

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, MAY 19, 2009

## FORTY-FIFTH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, May 19, 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 Phillips 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. 183**-Representative Yuko.

Cosponsors: Representatives Pillich, Foley, Letson, Chandler, Hagan, Winburn, Boyd, Murray, Skindell, Ujvagi, Harris, Luckie.

To amend sections 4931.75 and 4931.99 of the Revised Code to abolish the criminal penalty for sending an unwanted facsimile advertisement to a business entity, and to establish that a person may recover one thousand dollars in a civil action for such a violation.

**H. B. No. 184**-Representative Combs.

Cosponsors: Representatives Batchelder, Jordan, Wachtmann, Uecker, Bulp, Maag, Adams, J., Derickson, Hall, Martin.

To amend sections 2937.23, 5747.07, and 5747.99 and to enact sections 8.01 to 8.04 of the Revised Code to require employers to register and participate in a status verification system to verify the work eligibility status of all new employees and to affirm their participation on their state income tax returns, to specify that an employer's failure to affirm their participation in the status verification system on their state income tax returns constitutes falsification or dereliction of duty, to require public agencies to cancel contracts with private employers who do not participate in a status verification system, to require jail officials to make a reasonable effort to verify the citizenship of confined persons, to collect electronic fingerprints of illegal aliens, and to notify the United States Department of Homeland Security in certain circumstances, to prohibit political subdivisions from restricting communication and cooperation with federal officials regarding a person's citizenship status, to require judges and magistrates to consider immigration status and other factors in determining a defendant's bail, and to declare an emergency.

**H. B. No. 185**-Representatives DeGeeter, Book.

Cosponsors: Representatives Garland, Murray, Lundy, Huffman, Domenick,

Chandler, Letson, Slesnick, Yuko, Okey, Oelslager, Snitchler, Foley, Goyal, Combs, Gardner, Moran, Blair, Fende, Heard, Amstutz, Lehner, Stebelton, Batchelder, Koziura.

To amend section 3963.04 of the Revised Code to specify that a material amendment to a health care contract does not become part of the contract unless agreed upon by both parties.

**H. B. No. 186**-Representatives Foley, Patten.

Cosponsors: Representatives Boyd, Brown, Domenick, Hagan, Heard, Luckie, Okey, Skindell, Stewart, Yuko.

To amend section 3733.11 of the Revised Code to allow manufactured and mobile home owners in manufactured home parks to post for sale signs on their lots, to allow manufactured and mobile home tenants and owners in manufactured home parks to post political signs on their lots, and to revise the relief a tenant or owner may obtain for a park operator's violation of certain duties.

**H. B. No. 187**-Representative Huffman.

Cosponsors: Representatives Snitchler, Hackett, Derickson, Maag, Grossman, Bacon, Stewart, Combs, Bulp, Stebelton, Blair, Yuko.

To amend section 4503.102 of the Revised Code to require the Bureau of Motor Vehicles and deputy registrars to accept credit cards and debit cards for all state-related transactions they process.

**H. B. No. 188**-Representatives Stautberg, Ujvagi.

Cosponsors: Representatives Hite, Combs, Jordan, Mecklenborg, Balderson.

To amend section 5747.01 of the Revised Code to exempt retirement pay related to service in the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Commissioned Corps of the Public Health Service.

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. 174 - Representative Gerberry, Hagan**

TO DESIGNATE A PORTION OF INTERSTATE 680 WITHIN  
MAHONING COUNTY AS THE "WILLIAM HOLMES MCGUFFEY

MEMORIAL HIGHWAY."

To the committee on Transportation and Infrastructure

**H.B. No. 175 - Representative Gerberry, et al.**

TO REQUIRE A PERSON TO FILE PROOF OF SUCCESSFUL COMPLETION OF TRAINING WITH THE COUNTY RECORDER PRIOR TO BEING APPOINTED AS A HUMANE SOCIETY AGENT AND TO REQUIRE THE REVOCATION OF AN APPOINTMENT UNDER CERTAIN CIRCUMSTANCES.

