

OHIO

House

of

Representatives

JOURNAL

TUESDAY, NOVEMBER 15, 2011

ONE HUNDREDTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, November 15, 2011, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Jim Case of the Stow Community United Church of Christ in Stow, Ohio, 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:

Dr. Peter V. Paul received H. R. 185, presented by Representative Gonzales-19th district.

Taylor Hahnert received H. R. 215, presented by Representative Brenner-2nd district.

Doctors Bryan Luna, Matthew Akers, Jorge Sufuentes, Tony Collins, and Kenneth Stanley, guests of Representative Huffman-4th district.

Constituents of Pickaway County, guests of Representatives Hayes-91st and Peterson-85th district.

Robert Loversidge and Tom Johnson, guests of Representative Hayes-91st district.

Fourth grade students from Morrison-Gordon Elementary School, guests of Representative Phillips-92nd district.

Tom, Susan and Connor Craig, guests of Representative Gentile-95th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 376-Representatives Celeste, Garland.

Cosponsors: Representatives Antonio, Ashford, Barnes, Boyd, Carney, Clyde, DeGeeter, Driehaus, Fedor, Fende, Foley, Gentile, Gerberry, Goyal, Hagan, R., Heard, Letson, Lundy, Mallory, Milkovich, Murray, O'Brien, Okey, Patmon, Phillips, Pillich, Ramos, Reece, Slesnick, Stinziano, Sykes, Szollosi, Weddington, Winburn, Yuko.

To amend section 1739.05 and to enact sections 1751.68 and 3923.84 of the Revised Code to prohibit health insurers from excluding coverage for specified services for individuals diagnosed with an autism spectrum disorder.

H. B. No. 377-Representatives Duffey, Stinziano.

Cosponsors: Representatives Grossman, Brenner, Antonio, Phillips, Reece, Letson, Garland, McClain, O'Brien.

To amend sections 3335.02, 3335.09, 3337.01, 3339.01, 3341.02, 3343.02, 3344.01, 3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3364.01 of the Revised Code to grant student members of the boards of trustees of state universities and the Northeast Ohio Medical University voting power and the authority to attend executive sessions.

H. B. No. 378-Representative Young.

Cosponsors: Representatives Adams, J., Beck, Blessing.

To enact section 109.5722 of the Revised Code to generally require the cancellation of an undocumented alien's driver's license and voter registration and the termination of any benefits the undocumented alien receives from programs administered or supervised by the Department of Job and Family Services, if the undocumented alien is arrested, identified as an undocumented alien by a federal fingerprint database, and has been issued a driver's license or provided a false or altered driver's license or another person's driver's license for identification at the time of arrest or processing.

H. B. No. 379-Representative Blessing.

Cosponsors: Representatives Beck, Stebelton.

To amend sections 4909.05, 4909.06, 4909.07, 4909.08, 4909.15, 4909.156, 4909.172, 4909.18, 4909.191, and 4909.42 and to enact section 4909.173 of the Revised Code to permit, for water-works and sewage disposal system companies, certain rate-calculation adjustments and a tax adjustment surcharge, to make changes regarding water and sewer infrastructure improvement surcharges, and to alter language regarding utility requirements for when rate increases may take effect in the absence of administrative action.

H. B. No. 380-Representative Blessing.

Cosponsors: Representatives Slaby, Hackett, McGregor, Adams, J.

To enact sections 2307.951, 2307.952, 2307.953, and 2307.954 of the Revised Code to require claimants in asbestos tort actions to make certain disclosures pertaining to asbestos trust claims that have been submitted to asbestos trust entities for the purpose of compensating the claimant for asbestos exposure.

H. B. No. 381-Representative Slaby.

Cosponsors: Representatives Combs, Hackett, Letson, Roegner, Terhar.

To amend section 3313.41 of the Revised Code with respect to offering school district property to state universities.

Said bills were considered the first time.

MOTIONS AND RESOLUTIONS

Representative Blessing moved that the following resolutions be read by title only and brought up for immediate adoption:

H.R. No. 211 - Representative Huffman

Honoring the late Sergeant First Class Douglas Dahill.

H.R. No. 212 - Representative Huffman

In memory of Staff Sergeant Jamal Tirik Clay.

H.R. No. 213 - Representative Gonzales

Honoring John M. Gonzales as a recipient of the 2011 Respected Advocate Award.

H.R. No. 214 - Representative Patmon

Honoring the Reverend Dr. E. Theophilus Caviness on being inducted into the 2012 International Civil Rights Walk of Fame.

H.R. No. 215 - Representative Brenner

Honoring Taylor Hahnert as Ohio's Best Bagger for 2011.

The motion was agreed to without objection.

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

The resolutions were adopted.

