

OHIO

House

of

Representatives

JOURNAL

THURSDAY, MARCH 3, 2011

TWENTY-SECOND DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, March 3, 2011, 8:45 a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Beck was selected to preside under the Rule.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 140-Representative Hagan, R.

Cosponsors: Representatives Murray, Yuko, Fedor, Foley, Goyal, Weddington, Pillich, Sykes, Ramos, Williams, Lundy, Antonio.

To amend section 105.41 and to enact section 101.61 of the Revised Code to require the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House of Representatives to determine the hours of operation for the Ohio Statehouse and to establish policies for the management of, and access to, the building.

Said bill was considered the first time.

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

Representative Fende submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 63**-Representatives Young, Slaby, et al., having had the same under consideration, reports it back and recommends its passage.

RE: ABORTION - PREGNANT MINOR - JUDICIAL CONSENT

Representative Wachtmann moved to amend the title as follows:

Add the names: "Schuring, Sears."

BRUCE W. GOODWIN
DAVE BURKE
JAY HOTTINGER
JOHN BARNES
RANDY GARDNER
TERRY JOHNSON
TROY BALDERSON

LYNN R. WACHTMANN
KIRK SCHURING
LORRAINE M. FENDE
BARBARA R. SEARS
TODD MCKENNEY
ANNE GONZALES
ROBERT HACKETT

The following members voted "NO"

KENNY YUKO	DAN RAMOS
NICKIE ANTONIO	ROBERT F. HAGAN
JOHN PATRICK CARNEY	NANCY GARLAND
RICHARD HOLLINGTON	

The report was agreed to.

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

Representative Fende submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 93**-Representatives Burke, Johnson, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PRESCRIPTION DRUGS - ABUSE OF MEDICAID COVERAGE

Representative Wachtmann moved to amend the title as follows:

Add the names: "Balderson, Gardner, McKenney, Gonzales, Goodwin, Hagan, R., Garland, Fende, Sears, Schuring, Wachtmann, Barnes, Duffey, Antonio."

RICHARD HOLLINGTON	TERRY JOHNSON
JOHN PATRICK CARNEY	LYNN R. WACHTMANN
DAVE BURKE	KIRK SCHURING
BARBARA R. SEARS	LORRAINE M. FENDE
JOHN BARNES	DAN RAMOS
NANCY GARLAND	NICKIE ANTONIO
ROBERT F. HAGAN	BRUCE W. GOODWIN
ROBERT HACKETT	JAY HOTTINGER
MIKE DUFFEY	TROY BALDERSON
RANDY GARDNER	ANNE GONZALES
KENNY YUKO	TODD MCKENNEY

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. 126 - Representative Grossman, Gonzales

TO PROVIDE THAT WHEN A PERSON SUBMITS AN APPLICATION TO THE REGISTRAR OF MOTOR VEHICLES OR A DEPUTY REGISTRAR FOR A NEW OR RENEWAL DRIVER'S LICENSE, COMMERCIAL DRIVER'S LICENSE, TEMPORARY INSTRUCTION PERMIT, MOTORCYCLE OPERATOR'S LICENSE OR ENDORSEMENT, OR IDENTIFICATION CARD, THE INDIVIDUAL MUST BE

FURNISHED WITH A NEXT OF KIN INFORMATION FORM ON WHICH THE INDIVIDUAL MAY LIST INFORMATION FOR INCLUSION IN THE NEXT OF KIN DATABASE OF THE BUREAU OF MOTOR VEHICLES.

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

H.B. No. 127 - Representative Luckie, et al

TO ADD SIX SYNTHETIC DERIVATIVES OF CATHINONE THAT HAVE BEEN FOUND IN BATH SALTS TO THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES.

To the committee on Health and Aging

H.B. No. 128 - Representatives Carey and Peterson, et al

TO REVISE THE REQUIREMENTS FOR STAFFING AMBULANCES AND THE PRIORITIES FOR DISTRIBUTING GRANTS FOR EMERGENCY MEDICAL SERVICES.

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

H.B. No. 129 - Representative Mallory, et al

TO ESTABLISH THE BED BUG AWARENESS, EDUCATION, AND PREVENTION PROGRAM AND TO REQUIRE BOARDS OF HEALTH TO ADOPT VERMIN CONTROL POLICIES UNDER WHICH BEDBUG INFESTATIONS ARE TREATED IN THE SAME MANNER AS OTHER INFESTATIONS AND TO MAKE AN APPROPRIATION.

To the committee on Health and Aging

H.B. No. 130 - Representative Mallory, et al

TO CREATE THE INFRASTRUCTURE PROTECTION CENTER WITHIN THE DIVISION OF HOMELAND SECURITY OF THE DEPARTMENT OF PUBLIC SAFETY.

