OHIO House of Representatives JOURNAL

THURSDAY, DECEMBER 1, 2011

ONE HUNDRED FIFTH DAY Hall of the House of Representatives, Columbus, Ohio Thursday, December 1, 2011, 11:00 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. 386-Representative Blessing.

To amend sections 111.15, 122.014, 2923.31, 3301.0714, 3769.089, 3770.02, 3770.03, 3770.05, 3770.21, 3772.01, 3772.04, 3772.07, 3772.091, 3772.10, 3772.13, 3772.16, 3772.17, 3772.28, 3772.99, 5503.02, 5751.01, 5753.01, and 5753.03, to enact section 3770.22 of the Revised Code, to amend Section 261.20.90 of Am. Sub. H.B. 153 of the 129th General Assembly, to amend Section 3 of Sub. H.B. 277 of the 129th General Assembly, and to repeal Section 4 of Sub. H.B. 277 of the 129th General Assembly to make changes to the law regarding video lottery terminals, casino gaming, and horse racing, to make an appropriation, and to declare an emergency.

H. B. No. 387-Representatives Sears, Ashford.

Cosponsors: Representatives Letson, Gardner, Hill, McGregor, Antonio, Combs, Fedor, Stebelton.

To enact section 307.093 of the Revised Code to authorize a board of county commissioners of any county to enter into agreements for the sale and leaseback of county buildings.

H. B. No. 388-Representative Damschroder.

Cosponsors: Representatives Thompson, Pelanda.

To amend sections 145.01, 145.191, 145.38, 145.384, 145.471, 145.473, 145.58, 145.82, 742.26, 3307.35, 3307.352, 3309.341, 3309.344, and 3501.13; to enact sections 145.386, 742.261, 3307.354, and 3309.346; and to repeal section 5505.161 of the Revised Code to suspend, during the period of employment, the retirement benefit of a public retirement system retiree who returns to public employment.

H. B. No. 389-Representatives Hall, Okey.

Cosponsors: Representatives Letson, Grossman, Boose, Conditt, Thompson, Buchy, Combs, Murray, O'Brien, Peterson, Hagan, C., McClain, Amstutz, Slaby.

To amend sections 901.511, 918.12, 943.01, 1531.01, 1533.01, 1533.71, 1533.721, 1533.731, 1533.74, 1533.76, 1533.77, 1533.79, and 1533.99, to enact sections 943.20 to 943.26, and to repeal sections 1533.70, 1533.75, and 1533.80 of the Revised Code to establish requirements and procedures governing propagating and hunting captive deer and to revise the law governing wild animal hunting preserves.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Hall submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. C. R. No. 22**-Representatives Kozlowski, Young, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: CONGRESS - PASS SHORT SEA SHIPPING ACT OF 2011

JOHN CAREY **AL LANDIS** CASEY KOZLOWSKI **BOB PETERSON** MARGARET RUHL REX DAMSCHRODER **TERRY BOOSE DAVE HALL** KATHLEEN CLYDE **DEBBIE PHILLIPS** TERESA FEDOR JIM BUCHY **DENNIS MURRAY** DALE MALLORY LOU GENTILE CHRISTINA HAGAN TIMOTHY DERICKSON ANDY THOMPSON

The report was agreed to.

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

Representative Mallory submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **H. B. No. 337**-Representative Rosenberger, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COMMERCIAL DRIVER LICENSING/TEXTING WHILE DRIVING/MAXIMUM VEHICLE LENGTHS

COURTNEY COMBS DALE MALLORY ROBERT F. HAGAN ROSS MCGREGOR CLIFF ROSENBERGER JOSEPH W. UECKER REX DAMSCHRODER TIMOTHY J. DEGEETER JEFFREY MCCLAIN BILL PATMON MARGARET RUHL

The report was agreed to.

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

Representative Mallory submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **H. B. No. 349**-Representative McGregor, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: PROVISIONS RE: ROAD SIGNS/TRAFFIC SIGNALS - CHANGES

Representative Damschroder moved to amend as follows:

In lines 480 and 484, delete the underlined semicolon and insert an underlined period

In line 860, after "may" insert "indication"

In line 915, after "arrow" insert "signal"

In lines 996 and 1000, after "u-turn" insert "movement"

In line 1131, before " <u>A</u>" insert " (<u>C</u>)"

In line 1134, strike through "(C)" and insert "(D)"

In line 1138, delete "(D)" and insert "(E)"

The motion was agreed to and the bill so amended.

COURTNEY COMBS
DALE MALLORY
TIMOTHY J. DEGEETER
ROBERT F. HAGAN
JEFFREY MCCLAIN
BILL PATMON
MARGARET RUHL
REX DAMSCHRODER
TIMOTHY J. DEGEETER
TERRY JOHNSON
CEIFF ROSENBERGER
JOSEPH W. UECKER

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

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

H. R. No. 230-Speaker Batchelder.

Cosponsors: Representatives Maag, Blessing, Terhar, Driehaus, Mallory, Reece, Stautberg, Derickson, Combs, Conditt, Uecker, Beck, Bubp.

