

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**THURSDAY, DECEMBER 3, 2009**

ONE HUNDRED TWELFTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Thursday, December 3, 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 Phillips 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. 385**-Representatives Stewart, Foley.

Cosponsors: Representatives Domenick, Hagan, Harris, Murray, Okey, Williams, B., Yuko.

To amend sections 4105.01, 4105.011, 4105.02, 4105.03, 4105.04, 4105.07 to 4105.17, 4105.191, 4105.20, 4105.21, 4740.01, 4740.02, 4740.04 to 4740.07, 4740.12, and 4740.13 and to enact sections 4740.062 and 4740.071 of the Revised Code to create the Elevator Section of the Ohio Construction Industry Licensing Board, to require licensure of elevator contractors and elevator mechanics, and to make changes to the laws governing elevator servicing and inspections.

**H. B. No. 386**-Representative Yates.

To amend sections 109.42, 307.93, 309.18, 926.99, 1333.99, 1707.99, 1716.99, 2743.191, 2909.03, 2909.05, 2909.11, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.32, 2913.34, 2913.40, 2913.401, 2913.42, 2913.421, 2913.43, 2913.45, 2913.46, 2913.47, 2913.48, 2913.49, 2913.51, 2913.61, 2915.05, 2917.21, 2917.31, 2917.32, 2919.21, 2921.13, 2921.34, 2921.41, 2923.31, 2925.01, 2925.03, 2925.05, 2925.11, 2929.01, 2929.13, 2929.14, 2929.20, 2929.26, 2929.34, 2930.16, 2930.17, 2950.99, 2951.041, 2967.05, 2967.14, 2967.193, 2967.28, 2981.07, 4507.51, 5120.07, 5120.10, 5120.111, 5120.59, 5120.60, 5120.66, 5149.01, 5149.10, 5149.33, and 5149.34 and to enact sections 307.932, 2967.19, 5120.035, and 5120.113 of the Revised Code to increase from \$500 to \$1,000 the threshold amount for determining increased penalties for theft-related offenses and for certain elements of "vandalism" and "engaging in a pattern of corrupt activity"; to increase by 50% the other threshold amounts for determining increased penalties for those offenses; to provide that if "nonsupport of dependents" is based on an abandonment of or failure to support a child or a person to whom a court order requires support and is a felony the sentencing court generally must first consider placing the offender on one or more community control

sanctions; to eliminate the difference in criminal penalties for crack cocaine and powder cocaine; to revise some of the penalties for trafficking in marihuana or hashish and for possession of marihuana, cocaine, or hashish; to revise procedures for notification of victims when violent offenders escape from the Department of Rehabilitation and Correction; to remove the authority of the victim-related member of the Parole Board to approve the hiring of employees of the Office of Victims' Services; to modify the number of Parole Board members required to conduct a full Board hearing; to limit a member of the Parole Board who is not the Chairperson or a victim representative to two six-year terms; to revise the eligibility criteria for, and procedures governing, intervention in lieu of conviction; to revise the eligibility criteria for judicial release; to remove from the offense of "escape" certain conduct by a person under supervised release by the Department and specify the method of sanctioning a person under Department supervision who engages in that type of conduct; to revise the procedure for prisoners in state correctional institutions to earn days of credit for productive participation in specified prison programs and the number of days of credit that may be earned; to require GPS monitoring of a prisoner placed on post-release control who was released early from prison due to earning 60 or more days of credit; to enact a new mechanism for the possible release with sentencing court approval of Department inmates who have served at least 85% of their prison term; to expand the membership of a county's local corrections planning board; to make changes regarding halfway houses and community residential centers and authorize reentry centers; to provide for the placement in a skilled nursing facility of an inmate who is in imminent danger of death, medically incapacitated, or terminally ill for care; to provide for the establishment and operation of community alternative sentencing centers for misdemeanants sentenced directly to the centers under a community residential sanction or an OVI term of confinement not exceeding 30 days; to change the membership of the Ex-offender Reentry Coalition by reducing the number and functions of members from the Governor's office and adding the Director of Veterans Services; to remove judges from the membership of a corrections commission and instead have them form an advisory board; to require the Department to develop a reentry plan for each inmate committed to the Department who was not sentenced to a term of life without parole or a sentence of death and who is expected to be imprisoned for more than 30 days; to revise the procedures governing the Department's issuance of an inmate identification card upon an inmate's release and the use of such a card to obtain a state identification card; to authorize, instead of require, the Department to discontinue subsidy payment to a political subdivision that reduces local funding for corrections by the amount of a community-based corrections subsidy or that uses a subsidy for capital improvements; and to require the Department, together with the Department of Alcohol and Drug Addiction Services, to develop an implementation plan related to funding through the federal Second Chance Act related to community reentry of offenders.

**H. B. No. 387**-Representative Lehner.

Cosponsors: Representatives Adams, J., Adams, R., Amstutz, Baker, Beck, Blair, Gardner, Grossman, Martin, McGregor, Snitchler.

To amend section 3302.03 of the Revised Code to revise the performance ratings for school districts and buildings.

