

OHIO

House

of

Representatives

JOURNAL

THURSDAY, APRIL 23, 2009

THIRTY-SEVENTH DAY

Hall of the House of Representatives, Columbus, Ohio
Thursday, April 23, 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 Pillich 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. 145-Representative Yuko.

Cosponsors: Representatives Murray, Williams, B., Phillips, Foley, Hagan, Luckie, Heard, Chandler, Winburn, Fende, Ujvagi, Boyd.

To amend sections 5313.01, 5313.02, 5313.06, 5313.08, and 5321.01 and to enact sections 5321.20, 5321.21, 5321.22, 5321.23, and 5321.24 of the Revised Code to require that residential units conveyed pursuant to a land installment contract receive an appraisal and an inspection, to define residential lease option contract, to regulate residential lease option contracts under the Ohio Landlord and Tenant Law, and to provide penalties.

H. B. No. 146-Representative Hagan.

Cosponsors: Representatives Harris, Harwood, Yuko, Letson, Murray, Boyd, Foley, Chandler, Skindell.

To amend sections 124.82 and 305.171 of the Revised Code to allow counties to participate in a state employee health insurance plan sponsored by the Department of Administrative Services.

H. B. No. 147-Representative Miller.

Cosponsors: Representatives Murray, Foley, Huffman, Williams, B., Phillips, Harwood, Luckie.

To enact section 3345.35 of the Revised Code to require publishers to disclose the price of college textbooks to faculty and others upon request, to prohibit faculty and others from receiving certain gifts in exchange for adopting specific course material for course instruction, and to impose other requirements and prohibitions relating to college textbook pricing.

H. B. No. 148-Representative Miller.

To amend section 4931.40 and to enact section 4931.55 of the Revised Code to require certain technological improvements and updates for 9-1-1 systems in Ohio.

H. B. No. 149-Representative Miller.

Cosponsors: Representatives Letson, Weddington, Williams, S., Yates, Luckie, Domenick, Chandler, Foley, Murray.

To amend section 166.01 of the Revised Code to allow Chapter 166. loans and loan guarantees to be made to establish supermarkets and grocery stores in underserved communities, and to make an appropriation.

H. B. No. 150-Representatives Ujvagi, McGregor.

Cosponsors: Representatives Amstutz, Bolon, Book, Boyd, Brown, Bulp, Carney, Chandler, Celeste, Daniels, DeBose, DeGeeter, Domenick, Driehaus, Dodd, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Gerberry, Goyal, Grossman, Hackett, Hagan, Harris, Harwood, Heard, Hite, Hottinger, Koziura, Lehner, Letson, Luckie, Lundy, Mandel, Mallory, Martin, Miller, Moran, Morgan, Murray, Newcomb, Oelslager, Okey, Patten, Phillips, Pillich, Pryor, Sayre, Schneider, Skindell, Slesnick, Stewart, Sykes, Szollosi, Weddington, Williams, B., Williams, S., Winburn, Yates, Yuko.

To enact section 5.2265 of the Revised Code to designate August as "Ohio Military Family Month."

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. 131 - Representatives Wagner and Otterman, et al

TO MAKE THE OHIO TURNPIKE COMMISSION RESPONSIBLE FOR MAJOR MAINTENANCE AND REPAIR AND REPLACEMENT OF GRADE SEPARATIONS AT INTERSECTIONS OF ANY TURNPIKE PROJECT WITH COUNTY AND TOWNSHIP ROADS.

To the committee on Transportation and Infrastructure

H.B. No. 132 - Representative Maag, et al

TO PROHIBIT A MINOR, BY USE OF A TELECOMMUNICATIONS DEVICE, FROM RECKLESSLY CREATING, RECEIVING, EXCHANGING, SENDING, OR POSSESSING A PHOTOGRAPH OR

OTHER MATERIAL SHOWING A MINOR IN A STATE OF NUDITY.

To the committee on Criminal Justice

H.B. No. 133 - Representative Batchelder, Hall

TO CREATE "TEEN DRIVER EDUCATION" LICENSE PLATES.

To the committee on Transportation and Infrastructure

H.B. No. 134 - Representative DeBose, et al

TO REQUIRE CERTAIN HEALTH CARE INSURERS AND PLANS, INCLUDING THE STATE'S MEDICAID PROGRAM, TO OFFER TO PROVIDE BENEFITS FOR PROSTATE, COLORECTAL, CERVICAL, AND OVARIAN CANCER SCREENING EXAMINATIONS.

