

OHIO

House

of

Representatives

JOURNAL

SECOND CORRECTED VERSION
WEDNESDAY, JUNE 22, 2011

SIXTY-FIRST DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, June 22, 2011, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Joel Harden of the North Church in Westerville, 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:

Tsehaye Hiluf and the Reynoldsburg High School girls track and field team received House Resolutions 145 & 146, respectively, presented by Representative Gonzales-19th district.

Christina Blair received H. R. 147, presented by Representative Roegner-42nd district.

Bob Carey and Cameron Quinn, guests of Representatives Dovilla-18th district and Stinziano-25th district.

Mike Wilson, a guest of Representative Maag-35th district.

Pete Dobeozsi, Wes Retherford, and Ben Thaeler, guests of Representative Derickson-53rd district.

The Franklin family, a guest of Representative Martin-70th district.

Martha and Mary Murray, wife and daughter of Representative Murray-80th district.

Casey Cross, a guest of Representative Gentile-95th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 277-Representatives Blessing, Gerberry.

To permit a horse-racing permit holder who is eligible to become a video lottery sales agent to apply to the State Racing Commission to move its track to another location.

H. B. No. 278-Representatives Stebelton, Okey.

Cosponsors: Representatives Adams, R., Bulp, Combs, Foley, Grossman, Hollington, Huffman, Letson, Maag, McGregor, McKenney, Murray.

To amend sections 4509.01, 4509.20, 4509.41, and 4509.51 of the Revised Code to increase the minimum amounts required for valid proof of financial responsibility and to amend sections 4509.01, 4509.20, 4509.41, and 4509.51

of the Revised Code two years after the effective date of this act to increase again the minimum amounts required for valid proof of financial responsibility.

H. B. No. 279-Representatives Grossman, Driehaus.

Cosponsors: Representatives Yuko, Combs, Boyd, Reece, Letson, Henne, Martin, Goyal, Burke.

To amend sections 2151.33, 3109.52, 3109.53, 3109.54, 3109.59, 3109.60, 3109.65, 3109.66, 3109.67, 3109.69, 3109.70, 3109.71, 3109.74, 3109.76, 3109.77, 3313.64, 3313.649, 3313.672, and 5101.802 and to enact sections 2151.411 and 3109.64 of the Revised Code to expand the class of persons who may execute a caretaker authorization affidavit or be designated as attorney in fact under a power of attorney for the purpose of exercising authority over the care, custody, and control of a child and to enhance Ohio's policies regarding kinship caregivers.

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 State Government and Elections to which was referred **H. C. R. No. 19**-Representative Yuko, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: BALKAN MACEDONIANS - GRANT CIVIL AND HUMAN RIGHTS

Representative Mecklenborg moved to amend the title as follows:

Add the names: "Gerberry, Combs, Dovilla, Stinziano, Sykes."

ROBERT MECKLENBORG
RON GERBERRY
LOUIS W. BLESSING
KATHLEEN CLYDE
REX DAMSCHRODER
TERESA FEDOR
CHERYL GROSSMAN
TOM LETSON
BILL PATMON
MICHAEL STINZIANO
RON YOUNG

RON MAAG
JOHN ADAMS
JIM BUCHY
COURTNEY COMBS
MIKE DOVILLA
RANDY GARDNER
MATT HUFFMAN
MATT LUNDY
ROBERT COLE SPRAGUE
VERNON SYKES

The following member voted "NO"

RICHARD HOLLINGTON

The report was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on State Government and Elections to which was referred **H. C. R. No. 20**-Representatives Goyal, Gardner, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: DICK SCHAFRATH - URGE HIS INDUCTION INTO PROFESSIONAL FOOTBALL HALL OF FAME

Representative Mecklenborg moved to amend the title as follows:

Add the names: "Fedor, Huffman, Letson."