**H. B. No. 388**-Representatives McClain, Gardner.

Cosponsors: Representatives Burke, Beck, Martin, Morgan, Blair, Jordan, Adams, J., Derickson, Huffman, Snitchler, Boose, Lehner, Baker, Hackett, Balderson, Bubp, Ruhl, Evans, Uecker, Wagner, Hall, Grossman, Mecklenborg, Wachtmann, Batchelder, Goodwin, Combs, Amstutz, Maag, Hite, Stebelton, Oelslager, McGregor, Blessing, Bacon, Adams, R., Zehringer, Stautberg, Hottinger, Daniels, Sears, Chandler.

To enact sections 101.16, 101.161, and 101.162 of the Revised Code to require conference committee reports of appropriations and revenue bills to be made publicly available forty-eight hours prior to consideration by either house.

Said bills were 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. C. R. No. 20**-Representative Harwood, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: MEMORIALIZE CONGRESS TO SUPPORT AIRLINE PASSENGER BILL OF RIGHTS ACT

Representative Hagan moved to amend the title as follows:

Add the names: "Bolon, Yuko, Combs, Balderson, McClain, Ruhl, Uecker."

- |                     |                  |
|---------------------|------------------|
| ROBERT F. HAGAN     | LINDA S. BOLON   |
| JOHN PATRICK CARNEY | JOHN DOMENICK    |
| KENNY YUKO          | COURTNEY COMBS   |
| TROY BALDERSON      | JEFFREY MCCLAIN  |
| MARGARET RUHL       | JOSEPH W. UECKER |
| JAMES ZEHRINGER     |                  |

The report was agreed to.

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

Representative Wachtmann submitted the following report:

The standing committee on Health to which was referred **H. C. R. No. 31**-Representative Boyd, et al., having had the same under consideration, reports it back with the following amendment and recommends its adoption when so amended.

RE: ATHEROSCLEROSIS AWARENESS MONTH

Representative Boyd moved to amend as follows:

In line 45, delete "2009" and insert "2010"

In line 1 of the title, delete "2009" and insert "2010"

The motion was agreed to and the bill so amended.

BARBARA BOYD	JOHN PATRICK CARNEY
LYNN R. WACHTMANN	TROY BALDERSON
DAVE BURKE	COURTNEY COMBS
RANDY GARDNER	BRUCE W. GOODWIN
ROBERT F. HAGAN	MATT HUFFMAN
TOM LETSON	DEBORAH NEWCOMB
W. SCOTT OELSLAGER	DEBBIE PHILLIPS
KENNY YUKO	

The report was agreed to.

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

Representative Evans submitted the following report:

The standing committee on Public Safety and Homeland Security to which was referred **H. B. No. 93**-Representative Skindell, et al., having had the same under consideration, reports it back and recommends its passage.

RE: BIKE HELMET REQUIREMENT UNDER AGE 18

LINDA S. BOLON	ROBIN BELCHER
JOHN DOMENICK	TOM LETSON
DALE MALLORY	TROY BALDERSON
TIMOTHY DERICKSON	JEFFREY MCCLAIN

The following member voted "NO"

DANNY R. BUBP

The report was agreed to.

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

Representative Evans submitted the following report:

The standing committee on Public Safety and Homeland Security to which was referred **H. B. No. 96**-Representative Skindell, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: BITTERING AGENT IN ANTIFREEZE AND COOLANT

LINDA S. BOLON  
JOHN DOMENICK  
DALE MALLORY  
TIMOTHY DERICKSON

ROBIN BELCHER  
TOM LETSON  
TROY BALDERSON  
JEFFREY MCCLAIN

The following member voted "NO"

DANNY R. BUBP

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. 126**-Representative Williams, S., et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: UNCLAIMED FUNDS FINDER COMPENSATION

Representative Gerberry moved to amend the title as follows:

Add the name: "Stewart."

RON GERBERRY  
DALE MALLORY  
DAN STEWART  
BRIAN G. WILLIAMS  
JOHN ADAMS  
DAVE HALL  
GERALD L. STEBELTON

MATT LUNDY  
ALLAN R. SAYRE  
ROBIN BELCHER  
DAVID DANIELS  
CHERYL GROSSMAN  
CLIFF HITE

The report was agreed to.

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

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:

**Am. S. B. No. 167** -Senator Cates

Cosponsors: Senators Jones, Hughes, Seitz, Husted, Schuring, Carey, Buehrer, Faber, Gibbs, Grendell, Harris, Niehaus, Wagoner

To amend section 3302.03 of the Revised Code to revise the performance ratings for school districts and buildings.

Attest: Vincent L. Keeran,  
Clerk.

Said bill was considered the first time.

Message from the Speaker

Pursuant to House Rules 13, 28, 30, the Speaker hereby makes the following change to the standing committee on Local Government and Public Administration:

Remove Representative Heard; appoint Representative Luckie.

On motion of Representative Sayre, the House adjourned until Monday, December 7, 2009 at 9:00 o'clock a.m.

Attest: THOMAS L. SHERMAN,  
Clerk.