

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
TUESDAY, JUNE 12, 2012

ONE HUNDRED SIXTY-SIXTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, June 12, 2012, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Conditt, followed by the Pledge of Allegiance to the Flag.

The journal of the previous legislative day was read and approved.

The following guests of the House of Representatives were recognized by Speaker Batchelder prior to the commencement of business:

Sam Prakel received H.R. 410, presented by Representative Buchy-77th district.

Jacob Blankenship received H.R. 406, presented by Representative Garland-20th district.

Dr. Beverley Goldstein, a guest of Representative Dovilla-18th district.

Cheri, Parker, and Sydney Lehman, guests of Representative Gonzales-19th district.

Becky Zucker, a guest of Representative Stinziano-25th district.

Gabriel Fletcher, a guest of Representative Reece-33rd district.

Cara Colker-Eybel and Katie Havlovic, guests of Representative Clyde-68th district.

Michael Scott, a guest of Representative Martin-70th district.

Bob Fudge, a guest of Representative Hackett-84th district.

Sofia Biegeleisen, a guest of Representative Phillips-92nd district.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Am. H. B. No. 331**-Representatives Dovilla, Bubb, et al., were taken up for consideration.

Am. H. B. No. 331-Representatives Dovilla, Bubb.

Cosponsors: Representatives Patmon, Adams, J., Boose, Butler, Rosenberger, Stinziano, Landis, Conditt, Newbold, Brenner, Stebelton, Henne, Grossman, Hagan, C., Terhar, Adams, R., Anielski, Antonio, Baker, Barnes, Beck, Blair, Blessing, Buchy, Carney, Combs, Damschroder, Derickson, Gardner, Garland, Gerberry, Hackett, Hall, Hayes, Hill, Johnson, Letson, Luckie, Mallory, Matheney, McClain, Milkovich, O'Brien, Peterson, Pillich, Roegner, Rose, Sears, Slaby, Sprague, Szollosi, Uecker, Wachtmann, Winburn, Young, Speaker Batchelder. Senators Schaffer, Balderson, Beagle, Burke, Coley,

Faber, Hite, Hughes, Jones, Kearney, Lehner, Manning, Obhof, Oelslager, Peterson, Sawyer, Schiavoni, Tavares, Turner, Wagoner.

To enact section 121.92 of the Revised Code to create the Cybersecurity, Education, and Economic Development Council.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Ashford
Baker	Barnes	Beck	Blair
Boose	Boyce	Brenner	Bubp
Buchy	Budish	Butler	Carney
Celebrezze	Celeste	Cera	Clyde
Combs	Conditt	Damschroder	DeVitis
Derickson	Dovilla	Driehaus	Duffey
Fedor	Fende	Foley	Gardner
Garland	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Heard	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Maag	Mallory	Martin
McClain	McGregor	Milkovich	Murray
Newbold	O'Brien	Patmon	Pelanda
Phillips	Pillich	Ramos	Reece
Roegner	Rosenberger	Ruhl	Scherer
Schuring	Sears	Slaby M.	Slesnick
Smith	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Terhar
Thompson	Uecker	Wachtmann	Williams
Winburn	Young	Yuko	Batchelder-92.

The Senate amendments were concurred in.

The Senate amendments to **Am. H. B. No. 375**-Representative Butler, et al., were taken up for consideration.

Am. H. B. No. 375-Representative Butler.

Cosponsors: Representatives Stebelton, Rosenberger, Henne, Gonzales, Uecker, Reece, Adams, J., Terhar, Thompson, Blessing, Hill, Huffman, Lynch, Martin, Ramos, Roegner, Speaker Batchelder.

To amend section 3313.41 and to enact section 3313.412 of the Revised Code regarding the sale of real property by school districts.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 4, nays 88, as follows: Representatives Antonio, Driehaus, Foley, and Hagan, R. voted in the affirmative-4.

Those who voted in the negative were: Representatives

Adams R.	Amstutz	Ashford	Baker
Barnes	Beck	Blair	Boose
Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Duffey	Fedor	Fende
Gardner	Garland	Gerberry	Gonzales
Goodwin	Goyal	Grossman	Hackett
Hagan, C.	Hall	Hayes	Heard
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Lundy	Lynch	Maag	Mallory
Martin	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Patmon
Pelanda	Phillips	Pillich	Ramos
Reece	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Winburn	Young	Yuko	Batchelder-88.

The Senate amendments were not concurred in.

The Senate amendments to **Sub. H. B. No. 433**-Representative Damschroder, et al., were taken up for consideration.

Sub. H. B. No. 433-Representative Damschroder.

Cosponsors: Representatives Blair, Boose, Combs, DeVitis, Newbold, Speaker Batchelder. Senators Cafaro, Kearney, Obhof.

To amend sections 1901.01, 1901.02, 1901.03, 1901.07, 1901.08, 1901.31, and 1907.11 of the Revised Code to abolish the Sandusky County County Court, to create the Sandusky County Municipal Court, to provide that the judge of the Sandusky County Municipal Court shall be nominated by petition, to designate the clerk of courts of Sandusky County the clerk of the Sandusky County Municipal Court, to abolish the Trumbull County County Court, to create the Trumbull County Municipal Court, to create a full-time judgeship for the Trumbull County Municipal Court, and to provide that the judge be nominated by petition and elected in 2017 for a six-year term.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 0, nays 92, as follows:

Those who voted in the negative were: Representatives

Adams R.	Amstutz	Antonio	Ashford
Baker	Beck	Blair	Boose
Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gerberry	Gonzales	Goodwin	Goyal
Grossman	Hackett	Hagan, C.	Hagan, R.
Hall	Hayes	Heard	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Maag	Mallory	Martin
McClain	McGregor	Milkovich	Murray
Newbold	O'Brien	Patmon	Pelanda
Phillips	Pillich	Ramos	Reece
Roegner	Rosenberger	Ruhl	Scherer
Schuring	Sears	Slaby M.	Slesnick
Smith	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Terhar
Thompson	Uecker	Wachtmann	Williams
Winburn	Young	Yuko	Batchelder-92.

The Senate amendments were not concurred in.

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. 143**-Representatives Stinziano, O'Brien, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: YOUTH SPORTS-HEAD INJURIES/CONCUSSIONS

Representative Wachtmann moved to amend the title as follows:

Add the name: "Sears."

LYNN R. WACHTMANN
NICKIE ANTONIO
MIKE DUFFEY
NANCY GARLAND
ROBERT F. HAGAN
JAY HOTTINGER
DOROTHY PELANDA
BARBARA R. SEARS
RYAN SMITH

ANNE GONZALES
JOHN PATRICK CARNEY
RANDY GARDNER
ROBERT HACKETT
BRIAN HILL
TERRY JOHNSON
DAN RAMOS
MARILYN SLABY
KENNY YUKO

The following members voted "NO"

LORRAINE M. FENDE

JOHN BARNES

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. 531**-Representatives Antonio, Johnson, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: GIFT OF LIFE HERO DAY-SEPTEMBER 10

Representative Wachtmann moved to amend the title as follows:

Add the names: "Barnes, Carney, Duffey, Gardner, Hackett, Sears, Slaby, M.."

Representative Antonio moved to amend as follows:

In line 3, delete "5.2277" and insert "5.2288"

In line 5, delete "5.2277" and insert "5.2288"

In line 1 of the title, delete "5.2277" and insert "5.2288"

The motion was agreed to and the bill so amended.

