

OHIO

House

of

Representatives

JOURNAL

THURSDAY, FEBRUARY 2, 2012

ONE HUNDRED TWENTY-THIRD DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, February 2, 2012, 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 Slaby 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. 438-Representative Sears.

To amend section 4731.293 of the Revised Code to specify requirements for obtaining and renewing a clinical research faculty certificate.

H. B. No. 439-Representative Hagan, R.

Cosponsors: Representatives Foley, Letson, Garland, Murray, Gerberry, Phillips, Carney, Yuko, Antonio.

To enact section 4963.30 of the Revised Code to provide that if a train will be carrying 80,000 pounds or more of hazardous materials, the railroad company must provide the train crew with a list of those hazardous materials at least ten hours prior to the train's scheduled departure time.

Said bills were considered the first time.

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

Representative Murray submitted the following report:

The standing committee on Judiciary and Ethics to which was referred **H. B. No. 197**-Representative Slesnick, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COURT COSTS/FEES/FINES - RECOVERY/DISTRIBUTION

DANNY R. BUBP
MARGARET CONDITT
TOM LETSON
GERALD L. STEBELTON

LOUIS W. BLESSING
MATT HUFFMAN
LYNN SLABY
MICHAEL STINZIANO

The following members voted "NO"

DENNIS MURRAY
MARK D. OKEY

JIM BUTLER

The report was agreed to.

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

Representative Carney submitted the following report:

The standing committee on Insurance to which was referred **H. B. No. 341**-Representative Henne, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FRATERNAL BENEFIT SOCIETIES - REVISE LAW

Representative Hottinger moved to amend the title as follows:

Add the name: "Hottinger."

JAY HOTTINGER	ROBERT HACKETT
JOHN PATRICK CARNEY	JOHN ADAMS
MIKE ASHFORD	BRIAN HILL
COURTNEY COMBS	TIMOTHY DERICKSON
LORRAINE M. FENDE	MIKE FOLEY
TRACY HEARD	MICHAEL HENNE
TOM LETSON	ROSS MCGREGOR
BOB PETERSON	KIRK SCHURING
BARBARA R. SEARS	ROBERT COLE SPRAGUE
MICHAEL STINZIANO	LYNN R. WACHTMANN

The report was agreed to.

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

Representative Mallory submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **Am. S. B. No. 258**-Senators Manning, Patton, et al., having had the same under consideration, reports it back and recommends its passage.

RE: STATEWIDE BLUE ALERT PROGRAM

Representative Combs moved to amend the title as follows:

Add the names: "Representatives Combs, Damschroder, Hagan, R., Johnson, McClain, McGregor, O'Brien, Patmon, Ruhl, Uecker."

COURTNEY COMBS	REX DAMSCHRODER
DALE MALLORY	ROBERT F. HAGAN
TERRY JOHNSON	JEFFREY MCCLAIN
ROSS MCGREGOR	SEAN O'BRIEN

BILL PATMON
MARGARET RUHL

CLIFF ROSENBERGER
JOSEPH W. UECKER

The report was agreed to.

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

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

H.B. No. 426 - Representative Schuring, et al

TO ALLOW TAXPAYERS TO CONTRIBUTE A PORTION OF THEIR INCOME TAX REFUNDS TO THE OHIO BREAST AND CERVICAL CANCER PROJECT.

To the committee on Ways and Means

H.B. No. 427 - Representatives Boyd and Gardner, et al

TO REPLACE THE COUNCIL ON STROKE PREVENTION AND EDUCATION WITH THE STROKE SYSTEM OF CARE TASK FORCE; TO PROVIDE FOR STATE RECOGNITION OF HOSPITALS THAT ARE PRIMARY STROKE CENTERS; TO REQUIRE ESTABLISHMENT OF PROTOCOLS FOR EMERGENCY TRIAGE, TREATMENT, AND TRANSPORT OF STROKE PATIENTS; AND TO REQUIRE THE DEPARTMENT OF HEALTH TO MAINTAIN A STROKE DATA REGISTRY AND A STATEWIDE SYSTEM FOR STROKE RESPONSE AND TREATMENT.