ROBERT MECKLENBORG	RON MAAG
RON GERBERRY	JOHN ADAMS
LOUIS W. BLESSING	JIM BUCHY
KATHLEEN CLYDE	COURTNEY COMBS
REX DAMSCHRODER	MIKE DOVILLA
TERESA FEDOR	RANDY GARDNER
CHERYL GROSSMAN	RICHARD HOLLINGTON
MATT HUFFMAN	TOM LETSON
MATT LUNDY	BILL PATMON
ROBERT COLE SPRAGUE	MICHAEL STINZIANO
VERNON SYKES	RON YOUNG

The report was agreed to.

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

Representative Winburn submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 24**-Representative Combs, et al., having had the same under consideration, reports it back and recommends its passage.

RE: SEX OFFENDER - NOTICE TO LONG TERM CARE FACILITY
- RESIDE IN OR NEAR

Representative Slaby moved to amend the title as follows:

Add the name: "Winburn."

LYNN SLABY	BILL HAYES
ROLAND WINBURN	LOUIS W. BLESSING

DANNY R. BUBP
 NANCY GARLAND
 ROBERT COLE SPRAGUE
 SANDRA WILLIAMS

MARGARET CONDITT
 CONNIE PILLICH
 JOSEPH W. UECKER
 RON YOUNG

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. 100**-Representative Williams, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: LUPUS EDUCATION AND AWARENESS PROGRAM

Representative Wachtmann moved to amend the title as follows:

Add the names: "Barnes, Carney, Garland, Ramos."

LYNN R. WACHTMANN
 NICKIE ANTONIO
 JOHN BARNES
 JOHN PATRICK CARNEY
 MIKE DUFFEY
 NANCY GARLAND
 ROBERT HACKETT
 JAY HOTTINGER
 TODD MCKENNEY
 KIRK SCHURING
 KENNY YUKO

BRUCE W. GOODWIN
 TROY BALDERSON
 DAVE BURKE
 TED CELESTE
 RANDY GARDNER
 ANNE GONZALES
 ROBERT F. HAGAN
 TERRY JOHNSON
 DAN RAMOS
 BARBARA R. SEARS

The report was agreed to.

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

Representative Murray submitted the following report:

The standing committee on Judiciary and Ethics to which was referred **H. B. No. 212**-Representative Grossman, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: LEGAL CUSTODIANS - EXEMPT FROM ADOPTIVE PLACEMENT REQUIREMENTS

Representative Bubp moved to amend the title as follows:

Add the names: "Bubp, Letson, Szollosi, Mecklenborg, Huffman, Slaby, McKenney."

Representative Stebelton moved to amend as follows:

In line 113, after "(E)" insert "(1)"

Between lines 114 and 115, insert:

"(2) As used in division (E)(1) of this section:

(a) "Legal custodian" means a person who has been granted the legal custody of a child by a court of competent jurisdiction.

(b) "Legal custody" has the same meaning as in section 2151.011 of the Revised Code."

The motion was agreed to and the bill so amended.

DANNY R. BUBP	TODD MCKENNEY
DENNIS MURRAY	JIM BUTLER
MARGARET CONDITT	MATT HUFFMAN
TOM LETSON	ROBERT MECKLENBORG
MARK D. OKEY	LYNN SLABY
GERALD L. STEBELTON	MICHAEL STINZIANO
MATT SZOLLOSI	

The report was agreed to.

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

Representative Weddington submitted the following report:

The standing committee on Local Government to which was referred **H. B. No. 225**-Representatives Peterson, Landis, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TAX EXEMPTION APPLICATIONS - REVIEW/DIRECT
DEPOSIT PAYROLL/RAINY DAY ACCOUNTS

Representative Blair moved to amend the title as follows:

Add the names: "Weddington, Brenner, Duffey, Baker, Schuring, Blair, McKenney."

TERRY BOOSE	W. CARLTON WEDDINGTON
ALICIA REECE	ANDREW BRENNER
CRAIG NEWBOLD	DALE MALLORY
DAVE HALL	JARROD MARTIN
JIM BUTLER	MARGARET CONDITT
MARK D. OKEY	MATT LUNDY
MIKE DUFFEY	NAN BAKER
ROBERT HACKETT	RON GERBERRY
TIMOTHY DERICKSON	TIMOTHY J. DEGEETER
TODD MCKENNEY	KIRK SCHURING
TRACY HEARD	VERNON SYKES

TERRY BLAIR

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 State Government and Elections to which was referred **H. B. No. 243**-Representatives Kozlowski, Young, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: A-3A LIQUOR PERMITS - ELIMINATE QUOTA/NEW PERMITS SUBJECT TO LOCAL OPTION

Representative Mecklenborg moved to amend the title as follows:

Add the names: "Mecklenborg, Dovilla, Fedor, Letson."