LYNN R. WACHTMANN

LORRAINE M. FENDE

JOHN BARNES

MIKE DUFFEY

NANCY GARLAND

ROBERT F. HAGAN

JAY HOTTINGER

DOROTHY PELANDA

BARBARA R. SEARS

RYAN SMITH

ANNE GONZALES

NICKIE ANTONIO

JOHN PATRICK CARNEY

RANDY GARDNER

ROBERT HACKETT

BRIAN HILL

TERRY JOHNSON

DAN RAMOS

MARILYN SLABY

KENNY YUKO

The report was agreed to.

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

Representative Celeste submitted the following report:

The standing committee on Education to which was referred **H. B. No. 525**-Representatives Williams, Amstutz, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MUNICIPAL SCHOOL DISTRICTS

Representative Stebelton moved to amend the title as follows:

Add the names: "Brenner, Thompson."

GERALD L. STEBELTON	MIKE DOVILLA
NAN BAKER	ANDREW BRENNER
JIM BUTLER	TIMOTHY DERICKSON
BILL HAYES	MATT HUFFMAN
CASEY KOZLOWSKI	RON MAAG
CRAIG NEWBOLD	KRISTINA ROEGNER
RYAN SMITH	ANDY THOMPSON
NICKIE ANTONIO	

The following members voted "NO"

TED CELESTE	DENISE DRIEHAUS
TERESA FEDOR	RON GERBERRY
DEBBIE PHILLIPS	DAN RAMOS

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 **S. B. No. 309**-Senator Hite, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: AGRICULTURE COMMODITY MARKETING AGREEMENTS-PROCEDURES/REQUIREMENTS

Representative Hall moved to amend the title as follows:

Add the names: "Representatives Hall, Boose, Buchy, Clyde, Ruhl."

DAVE HALL	ANDY THOMPSON
TERESA FEDOR	TERRY BOOSE
JIM BUCHY	JACK CERA
KATHLEEN CLYDE	REX DAMSCHRODER
TIMOTHY DERICKSON	CHRISTINA HAGAN
TRACY HEARD	BRIAN HILL
CASEY KOZLOWSKI	AL LANDIS
DENNIS MURRAY	SEAN O'BRIEN
DOROTHY PELANDA	DEBBIE PHILLIPS
MARGARET RUHL	GARY K. SCHERER

The report was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on Education to which was referred **S. C. R. No. 30**-Senators Widener, Kearney, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: CENTRAL STATE UNIVERSITY-DESIGNATE AS A LAND GRANT UNIVERSITY

Representative Stebelton moved to amend the title as follows:

Add the name: "Representative Ramos."

GERALD L. STEBELTON	MIKE DOVILLA
NAN BAKER	ANDREW BRENNER
JIM BUTLER	TIMOTHY DERICKSON
BILL HAYES	MATT HUFFMAN
CASEY KOZLOWSKI	RON MAAG
CRAIG NEWBOLD	KRISTINA ROEGNER
RYAN SMITH	ANDY THOMPSON
NICKIE ANTONIO	TED CELESTE
DENISE DRIEHAUS	TERESA FEDOR
RON GERBERRY	BILL PATMON
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 Bills be considered for the second time and referred to the following committees for consideration.

H.B. No. 560 - Representative Lynch, et al
TO AUTHORIZE A BOARD OF COUNTY COMMISSIONERS AND A BOARD OF TOWNSHIP TRUSTEES TO ORDER REMOVAL OF VEGETATION ON PRIVATE PROPERTY THAT BLOCKS OR OTHERWISE INTERFERES WITH THE SIGHT LINES OF MOTORISTS TRAVELING ON COUNTY OR TOWNSHIP ROADS, TO AUTHORIZE A BOARD OF TOWNSHIP TRUSTEES TO REQUIRE CERTAIN DITCHES OR CULVERTS LOCATED IN THE TOWNSHIP TO BE CLEANED, AND TO REQUIRE NOTICE TO BE GIVEN TO ABUTTING LANDOWNERS BEFORE THE TRIMMING OR REMOVAL OF CERTAIN VEGETATION GROWING IN OR ENCROACHING ONTO THE RIGHT-OF-WAY OF COUNTY OR TOWNSHIP ROADS.

To the committee on Local Government

H.B. No. 561 - Representative M. Slaby, et al
TO AMEND THE CHILD SUPPORT LAWS.
To the committee on Judiciary and Ethics

H.B. No. 562 - Representatives Bubp and Rosenberger
TO ALLOW AN INDIVIDUAL ON ACTIVE MILITARY DUTY, WHILE
ON LEAVE OR FURLOUGH, TO HUNT DEER OR WILD TURKEY
WITHOUT PROCURING A DEER OR WILD TURKEY PERMIT.
To the committee on Agriculture and Natural Resources

H.B. No. 563 - Representative Patmon, et al
TO PROHIBIT ANY PERSON FROM STORING OR LEAVING A
FIREARM IN THE PERSON'S RESIDENCE UNLESS THE FIREARM IS
SECURED IN SAFE STORAGE OR RENDERED INOPERABLE BY A
TAMPER-RESISTANT LOCK OR OTHER SAFETY DEVICE IF THE
PERSON KNOWS OR REASONABLY SHOULD KNOW THAT A MINOR
IS ABLE TO GAIN ACCESS TO THE FIREARM AND TO PROVIDE
CRIMINAL PENALTIES IF A MINOR GAINS UNAUTHORIZED
ACCESS TO A FIREARM NOT SO STORED OR RENDERED
INOPERABLE.
To the committee on State Government and Elections

H.B. No. 564 - Representative Hottinger, et al
TO REGULATE CERTIFICATES OF INSURANCE PREPARED OR
ISSUED AS EVIDENCE OF PROPERTY OR CASUALTY INSURANCE
COVERAGE.
To the committee on Insurance

H.B. No. 565 - Representatives Carney and Winburn
TO REQUIRE GOVERNMENTAL AGENCIES AND PERSONS THAT
OWN OR LICENSE COMPUTERIZED DATA CONTAINING PERSONAL
INFORMATION TO REPORT SECURITY BREACHES TO THE
ATTORNEY GENERAL AND TO REQUIRE THE ATTORNEY
GENERAL TO ESTABLISH A SEARCHABLE DATABASE OF THE
REPORTS THAT IS ACCESSIBLE BY THE PUBLIC.
To the committee on State Government and Elections

S.B. No. 345 - Senators Niehaus and Kearney, et al
TO REVISE THE LAW GOVERNING THE STATE HIGHWAY PATROL
RETIREMENT SYSTEM.
To the committee on Health and Aging

Am. Sub. S.B. No. 337 - Senators Seitz and Smith, et al
TO EXCLUDE MOST JUVENILE PROCEEDINGS AND
ADJUDICATIONS FROM CRIMINAL RECORDS CHECKS; TO ENSURE
THAT PERSONS SENTENCED TO CONFINEMENT RECEIVE CREDIT
FOR TIME SERVED IN JUVENILE FACILITIES; TO EXPAND
ELIGIBILITY FOR THE SEALING OF CRIMINAL RECORDS AND TO
ELIMINATE THE PROHIBITION OF THE SEALING OF JUVENILE