To the committee on Health and Aging

H.B. No. 428 - Representatives Johnson and Kozlowski, et al

TO ESTABLISH A PROCESS TO APPEAL LETTERS OF ADMONISHMENT ISSUED BY THE STATE BOARD OF EDUCATION.

To the committee on Education

H.B. No. 429 - Representative Johnson

TO DESIGNATE A PORTION OF STATE ROUTE 52 IN SCIOTO COUNTY AS THE "BOONE COLEMAN MEMORIAL HIGHWAY."

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

H.B. No. 430 - Representatives Boose and Hackett, et al

TO INCREASE THE COUNTY COMPETITIVE BIDDING AND OTHER PROCUREMENT THRESHOLDS, TO MAKE OTHER CHANGES TO THE COUNTY COMPETITIVE BIDDING LAW, AND TO ELIMINATE THE ANNUAL ADOPTION OF CERTAIN RESOLUTIONS.

To the committee on Local Government

LOUIS W. BLESSING
ANDREW BRENNER
CHERYL GROSSMAN

JOHN ADAMS
ANNE GONZALES
DOROTHY PELANDA

ARMOND BUDISH
MATT SZOLLOSI

DEBBIE PHILLIPS

Representative Buchy 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 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 were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H.R. No. 260 - Speaker Batchelder

Honoring David Lee Wycuff on his retirement from CSRAB.

H.R. No. 263 - Representative Sears

Honoring the St. Joseph Sylvania Middle School girls cross country team on winning the 2011 Middle School Athletic Association Division II State Championship.

/s/ LOUIS BLESSING
Louis Blessing, Chair

Representative Buchy 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 concurred in the passage of the following bill:

Am. H. B. No. 212 -Representative Grossman

Cosponsors: Representatives Murray, Young, Stinziano, Blair, Stebelton, Hayes, Bulp, Letson, Szollosi, Mecklenborg, Huffman, Slaby, McKenney, Baker, Barnes, Blessing, Boose, Brenner, Carey, Carney, Combs, DeGeeter, Fedor, Fende, Garland, Goyal, Hackett, Hagan, C., Hill, Hollington, Luckie, Martin, Milkovich, Newbold, O'Brien, Phillips, Pillich, Ruhl, Yuko, Speaker

Batchelder Senators Wagoner, Faber, LaRose, Obhof, Turner, Skindell, Bacon, Balderson, Beagle, Brown, Coley, Eklund, Hite, Hughes, Jones, Kearney, Lehner, Manning, Niehaus, Oelslager, Patton, Sawyer, Schiavoni, Seitz, Tavares, Widener

To amend section 5103.16 of the Revised Code to extend to legal custodians the exemption from certain adoptive placement requirements.

Attest: Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

Am. S. C. R. No. 19 -Senator Widener
Cosponsors: Senators Bacon, Balderson, Beagle, Burke, Daniels, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Patton, Seitz, Schaffer, Skindell, Tavares, Turner, Brown, Cafaro, Coley, Faber, Gentile, Hite, Kearney, Niehaus, Oelslager, Sawyer, Schiavoni, Wagoner

To urge the Administrator of the Federal Aviation Administration to select Ohio as a site for testing the integration of Unmanned Aerial Systems into the National Airspace System.

Attest: Vincent L. Keeran,
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is requested:

Sub. S. B. No. 130-Senators Hughes, Cates

Cosponsors: Senators Lehner, Seitz, Skindell, Turner, Hite, Beagle, Burke, Gentile, Jones, LaRose, Niehaus, Patton, Sawyer, Schiavoni, Tavares, Wagoner

To amend sections 955.02, 955.10, 955.12, 955.20, 955.26, and 1901.183 and to enact sections 956.01 to 956.06 and 956.08 to 956.21 of the Revised Code to regulate certain dog breeding kennels, dog retailers, and animal rescues for dogs.

