

OHIO

House

of

Representatives

JOURNAL

THURSDAY, JUNE 5, 2008

ONE HUNDRED EIGHTY-FOURTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, June 5, 2008, 11:00 o'clock a.m.

The House met pursuant to adjournment.

The journal of the previous legislative day was read and approved.

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. 71 -Representative White

Cosponsors: Representatives McGregor, J., Setzer, Brown, Hagan, J., Seitz, Wagoner, Wolpert, Aslanides, Distel, Batchelder, Blessing, Boyd, Chandler, Coley, Domenick, Evans, Flowers, Foley, Hagan, R., Hite, Hottinger, Hughes, Letson, Luckie, Mallory, Otterman, Schneider, Stebelton, Stewart, D., Webster, Williams, S., Yuko Senators Faber, Wilson, Mumper, Grendell, Cates, Spada, Harris, Kearney

To amend sections 955.28 and 959.16, to enact new section 959.132 and section 959.161, and to repeal section 959.132 of the Revised Code to provide for the seizure, impoundment, and disposition of dogs involved in dogfighting; to revise requirements and procedures governing the seizure, impoundment, and disposition of companion animals that are the subject of abuse or neglect; and to allow a law enforcement officer to kill a dog that attacks a police dog.

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.

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. 195 -Representative Core

Cosponsors: Representatives McGregor, J., Evans, Bulp, Combs, Adams, Stebelton, Fende, Hughes, Aslanides, Batchelder, Collier, Daniels, DeBose,

Domenick, Dyer, Fessler, Flowers, Gibbs, Jones, Latta, Mandel, McGregor, R., Oelslager, Patton, Schneider, Stewart, J., Uecker, Wachtmann, Wagoner, Webster, Yuko Senators Cates, Harris, Niehaus, Sawyer, Schaffer, Spada, Wagoner

To amend sections 109.572, 2921.41, 2925.01, 2925.03, 2925.11, 2925.22, 2953.32, 2961.01, and 2961.02 of the Revised Code to provide that the prescription-related exemption from the drug possession offenses applies only when the controlled substance is obtained pursuant to a lawful prescription, to modify the penalties for "deception to obtain a dangerous drug" and "possession of drugs" under specified circumstances, to modify a criterion for determining the penalty for the trafficking in drugs offenses, to make existing laws prohibiting a person who has been convicted of a felony, including the offense of theft in office, from holding public office and denying such person other specified privileges applicable upon the acceptance of the person's guilty plea or the determination of the person's guilt, and to remove the authority of the Bureau of Criminal Identification and Investigation to review sealed criminal conviction records in conducting a criminal records check regarding license applicants for whom the check was required by Am. Sub. H.B. 104 of the 127th General Assembly.

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.

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. 323 -Representative Gibbs

Cosponsors: Representatives Peterson, McGregor, J., Evans, Huffman, Wagner, Miller, Fessler, Seitz, Bulp, Okey, McGregor, R., Fende, Schlichter, Sayre, Aslanides, Zehringer, Reinhard, Core, Hite, Domenick, Adams, Batchelder, Bolon, Collier, Combs, Dolan, Dyer, Gardner, Hagan, J., Harwood, Hughes, Luckie, Newcomb, Patton, Schindel, Setzer, Skindell, Szollosi, Uecker, Williams, B. Senators Wilson, Faber, Grendell, Amstutz, Morano, Mumper, Niehaus, Roberts, Sawyer, Schuler, Seitz, Spada, Harris

To amend sections 971.01, 971.04, 971.05, 971.06, 971.07, 971.08, 971.09, 971.10, 971.33, 971.34, and 971.99; to amend for the purpose of adopting new section numbers as indicated in parentheses sections 971.04 (971.09), 971.05

(971.10), 971.06 (971.11), 971.07 (971.12), 971.08 (971.13), 971.09 (971.14), and 971.10 (971.15); to enact new sections 971.02, 971.03, 971.04, 971.05, 971.06, 971.07, 971.08, 971.16, 971.17, and 971.18 and section 971.071; and to repeal sections 971.02, 971.03, 971.11, 971.12, 971.13, 971.14, 971.15, 971.16, 971.17, 971.18, 971.21, 971.22, 971.23, 971.24, 971.25, 971.26, 971.27, 971.28, 971.29, 971.30, 971.31, and 971.32 of the Revised Code to revise the Fences Law.

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.