RECORDS IN CERTAIN CASES; TO MAKE THE USE OR POSSESSION WITH PURPOSE TO USE DRUG PARAPHERNALIA WITH MARIHUANA A MINOR MISDEMEANOR; TO PROVIDE THAT A COURT'S FAILURE TO WARN AN OFFENDER AT SENTENCING ABOUT THE POSSIBILITY THAT THE COURT MAY ORDER COMMUNITY SERVICE IF THE OFFENDER FAILS TO PAY THE COSTS OF PROSECUTION DOES NOT NEGATE OR LIMIT THE AUTHORITY OF THE COURT TO SO ORDER COMMUNITY SERVICE; TO PERMIT AN INDIVIDUAL SUBJECT TO CIVIL SANCTIONS AS A RESULT OF A CONVICTION OF OR PLEA OF GUILTY TO A CRIMINAL OFFENSE TO FILE A PETITION FOR RELIEF FROM THE SANCTIONS AND ESTABLISH A PROCEDURE FOR THE REVIEW OF SUCH PETITIONS; TO PERMIT THE COURT OF COMMON PLEAS OF THE INDIVIDUAL'S COUNTY OF RESIDENCE TO ISSUE A CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT; TO PERMIT DECISION-MAKERS TO CONSIDER ON A CASE-BY-CASE BASIS WHETHER TO GRANT OR DENY THE ISSUANCE OR RESTORATION OF AN OCCUPATIONAL LICENSE OR EMPLOYMENT OPPORTUNITY TO AN OFFENDER WHO HAS BEEN ISSUED SUCH A CERTIFICATE REGARDLESS OF THE OFFENDER'S POSSESSION OF THE CERTIFICATE AND WITHOUT RECONSIDERING OR REJECTING ANY FINDING MADE BY THE ISSUING COURT; TO PROVIDE FOR THE REVOCATION OF A CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT; TO INCREASE FROM EIGHTEEN TO TWENTY-ONE THE AGE AT WHICH CERTAIN OFFENDERS MAY BE HELD IN PLACES NOT AUTHORIZED FOR THE CONFINEMENT OF CHILDREN; TO INCREASE THE JUVENILE COURT'S JURISDICTION OVER CERTAIN SPECIFIED CASES SOLELY FOR THE PURPOSE OF DETAINING A PERSON WHILE THE PERSON'S CASE IS HEARD IN ADULT COURT; TO CREATE A PROCESS BY WHICH A PROSECUTOR MAY FILE A MOTION IN JUVENILE COURT TO REQUEST THAT A PERSON BE HELD IN A PLACE OTHER THAN THOSE SPECIFIED FOR THE PLACEMENT FOR CHILDREN WHILE THE PERSON'S CASE IS HEARD IN ADULT COURT; TO AMEND THE LAW GOVERNING CHILD SUPPORT; TO MODIFY THE PENALTY FOR DRIVING UNDER SUSPENSION IF THE SUSPENSION WAS IMPOSED AS PART OF THE PENALTY FOR CERTAIN VIOLATIONS THAT DO NOT DIRECTLY INVOLVE THE OPERATION OF A MOTOR VEHICLE; TO MAKE CHANGES IN CERTAIN OTHER DRIVER'S LICENSE SUSPENSION PROVISIONS; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO STUDY THE ADVISABILITY AND FEASIBILITY OF A ONE-TIME AMNESTY PROGRAM FOR DRIVERS WHO HAVE NOT PAID FEES OR FINES OWED BY THEM FOR MOTOR VEHICLE OFFENSES AND DRIVER'S LICENSE SUSPENSIONS; TO DEFINE THE TERMS MORAL TURPITUDE AND DISQUALIFYING OFFENSE AS APPLIED TO CERTAIN EMPLOYMENT; TO PROVIDE FOR CRIMINAL RECORDS CHECKS

AND A LICENSE ISSUANCE RESTRICTION REGARDING APPLICANTS FOR A TRAINEE LICENSE FOR A PROFESSION OR OCCUPATION; TO REQUIRE THE CASINO CONTROL COMMISSION TO NOTIFY EACH APPLICANT FOR A LICENSE FROM THE COMMISSION WHO IS DENIED THE LICENSE OF THE REASONS FOR THE DENIAL AND TO PROVIDE AN ANNUAL REPORT TO THE GENERAL ASSEMBLY AND GOVERNOR THAT SPECIFIES THE NUMBER OF LICENSE APPLICATIONS DENIED IN THE YEAR AND THE REASONS FOR THE DENIAL; TO ADD AN EX-OFFENDER APPOINTED BY THE DIRECTOR OF REHABILITATION AND CORRECTION TO THE EX-OFFENDER REENTRY COALITION; TO INCREASE THE TIME LIMIT FOR A PROSECUTOR TO FILE A MOTION IN JUVENILE COURT THAT OBJECTS TO THE IMPOSITION OF A SERIOUS YOUTHFUL OFFENDER DISPOSITIONAL SENTENCE; TO PROHIBIT COMPETENCY ATTAINMENT REPORTS AND JUVENILE BINDOVER EVALUATION REPORTS FROM INCLUDING DETAILS OF THE ALLEGED OFFENSE AS REPORTED BY THE CHILD; TO REQUIRE JUVENILE BINDOVER EVALUATION REPORTS TO BE COMPLETED WITHIN FORTY-FIVE DAYS UNLESS AN EXTENSION IS GRANTED; TO REQUIRE THE DEPARTMENT OF YOUTH SERVICES TO DEVELOP MINIMUM STANDARDS FOR TRAINING OF JUVENILE OFFENDER PROBATION OFFICERS; TO EXTEND THE DEADLINE FOR THE OHIO INTERAGENCY TASK FORCE ON MENTAL HEALTH AND JUVENILE JUSTICE TO ISSUE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS; TO REVISE THE PENALTIES FOR CERTAIN FIFTH DEGREE FELONY DRUG OFFENSES TO GENERALLY FAVOR NOT IMPOSING A PRISON TERM; TO PERMIT THE JUDGES OF THE VARIOUS COURTS OF THE STATE THAT SUPERVISE A CONCURRENT SUPERVISION OFFENDER TO AUTHORIZE THE CHIEF PROBATION OFFICER TO MANAGE CONCURRENT SUPERVISION OFFENDERS; TO EXPAND THE AVAILABILITY OF THE PROBATION IMPROVEMENT AND INCENTIVE GRANTS TO MUNICIPAL AND COUNTY COURTS; TO TRANSFER CONTROL OF THE TRANSITIONAL CONTROL PROGRAM FROM THE ADULT PAROLE AUTHORITY TO THE DIVISION OF PAROLE AND COMMUNITY SERVICES; TO AMEND THE PENALTY FOR FAILURE TO COMPLY WITH AN ORDER OR SIGNAL OF A POLICE OFFICER; TO ELIMINATE THE REQUIREMENT THAT A COURT SENTENCING A FELONY OFFENDER PROVIDE NOTICE OF POSSIBLE ELIGIBILITY FOR EARNING DAYS OF CREDIT; AND TO PROHIBIT THE PRECLUSION OF INDIVIDUALS FROM OBTAINING OR RENEWING CERTAIN LICENSES, CERTIFICATIONS, OR PERMITS DUE TO ANY PAST CRIMINAL HISTORY UNLESS THE INDIVIDUAL HAD COMMITTED A CRIME OF MORAL TURPITUDE OR A DISQUALIFYING OFFENSE.

To the committee on Criminal Justice

WILLIAM G. BATCHELDER
ANNE GONZALES
DOROTHY PELANDA
DEBBIE PHILLIPS

ANDREW BRENNER
CHERYL GROSSMAN
TRACY HEARD
MATT SZOLLOSI

Representative Huffman 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 Phillips reported for the Rules and Reference Committee recommending that the following House Concurrent Resolution be introduced and referred to the following committee for consideration:

H.C.R. No. 52 - Representative Rosenberger, et al
TO URGE THE CONGRESS OF THE UNITED STATES AND THE
PRESIDENT OF THE UNITED STATES TO ENACT H.R. 1310, TO
EXEMPT CERTAIN EMERGENCY MEDICAL DEVICES FROM THE
IMPENDING FEDERAL EXCISE TAX ON MEDICAL DEVICES.
To the committee on Ways and Means

/s/WILLIAM G. BATCHELDER
William G. Batchelder, Chair

Representative Huffman moved that the Rules and Reference Committee Report on resolutions be agreed to and that the concurrent 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 Resolutions be read by title only and approved:

H.R. No. 406 - Representative Garland
Honoring Jacob Blankenship on winning the 2012 OHSAA Division I State
Championship in the pole vault.