Representative Young moved to amend as follows:

In line 32, after " (C)" insert " (1) An A-3a permit holder may offer not more than four servings of not more than a quarter ounce of spirituous liquor as tasting samples. The tasting samples shall be offered in accordance with rules adopted by the division of liquor control.

(2)"

The motion was agreed to and the bill so amended.

ROBERT MECKLENBORG	RON MAAG
RON GERBERRY	JOHN ADAMS
LOUIS W. BLESSING	JIM BUCHY
KATHLEEN CLYDE	COURTNEY COMBS
REX DAMSCHRODER	MIKE DOVILLA
TERESA FEDOR	RANDY GARDNER
CHERYL GROSSMAN	RICHARD HOLLINGTON
MATT HUFFMAN	TOM LETSON
MATT LUNDY	BILL PATMON
ROBERT COLE SPRAGUE	MICHAEL STINZIANO
VERNON SYKES	RON YOUNG

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 **S. J. R. No. 1**-Senator Grendell, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: CA - LET OHIOANS CHOOSE HEALTHCARE/HEALTH CARE INSURANCE

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Wachtmann, Goodwin, Burke, Gardner, Hottinger, Sears."

LYNN R. WACHTMANN	BRUCE W. GOODWIN
TROY BALDERSON	DAVE BURKE
MIKE DUFFEY	RANDY GARDNER
ANNE GONZALES	ROBERT HACKETT
RICHARD HOLLINGTON	JAY HOTTINGER
TERRY JOHNSON	TODD MCKENNEY
KIRK SCHURING	BARBARA R. SEARS

The following members voted "NO"

NICKIE ANTONIO	JOHN BARNES
JOHN PATRICK CARNEY	TED CELESTE
NANCY GARLAND	ROBERT F. HAGAN
DAN RAMOS	KENNY YUKO

The report was agreed to.

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

BILLS FOR THIRD CONSIDERATION

S. J. R. No. 1-Senator Grendell.

Cosponsors: Senators Faber, Jones, Wagoner, Cates, Schaffer, Bacon, Daniels, LaRose, Jordan, Hughes, Hite, Beagle, Coley, Gillmor, Lehner, Manning, Niehaus, Obhof, Patton, Seitz, Widener. Representatives Wachtmann, Goodwin, Burke, Gardner, Hottinger, Sears.

Proposing to enact Section 21 of Article I of the Constitution of the State of Ohio to preserve the freedom of Ohioans to choose their health care and health care coverage.

Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each house concurring herein, that there shall be submitted to the electors of the state, in the manner prescribed by law at the general election to be held November 8, 2011, a proposal to enact Section 21 of Article I of the Constitution of the State of Ohio to read as follows:

ARTICLE I

Section 21. (A) To preserve the freedom of Ohioans to choose their

health care and health care coverage:

(1) No law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.

(2) No law or rule shall prohibit the purchase of health care or health insurance or the sale of health care or health insurance.

(3) No law or rule shall impose a penalty or fine for the purchase or sale of health care or health insurance.

(B) This section does not affect any law or rule in effect as of March 19, 2010; affect which services a health care provider or hospital is required to perform or provide; affect terms and conditions of government employment; affect any law or rule calculated to deter fraud or punish wrongdoing in the health care industry; or affect any law or rule related to workers' compensation.

(C) As used in this section:

(1) "Compel" includes the levying of, or the threat of levying, any penalty or fine.

(2) "Health care system" means any public or private entity or program whose function or purpose includes the management of, processing of, enrollment of individuals for, or payment for, in full or in part, health care services, health care data, or health care information for its participants.

