

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, APRIL 25, 2012

ONE HUNDRED FIFTIETH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, April 25, 2012, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Donna Barrett of the Rockside Church in Independence, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

Curtis Miller received H.R. 337, presented by Representatives Wachtmann-75th district and Huffman-4th district.

BJ Toal received H.R. 298, presented by Representative R. Adams-79th district.

Jordan Marshall received H.R. 296, presented by Representative R. Adams-79th district.

Jim Rickel, a guest of Representative Pillich-28th district.

Chynna Hyland, a guest of Representative Roegner-42nd district.

Katrina Abrot, a guest of Representative Sykes-44th district.

Students from the Ohio Teen Pact Leadership School, guests of Representative Derickson-53rd district.

Representatives of the Ohio Organizing Campaign, guests of Representatives Phillips-92nd district, Fedor-47th district, Heard-26th district, and Antonio-13th district.

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

Representative Ashford submitted the following report:

The standing committee on Finance and Appropriations to which was referred **H. B. No. 487**-Representative Amstutz (By Request), having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: GENERAL MID-TERM BUDGET/MANAGEMENT REVIEW

RON AMSTUTZ
RICHARD ADAMS
PETER BECK
MIKE DUFFEY

JEFFREY MCCLAIN
MARLENE ANIELSKI
TIMOTHY DERICKSON
RANDY GARDNER

ANNE GONZALES
 DAVE HALL
 RON MAAG
 CRAIG NEWBOLD
 BARBARA R. SEARS
 GERALD L. STEBELTON

CHERYL GROSSMAN
 BILL HAYES
 ROSS MCGREGOR
 CLIFF ROSENBERGER
 ROBERT COLE SPRAGUE
 LOUIS TERHAR

The following members voted "NO"

VERNON SYKES
 JOHN PATRICK CARNEY
 DENISE DRIEHAUS
 NANCY GARLAND
 DEBBIE PHILLIPS
 STEPHEN SLESNICK

MIKE ASHFORD
 KATHLEEN CLYDE
 MIKE FOLEY
 MATT LUNDY
 ALICIA REECE
 MICHAEL STINZIANO

The report was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on Local Government to which was referred **H. B. No. 509**-Representative Blair, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REVISE LAWS-LOCAL GOV'T/OFFENDER VD TESTS/LEGAL AID FUND/JOINT CITY WELFARE BOARDS

Representative Blair moved to amend the title as follows:

Add the name: "Schuring."

TERRY BLAIR
 RON GERBERRY
 VERNON SYKES
 ALICIA REECE
 DAVE HALL
 MATT LUNDY
 NAN BAKER
 KIRK SCHURING
 TERRY BOOSE
 ROBERT HACKETT

MARLENE ANIELSKI
 MIKE ASHFORD
 NICHOLAS J. CELEBREZZE
 MARK D. OKEY
 ANDREW BRENNER
 MARGARET CONDITT
 DOROTHY PELANDA
 MIKE DUFFEY
 ANTHONY DEVITIS
 JEFFREY MCCLAIN

The following member voted "NO"

TRACY HEARD

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. B. No. 492**-Representative Gonzales, et al., having had the same under consideration, reports it back and recommends its passage.

RE: MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH-MAY

Representative Wachtmann moved to amend the title as follows:

Add the names: "Antonio, Barnes, Boyd, Carney, Duffey, Gardner, Garland, Goodwin, Hackett, Hottinger, Johnson, Ramos, Schuring, Sears, Slaby, M., Smith, Yuko."

LYNN R. WACHTMANN	ANNE GONZALES
LORRAINE M. FENDE	NICKIE ANTONIO
JOHN BARNES	BARBARA BOYD
JOHN PATRICK CARNEY	MIKE DUFFEY
RANDY GARDNER	NANCY GARLAND
BRUCE W. GOODWIN	ROBERT HACKETT
BRIAN HILL	JAY HOTTINGER
TERRY JOHNSON	DOROTHY PELANDA
DAN RAMOS	KIRK SCHURING
BARBARA R. SEARS	MARILYN SLABY
RYAN SMITH	KENNY YUKO

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. B. No. 239**-Representative Stautberg, et al., having had the same under consideration, reports it back and recommends its passage.

RE: INCOME TAX-EXEMPT PUBLIC HEALTH SERVICE/NOAA RETIREMENT PAY

Representative Wachtmann moved to amend the title as follows:

Add the names: "Wachtmann, Fende, Antonio, Boyd, Carney, Garland, Hackett, Johnson, Pelanda, Smith."

LYNN R. WACHTMANN	ANNE GONZALES
LORRAINE M. FENDE	NICKIE ANTONIO
BARBARA BOYD	JOHN PATRICK CARNEY
MIKE DUFFEY	RANDY GARDNER
NANCY GARLAND	BRUCE W. GOODWIN
ROBERT HACKETT	BRIAN HILL
JAY HOTTINGER	TERRY JOHNSON

DOROTHY PELANDA
BARBARA R. SEARS
RYAN SMITH

KIRK SCHURING
MARILYN SLABY
KENNY YUKO

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Adams, J. moved that majority party members asking leave to be absent or absent the week of Tuesday, April 24, 2012, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Heard moved that minority party members asking leave to be absent or absent the week of Tuesday, April 24, 2012, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative Blessing moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 364-Speaker Batchelder.

Relative to the election of Gary K. Scherer to fill the vacancy in the membership of the House of Representatives created by the resignation of Bob Peterson of the 85th House District.

WHEREAS, Section 11 of Article II, Ohio Constitution provides for the filling of a vacancy in the membership of the House of Representatives by election by the members of the House of Representatives who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Bob Peterson of the 85th House District has resigned as a member of the House of Representatives of the 129th General Assembly effective March 21, 2012, thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Republican party that Gary K. Scherer, Republican, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 85th House District, is hereby

elected, effective April 25, 2012, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 85th House District, to fill the vacancy created by the unexpired portion of the term of said Bob Peterson, ending on December 31, 2012; and be it further

RESOLVED, That a copy of this resolution be spread upon the pages of the Journal of the House of Representatives together with the yeas and nays of the members of the House of Representatives affiliated with the Republican party voting on the resolution, and that the Clerk of the House of Representatives shall certify the resolution and vote on its adoption to the Secretary of State.

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

The yeas and nays were taken and resulted - yeas 57, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Baker
Beck	Blair	Blessing	Boose
Brenner	Bubp	Buchy	Butler
Combs	Conditt	Damschroder	DeVitis
Derickson	Dovilla	Duffey	Gardner
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby M.	Smith
Sprague	Stautberg	Stebelton	Terhar
Thompson	Uecker	Wachtmann	Young
			Batchelder-57.

The resolution was adopted.

Mr. Scherer was escorted to the bar of the House by Representatives Rosenberger, Hayes, Huffman, Gonzales, Heard, Phillips, and Stinziano, took the oath of office administered by The Honorable William G. Batchelder, Speaker of the Ohio House of Representatives, and entered upon the discharge of his duties.

State of Ohio
County of Franklin

I, Gary Scherer, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and faithfully to

discharge and perform all duties incumbent upon me as a member of the Ohio House of Representatives, according to the best of my ability and understanding; and this I do as I shall answer unto God.

/s/ GARY SCHERER
Gary Scherer

Sworn to and subscribed before me this 25th day of April, 2012.

/s/ WILLIAM G. BATCHELDER
William G. Batchelder
Speaker
Ohio House of Representatives

Representative Blessing moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 365-Speaker Batchelder, Representative Budish.

Relative to travel allowance.

WHEREAS, Section 101.27 of the Revised Code provides that each member receive a travel reimbursement based upon the mileage from and to the member's place of residence, by the most direct highway route of public travel to and from the seat of government; therefore be it

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay the following members travel allowance based upon their round trip mileage as set opposite their names and district numbers:

Member's Name	District Number	Round Trip Mileage
Marilyn Slaby	41	250
Matt Lynch	98	305
Ryan Smith	87	202
Gary K. Scherer	85	48

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

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 |
| Boyd | 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	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hill
Hottinger	Huffman	Johnson	Kozlowski
Landis	Luckie	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 resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 405-Representative Rosenberger.

Cosponsors: Representatives Johnson, Landis, Pillich, Bubp, Butler, Milkovich, Yuko.

To amend sections 124.23, 124.26, 3319.085, 3737.881, 3781.10, 5321.04, 5903.10, 5903.11, 5911.07, 5923.12, 5924.01, 5924.02, 5924.03, 5924.06, 5924.07, 5924.08, 5924.09, 5924.10, 5924.11, 5924.13, 5924.14, 5924.15, 5924.16, 5924.17, 5924.18, 5924.19, 5924.20, 5924.22, 5924.23, 5924.24, 5924.25, 5924.26, 5924.27, 5924.28, 5924.29, 5924.30, 5924.31, 5924.32, 5924.33, 5924.34, 5924.35, 5924.36, 5924.37, 5924.38, 5924.39, 5924.41, 5924.42, 5924.43, 5924.44, 5924.45, 5924.46, 5924.47, 5924.48, 5924.49, 5924.50, 5924.51, 5924.52, 5924.54, 5924.56, 5924.57, 5924.58, 5924.59, 5924.60, 5924.63, 5924.72, 5924.73, 5924.74, 5924.75, 5924.76, 5924.77, 5924.78, 5924.82, 5924.83, 5924.84, 5924.85, 5924.86, 5924.87, 5924.88, 5924.89, 5924.90, 5924.91, 5924.92, 5924.93, 5924.94, 5924.95, 5924.96, 5924.97, 5924.98, 5924.103, 5924.108, 5924.109, 5924.111, 5924.113, 5924.115, 5924.128, 5924.131, 5924.132, 5924.133, and 5924.146, to enact new sections 5924.21, 5924.61, 5924.62, 5924.64, 5924.65, 5924.66, 5924.70, 5924.71, and 5924.120 and sections 4743.04, 5924.501, 5924.502, 5924.503, 5924.504, 5924.505, 5924.506, 5924.581, 5924.582, 5924.67, 5924.68, 5924.69, 5924.761, and 5924.1121, and to repeal sections 5924.04, 5924.12, 5924.21, 5924.61, 5924.62, 5924.64, 5924.65, 5924.66, 5924.70, 5924.71, 5924.99, 5924.100, 5924.101, 5924.102, 5924.104, 5924.105, 5924.106, 5924.110, 5924.114, 5924.118, 5924.119, 5924.120, 5924.122, 5924.1231, 5924.124, 5924.125, 5924.126, 5924.129, 5924.130, 5924.145, and 5924.147 of the Revised Code to allow extra credit to military veterans and reserve

component members on state civil service examinations, to provide for the reemployment of nonteaching school employees following military service in accordance with federal law, to extend the period of time within which persons serving in the Ohio National Guard may meet continuing education requirements for occupational licenses and renew their licenses, to require landlords to observe the rights of tenants who are service members under federal law, to modify the order of priority in which veterans may participate in job training programs, to permit but not require the use of armories by patriotic and national organizations, to update references in the Revised Code to federal statutes relating to the National Guard, to conform the Ohio Code of Military Justice to the United States Code of Military Justice, and to make other changes to the Ohio Code of Military Justice, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 97, 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
Boyd	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	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
Scherer	Schuring	Sears	Slaby M.
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-97.

The bill passed.

Representative Rosenberger moved to amend the title as follows:

Add the names: "Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Barnes, Beck, Blair, Boose, Boyd, Brenner, Buchy, Carney, Celebrezze, Celeste, Cera, Combs, Conditt, Damschroder, Derickson, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gerberry, Gonzales, Goodwin, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Henne, Hill, Hottinger, Kozlowski, Letson, Lundy, Lynch, Maag, Mallory, Martin, McGregor, Murray, Newbold, O'Brien, Okey, Patmon, Pelanda, Phillips, Ramos, Reece, Roegner, Ruhl, Scherer, Schuring, Sears, Slaby, M., Smith, Sprague, Stautberg, Stebelton, Terhar, Thompson, Uecker, Wachtmann, Williams, Winburn, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 437-Representatives Roegner, Patmon.

Cosponsors: Representatives Newbold, Huffman, Gardner, Buchy, Dovilla, Goodwin, Adams, J., Derickson, Thompson, Brenner, Stebelton.

To amend section 3327.15 of the Revised Code to increase the number of miles a school district board may authorize its motor vehicles for out-of-state travel, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 97, 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
Boyd	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	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
Scherer	Schuring	Sears	Slaby M.

Slesnick
Stebelton
Terhar
Williams

Smith
Stinziano
Thompson
Winburn

Sprague
Sykes
Uecker
Young

Stautberg
Szollosi
Wachtmann
Yuko
Batchelder-97.

The bill passed.

Representative Roegner moved to amend the title as follows:

Add the names: "Antonio, Barnes, Beck, Blair, Boyd, Bulp, DeVitis, Garland, Gonzales, Hagan, C., Hayes, Kozlowski, Lynch, Mallory, Milkovich, Pelanda, Slaby, M., Smith, Winburn, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 473-Representative Wachtmann.

To amend sections 1501.32, 1501.33, 1521.04, 1522.03, and 1522.05, to enact sections 1522.10, 1522.101, 1522.11 to 1522.13, 1522.131, and 1522.14 to 1522.21, and to repeal section 1522.07 of the Revised Code to establish a program for the issuance of permits for the withdrawal and consumptive use of waters from the Lake Erie basin and to establish other requirements related to the implementation of the Great Lakes-St. Lawrence River Basin Water Resources Compact, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Murray moved to amend as follows:

In line 12, delete "1522.101,"

In line 403, delete "the basin of"; delete "source watershed" and insert "basin"

Delete lines 404 through 407

In line 556, after the first "of" delete the balance of the line

In line 557, delete everything before "part" and insert "either of the following:"

(1) The Lake Erie basin considered as a whole;

(2) The applicable source watershed of Lake Erie considered as a whole.

(C) As"

In line 564, delete "source watershed" and insert "basin"

In line 566, delete "source watershed" and insert "basin"

Delete lines 567 through 573 and insert:

" (D) Impacts of a withdrawal or consumptive use on the quantity or quality of waters and water dependent natural resources of more localized areas that affect less than the Lake Erie basin or an applicable source watershed as a whole are to be considered as a part of the evaluation of reasonable use as provided in Section 4.11.5 of the compact."

In line 574, delete " (D)" and insert " (E)"

In line 579, delete " (E)" and insert " (F)"

In line 613, after " of" delete the balance of the line

In line 614, delete everything before the underlined period and insert "either of the following:

(1) The Lake Erie basin considered as a whole;

(2) The applicable source watershed of Lake Erie considered as a whole"

In line 623, after " of" delete the balance of the line

In line 624, delete everything before the underlined period and insert "either of the following:

(1) The Lake Erie basin considered as a whole;

(2) The applicable source watershed of Lake Erie considered as a whole"

In line 1000, delete "the Great Lakes"

In line 1001, delete "Basin considered as a whole or"; delete "watershed" and insert "Basin"

In line 1002, after "whole" insert "or the applicable source watershed of Lake Erie considered as a whole"

In line 2 of the title, delete ", 1522.101,"

In line 3 of the title, delete "1522.11"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 58, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag

Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Boyd	Budish
Carney	Celebrezze	Celeste	Cera
Clyde	Driehaus	Fedor	Fende
Foley	Garland	Gerberry	Goodwin
Hagan, R.	Heard	Letson	Luckie
Lundy	Mallory	Milkovich	Murray
O'Brien	Okey	Patmon	Phillips
Pillich	Ramos	Reece	Stinziano
Sykes	Szollosi	Williams	Winburn
			Yuko-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Murray moved to amend as follows:

In line 975, delete the period and insert a semicolon

Between lines 975 and 976, insert:

"(d) A representative of the tourism industry."

In line 982, delete the period and insert a semicolon

Between lines 982 and 983, insert:

"(c) A water scientist from a public university located in Ohio."

In line 989, delete the period and insert a semicolon

Between line 989 and 990, insert:

"(c) A representative of the sporting community with an interest in the waters of the Lake Erie Basin."

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 58, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey

Gardner	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Hagan, R.	Heard	Letson	Luckie
Lundy	Mallory	Milkovich	Murray
O'Brien	Okey	Patmon	Phillips
Pillich	Ramos	Reece	Stinziano
Sykes	Szollosi	Williams	Winburn
			Yuko-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Murray moved to amend as follows:

In line 676, after "(G)" delete the balance of the line

Delete lines 677 through 679

In line 680, delete "(H)"

In line 685, delete "(I)" and insert "(H)"

In line 688, delete "(J)" and insert "(I)"

In line 690, delete "(K)" and insert "(J)"

In line 692, delete "(L)" and insert "(K)"

In line 697, delete "(M)" and insert "(L)"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 58, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder

DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Goodwin	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Reece
Stinziano	Sykes	Szollosi	Williams
Winburn			Yuko-38.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative O'Brien moved to amend as follows:

In line 905, delete the second " a"

In line 906, delete " direct" and insert " an"; delete the first " or" and insert an underlined comma; after " property" insert " , recreational, sporting, or other specific"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 58, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.

Smith
Terhar
Young

Sprague
Thompson

Stautberg
Uecker

Stebelton
Wachtmann
Batchelder-58.

Those who voted in the negative were: Representatives

Antonio
Budish
Cera
Fende
Goodwin
Luckie
Murray
Phillips
Stinziano
Winburn

Ashford
Carney
Clyde
Foley
Hagan, R.
Lundy
O'Brien
Pillich
Sykes

Barnes
Celebrezze
Driehaus
Garland
Heard
Mallory
Okey
Ramos
Szollosi

Boyd
Celeste
Fedor
Gerberry
Letson
Milkovich
Patmon
Reece
Williams
Yuko-38.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Clyde moved to amend as follows:

In line 634, delete everything after "(B)"

Delete lines 635 through 652

In line 653, delete "(C)"

In line 657, delete "(D)" and insert "(C)"

In line 661, delete "(E)" and insert "(D)"

In line 671, delete "(F)" and insert "(E)"

In line 676, delete "(G)" and insert "(F)"

In line 680, delete "(H)" and insert "(G)"

In line 685, delete "(I)" and insert "(H)"

In line 688, delete "(J)" and insert "(I)"

In line 690, delete "(K)" and insert "(J)"

In line 692, delete "(L)" and insert "(K)"

In line 697, delete "(M)" and insert "(L)"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Lynch
Maag	Martin	McClain	McGregor
Newbold	Pelanda	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Terhar	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Hagan, R.	Heard	Letson	Luckie
Lundy	Mallory	Milkovich	Murray
O'Brien	Okey	Patmon	Phillips
Pillich	Ramos	Reece	Stinziano
Sykes	Szollosi	Williams	Winburn
			Yuko-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Fedor moved to amend as follows:

In line 649, after " to" insert " the Maumee river or to"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Lynch

Maag	Martin	McClain	McGregor
Newbold	Pelanda	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Terhar	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Hagan, R.	Heard	Letson	Luckie
Lundy	Mallory	Milkovich	Murray
O'Brien	Okey	Patmon	Phillips
Pillich	Ramos	Reece	Stinziano
Sykes	Szollosi	Williams	Winburn
			Yuko-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 59, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Stinziano	Terhar	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Goodwin	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich

Murray
Phillips
Slesnick
Winburn

O'Brien
Pillich
Sykes

Okey
Ramos
Szollosi

Patmon
Reece
Williams
Yuko-38.

