

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, JUNE 17, 2009

FIFTY-FIFTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, June 17, 2009, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Seth Morgan-36th district, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

The following guests of the House of Representatives were recognized by Speaker Budish prior to the commencement of business:

Eagle Scouts: Nathan Alspach, Jacob Henicheck, Brady and Brandon Hutchins, and Paul Yonnotti, guests of Representative Harris-19th district.

Teachers and students from the Scholarts Preparatory and Career Center for Children, guests of Representative Weddington-27th district.

Clyde Dial, a guest of Representative Stautberg-34th district.

Colton Henson, a guest of Representative Evans-87th district.

Josh Jones, a guest of Representative Phillips-92nd district.

Sherri and Korine Van Tassel, a guest of Representative Sayre-96th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 227-Representative Domenick.

Cosponsors: Representatives Dyer, Winburn.

To enact sections 8.01 to 8.04 and 5747.027 of the Revised Code to require in specified situations the verification of immigration status of persons who are not United States citizens, to impose state income taxes at a rate of six per cent per annum on the compensation of specified independent contractors who fail to document such verification, and to restrict the employment of persons who are not legal residents of the United States.

H. B. No. 228-Representative Domenick.

Cosponsors: Representatives Bacon, Boyd, Fende, Foley, Hagan, Mecklenborg, Murray, Stewart, Winburn, Yuko.

To amend section 313.131 and to enact section 313.124 of the Revised Code to require a coroner, deputy coroner, or pathologist to administer a blood test for alcohol or drugs when a person has died by suicide or in an unusual manner and the test is requested and paid for by a family member.

H. B. No. 229-Representative Stewart.

Cosponsors: Representatives Sayre, Letson, Foley, Okey, Yuko, Hagan, Winburn, Skindell, Weddington, Newcomb, Domenick, Mecklenborg.

To require the Department of Health to establish a pilot program to test the effectiveness of the "OS1" comprehensive cleaning system in public schools.

H. B. No. 230-Representatives Moran, Zehringer.

Cosponsors: Representatives Blair, Book, DeGeeter, Domenick, Gardner, Garland, Goyal, Murray, Sayre, Slesnick, Stewart, Williams, B.

To amend sections 103.051, 103.0511, 121.24, 122.08, 122.081, and 127.18 and to enact sections 121.81, 121.811, 121.812, 121.813, 121.814, 121.815, 121.82, 122.084, and 3745.016 of the Revised Code to enact the Common Sense Regulation Act to improve state agency regulatory processes, especially as they relate to small businesses, to require state departments to develop customer service training programs, and to require the director of environmental protection to provide environmental regulatory compliance assistance to small businesses.

H. B. No. 231-Representative Bacon.

Cosponsors: Representatives Murray, Ruhl, Evans, Grossman, Mecklenborg, Harwood, Skindell, Bulp, Lehner, Derickson, Blessing, Brown, Stebelton, Ujvagi, Yuko, Hagan.

To amend sections 2108.75 and 2108.81 of the Revised Code to give the right of disposal to the United States Secretary of Veterans Affairs regarding abandoned or unclaimed remains of persons who are entitled to be buried in a national cemetery.

Said bills were considered the first time.

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

Representative Stebelton submitted the following report:

The standing committee on Civil and Commercial Law to which was referred **H. B. No. 10**-Representative Brown, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CIVIL PROTECTION ORDERS - TEEN DATING VIOLENCE

Representative Okey moved to amend the title as follows:

Add the names: "Book, Mecklenborg, Skindell, Yates."

MARK D. OKEY
W. SCOTT OELSLAGER

DENNIS MURRAY
T. TODD BOOK

BILL COLEY
SANDRA STABILE HARWOOD
ROBERT MECKLENBORG
PETER STAUTBERG
TYRONE K. YATES

MIKE FOLEY
MATT HUFFMAN
MICHAEL J. SKINDELL
GERALD L. STEBELTON

The report was agreed to.

