

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, NOVEMBER 14, 2012

TWO HUNDRED FIRST DAY  
Hall of the House of Representatives, Columbus, Ohio  
Wednesday, November 14, 2012, 9:00 o'clock a.m.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **Sub. S. B. No. 130**-Senators Hughes, Cates, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DOG KENNELS/RETAILERS/RESCUERS-LICENSING/  
STANDARDS OF CARE

DAVE HALL  
TERESA FEDOR  
JACK CERA  
TIMOTHY DERICKSON  
TRACY HEARD  
CASEY KOZLOWSKI  
SEAN O'BRIEN  
DOROTHY PELANDA  
MARGARET RUHL

ANDY THOMPSON  
TERRY BOOSE  
KATHLEEN CLYDE  
CHRISTINA HAGAN  
BRIAN HILL  
AL LANDIS  
MARK D. OKEY  
DEBBIE PHILLIPS  
GARY K. SCHERER

The following member voted "NO"

JIM BUCHY

The report was agreed to.

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

Representative Phillips submitted the following report:

The standing committee on Rules and Reference to which was referred **Sub. H. B. No. 284**-Representatives Gonzales, Letson, et al., having had the same under consideration, recommends its re-referral to the committee on Health and Aging.

RE: PHYSICIAN ASSISTANTS-MODIFY LAW GOVERNING

LOUIS W. BLESSING  
JOHN ADAMS

CHERYL GROSSMAN  
ANDREW BRENNER

DOROTHY PELANDA  
MATT SZOLLOSI

ANNE GONZALES  
ARMOND BUDISH

The report was agreed to.

The bill was ordered to be engrossed and rereferred to the committee on Health and Aging.

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

**H.B. No. 592** - Representative Williams

TO REQUIRE THAT EVERY PROCEEDING BEFORE ANY COURT OF RECORD BE RECORDED BY AN AUDIO ELECTRONIC RECORDING DEVICE AND THAT THE RECORDING BE MADE AVAILABLE IMMEDIATELY FOLLOWING THE PROCEEDING TO ANY PARTY TO THE PROCEEDING AND, EXCEPT TO THE EXTENT THAT THE RECORDING IS A RECORD TO WHICH PUBLIC ACCESS IS RESTRICTED BY COURT RULE OR STATUTE, TO ANY OTHER PERSON, AND TO REQUEST THE SUPREME COURT TO AMEND THE COURT RULES IT HAS ADOPTED TO INCLUDE IN THOSE RULES PROVISIONS THAT CORRESPOND TO THE BILL'S REQUIREMENTS.

To the committee on Judiciary and Ethics

**H.B. No. 593** - Representative Thompson

TO DESIGNATE A PORTION OF STATE ROUTE 676 IN WASHINGTON COUNTY AS THE "U.S. ARMY SPECIALIST ALLEN NOLAN MEMORIAL HIGHWAY."

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

**H.B. No. 594** - Representatives Damschroder and Murray, et al

TO ESTABLISH CONDITIONS FOR WATERCRAFT SAFETY INSPECTIONS.

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

**H.B. No. 595** - Representative Patmon, Celeste

TO GENERALLY PROHIBIT A PERSON FROM HAVING A FIREARM ON PRIVATELY OWNED LAND OR PREMISES UNLESS THE PERSON OWNS, CONTROLS, OR RESIDES ON OR IN THE LAND OR PREMISES, HAS PERMISSION OF THE OWNER OR PERSON WHO CONTROLS THE LAND OR PREMISES AND, IF THE LAND OR PREMISES IS RENTAL PROPERTY, OF THE TENANT WHEN REQUIRED, OR IS THE TENANT WITH RESPECT TO THOSE PREMISES.