The bill passed.

Representative Wachtmann moved to amend the title as follows:

Add the names: "Boose, Brenner, Buchy, Damschroder, Hall, Huffman, Johnson, Lynch, McClain, Sears, Stebelton, Thompson."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 487-Representative Amstutz (By Request).

To amend sections 7.10, 7.16, 9.34, 9.90, 9.91, 102.02, 103.51, 105.41, 109.57, 109.572, 121.04, 121.08, 121.083, 121.084, 122.07, 123.01, 123.011, 123.07, 123.09, 123.10, 123.101, 123.13, 123.14, 123.15, 123.152, 123.17, 123.21, 123.48, 123.77, 124.04, 124.06, 124.11, 124.12, 124.14, 124.231, 124.241, 124.25, 124.26, 124.27, 124.30, 124.31, 125.05, 125.082, 125.14, 126.14, 140.01, 140.03, 140.05, 140.08, 145.01, 145.012, 149.43, 152.09, 152.18, 152.24, 153.01, 153.011, 153.013, 153.02, 153.04, 153.06, 153.07, 153.08, 153.09, 153.11, 153.12, 153.14, 153.16, 153.17, 153.502, 153.503, 153.53, 154.25, 167.04, 173.14, 173.21, 173.23, 173.26, 173.27, 173.391, 173.394, 173.40, 173.42, 173.45, 173.46, 185.01, 185.02, 185.03, 185.05, 185.06, 185.07, 185.09, 185.12, 306.04, 306.36, 306.55, 307.05, 307.051, 307.055, 309.09, 313.121, 313.122, 313.16, 339.091, 340.03, 340.091, 505.37, 505.375, 505.44, 505.72, 705.18, 901.54, 955.16, 955.26, 991.02, 1121.23, 1155.03, 1163.05, 1315.141, 1321.37, 1321.53, 1321.531, 1322.03, 1322.031, 1345.05, 1501.04, 1502.01, 1502.02, 1502.03, 1502.04, 1502.05, 1502.06, 1502.12, 1502.99, 1503.012, 1503.43, 1506.42, 1509.071, 1509.36, 1533.10, 1541.26, 1551.33, 1555.02, 1555.03, 1555.04, 1555.05, 1555.06, 1571.14, 1707.08, 1707.391, 1733.47, 1751.01, 1751.02, 1751.13, 1761.26, 1901.18, 1909.11, 1923.01, 1923.02, 1923.061, 1923.15, 2151.86, 2152.121, 2152.22, 2301.03, 2301.18, 2301.20, 2301.21, 2301.22, 2301.23, 2301.24, 2301.25, 2301.26, 2301.27, 2301.271, 2301.571, 2305.01, 2305.02, 2307.89, 2317.02, 2317.422, 2317.56, 2319.27, 2501.02, 2501.16, 2501.17, 2743.01, 2743.02, 2743.09, 2743.10, 2743.48, 2746.01, 2746.03, 2746.04, 2903.33, 2907.29, 2909.21, 2909.28, 2927.023, 2929.01, 2929.19, 2939.11, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 2953.32, 2961.22, 2967.03, 2967.05, 2967.14, 2967.19, 2967.191, 2967.26, 2967.28, 2981.11, 2981.14, 3125.41, 3301.55, 3304.14, 3304.16, 3304.181, 3304.182, 3305.01, 3305.02, 3305.03, 3305.04, 3305.05, 3305.053, 3305.06, 3313.603, 3313.65, 3313.71, 3313.976, 3313.978, 3313.979, 3314.074, 3317.06, 3317.50, 3317.51, 3318.034, 3318.08, 3318.10, 3318.30, 3318.31, 3318.36, 3318.37, 3319.22, 3319.235, 3333.04, 3333.041, 3333.123, 3333.21, 3333.60, 3333.61, 3333.71, 3333.72,

3333.82, 3345.12, 3345.16, 3345.28, 3345.50, 3345.51, 3345.54, 3345.69,
3345.692, 3347.03, 3353.01, 3353.06, 3383.02, 3383.07, 3701.021, 3701.023,
3701.024, 3701.025, 3701.03, 3701.05, 3701.07, 3701.072, 3701.11,
3701.132, 3701.146, 3701.161, 3701.20, 3701.201, 3701.21, 3701.221,
3701.23, 3701.232, 3701.24, 3701.241, 3701.242, 3701.248, 3701.341,
3701.342, 3701.343, 3701.344, 3701.345, 3701.347, 3701.352, 3701.40,
3701.503, 3701.507, 3701.508, 3701.509, 3701.57, 3701.63, 3701.74,
3701.87, 3701.881, 3702.141, 3702.31, 3702.51, 3702.52, 3702.522,
3702.523, 3702.524, 3702.525, 3702.526, 3702.53, 3702.531, 3702.54,
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3702.62, 3703.01, 3703.03, 3703.04, 3703.05, 3703.06, 3703.07, 3703.08,
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3710.02, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.09,
3710.10, 3710.12, 3710.13, 3710.17, 3711.04, 3711.06, 3711.08, 3711.12,
3711.21, 3712.03, 3712.04, 3712.09, 3713.01, 3713.02, 3713.03, 3713.04,
3713.05, 3713.06, 3713.07, 3713.08, 3713.09, 3713.10, 3714.073, 3715.01,
3715.025, 3715.60, 3715.61, 3715.62, 3715.68, 3716.01, 3716.03, 3717.01,
3717.04, 3717.05, 3717.07, 3717.45, 3717.51, 3718.02, 3718.021, 3718.022,
3718.05, 3718.06, 3718.07, 3718.09, 3719.06, 3721.01, 3721.011, 3721.02,
3721.03, 3721.032, 3721.04, 3721.07, 3721.071, 3721.121, 3721.13, 3721.21,
3721.28, 3721.29, 3721.50, 3721.51, 3723.06, 3723.07, 3723.09, 3725.02,
3727.01, 3727.42, 3729.01, 3729.02, 3729.03, 3729.04, 3729.07, 3729.08,
3730.10, 3733.02, 3733.021, 3733.022, 3733.024, 3733.025, 3733.03,
3733.04, 3733.05, 3733.06, 3733.07, 3733.08, 3733.09, 3733.091, 3733.10,
3733.101, 3733.11, 3733.12, 3733.121, 3733.122, 3733.123, 3733.13,
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3734.01, 3734.131, 3734.15, 3734.51, 3734.55, 3734.79, 3734.82, 3735.37,
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3745.11, 3745.112, 3748.04, 3748.05, 3748.07, 3748.10, 3748.12, 3748.13,
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3781.06, 3781.102, 3781.11, 3781.112, 3783.05, 3791.02, 3791.04, 3791.05,
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4105.09, 4105.11, 4105.12, 4105.13, 4105.15, 4105.16, 4105.17, 4105.191,
4105.20, 4105.21, 4115.10, 4115.101, 4121.123, 4121.30, 4123.20, 4163.07,
4169.02, 4169.03, 4169.04, 4171.04, 4301.30, 4303.181, 4303.22, 4313.02,
4501.01, 4501.06, 4503.031, 4503.061, 4503.062, 4503.49, 4503.81, 4506.01,
4506.03, 4506.22, 4506.25, 4507.01, 4507.011, 4507.12, 4507.51, 4510.037,
4510.038, 4511.191, 4511.78, 4513.263, 4513.50, 4730.06, 4730.38, 4730.39,
4730.40, 4730.41, 4730.42, 4731.22, 4731.293, 4736.01, 4740.03, 4740.11,
4740.14, 4743.05, 4763.05, 4765.02, 4765.03, 4765.04, 4765.05, 4765.06,
4765.07, 4765.08, 4765.09, 4765.10, 4765.101, 4765.102, 4765.11, 4765.111,

4765.112, 4765.113, 4765.114, 4765.115, 4765.116, 4765.12, 4765.15, 4765.16, 4765.17, 4765.18, 4765.22, 4765.23, 4765.28, 4765.29, 4765.30, 4765.31, 4765.32, 4765.33, 4765.37, 4765.38, 4765.39, 4765.40, 4765.42, 4765.48, 4765.49, 4765.55, 4765.56, 4766.01, 4766.03, 4766.04, 4766.05, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11, 4766.12, 4766.13, 4766.15, 4766.22, 4773.08, 4781.01, 4781.02, 4781.04, 4781.07, 4781.09, 4781.14, 4781.15, 4781.99, 4905.01, 4905.02, 4905.03, 4905.05, 4905.06, 4905.402, 4905.54, 4905.57, 4905.58, 4905.84, 4905.90, 4907.01, 4907.02, 4907.04, 4907.08, 4907.19, 4907.28, 4907.35, 4907.37, 4907.43, 4907.49, 4907.57, 4907.59, 4907.60, 4907.61, 4907.62, 4909.01, 4909.02, 4909.03, 4909.17, 4909.22, 4909.24, 4909.28, 4911.01, 4927.01, 4929.01, 4929.02, 4929.041, 4933.18, 4933.19, 4939.01, 4953.04, 4961.03, 4965.54, 5101.46, 5101.60, 5101.61, 5104.012, 5104.013, 5104.051, 5104.09, 5104.37, 5107.05, 5111.031, 5111.032, 5111.033, 5111.034, 5111.06, 5111.091, 5111.113, 5111.171, 5111.20, 5111.222, 5111.23, 5111.242, 5111.254, 5111.862, 5111.874, 5111.877, 5111.878, 5111.894, 5111.941, 5111.97, 5112.31, 5112.33, 5112.341, 5112.37, 5112.371, 5112.39, 5119.22, 5119.61, 5119.69, 5119.691, 5119.692, 5119.99, 5120.036, 5120.105, 5120.132, 5120.66, 5122.31, 5123.01, 5123.033, 5123.042, 5123.044, 5123.0412, 5123.0414, 5123.0415, 5123.081, 5123.16, 5123.161, 5123.162, 5123.163, 5123.164, 5123.166, 5123.169, 5123.171, 5123.19, 5123.31, 5123.38, 5123.41, 5123.50, 5123.51, 5123.542, 5123.61, 5123.89, 5126.023, 5126.0220, 5126.0221, 5126.043, 5126.046, 5126.055, 5126.13, 5126.15, 5126.20, 5126.21, 5126.22, 5126.25, 5126.251, 5126.51, 5139.41, 5139.43, 5149.311, 5153.18, 5155.14, 5501.04, 5501.07, 5502.01, 5502.011, 5503.02, 5503.04, 5503.21, 5503.22, 5503.23, 5503.34, 5701.13, 5703.05, 5705.08, 5705.19, 5705.25, 5705.28, 5705.30, 5705.34, 5705.35, 5705.38, 5709.12, 5709.212, 5709.73, 5709.75, 5719.13, 5725.14, 5725.15, 5725.16, 5725.17, 5725.22, 5725.221, 5731.39, 5733.064, 5739.01, 5743.03, 5743.031, 5751.033, 5751.12, 6109.21, and 6111.46; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 123.011 (123.22), 123.024 (123.06), 123.04 (123.02), 123.07 (123.03), 123.08 (123.18), 123.09 (123.04), 123.10 (123.05), 123.101 (123.27), 123.11 (123.07), 123.13 (123.08), 123.14 (123.09), 123.15 (123.10), 123.17 (123.24), 123.21 (123.11), 123.46 (123.12), 123.47 (123.13), 123.48 (123.14), 123.49 (123.15), 123.77 (123.17), 185.01 (3701.92), 185.02 (3701.923), 185.03 (3701.924), 185.05 (3701.925), 185.06 (3701.926), 185.07 (3701.927), 185.09 (3701.928), 185.12 (3701.929), 1502.01 (3736.01), 1502.02 (3736.03), 1502.03 (3736.02), 1502.04 (3736.04), 1502.05 (3736.05), 1502.06 (3736.06), 1502.07 (3736.07), 1502.12 (3734.822), 1502.99 (3736.99), 3333.90 (3333.59), 3353.01 (3333.89), 3353.05 (3333.91), 3353.06 (3333.92), 3353.07 (3333.93), 3353.11 (3333.94), 3702.522 (3702.521), 3702.523 (3702.522), 3702.524 (3702.523), 3702.525 (3702.524), 3702.526 (3702.525), 3733.02 (4781.26), 3733.021 (4781.31), 3733.022 (4781.32), 3733.024 (4781.33), 3733.025 (4781.34), 3733.03 (4781.27), 3733.04 (4781.28), 3733.05 (4781.29), 3733.06 (4781.30), 3733.07 (4781.301), 3733.08 (4781.35), 3733.09 (4781.36), 3733.091 (4781.37), 3733.10

(4781.38), 3733.101 (4781.39), 3733.11 (4781.40), 3733.12 (4781.41), 3733.121 (4781.42), 3733.122 (4781.43), 3733.123 (4781.44), 3733.13 (4781.45), 3733.14 (4781.46), 3733.15 (4781.47), 3733.16 (4781.48), 3733.17 (4781.49), 3733.18 (4781.50), 3733.19 (4781.51), 3733.20 (4781.52), 5123.169 (5123.1610), 5503.21 (5502.05), 5503.22 (5502.06), and 5503.23 (5502.07); to enact new sections 123.21, 3333.90, 3702.526, 4905.80, 4905.81, 4921.01, 4921.03, 4921.05, 4921.07, 4921.09, 4921.11, 4921.13, 4921.15, 4921.16, 4921.19, 4921.25, 4921.30, 4921.32, 4921.36, 4921.38, 4923.01, 4923.02, 4923.04, 4923.06, 4923.07, 4923.09, 4923.11, 4923.99, 5123.169, and 5123.192 and sections 121.35, 123.20, 123.201, 123.23, 123.26, 191.01, 191.02, 191.04, 191.06, 505.59, 1533.081, 2743.021, 2743.022, 3301.75, 3305.031, 3305.032, 3701.77, 3701.771, 3701.772, 3701.773, 3701.774, 3701.775, 3701.921, 3701.922, 3701.93, 3701.931, 3701.932, 3701.933, 3701.934, 3701.935, 3701.936, 3701.937, 3701.938, 3701.9310, 3701.9311, 3701.9312, 3701.9314, 3702.511, 3702.527, 3793.041, 3798.01, 3798.02, 3798.03, 3798.04, 3798.06, 3798.07, 3798.08, 3798.10, 3798.12, 3798.13, 3798.14, 3798.15, 3798.16, 4730.411, 4731.297, 4781.121, 4781.54, 4921.21, 4921.34, 4923.15, 5111.246, 5111.946, 5111.96, 5112.331, 5139.511, 5705.252, 5705.72, and 5713.012; and to repeal sections 103.144, 103.145, 103.146, 183.28, 185.04, 185.08, 185.10, 185.11, 340.05, 2301.19, 2909.32, 2909.33, 2909.34, 3301.68, 3333.049, 3333.0411, 3333.33, 3333.70, 3333.80, 3334.111, 3353.02, 3353.03, 3353.04, 3353.09, 3353.15, 3353.20, 3354.23, 3701.02, 3701.032, 3701.12, 3701.33, 3701.34, 3701.35, 3702.521, 3702.5210, 3702.5211, 3702.5212, 3702.5213, 3702.58, 3702.591, 3733.01, 3733.031, 3745.111, 3781.183, 3791.043, 4113.11, 4121.18, 4730.401, 4766.02, 4766.20, 4905.80, 4905.801, 4905.81, 4905.82, 4905.83, 4919.75, 4919.76, 4919.77, 4919.78, 4919.79, 4919.99, 4921.01, 4921.02, 4921.03, 4921.04, 4921.05, 4921.06, 4921.07, 4921.08, 4921.09, 4921.10, 4921.101, 4921.11, 4921.12, 4921.13, 4921.14, 4921.15, 4921.16, 4921.17, 4921.18, 4921.19, 4921.20, 4921.23, 4921.24, 4921.25, 4921.26, 4921.27, 4921.28, 4921.30, 4921.31, 4921.32, 4921.35, 4921.36, 4921.37, 4921.38, 4921.39, 4921.40, 4921.99, 4923.01, 4923.02, 4923.03, 4923.04, 4923.05, 4923.06, 4923.07, 4923.08, 4923.09, 4923.10, 4923.11, 4923.12, 4923.13, 4923.14, 4923.17, 4923.20, 4923.26, 4923.99, 5101.97, 5111.651, 5119.614, 5119.70, 5119.701, 5119.71, 5119.711, 5119.712, 5119.72, 5119.73, 5119.731, 5119.74, 5119.75, 5119.76, 5119.77, 5119.78, 5119.79, 5119.80, 5119.81, 5119.82, 5119.83, 5119.84, 5119.85, 5119.86, 5119.87, 5119.88, 5123.082, 5123.083, 5123.192, 5126.0222, 5126.252, 5126.26, 5126.27, 5126.28, 5126.281, 5126.29, and 5501.09 of the Revised Code; to amend Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly, as subsequently amended, Section 201 of Sub. H.B. 123 of the 129th General Assembly, Section 1 of H.B. 124 of the 129th General Assembly, Sections 205.10, 207.10, 207.10.80, 207.20.10, 207.20.30, 207.20.90, 209.10, 209.20, 209.30, 211.10, 215.10, 215.20, 223.10, 229.10, 243.10, 261.10.40, 261.10.70, 261.20.10, 261.20.40, 261.20.50, 261.20.60, 261.20.80, 261.20.90, 261.30.10, 261.30.20, 261.30.30, 261.30.40, 261.30.60, 261.30.70, 261.30.80, 261.30.90,

261.40.10, 263.10, 263.10.30, 263.10.90, 263.20.40, 263.20.70, 267.10, 267.10.10, 267.10.20, 267.10.40, 267.30.20, 267.30.40, 279.10, 283.10, 283.20, 283.30, 291.10, 307.10, 309.10, 309.30.10, 309.30.30, 309.30.33, 309.30.53, 309.35.73, 315.10, 327.10, 335.10, 337.10, 343.10, 343.40, 365.10, 367.10, 369.10, 371.10, 371.50.61, 371.60.70, 371.60.80, 373.10, 375.10, 379.10, 387.10, 403.10, 411.10, 415.10, 503.50, 521.70, and 701.40 of Am. Sub. H.B. 153 of the 129th General Assembly, Sections 247.10, 261.10, and 261.20.93 of Am. Sub. H.B. 153 of the 129th General Assembly, as subsequently amended, Section 4 of Sub. S.B. 171 of the 129th General Assembly, Section 3 of Am. Sub. S.B. 160 of the 121st General Assembly, and Section 3 of Am. Sub. S.B. 38 of the 120th General Assembly; to repeal Sections 261.10.10, 261.10.20, 261.10.30, 261.10.50, 261.10.60, 261.10.80, 261.10.90, 261.20.20, 261.20.70, 261.30.50, and 263.10.80 of Am. Sub. H.B. 153 of the 129th General Assembly; and to amend the versions of sections 5122.31, 5123.19, and 5123.61 of the Revised Code that are scheduled to take effect October 1, 2012, to continue the provisions of this act on and after that effective date; to make operating and other appropriations and to provide authorization and conditions for the operation of state programs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Phillips moved to amend as follows:

In line 308, after "1506.42," insert "1509.01,"

In line 406, after "5703.05," insert "5703.21,"

In line 409, after "5743.031," insert "5749.01, 5749.02,"

In line 442, after "123.26," insert "126.65, 126.66,"

In line 443, after "505.59," insert "1509.51,"

In line 452, delete "and"; after "5713.012" insert ", and 5749.031"

Between lines 4990 and 4991, insert:

" **Sec. 126.65.** (A) The kids and communities first grant program is hereby created to provide grants to school districts and political subdivisions for job creation, maintenance, and retention programs, for other purposes related to increasing employment in their respective jurisdictions, and for purposes of alleviating the need for new local tax levies.

