

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, OCTOBER 14, 2009

NINETY-THIRD DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, October 14, 2009, 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 Williams, B. 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. 312-Representative Morgan.

Cosponsors: Representatives Combs, Grossman, Huffman, Lehner, Martin, McGregor, Uecker.

To amend sections 3314.013, 3314.014, 3314.016, 3314.02, 3314.021, 3314.03, 3314.05, 3319.22, 3319.223, and 3319.61 and to enact section 3319.227 of the Revised Code to allow new Internet- or computer-based community schools to open under certain conditions, to require the use of student performance data in evaluating teachers and principals for licensure, and to qualify Teach for America participants for a professional educator license.

H. B. No. 313-Representatives Ujvagi, Winburn.

Cosponsors: Representatives Domenick, Patten, Murray, Hagan, Driehaus, Williams, B., Foley, Skindell, Williams, S., Letson, Stewart, Lehner.

To amend sections 323.78, 1724.03, 1724.04, and 5722.22 of the Revised Code to authorize a county with a population greater than 100,000, or a population between 78,000 and 81,000, to organize a county land reutilization corporation, to authorize a county treasurer of a county with such a corporation to utilize the alternative redemption period in actions to foreclose abandoned lands, and to immunize a county land reutilization corporation from liability for breach of a common law duty in connection with a parcel of land.

H. B. No. 314-Representative Ujvagi.

Cosponsors: Representatives Harris, Yuko, Letson.

To amend sections 2105.35 and 2108.40 of the Revised Code to authorize registered nurses to determine and pronounce death.

Said bills were considered the first time.

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

Representative Blair submitted the following report:

The standing committee on Local Government/Public Administration to which was referred **H. B. No. 7**-Representatives Harris, Pillich, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: NEW PUBLIC BUILDINGS ADHERE TO SUSTAINABILITY STANDARDS

KATHLEEN CHANDLER
JOHN DOMENICK
STEPHEN SLESNICK

W. CARLTON WEDDINGTON
CLAYTON LUCKIE
KENNY YUKO

The following members voted "NO"

TERRY BLAIR
TERRY BOOSE
MARGARET RUHL

NAN BAKER
TIMOTHY DERICKSON

The report was agreed to.

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

Representative Blair submitted the following report:

The standing committee on Local Government/Public Administration to which was referred **H. B. No. 175**-Representative Gerberry, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: HUMANE SOCIETY AGENT RECORD PROOF OF TRAINING

KATHLEEN CHANDLER
TERRY BLAIR
TERRY BOOSE
JOHN DOMENICK
MARGARET RUHL
KENNY YUKO

W. CARLTON WEDDINGTON
NAN BAKER
TIMOTHY DERICKSON
CLAYTON LUCKIE
STEPHEN SLESNICK

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 and House Joint Resolution be considered for the second time and referred to the following committees for consideration.

H.B. No. 294 - Representative Bacon, et al

TO AUTHORIZE COMMUNITY SERVICE OR, IN CERTAIN CIRCUMSTANCES, A DRIVER'S LICENSE SUSPENSION AS AN ADDITIONAL PENALTY FOR SELLING OR FURNISHING BEER OR LIQUOR TO, OR BUYING BEER OR LIQUOR FOR, AN UNDERAGE PERSON.

To the committee on Criminal Justice

H.B. No. 295 - Representative S. Williams

TO REQUIRE MOTOR VEHICLE INSURANCE POLICIES TO COVER LOOSE ITEMS INSIDE THE VEHICLE THAT ARE DAMAGED OR STOLEN.

To the committee on Insurance

H.B. No. 296 - Representative S. Williams

TO REQUIRE CONTRACTORS FOR CERTAIN MUNICIPALLY-ADMINISTERED CONSTRUCTION PROJECTS AND FOR CERTAIN STATE-ASSISTED CLASSROOM FACILITIES PROJECTS TO COMPLY WITH CERTAIN MUNICIPAL ORDINANCES REGARDING THE USE OF LOCAL RESIDENTS AND BUSINESSES TO PERFORM THE WORK.

To the committee on State Government

H.B. No. 297 - Representative S. Williams

TO REQUIRE CONTRACTORS FOR CERTAIN MUNICIPALLY-ADMINISTERED CONSTRUCTION PROJECTS AND FOR CERTAIN STATE-ASSISTED CLASSROOM FACILITIES PROJECTS TO COMPLY WITH CERTAIN MUNICIPAL ORDINANCES REGARDING THE USE OF LOCAL RESIDENTS AND BUSINESSES TO PERFORM THE WORK.