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

Representative Snitchler submitted the following report:

The standing committee on Alternative Energy to which was referred **H. B. No. 113**-Representatives Foley, Blessing, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: SCHOOLS ENERGY GENERATION CONSERVATION
CONTRACTS

TED CELESTE
ROBERT F. HAGAN
RON MAAG
JAY HOTTINGER
MARIAN HARRIS
JARROD MARTIN
DENNIS MURRAY
RON AMSTUTZ

DEBBIE PHILLIPS
MIKE FOLEY
TODD SNITCHLER
LOUIS W. BLESSING
BRUCE W. GOODWIN
MATT PATTEN
CONNIE PILLICH

The following member voted "NO"

JOSH MANDEL

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Wednesday, June 17, 2009, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Adams, J. moved that minority party members asking leave to be absent or absent the week of Wednesday, June 17, 2009, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative Szollosi moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 96-Speaker Budish, Representative Batchelder.

Relative to travel allowance.

WHEREAS, Section 101.27 of the Revised Code provides that each member receive a travel reimbursement based upon the mileage from and to the member's place of residence, by the most direct highway route of public travel to and from the seat of government; therefore be it

RESOLVED, That the Clerk or Deputy Clerk of the House of Representatives is hereby authorized to pay the following members travel allowance based upon their round trip mileage as set opposite their names and district numbers:

Member's Name	District Number	Round Trip Mileage
Robin D. Belcher	10	301

The yeas and nays were taken and resulted - yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeGeeter
Derickson	Dodd	Dolan	Driehaus
Dyer	Evans	Fende	Foley
Gardner	Garland	Garrison	Gerberry
Goodwin	Goyal	Grossman	Hackett
Hagan	Hall	Harris	Harwood
Heard	Hite	Hottinger	Huffman
Jones	Jordan	Koziura	Lehner
Letson	Luckie	Lundy	Maag
Mallory	Mandel	Martin	McClain
McGregor	Mecklenborg	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Weddington	Williams B.	Winburn	Yates
Yuko	Zehringer		Budish-95.

The resolution was adopted.

Representative Szollosi moved that House Rules be suspended and that the following concurrent resolution be read by title only and brought up for immediate adoption:

H. C. R. No. 24-Representative Lundy.

To create the Joint Select Committee on the Impact of the Changing Automobile Industry in Ohio to study the automobile industry as it relates to manufacturers, suppliers, dealers, and consumers.

The motion was agreed to without objection.

The question being, "Shall the concurrent resolution be adopted?"

Representative Lundy moved to amend the title as follows:

Add the names: "Adams, R., Amstutz, Bacon, Baker, Balderson, Batchelder, Belcher, Blessing, Bolon, Book, Boose, Boyd, Brown, Bulp, Burke, Carney, Celeste, Chandler, Coley, Combs, Daniels, DeGeeter, Derickson, Dodd, Dolan, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, Hall, Harris, Harwood, Heard, Hite, Hottinger, Huffman, Jones, Koziura, Lehner, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Moran, Morgan, Murray, Newcomb, Oelslager, Okey, Patten, Phillips, Pillich, Pryor, Sayre, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Szollosi, Uecker, Ujvagi, Wachtmann, Wagner, Weddington, Williams, B., Winburn, Yates, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the concurrent resolution be adopted?"

The yeas and nays were taken and resulted - yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bulp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeGeeter
Derickson	Dodd	Dolan	Driehaus
Dyer	Evans	Fende	Foley
Gardner	Garland	Garrison	Gerberry
Goodwin	Goyal	Grossman	Hackett
Hagan	Hall	Harris	Harwood
Heard	Hite	Hottinger	Huffman
Jones	Jordan	Koziura	Lehner
Letson	Luckie	Lundy	Maag
Mallory	Mandel	Martin	McClain

McGregor	Mecklenborg	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Weddington	Williams B.	Winburn	Yates
Yuko	Zehringer		Budish-95.

The concurrent resolution was adopted.

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 Szollosi 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.

Sub. H. B. No. 12-Representatives Lundy, Schneider.