(B) In administering the grant program, the director of budget and management shall adopt rules in accordance with Chapter 119. of the Revised Code establishing procedures and forms by which applicants may apply for a grant, a competitive process for awarding grants, procedures for distributing grants to recipients, and procedures for monitoring the use of grants by

recipients. These rules shall be adopted not later than thirty days after the effective date of this section.

(C) No grant shall be awarded under this section without the prior approval of the controlling board.

(D) There is hereby created in the state treasury the kids and communities first fund. The fund shall consist of money transferred to it from the horizontal well tax fund created in section 5749.02 of the Revised Code and any other money transferred to it. Investment earnings of the fund shall be credited to the fund. Money in the fund shall be used to make grants under this section. When necessary, the director shall transfer money in the fund to the local impact fund created in section 126.66 of the Revised Code for purposes of the local impact grant program.

Sec. 126.66. (A) The local impact grant program is hereby created to provide grants to political subdivisions for the purpose of alleviating the impact of increased horizontal well development and drilling within their respective jurisdictions.

(B) In administering the grant program, the director of budget and management shall adopt rules in accordance with Chapter 119. of the Revised Code establishing procedures and forms by which applicants may apply for a grant, a competitive process for awarding grants, procedures for distributing grants to recipients, and procedures for monitoring the use of grants by recipients. These rules shall be adopted not later than thirty days after the effective date of this section.

(C) No grant shall be awarded under this section without the prior approval of the controlling board.

(D) There is hereby created in the state treasury the local impact fund. The fund shall consist of money from the horizontal well tax fund created in section 5749.02 of the Revised Code that is transferred to it via the kids and communities first fund created in section 126.65 of the Revised Code. Investment earnings of the fund shall be credited to the fund. Money in the fund shall be used to make grants under this section."

Between lines 12887 and 12888, insert:

"Sec. 1509.01. As used in this chapter:

(A) "Well" means any borehole, whether drilled or bored, within the state for production, extraction, or injection of any gas or liquid mineral, excluding potable water to be used as such, but including natural or artificial brines and oil field waters.

(B) "Oil" means crude petroleum oil and all other hydrocarbons, regardless of gravity, that are produced in liquid form by ordinary production methods, but does not include hydrocarbons that were originally in a gaseous phase in the reservoir.

(C) "Gas" means all natural gas and all other fluid hydrocarbons that are not oil, including condensate.

(D) "Condensate" means liquid hydrocarbons that were originally in the gaseous phase in the reservoir.

(E) "Pool" means an underground reservoir containing a common accumulation of oil or gas, or both, but does not include a gas storage reservoir. Each zone of a geological structure that is completely separated from any other zone in the same structure may contain a separate pool.

(F) "Field" means the general area underlaid by one or more pools.

(G) "Drilling unit" means the minimum acreage on which one well may be drilled, but does not apply to a well for injecting gas into or removing gas from a gas storage reservoir.

(H) "Waste" includes all of the following:

(1) Physical waste, as that term generally is understood in the oil and gas industry;

(2) Inefficient, excessive, or improper use, or the unnecessary dissipation, of reservoir energy;

(3) Inefficient storing of oil or gas;

(4) Locating, drilling, equipping, operating, or producing an oil or gas well in a manner that reduces or tends to reduce the quantity of oil or gas ultimately recoverable under prudent and proper operations from the pool into which it is drilled or that causes or tends to cause unnecessary or excessive surface loss or destruction of oil or gas;

(5) Other underground or surface waste in the production or storage of oil, gas, or condensate, however caused.

(I) "Correlative rights" means the reasonable opportunity to every person entitled thereto to recover and receive the oil and gas in and under the person's tract or tracts, or the equivalent thereof, without having to drill unnecessary wells or incur other unnecessary expense.

(J) "Tract" means a single, individually taxed parcel of land appearing on the tax list.

(K) "Owner," unless referring to a mine, means the person who has the right to drill on a tract or drilling unit, to drill into and produce from a pool, and to appropriate the oil or gas produced therefrom either for the person or for others, except that a person ceases to be an owner with respect to a well when the well has been plugged in accordance with applicable rules adopted and orders issued under this chapter. "Owner" does not include a person who obtains a lease of the mineral rights for oil and gas on a parcel of land if the person does not attempt to produce or produce oil or gas from a well or obtain a permit under this chapter for a well or if the entire interest of a well is transferred to the person

in accordance with division (B) of section 1509.31 of the Revised Code.

(L) "Royalty interest" means the fee holder's share in the production from a well.

(M) "Discovery well" means the first well capable of producing oil or gas in commercial quantities from a pool.

(N) "Prepared clay" means a clay that is plastic and is thoroughly saturated with fresh water to a weight and consistency great enough to settle through saltwater in the well in which it is to be used, except as otherwise approved by the chief of the division of oil and gas resources management.

(O) "Rock sediment" means the combined cutting and residue from drilling sedimentary rocks and formation.

(P) "Excavations and workings," "mine," and "pillar" have the same meanings as in section 1561.01 of the Revised Code.

(Q) "Coal bearing township" means a township designated as such by the chief of the division of mineral resources management under section 1561.06 of the Revised Code.

(R) "Gas storage reservoir" means a continuous area of a subterranean porous sand or rock stratum or strata into which gas is or may be injected for the purpose of storing it therein and removing it therefrom and includes a gas storage reservoir as defined in section 1571.01 of the Revised Code.

(S) "Safe Drinking Water Act" means the "Safe Drinking Water Act," 88 Stat. 1661 (1974), 42 U.S.C.A. 300(f), as amended by the "Safe Drinking Water Amendments of 1977," 91 Stat. 1393, 42 U.S.C.A. 300(f), the "Safe Drinking Water Act Amendments of 1986," 100 Stat. 642, 42 U.S.C.A. 300(f), and the "Safe Drinking Water Act Amendments of 1996," 110 Stat. 1613, 42 U.S.C.A. 300(f), and regulations adopted under those acts.

(T) "Person" includes any political subdivision, department, agency, or instrumentality of this state; the United States and any department, agency, or instrumentality thereof; and any legal entity defined as a person under section 1.59 of the Revised Code.

(U) "Brine" means all saline geological formation water resulting from, obtained from, or produced in connection with exploration, drilling, well stimulation, production of oil or gas, or plugging of a well.

(V) "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, springs, irrigation systems, drainage systems, and other bodies of water, surface or underground, natural or artificial, that are situated wholly or partially within this state or within its jurisdiction, except those private waters that do not combine or effect a junction with natural surface or underground waters.

(W) "Exempt Mississippian well" means a well that meets all of the

following criteria:

(1) Was drilled and completed before January 1, 1980;

(2) Is located in an unglaciated part of the state;

(3) Was completed in a reservoir no deeper than the Mississippian Big Injun sandstone in areas underlain by Pennsylvanian or Permian stratigraphy, or the Mississippian Berea sandstone in areas directly underlain by Permian stratigraphy;

(4) Is used primarily to provide oil or gas for domestic use.

(X) "Exempt domestic well" means a well that meets all of the following criteria:

(1) Is owned by the owner of the surface estate of the tract on which the well is located;

(2) Is used primarily to provide gas for the owner's domestic use;

(3) Is located more than two hundred feet horizontal distance from any inhabited private dwelling house other than an inhabited private dwelling house located on the tract on which the well is located;

(4) Is located more than two hundred feet horizontal distance from any public building that may be used as a place of resort, assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic, or occupancy by the public.

(Y) "Urbanized area" means an area where a well or production facilities of a well are located within a municipal corporation or within a township that has an unincorporated population of more than five thousand in the most recent federal decennial census prior to the issuance of the permit for the well or production facilities.

(Z) "Well stimulation" or "stimulation of a well" means the process of enhancing well productivity, including hydraulic fracturing operations.

(AA) "Production operation" means all operations and activities and all related equipment, facilities, and other structures that may be used in or associated with the exploration and production of oil, gas, or other mineral resources that are regulated under this chapter, including operations and activities associated with site preparation, site construction, access road construction, well drilling, well completion, well stimulation, well site activities, reclamation, and plugging. "Production operation" also includes all of the following:

(1) The piping, equipment, and facilities used for the production and preparation of hydrocarbon gas or liquids for transportation or delivery;

(2) The processes of extraction and recovery, lifting, stabilization, treatment, separation, production processing, storage, waste disposal, and

measurement of hydrocarbon gas and liquids, including related equipment and facilities;

(3) The processes and related equipment and facilities associated with production compression, gas lift, gas injection, fuel gas supply, well drilling, well stimulation, and well completion activities, including dikes, pits, and earthen and other impoundments used for the temporary storage of fluids and waste substances associated with well drilling, well stimulation, and well completion activities.

(BB) "Annular overpressurization" means the accumulation of fluids within an annulus with sufficient pressure to allow migration of annular fluids into underground sources of drinking water.

(CC) "Idle and orphaned well" means a well for which a bond has been forfeited or an abandoned well for which no money is available to plug the well in accordance with this chapter and rules adopted under it.

(DD) "Temporarily inactive well" means a well that has been granted temporary inactive status under section 1509.062 of the Revised Code.

(EE) "Material and substantial violation" means any of the following:

(1) Failure to obtain a permit to drill, reopen, convert, plugback, or plug a well under this chapter;

(2) Failure to obtain or maintain insurance coverage that is required under this chapter;

(3) Failure to obtain or maintain a surety bond that is required under this chapter;

(4) Failure to plug an abandoned well or idle and orphaned well unless the well has been granted temporary inactive status under section 1509.062 of the Revised Code or the chief of the division of oil and gas resources management has approved another option concerning the abandoned well or idle and orphaned well;

(5) Failure to restore a disturbed land surface as required by section 1509.072 of the Revised Code;

(6) Failure to reimburse the oil and gas well fund pursuant to a final order issued under section 1509.071 of the Revised Code;

(7) Failure to comply with a final nonappealable order of the chief issued under section 1509.04 of the Revised Code.

(FF) "Severer" has the same meaning as in section 5749.01 of the Revised Code.

(GG) "Horizontal well" means a well that is drilled for the production of oil or natural gas in which the wellbore reaches a horizontal or near horizontal position and the well is stimulated.

(HH) "Payout date" means the first date on which the gross receipts generated by a horizontal well equal or exceed production costs incurred by the owner on that well.

(II) "Production costs" means the sum of the costs incurred by an owner to construct and operate a horizontal well including, but not limited to, construction materials for the well, such as cement and casing, lease or royalty payments to a landowner or landowners, and labor costs of any person paid compensation who is under the supervision or control of the well owner for work done on or at the well. "Production costs" does not include amounts paid to a partnership interest or similar business arrangement, applicable taxes imposed on the well owner, and any other cost not considered production costs by the director of the department of natural resources.

(JJ) "First day of production" means the earlier of the date on which a horizontal well begins to sever or the date on which the owner of such well begins to sell in this state natural resources severed by the well."

Between lines 13228 and 13229, insert:

" **Sec. 1509.51.** (A) On or before the first day of production, the owner of a proposed horizontal well may apply to the director of the department of natural resources, on a form prescribed by the director, to be subject to the reduced tax rate imposed under division (A)(10)(b) of section 5749.02 of the Revised Code. The director shall approve an application and issue the owner a certificate within thirty days after receiving an application if the applicant does all of the following:

(1) Pays a fee in an amount prescribed by the director for each proposed horizontal well;

(2) Establishes to the director's satisfaction that the proposed horizontal well will be a horizontal well;

(3) Submits any other information that the director considers necessary.

A certificate issued under this division shall expire one year following the date on which the certificate is issued.

(B) An owner who holds a certificate issued under this division or division (A) of this section may apply to the director of natural resources on or before the twentieth day of the eleventh month after the date on which the owner was issued a certificate under division (A) of this section or on or before twenty days before a certificate issued under this division expires, as applicable, to extend the expiration date of the certificate for three months. The director shall approve an application and issue to the owner an amended certificate within thirty days after receiving an application if the applicant does all of the following:

(1) Pays a fee in an amount prescribed by the director for each horizontal well;

(2) Establishes to the director's satisfaction that the horizontal well continues to be a horizontal well;

(3) Establishes to the director's satisfaction that the payout date for the horizontal well has not occurred during any date during the period that an owner held a certificate for the well issued under this division or division (A) of this section;

(4) Submits any other information that the director considers necessary.

An amended certificate issued under this division shall terminate three months following the date on which the amended certificate is issued. The director shall not issue a certificate under this section for a horizontal well that has reached the well's payout date.

(C) The director shall provide a copy of any certificate issued under this section to the tax commissioner. The director may issue only one certificate under division (A) and no more than four amended certificates under division (B) of this section for the same horizontal well. An owner shall not file a false or fraudulent application. If the director determines that an owner has made a false or fraudulent application, the director shall revoke any certificate that the director has issued under this section to the owner.

(D) An owner that holds an unexpired certificate issued under this section is subject to the reduced tax rate imposed under division (A)(10)(b) of section 5749.02 of the Revised Code for oil and condensate produced through use of the well for which the certificate is issued."

Between lines 66959 and 66960, insert:

"Sec. 5703.21. (A) Except as provided in divisions (B) and (C) of this section, no agent of the department of taxation, except in the agent's report to the department or when called on to testify in any court or proceeding, shall divulge any information acquired by the agent as to the transactions, property, or business of any person while acting or claiming to act under orders of the department. Whoever violates this provision shall thereafter be disqualified from acting as an officer or employee or in any other capacity under appointment or employment of the department.

(B)(1) For purposes of an audit pursuant to section 117.15 of the Revised Code, or an audit of the department pursuant to Chapter 117. of the Revised Code, or an audit, pursuant to that chapter, the objective of which is to express an opinion on a financial report or statement prepared or issued pursuant to division (A)(7) or (9) of section 126.21 of the Revised Code, the officers and employees of the auditor of state charged with conducting the audit shall have access to and the right to examine any state tax returns and state tax return information in the possession of the department to the extent that the access and examination are necessary for purposes of the audit. Any information acquired as the result of that access and examination shall not be divulged for any purpose other than as required for the audit or unless the officers and employees are

required to testify in a court or proceeding under compulsion of legal process. Whoever violates this provision shall thereafter be disqualified from acting as an officer or employee or in any other capacity under appointment or employment of the auditor of state.

(2) For purposes of an internal audit pursuant to section 126.45 of the Revised Code, the officers and employees of the office of internal auditing in the office of budget and management charged with conducting the internal audit shall have access to and the right to examine any state tax returns and state tax return information in the possession of the department to the extent that the access and examination are necessary for purposes of the internal audit. Any information acquired as the result of that access and examination shall not be divulged for any purpose other than as required for the internal audit or unless the officers and employees are required to testify in a court or proceeding under compulsion of legal process. Whoever violates this provision shall thereafter be disqualified from acting as an officer or employee or in any other capacity under appointment or employment of the office of internal auditing.

(3) As provided by section 6103(d)(2) of the Internal Revenue Code, any federal tax returns or federal tax information that the department has acquired from the internal revenue service, through federal and state statutory authority, may be disclosed to the auditor of state or the office of internal auditing solely for purposes of an audit of the department.

(4) For purposes of Chapter 3739. of the Revised Code, an agent of the department of taxation may share information with the division of state fire marshal that the agent finds during the course of an investigation.

(C) Division (A) of this section does not prohibit any of the following:

(1) Divulging information contained in applications, complaints, and related documents filed with the department under section 5715.27 of the Revised Code or in applications filed with the department under section 5715.39 of the Revised Code;

(2) Providing information to the office of child support within the department of job and family services pursuant to section 3125.43 of the Revised Code;

(3) Disclosing to the board of motor vehicle collision repair registration any information in the possession of the department that is necessary for the board to verify the existence of an applicant's valid vendor's license and current state tax identification number under section 4775.07 of the Revised Code;

(4) Providing information to the administrator of workers' compensation pursuant to sections 4123.271 and 4123.591 of the Revised Code;

(5) Providing to the attorney general information the department obtains under division (J) of section 1346.01 of the Revised Code;

(6) Permitting properly authorized officers, employees, or agents of a

municipal corporation from inspecting reports or information pursuant to rules adopted under section 5745.16 of the Revised Code;

(7) Providing information regarding the name, account number, or business address of a holder of a vendor's license issued pursuant to section 5739.17 of the Revised Code, a holder of a direct payment permit issued pursuant to section 5739.031 of the Revised Code, or a seller having a use tax account maintained pursuant to section 5741.17 of the Revised Code, or information regarding the active or inactive status of a vendor's license, direct payment permit, or seller's use tax account;

(8) Releasing invoices or invoice information furnished under section 4301.433 of the Revised Code pursuant to that section;

(9) Providing to a county auditor notices or documents concerning or affecting the taxable value of property in the county auditor's county. Unless authorized by law to disclose documents so provided, the county auditor shall not disclose such documents;

(10) Providing to a county auditor sales or use tax return or audit information under section 333.06 of the Revised Code;

(11) Subject to section 4301.441 of the Revised Code, disclosing to the appropriate state agency information in the possession of the department of taxation that is necessary to verify a permit holder's gallonage or noncompliance with taxes levied under Chapter 4301. or 4305. of the Revised Code;

(12) Disclosing to the department of natural resources information in the possession of the department that is necessary to verify the taxpayer's compliance with ~~division (A)(1), (8), or (9)~~ of section 5749.02 of the Revised Code and information received pursuant to section 1509.50 of the Revised Code concerning the amount due under that section;

(13) Disclosing to the department of job and family services, industrial commission, and bureau of workers' compensation information in the possession of the department of taxation solely for the purpose of identifying employers that misclassify employees as independent contractors or that fail to properly report and pay employer tax liabilities. The department of taxation shall disclose only such information that is necessary to verify employer compliance with law administered by those agencies.

