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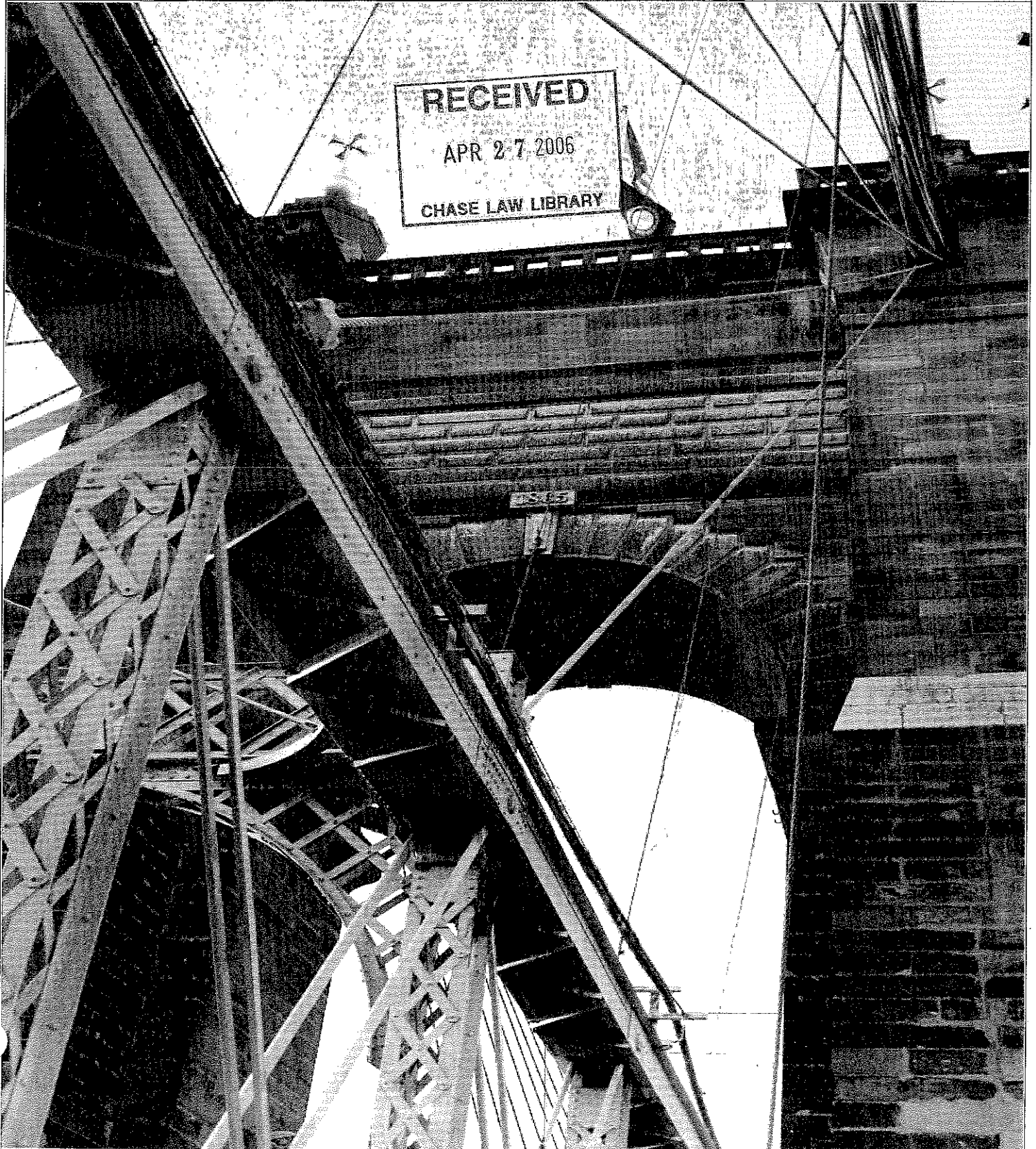
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2006

Northern Kentucky Bar Association

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by Thomas E. Heard, Associate Director  
Chase College of Law Library

### Researching Ohio State Legislative History

Legal researchers can easily become depressed when comparing the wealth of federal legislative history to the dearth of such materials available to them when analyzing state legislative actions. The situation in Ohio is better for legislative research than many other states.

Legislative history is used by the courts of Ohio to clarify ambiguous provisions of a law and to provide an idea of the impact and costs that the legislature envisioned when it passed the act. This article will review the sources and availability of Ohio legislative history resources.

### Review Code history sections

Because the Ohio Revised Code contains laws of permanent value organized into a subject arrangement it is an excellent place to start researching. At the conclusion of each code section is a history section, which will cite the Ohio law that created the provision, as well as citations to any subsequent amendments. History for each provision is listed in chronological order in Page's, but in Banks-Baldwin's pre-1953 code the acts are listed in reverse chronological order.

The Chase Law Library contains print versions of both Pages' and Bank-Baldwin's Ohio Revised codes. A microform version of Page's Ohio Revised Code covers 1953 up to the present. A free version of the current codes, including history sections is available from the website of Anderson Publishing. The code is current through September 2005 and is located at: <http://onlinedocs.andersonpublishing.com>. Both LEXIS Westlaw contain older version of the Ohio Revised Code dating back to the mid-1990's.