Cosponsors: Representatives Fende, Newcomb, Koziura, Dyer, Harris, Murray, DeGeeter, Phillips, Williams, B., DeBose, Hagan, Skindell, Okey, Luckie, Letson, Williams, S., Sykes.

To amend section 1349.99 and to enact sections 1349.38 and 3345.331 of the Revised Code to prohibit campus credit card marketing activities and to prohibit institutions of higher education from releasing student directory information to any person or group for use in a profit-making plan or activity, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Garrison moved to amend as follows:

In line 8, delete "section 1349.99 be amended and"

In line 9, delete "1349.38 and 3345.331" and insert "3345.86 and 3345.87"

Delete lines 11 through 73

In line 74, delete " **3345.331**" and insert " **3345.86**"; after " (A)" delete the balance of the line

Delete lines 75 through 147

In line 148, delete " (E)" and insert " The board of trustees of every private and state institution of higher education in this state, or any alternative governing board of such an institution, shall adopt and adhere to a policy regarding the marketing of credit cards on property owned or operated by the institution of higher education. The policy shall do both of the following:

(1) Prohibit campus credit card marketing activities;

(2) Require credit card marketers to register with the institution of higher education prior to engaging in credit card marketing that is excluded from the definition of campus credit card marketing activity under division (B)(3)(b) of this section and permitted by the institution of higher education.

(B)"

In line 151, after " (2)" delete the balance of the line

Delete lines 152 through 154

In line 155, delete " (3)" and insert " "Campus" means the land and buildings located in this state that a private or state institution of higher education uses for instruction or student services.

(3)(a) "Campus credit card marketing activity" means any activity conducted by an agent or employee of a card issuer that meets both of the following criteria:

(i) The activity is designed to encourage and enable students to apply for a credit card and includes the act of placing on the campus a display or poster together with a form that can be returned to the card issuer as a credit card application, even if an employee or agent of the card issuer is not present at the display;

(ii) The activity is conducted in this state on property owned or operated by, located on the campus of, or at an event sanctioned by a private or state institution of higher education.

(b) "Campus credit card marketing activity" does not include any of the following activities:

(i) Those that are conducted inside the office or other place at which a

bank, savings and loan association, savings bank, or credit union organized under the laws of the United States or any state of the United States receives money or its equivalent from the public for deposit and conducts the general business of the institution, or at an automated teller machine or other money transmission device owned, leased, or operated by any of those institutions;

(ii) Displaying a company logo or otherwise advertising a business in a manner that does not encourage and enable students to apply for a credit card, including television, radio, and print advertisements that are intended for the general public;

(iii) Mailing a credit card offer or advertisement to any residence, even if the residence is located on property owned or operated by a private or state institution of higher education;

(iv) Marketing a credit card at an athletic or entertainment event that is sanctioned by a private or state institution of higher education or located on property owned or operated by a private or state institution of higher education, provided that the person marketing the credit card does not knowingly accept a credit card application from an undergraduate student. To determine whether a person is an undergraduate student, the credit card marketer may rely on the person's statement that the person is or is not an undergraduate student.

(4)"

Delete lines 161 through 183 and insert:

" **Sec. 3345.87.** (A) Every private and state institution of higher education in this state shall offer financial literacy education to students enrolled in the institution of higher education, either as part of student orientation or during the students' first grading period.

(B) Any state institution of higher education that receives funds from an agreement between the institution of higher education, or its alumni organization, and another entity to market credit cards to current or former students of the institution of higher education shall use a portion of those funds to pay for all or part of the costs associated with providing financial literacy education under this section."

