

OHIO

House

of

Representatives

JOURNAL

THURSDAY, JUNE 18, 2009

FIFTY-SIXTH DAY

Hall of the House of Representatives, Columbus, Ohio
Thursday, June 18, 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 yesterday was read and approved.

INTRODUCTION OF BILLS

The following joint resolution was introduced:

H. J. R. No. 2-Representatives Sayre, Ruhl.

Proposing to enact Section 1 of Article XIV of the Constitution of the State of Ohio to create the Ohio Livestock Care Standards Board.

Said joint resolution was considered the first time.

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

Representative Combs submitted the following report:

The standing committee on Transportation and Infrastructure to which was referred **H. B. No. 38**-Representative Brown, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CREATE PRINCE HALL FREEMASON LICENSE PLATES

Representative Hagan moved to amend the title as follows:

Add the names: "Hagan, Carney, Foley, Yuko."

ROBERT F. HAGAN
LINDA S. BOLON
MIKE FOLEY
COURTNEY COMBS
JEFFREY MCCLAIN
JAMES ZEHRINGER

DALE MALLORY
JOHN PATRICK CARNEY
KENNY YUKO
TROY BALDERSON
JOSEPH W. UECKER

The report was agreed to.

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

Representative Daniels submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 156**-Representative Harris, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DESIGNATE APRIL 30 AS "DIA DE LOS NINOS" OR "CHILDREN'S DAY"

Representative Gerberry moved to amend the title as follows:

Add the names: "Gerberry, Mallory, Stewart, Daniels."

RON GERBERRY	MATT LUNDY
DALE MALLORY	ALLAN R. SAYRE
DAN STEWART	ROBIN BELCHER
BRIAN G. WILLIAMS	DAVID DANIELS
JOHN ADAMS	CHERYL GROSSMAN
DAVE HALL	CLIFF HITE
GERALD L. STEBELTON	

The report was agreed to.

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

Representative Daniels submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 168**-Representatives Murray, Ujvagi, et al., having had the same under consideration, reports it back and recommends its passage.

RE: WAR OF 1812 BICENTENNIAL COMMISSION

Representative Gerberry moved to amend the title as follows:

Add the names: "Gerberry, Mallory, Stewart, Williams, B.."

RON GERBERRY	MATT LUNDY
DALE MALLORY	ALLAN R. SAYRE
DAN STEWART	ROBIN BELCHER
BRIAN G. WILLIAMS	DAVID DANIELS
JOHN ADAMS	CHERYL GROSSMAN
DAVE HALL	CLIFF HITE
GERALD L. STEBELTON	

The report was agreed to.

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

Representative Daniels submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 176**-Representatives Stewart, McGregor, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PROHIBITS DISCRIMINATION ON BASIS OF SEXUAL ORIENTATION OR GENDER IDENTITY AND EXPRESSION

Representative Gerberry moved to amend the title as follows:

Add the names: "Gerberry, Lundy."

RON GERBERRY
DALE MALLORY
DAN STEWART
BRIAN G. WILLIAMS

MATT LUNDY
ALLAN R. SAYRE
ROBIN BELCHER
CLIFF HITE

The following members voted "NO"

DAVID DANIELS
CHERYL GROSSMAN
GERALD L. STEBELTON

JOHN ADAMS
DAVE HALL

The report was agreed to.

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

Representative Sears submitted the following report:

The standing committee on HealthCare Access and Affordability to which was referred **H. B. No. 190**-Representative Fende, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MODIFY LICENSING - DENTIST/DENTAL HYGIENIST

Representative Fende moved to amend the title as follows:

Add the names: "Williams, B., Hackett, Lehner, Patten, Harris."

LORRAINE M. FENDE
BARBARA R. SEARS
DAVE BURKE
MARIAN HARRIS
MIKE MORAN
MATT PATTEN
BRIAN G. WILLIAMS

NANCY GARLAND
LINDA S. BOLON
ROBERT HACKETT
PEGGY LEHNER
ROSS MCGREGOR
TODD SNITCHLER

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. 218 - Representative Winburn

TO MODIFY THE TAX VALUATION OF PUBLIC UTILITY TANGIBLE PERSONAL PROPERTY USED TO GENERATE ELECTRICITY FROM RENEWABLE RESOURCES.

To the committee on Ways and Means

H.B. No. 219 - Representative Dyer, et al

TO DESIGNATE A PORTION OF INTERSTATE ROUTE 77 WITHIN SUMMIT COUNTY AS THE "STAFF SGT. MATTHEW J. KUGLICS MEMORIAL HIGHWAY."

To the committee on Transportation and Infrastructure

H.B. No. 220 - Representative Chandler, et al

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.

To the committee on Local Government/Public Administration

H.B. No. 221 - Representative Dyer, et al

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.

To the committee on State Government

H.B. No. 222 - Representative Dyer, et al

TO DESIGNATE THE PORTAGE LAKES AREA IN SUMMIT COUNTY THE PURPLE MARTIN CAPITAL OF OHIO.

