

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MARCH 17, 2009

TWENTY-SECOND DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, March 17, 2009, 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 Okey 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. 71-Representatives Hagan, Batchelder.

Cosponsors: Representatives Foley, Harris, Ujvagi, Luckie, Book, Harwood, Winburn, Domenick, Letson, Yuko, Patten, Combs, Koziura, Huffman, Stewart, Murray.

To enact section 4923.30 of the Revised Code to establish requirements for contract carriers that transport railroad employees.

H. B. No. 72-Representatives Hottinger, Dodd.

Cosponsors: Representatives Huffman, Pryor, Luckie, Domenick, Evans, Letson.

To amend sections 148.02, 148.04, and 3105.87 and to enact section 148.05 of the Revised Code to provide for confidentiality of certain records maintained by the Ohio Public Employees Deferred Compensation Board, to require the Treasurer of State to be the custodian of contributions into the deferred compensation program, to require new employees to be notified of the deferred compensation program and provided with the opportunity to elect to participate or not participate in the program, and to make other changes to the Deferred Compensation Law.

H. B. No. 73-Representatives Garrison, Fende.

Cosponsors: Representatives Luckie, Murray, Pryor, Williams, B., Sayre, Letson, Boyd, Chandler, Winburn, Okey, Harris, Bolon, Koziura, Pillich, DeGeeter, Yuko, Balderson, Evans.

To amend section 4503.20 of the Revised Code to require proof of financial responsibility to be submitted as a condition of registering a motor vehicle.

H. B. No. 74-Representative Weddington.

Cosponsors: Representatives Harris, Luckie, Winburn, Williams, S., Okey, Letson, Phillips, Chandler.

To amend sections 5747.01, 5747.08, and 5747.98 and to enact sections 3727.18, 3727.181, 3727.182, 3727.183, 3727.184, 3727.185, 3727.186, 3727.187, 4723.11, 4723.111, and 5747.72 of the Revised Code regarding limits on mandatory overtime for nurses, tuition reimbursement for nursing education, tax credits for nursing professors, and tax deductions for nurse aides.

H. B. No. 75-Representatives Chandler, Moran.

Cosponsors: Representatives Harwood, Harris, Fende, Williams, B., Dodd, Ujvagi, Evans, Okey, Williams, S., Newcomb, Gardner, Yates, Luckie, Yuko, Phillips, Patten, Stewart, Stebelton, Huffman, Hagan, Domenick, Skindell, Koziura, Brown.

To amend section 5747.113 and to enact section 149.308 of the Revised Code to allow taxpayers to contribute a portion of their income tax refunds to the Ohio Historical Society.

H. B. No. 76-Representative Chandler.

Cosponsors: Representatives Zehringer, Snitchler, Blair, Williams, S., Fende, Evans, Mallory, Luckie, Letson, Heard, Harwood, Yuko.

To enact section 5533.093 of the Revised Code to designate a portion of State Route 43 within Portage County as the "Corporal Jason J. Hernandez Memorial Highway."

H. B. No. 77-Representative Snitchler.

Cosponsors: Representatives Evans, Grossman, Zehringer, Domenick, Okey, Harwood.

To amend sections 149.43, 149.45, 319.28, and 319.54 of the Revised Code to exclude the residential and familial information of a federal law enforcement officer from the definition of a public record, to include federal law enforcement officers among the protected individuals who are authorized to request a public office other than the county auditor to redact the person's address from any record made available to the general public on the internet, and to include those officers among the protected individuals who may request the county auditor to replace the person's name with the person's initials on the general tax list and duplicate.

H. B. No. 78-Representatives Hottinger, Weddington.
Cosponsors: Representatives Evans, Snitchler, Chandler.

To amend sections 4510.13 and 4510.46 of the Revised Code to require first-time OVI offenders and other OVI offenders to use a certified ignition interlock device and to wear a continuous alcohol monitor if the offender tampers with or otherwise violates an ignition interlock device and to make other changes to OVI law.

