

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MAY 25, 2010

ONE HUNDRED EIGHTY-THIRD DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, May 25, 2010, 9:00 o'clock a.m.

The House met pursuant to adjournment.

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

Representative Book 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. 531-Representative Williams, B.

Cosponsors: Representatives Adams, J., Book, Combs, Fende, Letson, McGregor, Okey, Snitchler, Stebelton, Yuko.

To amend section 3773.99 and to repeal section 3773.06 of the Revised Code to eliminate the prohibition against hunting or shooting game within one-half mile of a township park.

H. B. No. 532-Representatives Murray, Okey.

Cosponsors: Representatives Book, Pryor, Garrison, Zehringer, Domenick, Hollington.

To amend sections 5731.16, 5731.21, 5731.37, and 5731.38 of the Revised Code to exclude from the estate tax land subject to an agricultural or conservation easement.

H. B. No. 533-Representative Newcomb.

Cosponsors: Representatives Gardner, Evans, Zehringer, Fende, Domenick, Chandler, Letson, Grossman, Pillich.

To enact section 5533.97 of the Revised Code to designate the portion of United States Route 322 within the municipal corporation of Orwell located in Ashtabula County, as the "Sgt. Kurt D. Schamberg Orwell Veterans Highway."

H. B. No. 534-Representative Newcomb.

Cosponsors: Representatives Murray, Lundy, Hagan, Okey, Fende, Letson, Sayre.

To amend section 924.52 of the Revised Code to revise the duties of the Ohio Grape Industries Committee.

Said bills were considered the first time.

Message from the Speaker

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

Economic Development: Remove Representative DeBose; appoint Representative Book.

Finance and Appropriations: Remove Representative Brown; appoint Representative Weddington.

On motion of Representative Harris, the House recessed.

The House met pursuant to recess.

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

Representative Baker submitted the following report:

The standing committee on Economic Development to which was referred **H. B. No. 519**-Representatives Yuko, Book, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CASINO GAMING - REGULATE/BINGO -
REVISIONS/CHARITY CARD ROOMS - AUTHORIZE

TODD SNITCHLER
RAYMOND PRYOR
DENNIS MURRAY
JAY P. GOYAL
NAN BAKER
SANDRA WILLIAMS
DEBBIE PHILLIPS
MATT LUNDY

JOE WALTER
CHERYL GROSSMAN
PETER BECK
TRACY HEARD
DENISE DRIEHAUS
T. TODD BOOK
TIMOTHY J. DEGEETER

The following members voted "NO"

JAY HOTTINGER
GERALD L. STEBELTON
RON AMSTUTZ

DAVE HALL
JARROD MARTIN
JEFF WAGNER

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Message from the Speaker

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

Elections and Ethics: Remove Representative Brown; appoint Representative DeGeeter.

Commerce and Labor: Remove Representatives Brown and Hagan; appoint Representatives Walter and Letson.

Rules and Reference: Remove Representative Koziura; appoint Representative S. Williams.

On motion of Representative DeGeeter, the House recessed.

The House met pursuant to recess.

Representative Lundy submitted the following report:

The standing committee on Rules and Reference to which was referred **H. B. No. 519**-Representatives Yuko, Book, having had the same under consideration, recommends its re-referral to the committee on Finance and Appropriations.

RE: CASINO GAMING - REGULATE/BINGO -
REVISIONS/CHARITY CARD ROOMS - AUTHORIZE

T. TODD BOOK
MATT LUNDY
BARBARA BOYD
JOHN ADAMS

SANDRA WILLIAMS
TIMOTHY J. DEGEETER
CHERYL GROSSMAN
LOUIS W. BLESSING

The following member voted "NO"

RANDY GARDNER

The report was agreed to.

The bill was ordered to be engrossed and rereferred to the committee on Finance and Appropriations.

Representative Lundy submitted the following report:

The standing committee on Rules and Reference to which was referred **Sub. S. B. No. 181**-Senator Stewart, et al., having had the same under consideration, recommends its re-referral to the committee on Finance and Appropriations.

RE: LANDOWNERS - PROVIDE ACCESS TO ABANDONED
MINES FOR RECLAMATION - IMMUNITY

T. TODD BOOK
MATT LUNDY
BARBARA BOYD
JOHN ADAMS
RANDY GARDNER

SANDRA WILLIAMS
TIMOTHY J. DEGEETER
CHERYL GROSSMAN
LOUIS W. BLESSING

The report was agreed to.

The bill was ordered to be engrossed and rereferred to the committee on Finance and Appropriations.

Representative Blessing reported for the Rules and Reference Committee recommending that the following House Bill be considered for the second time and referred to the following committee for consideration.

H.B. No. 523 - Representatives Phillips and Driehaus, et al
TO CREATE A GENERALLY UNIFORM DEFINITION OF EMPLOYEE FOR SPECIFIED LABOR LAWS AND TO CREATE A UNIFORM STANDARD TO DETERMINE WHETHER AN INDIVIDUAL PERFORMING SERVICES FOR AN EMPLOYER IS AN EMPLOYEE OF THAT EMPLOYER.