To the committee on State Government and Elections

**H.B. No. 596** - Representative R. Hagan, Foley  
TO REVISE THE REQUIREMENTS CONCERNING AN OIL AND GAS PERMIT APPLICATION, AN OIL AND GAS WELL COMPLETION RECORD, DESIGNATION OF TRADE SECRET PROTECTION FOR CHEMICALS USED TO DRILL OR STIMULATE AN OIL AND GAS WELL, AND DISCLOSURE OF CHEMICAL INFORMATION TO A MEDICAL PROFESSIONAL, TO REQUIRE AN OWNER TO REPORT ALL CHEMICALS BROUGHT TO A WELL SITE, AND TO MAKE OTHER CHANGES IN THE OIL AND GAS LAW.  
To the committee on Agriculture and Natural Resources

**H.B. No. 597** - Representatives Heard and McGregor, et al  
TO PROTECT THE RIGHTS OF CHILDREN BEFORE AND DURING CUSTODIAL INTERROGATIONS.  
To protect the committee on Judiciary and Ethics

**H.B. No. 598** - Representatives Grossman and Terhar, et al  
TO INCLUDE PERVASIVE DEVELOPMENTAL DISORDERS IN THE MENTAL HEALTH INSURANCE PARITY LAW.  
To the committee on Health and Aging

**H.B. No. 599** - Representative R. Hagan, et al  
TO PROHIBIT A PROFESSIONAL SPORTS TEAM FOR WHOM A SPORTS FACILITY WAS CONSTRUCTED USING PUBLIC FUNDS FROM ENTERING INTO A CONTRACT THAT PROHIBITS THE BROADCAST OF THE SPORTS TEAM'S GAMES BASED UPON THE NUMBER OF TICKETS SOLD.  
To the committee on State Government and Elections

**H.B. No. 600** - Representative C. Hagan, et al  
TO PERMIT THE DIVISION OF SECURITIES TO ORDER THE PAYMENT OF ADMINISTRATIVE ASSESSMENTS AND INVESTIGATORY COSTS, AND TO ISSUE CONSENT ORDERS, FOR VIOLATIONS OF THE SECURITIES LAW AND TO MAKE OTHER CHANGES TO THAT LAW RELATIVE TO THE PREPARATION AND AUDITING OF FINANCIAL STATEMENTS.  
To the committee on Finance and Appropriations

**H.B. No. 601** - Representatives Grossman and Henne  
TO REVISE THE LAWS GOVERNING INCOME TAXES IMPOSED BY MUNICIPAL CORPORATIONS.  
To the committee on Ways and Means

**H.B. No. 602** - Representatives Lundy and Gerberry, et al  
TO ELIMINATE THE AUTHORITY OF THE DIRECTOR OF BUDGET AND MANAGEMENT AND THE DIRECTOR OF TRANSPORTATION IN REGARD TO OHIO TURNPIKE-RELATED OUTSOURCING CONTRACTS AND TO REQUIRE THE OHIO TURNPIKE COMMISSION TO HOLD PUBLIC HEARINGS ON THE ISSUE OF OUTSOURCING THE OHIO TURNPIKE.

To the committee on Finance and Appropriations

LOUIS W. BLESSING  
ANDREW BRENNER  
CHERYL GROSSMAN  
ARMOND BUDISH

JOHN ADAMS  
ANNE GONZALES  
DOROTHY PELANDA  
MATT SZOLLOSI

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 contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

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

### MOTIONS AND RESOLUTIONS

Representative Grossman reported for the Rules and Reference Committee recommending that the following House Concurrent Resolutions be introduced and referred to the following committees for consideration:

**H.C.R. No. 55** - Representatives Gonzales, Wachtmann, Ruhl, Yuko, Antonio, Baker

TO ENCOURAGE THE OHIO DEPARTMENT OF HEALTH TO IMPLEMENT PUBLIC POLICY THAT ADDRESSES PREVENTION AND DETECTION OF HEART DISEASE IN WOMEN.

To the committee on Health and Aging

**H.C.R. No. 56** - Representatives Gonzales, Derickson, Wachtmann, Ruhl, Yuko, Hackett, Baker

TO RECOGNIZE NOVEMBER 2012 AS PERSONAL HEALTH CARE MONTH.