H.R. No. 407 - Representative Driehaus
Honoring Henke Winery as a 2012 Ohio Wine Competition Champion.

H.R. No. 408 - Representative Smith
Honoring Karena Fulks as the 2012 OHSAA Division II State Long Jump Champion.

H.R. No. 409 - Representative Antonio
Honoring the Lakewood High School girls rugby team as the 2012 State Champion.

H.R. No. 410 - Representative Buchy
Honoring Sam Prakel as a 2012 Division III State Track and Field Champion.

H.R. No. 411 - Representative Buchy
Honoring the Versailles High School girls track and field team on winning the 2012 Division III State Championship.

H.R. No. 412 - Representative Henne
Honoring the Northmont High School Academic Challenge team on winning the 2012 National History Bowl.

H.R. No. 413 - Representative Anielski
Honoring the Solon Middle School chess team as the 2012 State Champion.

H.R. No. 414 - Representative Anielski
Honoring the Solon High School chess team as the 2012 State Champion.

H.R. No. 415 - Representative Beck
Honoring the U.S. Marine Corps on its Centennial in aviation.

H.R. No. 416 - Representative Johnson
Honoring the Wheelersburg High School baseball team as the 2012 Division III State Champion.

H.R. No. 417 - Speaker Batchelder
Honoring the Ohio Petroleum Marketers and Convenience Store Association on its Ninetieth Anniversary.

H.R. No. 418 - Speaker Batchelder Representative Newbold
Honoring Summitville Tiles, Inc. on its Centennial Anniversary.

/s/WILLIAM G. BATCHELDER
William G. Batchelder, Chair

Representative Huffman 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.

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

H.R. No. 405 - Representatives O'Brien and Letson Speaker Batchelder, Leader Budish Representatives J. Adams, R. Adams, Amstutz, Anielski, Antonio, Ashford, Baker, Barnes, Beck, Blair, Blessing, Boose, Boyce, Boyd, Brenner, Bubp, Buchy, Butler, Carney, Celebrezze, Celeste, Cera, Clyde, Combs, Conditt, Damschroder, Derickson, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gerberry, Gonzales, Goodwin, Goyal, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hill, Hottinger, Huffman, Johnson, Kozlowski, Landis, Luckie, Lundy, Lynch, Maag, Mallory, Martin, McClain, McGregor, Milkovich, Murray, Newbold, Okey, Patmon, Pelanda, Phillips, Pillich, Ramos, Reece, Roegner, Rosenberger, Ruhl, Schuring, Sears, Slesnick, Smith, Sprague, Stautberg, Stebelton, Stinziano, Sykes, Szollosi, Terhar, Thompson, Uecker, Wachtmann, Williams, Winburn, Young, Yuko
In memory of Marc J. Titus.

/s/WILLIAM G. BATCHELDER
William G. Batchelder, Chair

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

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 316-Senator Lehner.

Cosponsors: Senators Bacon, Eklund, Hite, Jones, LaRose, Niehaus, Sawyer, Turner, Wagoner. Representatives Stebelton, Roegner, Newbold.

To amend sections 124.38, 3301.04, 3301.079, 3301.0712, 3301.0714, 3301.0715, 3301.0723, 3301.52, 3301.53, 3301.58, 3301.90, 3301.922, 3302.03, 3302.032, 3302.042, 3302.12, 3302.20, 3302.21, 3302.25, 3310.01, 3310.02, 3310.03, 3310.04, 3310.06, 3310.07, 3310.08, 3310.10, 3310.11, 3310.13, 3310.14, 3310.15, 3310.17, 3313.37, 3313.41, 3313.411, 3313.608, 3313.609, 3313.6013, 3313.674, 3313.813, 3313.816, 3313.842, 3313.843, 3313.845, 3313.978, 3314.012, 3314.015, 3314.016, 3314.02, 3314.03, 3314.05, 3314.08, 3314.17, 3314.18, 3317.01, 3317.03, 3317.11, 3318.034, 3318.36, 3318.37, 3318.371, 3318.70, 3319.02, 3319.06, 3319.11, 3319.111, 3319.112, 3319.58, 3321.01, 3323.011, 3323.052, 3326.03, 3326.04, 3326.10, 3326.11, 3326.17, 3326.21, 3328.15, 3328.24, 3333.0411, 4139.01, 4139.03, 4139.04, 4139.05, 4141.01, 4141.29, 4301.20, 5104.01, 5104.011, 5104.02, 5104.21, 5104.30, 5104.31, 5104.34, 5104.38, 5709.83, 5751.20, 6301.01, 6301.02, 6301.03, 6301.04, 6301.07, 6301.08, and 6301.10; to enact sections 3301.941, 3302.033, 3302.41, 3310.031, 3313.847, 3314.017, 3314.019,

3314.11, 3314.15, 3314.39, 3318.364, 3326.031, 3326.26, 4123.391, 4141.292, 5104.031, 5104.032, 5104.033, and 5123.022; and to repeal sections 3319.19 and 3324.08 of the Revised Code; to amend Sections 267.10.90 and 267.50.30 of Am. Sub. H.B. 153 of the 129th General Assembly; and to repeal Section 267.60.23 of Am. Sub. H.B. 153 of the 129th General Assembly and Section 265.20.15 of Am. Sub. H.B. 1 of the 128th General Assembly to revise authorizations and conditions with respect to education, workforce development, and early childhood care; and to amend sections 109.57, 2151.011, 2919.227, 2923.124, 2923.126, 2923.1212, 2950.11, 2950.13, 3109.051, 3701.63, 3737.22, 3742.01, 3797.06, 4511.81, 5101.29, 5103.03, 5104.01, 5104.011, 5104.012, 5104.013, 5104.015, 5104.022, 5104.03, 5104.04, 5104.041, 5104.052, 5104.053, 5104.054, 5104.06, 5104.08, 5104.09, 5104.13, 5104.30, 5104.31, 5104.32, 5104.35, 5104.36, 5104.38, 5107.60, and 5153.175, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 5104.011 (5104.015), 5104.015 (5104.25), 5104.031 (5104.035), 5104.032 (5104.036), and 5104.033 (5104.037), to enact new sections 5104.032 and 5104.033 and sections 5104.016, 5104.017, 5104.018, 5104.019, 5104.0110, 5104.0111, 5104.0112, 5104.034, 5104.038, 5104.039, and 5104.14, and to repeal sections 5104.014 and 5104.11 of the Revised Code to revise the law governing type B family day-care homes on January 1, 2014, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Huffman moved that **Sub. S. B. No. 316** -Senator Lehner, et al., be re-referred to the committee on Education.

The motion was agreed to without objection.

Sub. S. B. No. 305-Senator Hughes.

Cosponsors: Senators Patton, Turner, Bacon, Eklund, Jones.

