASS LAYOFFS, WORKSITE CLOSINGS, AND TRANSFERS OF OPERATION.

To the committee on Commerce and Labor

**H.B. No. 435 - Representatives Goodwin and Okey, et al**

TO AUTHORIZE ANY PERSON CURRENTLY PERMITTED TO APPEAL A DECISION OF A COUNTY BOARD OF REVISION TO THE BOARD OF TAX APPEALS TO INSTEAD APPEAL THE DECISION TO THE COUNTY COURT OF COMMON PLEAS.

To the committee on Ways and Means

**H.B. No. 436 - Representatives Balderson and Boose, et al**

TO AUTHORIZE A STATE AGENCY TO CONTRACT OUT ITS PROVISION OF A GOOD OR SERVICE TO A PRIVATE CONTRACTOR UNDER SPECIFIC CONTRACTUAL PROVISIONS; TO REQUIRE THE STATE AGENCY TO PREPARE A BUSINESS CASE BEFORE EXECUTING SUCH A CONTRACT; TO CREATE THE COUNCIL ON EFFICIENT GOVERNMENT TO REVIEW BUSINESS CASES, ISSUE ADVISORY REPORTS, AND UNDERTAKE OTHER DUTIES REGARDING CONTRACTING OUT THE PROVISION OF A GOOD OR SERVICE; TO REQUIRE THE COUNCIL TO PREPARE AN ANNUAL REPORT; AND TO REQUIRE THE GOVERNOR TO SELECT GOODS OR SERVICES THAT COULD BE PROVIDED BY A PRIVATE CONTRACTOR AND SUBMIT THE SELECTIONS FOR COUNCIL REVIEW.

To the committee on State Government

**H.B. No. 437 - Representatives Baker and Balderson, et al**

TO AUTHORIZE A NONREFUNDABLE TAX CREDIT FOR A BUSINESS THAT INCREASES PAYROLL AND EXPANDS INTO A VACANT FACILITY.

To the committee on Ways and Means

**H.B. No. 438 - Representatives Letson and Stautberg, et al**

TO ELIMINATE PERSONAL LIABILITY FOR PROBATE AND JUVENILE JUDGES FOR THE DEFAULT, MALFEASANCE, OR NONFEASANCE OF ANY APPOINTEE OR EMPLOYEE.

To the committee on Judiciary

**S.B. No. 153 - Senator Patton, et al**

TO CHANGE THE DEFINITION OF "INSTANT BINGO TICKET DISPENSER" AND TO AUTHORIZE A CHARITABLE ORGANIZATION TO PURCHASE, LEASE, AND USE INSTANT BINGO TICKET DISPENSERS.

To the committee on State Government

T. TODD BOOK  
W. CARLTON WEDDINGTON  
LOUIS W. BLESSING

TOM LETSON  
MATT LUNDY  
CHERYL GROSSMAN

Representative Foley 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 Blessing 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 Wagner**

Honoring Sentinel Career Center as the 2009 Ohio School of Character.

**H.R. No. 220 – Representatives Szollosi, Brown, Murray, Sears, Ujvagi**

Honoring the Blade on its One Hundred Seventy-fifth Anniversary.

**H.R. No. 221 – Representative Garland**

Honoring the Bexley High School girls soccer team as the 2009 Division II State Champion.

/s/ TODD BOOK

Todd Book, Chair

Representative Foley 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.

### **BILLS FOR THIRD CONSIDERATION**

**Sub. S. B. No. 131**-Senators Gillmor, Cafaro.

Cosponsors: Senators Widener, Grendell, Schuring, Gibbs, Carey, Faber, Morano, Fedor, Goodman, Harris, Hughes, Kearney, Miller, D., Miller, R., Niehaus, Patton, Sawyer, Schaffer, Seitz, Smith, Stewart, Wagoner, Schiavoni. Representatives Okey, Sayre.

To amend sections 125.04, 5513.02, and 5747.77 and to enact sections 125.091, 125.092, 125.093, 3345.691, and 3345.692 of the Revised Code to require that the Director of Administrative Services establish a program that ensures that supplies composed of biobased products are purchased by the Department of Administrative Services, other state agencies, and state institutions of higher education, and to extend the income tax credit for retail

sales of alternative fuel for two additional years, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Foley moved that **Sub. S. B. No. 131**-Senators Gillmor, Cafaro, et al., be informally passed and that it be taken up for consideration on: Wednesday, February 17, 2010.

The motion was agreed to.

**Sub. H. B. No. 35**-Representative Dyer.  
Cosponsors: Representatives Williams, B., Hagan, Boyd, Harris, Luckie, Amstutz.

To amend sections 6115.04, 6115.05, 6115.06, 6115.08, 6115.16, 6115.21, 6115.22, 6115.33, 6115.40, 6115.43, 6115.45, 6115.46, 6115.47, and 6115.69 and to enact sections 6115.051, 6115.081, 6115.082, 6115.091, 6115.092, 6115.093, 6115.094, 6115.095, 6115.096, and 6115.321 of the Revised Code to revise the law governing sanitary districts that are organized wholly for the reduction of populations of biting arthropods, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Foley moved that **Sub. H. B. No. 35**-Representative Dyer, et al., be informally passed and that it be taken up for consideration on: Wednesday, February 17, 2010.

The motion was agreed to.

**H. B. No. 349**-Representatives Weddington, Maag.  
Cosponsors: Representatives Letson, Harris, Derickson, Gerberry, Stewart, Belcher, Williams, B.

To amend sections 5101.34, 5101.341, and 5101.342 of the Revised Code to revise the membership, staffing, and duties of the Ohio Commission on Fatherhood, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Foley moved that **H. B. No. 349**-Representatives Weddington, Maag, et al., be informally passed and that it be taken up for consideration on: Wednesday, February 17, 2010.

The motion was agreed to.

## Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the committee on Rules and Reference:

Remove Representatives Letson and Weddington; appoint Representatives Koziura and DeGeeter.

On motion of Representative Foley, the House adjourned until Wednesday, February 10, 2010 at 9:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,  
Clerk.