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:

Am. Sub. H. B. No. 359 -Representative Huffman

Cosponsors: Representatives McGregor, J., Peterson, Healy, McGregor, R., Jones, Bacon, Adams, Lundy, Stebelton, Evans, Gibbs, Letson, Slesnick, Patton, Batchelder, Bolon, Boyd, Brown, Chandler, Combs, DeBose, DeGeeter, Dolan, Domenick, Dyer, Flowers, Hite, Hughes, Luckie, Newcomb, Oelslager, Setzer, Skindell, Stewart, D., Strahorn, Williams, S., Yuko Senators Amstutz, Spada, Roberts, Sawyer, Harris, Miller, D., Miller, R., Padgett, Stivers, Wilson, Smith, Fedor, Mason

To amend section 321.261 of the Revised Code to authorize the prosecutor and treasurer of a county with a population greater than 100,000 to utilize surplus delinquent tax collections to facilitate nuisance abatement of deteriorated residential buildings in foreclosure and to prosecute criminal and civil real estate transaction-related violations of the law.

With the following additional amendments, in which the concurrence of the House is requested.

In line 14, delete "sections" and insert "section"; delete "and 323.47"

In line 58, delete the first comma and insert "and"; delete ", and predatory lending"

Delete lines 59 through 75

Delete lines 59 through 84

In line 85, delete "sections" and insert "section"; delete "and 323.47"

In line 86, delete "are" and insert "is"

In line 1 of the title, delete "sections" and insert "section"; delete "and 323.47"

In line 8 of the title, delete ", and to" and insert a period

Delete lines 9 through 12 of the title

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Speaker

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on **Am. Sub. H. B. No. 562**-Representative Hottinger - et al.

Representatives Hottinger, Jones, and Skindell.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the President of the Senate has appointed as managers on the part of the Senate on matters of difference between the two Houses on:

Am. Sub. H. B. No. 562 -Representative Hottinger - et al.

Senators Carey, Niehaus and Cafaro.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Speaker

Pursuant to House Rules 13, 28, 30, the Speaker hereby makes the following changes to the Rules and Reference Committee:

remove Representatives DeWine and Wolpert; appoint Representatives Jones and Hottinger.

On motion of Representative McGregor, J., the House recessed.

The House met pursuant to recess.

MOTIONS AND RESOLUTIONS

Representative Beatty having voted on the prevailing side, moved that the vote by which **Sub. S. J. R. No. 8**-Senator Grendell, et al. failed be reconsidered and that the motion be left pending.

This motion under House Rule 95 is properly supported by the following members who voted on the prevailing side of the question:

JOYCE BEATTY

MICHAEL J. SKINDELL

The motion was agreed to without objection.

Message from the Speaker

The Speaker of the House of Representatives, on June 4, 2008, signed the following:

H. R. No. 137 - Representative Book - et al.

H. J. R. No. 5 - Representative Sears - et al.

Sub. H. B. No. 30 - Representative McGregor, R. - et al.

Sub. H. B. No. 48 - Representative Gibbs - et al.

Sub. H. B. No. 138 - Representatives Foley, Blessing - et al.

Am. H. B. No. 150 - Representative McGregor, J. - et al.

Sub. H. B. No. 283 - Representative Webster - et al.

Sub. H. B. No. 285 - Representative McGregor, R. - et al.

Sub. H. B. No. 346 - Representative Hughes - et al.

Am. Sub. H. B. No. 350 - Representative Wolpert - et al.

Am. H. B. No. 385 - Representative Hottinger - et al.

Am. Sub. H. B. No. 404 - Representatives Hottinger, Barrett - et al.

Sub. H. B. No. 428 - Representative Setzer - et al.

Sub. H. B. No. 499 - Representative Oelslager - et al.

Am. Sub. H. B. No. 554 - Representative Hottinger - et al.

Sub. S. B. No. 175 - Senator Coughlin - et al.

Sub. S. B. No. 183 - Senator Schaffer - et al.

Sub. S. B. No. 229 - Senator Gardner - et al.

Am. Sub. S. B. No. 237 - Senator Schaffer - et al.

Sub. S. B. No. 247 - Senator Spada - et al.

Am. Sub. S. B. No. 268 - Senator Seitz - et al.

Am. Sub. S. B. No. 271 - Senator Mumper - et al.

S. B. No. 302 - Senator Goodman - et al.

Am. S. B. No. 323 - Senator Niehaus - et al.

Am. Sub. S. B. No. 334 - Senator Faber - et al.

Message from the Speaker

The Speaker of the House of Representatives, on June 5, 2008, signed the following:

H. B. No. 87 - Representative Wachtmann - et al.

Am. H. B. No. 181 - Representative Setzer - et al.

Am. H. B. No. 297 - Representative Carmichael - et al.

Am. Sub. S. B. No. 171 - Senator Stivers - et al.

Sub. S. B. No. 184 - Senator Buehrer - et al.

On motion of Representative Flowers, the House adjourned until Tuesday, June 10, 2008 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.