To the committee on Healthcare Access and Affordability

H.B. No. 135 - Representative DeBose, et al

TO REQUIRE CERTAIN HEALTH CARE INSURERS AND PLANS, INCLUDING THE STATE'S MEDICAID PROGRAM, TO OFFER TO PROVIDE BENEFITS FOR PROSTATE CANCER SCREENING EXAMINATIONS.

To the committee on Healthcare Access and Affordability

H.B. No. 136 - Representatives DeBose and Fende, et al

TO REQUIRE CERTAIN HEALTH CARE INSURERS AND PLANS, INCLUDING THE STATE'S MEDICAID PROGRAM, TO OFFER TO PROVIDE BENEFITS FOR OVARIAN CANCER SCREENING EXAMINATIONS.

To the committee on Healthcare Access and Affordability

H.B. No. 137 - Representative Weddington, et al

TO PROHIBIT THE DIVISION OF LIQUOR CONTROL FROM ISSUING A RETAIL LIQUOR PERMIT OR ENTERING INTO AN AGENCY LIQUOR CONTRACT IF THE PERMIT LOCATION OR LIQUOR AGENCY STORE IS PROPOSED TO BE LOCATED WITHIN ONE THOUSAND FEET FROM A SCHOOL, CHURCH, LIBRARY, PUBLIC PLAYGROUND, OR TOWNSHIP PARK.

To the committee on State Government

H.B. No. 138 - Representative Weddington, et al

TO AUTHORIZE AN INMATE OF A STATE CORRECTIONAL FACILITY WHO HAS MORE THAN \$100 IN A PERSONAL ACCOUNT TO REQUEST THE INVESTMENT OF THE AMOUNT OVER \$100 IN ANY SERIES OF UNITED STATES SAVINGS BONDS OR IN CERTIFICATES OF DEPOSIT.

To the committee on State Government

H.B. No. 139 - Representative Dolan, et al

TO PERMIT CERTAIN STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ATHLETICS.

To the committee on Education

H.B. No. 140 - Representatives Goyal and Schneider

TO PERMIT INSTITUTIONS OF HIGHER EDUCATION TO FACILITATE AND ASSIST WITH ENTREPRENEURIAL PROJECTS FOR ECONOMIC DEVELOPMENT AND TO AUTHORIZE THE INSTITUTIONS TO ENTER INTO AGREEMENTS TO INDUCE DEVELOPMENT OF, ACQUIRE OWNERSHIP IN, AND MAKE OR GUARANTEE LOANS AND INCUR DEBT TO FUND THE ENTREPRENEURIAL PROJECTS.

To the committee on Ways and Means

T. TODD BOOK	BARBARA BOYD
TIMOTHY J. DEGEETER	MATT LUNDY
LOUIS W. BLESSING	JOHN ADAMS
WILLIAM G. BATCHELDER	KRIS JORDAN

Representative Yates 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.

MOTIONS AND RESOLUTIONS

Representative Blessing reported for the Rules and Reference Committee recommending that the following House Concurrent Resolution be introduced and referred to the following committee for consideration:

H.C.R. No. 16 - Representative Miller

TO REQUEST THE PRESIDENT OF THE UNITED STATES TO CREATE A NATIONAL COMMISSION ON FATHERHOOD.

To the committee on State Government

/s/ TODD BOOK
Todd Book, Chair

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

The motion was agreed to.

Said resolution was introduced and referred as recommended.

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. 49 - Representatives Mandel, Batchelder, Speaker Budish, Representatives Baker, Boyd, Foley, Yuko, DeGeeter, DeBose, Williams, S., Miller, Patten, Skindell

Honoring Rita Haynes as the recipient of the 2009 Herb Wegner Memorial Award.

H.R. No. 50 - Representative Evans

Honoring the Oak Hill High School boys basketball team as the 2009 Division IV State Champion.

H.R. No. 51 - Representative Evans

Honoring Norm Persin on being named a 2009 Ohio Division IV Basketball Co-Coach of the Year.

H.R. No. 52 - Representative Maag Honoring the Indian Hill High School Mock Trial team on winning the 2009 State Championship.

Add the names: Book, Blessing

H.R. No. 53 - Representative Bacon Honoring Jared Sullinger as the 2009 Mr. Basketball for Ohio.

H.R. No. 54 - Representatives Bacon, Weddington, Carney, Celeste, Garland, Grossman, Harris, Heard, Stewart

Honoring the Northland High School boys basketball team on winning the 2009 Division I State Championship.

H.R. No. 55 - Representative Hite

Honoring The University of Findlay men's basketball team as 2009 NCAA Division II National Basketball Champion.

H.R. No. 56 - Representative Mallory

Honoring Nancy L. Zimpher on her service as president of the University of Cincinnati.

