

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

THURSDAY, JANUARY 26, 2012

ONE HUNDRED TWENTY-FIRST DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Thursday, January 26, 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 yesterday was read and approved.

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

Representative Barnes submitted the following report:

The standing committee on Ways and Means to which was referred **H. B. No. 365**-Representatives Beck, Dovilla, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: INCOME TAX - DEPRECIATION ADD - BACK - REDUCE IF INCREASE PAYROLL

PETER BECK  
TOM LETSON  
NAN BAKER  
TERRY BLAIR  
MIKE DOVILLA  
BILL HAYES  
ZACK MILKOVICH  
PETER STAUTBERG

JEFFREY MCCLAIN  
RON AMSTUTZ  
JOHN BARNES  
TERRY BOOSE  
LORRAINE M. FENDE  
RON MAAG  
STEPHEN SLESNICK  
ROLAND WINBURN

The following member voted "NO"

MIKE FOLEY

The report was agreed to.

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

Representative Luckie submitted the following report:

The standing committee on Education to which was referred **H. B. No. 375**-Representative Butler, et al., having had the same under consideration, reports it back and recommends its passage.

RE: SCHOOL DISTRICTS - SELL SURPLUS REAL PROPERTY TO PRIVATE NONPROFIT COLLEGES

Representative Stebelton moved to amend the title as follows:

Add the names: "Thompson."

GERALD L. STEBELTON	CRAIG NEWBOLD
MARLENE ANIELSKI	NAN BAKER
ANDREW BRENNER	JIM BUTLER
TIMOTHY DERICKSON	BILL HAYES
MICHAEL HENNE	CASEY KOZLOWSKI
RON MAAG	KRISTINA ROEGNER
ANDY THOMPSON	NICKIE ANTONIO
TED CELESTE	DENISE DRIEHAUS
BILL PATMON	DAN RAMOS

The following members voted "NO"

CLAYTON LUCKIE	TERESA FEDOR
RON GERBERRY	DEBBIE PHILLIPS

The report was agreed to.

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

Representative Luckie submitted the following report:

The standing committee on Education to which was referred **S. C. R. No. 11**-Senator Lehner, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: PUBLIC SCHOOL ACCOUNTABILITY SYSTEM APPROVE PROPOSED GRADUATION RATE CHANGES

GERALD L. STEBELTON	CRAIG NEWBOLD
MARLENE ANIELSKI	NAN BAKER
ANDREW BRENNER	JIM BUTLER
TIMOTHY DERICKSON	BILL HAYES
MICHAEL HENNE	CASEY KOZLOWSKI
RON MAAG	KRISTINA ROEGNER
ANDY THOMPSON	TED CELESTE
BILL PATMON	

The following members voted "NO"

CLAYTON LUCKIE	NICKIE ANTONIO
DENISE DRIEHAUS	DEBBIE PHILLIPS
DAN RAMOS	

The report was agreed to.

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

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

**H.B. No. 420 - Representatives Peterson and Stinziano, et al**

TO REQUIRE NUISANCE WILD ANIMAL CONTROL COMPANIES AND INDIVIDUALS WHO PROVIDE NUISANCE WILD ANIMAL REMOVAL OR CONTROL SERVICES TO BE LICENSED BY THE DIRECTOR OF NATURAL RESOURCES.

To the committee on Agriculture and Natural Resources

**H.B. No. 421 - Representatives Slaby and O'Brien, et al**

TO GRANT CIVIL IMMUNITY TO PHYSICIANS WHO REPORT A PATIENT'S USE OF A DRUG OF ABUSE OR OTHER CONDITION NOT INVOLVING SUCH USE TO SPECIFIED PERSONS OR ENTITIES, TO EXCLUDE THE MAKING OF THOSE REPORTS FROM THE GROUNDS FOR DISCIPLINARY ACTION AGAINST PHYSICIANS, AND TO APPLY THE CIVIL IMMUNITY OF PHYSICIANS WHO REPORT TO AN EMPLOYER IN THE BUSINESS OF PUBLIC TRANSPORTATION AN EMPLOYEE'S USE OF A DRUG OF ABUSE OR OTHER CONDITION NOT INVOLVING SUCH USE TO ANY VIOLATION OF A PATIENT'S PRIVACY RIGHTS.

To the committee on Criminal Justice

**H.B. No. 422 - Representatives Maag and Thompson, et al**

TO REPEAL REQUIREMENTS THAT A CONCEALED CARRY LICENSEE INFORM AN APPROACHING LAW ENFORCEMENT OFFICER THAT THE LICENSEE IS A LICENSEE AND IS CARRYING A CONCEALED HANDGUN AND KEEP THE LICENSEE'S HANDS IN PLAIN SIGHT AFTER THE OFFICER BEGINS APPROACHING AND UNTIL THE OFFICER LEAVES; TO REMOVE FROM A GENERAL REQUIREMENT THAT A LICENSEE STOPPED FOR A LAW ENFORCEMENT PURPOSE COMPLY WITH LAWFUL ORDERS OF A LAW ENFORCEMENT OFFICER A REFERENCE TO ORDERS TO KEEP THE LICENSEE'S HANDS IN SIGHT; TO REVISE THE DEFINITION OF "UNLOADED" THAT APPLIES TO THE OFFENSE OF "IMPROPERLY HANDLING FIREARMS IN A MOTOR VEHICLE"; TO REPEAL THE CONCEALED CARRY LICENSE SUSPENSION REQUIRED FOR CERTAIN MISDEMEANOR CONVICTIONS OF THAT OFFENSE; AND TO CONFORM CERTAIN PROVISIONS TO CHANGES TO THAT OFFENSE MADE BY SUB. S.B. 17 OF THE 129TH GENERAL ASSEMBLY.