To the committee State Government

H.B. No. 298 - Representative Weddington, et al

TO CREATE THE SPECIAL TASK FORCE ON NON-GENERAL REVENUE FUNDS.

To the committee on Finance and Appropriations

H.B. No. 299 - Representative Weddington, et al

TO REQUIRE PUBLIC DEPOSITORIES TO SUBMIT ANNUAL REPORTS OF MINORITY BUSINESS LOANS AND INVESTMENTS.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 300 - Representatives Dyer and Hottinger, et al

TO MAKE CHANGES TO THE LAW GOVERNING THE LICENSURE AND REGULATION OF INSURANCE AGENTS AND CERTAIN INSURANCE-RELATED TAXES.

To the committee on Insurance

H.B. No. 301 - Representative Foley, et al

TO REPLACE THE CURRENT ADVANCED ENERGY FUND REVENUE

RIDER ON RETAIL ELECTRIC DISTRIBUTION SERVICE RATES WITH A NEW RIDER THAT WILL TERMINATE ON JANUARY 1, 2025 AND TO PERMIT AEROSPACE INSTITUTES TO RECEIVE ADVANCED ENERGY FUND MONEY FOR ADVANCED ENERGY PROJECTS AND ECONOMIC DEVELOPMENT.

To the committee on Alternative Energy

H.B. No. 302 - Representative Martin, Wachtmann

TO PROHIBIT SPENDING AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS ON SIGNS THAT IDENTIFY THE SOURCE OF SPECIFIC PROJECT FUNDING.

To the committee on State Government

H.B. No. 303 - Representative Dyer, et al

TO AUTHORIZE THE ATTORNEY GENERAL TO DISSOLVE A MAYOR'S COURT THAT IS OPERATING IN VIOLATION OF STATUTORY POPULATION, TRAINING, OR REGISTRATION REQUIREMENTS.

To the committee on Judiciary

H.B. No. 304 - Representative Burke, et al

TO PROHIBIT THE USE OF A TRACKING DEVICE TO DETERMINE THE LOCATION OR MOVEMENT OF A PERSON WITHOUT THE PERSON'S CONSENT SUBJECT TO SPECIFIED EXCEPTIONS, TO PROVIDE FOR THE ISSUANCE OF A SEARCH WARRANT TO A LAW ENFORCEMENT OFFICER OR PROSECUTOR AUTHORIZING THE INSTALLATION, USE, AND REMOVAL OF A TRACKING DEVICE SUBJECT TO SPECIFIED CONDITIONS, AND TO PROVIDE FOR THE INSTALLATION AND USE OF A TRACKING DEVICE BY AN INVESTIGATIVE OFFICER OR LAW ENFORCEMENT OFFICER WITHOUT A SEARCH WARRANT IN SPECIFIED EMERGENCY SITUATIONS AND SUBJECT TO SPECIFIED CONDITIONS.

To the committee on Criminal Justice

H.B. No. 305 - Representative Newcomb, et al

TO REQUIRE THE DEPARTMENT OF EDUCATION TO WAIVE FEES FOR CERTAIN OHIO RESIDENTS TAKING THE GED TEST.

To the committee on Education

H.B. No. 306 - Representative Dolan, et al

TO REQUIRE COURTS TO ESTABLISH AND OPERATE PROGRAMS OF MANDATORY FORECLOSURE MEDIATION IN NON-TAX FORECLOSURE ACTIONS ON OCCUPIED RESIDENTIAL PROPERTIES, TO REQUIRE COURTS TO ADOPT RULES TO ESTABLISH FILING FEES TO COVER THE COSTS OF THE MEDIATION, TO SET MINIMAL QUALIFICATIONS THAT THE COURT MUST ADOPT BY RULE FOR THE MEDIATORS IT APPOINTS, AND TO ESTABLISH PROCEDURES FOR THE OPERATION OF FORECLOSURE MEDIATION PROGRAMS.

To the committee on Housing and Urban Revitalization

H.B. No. 307 - Representative Batchelder

TO DESIGNATE A PORTION OF STATE ROUTE 18 LOCATED WITHIN MEDINA COUNTY ONLY AS THE "SGT. MICHAEL W. FINKE, JR., MEMORIAL HIGHWAY."

To the committee on Transportation and Infrastructure

H.B. No. 308 - Representatives Foley and Hagan, et al

TO INCREASE THE MARGINAL INCOME TAX RATE APPLICABLE TO INDIVIDUALS, ESTATES, AND TRUSTS WITH TAXABLE INCOME GREATER THAN \$200,000.

