

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**CORRECTED VERSION**  
**THURSDAY, JUNE 9, 2011**

## FIFTY-SEVENTH DAY

Hall of the House of Representatives, Columbus, Ohio

**Thursday, June 9, 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. 256**-Representative Adams, J.

To amend sections 1547.69, 2923.11, 2923.12, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.128, 2923.1212, 2923.1213, and 2923.16 of the Revised Code to authorize a person to carry a concealed handgun without obtaining a license to the same extent as if the person had obtained such a license, except on liquor permit premises, if the person qualifies for a concealed carry license and is legally permitted to purchase a handgun; to remove the requirements that a concealed carry licensee must be carrying the license in order to carry a concealed handgun, must inform approaching law enforcement officers that the person has a license and is carrying the handgun when the person is carrying a concealed handgun, and must submit a new or renewed competency certification when renewing the license; to eliminate as premises in which a concealed carry licensee may not carry a concealed handgun public or private institutions of higher education, places of worship, day-care centers and homes, and government buildings other than schools, courthouses, law enforcement offices, and correctional facilities; to replace the prohibitions that apply only to a concealed carry licensee who is carrying a handgun in a motor vehicle with a prohibition against a licensee who is in a motor vehicle that is stopped by a law enforcement officer knowingly menacing or threatening an officer with a loaded handgun or knowingly pointing a loaded handgun at an officer; to remove the "in plain sight or secure encasement" criterion that a concealed carry licensee must satisfy to legally possess a handgun in a motor vehicle; and to require a sheriff who issues a renewed concealed carry license to return the expired license to the licensee or destroy it.

Said bill was considered the first time.

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

Representative Luckie submitted the following report:

The standing committee on Education to which was referred **H. B. No. 116**-Representative Barnes, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: SCHOOLS - HARASSMENT/INTIMIDATION/BULLYING  
POLICIES - INSTRUCTION ON/PARENTAL NOTICE OF

Representative Stebelton moved to amend the title as follows:

Add the name: "Luckie."

Representative Stebelton moved to amend as follows:

In line 34, strike through "parents" and insert "the custodial parent"; strike through "guardians" and insert "guardian"

In line 63, delete "Each" and insert "(1) To the extent that state or federal funds are appropriated for this purpose, each"; delete "twice in each school year"

In line 64, delete "each student" and insert "all students"; after "district" insert "annually"

In line 65, after "instruction" insert ", as determined by the board,"

In line 66, delete "The"

Delete lines 67 through 69

In line 70, before "Each" insert "(2)"; delete "also"

In line 72, after "student's" insert "custodial"; after "parent" insert "or guardian"; delete "along"

Delete line 73

In line 74, delete "by the parent and returned to the student's school"

In line 111, after "**3.**" Insert "Sections 1 and 2 of this act shall take effect six month after the effective date of this section.

**Section 4."**

In line 4 of the title, delete "on" and insert ", to the extent that federal or state funds are appropriated for this purpose,"

The motion was agreed to and the bill so amended.

GERALD L. STEBELTON  
MARLENE ANIELSKI  
ANDREW BRENNER  
TIMOTHY DERICKSON

CRAIG NEWBOLD  
NAN BAKER  
JIM BUTLER  
BILL HAYES

MICHAEL HENNE  
 CASEY KOZLOWSKI  
 KRISTINA ROEGNER  
 CLAYTON LUCKIE  
 TED CELESTE  
 TERESA FEDOR  
 BILL PATMON  
 DAN RAMOS

MATT HUFFMAN  
 RON MAAG  
 ANDY THOMPSON  
 NICKIE ANTONIO  
 DENISE DRIEHAUS  
 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 **H. B. No. 157**-Representatives Schuring, Letson, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: DYSLEXIA - TEACHER PROFESSIONAL DEVELOPMENT ON

Representative Stebelton moved to amend the title as follows:

Add the name: "Antonio."