To the committee on State Government

H.B. No. 223 - Representatives Letson and Coley, et al

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.

To the committee on Local Government/Public Administration

H.B. No. 224 - Representatives Snitchler and Jordan, et al

TO AUTHORIZE A NONREFUNDABLE TAX CREDIT FOR HIRING AND EMPLOYING PREVIOUSLY UNEMPLOYED INDIVIDUALS.

To the committee on Ways and Means

H.B. No. 225 - Representative Yates

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.

To the committee on Criminal Justice

H.B. No. 226 - Representatives Heard and Letson, et al

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.

To the committee on Civil and Commercial Law

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

Representative Stewart 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. 25 - Representatives Jordan and Snitchler, J. Adams, R. Adams, Amstutz, Batchelder, Blair, Bulp, Combs, Evans, Grossman, Hackett, Hall, Huffman, Jones, Maag, Martin, Morgan, Oelslager, Stautberg, Uecker, Wachtmann, Wagner, Zehringer

TO URGE THE CONGRESS OF THE UNITED STATES TO REFUSE TO ENACT CAP AND TRADE LEGISLATION THAT WOULD

NEGATIVELY IMPACT AMERICANS BY INCREASING THE COSTS OF GOODS AND SERVICES AND INSTEAD ENACT LEGISLATION THAT ENCOURAGES STATES TO ESTABLISH AND DEVELOP THEIR OWN RENEWABLE ENERGY PORTFOLIO STANDARDS.

To the committee on Public Utilities

/s/ TODD BOOK
Todd Book, Chair

Representative Stewart 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. 97 - Representative Harris

Honoring the Edison Academy ColdConquerors as the 2009 National eCYBERMISSION Champions.

H.R. No. 98 - Representative Gerberry

Honoring Richard J. Billak on receiving the 2009 Arthur McDonald Leadership and Service Award.

H.R. No. 99 - Representative Goodwin

Honoring the Defiance High School Boys 4x800-meter relay team as the 2009 Division II State Champion.

H.R. No. 100 - Representative Harris

Honoring Peter Kobelt as the 2009 Division I State Singles Tennis Champion.

H.R. No. 101 - Representatives Garland, Harris

Honoring the New Albany High School girls lacrosse team as the 2009 Division II State Champion.

H.R. No. 102 - Representative Wachtmann

Honoring the Halker's Gold Level 5 gymnastics team as the 2009 State Champion.

H.R. No. 103 - Representatives Combs, Derickson

Honoring the Ross High School softball team on winning the 2009 Division II State Championship.

H.R. No. 104 - Representative Weddington

Honoring Taylor Wynne as a 2009 winner of the MLK Statewide Oratorical Contest.

H.R. No. 105 – Representatives Sayre, Okey

Honoring the Indian Valley High School baseball team as the 2009 Division III State Champion.

H.R. No. 106 – Representative Bacon

Honoring the Worthington Kilbourne High School boys lacrosse team as the 2009 Division I State Champion.

/s/ TODD BOOK

Todd Book, Chair

Representative Stewart 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 Stewart 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.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Sub. S. B. No. 79 -Senator Stewart - et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

S. B. No. 93 -Senator Buehrer

Cosponsors: Senators Coughlin, Faber, Miller, R., Morano, Patton, Schaffer, Schuring, Seitz, Wagoner, Fedor, Turner, Hughes, Stewart, Carey, Gibbs, Gillmor, Grendell, Harris, Kearney, Niehaus, Sawyer, Strahorn, Wilson

To enact sections 149.32 and 149.321 of the Revised Code to establish the War of 1812 Bicentennial Commission, to prescribe the Commission's powers and duties, and to repeal sections 149.32 and 149.321 of the Revised Code on December 31, 2015, to terminate the commission on that date.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 15 -Representative Sykes

Cosponsors: Representatives Dodd, Bolon, Boyd, DeBose, Domenick, Dyer, Foley, Harris, Koziura, Letson, Luckie, Mallory, Moran, Stewart, Szollosi, Ujvagi, Weddington, Williams, B., Williams, S., Yates, Yuko Senators Buehrer, Faber, Gibbs, Grendell, Niehaus, Harris

To amend sections 121.52, 4121.12, 4121.125, 4121.62, 4121.70, 4121.75, 4123.29, 4123.34, 4123.35, and 4123.82 of the Revised Code and to amend Section 512.45 of Am. Sub. H.B. 100 of the 127th General Assembly to create the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission Fund; to create the Competitive Workers' Compensation Task Force; to make other changes to the Workers' Compensation Law; to make appropriations for the Bureau of Workers' Compensation and for the Workers' Compensation Council for the biennium beginning July 1, 2009, and ending June 30, 2011; and to provide authorization and conditions for the operation of the Bureau's and the Council's programs.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

On motion of Representative Stewart, the House adjourned until Tuesday,
June 23, 2009 at 11:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.