To enact section 2923.241 of the Revised Code to prohibit designing, building, constructing, fabricating, modifying, or altering a vehicle to create or add a hidden compartment with the intent to facilitate the unlawful concealment or transportation of a controlled substance, prohibit operating, possessing, or using a vehicle with a hidden compartment with knowledge that the hidden compartment is used or intended to be used to facilitate the unlawful concealment or transportation of a controlled substance, and prohibit a person who has committed a first or second degree felony violation of aggravated trafficking in drugs from operating, possessing, or using a vehicle with a hidden compartment, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Rosenberger moved to amend as follows:

In line 90, delete " which is commercially manufactured"

In line 91, delete " and advertised"

In line 94, after " or" insert " visible"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 93, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Ashford
Baker	Barnes	Beck	Blair
Boose	Boyce	Boyd	Brenner
Bubp	Buchy	Budish	Butler
Carney	Celebrezze	Celeste	Cera
Clyde	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Driehaus
Duffey	Fedor	Fende	Foley
Gardner	Garland	Gerberry	Gonzales
Goodwin	Goyal	Grossman	Hackett
Hagan, C.	Hall	Hayes	Heard
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Lundy	Lynch	Maag	Mallory
Martin	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Patmon
Pelanda	Phillips	Pillich	Ramos
Reece	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

Representative Hagan, R. voted in the negative-1.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 78, nays 16, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Ashford
Baker	Barnes	Beck	Boose
Boyce	Boyd	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Damschroder	Dovilla	Driehaus	Duffey
Fedor	Fende	Foley	Gardner
Garland	Gerberry	Gonzales	Goyal
Grossman	Hackett	Hagan, C.	Hall
Hayes	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy

Lynch	Maag	Mallory	McClain
McGregor	Milkovich	Murray	Newbold
O'Brien	Patmon	Pelanda	Phillips
Pillich	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Slaby M.
Slesnick	Smith	Sprague	Stautberg
Stebelton	Sykes	Szollosi	Thompson
Uecker	Williams	Winburn	Young
Yuko			Batchelder-78.

Those who voted in the negative were: Representatives

Blair	Brenner	Conditt	DeVitis
Derickson	Goodwin	Hagan, R.	Heard
Henne	Hill	Martin	Ramos
Sears	Stinziano	Terhar	Wachtmann-16.

The bill passed.

Representative Damschroder moved to amend the title as follows:

Add the names: "Representatives Ashford, Fedor, Letson, O'Brien, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 19-Senator Hughes.

Cosponsors: Senators Grendell, Kearney, Manning, Patton, Seitz, Wagoner, Bacon, Brown, Burke, Daniels, Eklund, Hite, Jones, Jordan, Lehner, Obhof.

To amend sections 4510.31 and 4510.311 of the Revised Code 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, to require the Director of Public Safety to establish standards for advanced juvenile driver improvement programs, and to transfer authority to establish standards for juvenile driver improvement programs from the Registrar of Motor Vehicles to the Director of Public Safety, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 85, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Ashford
Baker	Barnes	Beck	Blair
Boose	Boyce	Boyd	Brenner
Bubp	Budish	Butler	Carney
Celebrezze	Celeste	Cera	Damschroder
DeVitis	Dovilla	Driehaus	Duffey

Fedor	Fende	Foley	Gardner
Garland	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hayes	Heard	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Maag	Mallory	Martin
McClain	McGregor	Milkovich	Newbold
O'Brien	Patmon	Pelanda	Phillips
Ramos	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Slesnick	Smith	Sprague
Stautberg	Stebelton	Stinziano	Sykes
Szollosi	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-85.

Those who voted in the negative were: Representatives

Buchy	Clyde	Combs	Conditt
Derickson	Hall	Murray	Pillich
			Terhar-9.

The bill passed.

Representative Bubp moved to amend the title as follows:

Add the names: "Representatives Brenner, Huffman, Mallory, O'Brien, Reece, Ruhl."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 193-Senator Seitz.

Cosponsors: Senators Patton, Hughes, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Eklund, Hite, Jones, Kearney, LaRose, Lehner, Manning, Niehaus, Oelslager, Sawyer, Schiavoni, Tavares, Turner, Wagoner.

To amend sections 4737.04, 4737.041, and 4737.99 and to enact sections 4737.012 and 4737.045 of the Revised Code to make changes to the law governing scrap metal dealers and bulk merchandise dealers, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Young moved to amend as follows:

In line 5, after "sections" insert "2913.01,"

Between lines 7 and 8, insert:

"Sec. 2913.01. As used in this chapter, unless the context requires that a term be given a different meaning:

(A) "Deception" means knowingly deceiving another or causing another to be deceived by any false or misleading representation, by withholding information, by preventing another from acquiring information, or by any other conduct, act, or omission that creates, confirms, or perpetuates a false impression in another, including a false impression as to law, value, state of mind, or other objective or subjective fact.

(B) "Defraud" means to knowingly obtain, by deception, some benefit for oneself or another, or to knowingly cause, by deception, some detriment to another.

(C) "Deprive" means to do any of the following:

(1) Withhold property of another permanently, or for a period that appropriates a substantial portion of its value or use, or with purpose to restore it only upon payment of a reward or other consideration;

(2) Dispose of property so as to make it unlikely that the owner will recover it;

(3) Accept, use, or appropriate money, property, or services, with purpose not to give proper consideration in return for the money, property, or services, and without reasonable justification or excuse for not giving proper consideration.

(D) "Owner" means, unless the context requires a different meaning, any person, other than the actor, who is the owner of, who has possession or control of, or who has any license or interest in property or services, even though the ownership, possession, control, license, or interest is unlawful.

(E) "Services" include labor, personal services, professional services, rental services, public utility services including wireless service as defined in division (F)(1) of section 4931.40 of the Revised Code, common carrier services, and food, drink, transportation, entertainment, and cable television services and, for purposes of section 2913.04 of the Revised Code, include cable services as defined in that section.

(F) "Writing" means any computer software, document, letter, memorandum, note, paper, plate, data, film, or other thing having in or upon it any written, typewritten, or printed matter, and any token, stamp, seal, credit card, badge, trademark, label, or other symbol of value, right, privilege, license, or identification.

(G) "Forge" means to fabricate or create, in whole or in part and by any means, any spurious writing, or to make, execute, alter, complete, reproduce, or otherwise purport to authenticate any writing, when the writing in fact is not authenticated by that conduct.

(H) "Utter" means to issue, publish, transfer, use, put or send into circulation, deliver, or display.

(I) "Coin machine" means any mechanical or electronic device designed

to do both of the following:

(1) Receive a coin, bill, or token made for that purpose;

(2) In return for the insertion or deposit of a coin, bill, or token, automatically dispense property, provide a service, or grant a license.

(J) "Slug" means an object that, by virtue of its size, shape, composition, or other quality, is capable of being inserted or deposited in a coin machine as an improper substitute for a genuine coin, bill, or token made for that purpose.

(K) "Theft offense" means any of the following:

(1) A violation of section 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2913.45, 2913.47, 2913.48, former section 2913.47 or 2913.48, ~~or~~ section 2913.51, 2915.05, or 2921.41 , or division (B)(2) of section 4737.04 of the Revised Code;

(2) A violation of an existing or former municipal ordinance or law of this or any other state, or of the United States, substantially equivalent to any section listed in division (K)(1) of this section or a violation of section 2913.41, 2913.81, or 2915.06 of the Revised Code as it existed prior to July 1, 1996;

(3) An offense under an existing or former municipal ordinance or law of this or any other state, or of the United States, involving robbery, burglary, breaking and entering, theft, embezzlement, wrongful conversion, forgery, counterfeiting, deceit, or fraud;

(4) A conspiracy or attempt to commit, or complicity in committing, any offense under division (K)(1), (2), or (3) of this section.

(L) "Computer services" includes, but is not limited to, the use of a computer system, computer network, computer program, data that is prepared for computer use, or data that is contained within a computer system or computer network.

(M) "Computer" means an electronic device that performs logical, arithmetic, and memory functions by the manipulation of electronic or magnetic impulses. "Computer" includes, but is not limited to, all input, output, processing, storage, computer program, or communication facilities that are connected, or related, in a computer system or network to an electronic device of that nature.

(N) "Computer system" means a computer and related devices, whether connected or unconnected, including, but not limited to, data input, output, and storage devices, data communications links, and computer programs and data that make the system capable of performing specified special purpose data processing tasks.