To the committee on Health and Aging

/s/ LOUIS BLESSING  
Louis Blessing, Chair

Representative Adams, J. moved that the Rules and Reference Committee Report on resolutions be agreed to and that the concurrent resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said concurrent resolutions were introduced and referred as recommended.

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

**H.R. No. 470** - Representative Ruhl

Honoring Carol Fitzsimons as a 2012 Transplant Games of America medalist.

**H.R. No. 471** - Speaker Batchelder, Representatives Budish, 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, Letson, Luckie, Lundy, Lynch, Maag, Mallory, Martin, McClain, McGregor, Milkovich, Murray, Newbold, O'Brien, 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  
Honoring John Glenn on the Fiftieth Anniversary of Friendship 7.

**H.R. No. 472** - Representatives Brenner, Gonzales

Honoring Jack Lint as a 2012 USA Track and Field National Junior Olympic Champion.

**H.R. No. 473** - Representative Damschroder

Honoring the Sandusky County Special Olympics softball team as the 2012 Division III State Champion.

**H.R. No. 474** - Representative Rosenberger

Honoring Ryan Hawks as a 2012 world archery champion.

**H.R. No. 475** - Representative Sears

Honoring Lexi Aughenbaugh on winning the 3,200-meter run at the 2012 Division I State Track and Field Championships.

**H.R. No. 476** - Representatives Maag, Beck

Honoring the Lebanon High School drumline on winning the 2012 WGI Scholastic A World Championship.

**H.R. No. 477** - Representative Pelanda

Honoring the Logan County Braves Special Olympics softball team as the 2012 Division IV State Champion.

**H.R. No. 478** - Representative Antonio

Recognizing December 1, 2012, as World AIDS Day.

**H.R. No. 479** - Representatives Gonzales, Brenner

Honoring Nick Altenbach as a 2012 Eastern Conference Finals Drag Racing Champion.

**H.R. No. 480** - Representative Fende

Honoring Gracie Fusco as Miss American Sweetheart 2012 and USA National Preteen 2012.

**H.R. No. 481** - Representative Hayes

Honoring Deborah Turner as the 2012 CEAO Teacher of the Year.

**H.R. No. 482** - Representative Gonzales

Honoring the City of Westerville as a 2012 Healthy Ohio-Healthy Community.

**H.R. No. 483** - Representatives Maag, Beck

Honoring the Franklin High School cheerleading squad as the 2012 OASSA Division II State Champion.

**H.R. No. 484** - Speaker Batchelder

Honoring Richard H. Collins on the dedication of the Findlay Post of the Ohio State Highway Patrol in his name.

**H.R. No. 485** - Speaker Batchelder

Recognizing the Honorable Ralph M. Hall on the unveiling of his official portrait.

**H.R. No. 486** - Speaker Batchelder, Representatives Anielski, Baker, Dovilla

Honoring the late Lillian W. Burke as a member of the James A. Garfield Hall of Fame Class of 2012.

**H.R. No. 487** - Speaker Batchelder, Representatives Anielski, Baker, Dovilla

Honoring the late Perry B. Jackson as a member of the James A. Garfield Hall of Fame Class of 2012.

**H.R. No. 488** - Speaker Batchelder, Representatives Anielski, Baker, Dovilla

Honoring Richard R. Hollington Jr. as a member of the James A. Garfield Hall of Fame Class of 2012.

**H.R. No. 489** - Speaker Batchelder, Representatives Anielski, Baker, Dovilla

Honoring Lucille Mayer as a member of the James A. Garfield Hall of Fame Class of 2012.

**H.R. No. 490** - Speaker Batchelder, Representatives Anielski, Baker, Dovilla

Honoring A. Malachi Mixon III as a member of the James A Garfield Hall of Fame Class of 2012.