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

H.B. No. 131 - Representative Reece, et al

TO PROHIBIT EMPLOYERS FROM USING A CONSUMER REPORT OR INVESTIGATIVE CONSUMER REPORT FOR EMPLOYMENT PURPOSES.

To the committee on Commerce and Labor

H.B. No. 132 - Representative DeGeeter, et al

TO REQUIRE A COURT IMPOSING SENTENCE FOR CERTAIN DRUG POSSESSION OFFENSES TO TAKE INTO CONSIDERATION THAT THE OFFENDER WAS SEEKING MEDICAL ASSISTANCE FOR THE OFFENDER OR ANOTHER PERSON FOR A DRUG-RELATED OVERDOSE AND THAT EVIDENCE RELATED TO THE OFFENSE WAS OBTAINED AS A RESULT OF SEEKING THAT ASSISTANCE.

To the committee on Criminal Justice

H.B. No. 133 - Representative J. Adams, et al

TO CREATE THE OIL AND GAS LEASING BOARD AND TO ESTABLISH A PROCEDURE BY WHICH THE BOARD MAY ENTER

INTO LEASES FOR OIL AND GAS PRODUCTION ON LAND OWNED OR UNDER THE CONTROL OF A STATE AGENCY FOR THE PURPOSE OF PROVIDING FUNDING FOR CAPITAL AND OPERATING COSTS FOR THE AGENCY.

To the committee on Agriculture and Natural Resources

H.B. No. 134 - Representative Schuring, et al

TO REDUCE THE INCOME TAX RATE ON CAPITAL GAINS REINVESTED IN OHIO-BASED INVESTMENTS.

To the committee on Ways and Means

H.B. No. 135 - Representative Burke, et al

TO REQUIRE DIRECT CERTIFICATION OF STUDENTS FOR FREE SCHOOL MEAL BENEFITS AT LEAST FIVE TIMES EACH SCHOOL YEAR.

To the committee on Education

H.B. No. 136 - Representative Huffman, et al

TO REPLACE THE EDUCATIONAL CHOICE AND THE CLEVELAND SCHOLARSHIP PROGRAMS WITH THE PARENTAL CHOICE AND TAXPAYER SAVINGS SCHOLARSHIP PROGRAM AND TO ESTABLISH THE SPECIAL EDUCATION SCHOLARSHIP PROGRAM.

To the committee on Education

LOUIS W. BLESSING
ANDREW BRENNER
ANNE GONZALES
TRACY HEARD

JOHN ADAMS
DAVE BURKE
ARMOND BUDISH
DEBBIE PHILLIPS

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 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 Resolution be introduced and referred to the following committee for consideration:

H.R. No. 38 - Representative Pillich, Fedor, Williams, Antonio, Beck, Boyd, Clyde, Driehaus, Fende, Foley, Garland, Hagan, Heard, Johnson, Letson, Lundy, Murray, Phillips, Ramos, Reece, Rosenberger, Ruhl,

Sears, Slesnick, Stinziano, Yuko

TO MEMORIALIZE THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF DEFENSE, AND THE UNITED STATES CONGRESS TO END THE BAN ON WOMEN SERVING IN COMBAT AND TO MAKE OTHER PROVISIONS REGARDING THE TRAINING, EQUIPMENT, AND ASSIGNMENT POLICY FOR WOMEN IN THE ARMED SERVICES.

To the committee on Veterans Affairs

/s/ LOUIS BLESSING

Louis Blessing, Chair

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

The motion was agreed to.

Said resolution was introduced and referred as recommended.

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Resolution be read and approved:

H.R. No. 36 - Representative Weddington, Heard, Speaker Batchelder, Representative Budish, J. Adams, R. Adams, Amstutz, Anielski, Antonio, Ashford, Baker, Balderson, Barnes, Beck, Blair, Blessing, Boose, Boyd, Brenner, Bulp, Buchy, Burke, Butler, Carey, Carney, Celeste, Clyde, Coley, Combs, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gentile, Gerberry, Gonzales, Goodwin, Goyal, Grossman, Hackett, Hagan, Hall, Hayes, Henne, Hollington, Hottinger, Huffman, Johnson, Kozlowski, Landis, Letson, Luckie, Lundy, Maag, Mallory, Martin, McClain, McGregor, McKenney, Mecklenborg, Milkovich, Murray, Newbold, O'Brien, Okey, Patmon, Peterson, Phillips, Pillich, Ramos, Reece, Roegner, Rosenberger, Ruhl, Schuring, Sears, Slaby, Slesnick, Snitchler, Sprague, Stautberg, Stebelton, Stinziano, Sykes, Szollosi, Thompson, Uecker, Wachtmann, Williams, Winburn, Young, Yuko

In memory of Alex A. Boudreaux.

