

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, JUNE 16, 2009

## FIFTY-FOURTH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, June 16, 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 Letson 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. 219**-Representative Dyer.

Cosponsors: Representatives Ujvagi, Domenick, Evans, Letson, Harwood, Luckie, Zehringer, Chandler, Yuko.

To enact section 5533.372 of the Revised Code to designate a portion of Interstate Route 77 within Summit County as the "Staff Sgt. Matthew J. Kuglics Memorial Highway."

**H. B. No. 220**-Representative Chandler.

Cosponsors: Representatives Blair, Brown, Derickson, Gardner, Hagan, Harwood, Letson, Skindell, Weddington, Williams, B., Yuko.

To amend sections 7.10, 7.11, 7.12, 118.17, 131.23, 133.18, 133.55, 135.05, 301.02, 301.15, 301.28, 306.35, 306.43, 306.70, 307.022, 307.041, 307.10, 307.12, 307.676, 307.70, 307.79, 307.791, 307.81, 307.82, 307.83, 308.13, 317.20, 319.11, 321.18, 322.02, 322.021, 323.08, 324.02, 324.021, 343.08, 345.03, 349.03, 501.07, 503.05, 503.162, 503.41, 504.02, 504.03, 504.12, 504.21, 505.108, 505.17, 505.264, 505.28, 505.373, 505.55, 505.73, 511.23, 511.25, 511.28, 511.34, 513.14, 515.04, 517.12, 517.22, 521.03, 705.16, 711.35, 715.011, 715.47, 718.09, 718.10, 719.012, 719.05, 721.03, 721.15, 721.20, 723.07, 727.011, 727.012, 727.08, 727.14, 727.46, 729.08, 729.11, 731.141, 731.20, 731.21, 731.211, 731.22, 731.23, 731.24, 731.25, 735.05, 735.20, 737.32, 745.07, 747.05, 747.11, 747.12, 755.41, 755.42, 755.43, 759.47, 951.11, 1515.08, 1515.24, 1545.09, 1545.12, 1547.302, 1711.05, 1711.07, 1711.18, 1711.30, 1728.06, 2105.09, 2329.26, 2329.27, 3311.21, 3311.213, 3311.214, 3311.50, 3311.53, 3311.73, 3313.41, 3313.533, 3313.911, 3349.29, 3354.12, 3355.09, 3375.41, 3381.11, 3501.03, 3505.13, 3709.21, 3735.36, 3735.66, 4301.80, 4301.81, 4503.06, 4504.02, 4504.021, 4504.15, 4504.16, 4504.18, 4513.62, 4582.31, 4585.10, 4928.20, 4929.26, 4929.27, 4931.51, 4931.52, 4931.53, 5126.42, 5310.35, 5540.031, 5540.05, 5543.10, 5552.06, 5553.05, 5553.19, 5553.23, 5553.42, 5555.07, 5555.27,

5555.42, 5559.06, 5559.10, 5559.12, 5561.04, 5561.08, 5571.011, 5573.02, 5573.10, 5575.01, 5575.02, 5591.15, 5593.08, 5705.16, 5705.191, 5705.194, 5705.196, 5705.21, 5705.211, 5705.218, 5705.25, 5705.251, 5705.261, 5705.314, 5705.71, 5713.01, 5715.17, 5715.23, 5719.04, 5721.01, 5721.03, 5721.04, 5721.31, 5722.13, 5723.05, 5727.57, 5733.23, 5739.021, 5739.022, 5739.026, 5739.101, 5747.451, 5748.02, 5748.021, 5748.04, 5748.08, 6101.16, 6103.05, 6103.06, 6103.081, 6103.31, 6105.131, 6115.01, 6115.20, 6117.06, 6117.07, 6117.251, 6117.49, 6119.10, 6119.18, 6119.22, 6119.25, and 6119.58, to enact section 7.16, and to repeal sections 7.14 and 701.04 of the Revised Code to implement the recommendations of the Local Government Public Notice Task Force by authorizing legal publication to be made in a newspaper of general circulation, eliminating certain publication and postal privilege requirements, reducing the number of times publication must be made, requiring newspapers to establish a government rate for publication, allowing publication of a summary of an ordinance rather than publishing it in its entirety, and allowing the costs of publishing delinquent property tax lists to be charged to delinquent taxpayers.