To the committee on Local Government and Public Administration

**H.B. No. 176 - Representatives Stewart and McGregor, et al.**

TO PROHIBIT DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION OR GENDER IDENTITY AND EXPRESSION.

To the committee on State Government

**H.B. No. 177 - Representatives Huffman and Bubb, et al**

TO PROVIDE THAT INVESTMENT PERSONNEL OF THE STATE TEACHERS RETIREMENT SYSTEM MAY NOT RECEIVE PERFORMANCE-BASED BONUSES OR PREMIUMS IN YEARS OF NEGATIVE INVESTMENT RETURNS AND TO DECLARE AN EMERGENCY. To the committee on Aging and Disability Services

**H.B. No. 178 - Representative Wagner**

TO ELIMINATE CERTAIN REQUIREMENTS AND PROHIBITIONS APPLYING TO SCHOOL DISTRICT BOARDS OF EDUCATION.

To the committee on Education

**H.B. No. 179 - Representative Letson, et al.**

TO MODIFY THE GUIDELINES GOVERNING SEIZURE OF A MOTORCYCLE BY A LAW ENFORCEMENT OFFICER WHEN THE IDENTITY OF THE MOTORCYCLE CANNOT BE DETERMINED AND TO ESTABLISH LIMITED CIVIL LIABILITY IF THE LAW ENFORCEMENT OFFICER OR AGENCY FAILS TO COMPLY WITH SPECIFIED GUIDELINES.

To the committee on Civil and Commercial Law

**H.B. No. 180 - Representative Letson, et al.**

TO MAKE AN ASSAULT OR AGGRAVATED MENACING COMMITTED IN A COURTHOUSE A FELONY OF THE FIFTH DEGREE.

To the committee on Criminal Justice

**H.B. No. 181 - Representative Phillips, et al.**

TO ALLOW THE SALE OF ALL-PURPOSE VEHICLES AT AN OUTDOOR SHOW HELD ANNUALLY ON THE CAMPUS OF A TECHNICAL COLLEGE THAT IS NOT CO-LOCATED WITH ANOTHER INSTITUTION OF HIGHER EDUCATION NOTWITHSTANDING THE RESTRICTIONS ON MOTOR VEHICLE SHOWS.

To the committee on State Government

**H.B. No. 182 - Representative Hackett**

TO REQUIRE A DEFINITE TERM OF IMPRISONMENT OF 5 TO 10 YEARS FOR AN OFFENDER CONVICTED OF FELONIOUS ASSAULT OR ENDANGERING CHILDREN AND A SPECIFICATION THAT THE VICTIM WAS LESS THAN 5 YEARS OF AGE AND SUFFERED SUBSTANTIAL PERMANENT INJURY OR FOR AN OFFENDER CONVICTED OF VOLUNTARY MANSLAUGHTER, INVOLUNTARY MANSLAUGHTER, OR RECKLESS HOMICIDE AND A SPECIFICATION THAT THE VICTIM WAS LESS THAN FIVE YEARS OF AGE.

To the committee on Criminal Justice

T. TODD BOOK  
BARBARA BOYD  
MATT LUNDY  
JOHN ADAMS  
KRIS JORDAN

JOSEPH KOZIURA  
TIMOTHY J. DEGEETER  
LOUIS W. BLESSING  
WILLIAM G. BATCHELDER

Representative Driehaus 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 Resolution be read by title only and approved:

**H.R. No. 73 - Representative Fende**

Honoring the Willoughby South High School Academic Decathlon team as the 2009 State Champion.

/s/ TODD BOOK  
Todd Book, Chair

Representative Driehaus 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.

Message from the Speaker

Pursuant to Ohio Revised Code section 148.02, the Speaker hereby appoints Representative Hottinger to the Ohio Public Employees Deferred Compensation Board.

Message from the Speaker

Pursuant to Ohio Revised Code section 3334.03, the Speaker hereby appoints Representative Oelslager to the Ohio Tuition Trust Authority.

On motion of Representative Driehaus, the House adjourned until Wednesday, May 20, 2009 at 1:30 p.m.

Attest:

THOMAS L. SHERMAN,  
Clerk.