

OHIO

House

of

Representatives

JOURNAL

TUESDAY, NOVEMBER 29, 2011

ONE HUNDRED FOURTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, November 29, 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 Brenner was selected to preside under the Rule.

The journal of yesterday was read and approved.

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

Representative Phillips 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. 376 - Representatives Celeste and Garland, et al
TO PROHIBIT HEALTH INSURERS FROM EXCLUDING COVERAGE FOR SPECIFIED SERVICES FOR INDIVIDUALS DIAGNOSED WITH AN AUTISM SPECTRUM DISORDER.
To the committee on Health and Aging

H.B. No. 377 - Representatives Duffey and Stinziano, et al
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.
To the committee on Education

H.B. No. 378 - Representative Young, et al
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.
To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 379 - Representative Blessing, et al
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.

To the committee on Public Utilities

H.B. No. 380 - Representative Blessing, et al

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.

To the committee on Judiciary and Ethics

H.B. No. 381 - Representative Slaby, et al

TO AMEND SECTION 3313.41 OF THE REVISED CODE WITH RESPECT TO OFFERING SCHOOL DISTRICT PROPERTY TO STATE UNIVERSITIES.

To the committee on Education

H.B. No. 382 - Representative Gentile, et al

TO PROVIDE THAT "EXPLOITATION" UNDER THE ADULT PROTECTIVE SERVICES LAW INCLUDES ACTION BY ANY PERSON, RATHER THAN ONLY BY A CARETAKER.

To the committee on Judiciary and Ethics

H.B. No. 383 - Representative Slaby, et al

TO MAKE CHANGES RELATIVE TO RESIDENTIAL CONSTRUCTION AND THE CONSUMER SALES PRACTICES ACT AND TO ESTABLISH LAWS GOVERNING THE PRACTICES OF HOME CONSTRUCTION SERVICE SUPPLIERS.

To the committee on Judiciary and Ethics

H.B. No. 384 - Representatives Driehaus and Pillich

TO INCREASE TO A FELONY OF THE FIFTH DEGREE THE PENALTY FOR COMMITTING ASSAULT AGAINST AN OHIO TRANSIT SYSTEM BUS OPERATOR OR MAINTENANCE WORKER OR A CONTRACTED EMPLOYEE PERFORMING THOSE SERVICES FOR AN OHIO TRANSIT SYSTEM.

To the committee on Criminal Justice

S.B. No. 155 - Senators Cates and Sawyer, et al

TO DESIGNATE FEBRUARY 20 AS "JOHN GLENN FRIENDSHIP 7 DAY."

To the committee on State Government and Elections

LOUIS W. BLESSING

JOHN ADAMS

ANDREW BRENNER
CHERYL GROSSMAN
ARMOND BUDISH
MATT SZOLLOSI

ANNE GONZALES
DOROTHY PELANDA
DEBBIE PHILLIPS

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

H.R. No. 216 - Representative Dovilla

Honoring the Strongsville High School girls soccer team as the 2011 Division I State Champion.

H.R. No. 217 - Representative Wachtmann

Honoring the Liberty Center High School girls cross country team as the 2011 Division III State Champion.

H.R. No. 218 - Representative Wachtmann

Honoring Steven Weaver as a 2011 Division II State Cross Country Champion.

H.R. No. 219 - Representative Wachtmann

Honoring Brittany Atkinson as the 2011 Division III State Girls Cross Country Champion.

H.R. No. 220 - Representative McClain

Honoring Adam Paynter as a 2011 Ohio Wendy's High School Heisman Award recipient.

H.R. No. 221 - Representative Gonzales

Honoring the City of New Albany for excellence in financial reporting.

H.R. No. 223 - Representative Luckie

Honoring the Chaminade Julianne Catholic High School girls golf team on winning the 2011 Division II State Championship.

H.R. No. 224 - Representative Johnson

Honoring the late Lance Corporal Lucas C. Scott on receiving the Ohio

Military Medal of Distinction.

H.R. No. 225 - Representative Johnson

Honoring the late Corporal Shawn D. Fannin on receiving the Ohio Military Medal of distinction.

H.R. No. 226 - Representative Johnson

Honoring the late Sergeant Justin B. Allen on receiving the Ohio Military Medal of Distinction.

H.R. No. 227 - Representative Pelanda

Honoring the late Staff Sergeant David S. Spicer on receiving the Ohio Military Medal of Distinction.