H. B. No. 79-Representative Sears.
Cosponsors: Representatives Skindell, Stebelton, Wachtmann.

To amend section 955.11 of the Revised Code to remove pit bulls from the definition of "vicious dog" in state law.

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 be considered for the second time and referred to the following committees for consideration.

H.B. No. 63 - Representatives Letson and Fende, et al
TO PERMIT MEMBERS OF THE GENERAL ASSEMBLY TO PERFORM
CIVIL MARRIAGE CEREMONIES IN OHIO.
To the committee on State Government

H.B. No. 64 - Representative Pillich, et al
TO ENABLE MEMBERS OF THE ARMED SERVICES AND THE OHIO
NATIONAL GUARD TO TERMINATE A RENTAL AGREEMENT WHEN
THE MEMBER RECEIVES MILITARY ORDERS TO DEPLOY OR FOR A
PERMANENT CHANGE OF STATION.
To the committee on Housing and Urban Revitalization

H.B. No. 65 - Representatives Snitchler and Stautberg, et al
TO REQUIRE PERFORMANCE BUDGETING BY MOST STATE
AGENCIES AND TO REQUIRE PERFORMANCE AUDITS OF THOSE
AGENCIES.
To the committee on Ways and Means

H.B. No. 66 - Representative Jordan, et al
TO CREATE THE STATE GOVERNMENT EFFICIENCY COMMISSION.
To the committee on State Government

H.B. No. 67 - Representative Carney, et al

TO PERMIT PERSONS WHO ARE SIXTEEN TO DONATE BLOOD WITH PARENTAL CONSENT.

To the committee on State Government

H.B. No. 68 - Representative Dodd, et al

TO ESTABLISH THE HEALTHY FARMS AND HEALTHY SCHOOLS GRANT PROGRAM FOR THE PURPOSE OF PROVIDING GRANTS TO SCHOOLS TO ESTABLISH NUTRITION EDUCATION AND AGRICULTURAL EDUCATION PROGRAMS FOR KINDERGARTENERS.

To the committee on Agriculture and Natural Resources

H.B. No. 69 - Representative Dodd, et al

TO CREATE THE "OHIO NATURE PRESERVES" LICENSE PLATE.

To the committee on Transportation and Infrastructure

H. B. No. 70 - Representatives Gerberry and Hagan

TO INCREASE THE PENALTY FOR VIOLATION OF THE PROHIBITION AGAINST CRUEL TREATMENT OF A COMPANION ANIMAL BY THE ANIMAL'S CUSTODIAN OR CARETAKER TO A FELONY OF THE FIFTH DEGREE.

To the committee on Criminal Justice

T. TODD BOOK
BARBARA BOYD
MATT LUNDY
JOHN ADAMS

JOSEPH KOZIURA
TIMOTHY J. DEGEETER
LOUIS W. BLESSING
KRIS JORDAN

Representative Moran 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 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 were considered the second time and referred as recommended.

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:

Am. Sub. S. B. No. 2 -Senator Carey
Cosponsors: Senators Miller, R., Wilson, Cates, Gibbs, Goodman, Niehaus, Schaffer, Seitz, Turner, Gillmor, Patton, Miller, D., Stewart, Cafaro, Smith,

Schiavoni, Fedor, Hughes, Morano

To provide for the distribution of moneys received by the state from the federal American Recovery and Reinvestment Act of 2009 by making appropriations and to declare an emergency.