(O) "Computer network" means a set of related and remotely connected

computers and communication facilities that includes more than one computer system that has the capability to transmit among the connected computers and communication facilities through the use of computer facilities.

(P) "Computer program" means an ordered set of data representing coded instructions or statements that, when executed by a computer, cause the computer to process data.

(Q) "Computer software" means computer programs, procedures, and other documentation associated with the operation of a computer system.

(R) "Data" means a representation of information, knowledge, facts, concepts, or instructions that are being or have been prepared in a formalized manner and that are intended for use in a computer, computer system, or computer network. For purposes of section 2913.47 of the Revised Code, "data" has the additional meaning set forth in division (A) of that section.

(S) "Cable television service" means any services provided by or through the facilities of any cable television system or other similar closed circuit coaxial cable communications system, or any microwave or similar transmission service used in connection with any cable television system or other similar closed circuit coaxial cable communications system.

(T) "Gain access" means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, computer system, or computer network, or any cable service or cable system both as defined in section 2913.04 of the Revised Code.

(U) "Credit card" includes, but is not limited to, a card, code, device, or other means of access to a customer's account for the purpose of obtaining money, property, labor, or services on credit, or for initiating an electronic fund transfer at a point-of-sale terminal, an automated teller machine, or a cash dispensing machine. It also includes a county procurement card issued under section 301.29 of the Revised Code.

(V) "Electronic fund transfer" has the same meaning as in 92 Stat. 3728, 15 U.S.C.A. 1693a, as amended.

(W) "Rented property" means personal property in which the right of possession and use of the property is for a short and possibly indeterminate term in return for consideration; the rentee generally controls the duration of possession of the property, within any applicable minimum or maximum term; and the amount of consideration generally is determined by the duration of possession of the property.

(X) "Telecommunication" means the origination, emission, dissemination, transmission, or reception of data, images, signals, sounds, or other intelligence or equivalence of intelligence of any nature over any communications system by any method, including, but not limited to, a fiber optic, electronic, magnetic, optical, digital, or analog method.

(Y) "Telecommunications device" means any instrument, equipment, machine, or other device that facilitates telecommunication, including, but not limited to, a computer, computer network, computer chip, computer circuit, scanner, telephone, cellular telephone, pager, personal communications device, transponder, receiver, radio, modem, or device that enables the use of a modem.

(Z) "Telecommunications service" means the providing, allowing, facilitating, or generating of any form of telecommunication through the use of a telecommunications device over a telecommunications system.

(AA) "Counterfeit telecommunications device" means a telecommunications device that, alone or with another telecommunications device, has been altered, constructed, manufactured, or programmed to acquire, intercept, receive, or otherwise facilitate the use of a telecommunications service or information service without the authority or consent of the provider of the telecommunications service or information service. "Counterfeit telecommunications device" includes, but is not limited to, a clone telephone, clone microchip, tumbler telephone, or tumbler microchip; a wireless scanning device capable of acquiring, intercepting, receiving, or otherwise facilitating the use of telecommunications service or information service without immediate detection; or a device, equipment, hardware, or software designed for, or capable of, altering or changing the electronic serial number in a wireless telephone.

(BB)(1) "Information service" means, subject to division (BB)(2) of this section, the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, including, but not limited to, electronic publishing.

(2) "Information service" does not include any use of a capability of a type described in division (BB)(1) of this section for the management, control, or operation of a telecommunications system or the management of a telecommunications service.

(CC) "Elderly person" means a person who is sixty-five years of age or older.

(DD) "Disabled adult" means a person who is eighteen years of age or older and has some impairment of body or mind that makes the person unable to work at any substantially remunerative employment that the person otherwise would be able to perform and that will, with reasonable probability, continue for a period of at least twelve months without any present indication of recovery from the impairment, or who is eighteen years of age or older and has been certified as permanently and totally disabled by an agency of this state or the United States that has the function of so classifying persons.

(EE) "Firearm" and "dangerous ordnance" have the same meanings as in section 2923.11 of the Revised Code.

(FF) "Motor vehicle" has the same meaning as in section 4501.01 of the Revised Code.

(GG) "Dangerous drug" has the same meaning as in section 4729.01 of the Revised Code.

(HH) "Drug abuse offense" has the same meaning as in section 2925.01 of the Revised Code.

(II)(1) "Computer hacking" means any of the following:

(a) Gaining access or attempting to gain access to all or part of a computer, computer system, or a computer network without express or implied authorization with the intent to defraud or with intent to commit a crime;

(b) Misusing computer or network services including, but not limited to, mail transfer programs, file transfer programs, proxy servers, and web servers by performing functions not authorized by the owner of the computer, computer system, or computer network or other person authorized to give consent. As used in this division, "misuse of computer and network services" includes, but is not limited to, the unauthorized use of any of the following:

(i) Mail transfer programs to send mail to persons other than the authorized users of that computer or computer network;

(ii) File transfer program proxy services or proxy servers to access other computers, computer systems, or computer networks;

(iii) Web servers to redirect users to other web pages or web servers.

(c)(i) Subject to division (II)(1)(c)(ii) of this section, using a group of computer programs commonly known as "port scanners" or "probes" to intentionally access any computer, computer system, or computer network without the permission of the owner of the computer, computer system, or computer network or other person authorized to give consent. The group of computer programs referred to in this division includes, but is not limited to, those computer programs that use a computer network to access a computer, computer system, or another computer network to determine any of the following: the presence or types of computers or computer systems on a network; the computer network's facilities and capabilities; the availability of computer or network services; the presence or versions of computer software including, but not limited to, operating systems, computer services, or computer contaminants; the presence of a known computer software deficiency that can be used to gain unauthorized access to a computer, computer system, or computer network; or any other information about a computer, computer system, or computer network not necessary for the normal and lawful operation of the computer initiating the access.

(ii) The group of computer programs referred to in division (II)(1)(c)(i) of this section does not include standard computer software used for the normal operation, administration, management, and test of a computer, computer system, or computer network including, but not limited to, domain name services, mail transfer services, and other operating system services, computer programs commonly called "ping," "tcpdump," and "traceroute" and other

network monitoring and management computer software, and computer programs commonly known as "nslookup" and "whois" and other systems administration computer software.

(d) The intentional use of a computer, computer system, or a computer network in a manner that exceeds any right or permission granted by the owner of the computer, computer system, or computer network or other person authorized to give consent.

(2) "Computer hacking" does not include the introduction of a computer contaminant, as defined in section 2909.01 of the Revised Code, into a computer, computer system, computer program, or computer network.

(JJ) "Police dog or horse" has the same meaning as in section 2921.321 of the Revised Code.

(KK) "Anhydrous ammonia" is a compound formed by the combination of two gaseous elements, nitrogen and hydrogen, in the manner described in this division. Anhydrous ammonia is one part nitrogen to three parts hydrogen (NH₃). Anhydrous ammonia by weight is fourteen parts nitrogen to three parts hydrogen, which is approximately eighty-two per cent nitrogen to eighteen per cent hydrogen.

(LL) "Assistance dog" has the same meaning as in section 955.011 of the Revised Code.

(MM) "Federally licensed firearms dealer" has the same meaning as in section 5502.63 of the Revised Code."