In memory of Carl Lindner, Jr.

The motion was agreed to without objection.

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

The resolution was adopted.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

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

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 passage of the following bill:

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

Cosponsors: Representatives Letson, Amstutz, Beck, Blair, Buchy, Carey, Combs, Fedor, Gerberry, Grossman, Huffman, Johnson, Luckie, Slaby, Young, Speaker Batchelder Senators Coley, Obhof, Faber, Hite, Lehner, Wagoner

To amend section 1901.31 of the Revised Code to make the clerk of courts of Miami County the clerk of the Miami County Municipal Court and to declare an emergency.

Attest: Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is requested:

Am. S. B. No. 40 -Senator Kearney

Cosponsors: Senators Cafaro, Brown, Sawyer, Smith, Wagoner, Manning, Tavares, Bacon, Balderson, Beagle, Burke, Daniels, Faber, Hite, Hughes, Jones, LaRose, Lehner, Obhof, Oelslager, Patton, Schaffer, Schiavoni, Skindell, Turner

To enact sections 5.2271 and 3701.137 of the Revised Code to designate November as "Complex Regional Pain Syndrome Awareness Month" and to require the Department of Health to include on its web site information regarding the syndrome.

Sub. S. B. No. 139 - Senator Hughes

Cosponsors: Senators Schaffer, Seitz, Patton, Bacon, Beagle, Daniels, Faber, Hite, Jones, Niehaus, Obhof, Tavares

To amend sections 4123.291, 4125.01, 4125.02, 4125.03, 4125.05, 4125.07, 4125.08, 4141.24, and 5747.07 and to enact sections 4125.041, 4125.042, 4125.051, 4125.10, and 4125.11 of the Revised Code to establish certain financial capacity requirements for professional employer organizations, clarify rights and liabilities of professional employer organizations and client employers, and make other changes to the professional employer organization law.

Sub. S. B. No. 223 - Senator Bacon

Cosponsors: Senators Wagoner, Faber, Turner, Kearney, Obhof, Balderson, Beagle, Burke, Cafaro, Coley, Daniels, Eklund, Hite, Hughes, Jones, Lehner, Manning, Niehaus, Oelslager, Sawyer, Schaffer, Schiavoni, Seitz, Smith, Tavares, Widener

To amend sections 2913.05 and 4719.17 and to enact section 109.88 of the Revised Code to allow the Attorney General to investigate the offenses of unauthorized use of property and telecommunications fraud, to modify the penalties for telecommunications fraud, and to create the offense of telecommunications fraud perpetrated against an elderly person or disabled adult.

Sub. S. B. No. 264 - Senator Jones

Cosponsors: Senators Niehaus, Burke, Lehner, Widener, Patton

To amend sections 173.47, 5111.222, and 5111.244 and to enact section 5111.245 of the Revised Code and to amend Section 309.30.70 of Am. Sub. H.B. 153 of the 129th General Assembly regarding quality incentive payments and quality bonuses paid to nursing facilities under the Medicaid program.

Attest: Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 209 - Representative Adams, R.

Cosponsors: Representatives Coley, Blessing, Stebelton, Grossman, Bubp, Combs, Hottinger, Rosenberger, Murray, Pillich, Hackett, Kozlowski, Boose, Thompson, McKenney, Hall, Carey, Huffman, Wachtmann, Brenner, Derickson, Phillips, Stinziano, McGregor, Adams, J., Sears, Slesnick, Anielski, Barnes, Beck, Buchy, Budish, Carney, Celeste, Damschroder, Dovilla, Driehaus, Duffey, Fende, Foley, Garland, Gentile, Goyal, Hagan, C., Henne, Hollington, Johnson, Letson, Luckie, McClain, Mecklenborg, Milkovich, Newbold, O'Brien, Patmon, Peterson, Reece, Roegner, Ruhl, Slaby, Szollosi, Uecker, Weddington, Winburn, Young, Yuko, Speaker Batchelder Senators Hughes, Beagle, Bacon, Coley, Daniels, Eklund, Jordan, Niehaus, Obhof, Oelslager, Sawyer, Seitz, Skindell, Wagoner

To amend sections 135.13, 135.144, 135.18, 135.353, and 135.37 and to enact sections 135.145 and 135.354 of the Revised Code to permit the Treasurer of State or a political subdivision, upon the deposit of public moneys with an eligible public depository, to arrange for the public depository to redeposit those moneys with other federally insured banks, savings banks, and savings and loan associations in accordance with specified conditions, to remove the one-year maturity limitation for certificates of deposit with respect to interim deposits, to alter the authority of the Treasurer of State to invest interim money in certificates of deposit, and to require public depositories to provide certain information to political subdivisions.

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As a substitute bill, in which the concurrence of the House is requested.	
Attest:	Vincent L. Keeran, Clerk.

The Senate amendments were laid over under the Rule.

On motion of Representative Conditt, the House adjourned until Tuesday, December 6, 2011 at 11:00 o'clock a.m.

Attest: LAURA P. CLEMENS, Clerk.