

OHIO

House

of

Representatives

JOURNAL

TUESDAY, SEPTEMBER 13, 2011

EIGHTY-SECOND DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, September 13, 2011, 9:00 o'clock a.m.

The House met pursuant to adjournment.

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

Representative Pelanda was selected to preside under the Rule.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 318-Representatives Blessing, O'Brien.

To amend sections 511.27, 1545.21, 3501.01, 3513.12, and 3513.262 of the Revised Code to eliminate March primary elections in presidential election years by requiring all primary elections to be conducted on the first Tuesday after the first Monday in May, and to declare an emergency.

H. B. No. 319-Representative Huffman.

To enact new section 3521.01 and to repeal section 3521.01 of the Revised Code to establish Congressional district boundaries for the state based on the 2010 decennial census of Ohio.

H. B. No. 320-Representatives Johnson, Bulp.

Cosponsors: Representatives Adams, R., Carey, Combs, Derickson, Dovilla, Fende, Gentile, Gonzales, Grossman, Maag, Patmon, Pillich, Schuring, Williams, Yuko.

To enact section 4503.549 of the Revised Code to create "Military Sacrifice" license plates.

H. B. No. 321-Representative Peterson.

Cosponsor: Representative Carey.

To enact section 5533.377 of the Revised Code to designate a portion of State Route 772 within Ross County the "Staff Sergeant Joshua Gire Memorial Highway."

H. B. No. 322-Representative Brenner.

Cosponsors: Representatives Kozlowski, Henne, Combs, Wachtmann, Stebelton.

To enact sections 1121.051, 1155.181, 1163.221, and 1733.413 of the Revised Code to permit Ohio banks, savings and loan associations, savings banks, and credit unions to charge the same interest rate and other charges that out-of-state banks may charge Ohio customers.

H. B. No. 323-Representatives Dovilla, Anielski.

Cosponsors: Representatives Baker, Henne, Newbold, Boose.

To amend sections 145.572, 145.573, 742.463, 742.464, 2901.43, 2929.192, 2929.193, 3305.11, 3305.12, 3307.372, 3307.373, 3309.672, 3309.673, 5505.262, and 5505.263 of the Revised Code to add extortion and perjury to the felonies committed by a public retirement system member while serving in a position of honor, trust, or profit under the law governing the forfeiture of retirement system benefits and the termination of retirement system disability benefits.

H. B. No. 324-Representatives Clyde, Letson.

Cosponsors: Representatives Lundy, Sykes.

To enact sections 3521.11 and 3521.12 of the Revised Code to specify that plans of apportionment for members of the General Assembly must include or be accompanied by a district map and corresponding list of census blocks, to specify a time by which plans of apportionment must be ready, to specify that the plans of apportionment must receive a public hearing at four locations throughout the state, and to declare an emergency.

Said bills were considered the first time.

On motion of Representative Grossman, the House recessed.

The House met pursuant to recess.

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

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

H.B. No. 295 - Representative Ruhl, et al

TO REMOVE THE PROHIBITION THAT AN AGRICULTURAL SOCIETY MUST NOT PERMIT, DURING, FOR ONE WEEK BEFORE,

OR FOR THREE DAYS AFTER A FAIR, A CHARITABLE ORGANIZATION TO CONDUCT GAMES OF CHANCE OR BINGO ON THE FAIRGROUND.

To the committee on Local Government

H.B. No. 296 - Representative Barnes, et al

TO REQUIRE THE CHANCELLOR OF THE OHIO BOARD OF REGENTS TO ESTABLISH STANDARDS AND PROTOCOLS FOR APPROVING CAREER-TECHNICAL PLANNING DISTRICTS TO AWARD ASSOCIATE DEGREES.

To the committee on Education

H.B. No. 297 - Representatives Weddington and Fende, et al

TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A MOTOR FUEL QUALITY TESTING PROGRAM UNDER WHICH COUNTY AUDITORS MAY CONDUCT SUCH TESTING.

To the committee on Agriculture and Natural Resources

H.B. No. 298 - Representatives Roegner and Rosenberger, et al

TO PRIORITIZE THE DISTRIBUTION OF FUNDS FOR FAMILY PLANNING SERVICES.

To the committee on Health and Aging

H.B. No. 299 - Representatives Stinziano and Anielski, et al

TO REQUIRE A PARENT, LEGAL GUARDIAN, OR CUSTODIAN OF A CHILD UNDER THE AGE OF SIXTEEN TO REPORT TO A LAW ENFORCEMENT AGENCY WITHIN TWENTY-FOUR HOURS AFTER THE CHILD IS MISSING OR WITHIN ONE HOUR AFTER THE PARENT, LEGAL GUARDIAN, OR CUSTODIAN DISCOVERS THAT THE CHILD IS DECEASED, TO INCREASE PENALTY FOR FALSIFICATION TO MISLEAD A PUBLIC OFFICIAL, AND TO SPECIFY THAT THE ABOVE PROVISIONS ARE TO BE KNOWN AS "CAYLEE'S LAW."