### Laws of Ohio

Armed with a citation to the applicable session laws a researcher now needs access to Laws of Ohio. Laws of Ohio is the official publication containing all legislative enactments of the General assembly. It is published at the conclusion of each Biennium. Since it contains all legislative enactments, it includes acts, which were later vetoed by the Governor, and those judged to be too private or impermanent to be codified. In the event of any conflict in wording in subsequent documents or codes, the enacted law as filed with Secretary of State and published in Laws of Ohio is controlling.

The Chase Law Library maintains a complete set of Laws of Ohio from 1790 to the present in print. A microfiche copy covers the period from 1788 - 1959. Laws from 1997 onward are available from the Ohio Legislature's website at: <http://www.legislature.state.oh.us/acts.cfm>. Coverage on LEXIS and Westlaw ends at the beginning of 1996.

### House and Senate Journals

Legislative Journals reflect the actions taken during the legislative day. They do not reprint bills or record the substance of floor debates, but they do record the texts of amendments recommended in committee and amendments offered on the floor. Journals also include records of votes on the floor and in committee. Chase has House journals from 1852 - 1968, and the Senate Journals from 1848-1968. Journals are available from the Ohio General Assembly's web site from 2003 to the present for the House and January 2005 to the present for the Senate. The online versions are available at: <http://www.legislature.state.oh.us/journals.cfm>. Only the print versions are considered official.

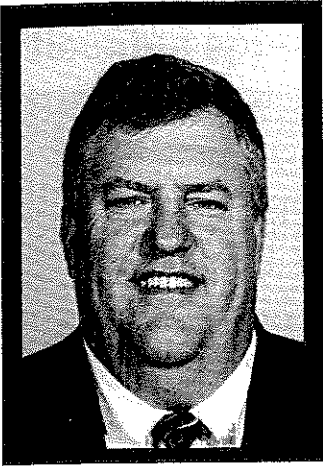
### Bill Analysis and Fiscal Notes

The Legislative Service Commission prepares a detailed narrative description of each bill that is scheduled for a hearing in committee. The analysis is updated at every step of the legislative process. The analysis includes a brief statement summarizing the bill, a description of the bill's content, and intended operation, as well as a description of the bill's legislative history. The LSC staff prepares a final analysis of the act as passed by the General Assembly; therefore, it will not reflect the Governor's decision to either sign, veto, or let the act become law without the Governor's signature. Bill analyses are available from the LSC's web site from 1997 to the present. They are located at: <http://www.lsc.state.oh.us/analyses.html>.

Fiscal notes are the Legislative Budget office's attempt to estimate the effects of proposed legislation on Ohio

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## Report



by Thomas L. Rouse, Esq.  
Wallace, Rouse, Boggs, Colvin & Bushelman

As this is written I have been a member of the KBA Board of Governors for roughly 6 months. I thought the NKBA members might find my thoughts on this service interesting, so I penned this short report.

I have attended three Board meetings so far: July, September and November. In addition, I attended two Ethics Committee meetings, the KY Law Update and still serve as a ethics hotline member. President David Sloan is in the process of replacing me on the hotline since I now serve on the Board. I am sure he will find an excellent replacement.

Most of the time and consternation I have encountered so far as a Governor involves the disciplinary docket. At least half of each Board meeting I participated in was taken up with discipline issues. Governors serve as 'jurors' in these matters, hearing argument, reading briefs, debating guilt and innocence and recommending the appropriate punishment or sanction. The Supreme Court receives and considers the Board's recommendations and makes the final decision in every case. Most frustrating are the 'default' cases where the accused attorney does not respond to the charges, does not file a brief and does not participate in the process. My observation is that most members of the Board are sympathetic to the plight of Kentucky attorneys and are ready to consider any explanation, hear any argument and consider any evidence the attorney presents. It is simply inconceivable that someone who spent so much effort obtaining a license to practice law would jeopardize that license by abstaining from the disciplinary process.

I have also seen the KBA staff in action and am here to tell you that you have a great group of dedicated people working for you. I will just mention a few here, but they are all great. Bruce Davis is one of the most respected executive directors in this country and we are lucky to have him. Linda Gosnell has re-invigorated the office of Bar Counsel and those folks are out there protecting you and me and our profession daily. Frank Burnette runs the Client Assistance Program and handles thousands of non-ethics complaints and problems efficiently and effectively. Our own Hoot Ebert has KYLAP helping as many attorneys as possible and his program is being employed more and more as an adjunct to the disciplinary process to help rehabilitate and restore affected attorneys.

I hope that this has given you some insight to the operations of your Bar Association. If anyone has any concerns or questions, feel free to contact me. That's why I am doing this – to help you!

## Chase Research (continued)

government revenues and expenditures. This affords the researcher further evidence as to the nature and extent the Legislature intended the act in question to have on the state. They are available from the Legislative Budget Office's web site beginning in 1997 at: <http://www.bostat.e.oh.us/fiscal/fiscalnotes/default.cfm>

### Streaming Video

No roundup of Ohio legislative history resources would be complete without an introduction to Ohio's newest public information initiative, The Ohio Channel. This venture by Ohio's Public broadcasters includes video archives of House and Senate floor proceedings broken into various segments dealing with consideration of specific bills and committee reports. The recordings, which are in Realvideo format and require the RealPlayer browser plug-in, include many informal and extemporaneous comments that are unlikely to make it into the official journals. The video archives extend back to 1997 for both chambers and offers a number of search options.

The address is: <http://www.ohiochannel.org>.