(14) Disclosing to the Ohio casino control commission information in the possession of the department of taxation that is necessary to verify a taxpayer's compliance with section 5753.02 of the Revised Code and sections related thereto."

Between lines 70258 and 70259, insert:

"**Sec. 5749.01.** As used in this chapter:

(A) "Ton" shall mean two thousand pounds as measured at the point and time of severance, after the removal of any impurities, under such rules and

regulations as the tax commissioner may prescribe.

(B) "Taxpayer" means any person required to pay the tax levied by Chapter 5749. of the Revised Code.

(C) "Natural resource" means all forms of coal, salt, limestone, dolomite, sand, gravel, ~~natural~~ gas, and oil.

(D) "Owner" has the same meaning as in section 1509.01 of the Revised Code.

(E) "Person" means any individual, firm, partnership, association, joint stock company, corporation, or estate, or combination thereof.

(F) "Return" means any report or statement required to be filed pursuant to Chapter 5749. of the Revised Code used to determine the tax due.

(G) "Severance" means the extraction or other removal of a natural resource from the soil or water of this state.

(H) "Severed" means the point at which the natural resource has been separated from the soil or water in this state.

(I) "Severer" means any person who actually removes the natural resources from the soil or water in this state.

(J) "Horizontal well" has the same meaning as in section 1509.01 of the Revised Code.

(K) "Condensate" has the same meaning as in section 1509.01 of the Revised Code.

(L) "Gas" means pipeline quality gas.

(M) "Daily closing spot price" means one of the following:

(1) For oil, the WTI Cushing price;

(2) For gas, the Henry hub price;

(3) For condensate, the Mont Belvieu price.

Sec. 5749.02. (A) For the purpose of providing revenue to administer the state's coal mining and reclamation regulatory program, to meet the environmental and resource management needs of this state, to provide funding for school districts and political subdivisions, and to reclaim land affected by mining, an excise tax is hereby levied on the privilege of engaging in the severance of natural resources from the soil or water of this state. The tax shall be imposed upon the severer ~~and shall be~~ at the rates prescribed by divisions (A)(1) to (11) of this section:

(1) Ten cents per ton of coal;

(2) Four cents per ton of salt;

(3) Two cents per ton of limestone or dolomite;

(4) Two cents per ton of sand and gravel;

(5) ~~Ten~~ Except as provided in division (A)(10) of this section, ten cents per barrel of oil;

(6) ~~Two and one-half~~ Except as provided in division (A)(11) of this section, the lesser of three cents per thousand cubic feet of natural gas or one per cent of the product of the metered quarterly volume of gas multiplied by the average of the daily closing spot prices of gas reported on the new York mercantile exchange for the quarterly reporting period;

(7) One cent per ton of clay, sandstone or conglomerate, shale, gypsum, or quartzite;

(8) Except as otherwise provided in this division or in rules adopted by the reclamation forfeiture fund advisory board under section 1513.182 of the Revised Code, an additional fourteen cents per ton of coal produced from an area under a coal mining and reclamation permit issued under Chapter 1513. of the Revised Code for which the performance security is provided under division (C)(2) of section 1513.08 of the Revised Code. Beginning July 1, 2007, if at the end of a fiscal biennium the balance of the reclamation forfeiture fund created in section 1513.18 of the Revised Code is equal to or greater than ten million dollars, the rate levied shall be twelve cents per ton. Beginning July 1, 2007, if at the end of a fiscal biennium the balance of the fund is at least five million dollars, but less than ten million dollars, the rate levied shall be fourteen cents per ton. Beginning July 1, 2007, if at the end of a fiscal biennium the balance of the fund is less than five million dollars, the rate levied shall be sixteen cents per ton. Beginning July 1, 2009, not later than thirty days after the close of a fiscal biennium, the chief of the division of mineral resources management shall certify to the tax commissioner the amount of the balance of the reclamation forfeiture fund as of the close of the fiscal biennium. Any necessary adjustment of the rate levied shall take effect on the first day of the following January and shall remain in effect during the calendar biennium that begins on that date.

(9) An additional one and two-tenths cents per ton of coal mined by surface mining methods.

(10)(a) Except as otherwise provided in division (A)(10)(b) of this section, four per cent of the product of the metered quarterly volume of oil or condensate produced through use of a horizontal well multiplied by the average of the daily closing spot prices of oil reported on the new York mercantile exchange or condensate for the quarterly reporting period.

(b) If the severer is the holder of a certificate issued under section 1509.51 of the Revised Code, one and one-half per cent of the product of the metered quarterly volume of oil produced through use of a horizontal well multiplied by the average of the daily closing spot prices of oil reported on the new York mercantile exchange or condensate for the quarterly reporting period.

(11) One per cent of the product of the metered quarterly volume of gas.

excluding condensate, produced through use of a horizontal well multiplied by the average of the daily closing spot prices of gas reported on the new York mercantile exchange for the quarterly reporting period.

(B) Of the moneys received by the treasurer of state from the tax levied in division (A)(1) of this section, four and seventy-six-hundredths per cent shall be credited to the geological mapping fund created in section 1505.09 of the Revised Code, eighty and ninety-five-hundredths per cent shall be credited to the coal mining administration and reclamation reserve fund created in section 1513.181 of the Revised Code, and fourteen and twenty-nine-hundredths per cent shall be credited to the unreclaimed lands fund created in section 1513.30 of the Revised Code.

The money received by the treasurer of state from the tax levied in division (A)(2) of this section shall be credited to the geological mapping fund.

Of the moneys received by the treasurer of state from the tax levied in divisions (A)(3) and (4) of this section, seven and five-tenths per cent shall be credited to the geological mapping fund, forty-two and five-tenths per cent shall be credited to the unreclaimed lands fund, and the remainder shall be credited to the surface mining fund created in section 1514.06 of the Revised Code.

Of the moneys received by the treasurer of state from the tax levied in divisions (A)(5) and (6) of this section, ninety per cent shall be credited to the oil and gas well fund created in section 1509.02 of the Revised Code and ten per cent shall be credited to the geological mapping fund. All of the moneys received by the treasurer of state from the tax levied in division (A)(7) of this section shall be credited to the surface mining fund.

All of the moneys received by the treasurer of state from the tax levied in division (A)(8) of this section shall be credited to the reclamation forfeiture fund.

All of the moneys received by the treasurer of state from the tax levied in division (A)(9) of this section shall be credited to the unreclaimed lands fund.

All of the money received by the treasurer of state from the tax levied in divisions (A)(10) and (11) of this section shall be credited to the horizontal well tax fund, which is hereby created in the state treasury. Not later than the fifteenth day of September of each year, the tax commissioner shall calculate and certify to the director of budget and management the total amount that would have been collected from severances during the preceding fiscal year through use of a horizontal well if such severances had been taxed under divisions (A)(5) and (6) of this section, as those divisions existed on June 30, 2012, and not under divisions (A)(10) and (11) of this section. The director of budget and management, after consulting with the director of the department of natural resources, shall transfer, on or before the twenty-fifth day of September, the amount so certified from the horizontal well tax fund to funds used by the department of natural resources for the regulation, oversight, and management of oil and gas resources and extraction. Not later than the succeeding thirtieth day of September, the director of budget and management shall transfer any money

remaining in the horizontal well tax fund from tax collected during the preceding fiscal year to the kids and communities first fund created in section 126.65 of the Revised Code.

(C) When, at the close of any fiscal year, the chief finds that the balance of the reclamation forfeiture fund, plus estimated transfers to it from the coal mining administration and reclamation reserve fund under section 1513.181 of the Revised Code, plus the estimated revenues from the tax levied by division (A)(8) of this section for the remainder of the calendar year that includes the close of the fiscal year, are sufficient to complete the reclamation of all lands for which the performance security has been provided under division (C)(2) of section 1513.08 of the Revised Code, the purposes for which the tax under division (A)(8) of this section is levied shall be deemed accomplished at the end of that calendar year. The chief, within thirty days after the close of the fiscal year, shall certify those findings to the tax commissioner, and the tax levied under division (A)(8) of this section shall cease to be imposed for the subsequent calendar year after the last day of that calendar year on coal produced under a coal mining and reclamation permit issued under Chapter 1513. of the Revised Code if the permittee has made tax payments under division (A)(8) of this section during each of the preceding five full calendar years. Not later than thirty days after the close of a fiscal year, the chief shall certify to the tax commissioner the identity of any permittees who accordingly no longer are required to pay the tax levied under division (A)(8) of this section for the subsequent calendar year.

Sec. 5749.031. The tax imposed under division (A)(6) of section 5749.02 of the Revised Code does not apply to the severance of gas from a well that is not a horizontal well and that produces not more than ten thousand cubic feet of gas per day in a quarterly period, but the severer shall file the return required under section 5749.06 of the Revised Code to report the severance of such gas."

In line 70534, after "1506.42," insert "1509.01,"

In line 70632, after "5703.05," insert "5703.21,"

In line 70636, after "5743.031," insert "5749.01, 5749.02,"

Between lines 72730a and 72731, insert:

" State Special Revenue Fund Group

5LW0 042609	<u>Kids and Communities First</u>	\$	0	\$	<u>120,000,000</u>
	<u>Grants</u>				
<u>TOTAL SSR State Special Revenue Fund</u>		\$	0	\$	<u>120,000,000</u>

Group"

In line 72734a, delete " 26,948,326" and insert " 146,948,326"

Between lines 72801 and 72802, insert:

" KIDS AND COMMUNITIES FIRST GRANTS

The foregoing appropriation item 042609, Kids and Communities First Grants, shall be used to disburse grant funds pursuant to the Kids and

Communities First Grant Program created in section 126.65 of the Revised Code, as enacted by this act.

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$120,000,000 cash from the Budget Stabilization Fund to the Kids and Communities First Fund (Fund 5LW0), created in section 126.65 of the Revised Code, as enacted by this act.

Notwithstanding divisions (B) and (C) of section 131.44 of the Revised Code, the Director of Budget and Management shall determine the surplus General Revenue Fund revenue that exists on June 30, 2012, and transfer from the General Revenue Fund the amount so determined to Fund 5LW0. The transferred cash is hereby appropriated in appropriation item 042609, Kids and Communities First Grants.

LOCAL IMPACT GRANTS

The amounts transferred to the Local Impact Fund (Fund 5LX0) pursuant to division (D) of section 126.65 of the Revised Code, as enacted by this act, are hereby appropriated in appropriation item 042610, Local Impact Grants, which shall be used to disburse grant funds pursuant to the Local Impact Grant Program created in section 126.66 of the Revised Code, as enacted by this act."

Between lines 78044 and 78045, insert:

"Section 812. ___. Sections exempt from referendum: special effective dates. The amendment or enactment by this act of the following sections is exempt from the referendum under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code and therefore takes effect immediately when this act becomes law or on the date specified below, whichever is later:

Sections 1509.01, 1509.51, 5703.21, 5749.01, 5749.02, and 5749.031 of the Revised Code take effect on the ninety-first day after the effective date of this section."

After line 78091, insert:

"Section 5749.02 of the Revised Code as amended by both Am. Sub. H.B. 1 and S.B. 73 of the 128th General Assembly."

In line 24 of the title, after "1506.42," insert "1509.01,"

In line 160 of the title, after "5703.05," insert "5703.21,"

In line 164 of the title, after "5743.031," insert "5749.01, 5749.02,"

In line 206 of the title, after "123.26," insert "126.65, 126.66,"

In line 207 of the title, after "505.59," insert "1509.51,"

In line 219 of the title, delete the first "and"; after "5713.012" insert ", and 5749.031"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 57, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Uecker	Wachtmann
			Young-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fende
Foley	Garland	Gerberry	Hagan, R.
Heard	Letson	Luckie	Lundy
Mallory	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Williams	Winburn
			Yuko-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Garland moved to amend as follows:

In line 72507, strike through "\$7,020,974" and insert " \$13,220,974"

In line 72510, strike through "\$7,889,633" and insert " \$14,089,633"

In line 72528a, delete " \$109,721,577" and insert " \$115,921,577"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 53, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Baker
Beck	Blair	Blessing	Brenner
Bubp	Buchy	Butler	Combs

Conditt	Damschroder	DeVitis	Derickson
Dovilla	Duffey	Gardner	Gonzales
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hill	Hottinger
Huffman	Kozlowski	Landis	Lynch
Maag	Martin	McClain	McGregor
Newbold	Pelanda	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Uecker	Wachtmann
			Young-53.

Those who voted in the negative were: Representatives

Anielski	Antonio	Ashford	Barnes
Boose	Boyd	Budish	Carney
Celebrezze	Celeste	Cera	Clyde
Driehaus	Fedor	Fende	Foley
Garland	Gerberry	Hagan, R.	Heard
Johnson	Letson	Luckie	Lundy
Milkovich	Murray	O'Brien	Okey
Patmon	Phillips	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Williams	Winburn		Yuko-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Lundy moved to amend as follows:

In line 296, after "126.14," insert "126.601,"

Between lines 4990 and 4991, insert:

"Sec. 126.601. (A) Notwithstanding any provision of the Revised Code to the contrary, after January 1, 2015, the director of budget and management and the director of transportation ~~may~~, in accordance with ~~sections 126.60 to 126.605 of the Revised Code, take any action and execute any~~ division (B) of this section, may enter into a contract for the provision of highway services in order to more efficiently and effectively provide those services, including by generating additional resources in support of those services and related projects. Any such contract may contain the terms and conditions established by the director of budget and management and the director of transportation to carry out and effect the purposes of sections 126.60 to 126.605 of the Revised Code. The director of budget and management is hereby authorized to receive and deposit, consistent with section 126.603 of the Revised Code, any money received under the contract. ~~Any~~ Subject to division (B) of this section, any such contract shall be sufficient to effect its purpose, notwithstanding any provision of the Revised Code to the contrary, including other laws governing the sale, lease or other disposition of property or interests therein, service contracts, or financial transactions by or for the state. ~~The~~

~~(B) After January 1, 2015, the director of transportation may exercise all powers of the Ohio turnpike commission for purposes of sections 126.60 to 126.605 of the Revised Code, and may take any action and, with the director of budget and management may make recommendations to the general assembly concerning turnpike projects, as defined in section 5537.01 of the Revised Code, execute any contract necessary to effect the purposes of sections 126.60 to 126.605 of the Revised Code, notwithstanding any provision of Chapter 5537. of the Revised Code to the contrary. Nothing in sections 126.60 to 126.605 of the Revised Code authorizes or shall be construed to authorize the sale, lease, operation under a contract with a private sector entity, other disposition of a turnpike project, or other transfer of authority over a turnpike project unless the general assembly approves it by the enactment of legislation after January 1, 2015, that includes the specific terms and conditions of the sale, lease, operation, or other disposition of the turnpike project, or other transfer of authority over the turnpike project."~~

In line 70522, after "126.14," insert "126.601,"

In line 8 of the title, after "126.14," insert "126.601,"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 55, nays 36, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Duffey	Gardner
Gonzales	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hill
Hottinger	Huffman	Johnson	Kozlowski
Landis	Lynch	Maag	Martin
McClain	Newbold	Pelanda	Roegner
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby M.	Smith	Sprague
Stautberg	Stebelton	Terhar	Thompson
Uecker	Wachtmann		Young-55.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Dovilla	Driehaus
Fedor	Fende	Foley	Garland
Gerberry	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	Okey	Patmon	Phillips
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Williams	Yuko-36.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Lundy moved to amend as follows:

In line 66506, delete " This authority of the"

Delete lines 66507 through 66513

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 57, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Uecker	Wachtmann
			Young-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Hagan, R.	Heard	Letson	Luckie
Lundy	Mallory	Milkovich	Murray
O'Brien	Okey	Patmon	Phillips
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Williams	Winburn
			Yuko-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Williams moved to amend as follows:

In line 300, after "167.04," insert "169.01, 169.02, 169.03, 169.06, 169.08, 169.13, 169.14, 169.16,"

Between lines 7924 and 7925, insert:

"**Sec. 169.01.** As used in this chapter, unless the context otherwise requires:

(A) "Financial organization" means any bank, trust company, savings bank, safe deposit company, mutual savings bank without mutual stock, savings and loan association, credit union, or investment company.

(B)(1) "~~Unclaimed funds~~" "Property presumed abandoned" means any moneys, rights to moneys, or intangible property, described in section 169.02 of the Revised Code and reported to the director of commerce as required by section 169.03 of the Revised Code, when, as shown by the records of the holder, the owner has not, within the times provided in section 169.02 of the Revised Code, done any of the following:

- (a) Increased, decreased, or adjusted the amount of such ~~funds~~ property;
- (b) Assigned, paid premiums, or encumbered such ~~funds~~ property;
- (c) Presented an appropriate record for the crediting of such ~~funds~~ property or received payment of such ~~funds~~ property by check, draft, or otherwise;
- (d) Corresponded with the holder concerning such ~~funds~~ property;
- (e) Otherwise indicated an interest in or knowledge of such ~~funds~~ property;
- (f) Transacted business with the holder.

(2) "Unclaimed funds" means property presumed abandoned.

(3) "Property presumed abandoned" does not include any of the following:

- (a) Money received or collected under section 9.39 of the Revised Code;
- (b) Any payment or credit due to a business association from a business association representing sums payable to suppliers, or payment for services rendered, in the course of business, including, but not limited to, checks or memoranda, overpayments, unidentified remittances, nonrefunded overcharges, discounts, refunds, and rebates;
- (c) Any payment or credit received by a business association from a business association for tangible goods sold, or services performed, in the course of business, including, but not limited to, checks or memoranda, overpayments, unidentified remittances, nonrefunded overcharges, discounts, refunds, and rebates;
- (d) Any credit due a retail customer that is represented by a gift certificate, gift card, merchandise credit, or merchandise credit card, redeemable only for merchandise.

For purposes of divisions (B)(2)(b) and (c) of this section, "business association" means any corporation, joint venture, business trust, limited liability company, partnership, association, or other business entity composed of one or more individuals, whether or not the entity is for profit.