(3) "Penalty or fine" means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge, or any named fee with a similar effect established by law or by rule of a government-established, -created, or -controlled agency that is used to punish or discourage the exercise of rights protected under this section.

EFFECTIVE DATE

If adopted by a majority of the electors voting on this proposal at the general election held November 8, 2011, Section 21 of Article I of the Constitution of the State of Ohio shall take effect immediately.

Representative Maag moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Amstutz, Anielski, Balderson, Beck, Blair, Blessing, Boose, Brenner, Bubp, Buchy, Butler, Carey, Combs, Conditt, Damschroder, Derickson, Dovilla, Grossman, Hackett, Hagan, C., Hall, Hayes, Henne, Hollington, Huffman, Johnson, Landis, Maag, Martin, McClain, Mecklenborg, Newbold, Peterson, Roegner, Rosenberger, Ruhl, Slaby, Sprague, Stautberg, Thompson, Uecker, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

The yeas and nays were taken and resulted - yeas 59, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The joint resolution was not adopted.

Sub. H. B. No. 231-Representative Wachtmann.

Cosponsors: Representatives Boose, Peterson.

To amend sections 1501.32, 1501.33, 1521.04, 1522.03, and 1522.05, to enact sections 1522.10, 1522.101, and 1522.11 to 1522.20, 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Murray moved to amend as follows:

In line 348, after "Code" delete the balance of the line

Delete lines 349 through 352

In line 353, delete everything before the underlined period and insert "as a high quality water"

In line 364, delete " named"

Delete lines 471 through 510 and insert:

" Not later than one hundred eighty days after the effective date of this section, the chief shall establish by rules adopted in accordance with Chapter 119. of the Revised Code a science-based assessment process for determining whether a withdrawal or consumptive use will cause significant individual or cumulative adverse resource impacts. The assessment process shall take into account all of the following:

(1) Quantitative standards to determine the impacts of ground water withdrawals on surface water, ground water, and water dependent natural resources;

(2) Quantitative standards that maintain stream flows protective of aquatic life;

(3) Source water quality;

(4) Impacts of cumulative withdrawals."

In line 847, delete "and section 1522.07"

In line 2 of the title, delete the first comma and insert "and"

In line 3 of the title, delete ", and to repeal section"

In line 4 of the title, delete "1522.07"

The question being, "Shall the motion to amend be agreed 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 58, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Rühl	Schuring
Sears	Slaby	Sprague	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	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 Fedor moved to amend as follows:

In line 8, after "1501.33," insert "1521.01,"; after "1521.04," insert "1521.16,"

In line 9, after "1522.101," insert "1522.102,"

In line 10, delete "1522.17,"

Between lines 225 and 226, insert:

"Sec. 1521.01. As used in sections 1521.01 to 1521.05 and 1521.13 to 1521.18 of the Revised Code:

(A) "Consumptive use," "diversion," "Lake Erie drainage basin," "other great lakes states and provinces," "water resources," and "waters of the state" have the same meanings as in section 1501.30 of the Revised Code.

(B) "Well" means any excavation, regardless of design or method of construction, created for any of the following purposes:

(1) Removing ground water from or recharging water into an aquifer, excluding subsurface drainage systems installed to enhance agricultural crop production or urban or suburban landscape management or to control seepage in dams, dikes, and levees;

(2) Determining the quantity, quality, level, or movement of ground water in or the stratigraphy of an aquifer, excluding borings for instrumentation in dams, dikes, levees, or highway embankments;

(3) Removing or exchanging heat from ground water, excluding horizontal trenches that are installed for water source heat pump systems.

(C) "Aquifer" means a consolidated or unconsolidated geologic formation or series of formations that are hydraulically interconnected and that have the ability to receive, store, or transmit water.

(D) "Ground water" means all water occurring in an aquifer.

(E) "~~Ground~~ Distressed water ~~stress~~ resource area" means a definable

geographic area in which ground water ~~quantity or surface water~~ is being affected by human activity or natural forces to the extent that ~~continuous availability of supply is jeopardized by withdrawals~~ there are or may be significant individual or cumulative adverse resource impacts from withdrawals or consumptive uses.