H.R. No. 228 - Representative Pelanda

Honoring the late Staff Sergeant Shannon M. Smith on receiving the Ohio Military Medal of Distinction.

H.R. No. 229 - Representative Pelanda

Honoring the late Staff Sergeant Dennis J. Hansen on receiving the Ohio Military Medal of Distinction.

/s/ LOUIS BLESSING
Louis Blessing, Chair

Representative Pelanda 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. 222 - Representatives Buchy, Adams, R., Blair, Blessing

In memory of Gene Riegler.

/s/ LOUIS BLESSING
Louis Blessing, Chair

Representative Pelanda 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.

On motion of Representative Pelanda, the House adjourned until Thursday, December 1, 2011 at 11:00 o'clock a.m.

The hour having arrived for the meeting of the two houses in joint convention for the purpose of honoring recipients of The Ohio Military Medal

of Distinction and their family members.

The members of the Senate preceded by the President and Clerk appeared within the bar of the House. The President of the Senate called the joint convention to order.

Senator Faber and Representative Blessing announced that a quorum of each house, respectively, was present.

Prayer was offered by Father Charles Klinger, St. Paul the Apostle Parish, Westerville, Ohio.

The Ohio National Guard Color Guard, presented the colors, followed by the Pledge of Allegiance to the Flag and the posting of the colors. Following the Pledge, the National Anthem was sung by Major Sheree Patillo, Ohio National Guard.

The Ohio Military Medal of Distinction was awarded to the following Ohioians:

SGT Justin B. Allen	July 18, 2010	U.S. Army
LCPL David R. Baker	October 20, 2009	U.S. Marine Corps
SGT Jesse M. Balthaser	September 4, 2010	U.S. Marine Corps
SPC Joseph A. Bauer	July 24, 2010	U.S. Army
LTC Thomas P. Belkofer	May 18, 2010	U.S. Army
MSGT Adam F. Benjamin	August 18, 2009	U.S. Marine Corps
LTCOL Mario D. Carazo	July 22, 2010	U.S. Marine Corps
LCPL Kevin M. Cornelius	August 7, 2010	U.S. Marine Corps
SPC Jacob P. Dohrenwend	June 21, 2010	U.S. Army
CPL Shawn D. Fannin	November 12, 2010	U.S. Army
GYSGT Robert L. Gilbert II	March 16, 2010	U.S. Marine Corps
LCPL David R. Hall	August 31, 2009	U.S. Marine Corps
SSG Dennis J. Hansen	December 5, 2009	U.S. Army
SSG James P. Hunter	June 18, 2010	U.S. Army
CW2 Rodney A. Jarvis	July 13, 2009	U.S. Army
SPC Gerald R. Jenkins	October 20, 2010	U.S. Army
SSG Kevin J. Kessler	August 30, 2010	U.S. Army
SGT David J. Luff Jr.	November 21, 2010	U.S. Army
SPC Gregory J. Missman	July 8, 2009	U.S. Army
CPT David S. Mitchell	October 26, 2009	U.S. Marine Corps
SPC Donald S. Morrison	September 26, 2010	U.S. Army
SPC Zachary T. Myers	September 8, 2009	U.S. Army
SSG Curtis A. Oakes	November 29, 2010	U.S. Army
SGT Titus R. Reynolds	September 24, 2009	U.S. Army
SGT James C. Robinson	August 28, 2010	U.S. Army
1LT Michael L. Runyan	July 21, 2010	U.S. Army
LCPL Lucas C. Scott	December 3, 2010	U.S. Marine Corps
SSG Shannon M. Smith	September 8, 2009	U.S. Army
SPC Jesse A. Snow	November 14, 2010	U.S. Army
GYSGT David S. Spicer	July 13, 2009	U.S. Marine Corps
SGT Richard A. Walters Jr.	August 10, 2009	U.S. Army
PVT Keiffer P. Wilhelm	August 4, 2009	U.S. Army
SPC Damon G. Winkleman	September 20, 2009	U.S. Army
CPL Derek A. Wyatt	December 6, 2010	U.S. Marine Corps
LT Miroslav Zilberman	March 31, 2010`	U.S. Navy

Benediction was offered by Lieutenant Colonel Daniel R. Burris, Chaplin, Ohio Army National Guard.

On motion of Senator Faber, the joint convention was dissolved.

Attest:

LAURA P. CLEMENS,
Clerk.