(C) "Owner" means any person, or the person's legal representative, entitled to receive or having a legal or equitable interest in or claim against moneys, rights to moneys, or other intangible property, subject to this chapter.

(D)(1) "Holder" means any person that has possession, custody, or control of moneys, rights to moneys, or other intangible property, or that is indebted to another, if any of the following applies:

(a) Such person resides in this state;

(b) Such person is formed under the laws of this state;

(c) Such person is formed under the laws of the United States and has an office or principal place of business in this state;

(d) The records of such person indicate that the last known address of the owner of such moneys, rights to moneys, or other intangible property is in this state;

(e) The records of such person do not indicate the last known address of the owner of the moneys, rights to moneys, or other intangible property and the entity originating or issuing the moneys, rights to moneys, or other intangible property is in this state or any political subdivision of this state, or is incorporated, organized, created, or otherwise located in this state. Division (D)(1)(e) of this section applies to all moneys, rights to moneys, or other intangible property that is in the possession, custody, or control of such person on or after July 22, 1994, whether the moneys, rights to moneys, or other intangible property becomes ~~unclaimed funds~~ property presumed abandoned prior to or on or after that date.

(2) "Holder" does not mean any hospital granted tax-exempt status under section 501(c)(3) of the Internal Revenue Code or any hospital owned or operated by the state or by any political subdivision. Any entity in order to be exempt from the definition of "holder" pursuant to this division shall make a reasonable, good-faith effort to contact the owner of the ~~unclaimed funds~~ property presumed abandoned.

(E) "Person" includes a natural person; corporation, whether for profit or not for profit; copartnership; unincorporated nonprofit association; public authority; estate; trust; two or more persons having a joint or common interest; eleemosynary organization; fraternal or cooperative association; other legal or community entity; the United States government, including any district, territory, possession, officer, agency, department, authority, instrumentality, board, bureau, or court; or any state or political subdivision thereof, including any officer, agency, board, bureau, commission, division, department, authority, court, or instrumentality.

(F) "Mortgage funds" means the mortgage insurance fund created by section 122.561 of the Revised Code, and the housing ~~guarantee development~~ fund created by division ~~(D)~~ (A) of section ~~128.11~~ 175.11 of the Revised Code.

(G) "Lawful claims" means any vested right a holder of ~~unclaimed funds~~ property presumed abandoned has against the owner of such ~~unclaimed funds~~ property.

(H) "Public utility" means any entity defined as such by division (A) of section 745.01 or by section 4905.02 of the Revised Code.

(I) "Deposit" means to place money in the custody of a financial organization for the purpose of establishing an income-bearing account by purchase or otherwise.

(J) "Income-bearing account" means a time or savings account, whether or not evidenced by a certificate of deposit, or an investment account through which investments are made solely in obligations of the United States or its agencies or instrumentalities or guaranteed as to principal and interest by the United States or its agencies or instrumentalities, debt securities rated as investment grade by at least two nationally recognized rating services, debt securities which the director of commerce has determined to have been issued for the safety and welfare of the residents of this state, and equity interests in mutual funds that invest solely in some or all of the above-listed securities and involve no general liability, without regard to whether income earned on such accounts, securities, or interests is paid periodically or at the end of a term.

(K) "Director of commerce" may be read as the "division of unclaimed funds" or the "superintendent of unclaimed funds."

Sec. 169.02. Subject to division (B) of section 169.01 of the Revised Code, the following constitute ~~unclaimed funds~~ property presumed abandoned:

(A) Except as provided in division (R) of this section, any demand, savings, or matured time deposit account, or matured certificate of deposit, together with any interest or dividend on it, less any lawful claims, that is held or owed by a holder which is a financial organization, unclaimed for a period of five years;

(B) Any funds paid toward the purchase of withdrawable shares or other interest in a financial organization, and any interest or dividends on them, less any lawful claims, that is held or owed by a holder which is a financial organization, unclaimed for a period of five years;

(C) Except as provided in division (A) of section 3903.45 of the Revised Code, moneys held or owed by a holder, including a fraternal association, providing life insurance, including annuity or endowment coverage, unclaimed for three years after becoming payable as established from the records of such holder under any life or endowment insurance policy or annuity contract that has matured or terminated. An insurance policy, the proceeds of which are payable on the death of the insured, not matured by proof of death of the insured is

deemed matured and the proceeds payable if such policy was in force when the insured attained the limiting age under the mortality table on which the reserve is based.

Moneys otherwise payable according to the records of such holder are deemed payable although the policy or contract has not been surrendered as required.

(D) Any deposit made to secure payment or any sum paid in advance for utility services of a public utility and any amount refundable from rates or charges collected by a public utility for utility services held or owed by a holder, less any lawful claims, that has remained unclaimed for one year after the termination of the services for which the deposit or advance payment was made or one year from the date the refund was payable, whichever is earlier;

(E) Except as provided in division (R) of this section, any certificates, securities as defined in section 1707.01 of the Revised Code, nonwithdrawable shares, other instruments evidencing ownership, or rights to them or funds paid toward the purchase of them, or any dividend, capital credit, profit, distribution, interest, or payment on principal or other sum, held or owed by a holder, including funds deposited with a fiscal agent or fiduciary for payment of them, and instruments representing an ownership interest, unclaimed for five years. Any underlying share or other intangible instrument representing an ownership interest in a business association, in which the issuer has recorded on its books the issuance of the share but has been unable to deliver the certificate to the shareholder, constitutes unclaimed funds property presumed abandoned if such underlying share is unclaimed for five years. In addition, an underlying share constitutes unclaimed funds property presumed abandoned if a dividend, distribution, or other sum payable as a result of the underlying share has remained unclaimed by the owner for five years.

This division shall not prejudice the rights of fiscal agents or fiduciaries for payment to return the items described in this division to their principals, according to the terms of an agency or fiduciary agreement, but such a return shall constitute the principal as the holder of the items and shall not interrupt the period for computing the time for which the items have remained unclaimed.

In the case of any such funds accruing and held or owed by a corporation under division (E) of section 1701.24 of the Revised Code, such corporation shall comply with this chapter, subject to the limitation contained in section 1701.34 of the Revised Code. The period of time for which such funds have gone unclaimed specified in section 1701.34 of the Revised Code shall be computed, with respect to dividends or distributions, commencing as of the dates when such dividends or distributions would have been payable to the shareholder had such shareholder surrendered the certificates for cancellation and exchange by the date specified in the order relating to them.

Capital credits of a cooperative which after January 1, 1972, have been allocated to members and which by agreement are expressly required to be paid

if claimed after death of the owner are deemed payable, for the purpose of this chapter, fifteen years after either the termination of service by the cooperative to the owner or upon the nonactivity as provided in division (B) of section 169.01 of the Revised Code, whichever occurs later, provided that this provision does not apply if the payment is not mandatory.

(F) Any sum payable on certified checks or other written instruments certified or issued and representing funds held or owed by a holder, less any lawful claims, that are unclaimed for five years from the date payable or from the date of issuance if payable on demand; except that the unclaimed period for money orders that are not third party bank checks is seven years, and the unclaimed period for traveler's checks is fifteen years, from the date payable or from the date of issuance if payable on demand.

As used in this division, "written instruments" include, but are not limited to, certified checks, cashier's checks, bills of exchange, letters of credit, drafts, money orders, and traveler's checks.

If there is no address of record for the owner or other person entitled to the funds, such address is presumed to be the address where the instrument was certified or issued.

(G) Except as provided in division (R) of this section, all moneys, rights to moneys, or other intangible property, arising out of the business of engaging in the purchase or sale of securities, or otherwise dealing in intangibles, less any lawful claims, that are held or owed by a holder and are unclaimed for five years from the date of transaction.

(H) Except as provided in division (A) of section 3903.45 of the Revised Code, all moneys, rights to moneys, and other intangible property distributable in the course of dissolution or liquidation of a holder that are unclaimed for one year after the date set by the holder for distribution;

(I) All moneys, rights to moneys, or other intangible property removed from a safe-deposit box or other safekeeping repository located in this state or removed from a safe-deposit box or other safekeeping repository of a holder, on which the lease or rental period has expired, or any amount arising from the sale of such property, less any lawful claims, that are unclaimed for three years from the date on which the lease or rental period expired;

(J) Subject to division (M)(2) of this section, all moneys, rights to moneys, or other intangible property, and any income or increment on them, held or owed by a holder which is a fiduciary for the benefit of another, or a fiduciary or custodian of a qualified retirement plan or individual retirement arrangement under section 401 or 408 of the Internal Revenue Code, unclaimed for three years after the final date for distribution;

(K) All moneys, rights to moneys, or other intangible property held or owed in this state or held for or owed to an owner whose last known address is within this state, by the United States government or any state, as those terms are

described in division (E) of section 169.01 of the Revised Code, unclaimed by the owner for three years, excluding any property in the control of any court in a proceeding in which a final adjudication has not been made;

(L) Amounts payable pursuant to the terms of any policy of insurance, other than life insurance, or any refund available under such a policy, held or owed by any holder, unclaimed for three years from the date payable or distributable;

(M)(1) Subject to division (M)(2) of this section, any funds constituting rents or lease payments due, any deposit made to secure payment of rents or leases, or any sum paid in advance for rents, leases, possible damage to property, unused services, performance requirements, or any other purpose, held or owed by a holder unclaimed for one year;

(2) Any escrow funds, security deposits, or other moneys that are received by a licensed broker in a fiduciary capacity and that, pursuant to division (A)(26) of section 4735.18 of the Revised Code, are required to be deposited into and maintained in a special or trust, noninterest-bearing bank account separate and distinct from any personal or other account of the licensed broker, held or owed by the licensed broker unclaimed for two years.

(N) Any sum greater than fifty dollars payable as wages, any sum payable as salaries or commissions, any sum payable for services rendered, funds owed or held as royalties, oil and mineral proceeds, funds held for or owed to suppliers, and moneys owed under pension and profit-sharing plans, held or owed by any holder unclaimed for one year from date payable or distributable, and all other credits held or owed, or to be refunded to a retail customer, by any holder unclaimed for three years from date payable or distributable;

(O) Amounts held in respect of or represented by lay-aways sold after January 1, 1972, less any lawful claims, when such lay-aways are unclaimed for three years after the sale of them;

(P) All moneys, rights to moneys, and other intangible property not otherwise constituted as ~~unclaimed funds~~ property presumed abandoned by this section, including any income or increment on them, less any lawful claims, which are held or owed by any holder, other than a holder which holds a permit issued pursuant to Chapter 3769. of the Revised Code, and which have remained unclaimed for three years after becoming payable or distributable;

(Q) All moneys that arise out of a sale held pursuant to section 5322.03 of the Revised Code, that are held by a holder for delivery on demand to the appropriate person pursuant to division (I) of that section, and that are unclaimed for two years after the date of the sale.

(R)(1) Any funds that are subject to an agreement between the holder and owner providing for automatic reinvestment and that constitute dividends, distributions, or other sums held or owed by a holder in connection with a security as defined in section 1707.01 of the Revised Code, an ownership

interest in an investment company registered under the "Investment Company Act of 1940," 54 Stat. 789, 15 U.S.C. 80a-1, as amended, or a certificate of deposit, unclaimed for a period of five years.

(2) The five-year period under division (R)(1) of this section commences from the date a second shareholder notification or communication mailing to the owner of the funds is returned to the holder as undeliverable by the United States postal service or other carrier. The notification or communication mailing by the holder shall be no less frequent than quarterly.

All moneys in a personal allowance account, as defined by rules adopted by the director of job and family services, up to and including the maximum resource limitation, of a medicaid patient who has died after receiving care in a long-term care facility, and for whom there is no identifiable heir or sponsor, are not subject to this chapter.

Sec. 169.03. (A)(1) Every holder of ~~unclaimed funds~~ property presumed abandoned and, when requested, every person that could be the holder of ~~unclaimed funds~~ property presumed abandoned, under this chapter shall report to the director of commerce with respect to the ~~unclaimed funds~~ property presumed abandoned as provided in this section. The report shall be verified.

(2) With respect to items of ~~unclaimed funds~~ property presumed abandoned each having a value of fifty dollars or more, the report required under division (A)(1) of this section shall include the following:

(a) The full name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of ~~unclaimed funds~~ property presumed abandoned under this chapter;

(b) In the case of ~~unclaimed funds~~ property presumed abandoned reported by holders providing life insurance coverage, the full name of the insured or annuitant and beneficiary, if any, and their last known addresses according to the holder's records;

(c) The nature and identifying number, if any, or description of the ~~funds~~ property and the amount appearing from the records to be due;

(d) The date when the ~~funds~~ property became payable, demandable, or returnable and the date of the last transaction with the owner with respect to the ~~funds~~ property;

(e) Subject to division (I) of this section, the social security number of the owner of the ~~unclaimed funds~~ property presumed abandoned, if it is available;

(f) If the item of ~~unclaimed funds~~ property presumed abandoned has a value of one thousand dollars or more and the holder has verified that the last known address as shown by the records of the holder is not accurate as provided in division (D) of this section, a statement that efforts were undertaken by the holder to verify that the address is not accurate. Any verifying documentation shall be maintained by the holder for five years from the date of the report and

shall be available upon request to the director or the director's designee.

(g) Other information that the director prescribes as necessary for the administration of this chapter.

(3) With respect to items of ~~unclaimed funds~~ property presumed abandoned each having a value of less than fifty dollars, the report required under division (A)(1) of this section shall include the following:

(a) Each category of items of ~~unclaimed funds~~ property presumed abandoned as described in section 169.02 of the Revised Code;

(b) The number of items of ~~unclaimed funds~~ property presumed abandoned within each category;

(c) The aggregated value of the items of ~~unclaimed funds~~ property presumed abandoned within each category.

(B) If the holder of ~~unclaimed funds~~ property presumed abandoned is a successor to other organizations that previously held the funds for the owner, or if the holder has changed its name while holding the ~~funds~~ property, it shall file with the report all prior known names and addresses and date and state of incorporation or formation of each holder of the ~~funds~~ property.

(C) The report shall be filed before the first day of November of each year as of the preceding thirtieth day of June, but the report of holders providing life insurance coverage shall be filed before the first day of May of each year as of the preceding thirty-first day of December. The director may postpone, for good cause shown, the reporting date upon written request by any holder required to file a report.

(D) The holder of ~~unclaimed funds~~ property presumed abandoned under this chapter shall send notice to each owner of each item of ~~unclaimed funds~~ property presumed abandoned having a value of fifty dollars or more at the last known address of the owner as shown by the records of the holder before filing the annual report. In case of holders providing life insurance coverage, this notice shall also be mailed to each beneficiary at the last known address of the beneficiary as shown by the records of the holder, except that the notice to beneficiaries shall not be mailed if that address is the same as that of the insured and the surname of the beneficiary is the same as that of the insured. The holder shall not report an item of ~~unclaimed funds~~ property presumed abandoned earlier than the thirtieth day after the mailing of notice required by this division.

The notice required by this division shall set forth the nature and identifying number, if any, or description of the ~~funds~~ property and the amount appearing on the records of the holder to be due the owner or beneficiary, and shall inform the owner or beneficiary that the ~~funds~~ property will, thirty days after the mailing of the notice, be reported as ~~unclaimed funds~~ property presumed abandoned under this chapter. A self-addressed, stamped envelope shall be included with the notice, with instructions that the owner or beneficiary may use the envelope to inform the holder of the owner's or beneficiary's

continued interest in the ~~funds~~ property, and, if so informed before the date for making the report to the director, the holder shall not report the ~~funds~~ property to the director. The notice shall be mailed by first class mail if the item of ~~unclaimed funds~~ property presumed abandoned has a value of fifty dollars or more but less than one thousand dollars and by certified mail, return receipt requested, if the item of ~~unclaimed funds~~ property presumed abandoned has a value of one thousand dollars or more, unless the holder has verified that the last known address of the owner or beneficiary as shown by the records of the holder is not accurate. For purposes of this section, a holder has verified that the last known address of the owner or beneficiary is not accurate by documenting at least two of the following:

(1) The owner or beneficiary failed to respond to a first class mail notice sent to the last known address of the owner or beneficiary.

(2) A first class mail notice sent by the holder to the last known address of the owner or beneficiary was returned as undeliverable.

(3) An electronic or manual search of available public records failed to confirm that the last known address of the owner or beneficiary is accurate. The holder shall maintain documentation of its search efforts. If a search of public records or databases identifies a more recent address for the owner or beneficiary than the address in the holder's records, the holder shall send notice to the owner or beneficiary at that more recent address in accordance with this section.

A holder that sends a notice by certified mail, return receipt requested, may charge the item of ~~unclaimed funds~~ property presumed abandoned up to twenty dollars for providing that notice.

If there is no address of record for the owner or beneficiary, the holder is relieved of any responsibility of sending notice, attempting to notify, or notifying the owner or beneficiary. The mailing of notice pursuant to this section shall discharge the holder from any further responsibility to give notice.

(E) Verification of the report and of the mailing of notice, where required, shall be executed by an officer of the reporting holder.

(F)(1) The director may, at reasonable times and upon reasonable notice, examine or cause to be examined, by auditors of supervisory departments or divisions of the state, the records of any holder to determine compliance with this chapter.

(2) Holders shall retain records, designated by the director as applicable to ~~unclaimed funds~~ property presumed abandoned, for five years beyond the relevant time period provided in section 169.02 of the Revised Code, or until completion of an audit conducted pursuant to division (F) of this section, whichever occurs first. An audit conducted pursuant to division (F) of this section shall not require a holder to make records available for a period of time exceeding the records retention period set forth in division (F) of this section, except for records pertaining to instruments evidencing ownership, or rights to them or funds paid toward the purchase of them, or any dividend, capital credit,

profit, distribution, interest, or payment on principal or other sum, held or owed by a holder, including ~~funds~~ property deposited with a fiscal agent or fiduciary for payment of them, or pertaining to debt of a publicly traded corporation. Any holder that is audited pursuant to division (F) of this section shall only be required to make available those records that are relevant to an ~~unclaimed funds~~ audit of that holder as prescribed by the director.

(3) The director may enter into contracts, pursuant to procedures prescribed by the director, with persons for the sole purpose of examining the records of holders, determining compliance with this chapter, and collecting, taking possession of, and remitting to the department's division of unclaimed funds, in a timely manner, the amounts found and defined as unclaimed. The director shall not enter into such a contract with a person unless the person does all of the following:

(a) Agrees to maintain the confidentiality of the records examined, as required under division (F)(4) of this section;

(b) Agrees to conduct the audit in accordance with rules adopted under section 169.09 of the Revised Code;

(c) Obtains a corporate surety bond issued by a bonding company or insurance company authorized to do business in this state. The bond shall be in favor of the director and in the penal sum determined by the director. The bond shall be for the benefit of any holder of ~~unclaimed funds~~ property presumed abandoned that is audited by the principal and is injured by the principal's failure to comply with division (F)(3)(a) or (b) of this section.