**H. B. No. 221**-Representative Dyer.

Cosponsors: Representatives Fende, Williams, B., Yuko, Oelslager, Boyd.

To enact section 5.074 of the Revised Code to designate the Ohio Vietnam Veterans' Memorial Park in the Village of Clinton, County of Summit, as the Vietnam Veterans' Memorial Park for the state of Ohio.

**H. B. No. 222**-Representative Dyer.

Cosponsors: Representatives Williams, B., Letson, Chandler, Bolon.

To enact section 5.2265 of the Revised Code to designate the Portage Lakes area in Summit County the Purple Martin Capital of Ohio.

**H. B. No. 223**-Representatives Letson, Coley.

Cosponsors: Representatives Derickson, Ruhl, Mallory, Bulp, Boyd, Yuko, Combs, Blessing, Harwood, Hackett, Bacon.

To temporarily authorize county treasurers and county prosecuting attorneys to designate that part of any surplus balance in the county's Delinquent Tax and Assessment Collection Fund be used to pay operating expenses of the respective office in lieu of county general fund money.

**H. B. No. 224**-Representatives Snitchler, Jordan.

Cosponsors: Representatives Boose, Ruhl, Wagner, Hall, Mandel, Burke, Grossman, Blessing, Huffman, Adams, J., Morgan, Domenick.

To amend sections 5725.98, 5729.98, 5733.01, 5733.98, and 5747.98 and to enact sections 5725.34, 5729.17, 5733.60, and 5747.67 of the Revised Code to

authorize a nonrefundable tax credit for hiring and employing previously unemployed individuals.

**H. B. No. 225**-Representative Yates.

To amend section 2951.03 of the Revised Code to eliminate the requirement for certain felons that a presentence investigation report be prepared prior to an offender's placement under a community control sanction.

**H. B. No. 226**-Representatives Heard, Letson.

Cosponsors: Representatives Weddington, Hagan, Ujvagi, Luckie, Winburn, Harwood, Chandler, Stebelton, Domenick, Lehner, Yuko.

To enact section 3731.25 of the Revised Code to provide qualified civil and criminal immunity to an owner or employee of a hotel or SRO facility or another person who performs automated external defibrillation in good faith at the hotel or facility if the owner places an automated external defibrillator within the hotel or facility, requires at least one employee to successfully complete a course in automated external defibrillation and cardiopulmonary resuscitation, maintains certain records, and complies with other conditions.

Said bills were considered the first time.

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

Representative Mecklenborg submitted the following report:

The standing committee on Elections and Ethics to which was referred **H. B. No. 28**-Representative Gerberry, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: SHERIFF QUALIFICATIONS

Representative Gerberry moved to amend as follows:

In line 79, after "at" delete the balance of the line

In line 80, delete "limited to,"

The motion was agreed to and the bill so amended.

DAN STEWART  
ROBERT MECKLENBORG  
EDNA BROWN  
RON GERBERRY  
ROBERT HACKETT  
SETH MORGAN

MARK D. OKEY  
T. TODD BOOK  
JENNIFER GARRISON  
DALE MALLORY  
JARROD MARTIN

The following member voted "NO"

RICHARD ADAMS

The report was agreed to.

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

Representative Wachtmann submitted the following report:

The standing committee on Health to which was referred **H. B. No. 81**-Representatives Boyd, Gardner, et al., having had the same under consideration, reports it back and recommends its passage.

RE: HEALTH INSURANCE COVER DIABETES

BARBARA BOYD  
EDNA BROWN  
ROBERT F. HAGAN  
DEBORAH NEWCOMB  
DEBBIE PHILLIPS  
ROLAND WINBURN

JOHN PATRICK CARNEY  
RANDY GARDNER  
TOM LETSON  
W. SCOTT OELSLAGER  
STEPHEN SLESNICK  
KENNY YUKO

The following members voted "NO"

LYNN R. WACHTMANN  
DAVE BURKE  
BRUCE W. GOODWIN  
ROBERT MECKLENBORG

TROY BALDERSON  
COURTNEY COMBS  
MATT HUFFMAN

The report was agreed to.

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

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. 211 - Representative Yuko, et al**

TO DESIGNATE SEPTEMBER AS "MESOTHELIOMA MONTH."