To the committee on Commerce and Labor

H.B. No. 524 - Representative Phillips, et al
TO ESTABLISH CONDITIONS FOR THE OPERATION OF MINI-TRUCKS ON CERTAIN ROADS.

To the committee on Transportation and Infrastructure

H.B. No. 525 - Representative Hollington, et al
TO REQUIRE THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO MAKE A HIGH DEDUCTIBLE HEALTH CARE PLAN AVAILABLE TO STATE EMPLOYEES AND STATE ELECTED OFFICIALS.

To the committee on Healthcare Access and Affordability

H.B. No. 526 - Representatives Pryor and Stewart, et al
TO MAKE RESTITUTION MANDATORY IN CASES OF FELONIES AND MISDEMEANOR OFFENSES OF VIOLENCE, TO MODIFY THE DETERMINATION AND ENFORCEMENT OF RESTITUTION, AND TO ENHANCE THE PARTICIPATION OF CRIME VICTIMS AND CRIME VICTIM ADVOCATES IN THE SENTENCING OR DISPOSITION AND JUDICIAL OR EARLY RELEASE OF OFFENDERS AND DELINQUENT CHILDREN.

To the committee on Criminal Justice

H.B. No. 527 - Representative Pryor, et al
TO PROHIBIT AUTO INSURERS FROM REQUIRING, RECOMMENDING, OR SUGGESTING THAT A CLAIMANT ON A POLICY HAVE THE CLAIMANT'S VEHICLE REPAIRED AT A

PARTICULAR REPAIR SHOP OR BY A PARTICULAR PERSON UNLESS THE CLAIMANT REQUESTS A RECOMMENDATION OR SUGGESTION.

To the committee on Insurance

H.B. No. 528 - Representatives Pryor and Phillips, et al

TO EXEMPT FARM TRUCKS AND FARM BUSES FROM THE VEHICLE REGISTRATION LATE FEE, TO ESTABLISH A MANDATORY WAIVER OF THE REGISTRATION LATE FEE FOR VEHICLES USED ON A SEASONAL BASIS, AND TO ALLOW THE DIRECTOR OF PUBLIC SAFETY TO APPROVE A COURSE IN REMEDIAL DRIVING INSTRUCTION THAT IS CONDUCTED ENTIRELY BY VIDEO TELECONFERENCING OR THE INTERNET UNDER SPECIFIED CIRCUMSTANCES.

To the committee on Finance and Appropriations

H.B. No. 529 - Representative DeGeeter, et al

TO REQUIRE A SUPPLIER IN CERTAIN CONSUMER TRANSACTIONS TO OBTAIN EXPRESS WRITTEN AUTHORIZATION FROM A CONSUMER BEFORE CHARGING THE CONSUMER'S ACCOUNT.

To the committee on Consumer Affairs and Economic Protection

H.B. No. 530 - Representatives Driehaus and Mecklenborg, et al

TO PERMIT THE ESTABLISHMENT OF PUBLIC COLLEGE-PREPARATORY BOARDING SCHOOLS FOR AT-RISK STUDENTS TO BE OPERATED BY PRIVATE NONPROFIT ENTITIES.

To the committee on Education

Am. Sub. S.B. No. 86 - Senator Buehrer, et al

TO GRANT QUALIFIED CIVIL IMMUNITY TO A PHYSICIAN, PHYSICIAN ASSISTANT, DENTIST, OR OPTOMETRIST WHO PROVIDES EMERGENCY MEDICAL SERVICES, FIRST-AID TREATMENT, OR OTHER EMERGENCY PROFESSIONAL CARE IN COMPLIANCE WITH THE FEDERAL EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT OR AS A RESULT OF A DISASTER AND TO A CERTIFIED NURSE-MIDWIFE, CERTIFIED NURSE PRACTITIONER, CLINICAL NURSE SPECIALIST, OR REGISTERED NURSE WHO PROVIDES EMERGENCY SERVICES, FIRST-AID TREATMENT, OR OTHER EMERGENCY PROFESSIONAL CARE AS A RESULT OF A DISASTER AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO WRONGFUL DEATH ACTIONS.

To the committee on Civil and Commercial Law

Sub. S.B. No. 110 - Senator Niehaus, et al

TO REVISE THE HOUSEHOLD SEWAGE AND SMALL FLOW ON-SITE SEWAGE TREATMENT SYSTEMS LAW, AND TO AMEND SECTION 3 OF AM. H.B. 416 OF THE 127TH GENERAL ASSEMBLY TO EXTEND THE DATE BY WHICH THE REPORT OF THE GREAT LAKES-ST.

LAWRENCE RIVER BASIN WATER RESOURCES COMPACT
ADVISORY BOARD IS DUE.