To the committee on Ways and Means

H.B. No. 309 - Representative Batchelder, et al

TO LENGTHEN THE PERIOD FOR WHICH CERTAIN STRUCTURES IN A COMMUNITY REINVESTMENT AREA MAY BE EXEMPTED FROM PROPERTY TAXATION.

To the committee on Ways and Means

H.B. No. 310 - Representatives Garland and Driehaus, et al

TO REQUIRE HEALTH INSURERS TO PROVIDE COVERAGE FOR PROSTHESES.

To the committee on Health

H.B. No. 311 - Representatives McGregor and Balderson, et al

TO REQUIRE A RULE-MAKING AGENCY TO PREPARE COST-BENEFIT AND REGULATORY FLEXIBILITY REPORTS FOR RULES THAT MAY HAVE ANY ADVERSE IMPACT ON SMALL BUSINESSES AND SUBMIT THEM TO THE NEW OHIO SMALL BUSINESS OMBUDSPERSON IN THE OFFICE OF SMALL BUSINESS, TO CREATE THE SMALL BUSINESS REGULATORY REVIEW BOARD TO REVIEW OBJECTIONS TO THOSE RULES AND MAKE RECOMMENDATIONS TO THE JOINT COMMITTEE ON AGENCY RULE REVIEW REGARDING THE RULES, AND TO REQUIRE THE OMBUDSPERSON ANNUALLY TO SUBMIT A RULE IMPACT REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY.

To the committee on State Government

H.J.R. No. 4 - Representative Murray, et al

PROPOSING TO AMEND SECTION 6 AND TO ENACT SECTION 6A OF ARTICLE XV OF THE CONSTITUTION OF THE STATE OF OHIO TO AUTHORIZE THE CONDUCT OF CASINO GAMING AT FACILITIES IN SPECIFIED LOCATIONS IN THIS STATE IF APPROVED BY THE ELECTORS OF A COUNTY OR MUNICIPAL CORPORATION AND IN ACCORDANCE WITH LAWS ENACTED TO REGULATE AND RESTRICT THESE FACILITIES.

To the committee on State Government

T. TODD BOOK
MATT LUNDY
KRIS JORDAN

JOSEPH KOZIURA
LOUIS W. BLESSING

Representative Lundy 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 the House Bills and House Joint Resolution 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 House Joint Resolution 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. 159 - Representative R. Adams

Honoring Phil Nagle as a Guinness World Record holder.

Add the name: Book

/s/ TODD BOOK
Todd Book, Chair

Representative Lundy 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.

Representative Blessing reported for the Rules and Reference Committee recommending that the following House Resolution be read and approved:

H.R. No. 158 - Representative Jordan, Speaker Budish, Representatives Batchelder, Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Boyd, Brown, Bulp, Burke, Carney, Celeste, Chandler, Coley, Combs, Daniels, DeBose, DeGeeter, Derickson, Dodd, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, Hall, Harris, Harwood, Heard, Hite, Hottinger, Huffman, Koziura, Lehner, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Mecklenborg, Moran, Morgan, Murray, Newcomb, Oelslager, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Ruhl, Sayre, Schneider, Sears, Skindell, Slesnick, Snitchler,

Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Ujvagi, Wachtmann, Wagner, Weddington, Williams, B., Williams, S., Winburn, Yates, Yuko, Zehringer

In Memory of Private First Class Zachary Taylor Myers.

/s/ TODD BOOK
Todd Book, Chair

Representative Lundy 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.

Representative Blessing reported for the Rules and Reference Committee recommending that the following House Resolution be read and approved:

H.R. No. 157 - Representative Pillich, Speaker Budish, Representatives Batchelder, Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Boyd, Brown, Bubp, Burke, Carney, Celeste, Chandler, Coley, Combs, Daniels, DeBose, DeGeeter, Derickson, Dodd, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, Hall, Harris, Harwood, Heard, Hite, Hottinger, Huffman, Jordan, Koziura, Lehner, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Mecklenborg, Moran, Morgan, Murray, Newcomb, Oelslager, Okey, Otterman, Patten, Phillips, Pryor, Ruhl, Sayre, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Ujvagi, Wachtmann, Wagner, Weddington, Williams, B., Williams, S., Winburn, Yates, Yuko, Zehringer

In memory of the late Rob Stoneberger.

/s/ TODD BOOK
Todd Book, Chair

Representative Lundy 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.

On motion of Representative Lundy, the House adjourned until Friday, October 16, 2009 at 10:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.