To the committee on State Government

**H.B. No. 212 - Representatives Stebelton and Okey, et al**

TO CODIFY FEDERAL RESTRICTIONS ON LOCAL ZONING OF AMATEUR STATION ANTENNA STRUCTURES THEREBY PRESERVING AMATEUR RADIO SERVICE COMMUNICATIONS AS A HOMELAND SECURITY RESOURCE AND TO PLACE THE BURDEN OF PROOF FOR COMPLIANCE ON THE ZONING AUTHORITY.

To the committee on Public Safety and Homeland Security

**H.B. No. 213 - Representative Hagan, et al**

TO ELIMINATE THE EXEMPTION FROM THE TUBERCULOSIS TREATMENT REQUIREMENTS FOR MINORS OF PARENTS WHO RELY EXCLUSIVELY ON SPIRITUAL TREATMENT THROUGH PRAYER, TO ELIMINATE THE EXEMPTION IN CHAPTER 2151. OF THE REVISED CODE FROM CRIMINAL PROSECUTION FOR PERSONS WHO FAIL TO PROVIDE MEDICAL TREATMENT FOR CHILDREN BECAUSE OF RELIGIOUS BELIEFS, TO SIMILARLY LIMIT THE EXEMPTION FOR TREATMENT OF MENTALLY RETARDED AND DEVELOPMENTALLY DISABLED PERSONS, AND TO ELIMINATE THE EXCEPTION TO ENDANGERING CHILDREN FOR PERSONS WHO TREAT A CHILD'S PHYSICAL OR MENTAL ILLNESS THROUGH PRAYER ALONE IN ACCORDANCE WITH THE TENETS OF A RECOGNIZED RELIGIOUS BODY.

To the committee on Health

**H.B. No. 214 - Representatives Letson and Huffman, et al**

TO ESTABLISH A QUALIFIED IMMUNITY FROM CIVIL LIABILITY RELATIVE TO EMERGENCY CARE PROVIDED BY MEMBERS OF THE NATIONAL SKI PATROL SYSTEM.

To the committee on Civil and Commercial Law

**H.B. No. 215 - Representative Letson and Mecklenborg, et al**

TO MODIFY THE LAW GOVERNING INVESTIGATIONS AND HEARINGS CONDUCTED BY THE STATE DENTAL BOARD.

To the committee on Health

**H.B. No. 216 - Representative Carney, et al**

TO ESTABLISH CERTAIN FINANCIAL CAPACITY REQUIREMENTS FOR PROFESSIONAL EMPLOYER ORGANIZATIONS, CLARIFY RIGHTS AND LIABILITIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT EMPLOYERS, AND MAKE OTHER CHANGES TO THE PROFESSIONAL EMPLOYER ORGANIZATION LAW.

To the committee on Commerce and Labor

**H.B. No. 217 - Representatives Garrison and Oelslager, et al**

TO CREATE PHI THETA KAPPA LICENSE PLATES.

To the committee on Transportation and Infrastructure

T. TODD BOOK  
TIMOTHY J. DEGEETER  
LOUIS W. BLESSING  
WILLIAM G. BATCHELDER

JOSEPH KOZIURA  
MATT LUNDY  
JOHN ADAMS  
KRIS JORDAN

Representative Phillips 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 Resolutions be read by title only and approved:

**H.R. No. 94 - Representative Jordan**

Honoring the Olentangy Liberty Middle School boys lacrosse team as the 2009 Ohio Middle School Division IV State Champion.

**H.R. No. 95 - Representative Harris**

Honoring the Westerville Citizen Police Academy Alumni Association as Association of the Year.

/s/ TODD BOOK

Todd Book, Chair

Representative Phillips 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**

**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. Representatives Gerberry, Lundy, Sayre, Stewart, Williams, B., Daniels, Adams, J., Grossman, Hall, Hite, Stebelton.

To amend section 2108.31 of the Revised Code to permit persons who are sixteen to donate blood with parental consent, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Phillips moved that **S. B. No. 57**-Senator Gibbs, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

On motion of Representative Phillips, the House adjourned until Wednesday, June 17, 2009 at 1:30 p.m.

Attest:

THOMAS L. SHERMAN,  
Clerk.