

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**THURSDAY, NOVEMBER 12, 2009**

ONE HUNDRED FIFTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Thursday, November 12, 2009, 9:00 o'clock a.m.**

The House met pursuant to adjournment.

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

Representative Sayre 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. 365**-Representative Chandler.

Cosponsors: Representatives Hagan, Foley, Oelslager, Williams, B., Yuko, Domenick, Phillips, Skindell, Okey, Harris, Letson, Pryor, Stewart, Fende, Harwood.

To amend sections 4117.01 and 4117.03 of the Revised Code to eliminate an exemption from the Public Employees' Collective Bargaining Law for specified educational employees.

**H. B. No. 366**-Representative Gardner.

Cosponsors: Representatives Burke, Morgan, Lehner, Ruhl, Boose, Adams, J., Blessing, Derickson, McGregor, Hottinger, Blair, Uecker, Huffman, Evans, Hackett, Zehringer, Wachtmann, Adams, R., Combs, Bacon, Amstutz, Sears, Maag, Mecklenborg, Wagner, Martin.

To amend sections 3306.25 and 3321.05 of the Revised Code to allow school district boards to exempt their districts from certain spending rules and the requirement to provide all-day kindergarten and to direct the duties of the Ohio School Funding Advisory Council.

Said bills were considered the first time.

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

Representative Daniels submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 187**-Representative Huffman, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REQUIRE BUREAU OF MOTOR VEHICLES TO ACCEPT  
CREDIT AND DEBIT CARDS

Representative Gerberry moved to amend the title as follows:

Add the names: "Gerberry, Lundy, Williams, B., Adams, J., Hall."

RON GERBERRY	MATT LUNDY
DALE MALLORY	ALLAN R. SAYRE
DAN STEWART	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 Blessing reported for the Rules and Reference Committee recommending that the following House Bills, House Joint Resolution, and Senate Bill be considered for the second time and referred to the following committees for consideration.

**H.B. No. 331 - Representative Hagan, et al**

TO REQUIRE APPLICANTS FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM, MEDICAID, OHIO WORKS FIRST, AND SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM TO PROVIDE INFORMATION ABOUT THEIR EMPLOYERS AND TO REQUIRE QUARTERLY REPORTS IDENTIFYING THE EMPLOYERS.

To the committee on State Government

**H.B. No. 332 - Representative Stewart, et al**

TO PROHIBIT SICKNESS AND ACCIDENT INSURANCE POLICIES, PUBLIC EMPLOYEE BENEFIT PLANS, AND HEALTH INSURING CORPORATION POLICIES, CONTRACTS, AND AGREEMENTS FROM LIMITING OR EXCLUDING COVERAGE FOR PRESCRIPTION CONTRACEPTIVE DRUGS AND DEVICES AND OUTPATIENT SERVICES RELATED TO THE PROVISION OF SUCH DRUGS AND DEVICES.

To the committee on Healthcare Access and Affordability

**H.B. No. 336 - Representative Garrison, et al**

TO PROHIBIT AN ELECTED OFFICER OF A POLITICAL SUBDIVISION OR A CANDIDATE FOR AN ELECTIVE OFFICE OF A POLITICAL SUBDIVISION FROM ACCEPTING CONTRIBUTIONS FROM AN EMPLOYEE OF THAT POLITICAL SUBDIVISION WHO IS OR WHO WOULD BE SUPERVISED, DIRECTLY OR INDIRECTLY, BY THE PUBLIC OFFICER OR CANDIDATE.

To the committee on Elections and Ethics

**H.B. No. 337 - Representatives Baker and Boose, et al**

TO REQUIRE THE DEPARTMENT OF DEVELOPMENT ANNUALLY TO COMPILE A REPORT OF COMPANIES THAT RELOCATED OUT OF

THIS STATE AND TO ATTEMPT TO DETERMINE THE MOTIVATION BEHIND THE RELOCATIONS.

To the committee on Economic Development

**H.B. No. 338 - Representatives Book and Uecker, et al**

TO ALLOW, IN CERTAIN CIRCUMSTANCES, ALL ISSUES CONCERNING A PERSON'S DRIVER'S LICENSE TO BE LITIGATED IN A SINGLE COURT.

To the committee on Civil and Commercial Law

**H.B. No. 339 - Representative Yates**

TO LIMIT A MEMBER OF THE OHIO PAROLE BOARD WHO IS NOT A VICTIM REPRESENTATIVE TO TWO SIX-YEAR TERMS.

