

OHIO

House

of

Representatives

JOURNAL

THURSDAY, JANUARY 19, 2012

ONE HUNDRED EIGHTEENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, January 19, 2012, 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 Pelanda 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. 418-Representative Hagan, R.

Cosponsors: Representatives Murray, Foley, Fedor, Goyal, Driehaus, Boyd, Antonio, Winburn, Heard.

To establish a moratorium until January 1, 2015, on the disposal by injection into an underground formation of brine and other waste substances associated with the exploration or development of oil and gas resources.

H. B. No. 419-Representatives Antonio, Garland.

Cosponsors: Representatives Foley, Ramos, Pillich, Hagan, R., Goyal, Celeste, Fedor, Boyd, Ashford, Letson, Heard, Slesnick, Weddington, Yuko, Reece.

To amend section 2907.29 and to enact sections 3727.60, 3727.601, and 3727.602 of the Revised Code to establish the Compassionate Assistance for Rape Emergencies Act regarding hospital services provided to victims of sexual assault.

Said bills were considered the first time.

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

Representative J. Adams reported for the Rules and Reference Committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

H.B. No. 392 - Representatives Grossman and Combs, et al
TO PROHIBIT A PUBLIC CHILDREN SERVICES AGENCY, PRIVATE CHILD PLACING AGENCY, PRIVATE NONCUSTODIAL AGENCY, OR JUVENILE COURT FROM PLACING AN ABUSED, NEGLECTED, OR DEPENDENT CHILD IN AN OUT-OF-STATE RESIDENTIAL FACILITY

THAT DOES NOT COMPLY WITH OHIO POLICIES REGARDING CLIENT RIGHTS, USE OF RESTRAINTS AND ISOLATION OR SECLUSION, AGENCY REPORTING REQUIREMENTS, AND BEHAVIOR INTERVENTION AND DISCIPLINE POLICIES.

To the committee on Judiciary and Ethics

H.B. No. 393 - Representative Yuko, et al

TO RENAME CERTIFICATES RECOGNIZING THE DELIVERY OF A STILLBORN INFANT AS CERTIFICATES OF LIVE BIRTH RESULTING IN STILLBIRTH.

To the committee on Health and Aging

H.B. No. 394 - Representative Maag, et al

TO EXEMPT FROM SALES AND USE TAXES THE SALE OR USE OF INVESTMENT METAL BULLION AND COINS.

To the committee on Ways and Means

H.B. No. 395 - Representative Maag, et al

TO INCREASE THE SPEED LIMIT ON INTERSTATE FREEWAYS FROM 65 TO 70 MILES PER HOUR FOR ALL VEHICLES AND TO LIMIT THE USE OF THE LEFT-HAND LANE OF INTERSTATE FREEWAYS.

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 396 - Representatives McGregor and Murray

TO REVISE RULE-MAKING AND RULE REVIEW PROCEDURES AND TO DECLARE AN EMERGENCY.

To the committee on State Government and Elections

H.B. No. 397 - Representative Antonio, et al

TO SPECIFY THAT SCHOOL DISTRICTS AND CHARTERED NONPUBLIC SCHOOLS MAY EXCUSE FROM HIGH SCHOOL PHYSICAL EDUCATION STUDENTS WHO PLAY RUGBY IN A SCHOOL CLUB.

To the committee on Education

H.B. No. 398 - Representatives Bulp and Johnson, et al

TO DESIGNATE A PORTION OF STATE ROUTE 41 IN ADAMS COUNTY THE "LCPL. LUKE C. SCOTT MEMORIAL HIGHWAY" AND A PORTION OF UNITED STATES ROUTE 62 IN BROWN COUNTY THE "PFC. SETH BLEVINS MEMORIAL HIGHWAY."

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 399 - Representative Butler, et al

TO REQUIRE EACH HOSPITAL TO ESTABLISH A POLICY GOVERNING AUTHENTICATION OF VERBAL MEDICAL ORDERS.

To the committee on Health and Aging

H.B. No. 400 - Representative R. Hagan

TO REQUIRE THE WRITTEN RE-EXAMINATION OF HOLDERS OF DRIVER'S LICENSES UPON EVERY RENEWAL AND THE ON-ROAD

RE-EXAMINATION OF THOSE HOLDERS UPON EVERY OTHER RENEWAL.