/s/LOUIS BLESSING

Louis Blessing, Chair

Representative Adams, J. 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 Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the standing committee on Health and Aging:

remove Representative Boyd;  
appoint Representative Celeste.

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

The motion was agreed to.

On motion of Representative Adams, J., the House recessed.

The House met pursuant to recess.

Prayer was offered by Pastor Don Allman of St. John Lutheran Church in Grove City, Ohio, followed by the Pledge of Allegiance to the Flag.

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

Mount Vernon YMCA Rockets junior cheerleading squad received H.R. 388, presented by Representative Ruhl-90th district.

Ann's Raspberry Farm and Specialty Crops received H.R. 295, presented by Representative Ruhl-90th district.

The Brew Kettle Production Works received H.R. 443, presented by Representative Dovilla-18th district.

Gracie Fusco received H.R. 480, presented by Representative Fende-62nd district.

Hafsa Omar, a guest of Representative Roegner-42nd district.

Gina Fusco, John Rogers, and Heidi Dellilo, guests of Representative Fende-62nd district.

Kelly and Melanie Murray, guests of Representative Murray-80th district.

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

Representative Winburn submitted the following report:

The standing committee on Criminal Justice to which was referred **Am. Sub. S. B. No. 160**-Senators Bacon, Hughes, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PRISONER RELEASE AND VICTIM RIGHTS CHANGES/  
OTHER CRIMINAL LAW CHANGES

Representative Combs moved to amend the title as follows:

Add the names: "Representatives Conditt, Bubp, Garland, Hayes, Lynch, Pillich."

COURTNEY COMBS  
ROLAND WINBURN  
DANNY R. BUBP  
BILL HAYES  
MATT LYNCH  
JOSEPH W. UECKER  
KIRK SCHURING

MARGARET CONDITT  
LOUIS W. BLESSING  
NANCY GARLAND  
TRACY HEARD  
CONNIE PILLICH  
SANDRA WILLIAMS

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. C. R. No. 56**-Representative Gonzales, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: RECOGNIZE NOVEMBER 2012 AS PERSONAL HEALTH CARE MONTH

BRIAN HILL  
LORRAINE M. FENDE  
JOHN PATRICK CARNEY  
ROBERT F. HAGAN  
RYAN SMITH  
BARBARA R. SEARS  
MARILYN SLABY  
KIRK SCHURING  
TERRY JOHNSON

KENNY YUKO  
NICKIE ANTONIO  
TED CELESTE  
RICHARD ADAMS  
ROBERT HACKETT  
MIKE DUFFEY  
JOHN BARNES  
LYNN R. WACHTMANN  
NANCY GARLAND

The report was agreed to.

The concurrent resolution 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 re-referred **Sub. H.B. No. 284**-Representatives Gonzales, Letson, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PHYSICIAN ASSISTANTS-MODIFY LAW GOVERNING

LYNN R. WACHTMANN  
LORRAINE M. FENDE  
NICKIE ANTONIO

ANNE GONZALES  
RICHARD ADAMS  
JOHN BARNES

TED CELESTE  
MIKE DUFFEY  
ROBERT HACKETT  
BRIAN HILL  
DOROTHY PELANDA  
KIRK SCHURING  
MARILYN SLABY  
KENNY YUKO

JOHN PATRICK CARNEY  
NANCY GARLAND  
ROBERT F. HAGAN  
TERRY JOHNSON  
DAN RAMOS  
BARBARA R. SEARS  
RYAN SMITH

The report was agreed to.

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

### BILLS FOR THIRD CONSIDERATION

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

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

To amend sections 955.02, 955.10, 955.12, 955.20, 955.26, and 1901.183 and to enact sections 956.01 to 956.18 of the Revised Code to regulate certain dog breeding kennels and dog retailers, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 91, nays 5, as follows:

Those who voted in the affirmative were: Representatives

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

Wachtmann  
Yuko

Williams

Winburn  
Batchelder-91.

Representatives Adams J., Amstutz, Buchy, Goodwin, and Martin voted in the negative-5.