BILLS FOR THIRD CONSIDERATION

Representative Blessing moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **H. B. No. 232**-Representatives Letson, O'Brien, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

H. B. No. 232-Representatives Letson, O'Brien.

Cosponsors: Representatives Antonio, Fende, Weddington, Mallory, Gerberry, DeGeeter.

To amend sections 331.01, 331.02, 331.03, and 331.04 of the Revised Code to expand the authority of a county facilities review board to include any

facility where an adult ward of the probate court resides or receives services among the institutions subject to its review, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, 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	Carey	Carney	Celeste
Clyde	Combs	Conditt	Damschroder
DeGeeter	Derickson	Dovilla	Driehaus
Duffey	Fedor	Fende	Foley
Gardner	Garland	Gentile	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	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
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Winburn	Young		Batchelder-95.

The bill passed.

Representative Letson moved to amend the title as follows:

Add the names: "Adams, J., Anielski, Barnes, Beck, Blair, Bubp, Carney, Celeste, Combs, Driehaus, Duffey, Fedor, Foley, Garland, Hagan, R., Heard, Hill, Luckie, McClain, Milkovich, Murray, Newbold, Patmon, Phillips, Pillich, Reece, Roegner, Sears, Slaby, Szollosi, Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Bubp moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **Sub. S. B. No. 117**-Senators Seitz, Schiavoni, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

Sub. S. B. No. 117-Senators Seitz, Schiavoni.

Cosponsors: Senators Kearney, Wagoner, Bacon, Brown, Coley, Faber, Gillmor, Grendell, Hughes, Obhof, Oelslager, Patton, Smith, Turner, Wilson. Representatives Murray, Letson, Stinziano, Slaby, Terhar, Stebelton, Bulp.

To amend sections 1337.092, 1337.12, 2101.24, 2109.21, 2111.02, 2111.12, 2111.121, 5301.071, 5747.02, 5801.10, 5804.11, 5804.12, 5808.02, 5808.14, 5808.17, 5810.09, and 5810.13; to enact new section 2107.52 and sections 1337.21 to 1337.64, 3793.31 to 3793.39, 5808.18, 5808.19, 5809.031, and 5810.14; and to repeal sections 1337.09, 1337.091, 1337.093, 1337.18, 1337.19, 1337.20, and 2107.52 of the Revised Code to adopt the Uniform Power of Attorney Act; to modify a trustee's duties with respect to life insurance policies, specify a trustee's power to distribute trust principal in further trust, provide for the titling of assets in trust form, permit some but not all of specified parties to enter into a private settlement agreement, and make other changes in the Trust Code; to modify the anti-lapse provisions regarding wills and adopt anti-lapse provisions applicable to trusts; to provide a mechanism for a probate court to order a person who suffers from alcohol and other drug abuse to undergo treatment; and to provide a procedure for the construction or modification of a trust that refers to the federal estate tax, generation-skipping transfer tax, or Ohio estate tax, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, 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	Bulp	Buchy	Budish
Butler	Carey	Carney	Celeste
Clyde	Combs	Conditt	Damschroder
DeGeeter	Derickson	Dovilla	Driehaus
Duffey	Fedor	Fende	Foley
Gardner	Garland	Gentile	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	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
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann

Winburn

Young

Batchelder-95.

The bill passed.

Representative Bulp moved to amend the title as follows:

Add the names: "Blair, Blessing, Carney, Combs, Gardner, Garland, Hackett, Hayes, Huffman, Johnson, Luckie, Mallory, McKenney, Milkovich, Newbold, O'Brien, Sears, Szollosi, Wachtmann, Winburn, 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. 25 -Speaker Batchelder -Senators Niehaus, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Daniels, Faber, Hite, Hughes, Jones, Jordan, Kearney, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Tavares, Turner, Wagoner, Widener, Wilson

Honoring the Ohio Statehouse on the memorable occasion of its Sesquicentennial.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following concurrent resolution:

H. C. R. No. 26 -Speaker Batchelder, Representatives Letson, Budish, Adams, J., Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Barnes, Beck, Blair, Blessing, Boose, Boyd, Brenner, Bulp, Buchy, Butler, Carey, Carney, Celeste, Clyde, Combs, Conditt, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gentile,

Gerberry, Gonzales, Goodwin, Goyal, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hill, Hollington, Hottinger, Huffman, Johnson, Kozlowski, Landis, Lehner, 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, Stebelton, Stinziano, Sykes, Szollosi, Terhar, Thompson, Uecker, Wachtmann, Weddington, Williams, Winburn, Young, Yuko -Senators Niehaus, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Daniels, Eklund, Faber, Hite, Hughes, Jones, Jordan, Kearney, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Tavares, Turner, Wagoner, Widener, Wilson

Honoring the Ohio Judicial Center on being rededicated in the name of the late Chief Justice Thomas J. Moyer.

Attest:

Vincent L. Keeran,
Clerk.

On motion of Representative Blessing, the House adjourned until Wednesday, November 16, 2011 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.