Representative Stebelton moved to amend as follows:

In line 27, after " by" insert " unexpected"

In line 29, after " abilities" insert " not consistent with the person's intelligence, motivation, and sensory capabilities"

In line 34, after " standards" insert " or standards from any other nationally recognized organization that specializes in issues surrounding dyslexia"; delete " subsequent" and insert " subsequently adopted"

In line 35, delete " adopted by the association"

The motion was agreed to and the bill so amended.

GERALD L. STEBELTON  
 MARLENE ANIELSKI  
 ANDREW BRENNER  
 TIMOTHY DERICKSON  
 MICHAEL HENNE  
 CASEY KOZLOWSKI  
 KRISTINA ROEGNER  
 CLAYTON LUCKIE  
 TED CELESTE  
 TERESA FEDOR  
 BILL PATMON  
 DAN RAMOS

CRAIG NEWBOLD  
 NAN BAKER  
 JIM BUTLER  
 BILL HAYES  
 MATT HUFFMAN  
 RON MAAG  
 ANDY THOMPSON  
 NICKIE ANTONIO  
 DENISE DRIEHAUS  
 RON GERBERRY  
 DEBBIE PHILLIPS

The report was agreed to.

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

Representative Pillich submitted the following report:

The standing committee on Veterans Affairs to which was referred **H. B. No. 162**-Representatives Stebelton, Bulp, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CIVIL SERVICE VETERANS PREFERENCE - ELIMINATE REQUIREMENT VETERAN BE OHIO CITIZEN

Representative Martin moved to amend the title as follows:

Add the names: "Martin, Fedor, Hagan, C., Landis, Milkovich, Yuko."

JARROD MARTIN	TERRY JOHNSON
CONNIE PILLICH	DANNY R. BULP
JIM BUTLER	TERESA FEDOR
CHRISTINA HAGAN	AL LANDIS
ZACK MILKOVICH	CLIFF ROSENBERGER
RON YOUNG	KENNY YUKO

The report was agreed to.

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

Representative Barnes submitted the following report:

The standing committee on Ways and Means to which was referred **H. B. No. 167**-Representatives Derickson, Mallory, et al., having had the same under consideration, reports it back and recommends its passage.

RE: INCOME TAX - DEDUCT PELL GRANT/COLLEGE OPPORTUNITY GRANT FOR ROOM & BOARD

Representative Beck moved to amend the title as follows:

Add the names: "Barnes, Blair, Dovilla, Fende, Hayes, Milkovich, Stautberg, Winburn."

PETER BECK	JEFFREY MCCLAIN
TOM LETSON	NAN BAKER
JOHN BARNES	TERRY BLAIR
TERRY BOOSE	MIKE DOVILLA
LORRAINE M. FENDE	MIKE FOLEY
BILL HAYES	RON MAAG
ZACK MILKOVICH	STEPHEN SLESNICK
PETER STAUTBERG	ROLAND WINBURN

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 229**-Representative Buchy, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: AGRICULTURE - REVISE LAWS GOVERNING

Representative Hall moved to amend the title as follows:

Add the names: "Ruhl, Balderson."

DAVE HALL	TIMOTHY DERICKSON
TROY BALDERSON	TERRY BOOSE
JIM BUCHY	JOHN CAREY
KATHLEEN CLYDE	REX DAMSCHRODER
LOU GENTILE	BRUCE W. GOODWIN
TRACY HEARD	CASEY KOZLOWSKI
AL LANDIS	DALE MALLORY
DENNIS MURRAY	BOB PETERSON
DEBBIE PHILLIPS	MARGARET RUHL
ANDY THOMPSON	

The following member voted "NO"

TERESA FEDOR

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. R. No. 97**-Representative Sears, having had the same under consideration, reports it back and recommends its adoption.

RE: TRANS CANADA PIPELINE

Representative Hall moved to amend the title as follows:

Add the name: "Fedor."

DAVE HALL	TIMOTHY DERICKSON
TERESA FEDOR	TROY BALDERSON
TERRY BOOSE	JIM BUCHY
JOHN CAREY	KATHLEEN CLYDE
REX DAMSCHRODER	LOU GENTILE
BRUCE W. GOODWIN	TRACY HEARD
CASEY KOZLOWSKI	AL LANDIS
DALE MALLORY	DENNIS MURRAY
BOB PETERSON	DEBBIE PHILLIPS

MARGARET RUHL

ANDY THOMPSON

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 Bill be considered for the second time and referred to the following committee for consideration.