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 401 - Representatives Terhar and Stautberg, et al

TO DESIGNATE A PORTION OF STATE ROUTE 264 IN HAMILTON COUNTY AS THE "SERGEANT DAVID KREUTER MEMORIAL HIGHWAY."

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 402 - Representative Barnes, et al

TO REQUIRE THE DIRECTOR OF DEVELOPMENT TO ESTABLISH A YOUTH SUMMER JOBS PLEDGING INITIATIVE TO INCREASE ACCESS TO SUMMER EMPLOYMENT OPPORTUNITIES FOR HIGH SCHOOL AND COLLEGE YOUTH.

To the committee on Economic and Small Business Development

H.B. No. 403 - Representative R. Hagan, et al

TO REQUIRE THAT ALL LABOR AND SERVICES PERFORMED UNDER ANY CONTRACT FOR GOODS OR SERVICES PAID FOR WITH STATE FUNDS BE PERFORMED WITHIN THE UNITED STATES, THAT ALL LABOR AFFECTED BY STATE-FUNDED ECONOMIC DEVELOPMENT ASSISTANCE BE LABOR WITHIN THE UNITED STATES, AND THAT ALL SERVICES PERFORMED AS A RESULT OF SUCH ECONOMIC DEVELOPMENT ASSISTANCE BE PERFORMED WITHIN THE UNITED STATES.

To the committee on Commerce and Labor

H.B. No. 404 - Representative Goyal, et al

TO EXPAND THE RIGHT OF AN INSTITUTION OF HIGHER EDUCATION TO BRING A CIVIL ACTION FOR DAMAGES CAUSED BY VIOLATIONS OF ATHLETIC ASSOCIATION OR CONFERENCE REGULATIONS.

To the committee on Judiciary and Ethics

H.B. No. 405 - Representative Rosenberger

TO ALLOW EXTRA CREDIT TO MILITARY VETERANS AND RESERVE COMPONENT MEMBERS ON STATE CIVIL SERVICE EXAMINATIONS, TO PROVIDE FOR THE REEMPLOYMENT OF NONTEACHING SCHOOL EMPLOYEES FOLLOWING MILITARY SERVICE IN ACCORDANCE WITH FEDERAL LAW, TO EXTEND THE PERIOD OF TIME WITHIN WHICH PERSONS SERVING IN THE OHIO NATIONAL GUARD MAY MEET CONTINUING EDUCATION REQUIREMENTS FOR OCCUPATIONAL LICENSES AND RENEW THEIR LICENSES, TO REQUIRE THAT WORKERS' COMPENSATION CLAIMS OF MEMBERS OF THE ORGANIZED MILITIA BE DETERMINED IN ACCORDANCE WITH APPLICABLE LINE OF DUTY REGULATIONS, TO REQUIRE LANDLORDS TO OBSERVE THE RIGHTS OF TENANTS WHO ARE SERVICE MEMBERS UNDER

FEDERAL LAW, TO RECOGNIZE FORMER MEMBERS OF THE OHIO NATIONAL GUARD AS VETERANS WITH REGARD TO BURIAL AND RELATED RIGHTS, TO MODIFY THE ORDER OF PRIORITY IN WHICH VETERANS MAY PARTICIPATE IN JOB TRAINING PROGRAMS, TO PERMIT BUT NOT REQUIRE THE USE OF ARMORIES BY PATRIOTIC AND NATIONAL ORGANIZATIONS, TO UPDATE REFERENCES IN THE REVISED CODE TO FEDERAL STATUTES RELATING TO THE NATIONAL GUARD, TO CONFORM THE OHIO CODE OF MILITARY JUSTICE TO THE UNITED STATES CODE OF MILITARY JUSTICE, AND TO MAKE OTHER CHANGES TO THE OHIO CODE OF MILITARY JUSTICE.

To the committee on Veterans Affairs

H.B. No. 406 - Representative Beck, et al

TO AUTHORIZE A NONREFUNDABLE INCOME TAX CREDIT FOR THE PURCHASE OF A NEW HOME.

To the committee on Ways and Means

H.B. No. 407 - Representative Beck, et al

TO EXEMPT FROM REAL PROPERTY TAXATION THE VALUE OF SINGLE-FAMILY RESIDENTIAL PROPERTY OWNED BY A DEVELOPER OR BUILDER UNTIL THE DEVELOPER OR BUILDER TRANSFERS POSSESSION OR TITLE.