To the committee on State Government

**H.B. No. 340 - Representative Yates**

TO SPECIFY THAT DISCRIMINATION BY AN EMPLOYER AGAINST ANY PERSON BECAUSE OF THE PERSON'S CREDIT HISTORY IS AN UNLAWFUL DISCRIMINATORY PRACTICE UNDER THE OHIO CIVIL RIGHTS LAW.

To the committee on Civil and Commercial Law

**H.B. No. 341 - Representative Yates**

TO CREATE THE LIVESTOCK CARE STANDARDS BOARD AND TO REQUIRE THE BOARD TO ADOPT RULES THAT ESTABLISH STANDARDS OF CARE FOR LIVESTOCK AND POULTRY, INCLUDING RULES THAT PROHIBIT SPECIFIED PRACTICES.

To the committee on Agriculture and Natural Resources

**H.B. No. 342 - Representative Yates**

TO LIMIT OVERDRAFT FEES CHARGEABLE BY FINANCIAL INSTITUTIONS AND TO ESTABLISH CERTAIN REQUIREMENTS FOR OVERDRAFT PROTECTION SERVICES.

To the committee on Financial Institutions, Real Estate and Securities

**H.B. No. 343 - Representative Schneider**

TO REQUIRE THE DIRECTOR OF ADMINISTRATIVE SERVICES TO CONDUCT A STUDY OF POTENTIAL OPERATING EFFICIENCIES IN STATE GOVERNMENT.

To the committee on State Government

**H.B. No. 344 - Representatives Goyal and Harris, et al**

TO LIMIT RECOVERY OF RATE-CASE EXPENSES FOR CERTAIN WATER-WORKS AND SEWAGE DISPOSAL SYSTEM COMPANIES.

To the committee on Public Utilities

**H.B. No. 345 - Representative Hagan, et al**

TO ALLOW POLITICAL SUBDIVISIONS TO MAKE INTERNET WEB SITE PUBLICATIONS IN LIEU OF NEWSPAPER OF GENERAL CIRCULATION PUBLICATION REQUIREMENTS IF THE POLITICAL SUBDIVISION DONATES ALL FUNDS THAT WOULD OTHERWISE BE

USED TO PROVIDE NEWSPAPER NOTICES TO A LOCAL FOOD BANK OR FOOD DRIVE FOR CHARITABLE PURPOSES.

To the committee on Local Government and Public Administration

**H.B. No. 346 - Representatives Boose and Hall, et al**

TO REQUIRE THE DEPARTMENT OF JOB AND FAMILY SERVICES TO SUBMIT ANNUALLY TO THE LEADERS OF THE GENERAL ASSEMBLY A COPY OF THE REPORT SUBMITTED TO THE UNITED STATES DEPARTMENT OF LABOR PURSUANT TO THE FEDERAL WORKFORCE INVESTMENT ACT.

To the committee on Economic Development

**H.B. No. 347 - Representative Grossman, Celeste**

TO PROHIBIT DISQUALIFICATION OF CERTAIN STUDENTS FROM INTERSCHOLASTIC ATHLETICS IF A STUDENT'S RESIDENT SCHOOL DISTRICT CEASES, THEN RESUMES, ITS INTERSCHOLASTIC ATHLETICS PROGRAM.

To the committee on Education

**H.B. No. 348 - Representatives Goyal and S. Williams, et al**

TO INCREASE THE ANNUAL AND AGGREGATE LIMIT ON THE AMOUNT OF TAX CREDITS THE OHIO VENTURE CAPITAL AUTHORITY MAY AUTHORIZE.

To the committee on Economic Development

**H.B. No. 349 - Representatives Weddington and Maag, et al**

TO REVISE THE MEMBERSHIP, STAFFING, AND DUTIES OF THE OHIO COMMISSION ON FATHERHOOD.

To the committee on State Government

**H.B. No. 350 - Representative Ujvagi, et al**

TO MODIFY THE MEMBERSHIP OF THE VETERANS ADVISORY COMMITTEE.

To the committee on Veterans Affairs

**H.B. No. 351 - Representative Bolon, et al**

REGARDING THE CRIMINAL LIABILITY OF AN OWNER OR OCCUPANT OF ANY PUBLIC OR PRIVATE PLACE WHO ALLOWS A PERSON UNDER AGE 21 TO REMAIN IN OR ON THE PLACE WHILE POSSESSING OR CONSUMING BEER OR INTOXICATING LIQUOR.