To the committee on Criminal Justice

H.B. No. 300 - Representatives Goyal and Ruhl, et al

TO PROVIDE PROTECTIONS FOR SEARCH AND RESCUE DOGS AND TO MAKE CHANGES TO THE LAW REGARDING EMERGENCY VOLUNTEERS.

To the committee on Judiciary and Ethics

H.B. No. 301 - Representatives Hottinger and Beck, et al

TO REQUIRE A PARENT, LEGAL GUARDIAN, OR CUSTODIAN OF A CHILD UNDER THE AGE OF THIRTEEN TO REPORT TO A LAW ENFORCEMENT AGENCY WITHIN TWENTY-FOUR HOURS AFTER THE CHILD IS MISSING OR THE PARENT, LEGAL GUARDIAN, OR CUSTODIAN DISCOVERS THAT THE CHILD IS DECEASED.

To the committee on Criminal Justice

H.B. No. 302 - Representative R. Adams

TO MAKE THE CLERK OF COURTS OF MIAMI COUNTY THE CLERK OF THE MIAMI COUNTY MUNICIPAL COURT AND TO DECLARE AN EMERGENCY.

To the committee on Judiciary and Ethics

H.B. No. 303 - Representative Schuring, Carney

TO REVISE THE LAW GOVERNING NURSES, MEDICATION AIDES, DIALYSIS TECHNICIANS, AND CERTIFIED COMMUNITY HEALTH WORKERS.

To the committee on Health and Aging

H.B. No. 304 - Representative Antonio, et al

TO BAN THE TAKING OR REMOVAL OF OIL OR NATURAL GAS FROM AND UNDER THE BED OF LAKE ERIE.

To the committee on Agriculture and Natural Resources

H.B. No. 305 - Representative Murray, et al

TO PROHIBIT DISQUALIFYING AN INDIVIDUAL FROM RECEIVING UNEMPLOYMENT COMPENSATION BENEFITS SOLELY BECAUSE THAT INDIVIDUAL IS SEEKING ONLY PART-TIME EMPLOYMENT, TO ALLOW AN INDIVIDUAL TO RECEIVE TRAINING EXTENSION BENEFITS UNDER SPECIFIED CONDITIONS, TO CREATE THE UNEMPLOYMENT MODERNIZATION REVIEW COMMITTEE, AND TO MAKE AN APPROPRIATION.

To the committee on Commerce and Labor

H.B. No. 306 - Representative Pillich, et al

TO REQUIRE A BUILDING OR STRUCTURE CONSTRUCTED USING STATE CAPITAL BUDGET MONEYS TO ADHERE TO CERTAIN ENERGY EFFICIENCY AND BUILDING STANDARDS AND TO ENCOURAGE THE USE OF OHIO-PRODUCED PRODUCTS.

To the committee on State Government and Elections

H.B. No. 307 - Representative Peterson, Carey

TO DESIGNATE A PORTION OF STATE ROUTE 104 WITHIN ROSS COUNTY AS THE "DAVID A. GIBSON MEMORIAL HIGHWAY."

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

H.B. No. 308 - Representative Damschroder, et al

TO AUTHORIZE A JOINT BOARD OF COUNTY COMMISSIONERS TO CONDUCT PROCEEDINGS REGARDING EXISTING JOINT COUNTY DITCHES VIA TELECONFERENCE OR VIDEO CONFERENCE.

To the committee on Local Government

H.B. No. 309 - Representatives Butler and Rosenberger, et al

TO ADD A REPRESENTATION OF THE WRIGHT BROTHERS' FIRST PILOTED AIRPLANE TO THE COAT OF ARMS AND GREAT SEAL OF THE STATE OF OHIO.

To the committee on State Government and Elections

H.B. No. 310 - Representative Goodwin, et al

TO REDUCE THE AMOUNT OF SALES TAX DUE ON THE PURCHASE OR LEASE OF A QUALIFYING ELECTRIC VEHICLE BY UP TO \$2,000.

To the committee on Ways and Means

H.B. No. 311 - Representatives Schuring and C. Hagan

TO DESIGNATE A PORTION OF U.S. ROUTE 62 IN STARK COUNTY AS THE "U.S. ARMY SPC. ZACHARY GRASS MEMORIAL HIGHWAY."

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

H.B. No. 312 - Representative Schuring

TO DESIGNATE A PORTION OF STATE ROUTE 172 IN STARK COUNTY AS THE "LT. JASON S. MANSE MEMORIAL HIGHWAY."

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

H.B. No. 313 - Representatives Carney and Carey

TO MODIFY THE LAWS GOVERNING THE INTRASTATE MUTUAL AID COMPACT.

To the committee on Insurance

H.B. No. 314 - Representative Beck, J. Adams

TO LIMIT THE AMOUNT BY WHICH A STATE EMPLOYEE'S SALARY OR WAGE MAY BE INCREASED.