The bill passed.

Representative Hall moved to amend the title as follows:

Add the names: "Representatives Antonio, Ashford, Budish, Celebrezze, Cera, Combs, Derickson, Dovilla, Fedor, Fende, Garland, Gerberry, Goyal, Grossman, Hagan, R., Heard, Kozlowski, Letson, Lundy, Mallory, Milkovich, O'Brien, Phillips, Ramos, Schuring, Szollosi, Thompson, Winburn, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 197**-Representative Slesnick.

Cosponsors: Representatives Fende, Letson, Murray, O'Brien, Patmon, Yuko.

To amend sections 1901.261, 1901.31, 1907.20, 1907.26, 1907.261, 4503.39, and 5503.02 and to enact sections 1901.44, 1905.202, 1907.25, and 2947.09 of the Revised Code to require that all moneys collected by the clerk of a municipal or county court be paid to the appropriate person, fund, or entity on or before the twentieth day of the month following the month in which they are collected; to authorize a municipal, mayor's, or county court to require community service in lieu of costs if at the time of sentencing or any time after sentencing the court finds that the offender cannot pay costs; to authorize a municipal, mayor's, or county court to allow payment of costs in installments if at the time of sentencing or at any time after sentencing the court finds that the offender will not be able to pay costs in full when due; to ensure that neither the Registrar of Motor Vehicles nor any deputy registrar accepts any application for the registration or transfer of registration of a motor vehicle of a person who fails to pay any fine or costs imposed for offenses by a common pleas, municipal, mayor's, or county court; and to clarify the authority of the State Highway Patrol to enforce criminal laws at privately owned correctional facilities, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Slesnick moved that **Sub. H. B. No. 197**-Representative Slesnick, et al., be informally passed and that it be taken up for consideration on: Tuesday, November 27, 2012.

The motion was agreed to.

**Sub. H. B. No. 279**-Representatives Grossman, Driehaus.

Cosponsors: Representatives Yuko, Combs, Boyd, Reece, Letson, Henne, Martin, Goyal, Burke, Bubb, Conditt.

To amend sections 2151.33, 3107.062, 3107.063, 3109.53, 3109.59, 3109.60, 3109.66, 3109.70, 3109.71, 3109.72, 5153.16, and 5153.161, to enact new section 3109.76 and section 2151.411, and to repeal sections 3109.76 and 3109.77 of the Revised Code to require a public children services agency or private child placing agency that obtains temporary custody of a child to attempt to notify certain relatives of the child; to require a public children services agency to attempt to keep siblings together; to modify the putative father registry; to eliminate the automatic termination upon the expiration of one year of a power of attorney or caretaker authorization affidavit that gives care of a child to a grandparent; to allow a grandparent to seek custody of a child if the child's parent, guardian, or custodian seeks to terminate a power of attorney or caretaker authorization affidavit; to require a public children services agency to file a missing child report if a child in its custody is or may be missing; to authorize a public children services agency to provide care for a child in the home of a qualified nonrelative of the child; and to require the Department of Job and Family Services to develop recommendations for the implementation of a subsidized relative guardianship program, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Driehaus moved to amend as follows:

Delete lines 33 through 169 and insert:

**"Sec. 2151.33.** (A) Pending hearing of a complaint filed under section 2151.27 of the Revised Code or a motion filed or made under division (B) of this section and the service of citations, the juvenile court may make any temporary disposition of any child that it considers necessary to protect the best interest of the child and that can be made pursuant to division (B) of this section. Upon the certificate of one or more reputable practicing physicians, the court may summarily provide for emergency medical and surgical treatment that appears to be immediately necessary to preserve the health and well-being of any child concerning whom a complaint or an application for care has been filed, pending the service of a citation upon the child's parents, guardian, or custodian. The court may order the parents, guardian, or custodian, if the court finds the parents, guardian, or custodian able to do so, to reimburse the court for the expense involved in providing the emergency medical or surgical treatment. Any person who disobeys the order for reimbursement may be adjudged in contempt of court and punished accordingly.

