

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**CORRECTED VERSION**  
**THURSDAY, MAY 26, 2011**

## FIFTY-THIRD DAY

Hall of the House of Representatives, Columbus, Ohio  
**Thursday, May 26, 2011, 8:45 a.m.**

The House met pursuant to adjournment.

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

Representative Thompson was selected to preside under the Rule.

The journal of yesterday was read and approved.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 120**-Representatives Carey, Gentile, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: WATER ACCESS TO EVERY RESIDENCE TASK FORCE

Representative Hall moved to amend the title as follows:

Add the name: "Buchy."

DAVE HALL	TIMOTHY DERICKSON
TERESA FEDOR	TROY BALDERSON
TERRY BOOSE	JIM BUCHY
JOHN CAREY	KATHLEEN CLYDE
REX DAMSCHRODER	LOU GENTILE
BRUCE W. GOODWIN	TRACY HEARD
CASEY KOZLOWSKI	AL LANDIS
DALE MALLORY	DENNIS MURRAY
SEAN O'BRIEN	BOB PETERSON
DEBBIE PHILLIPS	MARGARET RUHL
ANDY THOMPSON	

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 163**-Representative Balderson, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COAL MINING LAWS - PERMIT APPLICATIONS / SET-BACK  
 REQUIREMENT - REVISE

Representative Hall moved to amend the title as follows:

Add the name: "Buchy."

DAVE HALL	TIMOTHY DERICKSON
TERESA FEDOR	TROY BALDERSON
TERRY BOOSE	JIM BUCHY
JOHN CAREY	LOU GENTILE
BRUCE W. GOODWIN	CASEY KOZLOWSKI
AL LANDIS	DALE MALLORY
DENNIS MURRAY	SEAN O'BRIEN
BOB PETERSON	DEBBIE PHILLIPS
MARGARET RUHL	ANDY THOMPSON

The following members voted "NO"

KATHLEEN CLYDE	TRACY HEARD
----------------	-------------

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. C. R. No. 15**-Representative Balderson, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: USEPA PROPOSED REGULATIONS ON AIR QUALITY

DAVE HALL	TIMOTHY DERICKSON
TROY BALDERSON	TERRY BOOSE
JIM BUCHY	JOHN CAREY
BRUCE W. GOODWIN	CASEY KOZLOWSKI
AL LANDIS	BOB PETERSON
MARGARET RUHL	ANDY THOMPSON

The following members voted "NO"

TERESA FEDOR	KATHLEEN CLYDE
LOU GENTILE	TRACY HEARD
DALE MALLORY	DENNIS MURRAY
SEAN O'BRIEN	DEBBIE PHILLIPS

The report was agreed to.

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

Representative Mallory submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **S. B. No. 132**-Senator Patton, et al., having had the same under consideration, reports it back and recommends its passage.

RE: GEORGE V. VOINOVICH BRIDGE I-90 - SPAN CUYAHOGA RIVER IN CUYAHOGA COUNTY

COURTNEY COMBS  
TIMOTHY J. DEGEETER  
JEFFREY MCCLAIN  
SEAN O'BRIEN  
CLIFF ROSENBERGER  
JOSEPH W. UECKER

DALE MALLORY  
TERRY JOHNSON  
ROSS MCGREGOR  
BILL PATMON  
MARGARET RUHL

The report was agreed to.

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

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Bills be considered for the second time and referred to the following committees for consideration.

**H.B. No. 236 - Representative C. Hagan, et al**

TO DESIGNATE A PORTION OF UNITED STATES ROUTE 30 WITHIN STARK COUNTY ONLY AS THE "STAFF SGT. KEVIN J. KESSLER MEMORIAL HIGHWAY."

To the committee on Transportations, Public Safety, and Homeland Security

**H.B. No. 237 - Representatives Gerberry and R. Hagan**

TO BAR THE SALE OF ANY STATE CORRECTIONAL FACILITY WITHOUT PRIOR ENACTMENT BY THE GENERAL ASSEMBLY OF AN ACT THAT AUTHORIZES AND APPROVES THE SALE.