Am. S. B. No. 3 -Senator Faber

Cosponsors: Senators Carey, Wagoner, Buehrer, Cafaro, Cates, Coughlin, Fedor, Gibbs, Gillmor, Goodman, Hughes, Niehaus, Patton, Schaffer, Wilson, Stewart

To amend sections 103.0511, 111.15, 117.20, 119.03, 119.031, 121.39, 122.08, 122.081, 122.94, 124.04, and 1710.02, to enact sections 121.021, 121.25, 121.251 to 121.255, and 124.95, and to repeal section 121.24 of the Revised Code to require a rule-making agency to prepare a cost-benefit report for, and regulatory flexibility analysis of, rules that may have any adverse impact on small businesses and submit them to the new Ohio Small Business Ombudsperson in the Office of Small Business, to create the Small Business Regulatory Review Board to review objections to those rules and make recommendations to the Joint Committee on Agency Rule Review regarding the rules, to require the Ombudsperson annually to submit a rule impact report to the Governor and General Assembly, to promote improved customer service in state agencies, and to require the Director of Administrative Services to establish customer service performance standards for nonelected officers and employees of state agencies.

Attest:

Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

Message from the Speaker

Pursuant to Ohio Revised Code section 3119.024, the Speaker hereby appoints the following members to the Ohio Child Support Guideline Advisory Council:

Remove Okey; appoint Harwood.

Message from the Speaker

Pursuant to Ohio Revised Code section 5149.22, the Speaker hereby appoints Representative Miller to the Ohio Council for Interstate Adult Offender Supervision.

Message from the Speaker

Pursuant to Ohio Revised Code section 4112.12 (A), the Speaker hereby appoints the following members to the Commission on African-American Males:

Representatives Weddington and McGregor.

Message from the Speaker

Pursuant to Ohio Revised Code section 149.306, the Speaker hereby appoints the following members to the Ohio African-American Hall of Fame Governing Board:

Representatives Winburn and McGregor.

Message from the Speaker

Pursuant to Ohio Revised Code section 4112.31, the Speaker hereby appoints Representative Heard to the African Immigrants Commission Interagency Council.

Message from the Speaker

Pursuant to Ohio Revised Code section 3773.33 (A), the Speaker hereby appoints Representative Otterman to the Ohio Athletic Commission.

Message from the Speaker

Pursuant to Ohio Revised Code section 4501.025, the Speaker hereby appoints Representative Gerberry to the Citizens Advisory Committee (BMV).

Message from the Speaker

Pursuant to Ohio Revised Code section 3383.02 (A)(B), the Speaker hereby appoints Representative Heard to the Ohio Cultural Facilities Commission.

Message from the Speaker

Pursuant to Ohio Revised Code section 3702.92 (A), the Speaker hereby appoints Representative Boyd to the Dentist Loan Repayment Advisory Board.

Message from the Speaker

Pursuant to Ohio Revised Code section 122.40, the Speaker hereby appoints Representative Driehaus to the Development Financing Advisory Council.

Message from the Speaker

Pursuant to Ohio Revised Code section 3745.21 (A), the Speaker hereby appoints Representative Harris to the Environmental Education Council.

Message from the Speaker

Pursuant to Ohio Revised Code section 901.13 (A), the Speaker hereby appoints Representative Celeste to the Ethanol Incentive Board.

Message from the Speaker

Pursuant to Ohio Revised Code section 755.14 (B)(1)(2), the Speaker hereby appoints Representative Heard to the Franklin County Conservatory Park Commission.

Message from the Speaker

Pursuant to Ohio Revised Code sections 3333.40, Article II (A)(B) and 3333.41 (A)(3), the Speaker hereby appoints Representative Celeste to the Midwestern Higher Education Commission.

Message from the Speaker

Pursuant to Section 3, Am. H. B. 416, 127th General Assembly, the Speaker hereby appoints Representative Dolan to the Great Lakes-St. Lawrence River Basin Water Resources Compact Advisory Board.

Message from the Speaker

Pursuant to the Legislative Service Commission Rules, the Speaker hereby appoints the following members to the Legislative Information Systems Committee:

Representatives Goyal, Winburn, Derickson and Amstutz.

Message from the Speaker

Pursuant to Ohio Revised Code section 4141.08, the Speaker hereby appoints the following members to the Unemployment Compensation Advisory Council:

Representatives Yuko, Miller and Hackett.

On motion of Representative Moran, the House adjourned until Wednesday, March 18, 2009 at 11:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.