If the emergency medical or surgical treatment is furnished to a child who is found at the hearing to be a nonresident of the county in which the court is located and if the expense of the medical or surgical treatment cannot be

recovered from the parents, legal guardian, or custodian of the child, the board of county commissioners of the county in which the child has a legal settlement shall reimburse the court for the reasonable cost of the emergency medical or surgical treatment out of its general fund.

(B)(1) After a complaint, petition, writ, or other document initiating a case dealing with an alleged or adjudicated abused, neglected, or dependent child is filed and upon the filing or making of a motion pursuant to division (C) of this section, the court, prior to the final disposition of the case, may issue any of the following temporary orders to protect the best interest of the child:

(a) An order granting temporary custody of the child to a particular party;

(b) An order for the taking of the child into custody pursuant to section 2151.31 of the Revised Code pending the outcome of the adjudicatory and dispositional hearings;

(c) An order granting, limiting, or eliminating parenting time or visitation rights with respect to the child;

(d) An order requiring a party to vacate a residence that will be lawfully occupied by the child;

(e) An order requiring a party to attend an appropriate counseling program that is reasonably available to that party;

(f) Any other order that restrains or otherwise controls the conduct of any party which conduct would not be in the best interest of the child.

(2) Prior to the final disposition of a case subject to division (B)(1) of this section, the court shall do both of the following:

(a) Issue an order pursuant to Chapters 3119. to 3125. of the Revised Code requiring the parents, guardian, or person charged with the child's support to pay support for the child.

(b) Issue an order requiring the parents, guardian, or person charged with the child's support to continue to maintain any health insurance coverage for the child that existed at the time of the filing of the complaint, petition, writ, or other document, or to obtain health insurance coverage in accordance with sections 3119.29 to 3119.56 of the Revised Code.

(C)(1) A court may issue an order pursuant to division (B) of this section upon its own motion or if a party files a written motion or makes an oral motion requesting the issuance of the order and stating the reasons for it. Any notice sent by the court as a result of a motion pursuant to this division shall contain a notice that any party to a juvenile proceeding has the right to be represented by counsel and to have appointed counsel if the person is indigent.

(2) If a child is taken into custody pursuant to section 2151.31 of the Revised Code and placed in shelter care, the public children services agency or private child placing agency with which the child is placed in shelter care shall

file or make a motion as described in division (C)(1) of this section before the end of the next day immediately after the date on which the child was taken into custody and, at a minimum, shall request an order for temporary custody under division (B)(1)(a) of this section.

(3) A court that issues an order pursuant to division (B)(1)(b) of this section shall comply with section 2151.419 of the Revised Code.

(D) The court may grant an ex parte order upon its own motion or a motion filed or made pursuant to division (C) of this section requesting such an order if it appears to the court that the best interest and the welfare of the child require that the court issue the order immediately. The court, if acting on its own motion, or the person requesting the granting of an ex parte order, to the extent possible, shall give notice of its intent or of the request to the parents, guardian, or custodian of the child who is the subject of the request. If the court issues an ex parte order, the court shall hold a hearing to review the order within seventy-two hours after it is issued or before the end of the next day after the day on which it is issued, whichever occurs first. The court shall give written notice of the hearing to all parties to the action and shall appoint a guardian ad litem for the child prior to the hearing.

The written notice shall be given by all means that are reasonably likely to result in the party receiving actual notice and shall include all of the following:

- (1) The date, time, and location of the hearing;
- (2) The issues to be addressed at the hearing;
- (3) A statement that every party to the hearing has a right to counsel and to court-appointed counsel, if the party is indigent;
- (4) The name, telephone number, and address of the person requesting the order;
- (5) A copy of the order, except when it is not possible to obtain it because of the exigent circumstances in the case.