To the committee on State Government and Elections

H.B. No. 315 - Representatives Baker and Sears, et al

TO INCREASE THE PENALTIES FOR MAKING A FALSE STATEMENT IN CAMPAIGN MATERIALS RELATED TO NOMINATION OR ELECTION FOR A STATEWIDE OFFICE OR OFFICE OF A MEMBER OF THE GENERAL ASSEMBLY, OR IN REGARD TO ANY CAMPAIGN FOR OR AGAINST A BALLOT QUESTION OR ISSUE, AND TO REQUIRE THE PERSON WHO MADE THE FALSE STATEMENT TO PAY REASONABLE ATTORNEY'S FEES.

To the committee State Government and Elections

H.B. No. 316 - Representatives Rosenberger and Landis, et al

TO PERMIT MOTORCYCLE HANDLEBARS TO BE OF ANY HEIGHT SO LONG AS THE HEIGHT DOES NOT ADVERSELY AFFECT THE ABILITY OF THE OPERATOR TO OPERATE THE MOTORCYCLE SAFELY.

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

H.B. No. 317 - Representatives Young and Thompson, et al

TO IMPOSE A TEMPORARY HIRING FREEZE IN STATE GOVERNMENT UNTIL THE STATE WORKFORCE IS REDUCED BY TEN PER CENT.

To the committee on State Government and Elections

H.B. No. 318 - Representatives Blessing and O'Brien

TO ELIMINATE MARCH PRIMARY ELECTIONS IN PRESIDENTIAL ELECTION YEARS BY REQUIRING ALL PRIMARY ELECTIONS TO

BE CONDUCTED ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MAY, AND TO DECLARE AN EMERGENCY.

To the committee on State Government and Elections

H.B. No. 319 - Representative Huffman

TO ESTABLISH CONGRESSIONAL DISTRICT BOUNDARIES FOR THE STATE BASED ON THE 2010 DECENNIAL CENSUS OF OHIO.

To the committee on State Government and Elections

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

TO INCLUDE CONTENT ON SPECIFIED HISTORICAL DOCUMENTS IN THE STATE ACADEMIC STANDARDS AND IN THE HIGH SCHOOL AMERICAN HISTORY AND GOVERNMENT CURRICULUM.

To the committee on Education

LOUIS W. BLESSING
ANDREW BRENNER
CHERYL GROSSMAN
ARMOND BUDISH

JOHN ADAMS
ANNE GONZALES
DOROTHY PELANDA
TRACY HEARD

Representative Adams, J. 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 the House Bills and Senate Bill contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bill were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H.R. No. 183 - Representatives Stebelton and Carey, Speaker Batchelder, Representative Budish, J. Adams, R. Adams, Amstutz, Anielski, Antonio, Ashford, Baker, Barnes, Beck, Blair, Blessing, Boose, Boyd, Brenner, Bulp, Buchy, Butler, Carney, Celeste, Clyde, Combs, Conditt, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gentile, Gerberry, Gonzales, Goodwin, Goyal, Grossman, Hackett, C.Hagan, R. Hagan, Hall, Hayes, Heard, Henne, Hill, Hollington, Hottinger, Huffman, Johnson, Kozlowski, Landis, Letson, Luckie, Lundy, Maag, Mallory, Martin, McClain, McGregor, McKenney, Milkovich, Murray, Newbold, O'Brien, Okey, Patmon, Pelanda, Peterson, Phillips, Pillich, Ramos, Reece, Roegner, Rosenberger, Ruhl, Schuring, Sears, Slaby, Slesnick, Sprague, Stautberg,

Stinziano, Sykes, Szollosi, Thompson, Uecker, Wachtmann, Weddington, Williams, Winburn, Young, Yuko

In memory of Clarence Ellsworth Miller, Jr.

/s/ LOUIS BLESSING
Louis Blessing, Chair

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

H.R. No. 175 - Speaker Batchelder, Representatives Barnes, Boyd

Honoring Rita Haynes on her retirement as chief executive officer of Faith Community United Credit Union.

H.R. No. 180 - Representative Szollosi

Honoring the Toledo Browns Senior division flag football team on winning the 2011 State Championship.

H.R. No. 181 - Representative Slaby

Honoring Allison Bates as the 2011 All-American Soap Box Derby Masters Division Champion.

H.R. No. 182 - Representatives Brenner, Weddington, Gonzales, Garland

Honoring the St. Francis DeSales High School baseball team on winning the 2011 Division II State Championship.

H.R. No. 184 - Representative Szollosi

Honoring the Oregon Junior Eagles 11U baseball team as the 2011 Nations 11U Select State Champion.

H.R. No. 185 - Representative Gonzales

Honoring Dr. Peter V. Paul on receiving the 2010 Richard and Laura Kretschmer National Leadership Award in Hearing Impairment.

/s/ LOUIS BLESSING
Louis Blessing, Chair

Representative J. Adams 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.

On motion of Representative Adams, J., the House adjourned
until Wednesday, September 14, 2011 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.