

OHIO

House

of

Representatives

JOURNAL

THURSDAY, MAY 3, 2012

ONE HUNDRED FIFTY-SECOND DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, May 3, 2012, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Duffey was selected to preside under the Rule.

The journal of the previous legislative day was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 534-Representative Schuring.

Cosponsors: Representatives Henne, Stebelton, Fende, Sprague, Kozlowski, Hagan, C., Yuko.

To amend sections 184.19 and 5727.81 and to enact section 184.05 of the Revised Code to authorize the Third Frontier Commission to award grants related to the establishment and operation of data centers and the development of a high speed fiber optic network in the state, and to authorize a kilowatt-hour excise tax reduction for electric distribution companies supplying such centers at a discounted rate.

H. B. No. 535-Representative Hill.

Cosponsors: Representatives Sears, Adams, J., Grossman, Maag, McClain, Roegner, Ruhl, Thompson, Phillips, Reece, Stinziano.

To amend section 2933.52 of the Revised Code to exempt a parent or a person acting in loco parentis from the prohibition of the interception of wire, oral, or electronic communications.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Gerberry submitted the following report:

The standing committee on Local Government to which was referred **H. B. No. 433**-Representative Damschroder, having had the same under consideration, reports it back and recommends its passage.

RE: SANDUSKY COUNTY MUNICIPAL COURT-CREATE

TERRY BLAIR
 RON GERBERRY
 VERNON SYKES
 MARK D. OKEY
 ANDREW BRENNER
 BRIAN HILL
 NAN BAKER
 MIKE DUFFEY
 ANTHONY DEVITIS
 JEFFREY MCCLAIN

MARLENE ANIELSKI
 MIKE ASHFORD
 TRACY HEARD
 DAVE HALL
 MATT LUNDY
 MARGARET CONDITT
 DOROTHY PELANDA
 TERRY BOOSE
 ROBERT HACKETT

The report was agreed to.

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

Representative Barnes submitted the following report:

The standing committee on Ways and Means to which was referred **H. B. No. 472**-Representative Beck, having had the same under consideration, reports it back and recommends its passage.

RE: OHIO LAWS-INCORPORATE INTERNAL REVENUE CODE CHANGES

Representative Boose moved to amend the title as follows:

Add the name: "Letson."

MIKE DOVILLA
 RON AMSTUTZ
 JOHN BARNES
 TERRY BOOSE
 RON MAAG
 JEFFREY MCCLAIN
 PETER STAUTBERG

TOM LETSON
 NAN BAKER
 TERRY BLAIR
 MIKE FOLEY
 ZACK MILKOVICH
 STEPHEN SLESNICK
 ROLAND WINBURN

The report was agreed to.

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

Representative Barnes submitted the following report:

The standing committee on Ways and Means to which was referred **H. B. No. 521**-Representative Dovilla, et al., having had the same under consideration, reports it back and recommends its passage.

RE: MOTION PICTURE TAX CREDIT-INCREASE TOTAL ALLOWABLE CREDITS

Representative Boose moved to amend the title as follows:

Add the names: "Letson, Barnes, Boose, Slesnick."

MIKE DOVILLA
RON AMSTUTZ
JOHN BARNES
TERRY BOOSE
RON MAAG
JEFFREY MCCLAIN
PETER STAUTBERG

TOM LETSON
NAN BAKER
TERRY BLAIR
MIKE FOLEY
ZACK MILKOVICH
STEPHEN SLESNICK
ROLAND WINBURN

The report was agreed to.

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

Representative Phillips submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. R. No. 305**-Representatives Dovilla, Adams, J., et al., having had the same under consideration, reports it back and recommends its adoption.

RE: URGE PERMITS FOR OIL AND NATURAL GAS
EXPLORATION

Representative Hall moved to amend the title as follows:

Add the names: "Boose, Buchy, Damschroder, Hagan, C., Scherer."

DAVE HALL
TERRY BOOSE
JACK CERA
TIMOTHY DERICKSON
CASEY KOZLOWSKI
MARK D. OKEY
GARY K. SCHERER

ANDY THOMPSON
JIM BUCHY
REX DAMSCHRODER
CHRISTINA HAGAN
AL LANDIS
MARGARET RUHL

The following members voted "NO"

KATHLEEN CLYDE
DEBBIE PHILLIPS

SEAN O'BRIEN

The report was agreed to.

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

Representative Phillips submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **S. B. No. 281**-Senator Beagle, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: AGRICULTURAL LINKED DEPOSIT PROGRAM-MODIFY

Representative Hall moved to amend the title as follows:

Add the names: "Representatives Hall, Boose, Buchy, Damschroder, Derickson, Hagan, C., Kozlowski, Landis, Ruhl, Scherer."