In line 548, after "sections" insert "2913.01,"

In line 1 of the title, after "sections" insert "2913.01,"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Ashford
Baker	Barnes	Beck	Blair
Boose	Boyce	Boyd	Brenner
Bubp	Buchy	Budish	Butler
Carney	Celebrezze	Celeste	Cera
Clyde	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Driehaus
Duffey	Fedor	Fende	Foley
Gardner	Garland	Gerberry	Gonzales
Goodwin	Goyal	Grossman	Hackett
Hagan, C.	Hagan, R.	Hall	Hayes
Heard	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	Martin	McClain	McGregor
Milkovich	Murray	Newbold	O'Brien

Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 82, nays 10, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Antonio	Ashford	Baker
Barnes	Beck	Blair	Boose
Boyce	Boyd	Bubp	Budish
Butler	Carney	Celebrezze	Celeste
Cera	Clyde	Combs	Conditt
Damschroder	Derickson	Dovilla	Driehaus
Duffey	Fedor	Fende	Foley
Gardner	Garland	Gerberry	Gonzales
Goodwin	Goyal	Grossman	Hackett
Hagan, C.	Hagan, R.	Hayes	Heard
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Letson	Lundy
Maag	Mallory	McGregor	Milkovich
Murray	Newbold	O'Brien	Patmon
Pelanda	Phillips	Pillich	Ramos
Reece	Rosenberger	Ruhl	Scherer
Schuring	Sears	Slaby M.	Smith
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Williams	Young
Yuko			Batchelder-82.

Those who voted in the negative were: Representatives

Amstutz	Brenner	Buchy	DeVitis
Hall	Landis	Lynch	Martin
McClain			Roegner-10.

The bill passed.

Representative Young moved to amend the title as follows:

Add the names: "Representatives Adams, R., Antonio, Ashford, Barnes, Boyce, Boyd, Bubp, Carney, Celebrezze, Celeste, Cera, Clyde, Combs,

Conditt, Damschroder, Derickson, Driehaus, Duffey, Foley, Hackett, Hagan, C., Heard, Johnson, Letson, Lundy, Mallory, McGregor, Milkovich, O'Brien, Patmon, Phillips, Ramos, Schuring, Stautberg, Terhar, Uecker, Williams, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 525-Representatives Williams, Amstutz.

Cosponsors: Representatives Adams, R., Antonio, Baker, Speaker Batchelder, Representatives Buchy, Budish, Derickson, Dovilla, Foley, Grossman, Huffman, McClain, Murray, Roegner, Sprague, Stautberg, Stebelton, Wachtmann.

To amend sections 124.36, 2903.13, 2921.02, 3302.03, 3302.04, 3302.061, 3307.01, 3311.71, 3311.72, 3311.74, 3311.76, 3313.975, 3314.10, 3316.07, 3319.02, 3319.071, 3319.10, 3319.112, 3319.12, 3319.13, 3319.14, 3319.141, 3319.143, 3319.151, 3319.18, 3319.283, 4141.29, 5705.192, 5705.21, 5705.212, 5705.215, 5705.216, 5705.218, 5705.251, 5705.261, and 5748.01 and to enact sections 3311.741, 3311.742, 3311.751, and 3311.77 to 3311.87 of the Revised Code to revise the management of municipal school districts and community schools located within municipal school districts; to permit the establishment of a Municipal School District Transformation Alliance; to expand the offense of bribery to cover directors, officers, and employees of the Alliance; and to authorize municipal school districts to levy property taxes the revenue from which may be shared with partnering community schools, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Phillips moved to amend as follows:

In line 25, after the first comma insert "and"; delete ", 5705.192, 5705.21, 5705.212, 5705.215,"

In line 26, delete all before "be"

In line 27, after "3311.751," insert "3311.752,"

Between lines 1413 and 1414, insert:

" **Sec. 3311.752.** (A) As used in this section:

(1) "Memorandum of understanding" means an agreement between the board of education of a municipal school district and a partnering community school allocating school district funds not raised by a property tax levy or by an income tax levy under Chapter 5748. of the Revised Code to the qualifying community school.

(2) "Partnering community school" has the same meaning as in section 3311.86 of the Revised Code.

(B) The board of education of a municipal school district may enter into a memorandum of understanding with any partnering community school. No school district funds raised by a property tax levy or by an income tax levy under Chapter 5748. of the Revised Code may be allocated to a partnering community school under this section. The allocation of such school district funds to a partnering community school pursuant to a memorandum of understanding under this section is hereby determined to be a proper public purpose.

(C) The board of education of the municipal school district shall certify to the department of education each memorandum of understanding entered into under this section and each agreement referred to in division (A)(3) of section 3311.86 of the Revised Code along with the determination that such agreement satisfies the requirements of that division. The board's determination is conclusive."

Delete lines 3790 through 5212

In line 5217, after the second comma insert "and"; delete ", 5705.192, 5705.21, 5705.212, 5705.215,"

In line 5218, delete all before "of"

Delete lines 5220 through 5255

In line 6 of the title, after "3319.283," insert "and"; delete ", 5705.192, 5705.21,"

Delete line 7 of the title

In line 8 of the title, delete all before the second "and"

In line 9 of the title, after "3311.751," insert "3311.752,"

In line 18 of the title, delete everything after "to"

In line 19 of the title, delete "which may be shared with" and insert "enter into memoranda of understanding allocating district funds not raised by local taxation to"

The question being, "Shall the motion to amend be agreed to?"

Representative Sears moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 57, nays 36, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Baker	Beck
Blair	Boose	Brenner	Bubp
Buchy	Butler	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Duffey	Gardner	Gonzales	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Lynch

Maag	Martin	McClain	McGregor
Milkovich	Newbold	Pelanda	Roegner
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby M.	Smith	Sprague
Stautberg	Stebelton	Terhar	Thompson
Uecker	Wachtmann	Williams	Young
			Batchelder-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyce
Boyd	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Goodwin	Goyal	Hagan, R.	Heard
Letson	Lundy	Mallory	Murray
O'Brien	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Winburn	Yuko-36.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 78, nays 16, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Baker
Barnes	Beck	Blair	Boose
Boyce	Boyd	Brenner	Bubp
Buchy	Budish	Butler	Carney
Celebrezze	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Duffey	Foley	Gardner
Garland	Gonzales	Goyal	Grossman
Hackett	Hagan, C.	Hall	Hayes
Heard	Henne	Hill	Hottinger
Huffman	Johnson	Landis	Letson
Lynch	Maag	Martin	McClain
McGregor	Milkovich	Murray	Newbold
O'Brien	Patmon	Pelanda	Pillich
Reece	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Williams	Winburn
Young			Batchelder-78.

Those who voted in the negative were: Representatives

Ashford	Celeste	Driehaus	Fedor
Fende	Gerberry	Goodwin	Hagan, R.
Kozlowski	Lundy	Mallory	Phillips
Ramos	Slesnick	Stinziano	Yuko-16.

The bill passed.

Representative Amstutz moved to amend the title as follows:

Add the names: "Blair, Boyd, Brenner, Bubp, Celebrezze, Hackett, Martin, Milkovich, Newbold, Ruhl, Sears, Sykes, Thompson."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. C. R. No. 51-Representative Baker.

Cosponsors: Representatives Adams, J., Boose, Brenner, Derickson, Gardner, Grossman, Milkovich, Newbold, Ramos, Ruhl, Sprague, Szollosi, Wachtmann, Hall, Fedor, Buchy, Cera, Damschroder.

To urge Congress to enact the Stop Invasive Species Act, S. 2317 of the 112th Congress, was taken up for consideration the third time.

Representative Baker moved to amend the title as follows:

Add the names: "Amstutz, Antonio, Ashford, Barnes, Beck, Blair, Boyd, Bubp, Budish, Carney, Celebrezze, Celeste, Combs, DeVitis, Dovilla, Driehaus, Fende, Foley, Garland, Goodwin, Hackett, Hagan, R., Hayes, Heard, Johnson, Letson, Lundy, Maag, Mallory, Martin, McClain, O'Brien, Phillips, Scherer, Sears, Stautberg, Terhar, Williams, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the concurrent resolution be adopted?"