(4) Records audited pursuant to division (F) of this section are confidential, and shall not be disclosed except as required by section 169.06 of the Revised Code or as the director considers necessary in the proper administration of this chapter.

(5) If a person with whom the director has entered into a contract pursuant to division (F)(3) of this section intends to conduct, in conjunction with an ~~unclaimed funds~~ audit under this section, an ~~unclaimed funds~~ audit for the purpose of administering another state's unclaimed or abandoned property laws, the person, prior to commencing the audit, shall provide written notice to the director of the person's intent to conduct such an audit, along with documentation evidencing the person's express authorization from the other state to conduct the audit on behalf of that state.

(6) Prior to the commencement of an audit conducted pursuant to division (F) of this section, the director shall notify the holder of ~~unclaimed funds~~ property presumed abandoned of the director's intent to audit the holder's records. If the audit will be conducted in conjunction with an audit for one or more other states, the director shall provide the holder with the name or names of those states.

(7) Any holder of ~~unclaimed funds~~ property presumed abandoned may appeal the findings of an audit conducted pursuant to division (F) of this section

to the director. Pursuant to the authority granted by section 169.09 of the Revised Code, the director shall adopt rules establishing procedures for considering such an appeal.

(G) All holders shall make sufficient investigation of their records to ensure that the funds reported to the director are unclaimed as set forth in division (B) of section 169.01 and section 169.02 of the Revised Code.

(H) The expiration of any period of limitations on or after March 1, 1968, within which a person entitled to any moneys, rights to moneys, or intangible property could have commenced an action or proceeding to obtain these items shall not prevent these items from becoming ~~unclaimed funds~~ property presumed abandoned or relieve the holder of them of any duty to report and give notice as provided in this section and deliver them in the manner provided in section 169.05 of the Revised Code, provided that the holder may comply with this section and section 169.05 of the Revised Code with respect to any moneys, rights to moneys, or intangible property as to which the applicable statute of limitations has run prior to March 1, 1968, and in that event the holder shall be entitled to the protective provisions of section 169.07 of the Revised Code.

(I) No social security number contained in a report made pursuant to this section shall be used by the department of commerce for any purpose other than to enable the division of unclaimed funds to carry out the purposes of this chapter and for child support purposes in response to a request made by the office of child support in the department of job and family services made pursuant to section 3123.88 of the Revised Code.

Sec. 169.06. (A) Before the first day of November of each year immediately following the calendar year in which the filing of reports is required by section 169.03 of the Revised Code, the director of commerce shall cause notice to be published once in an English language newspaper of general circulation in the county in this state in which is located the last known address of any person to be named in the notice required by this section. If no address is listed, the notice shall be published in the county in which the holder of the ~~unclaimed funds~~ property presumed abandoned has its principal place of business within this state; or if the holder has no principal place of business within this state, or if the owner's address is outside this state, publication shall be made ~~as the director determines most effective~~ on the department's internet web site for a period of time the director may reasonably select. ~~If the address is outside this state, notice shall be published in a newspaper of general circulation in the county or parish of any state in the United States in which such last known address is located. If the last known address is in a foreign country, publication shall be made as the director determines most effective.~~

If the name of the owner is not available, the director may publish notice by class, identifying number, or as the director determines most effective.

(B) The published notice shall be entitled "Notice of Names of Persons Appearing to be Owners of ~~Unclaimed Funds~~ Property Presumed Abandoned," and shall contain:

(1) The names in alphabetical order and last known addresses, if any, of each person appearing from the records of the holder to be the owner of ~~unclaimed funds~~ property presumed abandoned of a value of fifty dollars or more and entitled to notice as specified in division (A) of this section;

(2) A statement that information concerning the amount of the funds and any necessary information concerning the presentment of a claim therefor may be obtained by any persons possessing a property interest in the ~~unclaimed funds~~ property presumed abandoned by addressing an inquiry to the director.

(C) With respect to items of ~~unclaimed funds~~ property presumed abandoned each having a value of ~~ten~~ fifty dollars or more, the director shall have available in ~~his~~ the director's office during business hours an alphabetical list of owners and where a holder is a person providing life insurance coverage, beneficiaries, and their last known addresses, if any, whose funds are being held by the state pursuant to this chapter.

(D) The director may give any additional notice ~~he~~ the director deems necessary to inform the owner of the whereabouts of ~~his~~ the owner's funds.

Sec. 169.08. (A) Any person claiming a property interest in ~~unclaimed funds~~ property presumed abandoned delivered or reported to the state under Chapter 169. of the Revised Code, including the office of child support in the department of job and family services, pursuant to section 3123.88 of the Revised Code, may file a claim thereto on the form prescribed by the director of commerce.

(B) The director shall consider matters relevant to any claim filed under division (A) of this section and shall hold a formal hearing if requested or considered necessary and receive evidence concerning such claim. A finding and decision in writing on each claim filed shall be prepared, stating the substance of any evidence received or heard and the reasons for allowance or disallowance of the claim. The evidence and decision shall be a public record. No statute of limitations shall bar the allowance of a claim.

(C) For the purpose of conducting any hearing, the director may require the attendance of such witnesses and the production of such books, records, and papers as the director desires, and the director may take the depositions of witnesses residing within or without this state in the same manner as is prescribed by law for the taking of depositions in civil actions in the court of common pleas, and for that purpose the director may issue a subpoena for any witness or a subpoena duces tecum to compel the production of any books, records, or papers, directed to the sheriff of the county where such witness resides or is found, which shall be served and returned. The fees of the sheriff shall be the same as that allowed in the court of common pleas in criminal cases. Witnesses shall be paid the fees and mileage provided for under section 119.094 of the Revised Code. Fees and mileage shall be paid from the unclaimed funds trust fund.

(D) ~~Interest is not payable to claimants of unclaimed funds held by the~~

~~state~~ If a claim is allowed, the director shall pay over or deliver to the claimant the property presumed abandoned in the amount the director actually received, or the net proceeds if the securities or other intangible property delivered to the director have been sold, together with any interest if required to be paid pursuant to this section. With respect to any claim paid on or after the effective date of this amendment, the director shall pay simple interest on such claim at a rate to be determined by the director, who shall adopt administrative rules governing the payment of interest on property delivered to the director. Any returns on investment or interest earned beyond what the director shall pay as interest to the owner pursuant to this section shall be retained by the director to fund the cost of the administration of this chapter. Claims shall be paid from the trust fund. If the amount available in the trust fund is not sufficient to pay pending claims, or other amounts disburseable from the trust fund, the treasurer of state shall certify such fact to the director, who shall then withdraw such amount of funds from the mortgage accounts as the director determines necessary to reestablish the trust fund to a level required to pay anticipated claims but not more than ten per cent of the net unclaimed funds reported to date.

The director may withdraw the funds paid to the director by the holders and deposited by the director with the treasurer of state or in a financial institution as agent for such funds. Whenever these funds are inadequate to meet the requirements for the trust fund, the director shall provide for a withdrawal of funds, within a reasonable time, in such amount as is necessary to meet the requirements, from financial institutions in which such funds were retained or placed by a holder and from other holders who have retained funds, in an equitable manner as prescribed by the director. In the event that the amount to be withdrawn from any one such holder is less than five hundred dollars, the amount to be withdrawn shall be at the discretion of the director. Such funds may be reimbursed in the amounts withdrawn when the trust fund has a surplus over the amount required to pay anticipated claims. Whenever the trust fund has a surplus over the amount required to pay anticipated claims, the director may transfer such surplus to the mortgage accounts.

(E) If a claim which is allowed under this section relates to funds which have been retained by the reporting holder, and if the funds, on deposit with the treasurer of state pursuant to this chapter, are insufficient to pay claims, the director may notify such holder in writing of the payment of the claim and such holder shall immediately reimburse the state in the amount of such claim. The reimbursement shall be credited to the unclaimed funds trust fund.

(F) Any person, including the office of child support, adversely affected by a decision of the director may appeal such decision in the manner provided in Chapter 119. of the Revised Code.

In the event the claimant prevails, the claimant shall be reimbursed for reasonable attorney's fees and costs.

(G) Notwithstanding anything to the contrary in this chapter, any holder who has paid moneys to or entered into an agreement with the director pursuant

to section 169.05 of the Revised Code on certified checks, cashiers' checks, bills of exchange, letters of credit, drafts, money orders, or travelers' checks, may make payment to any person entitled thereto, including the office of child support, and upon surrender of the document, except in the case of travelers' checks, and proof of such payment, the director shall reimburse the holder for such payment without interest.

Sec. 169.13. (A)(1) All agreements to pay a fee, compensation, commission, or other remuneration to locate, deliver, recover, or assist in the recovery of unclaimed funds reported under section 169.03 of the Revised Code, entered into within two years immediately after the date a report is filed under division (C) of section 169.03 of the Revised Code, are invalid.

(2) A person interested in entering into an agreement to locate, deliver, recover, or assist in the recovery of unclaimed funds for remuneration shall not initiate any contact with an owner during the two-year period immediately after the date a report is filed under division (C) of section 169.03 of the Revised Code. Failure to comply with this requirement is grounds for the invalidation of any such agreement between the person and the owner.

(B) An agreement entered into any time after such two-year period is valid only if all of the following conditions are met:

(1) The aggregate fee, compensation, commission, or other remuneration agreed upon is not in excess of ten per cent of the amount recovered and paid to the owner by the director of budget and management;

(2) The agreement is in writing, signed by the owner, and notarized and discloses all of the following items:

(a) The name, address, and telephone number of the owner, as shown by the records of the person or entity in possession of the unclaimed funds or contents of a safe deposit box;

(b) The name, address, and telephone number of the owner if the owner's name, address, or telephone number are different from the name, address, or telephone number of the owner as shown by the records of the person or entity in possession of the unclaimed funds or contents of a safe deposit box;

(c) The nature and value of the unclaimed funds or contents of a safe deposit box;

(d) The amount the owner will receive after the fee or compensation has been subtracted;

(e) The name and address of the person or entity in possession of the unclaimed funds or contents of a safe deposit box;

(f) That the ~~auditor of state~~ director of commerce will ~~pay the~~ direct the director of budget and management to pay from the unclaimed funds any legal amount specified in the agreement to compensate a person registered under section 169.16 of the Revised Code for services performed pursuant to the

agreement, will pay the amount directly to the registrant, less any fee established pursuant to division (D) of section 169.14 of the Revised Code, and will pay any remaining unclaimed funds directly to the owner, or the director of commerce shall deliver the contents of a safe deposit box directly to the owner;

(g) That the person agreeing to locate, deliver, recover, or assist in the recovery of the unclaimed funds or contents of a safe deposit box is not an employee or agent of the director of commerce;

(h) That the director of commerce is not a party to the agreement;

(i) That the person agreeing to locate, deliver, recover, or assist in the recovery of the unclaimed funds or contents of a safe deposit box holds a valid certificate of registration issued by the director under section 169.16 of the Revised Code;

(j) The number designated on that certificate of registration and the date the certificate of registration expires.

(3) No agreement described in division (B)(2) of this section shall include a power of attorney for the payment of the unclaimed funds or delivery of the contents of a safe deposit box to any person other than the owner of the unclaimed funds or contents of a safe deposit box.

(4) If the agreement involves recovery of the contents of a safe deposit box, the agreement stipulates that the person receiving any fee, compensation, commission, or other remuneration for engaging in any activity for the purpose of locating, delivering, recovering, or assisting in the recovery of unclaimed funds or other items stored in a safe deposit box on behalf of any other person shall do all of the following:

(a) Make arrangements to have an appraiser and the director of commerce view the contents of the safe deposit box together, at a time mutually agreeable to the appraiser and director;

(b) State that the value of the property in the safe deposit box is the amount established by the appraiser who viewed the safe deposit box contents;

(c) Base the fee, compensation, commission, or other remuneration for locating, delivering, recovering, or assisting in the recovery of unclaimed funds or other items stored in a safe deposit box on the appraised value established by the appraiser who viewed the safe deposit box contents.

(C) No person shall receive a fee, compensation, commission, or other remuneration, or engage in any activity for the purpose of locating, delivering, recovering, or assisting in the recovery of unclaimed funds or contents of a safe deposit box, under an agreement that is invalid under this section.

(D) A person who receives any fee, compensation, commission, or other remuneration for engaging in any activity for the purpose of locating, delivering, recovering, or assisting in the recovery of unclaimed funds or other items stored in a safe deposit box on behalf of any other person cannot function as an

appraiser of the contents of the safe deposit box for purposes of division (B)(4) of this section.

(E) The director ~~of commerce~~ shall not recognize or make any delivery and the ~~auditor of state~~ director of budget and management shall not make any payment pursuant to any power of attorney between an owner of the unclaimed funds or contents of a safe deposit box and the person with whom the owner entered into an agreement pursuant to division (B)(2) of this section to locate, deliver, recover, or assist in the recovery of the unclaimed funds or contents of a safe deposit box if that power of attorney is entered into on or after ~~the effective date of this amendment~~ March 23, 2007, and that power of attorney specifically provides for the payment of unclaimed funds or delivery of the contents of a safe deposit box to any person other than the owner of the unclaimed funds or contents of a safe deposit box. Nothing in this section shall be construed as prohibiting the payment of unclaimed funds or delivery of the contents of a safe deposit box to the legal representative of the owner of the unclaimed funds or contents of the safe deposit box. Notwithstanding the definition of "owner" specified in division (C) of section 169.01 of the Revised Code, for purposes of the payment of unclaimed funds or delivery of the contents of the safe deposit box, a person with whom an owner entered into an agreement under division (B)(2) of this section is not a legal representative.

Sec. 169.14. (A) Each person that files a claim with the director of commerce, pursuant to an agreement entered into under division (B) of section 169.13 of the Revised Code, shall include with that claim a copy of the agreement and the number designated on the certificate of registration that is issued to the person under section 169.16 of the Revised Code.

(B) The division of unclaimed funds shall not process any claim described in division (A) of this section that does not include the required certificate of registration number.

(C) The director of budget and management shall pay from the unclaimed funds any legal amount specified in an agreement entered into under division (B) of section 169.13 of the Revised Code to compensate a person registered under section 169.16 of the Revised Code for services performed pursuant to the agreement, shall pay the amount directly to the registrant, less any fee established pursuant to division (D) of this section, and shall pay any remaining unclaimed funds directly to the owner.

(D) The director of commerce may establish a reasonable fee for the processing and delivery of any payment made to a registrant pursuant to an agreement under division (B) of section 169.13 of the Revised Code.

Sec. 169.16. (A) No person, on behalf of any other person, shall engage in any activity for the purpose of locating, delivering, recovering, or assisting in the recovery of ~~unclaimed funds~~ property presumed abandoned or contents of a safe deposit box, and receive a fee, compensation, commission, or other remuneration for such activity, without first having obtained a certificate of

registration from the director of commerce in accordance with this section.

(B) An application for a certificate of registration shall be in writing and in the form prescribed by the director. The application shall be accompanied by a recent full-face color photograph of the applicant and notarized character reference letters from two reputable character witnesses. The application shall, at a minimum, provide all of the following:

(1) The applicant's full name, home address, and work address;

(2) The name, address, and telephone number of the two character witnesses who have provided the character reference letters;

(3) A statement that the applicant has not, during the ten-year period immediately preceding the submission of the application, violated division (A) of this section on or after the effective date of this section, or division (C) of section 169.13 of the Revised Code, or been convicted of, or pleaded guilty to, any felony or any offense involving moral turpitude, including theft, attempted theft, falsification, tampering with records, securing writings by deception, fraud, forgery, and perjury;

(4) The notarized signature of the applicant immediately following an acknowledgment that any false or perjured statement subjects the applicant to criminal liability under section 2921.13 of the Revised Code.

(C) Upon the filing of the application with the division of unclaimed funds, the division may investigate the applicant to verify the information provided in the application and to determine the applicant's eligibility for a certificate of registration under this section. The superintendent of unclaimed funds shall request the superintendent of the bureau of criminal identification and investigation, or a vendor approved by the bureau, to conduct a criminal records check based on the applicant's fingerprints in accordance with division (A)(11) of section 109.572 of the Revised Code. Notwithstanding division (K) of section 121.08 of the Revised Code, the superintendent of unclaimed funds shall request that criminal record information from the federal bureau of investigation be obtained as part of the criminal records check. Any fee required under division (C)(3) of section 109.572 of the Revised Code shall be paid by the applicant. False information on an application is grounds for the denial or revocation of the applicant's certificate of registration.

(D) The director shall issue a certificate of registration to an applicant if the director finds that the following conditions are met:

(1) The applicant has not, during the ten-year period immediately preceding the submission of the application, violated division (A) of this section on or after the effective date of this section, or division (C) of section 169.13 of the Revised Code, or been convicted of, or pleaded guilty to, any felony or any offense involving moral turpitude, including theft, attempted theft, falsification, tampering with records, securing writings by deception, fraud, forgery, and perjury.

(2) The applicant's character and general fitness command the confidence of the public and warrant the belief that the applicant's business will be conducted honestly and fairly.

(E) The certificate of registration issued pursuant to division (D) of this section may be renewed annually if the director finds that the following conditions are met:

(1) The applicant submits a renewal application form prescribed by the director.

(2) The applicant meets the conditions set forth in division (D) of this section.

(3) The applicant's certificate of registration is not subject to an order of revocation by the director."

In line 70525, after "167.04," insert "169.01, 169.02, 169.03, 169.06, 169.08, 169.13, 169.14, 169.16,"

In line 13 of the title, after "167.04," insert "169.01, 169.02, 169.03, 169.06, 169.08, 169.13, 169.14, 169.16,"

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

The yeas and nays were taken and resulted - yeas 93, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyd	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	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	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-93.

Representative Patmon voted in the negative-1.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

Representative Okey moved to amend as follows:

In line 308, after "1506.42," insert "1509.022,"

In line 309, after "1509.071," insert "1509.19, 1509.24, 1509.25,"

In line 433, after "505.59," insert "1509.081, 1509.311, 1509.312,"

Between lines 12887 and 12888, insert:

"**Sec. 1509.022.** (A) Except as provided in section 1509.021 of the Revised Code, the surface location of a new well that will be drilled using directional drilling may be located on a parcel of land that is not in the drilling unit of the well.

(B) On and after the effective date of this amendment, the surface location of a new well shall not be within seven hundred fifty feet from the property line of a parcel of land that is not in the drilling unit of the well if the parcel of land is not located in an urbanized area and the well will have a depth at or below the depth of the top of the Marcellus shale formation.