/s/ LOUIS BLESSING

Louis Blessing, Chair

Representative Grossman 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.

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

H.R. No. 39 – Representative Ruhl

Honoring Ian Whitaker on receiving the Boy Scouts of America Heroism Medal.

/s/ LOUIS BLESSING

Louis Blessing, Chair

Representative Grossman 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:

H. B. No. 89 -Representative Derickson

Cosponsors: Representatives Murray, Boose, Weddington, Blessing, Gardner, Hackett, Adams, R., Snitchler, Letson, Combs, Mecklenborg, Hottinger, Garland, Balderson, Ruhl, Hall, McClain, Okey, Maag, Beck, Grossman, Blair, Reece, Thompson, Huffman, Brenner, Carey, McKenney, Stinziano, Martin, Peterson, Schuring, Fende, Buchy, Damschroder, Goodwin, Johnson, Clyde, Gentile, Heard, Mallory, O'Brien, Phillips, Coley, Landis, Stebelton, Adams, J., Kozlowski, Anielski, Ashford, Baker, Barnes, Bulp, Budish, Burke, Butler, Celeste, DeGeeter, Dovilla, Driehaus, Duffey, Fedor, Gerberry, Goyal, Hayes, Henne, Luckie, Lundy, McGregor, Milkovich, Patmon, Ramos, Roegner, Rosenberger, Sears, Slaby, Slesnick, Sprague, Stautberg, Szollosi, Uecker, Winburn, Young, Yuko, Speaker Batchelder Senators Hite, Schaffer, Wilson, Brown, Schiavoni, Bacon, Beagle, Cafaro, Daniels, Gillmor, Hughes, Jordan, Kearney, LaRose, Manning, Niehaus, Obhof, Oelslager, Sawyer, Smith, Stewart, Tavares, Turner, Wagoner, Widener, Patton, Cates, Jones

To enact section 5.2266 of the Revised Code to designate the second full week of March as Ohio Agriculture Week.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Am. Sub. S. B. No. 2 -Senator Hughes - et al.

Attest:

Vincent L. Keeran,
Clerk.

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. Sub. S. B. No. 5 -Senator Jones

To amend sections 9.90, 103.74, 122.64, 122.72, 124.134, 124.14, 124.15, 124.152, 124.181, 124.322, 124.325, 124.34, 124.38, 124.388, 124.39, 124.81, 124.82, 145.47, 306.04, 307.054, 339.06, 339.07, 340.04, 505.38, 505.49, 505.60, 709.012, 742.31, 749.082, 749.083, 927.69, 1545.071, 3306.01, 3307.27, 3307.77, 3309.47, 3311.19, 3313.12, 3313.202, 3313.23, 3313.24, 3313.33, 3313.42, 3314.10, 3316.07, 3317.01, 3317.018, 3317.11, 3317.13, 3319.01, 3319.011, 3319.02, 3319.06, 3319.08, 3319.084, 3319.085, 3319.088, 3319.09, 3319.10, 3319.11, 3319.13, 3319.14, 3319.141, 3319.17, 3319.172, 3319.18, 3319.63, 3326.18, 3332.03, 4117.01, 4117.02, 4117.03, 4117.05, 4117.06, 4117.07, 4117.08, 4117.09, 4117.10, 4117.11, 4117.12, 4117.13, 4117.14, 4117.15, 4117.18, 4117.20, 4117.21, 4725.46, 4906.02, 5107.26, 5123.51, 5126.24, 5139.02, 5503.03, and 5505.15, to enact sections 4113.80, 4117.081, 4117.104, 4117.105, 4117.106, 4117.107, 4117.108, 4117.109, 4117.26, and 4117.27, and to repeal sections 3317.12, 3317.14, 3319.131, 3319.142, 3319.143, 4117.16, 4117.22, and 4117.23 of the Revised Code to make various changes to laws concerning public employees, including collective bargaining, salary schedules and compensation, layoff procedures, and leave.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

Message from the Speaker

Pursuant to House Concurrent Resolution 5, the Speaker hereby appoints the following members to a committee to wait upon the Governor:

Representatives 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:

Economic and Small Business Development: remove Representative Schuring; appoint Representative C. Hagan;

Insurance: remove Representative Snitchler; appoint Representative Sprague;

Local Government: remove Representative Snitchler; appoint Representative Schuring;

Public Utilities: remove Representative Beck as Vice-Chair and Representative Snitchler; appoint Representative Stautberg as Chair and Representative C. Hagan.

Veterans Affairs: remove Representative Sprague; appoint Representative C. Hagan.

Ways and Means: remove Representative Stautberg as Chair; appoint Representative Beck as Chair.

On motion of Representative Grossman, the House adjourned until Tuesday, March 8, 2011 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.