In line 1 of the title, delete "amend section 1349.99 and to"

In line 2 of the title, delete "1349.38 and 3345.331" and insert "3345.86 and 3345.87"

Delete line 3 of the title

In line 4 of the title, delete "and to prohibit" and insert "require"

Delete lines 5 and 6 of the title

In line 7 of the title, delete "plan or activity" and insert "to provide financial literacy education to students and adopt and adhere to policies regarding credit card marketing on campus"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeGeeter
Derickson	Dodd	Dolan	Driehaus
Dyer	Evans	Fende	Foley
Gardner	Garland	Garrison	Gerberry
Goodwin	Goyal	Grossman	Hackett
Hagan	Hall	Harris	Harwood
Heard	Hite	Hottinger	Huffman
Jones	Jordan	Koziura	Lehner
Letson	Luckie	Lundy	Maag
Mallory	Mandel	Martin	McClain
McGregor	Mecklenborg	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Weddington	Williams B.	Winburn	Yates
Yuko	Zehringer		Budish-95.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 70, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Bacon	Baker	Balderson	Belcher
Blessing	Bolon	Book	Boose
Boyd	Brown	Carney	Celeste
Chandler	DeGeeter	Dodd	Dolan
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goyal	Grossman	Hackett
Hagan	Harris	Harwood	Heard
Hite	Hottinger	Jones	Koziura
Lehner	Letson	Luckie	Lundy
Mallory	McClain	McGregor	Moran
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stewart
Sykes	Szollosi	Ujvagi	Wachtmann

Weddington Yuko	Williams B.	Winburn	Yates Budish-70.
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Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Batchelder
Blair	Bubp	Burke	Coley
Combs	Daniels	Derickson	Goodwin
Hall	Huffman	Jordan	Maag
Mandel	Martin	Mecklenborg	Morgan
Stautberg	Stebelton	Uecker	Wagner Zehringer-25.

The bill passed.

Representative Lundy moved to amend the title as follows:

Add the names: "Boyd, Chandler, Foley, Garrison, Hackett, Harwood, Heard, Mallory, Pillich, Sayre, Szollosi, Ujvagi, Winburn, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 48-Representative Ujvagi.

Cosponsors: Representatives Phillips, Murray, Pryor, Harris, Dodd, Lundy, Book, Letson, Fende, Yuko, Skindell, Goyal, Pillich, Williams, S.

To amend section 4117.10 and to enact sections 5906.01, 5906.02, 5906.03, and 5906.99 of the Revised Code to provide up to two weeks of leave for any employee who is the spouse, parent, or a person who has or had legal custody of a member of the uniformed services who is called to active duty or is injured, wounded, or hospitalized while serving on active duty, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 87, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Bacon	Baker	Balderson
Batchelder	Belcher	Blair	Blessing
Bolon	Book	Boose	Boyd
Brown	Bubp	Burke	Carney
Celeste	Chandler	Combs	Daniels
DeGeeter	Derickson	Dodd	Dolan
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goyal	Grossman	Hackett
Hagan	Hall	Harris	Harwood
Heard	Hite	Hottinger	Jones
Jordan	Koziura	Lehner	Letson
Luckie	Lundy	Maag	Mallory

Mandel	Martin	McClain	McGregor
Mecklenborg	Moran	Morgan	Murray
Newcomb	Oelslager	Okey	Otterman
Patten	Phillips	Pillich	Pryor
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Weddington	Williams B.	Winburn	Yates
Yuko	Zehringer		Budish-87.

Representatives Adams J., Amstutz, Coley, Goodwin, Huffman, Stebelton, Wachtmann, and Wagner voted in the negative-8.

The bill passed.

Representative Ujvagi moved to amend the title as follows:

Add the names: "Belcher, Boyd, Brown, Carney, Celeste, Chandler, Daniels, Driehaus, Dyer, Foley, Garland, Garrison, Hagan, Harwood, Heard, Koziura, Luckie, Mallory, Newcomb, Okey, Otterman, Patten, Sayre, Schneider, Stewart, Szollosi, Weddington, Williams, B., Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

Pursuant to House Rules 13, 28, 30, the Speaker hereby makes the following change to the standing committee on Consumer Affairs and Economic Protection:

Remove Representative Driehaus; appoint Representative Belcher.

Message from the Speaker

Pursuant to House Rules 13, 28, 30, the Speaker hereby makes the following change to the standing committee on State Government:

Remove Representative Sykes; appoint Representative Belcher.

On motion of Representative Szollosi, the House adjourned until Thursday, June 18, 2009 at 11:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.