(C) On and after the effective date of this amendment, no portion of a lateral line of a well, which has a depth at or below the depth of the top of the Marcellus shale formation, shall be within seven hundred fifty feet from the property line of a parcel of land that is not in the drilling unit of the well."

Between lines 13136 and 13137, insert:

" **Sec. 1509.081.** (A) On and after the effective date of this section, an oil or gas lease that is necessary for the formation of a drilling unit in which is or will be located a well that will have a depth at or below the depth of the top of the Marcellus shale formation shall include at a minimum all of the following:

(1) A requirement that written notice be provided to the lessor by the lessee immediately after the recording of a declared pooled unit in the office of the applicable county recorder that the property or mineral rights, as applicable, that are the subject of the lease are a part of a drilling unit;

(2) A requirement that ground water testing be conducted prior to commencement of the drilling of the well and after stimulation of the well. The ground water testing shall be conducted by the department of natural resources, the board of health of the health district in which the proposed well or well is to be or is located, or a person who has received a registration certificate from the chief of the division of oil and gas resources management under section 1509.312 of the Revised Code. In addition, the person who conducts the ground water testing shall provide written results of the testing to the lessor and to the chief. The lessee shall pay the costs of the ground water testing required by this division.

(3) A provision that holds the lessor harmless against any claims, losses,

including, but not limited to, court costs and attorney fees reasonably incurred, or damages arising from the lessee's actions or operations on the applicable property:

(4) A provision that allows the lessor annually to request a written audit of the lessee's production. The audit shall be conducted by an auditor who is independent of the lessee. The lessee shall pay the costs of the audit.

(5) A provision that allows the lessor of the property on which the surface facilities of a well will be or are located to receive a lump sum payment in lieu of free gas to the house or other dwelling that is located on the leased property. The amount of money to be paid in full shall not be less than three thousand dollars.

(6) A requirement that a lessee timely provide written notice to the lessor of the property on which the surface facilities of a well will be or are located of all serious injuries to or death of a person that occurred on the property and of any damage to the property resulting from the lessee's operations on the property:

(7) A requirement that whenever the lessee assigns or otherwise transfers the lessee's interest of the oil or gas lease, the assignor or transferor notify in writing the lessor of the assignment or transfer not later than thirty days after the date of the assignment or transfer.

(B) On and after the effective date of this section and notwithstanding section 5301.08 of the Revised Code, an oil or gas lease that is necessary for the formation of a drilling unit in which is or will be located a well that will have a depth at or below the depth of the top of the Marcellus shale formation shall be lawfully executed and properly recorded. In addition, such a lease shall be valid only if the lease is signed by the lessor and lessee before a notary public.

(C) On and after the effective date of this section, the minimum rate of a royalty interest for a well that will have a depth at or below the depth of the top of the Marcellus shale formation shall not be less than fifteen per cent of the gross revenue from the sale of oil, liquid natural gas, dry gas, and their constituents for that well. In calculating the gross revenue, no costs or expenses shall be deducted.

(D) On and after the effective date of this section, the owner of a well that has a depth at or below the depth of the top of the Marcellus shale formation shall notify in writing all owners of property of any diminution to or contamination of their drinking water supply as a result of the activities of the owner of the well.

Sec. 1509.19. (A) An owner who elects to stimulate a well shall stimulate the well in a manner that will not endanger underground sources of drinking water. Not later than twenty-four hours before commencing the stimulation of a well, the owner or the owner's authorized representative shall notify an oil and gas resources inspector. If during the stimulation of a well damage to the

production casing or cement occurs and results in the circulation of fluids from the annulus of the surface production casing, the owner shall immediately terminate the stimulation of the well and notify the chief of the division of oil and gas resources management. If the chief determines that the casing and the cement may be remediated in a manner that isolates the oil and gas bearing zones of the well, the chief may authorize the completion of the stimulation of the well. If the chief determines that the stimulation of a well resulted in irreparable damage to the well, the chief shall order that the well be plugged and abandoned within thirty days of the issuance of the order.

For purposes of determining the integrity of the remediation of the casing or cement of a well that was damaged during the stimulation of the well, the chief may require the owner of the well to submit cement evaluation logs, temperature surveys, pressure tests, or a combination of such logs, surveys, and tests.

(B) An owner who elects to stimulate a well shall submit to the chief a complete listing of all of the chemicals and other substances that will be used in the stimulation of the well. The list shall be submitted on a form or in a manner prescribed by the chief.

Sec. 1509.24. (A) ~~The~~ Except as otherwise provided in division (C) of this section, the chief of the division of oil and gas resources management, with the approval of the technical advisory council on oil and gas created in section 1509.38 of the Revised Code, may adopt, amend, or rescind rules relative to minimum acreage requirements for drilling units and minimum distances from which a new well may be drilled or an existing well deepened, plugged back, or reopened to a source of supply different from the existing pool from boundaries of tracts, drilling units, and other wells for the purpose of conserving oil and gas reserves. The rules relative to minimum acreage requirements for drilling units shall require a drilling unit to be compact and composed of contiguous land.

(B) Rules adopted under this section and special orders made under section 1509.25 of the Revised Code shall apply only to new wells to be drilled or existing wells to be deepened, plugged back, or reopened to a source of supply different from the existing pool for the purpose of extracting oil or gas in their natural state.

(C) On and after the effective date of this amendment, the maximum acreage of a drilling unit for a well that will have a depth at or below the depth of the top of the Marcellus shale formation shall not exceed one thousand two hundred eighty acres. The drilling unit shall be compact and composed of contiguous land. The chief may adopt rules for the administration of this division.

Sec. 1509.25. The chief of the division of oil and gas resources management, upon the chief's own motion or upon application of an owner, may hold a hearing to consider the need or desirability of adopting a special order for drilling unit requirements in a particular pool different from those established under division (A) of section 1509.24 of the Revised Code. The chief shall notify

every owner of land within the area proposed to be included within the order, of the date, time, and place of the hearing and the nature of the order being considered at least thirty days prior to the date of the hearing. Each application for such an order shall be accompanied by such information as the chief may request. If the chief finds that the pool can be defined with reasonable certainty, that the pool is in the initial state of development, and that the establishment of such different requirements for drilling a well on a tract or drilling unit in the pool is reasonably necessary to protect correlative rights or to provide effective development, use, or conservation of oil and gas, the chief, with the written approval of the technical advisory council on oil and gas created in section 1509.38 of the Revised Code, shall make a special order designating the area covered by the order, and specifying the acreage requirements for drilling a well on a tract or drilling unit in the area, which acreage requirements shall be uniform for the entire pool. The order shall specify minimum distances from the boundary of the tract or drilling unit for the drilling of wells and minimum distances from other wells and allow exceptions for wells drilled or drilling in a particular pool at the time of the filing of the application. The chief may exempt the discovery well from minimum acreage and distance requirements in the order. After the date of the notice for a hearing called to make the order, no additional well shall be commenced in the pool for a period of sixty days or until an order has been made pursuant to the application, whichever is earlier. The chief, upon the chief's own motion or upon application of an owner, after a hearing and with the approval of the technical advisory council on oil and gas, may include additional lands determined to be underlaid by a particular pool or to exclude lands determined not to be underlaid by a particular pool, and may modify the spacing and acreage requirements of the order.

Nothing in this section permits the chief to establish drilling units in a pool by requiring the use of a survey grid coordinate system with fixed or established unit boundaries.

Sec. 1509.311. (A) As used in this section, "land professional" means a person who is engaged primarily in any of the following activities:

(1) Negotiating the acquisition or divestiture of mineral rights regarding the extraction of oil or gas, including wet gas;

(2) Negotiating business agreements that provide for the exploration for or development of oil or gas, including wet gas;

(3) Securing the pooling of interests in oil or gas, including wet gas.

"Land professional" includes a person colloquially known as a landman conducting the activities specified in divisions (A)(1) to (3) of this section.

(B) No person shall operate as a land professional in this state unless the person first registers with and obtains a registration certificate from the chief of the division of oil and gas resources management. A registration certificate issued under this section is valid for one year from the date of issuance and may be renewed annually.

(C) The chief shall adopt rules in accordance with Chapter 119. of the Revised Code that do all of the following:

(1) Establish a registration form for an initial registration and a form for the renewal of a registration for purposes of division (B) of this section. The rules shall require each person registering or renewing a registration under this section to identify the counties of the state in which the person intends to operate as a land professional.

(2) Establish the amount of a fee for the issuance of an initial registration and a registration renewal. All fees collected under this section shall be deposited in the state treasury to the credit of the oil and gas well fund created in section 1509.02 of the Revised Code.

(3) Provide for the assignment of a registration number to each land professional who is issued a registration certificate;

(4) Establish any other requirements and procedures that are necessary to implement this section.

(D) The chief shall publish on the division's web site the name of and other relevant information concerning each person registered under this section.

(E)(1) A land professional shall provide a copy of the applicable disclosure form established by division (F) or (G) of this section to a prospective lessor or prospective seller when initially approaching the landowner regarding any of the activities specified in division (A) of this section. The land professional shall explain thoroughly each item on the applicable disclosure form. In addition, the land professional shall obtain on duplicate forms the initials of the prospective lessor or prospective seller, as applicable, for each item on the disclosure form at the appropriate location as an acknowledgement that the land professional explained each item to the prospective lessor or prospective seller. The land professional and the prospective lessor or prospective seller, as applicable, each shall sign and date each copy of the applicable disclosure form. The land professional shall provide one copy of the initialed, signed, and dated disclosure form to the prospective lessor or prospective seller and may retain the other copy.

(2) No land professional shall fail to comply with division (E)(1) of this section.

(F) The disclosure form used by a land professional under division (E) of this section for negotiations with a prospective lessor shall be as follows:

" Oil and Gas Lease Disclosure Form

I,(printed name of registered land professional), on behalf of(name, address, and telephone number of the entity for which the land professional is an agent or by which the land professional is employed), am here to negotiate a lease of your mineral rights for the purpose of removing the oil or gas that may be under your property.

As a part of the negotiation, I am required by state law to thoroughly explain all of the following:

(Landowner/Lessor: please initial each item below that was thoroughly explained by the land professional)

.... 1. I acknowledge that I have received a thorough explanation of the company, organization, or entity that the land professional represents, is an agent of, or is employed by.

.... 2. I acknowledge that I have received a thorough explanation of how oil and gas drilling works, including a description of the equipment used in oil and gas drilling and how hydraulic fracturing is used to remove oil and gas from the ground.

.... 3. I acknowledge that I have received a thorough explanation of how a company obtains the right to drill an oil or gas well under Ohio laws, which means an oil or gas drilling permit.

.... 4. I acknowledge that I have received a thorough explanation of the lease for oil or gas rights, including an explanation of how long the lease may last and the minimum royalty required under Ohio law.

.... 5. I acknowledge that I have received a thorough explanation of all of the parts of the lease for my oil or gas mineral rights that may make the lease last longer, including an explanation of the longest time that the oil and gas lease would last.

.... 6. I acknowledge that I have received a thorough explanation that I have a right to request a separate land-use contract to use my property to drill a well.

.... 7. I acknowledge that I have received a thorough explanation that I have a right to request a no surface use lease, which means a lease that would not allow a well to be drilled on my property.

.... 8. I acknowledge that I have received a thorough explanation that I have a right to put in the lease a requirement to prevent the use of my property for anything that is not removal of oil or gas. That requirement in the lease also would prevent the use of my property to store equipment, to store wastes from drilling or from the removal of oil or gas, to dispose of wastes from drilling or from the removal of oil or gas, and to prevent the drilling of an injection well on my property to dispose of wastes from drilling or wastes from the removal of oil or gas.

.... 9. I acknowledge that I have received a thorough explanation that I have a right to put in the lease a requirement to stop the lessee from free use of oil, gas, and water from my property. I also acknowledge that I have received a thorough explanation that I have a right to put in the lease a requirement that I must be paid for the lessee's use of oil, gas, or water from my property.

.... 10. I acknowledge that I have received a thorough explanation that I have a right to put in the lease a requirement that the lessee must give me a list of all of

the chemicals and other substances that will be used in any hydraulic fracturing of the well for which my property will be a part of the drilling unit.

.... 11. I acknowledge that I have received a thorough explanation that I have the right to speak to or meet with an attorney before signing a lease for the oil or gas mineral rights from my property. I also acknowledge that I have received a thorough explanation that I may have an attorney read the lease before I sign the lease and provide advice to me about the lease for the oil or gas mineral rights that I own.

.....
Signature of landowner/lessor

.....
Date

.....
Printed name of landowner/lessor

.....
Signature of land professional

.....
Date

.....
Registration number of land professional"

(G) The disclosure form used by a land professional under division (E) of this section for negotiations with a prospective seller shall be as follows:

"Mineral Purchase Disclosure Form

I,(printed name of registered land professional), on behalf of(name, address, and telephone number of the entity for which the land professional is an agent or by which the land professional is employed), am here to negotiate a land-purchase contract for the purchase of your mineral rights, including the purchase of the oil or gas that may be under your property.

As a part of the negotiation, I am required by state law to thoroughly explain all of the following:

(Landowner/Seller: please initial each item below that was thoroughly explained by the land professional)

.... 1. I acknowledge that I have received a thorough explanation of the company, organization, or entity that the land professional represents, is an agent of, or is employed by.

.... 2. I acknowledge that I have received a thorough explanation that a purchase of mineral rights is not the same as a lease of mineral rights.

.... 3. I acknowledge that I have received a thorough explanation that a purchase is the sale of my mineral rights whether my mineral rights are leased or my mineral rights are not leased.

.... 4. I acknowledge that I have received a thorough explanation that a mineral rights purchase is a sale of property that requires a transfer of rights through a deed.

.... 5. I acknowledge that I have received a thorough explanation that if my mineral rights have been leased, then a purchase of my mineral rights is the sale of my rights to receive royalty payments or other payments under the lease of

my mineral rights.

.... 6. I acknowledge that I have received a thorough explanation that if my mineral rights have not been leased, then a purchase is the sale of my mineral rights and the buyer of my mineral rights may lease the mineral rights to any other person.

.... 7. I acknowledge that I have received a thorough explanation that the sale of my mineral rights may limit my right to use and enjoy the surface of my property.

.... 8. I acknowledge that I have received a thorough explanation that the sale of my mineral rights may be for all minerals or only specific minerals.

.... 9. I acknowledge that I have received a thorough explanation that the sale of my mineral rights may be for all of my mineral rights or for a part of my mineral rights.

.... 10. I acknowledge that I have received a thorough explanation that the sale of my mineral rights may have tax consequences that may require tax advice before the sale of my mineral rights.

.... 11. I acknowledge that I have received a thorough explanation that I have the right to speak to or meet with an attorney before signing a land-purchase contract for the mineral rights from my property. I also acknowledge that I have received a thorough explanation that I may have an attorney read the contract before I sign the contract and provide advice to me about the contract to purchase the mineral rights that I own.

.....
Signature of landowner/seller

.....
Date

.....
Printed name of landowner/seller

.....
Signature of land professional

.....
Date

.....
Registration number of land professional"

(H) The chief shall post a copy of the disclosure forms established by division (F) and (G) of this section on the division's web site. The posting of the disclosure forms shall be in a format that may be downloaded or printed by a land professional for purposes of division (E) of this section.

Sec. 1509.312. (A) Except for ground water testing conducted by the department of natural resources or by the board of health of the health district in which a proposed well or well is to be or is located, no person shall test ground water for the purposes of division (A)(2) of section 1509.081 of the Revised Code unless the person first registers with and obtains a registration certificate from the chief of the division of oil and gas resources management. A registration certificate issued under this section is valid for one year from the date of issuance and may be renewed annually.

(B) The chief shall adopt rules in accordance with Chapter 119. of the Revised Code that do all of the following:

(1) Establish a registration form for an initial registration and a form for the renewal of a registration for purposes of division (A) of this section;

(2) Establish the amount of a fee for the issuance of an initial registration and a registration renewal. All fees collected under this section shall be deposited in the state treasury to the credit of the oil and gas well fund created in section 1509.02 of the Revised Code.

(3) Establish minimum qualifications that a person must meet in order for the person to test ground water for the purposes of division (A)(2) of section 1509.081 of the Revised Code;

(4) Establish any other requirements and procedures that are necessary to implement this section.

(C) The chief shall publish on the division's web site the name of and other relevant information concerning each person registered under this section."

In line 70534, after "1506.42," insert "1509.022,"; after "1509.071," insert "1509.19, 1509.24, 1509.25,"

In line 24 of the title, after "1506.42," insert "1509.022,"; after "1509.071," insert "1509.19, 1509.24, 1509.25,"

In line 207 of the title, after "505.59," insert "1509.081, 1509.311, 1509.312,"

Representative Sears moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 56, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Maag	Martin
McClain	McGregor	Newbold	Pelanda
Roegner	Rosenberger	Rühl	Scherer
Schuring	Sears	Slaby M.	Smith
Sprague	Stautberg	Stebelton	Terhar
Thompson	Uecker	Wachtmann	Young-56.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Hagan, R.	Heard	Letson	Luckie
Lundy	Lynch	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Williams	Winburn		Yuko-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Okey moved to amend as follows:

In line 316, delete "2743.01,"

In line 443, delete "2743.021, 2743.022,"

Delete lines 18312 through 18341

In line 18352, delete "except that the determination of"

Delete line 18353

In line 18354, delete "sections 2743.021 and 2743.022 of the Revised Code."

Delete lines 18487 through 18668

In line 70541, delete "2743.01,"

In line 34 of the title, delete "2743.01,"

In line 208 of the title, delete "2743.021, 2743.022,"

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
Boyd	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	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	Roegner
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby M.	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Williams	Winburn
Young			Yuko-94.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Barnes moved to amend as follows:

In line 442, after "121.35," insert "122.862,"

Between lines 2719 and 2720, insert:

" Sec. 122.862. There is hereby established in the state treasury the SellOhio global initiative fund."