(F) "Person" has the same meaning as in section 1.59 of the Revised Code and also includes the United States, the state, any political subdivision of the state, and any department, division, board, commission, agency, or instrumentality of the United States, the state, or a political subdivision of the state.

(G) "State agency" or "agency of the state" has the same meaning as "agency" in section 111.15 of the Revised Code.

(H) "Development" means any artificial change to improved or unimproved real estate, including the construction of buildings and other structures, any substantial improvement of a structure, mining, dredging, filling, grading, paving, excavating, and drilling operations, and storage of equipment or materials.

(I) "Floodplain" means the area adjoining any river, stream, watercourse, or lake that has been or may be covered by flood water.

(J) "Floodplain management" means the implementation of an overall program of corrective and preventive measures for reducing flood damage, including the collection and dissemination of flood information, construction of flood control works, nonstructural flood damage reduction techniques, and adoption of rules, ordinances, or resolutions governing development in floodplains.

(K) "One-hundred-year flood" means a flood having a one per cent chance of being equaled or exceeded in any given year.

(L) "One-hundred-year floodplain" means that portion of a floodplain inundated by a one-hundred-year flood.

(M) "Structure" means a walled and roofed building, including, without limitation, gas or liquid storage tanks, mobile homes, and manufactured homes.

(N) "Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty per cent of the market value of the structure before the start of construction of the improvement. "Substantial improvement" includes repairs to structures that have incurred substantial damage regardless of the actual repair work performed. "Substantial improvement" does not include either of the following:

(1) Any project for the improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the state or local code enforcement official having jurisdiction and that are the minimum necessary to ensure safe living conditions;

(2) Any alteration of an historic structure designated or listed pursuant to federal or state law, provided that the alteration will not preclude the structure's continued listing or designation as an historic structure.

(O) "Substantial damage" means damage of any origin that is sustained by a structure if the cost of restoring the structure to its condition prior to the damage would equal or exceed fifty per cent of the market value of the structure before the damage occurred.

(P) "National flood insurance program" means the national flood insurance program established in the "National Flood Insurance Act of 1968," 82 Stat. 572, 42 U.S.C. 4001, as amended, and regulations adopted under it.

(Q) "Conservancy district" means a conservancy district established under Chapter 6101. of the Revised Code.

(R) "Surface water" includes all streams, lakes, reservoirs, ponds, marshes, wetlands, bays estuaries, or other waterways that are situated wholly or partially within the boundaries of this state except those private waters that do not combine or effect a junction with natural surface or underground waters.

(S) "Withdrawal" means one or more cumulative total withdrawals of water that supply a common distribution system.

(T) "Environmentally sound and economically feasible water conservation measures" has the same meaning as in the great lakes-st. Lawrence river basin water resources compact set forth in section 1522.01 of the Revised Code.

(U) "Facility" includes any equipment or infrastructure.

(V) "Great Lakes basin" has the same meaning as in the great lakes-st. Lawrence river water resources compact as set forth in section 1522.01 of the Revised Code."

Between lines 252 and 253, insert:

"Sec. 1521.16. (A) Any person who owns a facility that has the capacity to withdraw waters of the state in an amount greater than one hundred thousand gallons per day averaged over any thirty-day period from all sources and whose construction is completed before January 1, 1990, shall register the facility by January 1, 1991, with the chief of the division of soil and water resources, and any person who owns a facility that has the capacity to withdraw waters of the state in such an amount and whose construction is completed on or after January 1, 1990, shall register the facility with the chief within three months after the facility is completed. The In addition, any person who owns a facility that has the capacity to divert any amount of water from the area of the Great Lakes basin within this state to another basin shall register the facility within three months of the effective date of this amendment or within three months after the facility is completed. For purposes of collecting information relating to the future cumulative impact of withdrawals from certain watersheds, the chief may lower

the threshold for registration of withdrawals in distressed water resource areas. The chief also may require a facility in a distressed water resource area to submit additional information on the withdrawal and increase the frequency of reporting.