To the committee on State Government and Elections

**H.B. No. 423 - Representative Gonzales, et al**

TO PROVIDE FOR THE DISSOLUTION OF A JOINT RECREATION DISTRICT.

To the committee on Local Government

**H.B. No. 424 - Representatives Celeste and Foley, et al**

TO PROHIBIT AND PROVIDE A PENALTY FOR POSTING AN ADVERTISEMENT OF AN EMPLOYMENT POSITION THAT DISCRIMINATES ON THE BASIS OF AN INDIVIDUAL'S UNEMPLOYMENT STATUS.

To the committee on Commerce and Labor

**H.B. No. 425 - Representatives Maag and Johnson, et al**

TO AUTHORITY FOR CONCEALED CARRY LICENSEES TO POSSESS OR STORE A HANDGUN IN A MOTOR VEHICLE IN THE STATE UNDERGROUND PARKING GARAGE OR IN ANY PARKING GARAGE OR LOT THAT IS OWNED AND OPERATED BY THE OHIO BUILDING AUTHORITY OR IS ALL OR PART OF A STATE GOVERNMENT FACILITY.

To the committee on State Government and Elections

**Am. Sub. S.B. No. 179 - Senator Wilson, et al**

TO CREATE THE "OHIO GEOLOGY" LICENSE PLATE, TO REQUIRE THE OHIO GEOLOGY ADVISORY COUNCIL TO ESTABLISH AND ADMINISTER A GRANT PROGRAM UTILIZING THE CONTRIBUTIONS THAT ARE PAID BY PERSONS WHO OBTAIN THE LICENSE PLATE, TO ELIMINATE THE PROVISION IN THE SPECIAL VEHICLE LAW THAT PERMITS OWNERS OF CERTAIN OFF-HIGHWAY MOTORCYCLES AND ALL-PURPOSE VEHICLES TO REGISTER THE MOTORCYCLES AND VEHICLES BY PRESENTING AFFIDAVITS OF OWNERSHIP RATHER THAN CERTIFICATES OF TITLE, AND TO RELOCATE THE PORTION OF STATE ROUTE 170 DESIGNATED AS THE "CPL. KENNETH TYLER BUTLER MEMORIAL HIGHWAY".

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

LOUIS W. BLESSING  
ANDREW BRENNER  
CHERYL GROSSMAN  
TRACY HEARD

JOHN ADAMS  
ANNE GONZALES  
DOROTHY PELANDA  
MATT SZOLLOSI

Representative Peterson 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 the 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 and the Senate Bill were considered the second time and referred as recommended.

### MOTIONS AND RESOLUTIONS

Representative Heard reported for the Rules and Reference Committee recommending that the following House Resolution be read by title only and approved:

**H.R. No. 259 - Representative Peterson**

Honoring the Miami Trace High School FFA parliamentary procedure team on winning the 2011 FFA State Parliamentary Procedure Contest.

/s/ LOUIS BLESSING  
Louis Blessing, Chair

Representative Peterson moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution 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 concurred in the passage of the following bill:

**Am. H. B. No. 215** -Representative Dovilla

Cosponsors: Representatives Burke, Blessing, Derickson, O'Brien, Gardner, Baker, Boose, Grossman, Combs, Stinziano, Anielski, Mecklenborg, Johnson, Wachtmann, Fende, Antonio, Balderson, Barnes, Celeste, Duffey, Garland, Gonzales, Hottinger, McKenney, Ramos, Schuring, Sears, Yuko, Adams, J., Adams, R., Beck, Blair, Brenner, Bubp, Buchy, Budish, Butler, Carey, Damschroder, Goodwin, Hackett, Hagan, C., Huffman, Milkovich, Newbold, Peterson, Reece, Rosenberger, Ruhl, Slaby, Uecker, Weddington, Young, Speaker Batchelder Senators Brown, Tavares, Coley, Bacon, Balderson, Beagle, Burke, Cafaro, Eklund, Faber, Gentile, Hite, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Sawyer, Schaffer, Schiavoni, Skindell, Turner, Wagoner, Widener

To enact section 5.2267 of the Revised Code to designate the fifteenth day of June as "Elder Abuse Awareness Day."

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

In line 4, delete "5.2267" and insert "5.2273"

In line 6, delete " 5.2267" and insert " 5.2273"

In line 1 of the title, delete "5.2267" and insert "5.2273"

Attest: Vincent L. Keeran,  
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Speaker

The Speaker of the House of Representatives, on January 25, 2012, signed the following:

**H. J. R. No. 4** - Speaker Batchelder

**Sub. H. B. No. 66** - Representative McGregor - et al.

**Sub. H. B. No. 116** - Representative Barnes - et al.

On motion of Representative Peterson, the House adjourned until Tuesday, January 31, 2012 at 11:00 o'clock a.m.

Attest: THOMAS L. SHERMAN,  
Deputy Clerk.