To the committee on State Government and Elections

**H.B. No. 238 - Representatives Gerberry and R. Hagan, et al**

TO REQUIRE REFINERS AND WHOLESALERS OF PETROLEUM PRODUCTS TO SUBMIT MONTHLY REPORTS TO THE DIRECTOR OF COMMERCE REGARDING PETROLEUM PRODUCTS SHIPPED INTO, USED IN, AND EXPORTED FROM THIS STATE AND TO CREATE THE GASOLINE PRACTICES OVERSIGHT COMMISSION FOR THE PERIOD ENDING DECEMBER 31, 2013.

To the committee on State Government and Elections

**H.B. No. 239 - Representative Stautberg, et al**

TO EXEMPT RETIREMENT PAY RELATED TO SERVICE IN THE COMMISSIONED CORPS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AND THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE.

To the committee on Health and Aging

**H.B. No. 240 - Representatives Weddington and Amstutz, et al**  
 TO CREATE THE OHIO SUSTAINABLE FOOD ADVISORY COUNCIL  
 TO ADDRESS PROGRAM AND POLICY CONSIDERATIONS  
 REGARDING THE DEVELOPMENT OF A SUSTAINABLE FOOD  
 ECONOMY IN OHIO.

To the committee on Agriculture and Natural Resources

LOUIS W. BLESSING  
 ANDREW BRENNER  
 ANNE GONZALES  
 DEBBIE PHILLIPS

JOHN ADAMS  
 DAVE BURKE  
 ARMOND BUDISH  
 MATT SZOLLOSI

Representative Beck moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills were considered the second time and referred as recommended.

**MOTIONS AND RESOLUTIONS**

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Concurrent Resolution be introduced and referred to the following committee for consideration:

**H.C.R. No. 18 - Representatives Uecker and Combs, et al** TO  
 DESIGNATE THE HONOR AND REMEMBER FLAG AS OHIO'S  
 EMBLEM OF THE SERVICE AND SACRIFICE BY THOSE IN THE  
 UNITED STATES ARMED FORCES WHO HAVE GIVEN THEIR LIVES  
 IN THE LINE OF DUTY.

To the committee on Veterans Affairs

/s/ LOUIS BLESSING  
 Louis Blessing, Chair

Representative Beck moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolution was introduced and referred as recommended.

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

**H.R. No. 112 - Representatives Weddington, Carney, Celeste, Duffey, Garland, Gonzales, Grossman, Heard, Stinziano**

Honoring The Ohio State University men's volleyball team as the 2011 NCAA Champion.

Add the name: Brenner

**H.R. No. 113 - Representatives Ruhl, Sprague**

Honoring Michael Lybarger as a 2011 NCAA Division II Wrestling Champion.

/s/ LOUIS BLESSING  
Louis Blessing, Chair

Representative Beck moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

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. 121** -Representative Rosenberger

Cosponsors: Representatives Gonzales, O'Brien, Mecklenborg, Beck, Pillich, Johnson, Thompson, Bulp, Martin, Slaby, Fende, Fedor, Yuko, Adams, R., Amstutz, Anielski, Baker, Balderson, Barnes, Blair, Blessing, Boose, Brenner, Buchy, Budish, Burke, Butler, Carey, Carney, Celeste, Clyde, Coley, Combs, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Duffey, Foley, Gardner, Garland, Gentile, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, C., Hall, Hayes, Heard, Henne, Hottinger, Huffman, Kozlowski, Landis, Letson, Luckie, Lundy, Maag, Mallory, McClain, McGregor, McKenney, Milkovich, Murray, Newbold, Okey, Patmon, Peterson, Phillips, Reece, Roegner, Ruhl, Schuring, Sears, Sprague, Stautberg, Stinziano, Sykes, Szollosi, Uecker, Wachtmann, Weddington, Williams, Winburn, Young, Speaker Batchelder Senators Tavares, Turner, Daniels, LaRose, Bacon, Beagle, Brown, Cafaro, Coley, Faber, Grendell, Hite, Hughes, Jones, Kearney, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Skindell, Smith, Stewart, Wagoner, Widener, Wilson

To amend sections 3109.04 and 3109.051 of the Revised Code regarding child custody and visitation rights of parents called to active military service and to declare an emergency.

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

Attest:

Vincent L. Keeran,  
Clerk.

The Senate amendments were laid over under the Rule.

On motion of Representative Beck, the House adjourned until Wednesday,  
June 1, 2011 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,  
Clerk.