The yeas and nays were taken and resulted - yeas 91, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Ashford
Baker	Barnes	Beck	Blair
Boose	Boyce	Brenner	Bubp
Buchy	Budish	Butler	Carney
Celebrezze	Celeste	Cera	Clyde
Combs	Conditt	Damschroder	DeVitis
Derickson	Dovilla	Driehaus	Duffey
Fedor	Fende	Foley	Gardner
Garland	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Maag	Mallory	Martin
McClain	McGregor	Milkovich	Murray
Newbold	O'Brien	Patmon	Pelanda
Phillips	Pillich	Ramos	Reece
Roegner	Rosenberger	Ruhl	Scherer

Schuring	Sears	Slaby M.	Smith
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Williams	Winburn
Young	Yuko		Batchelder-91.

The concurrent resolution was adopted.

H. R. No. 384-Representative Dovilla.

Cosponsors: Representatives Ashford, McGregor, Gerberry, Baker, Wachtmann, Grossman.

To memorialize the President and Congress of the United States of the effect of Chinese currency manipulation and to urge the President to cite China as a currency manipulator, was taken up for consideration the third time.

Representative Dovilla moved to amend the title as follows:

Add the names: "Adams, R., Barnes, Beck, Blair, Brenner, Bubp, Buchy, Butler, Carney, Celebrezze, Combs, Damschroder, Duffey, Gardner, Goyal, Hackett, Hall, Hayes, Hottinger, Johnson, Kozlowski, Maag, Mallory, Martin, McClain, Milkovich, Newbold, O'Brien, Patmon, Ramos, Rosenberger, Ruhl, Scherer, Schuring, Sears, Smith, Sprague, Stinziano, Terhar, Uecker, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the resolution be adopted?"

The yeas and nays were taken and resulted - yeas 90, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Ashford
Baker	Barnes	Beck	Blair
Boose	Boyce	Brenner	Bubp
Buchy	Budish	Butler	Carney
Celebrezze	Celeste	Cera	Clyde
Combs	Conditt	Damschroder	DeVitis
Derickson	Dovilla	Driehaus	Duffey
Fedor	Fende	Foley	Gardner
Garland	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Maag	Mallory	Martin
McClain	McGregor	Milkovich	Newbold
O'Brien	Patmon	Pelanda	Phillips

Pillich	Ramos	Reece	Roegner
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby M.	Smith	Sprague
Stautberg	Stebelton	Stinziano	Sykes
Szollosi	Terhar	Thompson	Uecker
Wachtmann	Williams	Winburn	Young
Yuko			Batchelder-90.

The resolution was adopted.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following change to the Rules and Reference Committee:

Remove Representative John Adams;
Appoint Representative Duffey.

On motion of Representative Huffman, the House recessed.

The House met pursuant to recess.

Representative Hayes moved that the House revert to the second order of business, being introduction of bills.

The motion was agreed to.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 566-Representative Slaby, M.

Cosponsors: Representatives Adams, J., Terhar, Wachtmann.

To amend section 2907.27 of the Revised Code to authorize a court to inform the victim of any of certain offenses, without waiting for the victim's request, of the results of a court-ordered HIV test of the person accused of the offense.

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 **Am. S. B. No. 135**-Senator Kearney, et al., having had the same under consideration, reports it back and recommends its passage.

RE: CRANIOFACIAL ACCEPTANCE MONTH-SEPTEMBER

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Fende, Antonio, Barnes, Carney, Gardner, Garland, Hackett, Johnson, Sears."

LYNN R. WACHTMANN	ANNE GONZALES
LORRAINE M. FENDE	NICKIE ANTONIO
JOHN BARNES	JOHN PATRICK CARNEY
MIKE DUFFEY	RANDY GARDNER
NANCY GARLAND	ROBERT HACKETT
JAY HOTTINGER	TERRY JOHNSON
DOROTHY PELANDA	DAN RAMOS
BARBARA R. SEARS	MARILYN SLABY
RYAN SMITH	KENNY YUKO

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 **Sub. S. B. No. 141**-Senators Gillmor, Hite, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: NON-OHIO ATHLETIC TEAM PHYSICIAN-TREAT ATHLETIC TEAM WHEN VISITING IN OHIO

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Garland, Hackett, Sears."

LYNN R. WACHTMANN	ANNE GONZALES
LORRAINE M. FENDE	NICKIE ANTONIO
JOHN BARNES	JOHN PATRICK CARNEY
MIKE DUFFEY	RANDY GARDNER
NANCY GARLAND	ROBERT HACKETT
JAY HOTTINGER	TERRY JOHNSON
DOROTHY PELANDA	DAN RAMOS
BARBARA R. SEARS	MARILYN SLABY
RYAN SMITH	KENNY YUKO

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 **S. B. No. 199**-Senator Smith, et al., having had the same under consideration, reports it back and recommends its passage.

RE: METASTATIC BREAST CANCER AWARENESS DAY-
OCTOBER 13

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Fende, Antonio, Barnes, Carney, Duffey, Gardner, Garland, Hackett, Johnson, Sears, Smith."

LYNN R. WACHTMANN	ANNE GONZALES
LORRAINE M. FENDE	NICKIE ANTONIO
JOHN BARNES	JOHN PATRICK CARNEY
MIKE DUFFEY	RANDY GARDNER
NANCY GARLAND	ROBERT HACKETT
JAY HOTTINGER	TERRY JOHNSON
DOROTHY PELANDA	DAN RAMOS
BARBARA R. SEARS	MARILYN SLABY
RYAN SMITH	KENNY YUKO

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 **Sub. S. B. No. 304**-Senator Balderson, et al., having had the same under consideration, reports it back and recommends its passage.

RE: MAY-BETTER HEARING AND SPEECH MONTH

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Fende, Antonio, Barnes, Carney, Gardner, Garland, Hackett, Johnson, Sears, Smith."

LYNN R. WACHTMANN	ANNE GONZALES
LORRAINE M. FENDE	NICKIE ANTONIO
JOHN BARNES	JOHN PATRICK CARNEY
MIKE DUFFEY	RANDY GARDNER
NANCY GARLAND	ROBERT HACKETT
JAY HOTTINGER	TERRY JOHNSON
DOROTHY PELANDA	DAN RAMOS
BARBARA R. SEARS	MARILYN SLABY
RYAN SMITH	KENNY YUKO

The report was agreed to.

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

Representative Winburn submitted the following report:

The standing committee on Criminal Justice to which was referred **Am. Sub. S. B. No. 337**-Senators Seitz, Smith, et al., having had the same under consideration, reports it back and recommends its passage.

RE: ADULT/JUVENILE CRIMINAL LAWS-MISCELLANEOUS REVISIONS

Representative Schuring moved to amend the title as follows:

Add the names: "Representatives Schuring, Conditt, Winburn, Bulp, Combs, Garland, Hayes, Heard, Pillich, Uecker, Williams."

KIRK SCHURING	MARGARET CONDITT
ROLAND WINBURN	DANNY R. BULP
COURTNEY COMBS	NANCY GARLAND
BILL HAYES	TRACY HEARD
MATT LYNCH	CONNIE PILLICH
JOSEPH W. UECKER	SANDRA WILLIAMS

The report was agreed to.

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

Clerk's Notation

This is to acknowledge receipt from the office of the Governor, on June 11, 2012, a statement of the reasons for the veto of items in Am. Sub. H.B. 386.

Clerk's Notation

This is to acknowledge receipt from the office of the Governor, on June 11, 2012, a statement of the reasons for the veto of items in Am. Sub. H.B. 487.

On motion of Representative Hayes, the House adjourned until Wednesday, June 13, 2012 at 1:30 p.m.

Attest:

THOMAS L. SHERMAN,
Deputy Clerk.