If the court does not grant an ex parte order pursuant to a motion filed or made pursuant to division (C) of this section or its own motion, the court shall hold a shelter care hearing on the motion within ten days after the motion is filed. The court shall give notice of the hearing to all affected parties in the same manner as set forth in the Juvenile Rules.

(E) The court, pending the outcome of the adjudicatory and dispositional hearings, shall not issue an order granting temporary custody of a child to a public children services agency or private child placing agency pursuant to this section, unless the court determines and specifically states in the order that the continued residence of the child in the child's current home will be contrary to the child's best interest and welfare and the court complies with section 2151.419 of the Revised Code.

(F) Each public children services agency and private child placing agency that receives temporary custody of a child pursuant to this section shall exercise due diligence to identify and provide notice to all adult grandparents and other adult relatives of the child, including any adult relatives suggested by the parents, within thirty days of the child's removal from the custody of the child's parents, in accordance with 42 U.S.C. 671(a)(29). The agency shall also maintain in the child's case record written documentation that it has placed the child, to the extent that it is consistent with the best interest, welfare, and special needs of the child, in the most family-like setting available and in close proximity to the home of the parents, custodian, or guardian of the child.

(G) For good cause shown, any court order that is issued pursuant to this section may be reviewed by the court at any time upon motion of any party to the action or upon the motion of the court.

(H)(1) Pending the hearing of a complaint filed under section 2151.27 of the Revised Code or a motion filed or made under division (B) of this section and the service of citations, a public children services agency may request that the superintendent of the bureau of criminal identification and investigation conduct a criminal records check with respect to each parent, guardian, custodian, prospective custodian, or prospective placement whose actions resulted in a temporary disposition under division (A) of this section. The public children services agency may request that the superintendent obtain information from the federal bureau of investigation as part of the criminal records check of each parent, guardian, custodian, prospective custodian, or prospective placement.

(2) Each public children services agency authorized by division (H) of this section to request a criminal records check shall do both of the following:

(a) Provide to each parent, guardian, custodian, prospective custodian, or prospective placement for whom a criminal records check is requested a copy of the form prescribed pursuant to division (C)(1) of section 109.572 of the Revised Code and a standard fingerprint impression sheet prescribed pursuant to division (C)(2) of that section and obtain the completed form and impression sheet from the parent, guardian, custodian, prospective custodian, or prospective placement;

(b) Forward the completed form and impression sheet to the superintendent of the bureau of criminal identification and investigation.

(3) A parent, guardian, custodian, prospective custodian, or prospective placement who is given a form and fingerprint impression sheet under division (H)(2)(a) of this section and who fails to complete the form or provide fingerprint impressions may be held in contempt of court."

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

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Brenner	Bubp	Buchy	Budish
Butler	Carney	Celebrezze	Celeste
Cera	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
Okey	Patmon	Pelanda	Phillips
Pillich	Ramos	Reece	Roegner
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby M.	Slesnick	Smith
Sprague	Stauberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Winburn	Young
Yuko			Batchelder-94.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Anielski	Antonio	Ashford
Baker	Barnes	Beck	Blair
Blessing	Boose	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	Okey

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-94.

Representatives Adams J. and Amstutz voted in the negative-2.

The bill passed.

Representative Grossman moved to amend the title as follows:

Add the names: "Adams, R., Antonio, Barnes, Blair, Celebrezze, Celeste, Cera, Fedor, Fende, Foley, Garland, Hackett, Hagan, R., Heard, Johnson, Kozlowski, Mallory, Milkovich, Murray, Newbold, O'Brien, Patmon, Phillips, Pillich, Ramos, Ruhl, Sprague, Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 414**-Representative Anielski.

Cosponsors: Representatives Grossman, Patmon, Combs.