To the committee on Environment and Brownfield Development

Am. Sub. S.B. No. 210 - Senators Coughlin and Kearney, et al

TO ESTABLISH NUTRITIONAL STANDARDS FOR CERTAIN FOODS
AND BEVERAGES SOLD IN SCHOOLS; TO REQUIRE STUDENTS TO
HAVE PERIODIC BODY MASS INDEX MEASUREMENTS; TO
REQUIRE DAILY PHYSICAL ACTIVITY FOR STUDENTS AND TO
MAKE OTHER CHANGES REGARDING PHYSICAL EDUCATION; AND
TO ESTABLISH THE HEALTHY CHOICES FOR HEALTHY CHILDREN
COUNCIL.

To the committee on Health

Am. Sub. S.B. No. 232 - Senator Widener, et al

TO EXPAND SPECIAL IMPROVEMENT DISTRICT ENERGY
IMPROVEMENT PROJECTS AND THE MUNICIPAL SOLAR ENERGY
REVOLVING LOAN PROGRAM LAW TO INCLUDE ALTERNATIVE
ENERGY, TO ADDRESS THE TREATMENT OF ENERGY EFFICIENCY
SAVINGS AND REDUCTIONS IN DEMAND REGARDING CERTAIN
ENERGY PROJECTS, TO EXEMPT QUALIFYING ENERGY FACILITIES
FROM PROPERTY TAXATION UPON COUNTY APPROVAL, TO
REQUIRE PAYMENTS IN LIEU OF TAXES ON THE BASIS OF EACH
MEGAWATT OF PRODUCTION CAPACITY OF SUCH FACILITIES, TO
PROHIBIT THE USE OF THE EXEMPTION TO DETERMINE THE COST
OF COMPLIANCE FOR THE STATE'S ALTERNATIVE ENERGY
PORTFOLIO STANDARD, TO CLARIFY THE SALES AND USE TAX
TREATMENT OF RELATED ENERGY CONVERSION EQUIPMENT
PURCHASES, TO SPECIFY THAT OPERATORS OF SUCH FACILITIES
ARE SUBJECT TO THE COMMERCIAL ACTIVITY TAX, AND TO
REQUIRE THE PUBLIC UTILITIES COMMISSION TO STUDY
REACTIVE POWER IN THE STATE.

To the committee on Ways and Means

T. TODD BOOK
BARBARA BOYD
MATT LUNDY
JOHN ADAMS
CHERYL GROSSMAN

SANDRA WILLIAMS
TIMOTHY J. DEGEETER
LOUIS W. BLESSING
RANDY GARDNER

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

H.C.R. No. 38 - Representative Bupp, et al

TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO RETAIN THE IMAGE OF PRESIDENT ULYSSES S. GRANT ON THE FIFTY DOLLAR BILL AND REJECT THE PROPOSAL TO REDESIGN THE FIFTY DOLLAR BILL.

To the committee on State Government

H.C.R. No. 39 - Representatives Goyal and Gardner, et al

TO URGE THE SELECTION COMMITTEE OF THE PROFESSIONAL FOOTBALL HALL OF FAME TO CHOOSE DICK SCHAFRATH FOR INDUCTION INTO THE PROFESSIONAL FOOTBALL HALL OF FAME.

To the committee on State Government

/s/ TODD BOOK

Todd Book, Chair

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

The motion was agreed to.

Said resolutions were 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. 311 - Representative Jordan

Honoring Kellie Carmendy as a 2010 Division I State Diving Championship Gold Medalist.

H.R. No. 312 - Representative Jordan

Honoring Joey Uhle as a state pole vault record holder.

H.R. No. 313 - Representative Jordan

Honoring Chris Uhle as a state pole vault record holder.

H.R. No. 314 - Representative Ruhl

Honoring the Kenyon College Squash Club as the 2010 College Squash Association Chaffe Cup Champion.

H.R. No. 315 - Representative Ruhl

Honoring Aislinn McLaughlin on winning a 2010 USGWA National Championship.

H.R. No. 316 - Representative Huffman

Honoring John Merkel as a 2010 winner of the MLK Statewide Oratorical Contest.

H.R. No. 317 - Representative Huffman

Honoring Micaiah Moore as a 2010 winner of the MLK Statewide Oratorical Contest.

H.R. No. 318 - Representative Huffman

Honoring Trevor Meyer as a 2010 Skills USA State Champion.

H.R. No. 319 - Representative Huffman

Honoring Mike Vorhes as a 2010 Skills USA State Champion.

H.R. No. 320 - Representative Mallory

Honoring the University of Cincinnati on being named to the 2010 President's Higher Education Community Service Honor Roll.

Add the name: Blessing

/s/ TODD BOOK

Todd Book, Chair

Representative DeGeeter 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 DeGeeter, the House adjourned until Wednesday, May 26, 2010 at 9:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.