Representative Thompson moved to amend as follows:

In line 74, strike through "Such" and insert "The"

In line 75, strike through "include" and insert "at least do the following:

(1) Include"

In line 81, delete the first "the" and insert "one of the following, as applicable:

(a) The"

In line 83, strike through "or" and insert " ;

(b) The market rate and the actual rate"

In line 86, strike through ". Such requirements shall also reflect" and insert " ;

(2) Reflect"

In line 87, strike through "The" and insert:

"The agricultural linked deposit"

The motion was agreed to and the bill so amended.

DAVE HALL
TERRY BOOSE
JACK CERA
REX DAMSCHRODER
CHRISTINA HAGAN
AL LANDIS
MARK D. OKEY
MARGARET RUHL

ANDY THOMPSON
JIM BUCHY
KATHLEEN CLYDE
TIMOTHY DERICKSON
CASEY KOZLOWSKI
SEAN O'BRIEN
DEBBIE PHILLIPS
GARY K. SCHERER

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

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

H.R. No. 366 - Representative McGregor
Honoring Dr. Mark H. Erickson on his retirement as president of Wittenberg University.

The motion was agreed to.

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

The resolution was adopted.

Message from the Senate

Mr. Speaker:

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

Sub. H. B. No. 158-Representatives Stebelton, Okey
Cosponsors: Representatives Gardner, Grossman, Hackett, Huffman, Letson, Murray, Schuring, Yuko, Adams, J., Beck, Blair, Carney, Combs, Damschroder, Fedor, Gerberry, Hottinger, Johnson, Kozlowski, Luckie, McClain, Milkovich, Young, Speaker Batchelder Senators Jordan, Balderson, Beagle, Burke, Hite, Hughes, Manning, Oelslager, Patton, Peterson

To enact sections 303.214, 519.214, 713.082, and 5502.031 of the Revised Code to codify federal restrictions on local zoning of amateur station antenna structures thereby preserving amateur radio service communications as a Homeland Security resource and to place the burden of proof for compliance on the zoning authority.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

Am. S. C. R. No. 23 -Senator Kearney

Cosponsors: Senators Tavares, Sawyer, Brown, Seitz, Jones, LaRose, Turner, Bacon, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jordan, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Schaffer, Schiavoni, Smith, Wagoner, Widener

To commend the members of the Black Brigade for their defense of Cincinnati in 1862 and to designate the members as veterans of the American Civil War.

Attest:

Vincent L. Keeran,
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

S. C. R. No. 29 -Senators Jordan, Obhof

Cosponsors: Senators LaRose, Brown, Bacon, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Hite, Hughes, Jones, Kearney, Lehner, Manning, Niehaus, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Tavares, Turner, Wagoner, Widener

To urge the Congress of the United States to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport in Mansfield, Ohio.

Attest:

Vincent L. Keeran,
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

Message from the Senate

Mr. Speaker:

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

Am. Sub. S. B. No. 314 -Senators Wagoner, Cafaro
Cosponsors: Senators Beagle, Lehner, Manning, Obhof, Widener, Oelslager, Bacon, Balderson, Burke, Coley, Eklund, Faber, Hite, Jones, LaRose, Niehaus, Patton, Peterson, Schaffer, Seitz

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 122.942, 122.97, 184.011, 187.061, 3735.01, and 5701.15, and to repeal sections 122.40 1525.11, 1525.12, 1525.13, and 6111.034 of the Revised Code; to amend Sections 261.10.40, 261.10.70, 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, and 261.40.10 of Am. Sub. H.B. 153 of the 129th General Assembly; to amend Sections 261.10 and 261.20.93 of Am. Sub. H.B. 153 of the 129th General Assembly, as subsequently amended by Sub. H.B. 371 of the 129th General Assembly; and to repeal Sections 261.10.10, 261.10.20, 261.10.30, 261.10.50, 261.10.60, 261.10.80, 261.10.90, 261.20.10, 261.20.20, 261.20.70, and 261.30.50 of Am. Sub. H.B. 153 of the 129th General Assembly 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, including by requiring annual ethics training, ethical conduct statements, and the development of a gift policy; to makes 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; to require the Director of Development Services to make certain information available to the public with respect to each project for which state-funded financial assistance is awarded by the Development Services Agency; to increase the membership of the Third Frontier Commission; and to make an appropriation.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

On motion of Representative Grossman, the House adjourned until Tuesday, May 8, 2012 at 11:00 o'clock a.m.

Attest:

JENNIFER E. WOODRING,
Clerk.