To amend sections 2903.211 and 2917.21 of the Revised Code to expand the offenses of menacing by stalking and telecommunications harassment and to prohibit a person from knowingly causing another person to believe that the offender will cause physical harm or mental or emotional distress to a member of the other person's immediate family, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 83, nays 12, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Anielski	Antonio
Ashford	Baker	Barnes	Beck
Blair	Blessing	Boose	Brenner
Bubp	Buchy	Budish	Butler
Carney	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	Lundy

Lynch	Maag	Martin	McClain
Milkovich	Patmon	Pelanda	Phillips
Pillich	Ramos	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Slesnick	Smith	Sprague
Stebelton	Sykes	Szollosi	Terhar
Uecker	Wachtmann	Williams	Winburn
Young	Yuko		Batchelder-83.

Those who voted in the negative were: Representatives

Amstutz	Celebrezze	Letson	Mallory
McGregor	Murray	Newbold	O'Brien
Okey	Reece	Stautberg	Stinziano-12.

The bill passed.

Representative Anielski moved to amend the title as follows:

Add the names: "Antonio, Goyal, Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. S. B. No. 300**-Senators Manning, Wagoner.

Cosponsors: Senators Brown, Hughes, Seitz, Cafaro, Bacon, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gentile, Hite, Jones, Kearney, LaRose, Lehner, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Tavares, Widener. Representatives Damschroder, Celebrezze, Johnson, O'Brien, Patmon, Ruhl, Uecker.

To enact sections 5533.181 and 5533.688 of the Revised Code to designate the bridge spanning the Vermillion River, that is part of State Route 113, as the "Staff Sgt. James P. Hunter Memorial Bridge" and to designate a portion of State Route 800 in Harrison County as the "Trooper George Conn Memorial Highway", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
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	Okey	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-96.

The bill passed.

Representative Damschroder moved to amend the title as follows:

Add the names: "Antonio, Barnes, Beck, Blair, Boose, Brenner, Bubp, Buchy, Butler, Carney, Cera, Combs, Dovilla, Fende, Garland, Hill, Landis, Lundy, Mallory, Martin, McClain, Milkovich, Murray, Newbold, Okey, Pillich, Ramos, Stinziano, Thompson, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 301**-Senators Burke, Cafaro.

Cosponsors: Senators Lehner, Seitz, Jones, Tavares, Brown, Bacon, Balderson, Beagle, Gentile, Hite, Hughes, Kearney, LaRose, Manning, Obhof, Oelslager, Peterson, Schaffer, Schiavoni, Skindell, Smith, Turner.  
Representatives Garland, Hackett, Johnson, Smith, Yuko.

To amend sections 3719.41, 4715.033, 4715.034, 4715.30, 4715.301, 4715.302, 4723.487, 4725.092, 4729.162, 4729.291, 4729.51, 4729.552, 4729.57, 4729.79, 4729.80, 4729.86, 4730.53, 4731.054, 4731.055, 4731.22, and 4731.39 of the Revised Code regarding enforcement powers of certain health care professional licensing boards, regulation of pain management clinics, limits on prescriber-furnished controlled substances, and classifications of certain controlled substances, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
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	Okey	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-96.

The bill passed.

Representative Johnson moved to amend the title as follows:

Add the names: "Amstutz, Antonio, Barnes, Beck, Blair, Blessing, Boose, Bubp, Buchy, Budish, Butler, Celebrezze, Combs, Dovilla, Driehaus, Duffey, Fende, Goyal, Hagan, C., Hayes, Heard, Kozlowski, Letson, Lundy, Mallory, McClain, Milkovich, Newbold, O'Brien, Patmon, Phillips, Rosenberger, Ruhl, Scherer, Schuring, Sears, Sprague, Stebelton, Terhar, Thompson, Winburn, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended 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 adoption of the following concurrent resolution:

**H. C. R. No. 54** -Speaker Batchelder, Representative Budish

Attest: Vincent L. Keeran,  
Clerk.

On motion of Representative Blessing, the House adjourned until Thursday,  
November 15, 2012 at 11:00 o'clock a.m.

Attest: JENNIFER E. WOODRING,  
Clerk.