The person shall register the facility using a form prescribed by the chief that shall include, without limitation, the name and address of the registrant and date of registration; the locations and sources of the facility's water supply; the facility's withdrawal capacity per day and the amount withdrawn from each source; where applicable, the facility's diversion capacity per day and the amount diverted from each source; the uses made of the water, places of use, and places of discharge; and such other information as the chief may require by rule.

The registration date of any facility whose construction was completed prior to January 1, 1990, and that is registered under this division prior to January 1, 1991, shall be January 1, 1990. The registration date of any facility whose construction was completed prior to January 1, 1990, and that is required to register under this division prior to January 1, 1991, but that is not registered prior to that date, and the registration date of any facility whose construction was completed after January 1, 1990, and that is required to register under this division shall be the date on which the registration is received by the chief.

(B) In accordance with division (D) of this section, the chief shall adopt rules establishing standards and criteria for determining when an area of ground water or surface water is a ~~ground~~ distressed water ~~stress~~ resource area, the geographic limits of such an area, and a threshold withdrawal capacity for the area below which registration under this division shall not be required. The chief shall establish the standards and criteria by utilizing the science-based assessment process developed under section 1522.12 of the Revised Code. At any time following the adoption of those rules, the chief may by order designate an area of ground water or surface water as a ~~ground~~ distressed water ~~stress~~ resource area and shall establish in any such order a threshold withdrawal capacity for the area below which registration under this division shall not be required. The order also shall establish any reporting requirements for facilities in the designated area.

An elected official of a political subdivision may petition the chief to issue an order designating an area of ground water or surface water as a distressed water resource area. The petition shall specify the reasons why the official believes that grounds exist for the designation. Within sixty days after receiving such a petition, the chief shall make a determination on the petition. If the chief determines that grounds exist for the petition to be granted, the chief shall issue an order designating a distressed water resource area and establish the threshold capacity for registration and any other reporting requirements for facilities within the area. Such a decision may be appealed to the water resources review commission under Chapter 1522. of the Revised Code.

Following the designation of a ~~ground~~ distressed water ~~stress~~ resource area, the chief immediately shall give notice by publication in a newspaper of

general circulation in the designated area that shall include a map delineating the designated ~~ground-water stress~~ area and a statement of the threshold withdrawal capacity established for the area below which registration under this division shall not be required and any reporting requirements for facilities within the area. The notice shall not appear in the legal notices section of the newspaper. Any person who owns a facility in the designated ~~ground~~ distressed water ~~stress~~ resource area that is not registered under division (A) of this section and that has the capacity to withdraw waters of the state in an amount greater than the threshold withdrawal capacity for the area from all sources shall register the facility with the chief not later than thirty days after publication of the notice. A person registering a facility under this division shall do so using a form prescribed by the chief. The form shall include the information specified in division (A) of this section. The person also shall submit any additional information at intervals established by the chief.

(C) Any person who owns a facility registered under division (A) or (B) of this section shall file a report annually with the chief listing the amount of water withdrawn per day by the facility, the amount of water diverted per day, if applicable, the return flow per day, and any other information the chief may require by rule. A person who owns a facility registered under division (A) or (B) of this section that is within the area of the state in the Great Lakes basin shall certify that the person has reviewed the environmentally sound and economically feasible water conservation measures developed for the facility's water use sector in rules adopted under Chapter 1522. of the Revised Code. The person also shall list the general categories of environmentally sound and economically feasible water conservation measures adopted by the person and the amount of water conserved per day by category. Any person who, under Chapter 6109. of the Revised Code, provides such information to the ~~Ohio~~ environmental protection agency is exempt from reporting under this division. The director of environmental protection shall provide the chief any such reported information upon request.

(D) The chief shall adopt, and may amend or rescind, rules in accordance with Chapter 119. of the Revised Code to carry out this section.

(E)(1) No person knowingly shall fail to register a facility or file a report as required under this section.

(2) No person shall file a false report under this section. Violation of division (E)(2) of this section is falsification under section 2921.13 of the Revised Code.

(F) At the request of the director of natural resources, the attorney general may commence a civil action to compel compliance with this section, in a court of common pleas, against any person who has violated or is violating division (E)(1) of this section. The court of common pleas in which a civil action is commenced under this division has jurisdiction to and shall compel compliance with this section upon a showing that the person against whom the action is brought has violated or is violating that division.