**H.B. No. 252 - Representative Young, et al**

TO REQUIRE A PROSECUTING ATTORNEY TO ASK THE IMMIGRATION AND NATURALIZATION SERVICE OF THE UNITED STATES TO VERIFY OR ASCERTAIN THE IMMIGRATION STATUS OF AN OFFENDER WHO HAS BEEN CONVICTED OF OR PLEADED GUILTY TO A FELONY, TO REQUIRE A PROSECUTING ATTORNEY IF THE INS INFORMS THE PROSECUTOR THAT THE OFFENDER IS AN ILLEGAL ALIEN TO NOTIFY THE ALLEGED FELON'S EMPLOYER, THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE REGISTRAR OF MOTOR VEHICLES, AND THE SECRETARY OF STATE, TO MAKE ILLEGAL ALIENS INELIGIBLE FOR CERTAIN STATE PUBLIC BENEFITS, AND TO PROHIBIT THE REGISTRAR OF MOTOR VEHICLES FROM ISSUING A DRIVER'S LICENSE TO AN ALLEGED FELON WITH RESPECT TO WHOM A PROSECUTING ATTORNEY HAS GIVEN THE REGISTRAR THE ABOVE NOTICE AND REQUIRE THE REGISTRAR TO CANCEL ANY DRIVER'S LICENSES ISSUED TO SUCH AN ALLEGED FELON.

To the committee on Transportation, Public Safety and Homeland Security

LOUIS W. BLESSING  
ANDREW BRENNER  
ANNE GONZALES  
ARMOND BUDISH  
DEBBIE PHILLIPS

JOHN ADAMS  
DAVE BURKE  
CHERYL GROSSMAN  
TRACY HEARD  
MATT SZOLLOSI

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 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 Bill was 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 Concurrent Resolutions and House Resolution be introduced and referred to the following committees for consideration:

**H.C.R. No. 20 - Representatives Goyal and Gardner, et al**

TO URGE THE SELECTION COMMITTEE OF THE PROFESSIONAL FOOTBALL HALL OF FAME TO CHOOSE DICK SCHAFRATH FOR INDUCTION INTO THE PROFESSIONAL FOOTBALL HALL OF FAME.

To the committee on State Government and Elections

**H.C.R. No. 21 - Representatives Slesnick and Ramos, et al**

TO DECLARE THE STATE OF OHIO'S SUPPORT OF ITS STEELWORKERS IN URGING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO ENSURE THAT THE PENSION BENEFIT GUARANTEE CORPORATION IS FULLY FUNDED AND PROPERLY ADMINISTERED TO PAY PENSION BENEFITS TO RETIRED STEELWORKERS AND THEIR SPOUSES.

To the committee on Health and Aging

**H.R. No. 116 - Representative Bubp**

TO URGE CONGRESS TO ENACT HOUSE RESOLUTION 2070 REQUIRING THE INSTALLATION IN THE AREA OF THE WORLD WAR II MEMORIAL IN WASHINGTON D.C., A SUITABLE PLAQUE OR AN INSCRIPTION WITH THE WORDS THAT PRESIDENT FRANKLIN D. ROOSEVELT PRAYED WITH THE NATION ON JUNE 6, 1944.

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 resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolutions were introduced and referred as recommended.

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. 119 - Representative Ruhl**

Honoring Shamrock Vineyard on winning three medals at the 2011 Finger Lakes International Wine Competition.