To the committee on Criminal Justice

**H.B. No. 352 - Representative Bolon, et al**

TO REQUIRE CERTAIN PUBLIC WATER SYSTEMS TO CONDUCT EVALUATIONS OF THEIR OPERATING PROCESSES AND CORRECT DEFICIENCIES IN THOSE PROCESSES AND TO ADD PROHIBITIONS AND PENALTIES TO THE SAFE DRINKING WATER LAW.

To the committee on Local Government and Public Administration

**H.B. No. 353 - Representatives Huffman and Letson, et al**

TO AUTHORIZE SCHOOL DISTRICTS TO SELL COMMERCIAL

ADVERTISING SPACE ON SCHOOL BUSES.

To the committee on Education

**H.B. No. 363 - Representatives Okey and Newcomb, et al**

TO REVISE THE CONCENTRATED ANIMAL FEEDING FACILITIES LAW, TO SPECIFY THAT CERTAIN PROVISIONS AMENDED BY THIS ACT DO NOT BECOME OPERATIVE UNTIL THE ADMINISTRATOR OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY APPROVES THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM SUBMITTED BY THE DIRECTOR OF AGRICULTURE, AND TO DECLARE AN EMERGENCY.

To the committee on Agriculture and Natural Resources

**H.J.R. No. 6 - Representative Evans**

PROPOSING TO AMEND SECTION 6 OF ARTICLE XV OF THE CONSTITUTION OF THE STATE OF OHIO TO REQUIRE THE GENERAL ASSEMBLY TO ALLOW CASINO FACILITIES AT LOCATIONS THAT THE GENERAL ASSEMBLY DESIGNATES, TO REQUIRE THAT LICENSES FOR THESE CASINO FACILITIES BE AWARDED BY COMPETITIVE BIDDING BY THE STATE LOTTERY COMMISSION, TO GENERALLY REQUIRE VOTER APPROVAL OF THE OPERATION OF A CASINO FACILITY IN THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE CASINO FACILITY IS LOCATED, TO REQUIRE THAT A TAX OF SIXTY PER CENT BE LEVIED AND COLLECTED BY THE STATE ON ALL GROSS CASINO REVENUE RECEIVED BY EACH CASINO FACILITY OPERATOR, AND TO REQUIRE THAT ONE-HALF OF THE PROCEEDS OF THIS TAX BE USED SOLELY FOR THE SUPPORT OF ELEMENTARY, SECONDARY, VOCATIONAL, AND SPECIAL EDUCATION PROGRAMS AS DETERMINED IN APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY AND ONE-HALF OF THE PROCEEDS BE USED SOLELY FOR ASSISTANCE TO STUDENTS AT CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

To the committee on State Government

**S.B. No. 124 - Senators Faber and Schiavoni, et al**

TO CHANGE THE TRANSFER ON DEATH (TOD) DESIGNATION INSTRUMENT FROM A DEED TO AN AFFIDAVIT, TO ALLOW REAL PROPERTY OWNERS HOLDING TITLE IN SURVIVORSHIP TENANCY TO EXECUTE SUCH AN AFFIDAVIT, TO CLARIFY THE STATUS OF A TRUSTEE OF A TRUST AS A TOD BENEFICIARY AND THE DOWER RIGHTS OF THE SPOUSE OF THE PROPERTY OWNER, AND TO MAKE OTHER CHANGES PERTAINING TO THE TRANSFER ON DEATH OF REAL PROPERTY.

To the committee on Civil and Commercial Law

T. TODD BOOK  
TIMOTHY J. DEGEETER

JOSEPH KOZIURA  
MATT LUNDY

LOUIS W. BLESSING

WILLIAM G. BATCHELDER

Representative Snitchler 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 House Bills, House Joint Resolution, and Senate Bill 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, House Joint Resolution, and Senate Bill 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. 32 - Representative Hagan, Skindell, Yates, Foley, Letson, Koziura, Chandler, Yuko, Mallory**  
TO REQUEST THAT ALL THE MEMBERS OF THE 128TH GENERAL ASSEMBLY OF THE STATE OF OHIO SUPPORT THE PUBLIC OPTION AS PART OF NATIONAL HEALTH CARE REFORM.  
To the committee on Healthcare Access and Affordability

/s/ TODD BOOK  
Todd Book, Chair

Representative Snitchler 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.

On motion of Representative Snitchler, the House adjourned until Tuesday, November 17, 2009 at 9:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Deputy Clerk.