In line 206 of the title, after "121.35," insert "122.862,"

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

The yeas and nays were taken and resulted - yeas 93, 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
Boyd	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gerberry
Gonzales	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	Scherer	Schuring

Sears	Slaby M.	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Williams	Young
			Yuko-93.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Foley moved to amend as follows:

In line 57673, delete "both of the following:"

Delete lines 57674 through 57678

In line 57679, delete "(b) The" and insert "the"

In line 57681, delete "described in division (C)(1)(a) of this section" and insert "that established the company's rates in effect at the time of the filing of the application requesting the regulatory exemption"

In line 57685, delete "(a) and (b)"; after "section" insert "to the fair market value, as determined by the commission, of the investments to be exempted"

In line 57686, delete the second "(a)"

In line 57687, delete all after "the"

In line 57688, delete "this section" and insert "fair market value of the investments to be exempted"

In line 57696, delete "(a)"

In line 57697, delete all after "the"

In line 57698, delete "(C)(1)(b) of this section" and insert "fair market value of the investments to be exempted"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 57, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson

Kozlowski	Landis	Lynch	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Uecker	Wachtmann
			Young-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Carney	Celebrezze	Celeste	Cera
Clyde	Driehaus	Fedor	Fende
Foley	Garland	Gerberry	Hagan, R.
Letson	Luckie	Lundy	Mallory
Milkovich	Murray	O'Brien	Okey
Patmon	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Williams
Winburn			Yuko-34.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 62, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Barnes	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Butler	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Duffey	Gardner	Gonzales	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Lynch
Maag	Martin	McClain	McGregor
Newbold	Patmon	Pelanda	Pillich
Roegner	Rosenberger	Ruhl	Scherer
Schuring	Sears	Slaby M.	Smith
Sprague	Stautberg	Stebelton	Terhar
Thompson	Uecker	Wachtmann	Williams
Young			Batchelder-62.

Those who voted in the negative were: Representatives

Antonio	Ashford	Boyd	Budish
Carney	Celebrezze	Celeste	Cera
Clyde	Driehaus	Fedor	Fende
Foley	Garland	Gerberry	Hagan, R.
Heard	Letson	Luckie	Lundy
Mallory	Milkovich	Murray	O'Brien

Okey
Slesnick
Winburn

Phillips
Stinziano

Ramos
Sykes

Reece
Szollosi
Yuko-34.

The bill passed.

Representative Amstutz moved to amend the title as follows:

Add the names: "Beck, Blair, Buchy, Combs, McClain, Sears, Sprague, Stebelton, Terhar, Wachtmann."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 489-Representatives Dovilla, Hagan, C.

Cosponsors: Representatives Sears, Maag, Hackett, Grossman, Stebelton, Baker, Gardner, Henne, Sprague.

To amend sections 9.981, 102.03, 121.02, 121.03, 121.22, 122.01, 122.011, 122.07, 122.071, 122.17, 122.171, 122.174, 122.175, 122.39, 122.41, 122.42, 122.43, 122.44, 122.48, 122.49, 122.50, 122.51, 122.52, 122.53, 122.561, 122.57, 122.60, 122.601, 122.602, 122.603, 122.61, 122.62, 122.64, 122.76, 122.80, 122.86, 149.43, 164.05, 164.06, 164.08, 166.01, 166.04, 166.05, 166.13, 166.14, 166.18, 166.19, 166.25, 166.30, 174.01, 184.01, 187.01, 187.03, 187.04, 187.05, 929.03, 1551.01, 3735.672, 3746.35, 5117.22, 5709.68, 5709.882, 6103.052, and 6117.062, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 122.07 (122.073) and 122.071 (122.072), to enact new sections 122.07 and 122.071 and sections 122.97, 184.011, 3735.01, and 5701.15, and to repeal sections 1525.11, 1525.12, 1525.13, and 6111.034 of the Revised Code; to repeal section 122.40 of the Revised Code on July 1, 2012; to rename the Department of Development the "Development Services Agency"; to establish the Office of TourismOhio within the Development Services Agency, create the TourismOhio Advisory Board, and establish a pilot program to test a new funding mechanism for the state's travel and tourism marketing; to modify the operation of JobsOhio; to make changes to the Capital Access Loan Program Fund and to allow transfers to the Capital Access Loan Program Fund from the Minority Business Enterprise Loan Fund; to provide for projects that were started prior to receiving a tax credit from the Ohio Tax Credit Authority; to modify reporting requirements under the Voluntary Action Program; to require the Director of Development Services to administer federal funds received for Brownfields revitalization purposes; to terminate the Water and Sewer Commission; to terminate the Development Financing Advisory Council as of July 1, 2012; and to increase the membership of the Third Frontier Commission, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Letson moved to amend as follows:

In line 6407, after "**8.**" insert "The amendment by this act adding division (C)(2) to section 122.17 of the Revised Code does not apply to projects that are completed before the effective date of this section.

Section 9."

In line 6412, delete "**9**" and insert "**10**"

In line 6421, delete "**10**" and insert "**11**"

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

The yeas and nays were taken and resulted - yeas 92, 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
Boyd	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	Grossman	Hackett
Hagan, C.	Hagan, R.	Hall	Hayes
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Lundy	Lynch	Maag	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
Winburn	Young	Yuko	Batchelder-92.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

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

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyd	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs

Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Gardner	Garland	Gerberry
Gonzales	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hill
Hottinger	Huffman	Johnson	Kozlowski
Landis	Letson	Luckie	Lundy
Lynch	Maag	Mallory	Martin
McClain	McGregor	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Pelanda	Pillich	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-91.

Representatives Foley, Hagan, R., Heard, Phillips, and Ramos voted in the negative-5.

The bill passed.

Representative Dovilla moved to amend the title as follows:

Add the names: "Adams, J., Amstutz, Anielski, Blair, Boose, Buchy, Combs, Damschroder, Derickson, Duffey, Garland, Hall, Hayes, Hill, Huffman, Kozlowski, Landis, Lynch, Newbold, Pelanda, Rosenberger, Schuring, Stautberg, Uecker, Wachtmann, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 508-Representative Beck.

Cosponsors: Representatives Amstutz, Stautberg.

To amend sections 131.02, 349.01, 1545.21, 1701.86, 1702.47, 3318.011, 3318.36, 3769.28, 4301.42, 4303.33, 4701.01, 4701.04, 5703.261, 5703.37, 5703.47, 5709.084, 5709.40, 5709.41, 5709.73, 5709.78, 5727.84, 5727.86, 5731.39, 5733.056, 5735.02, 5735.03, 5739.01, 5739.02, 5739.021, 5739.023, 5739.026, 5739.04, 5739.17, 5741.08, 5743.20, 5743.61, 5743.66, 5747.082, 5751.01, 5751.011, 5751.012, 5751.03, 5751.04, 5751.05, 5751.051, 5751.12, 5751.20, 5751.22, and 5753.03, to enact section 5703.061, and to repeal section 5751.032 of the Revised Code to make changes to the laws governing the assessment, levy, and collection of taxes in the state, to the laws governing public accounting firm peer review, and to the school facilities construction law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Foley moved to amend as follows:

In line 24, delete "section" and insert "sections"; after "5703.061" insert ", 5703.95, 5703.951, 5703.952, 5703.953, and 5703.954"

Between lines 1720 and 1721, insert:

" **Sec. 5703.95.** (A) As used in this section and sections 5703.951 to 5703.954 of the Revised Code:

(1) "Tax expenditure" has the same meaning as in section 5703.48 of the Revised Code.

(2) "Tax expenditure review committee" means the committee created under section 5703.954 of the Revised Code.

(B) The tax expenditure review committee shall review all tax expenditures created in the Revised Code once every two years. For tax expenditures created before April 15, 2012, the committee shall review one-half of such tax expenditures in every even-numbered year and one-half of such tax expenditures in every odd-numbered year. The committee shall review tax expenditures created on or after April 15, 2012, according to the following schedule:

(1) Tax expenditures created in an even-numbered year shall be reviewed in every subsequent even-numbered year.

(2) Tax expenditures created in an odd-numbered year shall be reviewed in every subsequent odd-numbered year.

For the purposes of this section, a tax expenditure is created on the effective date of the amendment or enactment of the section of the Revised Code that authorizes the tax expenditure.

Sec. 5703.951. (A) The tax expenditure review committee shall hold at least one public hearing on a tax expenditure in each year in which the tax expenditure is scheduled for review under section 5703.95 of the Revised Code. The tax commissioner shall publish a notice of all such public hearings in the register of Ohio. During the public hearing on a tax expenditure, the committee shall allow any person to present testimony or evidence relevant to that tax expenditure.

(B) On or before the date of the public hearing scheduled for a tax expenditure under division (A) of this section, the tax commissioner, and any other state official responsible for administering the tax expenditure, shall submit to the committee a report that does each of the following:

(1) Explains the tax expenditure's purpose;

(2) Expresses an opinion as to the public need for the tax expenditure;

(3) Expresses an opinion as to whether the tax expenditure has been impeded or enhanced by existing statutes;

(4) Describes how, if at all, the tax expenditure promotes economic growth and development;

(5) Provides an estimate of the amount of tax revenue forgone each fiscal year as a result of the tax expenditure;

(6) Expresses an opinion as to whether the tax expenditure should be repealed;

(7) Contains any other information relevant to the committee's appraisal of the tax expenditure.

(C) Each year, beginning in 2012, the legislative service commission shall prepare and submit to the committee a report that describes each tax expenditure created in the Revised Code, identifies the tax expenditure's intended purpose, and, if applicable, appraises the tax expenditure's effectiveness using the methods prescribed in the act creating the tax expenditure.

(D) After the public hearing on a tax expenditure, the committee shall appraise the tax expenditure. In making its appraisal, the committee shall consider the reports submitted under divisions (B) and (C) of this section and knowledge gleaned from the hearing, but is not limited to those sources. Upon the committee's request, the department of taxation, the office of budget and management, and any other state agency shall provide the committee with any information in its possession that the committee requires to appraise the tax expenditure. The legislative service commission shall provide drafting and clerical support to the committee.

Sec. 5703.952. On or before the first day of November of each year in which a tax expenditure is scheduled for review, the tax expenditure review committee shall prepare a report of its appraisal of the tax expenditure that contains all of the following:

(A) A statement of the purpose served by the tax expenditure;

(B) An appraisal of the tax expenditure's effectiveness in serving its purpose;

(C) An evaluation of whether the tax expenditure's purpose serves a public need;

(D) An evaluation of whether other statutes have enhanced or impeded the tax expenditure's effectiveness in serving its purpose;

(E) An appraisal of whether the tax expenditure promotes economic growth and development;

(F) An estimate of the amount of revenue lost each fiscal year because of the tax expenditure;

(G) A recommendation as to whether the tax expenditure should be repealed;

(H) Any other information the committee considers relevant.

In an appendix to its report, the committee may include a draft of a bill that would improve the tax expenditure's effectiveness in serving its purpose; redefine the tax expenditure's purpose to serve or better serve a public need; retain or improve the statutes that enhance, or amend or repeal statutes that impede, the tax expenditure's effectiveness in serving its purpose; improve the tax expenditure's effectiveness in promoting economic growth and development; reduce the amount of revenue lost as a result of the tax expenditure; or repeal the tax expenditure.

The committee shall provide a copy of the report to the governor and to each member of the general assembly. The report is a public record.

Sec. 5703.953. An act creating a tax expenditure shall specify all of the following:

(A) The purpose served by the tax expenditure;

(B) Whether the tax expenditure shall be reviewed in every even-numbered or odd-numbered year under section 5703.95 of the Revised Code;

(C) The class of taxpayers that will benefit from the tax expenditure;

(D) Methods to be used to appraise the tax expenditure's effectiveness in serving its purpose.

Division (D) of this section may be fulfilled by applying general statutes or by enacting statutory provisions that apply particularly to the tax expenditure.

Sec. 5703.954. There is hereby created the tax expenditure review committee composed of seven members. The president of the senate, within fifteen days after the first day of the first regular session of the general assembly, shall appoint two members of the senate to the committee, one from each political party. The speaker of the house of representatives, within fifteen days after the first day of the first regular session of the general assembly, shall appoint two members of the house of representatives to the committee, one from each political party. The governor, within fifteen days after the first day of the first regular session of the general assembly and with the advice and consent of the senate, shall appoint one member to the committee. The tax commissioner and the director of budget and management or their designees shall be ex officio, nonvoting members.

A legislative member of the committee shall continue as a member until the member's successor is appointed or until the member ceases to be a member of the senate or house of representatives, whichever is earlier. The member appointed by the governor shall continue to be a member for a term ending on the thirty-first day of December of each even-numbered year. The member appointed by the governor continues to be a member after the expiration of the member's term until the member's successor is appointed, or until thirty days

have elapsed, whichever occurs first.

In the first regular session of the general assembly, the committee shall elect one of the members appointed from the house of representatives as chairperson of the committee and one of the members appointed from the senate as vice-chairperson of the committee. In the second regular session of the general assembly, the committee shall elect one of the members appointed from the senate as chairperson of the committee and one of the members appointed from the house of representatives as vice-chairperson of the committee.

A vacancy on the committee shall be filled in the same manner as the original appointment. A member appointed to fill a vacancy occurring prior to the expiration of the term to which the member's predecessor was appointed shall continue as a member for the remainder of the unexpired term.

Members of the committee shall serve without compensation, but shall be reimbursed for actual and necessary expenses they incur in performance of their duties.

The committee shall meet as often as necessary to perform its duties.

Three voting members of the committee constitute a quorum. The committee shall not take any action without the concurrence of at least three voting members. So long as a quorum is present, a vacancy on the committee does not impair the ability of the remaining members to perform the committee's duties."

Between lines 9465 and 9466, insert:

"Section 757. ____ . The Tax Commissioner shall prepare a list of the tax expenditures, as defined in section 5703.95 of the Revised Code, as enacted by this act, in existence on April 15, 2012, and shall provide a copy of the list to the chairperson of the Tax Expenditure Review Committee created by section 5703.954 of the Revised Code, as enacted by this act. The Committee thereupon shall prepare a schedule under section 5703.95 of the Revised Code, as enacted by this act, for appraising one-half of the listed tax expenditures so that the appraisal and the report required for those tax expenditures under section 5703.952 of the Revised Code, as enacted by this act, will be completed not later than November 1, 2012. The schedule shall provide for the appraisal of the remaining tax expenditures during the 2013 calendar year, in accordance with section 5703.95 of the Revised Code, as enacted by this act.

Section 757. ____ . (A) Not later than thirty days after the effective date of the enactment of sections 5703.95, 5703.951, 5703.952, 5703.593, and 5703.954 of the Revised Code by this act, the Governor, with the advice and consent of the Senate, shall make the Governor's initial appointment to the Tax Expenditure Review Committee under section 5703.954 of the Revised Code, as enacted by this act. The member thus appointed shall be a member for a term ending on December 31, 2012. Thereafter, the gubernatorial appointment and term shall be as prescribed in that section.

(B) Not later than thirty days after the effective date of the enactment of sections 5703.95, 5703.951, 5703.952, 5703.953, and 5703.954 of the Revised Code by this act, the President of the Senate and the Speaker of the House of Representatives each shall make their initial appointments to the Tax Expenditure Review Committee under section 5703.954 of the Revised Code. The members thus appointed shall be members for terms ending as prescribed in that section."

In line 11 of the title, delete the first "section" and insert "sections"; after "5703.061," insert "5703.95, 5703.951, 5703.952, 5703.953, and 5703.954,"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 57, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Butler	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Duffey
Gardner	Gonzales	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lynch	Maag
McClain	McGregor	Newbold	Pelanda
Roegner	Rosenberger	Ruhl	Scherer
Schuring	Sears	Slaby M.	Smith
Sprague	Stautberg	Stebelton	Terhar
Thompson	Uecker	Wachtmann	Young
			Batchelder-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Hagan, R.	Heard	Letson	Luckie
Lundy	Mallory	Martin	Milkovich
Murray	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Williams	Winburn		Yuko-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 4, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Barnes	Beck
Blair	Blessing	Boose	Boyd
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	Grossman	Hackett	Hagan, C.
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
Reece	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Young	Yuko	Batchelder-92.

Representatives Ashford, Hagan, R., Ramos, and Winburn voted in the negative-4.

The bill passed.

Representative Beck moved to amend the title as follows:

Add the names: "Anielski, Antonio, Baker, Blessing, Boose, Bubp, Combs, Damschroder, Derickson, Garland, Gerberry, Grossman, Hackett, Hagan, R., Hayes, Huffman, Kozlowski, Lynch, Martin, McClain, Ruhl, Sears, Smith, Sprague, Stebelton, Terhar, Thompson, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 509-Representative Blair.

Cosponsor: Representative Schuring.

To amend sections 9.833, 118.023, 118.06, 120.08, 120.53, 124.42, 305.171, 307.12, 307.86, 307.861, 307.87, 307.88, 308.13, 319.59, 329.40, 505.60, 505.601, 505.603, 511.23, 703.21, 731.141, 735.05, 737.03, 749.26, 749.28, 749.31, 753.15, 755.29, 755.30, 1545.07, 2907.27, 3316.04, 3316.06, 3709.08, 3709.28, 3709.34, 3709.36, 4123.41, 5705.392, 5705.41, 5715.19, 6115.20, 6119.02, and 6119.10, to enact sections 125.183, 319.09, and 505.012, and to repeal sections 507.07 and 3709.081 of the Revised Code to

make changes to the laws governing local governments, to modify the requirements of arresting authorities and courts regarding venereal disease testing of individuals accused of certain offenses, and to modify the manner in which funds are allocated from the Ohio Legal Aid Fund, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 88, nays 8, 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	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Maag	Mallory	Martin
McClain	McGregor	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Pelanda	Pillich	Reece	Roegner
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby M.	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Terhar	Thompson	Uecker	Wachtmann
Winburn	Young	Yuko	Batchelder-88.

Representatives Boyd, Heard, Luckie, Phillips, Ramos, Sykes, Szollosi, and Williams voted in the negative-8.

The bill passed.

Representative Blair moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Antonio, Baker, Beck, Blessing, Boose, Brenner, Combs, Conditt, Derickson, Garland, Grossman, Hackett, Hagan, C., Hill, Mallory, McClain, Newbold, Pelanda, Ruhl, Sears, Thompson, Uecker, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 295-Senator Coley.

Cosponsors: Senators Eklund, Faber, Hite, Jones, Jordan, Niehaus, Obhof, Seitz, Wagoner.

To repeal the versions of sections of the Revised Code amended or enacted by Sections 1 and 3 of Am. Sub. H.B. 194 of the 129th General Assembly, to repeal the repeal of sections of the Revised Code by Sections 2 and 4 of Am. Sub. H.B. 194 of the 129th General Assembly, and to repeal Sections 5, 6, 7, and 8 of Am. Sub. H.B. 194 of the 129th General Assembly, to continue in operation the provisions of the Election Law currently in effect, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Blessing moved that **Sub. S. B. No. 295**-Senator Coley, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes changes to the following standing committees:

Appoint Representative Scherer to the following:
Agriculture and Natural Resources,
Economic and Small Business Development, and
Judiciary and Ethics.

Message from the Speaker

The Speaker of the House of Representatives, on April 25, 2012, signed the following:

Sub. H.B. No. 152 - Representative Mallory - et al.

On motion of Representative Blessing, the House adjourned until Tuesday, May 1, 2012 at 11:00 o'clock a.m.

Attest:

JENNIFER E. WOODRING,
Clerk.