S. B. No. 202 -Senator Seitz

Cosponsors: Senators Patton, Grendell, Eklund, LaRose, Bacon, Balderson, Beagle, Burke, Coley, Faber, Hite, Hughes, Jones, Jordan, Lehner, Manning, Niehaus, Schaffer, Widener

To enact section 2305.402 of the Revised Code to specify the responsibility of a possessor of real property to a trespasser and the circumstances in which the possessor may be liable in a tort action for the death or injury of a trespasser.

Am. S. B. No. 260 -Senator Obhof

Cosponsors: Senators Jones, Schaffer, Seitz, Patton, Bacon, Kearney, Wagoner, Brown, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hughes, Lehner, Manning, Schiavoni, Skindell, Tavares, Turner, Widener

To enact section 5.2275 of the Revised Code to designate May as "Pediatric Stroke Awareness Month."

Sub. S. B. No. 268 -Senator Eklund

Cosponsors: Senators Seitz, Patton, LaRose, Jones, Wagoner, Bacon, Coley, Hite, Hughes, Lehner, Niehaus, Widener

To amend sections 2901.07, 2953.51, 2953.52, and 2953.53 of the Revised Code to provide for the taking of a DNA sample from a person who is charged with a felony but not arrested for the offense or whose DNA sample related to a felony offense was not taken when required and to provide for a court order, upon the person's request, requiring the Bureau of Criminal Identification and Investigation to seal DNA specimens, records, and profiles taken from a person when the person is found not guilty, the charges are dismissed with prejudice, or the charges are dismissed without prejudice and the statute of limitations has expired.

Attest: Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate accedes to the request of the House of Representatives for a Committee of Conference on matters of difference between the two Houses on:

Am. Sub. S. B. No. 165 -Senators Obhof, Grendell - et al.

The President of the Senate has appointed as managers on the part of the Senate on such matters of difference:

Senators Obhof, Lehner and Sawyer

Attest: Vincent L. Keeran,
Clerk.

Message from the Speaker

The Speaker hereby appoints the following members to the Committee of Conference on matters of difference between the two houses on:

Am. Sub. S. B. No. 165-Senators Obhof, Grendell, et al.

Representatives Stebelton, J. Adams and Luckie.

Message from the Speaker

Pursuant to House Joint Resolution 4, the Speaker hereby appoints the following members to a committee to wait upon the Governor:

Representatives Blessing, Huffman, Sears, J. Adams, Grossman, Budish, Szollozi, Heard, and Phillips.

Message from the Speaker

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

Agriculture and Natural Resources:

Remove former Representative Carey;
Appoint Representative Hill.

Commerce and Labor:

Appoint Representative Terhar.

Criminal Justice:

Remove Representatives Sprague, and Hayes as Vice Chair;
Appoint Representative Rose.

Finance and Appropriations:

Remove former Representatives Carey and Hollington;
Appoint Representatives Sprague, Hayes, and McClain as Vice Chair.

Finance and Appropriations Subcommittee on Primary and Secondary
Education:

Remove former Representative Carey;
Appoint Representative Hayes as Chair.

Health and Aging:

Remove: Representative Goodwin as Vice Chair
Appoint Representatives Gonzales as Vice Chair and Rosenberger.

Insurance:

Remove Representative Hill;
Appoint Representative DeVitis.

Judiciary and Ethics:

Remove Representative Blessing;
Appoint Representatives Butler as Vice Chair and Rose.

Local Government:

Remove Representative Butler;
Appoint Representatives DeVitis and Pelanda.

Public Utilities:

Remove Representative Gonzales as Vice Chair;
Appoint Representative Roegner as Vice Chair.

State Government and Elections:

Remove former Representative Hollington;
Appoint Representative Rose.

Transportation, Public Safety, and Homeland Security:

Remove Representatives McClain and Rosenberger;
Appoint Representative Kozlowski.

On motion of Representative Buchy, the House adjourned until Wednesday,
February 8, 2012 at 1:30 p.m.

Attest:

JENNIFER E. WOODRING,
Clerk.