**H.R. No. 121 - Representative Dovilla**

Honoring the Olmsted Falls High School academic team as the 2011 NAQT Ohio 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 concurred in the passage of the following bill:

**Am. Sub. H. B. No. 65** -Representative Combs

Cosponsors: Representatives O'Brien, Boose, Blessing, Maag, Bubp, Grossman, Carey, Derickson, Pillich, Dovilla, Beck, Fende, Yuko, Coley, Ruhl, Adams, J., Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Balderson, Barnes, Blair, Brenner, Buchy, Budish, Butler, Carney, Celeste, DeGeeter, Driehaus, Fedor, Foley, Gardner, Garland, Gerberry, Gonzales, Goodwin, Goyal, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hottinger, Huffman, Johnson, Landis, Letson, Luckie, Lundy, Mallory, Martin, McClain, McGregor, McKenney, Milkovich, Newbold, Okey, Patmon, Peterson, Phillips, Reece, Roegner, Rosenberger, Sears, Slaby, Slesnick, Stautberg, Stinziano, Sykes, Szollosi, Thompson, Uecker, Wachtmann, Weddington, Winburn, Young, Speaker Batchelder Senators Coley, Jordan, Wilson, Turner, Patton, Bacon, Beagle, Brown, Cafaro, Daniels, Faber, Gillmor, Grendell, Hite, Hughes, Jones, Kearney, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Stewart, Tavares, Wagoner, Widener

To amend sections 4501.21 and 5533.372 and to enact sections 4503.713, 5533.102, 5533.103, 5533.252, 5533.253, 5533.341, 5533.353, 5533.355, 5533.373, 5533.374, 5533.375, 5533.376, 5533.541, 5533.591, 5533.602, 5533.603, 5533.636, 5533.637, 5533.638, 5533.639, 5533.687, 5533.732, 5533.763, 5533.764, 5533.765, 5533.766, 5533.767, 5533.791, 5533.932, 5533.941, and 5533.97 of the Revised Code to designate various memorial highways and bridges and to create "Honor Our Fallen" license plates.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 16, after "5533.766," insert "5533.767,"

Between lines 521 and 522, insert:

" **Sec. 5533.767.** That portion of the road known as United States route number thirty, commencing at the boundary between Canton and Osamburg

townships and proceeding in an easterly direction to the boundary between Osnaburg township and the municipal corporation of East Canton within Stark county only, shall be known as the "Staff Sgt. Kevin J. Kessler Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name. "

In line 7 of the title, after "5533.766," insert "5533.767,"

Attest:

Vincent L. Keeran,  
Clerk.

The Senate amendments were laid over under the Rule.

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:

**Sub. H. B. No. 128** -Representatives Carey, Peterson  
Cosponsors: Representatives Balderson, Combs, Kozlowski, Slaby, Hollington, Maag, Antonio, Boose, Grossman, Derickson, Amstutz, DeGeeter, Ruhl, Anielski, Baker, Barnes, Beck, Blair, Blessing, Bubp, Butler, Carney, Clyde, Fedor, Fende, Gardner, Garland, Gentile, Gerberry, Gonzales, Goyal, Hackett, Hagan, C., Hall, Hottinger, Johnson, Letson, Luckie, Lundy, Mallory, McClain, Mecklenborg, Milkovich, Newbold, O'Brien, Patmon, Phillips, Roegner, Rosenberger, Sears, Sprague, Stebelton, Stinziano, Thompson, Uecker, Wachtmann, Weddington, Williams, Winburn, Young, Speaker Batchelder Senators Patton, Coley, Schiavoni, Turner, Wilson, Bacon, Daniels, Hite, Hughes, LaRose, Manning, Obhof, Sawyer, Schaffer, Stewart, Tavares

To amend sections 505.44, 505.84, 3743.75, 4765.07, 4765.43, and 4766.03, to enact sections 505.441 and 4765.011, and to repeal section 4765.431 of the Revised Code to revise the requirements for staffing ambulances and the priorities for distributing grants for emergency medical services, and to specify additional titles to be used by emergency medical service personnel; and extends until December 15, 2015, a moratorium on issuing fireworks manufacturer and wholesaler licenses.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

The Senate amendments were laid over under the Rule.

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. S. B. No. 71** -Senator Manning - et al.

Attest:

Vincent L. Keeran,  
Clerk.

On motion of Representative Grossman, the House adjourned until Tuesday, June 14, 2011 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.