To the committee on Ways and Means

H.B. No. 408 - Representative Terhar, et al

TO CHANGE THE COMPOSITION OF CERTAIN METROPOLITAN HOUSING AUTHORITIES.

To the committee on Financial Institutions, Housing, and Urban Development

H.B. No. 409 - Representative Peterson

TO DESIGNATE A PORTION OF UNITED STATES ROUTE 50 WITHIN ROSS COUNTY THE "LANCE CPL. AARON REED MEMORIAL HIGHWAY."

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 410 - Representative Schuring, Slesnick

TO DESIGNATE A PORTION OF STATE ROUTE 172 IN STARK COUNTY AS THE "U.S.M.C. SGT. DANIEL J. PATRON MEMORIAL HIGHWAY."

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 411 - Representative Luckie, et al

TO AUTHORIZE STIPENDS FOR STUDENT ATHLETES ATTENDING PUBLIC AND PRIVATE, NONPROFIT COLLEGES AND UNIVERSITIES.

To the committee on Education

H.B. No. 412 - Representatives Antonio and Carney, et al

TO ESTABLISH THE OHIO HEALTH BENEFIT EXCHANGE AGENCY

AND TO ESTABLISH THE OHIO HEALTH BENEFIT EXCHANGE PROGRAM CONSISTING OF AN EXCHANGE FOR INDIVIDUAL COVERAGE AND A SMALL BUSINESS HEALTH OPTIONS PROGRAM.

To the committee on Health and Aging

H.B. No. 413 - Representatives Goyal and Murray, et al

TO CREATE A PUBLIC CAMPAIGN FINANCING SYSTEM FOR CANDIDATES FOR THE OFFICE OF CHIEF JUSTICE OR JUSTICE OF THE SUPREME COURT.

To the committee on State Government and Elections

H.B. No. 414 - Representative Anielski, et al

TO EXPAND THE OFFENSES OF MENACING BY STALKING AND TELECOMMUNICATIONS HARASSMENT AND TO PROHIBIT A PERSON FROM KNOWINGLY CAUSING ANOTHER PERSON TO BELIEVE THAT THE OFFENDER WILL CAUSE PHYSICAL HARM OR MENTAL OR EMOTIONAL DISTRESS TO THE OTHER PERSON'S IMMEDIATE FAMILY.

To the committee on Criminal Justice

H.B. No. 415 - Representatives Sprague and Hill, et al

TO MODIFY THE AGRICULTURAL LINKED DEPOSIT PROGRAM WITH RESPECT TO THE MAXIMUM AMOUNT THE TREASURER OF STATE MAY INVEST IN AGRICULTURAL LINKED DEPOSITS, THE INTEREST RATE AT WHICH LOANS ARE MADE UNDER THE PROGRAM, AND THE MAXIMUM LOAN AMOUNT.

To the committee on Agriculture and Natural Resources

S.B. No. 19 - Senator Hughes, et al

TO PERMIT A JUDGE TO ELECT TO ORDER THE REGISTRAR OF MOTOR VEHICLES NOT TO SUSPEND THE PROBATIONARY DRIVER'S LICENSE, RESTRICTED LICENSE, OR TEMPORARY INSTRUCTION PERMIT OF CERTAIN JUVENILE REPEAT TRAFFIC VIOLATORS, AND TO REQUIRE THE REGISTRAR TO ESTABLISH STANDARDS FOR ADVANCED JUVENILE DRIVER IMPROVEMENT PROGRAMS.

To the committee on Criminal Justice

Am. Sub. S.B. No. 181 - Senator Wagoner, et al

TO IMPLEMENT RECOMMENDATIONS OF THE OHIO LEGISLATIVE COMMISSION ON THE EDUCATION AND PRESERVATION OF STATE HISTORY.

To the committee on State Government and Elections

S.B. No. 208 - Senators Obhof and Kearney, et al

TO MAKE CHANGES TO OHIO'S UNIFORM COMMERCIAL CODE.

To the committee on Judiciary and Ethics

Sub. S.B. No. 196 - Senator Wagoner, et al

TO MAKE CHANGES TO OHIO'S BUSINESS OPPORTUNITY PLAN LAW.

To the committee on Judiciary and Ethics

Sub. S.B. No. 243 - Senator Hughes, et al

TO MODIFY THE LAWS GOVERNING THE INTRASTATE MUTUAL AID COMPACT.