Add the name: Blessing

/s/ TODD BOOK

Todd Book, Chair

Representative Yates 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.

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. 57 -Senator Gibbs

Cosponsors: Senators Schaffer, Wagoner, Schuring, Schuler, Sawyer, Buehrer, Seitz, Hughes, Carey, Fedor, Goodman, Harris, Morano, Patton, Turner, Wilson, Miller, D., Strahorn, Miller, R., Smith, Faber, Niehaus, Cafaro

To amend section 2108.31 of the Revised Code to permit persons who are sixteen to donate blood with parental consent.

S. B. No. 79 -Senator Stewart

Cosponsors: Senators Roberts, Gibbs, Gillmor, Turner, Wagoner, Hughes, Carey, Wilson, Strahorn, Schuler, Sawyer, Patton, Niehaus, Morano, Miller, D., Kearney, Harris, Husted, Fedor, Coughlin, Cafaro, Miller, R., Schaffer, Smith

To amend sections 9.239, 9.55, 101.37, 101.39, 107.12, 109.57, 109.572, 109.71, 109.77, 109.86, 117.102, 121.02, 121.03, 121.32, 121.36, 121.37, 123.01, 124.11, 124.23, 124.241, 124.27, 124.38, 124.381, 125.602, 125.603, 126.32, 127.16, 135.801, 135.802, 135.803, 140.01, 140.03, 140.05, 145.012, 145.297, 154.17, 154.20, 173.03, 305.14, 307.10, 307.86, 309.10, 319.16, 325.19, 329.06, 1751.01, 1751.02, 2108.521, 2109.01, 2109.04, 2111.01, 2111.02, 2111.10, 2133.25, 2151.011, 2151.421, 2903.33, 2919.271, 2921.36, 2921.38, 2930.061, 2935.03, 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 2967.22, 3109.18, 3301.07, 3301.15, 3301.52, 3301.53, 3301.55, 3301.57, 3301.58, 3304.231, 3313.65, 3313.715, 3314.022, 3314.99, 3317.01, 3317.02, 3317.024, 3317.03, 3317.032, 3317.05, 3317.051, 3317.052, 3317.07, 3317.15, 3317.20, 3319.22, 3319.99, 3323.01, 3323.02, 3323.021, 3323.03, 3323.04, 3323.05, 3323.07, 3323.09, 3323.091, 3323.12, 3323.141, 3323.142, 3323.31, 3326.99, 3501.01, 3701.78, 3701.93, 3701.932, 3701.933, 3705.36, 3721.01, 3721.14, 3722.01, 3727.01, 3735.58, 4109.06, 4115.32, 4141.29, 4511.21, 4511.75, 4723.071, 5101.35, 5101.46, 5101.611, 5103.02, 5103.13, 5104.08, 5107.24, 5111.042, 5111.151, 5111.202, 5111.203, 5111.211, 5111.251, 5111.291, 5111.65, 5111.677, 5111.709, 5111.87, 5111.871, 5111.872, 5111.873, 5111.874, 5111.875, 5111.876, 5111.8710, 5111.915, 5112.30, 5112.32, 5112.37, 5112.371, 5119.16, 5119.221, 5119.51, 5120.07, 5120.135, 5121.01, 5121.02, 5121.03, 5121.04, 5121.05, 5121.051, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5123.01, 5123.012, 5123.02, 5123.021, 5123.03, 5123.031, 5123.032, 5123.033, 5123.04, 5123.042, 5123.043, 5123.044, 5123.046, 5123.047, 5123.048, 5123.049, 5123.0410, 5123.0411, 5123.0412, 5123.0413, 5123.0414, 5123.0415, 5123.0416, 5123.0417, 5123.05, 5123.051, 5123.06,

