

JUDICIARY COMMITTEE MINUTES

July 18, 19

The hearing began as a sub-committee at 9:25 a.m.

H.B.#590, McLin re single bids on public construction was the first item of business.

W.R. Ruhlin of 4273 Appian Way, Akron, Ohio, representing the John G. Ruhlin Construction Company and the Ohio Contractors Association testified as a proponent on this bill. He feels the area of responsibility is spread out over too wide an area in the present bid structure.

A quorum having checked in a 10:00, the meeting continued as a full committee.

Mr. McLin, the sponsor of the bill spoke on behalf of his bill. He feels the advantage is to the taxpayer and safety on the job.

Mr. Warren Cremean of 250 West Broad Street, Columbus, Ohio, representing himself testified as a proponent on H.B.590.

Mr. Michael L. Drakulich of 2018 Linwood Avenue., Columbus representing the Laborer's International #423 testified as a proponent.

Mr. Elliot M. Kaufman, 1100 Citizens Building, Cleveland, Ohio representing Legialtive Liason Committee of the Mechanical Specialty Contracting Industry spoke as an opponent on this bill. He stated he felt the present system of bids was working and had been working for many years. He also stated his organization felt that safety and job coordination rests solely with the Department of Public Works.

H.B.#402, Orlett, to provide for presentence investigations, examinations, reports and testimony.

Mr. Joel B. Stonberg, 8 East Broad Street, Columbus of the Ohio State Legal Services Association testified as a proponent on H.B.#402.

This bill was presented to the full committee as a substitute bill as voted out of Section I..

Mr. Orlett, seconded by Mr. Lehman moved to amend between lines 53 and 54 of the substitute bill to add: "ANY COUNTY MAY ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF REHABILITATION AND CORRECTION TO PROVIDE THE PRESENTENCE REPORTS AND INVESTIGATIONS THAT ARE REQUIRED BY THIS SECTION." This amendment was agreed to without objection.

Mr. Brandenburg, seconded by Mr. Orlett moved to amend the amendment by adding to the above amendment: "AND TO PROVIDE WHICH PARTY SHALL PAY THE COST THEREOF." The amendment was agreed to without objection.

Mr. Orlett, seconded by Mr. Norris moved to amend to delete lines 59 through 61 of the substitute bill and insert: "(B) THE PROSECUTING ATTORNEY: AND TO THE DEFENDANT'S ATTORNEY IN THE FORM OF A SUMMARY OF OF THE CONTENTS OF THE REPORT, AT LEAST THREE DAYS PRIOR TO THE IMPOSITION OF SENTENCE, UNLESS THE THREE DAY REQUIREMENT IS WAIVED. IN THE INSTANCE WHERE THE DEFENDANT INTENDS TO CONTEST ANY PART OF THE REPORT, ANY NAMES CONTAINED WITHIN THE REPORT MAY, IN THE DISCRETION OF THE COURT, BE DISCLOSED TO THE DEFENDANT." The amendment was adopted with Mr. Luther objecting.

Mr. Brandenburg, seconded by Mr. Luther, moved to amend in line 48, delete "FOUND MUTUALLY ACCEPTABLE BY THE DEFENDANT AND THE COURT" and to insert "DESIGNATED BY THE COURT." This amendment was agreed to without objection.

Mr. Orlett spoke against the amendment with Mr. Brandenburg and Mr. Luther speaking for the amendment.

Mr. Orlett, seconded by Mr. Brandenburg moved the bill be recommended for favorable passage. Roll was taken and the bill was referred out by a vote of 13 to 4.

H.B.#890, Mr. Netzley, relative to conveying part of the county Children's Home property in Darke County to the Darke County Area Joint Vocational School Board. Mr. Netzley presented his bill stating the agreed price of \$25,000 for 50 acres. Resolutions supporting this bill and the "legal" were presented to the committee.

Mr. James Mannix, 1783 Celina Road, Greenville, Ohio of the Darke County Area Joint Vocational School District testified as a proponent to this bill.

Mr. Icle Davis, 109 South Broadway Avenue, Greenville, Ohio of the Darke Court Area J.V.S. District also testified as a proponent.

H.B.#682, Mr. Nader, re references required in instruments transferring title or creating or discharging liens. Mr. Nader testified on his bill.

A roll call vote was asked for by Mr. Nader and the bill was recommended for favorable passage by a vote of 15 to 0.

H.B.#481, Mr. Danschroder, relative to making commission of notaries public effective throughout the state, was the next item before the committee.

Mr. Joel B. Stronberg, 8 East Broad Street, representing the Ohio State Legal Services Association testified on this bill as a proponent.

Mr. Brandenburg moved to amend, seconded by Mr. Orlett in line 7 to strike through "twenty-one" and insert "EIGHTEEN". This was agreed to without objection.

Mr. Orlett, seconded by Mr. Finan moved for favorable passage. Roll was called and the bill was recommended for favorable passage by a vote of 15 to 0.

H.B.#143, Mr. Wilkowski, relative to the liability of guests in motor vehicles was next. Mr. Wilkowski presented his bill to the committee.

Mr. Joseph A. Oths, Reese Building, Wellston, Ohio representing the Ohio State Bar Association testified as a proponent on this bill, urging the support of the committee. This concluded the first hearing on this bill.

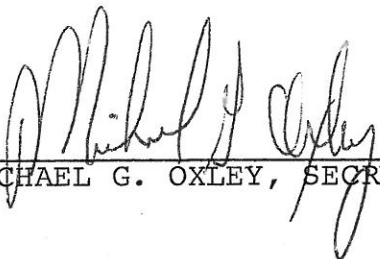
H.B.#233, Mr. Norris relative to marriage and divorce and S.B.#348, Mr. Gillmor on relatively the same subject were brought up together.

Dr. Audrey B. Norris, of 8100 Varner Road, Cincinnati, Ohio representing herself, testified as an opponent of H.B.#233.


Dr. Elizabeth Boyer, Attorney, 7657 Dines Road, Novelty, Ohio representing the Legal Committee of the Women's Equity Action League also spoke as an opponent to this proposal.

This concluded the first hearing of H.B.#233 and S.B.#348 in full committee.

The meeting was adjourned at 12:05 p.m. by the chairman.



MICHAEL G. OXLEY, SECRETARY



ARTHUR WILKOWSKI, CHAIRMAN