To the committee on Transportation, Public Safety, and Homeland Security

Sub. S.B. No. 247 - Senator Balderson, et al

TO DESIGNATE THE NINTH DAY OF JULY AS "TRAUMATIC BRAIN INJURY AWARENESS DAY."

To the committee on Health and Aging

LOUIS W. BLESSING
ANDREW BRENNER
DOROTHY PELANDA

JOHN ADAMS
CHERYL GROSSMAN
ARMOND BUDISH

Representative Grossman 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 all House Bills and Senate Bills 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 Senate Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative J. Adams reported for the Rules and Reference Committee recommending that the following House Concurrent Resolutions and Senate Concurrent Resolution be introduced and referred to the following committees for consideration:

H.C.R. No. 31 - Representatives Landis and Okey, et al

TO URGE THE UNITED STATES ARMY CORPS OF ENGINEERS TO TAKE ALL ACTIONS NECESSARY TO PRESERVE THE VILLAGE OF ZOAR IN ITS PRESENT LOCATION IN TUSCARAWAS COUNTY BY REPAIRING A LEVEE THAT IS PROTECTING THE VILLAGE.

To the committee on Local Government

H.C.R. No. 32 - Representatives Hayes and Henne, et al

TO RECOGNIZE THE CONTRIBUTIONS OF PREGNANCY RESOURCE CENTERS.

To the committee on Health and Aging

S.C.R. No. 15 - Senator Schaffer, et al

TO EXPRESS THE GENERAL ASSEMBLY'S SUPPORT OF INCREASING PUBLIC AWARENESS OF AND EDUCATION ON THE IMPORTANCE OF FOLIC ACID IN THE DIETS OF WOMEN OF CHILDBEARING AGE.

To the committee on Health and Aging

/s/ LOUIS BLESSING

Louis Blessing, Chair

Representative Grossman moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolutions were introduced and referred as recommended.

Representative J. Adams reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

H.R. No. 241 - Representative Buchy

Honoring Wuebker Farms, LLC on being honored as a 2011 Pork Industry Environmental Steward.

H.R. No. 242 - Speaker Batchelder, Representative Hall

Honoring Selena Pasadyn as a 2011 National Wendy's High School Heisman Award recipient.

H.R. No. 243 - Representative Heard

Honoring the Bishop Hartley High School girls volleyball team on winning the 2011 Division II State Championship.

H. R. No. 244 - Representative Ramos

Honoring Steve Volk as the 2011 Outstanding Baccalaureate Colleges U.S. Professor of the Year.

H.R. No. 245 - Representative Clyde

Honoring Kent State University field hockey team as the 2010 Mid-American Conference Tournament Champion.

H.R. No. 246 - Representative O'Brien

Honoring the McDonald High School boys cross country team on placing first at the 2011 Division III State Championship.

H.R. No. 247 - Representative McGregor

Honoring the Wittenberg University women's volleyball team as the 2011 NCAA Division III Champion.

H.R. No. 248 - Representative Buchy

Honoring Bob Cambell as a 2011 NTPA Puller of the Year.

H.R. No. 249 - Representative Buchy

Honoring the Marion Local High School football team on winning the 2011 Division VI State Championship.

H.R. No. 250 - Representative Amstutz

Honoring the Norwayne High School football team as the 2011 Division IV State Champion.

/s/ LOUIS BLESSING
Louis Blessing, Chair

Representative Grossman moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

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. 37 -Senator Hughes

Cosponsors: Senators Bacon, Grendell, Sawyer, Seitz, Beagle, Brown, Burke, Cafaro, Daniels, Eklund, Faber, Gentile, Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Schaffer, Schiavoni, Skindell, Tavares, Turner, Wagoner, Widener

To enact section 5501.313 of the Revised Code to require the Director of Transportation to designate portions of state highways, county or township roads, or streets or highways located within municipal corporations as memorial highways in honor of each State Highway Patrol trooper, county sheriff, deputy sheriff, township constable, or police officer of a township police department or district or law enforcement agency of a municipal corporation who is or has been killed in the line of duty.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

Message from the Speaker

Pursuant to Section 371.60.80 of Am. Sub. H. B. 153, 129th General Assembly, the Speaker hereby makes the following change to the Ohio Digital Learning Task Force:

Remove Representative Huffman; appoint Representative Derickson.

On motion of Representative Grossman, the House adjourned until Tuesday, January 24, 2012 at 11:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Deputy Clerk.