5123.07, 5123.08, 5123.081, 5123.082, 5123.083, 5123.09, 5123.091, 5123.092, 5123.093, 5123.10, 5123.11, 5123.12, 5123.122, 5123.13, 5123.14, 5123.15, 5123.16, 5123.161, 5123.162, 5123.163, 5123.164, 5123.166, 5123.167, 5123.168, 5123.169, 5123.17, 5123.171, 5123.172, 5123.18, 5123.181, 5123.19, 5123.191, 5123.194, 5123.195, 5123.196, 5123.198, 5123.21, 5123.211, 5123.22, 5123.221, 5123.23, 5123.24, 5123.25, 5123.26, 5123.27, 5123.28, 5123.29, 5123.30, 5123.31, 5123.33, 5123.34, 5123.35, 5123.351, 5123.352, 5123.36, 5123.37, 5123.371, 5123.372, 5123.373, 5123.374, 5123.375, 5123.38, 5123.40, 5123.41, 5123.42, 5123.421, 5123.43, 5123.44, 5123.45, 5123.451, 5123.47, 5123.50, 5123.51, 5123.52, 5123.53, 5123.54, 5123.541, 5123.542, 5123.55, 5123.56, 5123.57, 5123.58, 5123.59, 5123.60, 5123.601, 5123.602, 5123.604, 5123.61, 5123.611, 5123.612, 5123.613, 5123.614, 5123.63, 5123.64, 5123.65, 5123.71, 5123.711, 5123.72, 5123.73, 5123.74, 5123.75, 5123.76, 5123.801, 5123.81, 5123.811, 5123.82, 5123.85, 5123.86, 5123.89, 5123.90, 5123.96, 5126.01, 5126.02, 5126.021, 5126.022, 5126.023, 5126.024, 5126.025, 5126.026, 5126.027, 5126.028, 5126.029, 5126.0210, 5126.0211, 5126.0212, 5126.0213, 5126.0214, 5126.0215, 5126.0216, 5126.0217, 5126.0218, 5126.0219, 5126.0220, 5126.0221, 5126.0222, 5126.0223, 5126.0224, 5126.0225, 5126.0226, 5126.0227, 5126.0228, 5126.0229, 5126.03, 5126.031, 5126.032, 5126.033, 5126.034, 5126.037, 5126.038, 5126.04, 5126.041, 5126.042, 5126.044, 5126.045, 5126.046, 5126.05, 5126.051, 5126.052, 5126.054, 5126.055, 5126.056, 5126.058, 5126.059, 5126.0510, 5126.0511, 5126.0512, 5126.06, 5126.07, 5126.071, 5126.08, 5126.081, 5126.082, 5126.09, 5126.10, 5126.11, 5126.12, 5126.121, 5126.13, 5126.14, 5126.15, 5126.18, 5126.19, 5126.20, 5126.201, 5126.21, 5126.22, 5126.221, 5126.23, 5126.24, 5126.25, 5126.251, 5126.252, 5126.253, 5126.254, 5126.26, 5126.27, 5126.28, 5126.281, 5126.29, 5126.30, 5126.31, 5126.311, 5126.313, 5126.33, 5126.331, 5126.333, 5126.34, 5126.36, 5126.40, 5126.41, 5126.42, 5126.43, 5126.45, 5126.46, 5126.47, 5126.49, 5126.50, 5126.54, 5126.55, 5126.57, 5126.58, 5126.59, 5126.61, 5126.62, 5126.99, 5139.08, 5139.34, 5145.18, 5153.16, 5153.99, 5511.03, 5543.011, 5705.091, 5705.14, 5705.191, 5705.222, 5705.28, 5705.44, 5735.142, 5815.28, and 5815.35; to amend section 5123.011 as it results from Am. Sub. S.B. 156 of the 119th General Assembly; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5123.011 (5123.013) as it results from Am. Sub. S.B. 285 of the 121st General Assembly; to enact sections 5123.014 and 5126.011 of the Revised Code; to amend Sections 213.30, 269.20.40, 269.20.80, 269.20.90, 269.30.50, 293.30, 309.31.60, 309.31.70, 335.40.10, 337.10, 337.20.10, 337.30.10, 337.30.20, 337.30.30, 337.30.40, 337.30.60, 337.30.70, 337.30.80, 337.40.10, and 337.40.30 of Am. Sub. H.B. 119 of the 127th General Assembly, to amend Sections 337.30.43, 337.40, and 337.40.15 of Am. Sub. H.B. 119 of the 127th General Assembly as subsequently amended, to amend Sections 209.60.40, 209.60.50, and 501.40 of H.B. 496 of the 127th General Assembly, to amend Section 201.60.30 of H.B. 496 of the 127th General Assembly, as subsequently amended, to amend Sections 231.30.10,

231.30.20, 253.10, and 751.10 of Am. Sub. H.B. 562 of the 127th General Assembly, to amend Section 231.20.30 of Am. Sub. H.B. 562 of the 127th General Assembly, as subsequently amended, and to amend Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly, as subsequently amended, to change the name of the Department of Mental Retardation and Developmental Disabilities to the Department of Developmental Disabilities and the name of county boards of mental retardation and developmental disabilities to county boards 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 and county funds.

Attest:

Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

Message from the Speaker

Pursuant to Ohio Revised Code section 5537.02, the Speaker hereby appoints Representative Hagan to the Ohio Turnpike Commission.

On motion of Representative Yates, the House adjourned until Tuesday, April 28, 2009 at 11:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.