Any action under this division is a civil action, governed by the rules of civil procedure and other rules of practice and procedure applicable to civil actions."

In line 326, after " use" insert an underlined comma; delete " has" and insert " "environmentally sound and economically feasible water conservation measures," and "person" have"; delete " meaning" and insert " meanings"

In line 327, after the underlined period delete the balance of the line

Delete lines 328 through 332

Between lines 388 and 389, insert:

" **Sec. 1522.102.** (A) Not later than six months after the effective date of this section, the chief of the division of soil and water resources shall establish by rule conservation and efficiency goals and objectives in accordance with section 4.2.1 of the compact.

(B) Not later than one year after the effective date of this section, the chief, following public notice and comment, shall adopt rules establishing a water conservation and efficiency program in accordance with section 4.2 of the compact that is consistent with the goals and objectives established under division (A) of this section. The program shall include, without limitation, development of environmentally sound and economically feasible water conservation measures for each water use sector and promotion of those measures. The measures for each sector shall be reviewed at least every ten years.

(C) In implementing divisions (A) and (B) of this section, the chief shall give consideration to the Ohio great lakes compact advisory board's recommendations in its December 15, 2010, final report.

(D) Not later than three months after completion of the review by the great lakes-st. Lawrence river basin water resources council under section 4.2.3 of the compact, the chief shall conduct a review of the goals and objectives established under division (A) of this section and the program established in rules adopted under division (B) of this section."

Delete lines 471 through 510 and insert:

" Not later than one year after the effective date of this section, the chief shall establish by rules adopted in accordance with Chapter 119. of the Revised Code a science-based assessment process for determining whether a withdrawal or consumptive use will cause significant individual or cumulative adverse resource impacts. The assessment process shall take into account all of the following:

(1) Quantitative standards to determine the impacts of ground water withdrawals on surface water, ground water, and water dependent natural resources;

(2) Quantitative standards that maintain stream flows protective of aquatic life:

(3) Source water quality:

(4) Impacts of cumulative withdrawals."

Delete lines 656 through 694

In line 698, after " 1522.19" insert " or 1522.20"

Between lines 831 and 832, insert:

" (B) The chief may issue an order immediately suspending a permit if the chief determines that a water withdrawal, consumptive use, or diversion will endanger the public health, safety, or welfare. In addition, the chief may temporarily suspend permits for facilities that are located in a distressed water resource area designated under section 1521.16 of the Revised Code because of significant adverse impacts to water resources or water dependent natural resources. Before suspending a permit under this division, the chief shall make a reasonable attempt to notify the permittee that the chief intends to suspend the permit. If the attempt fails, notification shall be given as soon as practicable following the suspension. The permittee may appeal the suspension to the water resources review commission, and the decision of the commission shall be issued not later than ten days after receipt of the notice of appeal. If the chief determines before the expiration date of a suspension that the water withdrawal, consumptive use, or diversion can be resumed without significant adverse impacts to water resources or water dependent natural resources in a distressed water resource area, the chief, upon request of the permittee, shall reinstate the permit."

In line 832, delete " (B)" and insert " (C)"

In line 846, after "1501.33," insert "1521.01,"; after "1521.04," insert "1521.16,"

In line 1 of the title, after "1501.33," insert "1521.01,"; after "1521.04," insert "1521.16,"

In line 2 of the title, after "1522.101," insert "1522.102,"

In line 3 of the title, delete the first "and"; after "to" insert "1522.16, and 1522.18 to"

The question being, "Shall the motion to amend be agreed 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 38, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Ramos moved to amend as follows:

Between lines 304 and 305, insert:

" (A) "Aquifer" means a consolidated or unconsolidated geologic formation or series of formations that are hydraulically interconnected and that have the ability to receive, store, or transmit water.

(B) "Baseline capacity" means all of the following:

(1) For a facility with the capacity to make a withdrawal, consumptive use, or diversion as of December 8, 2008, the capacity of the facility as reported in the baseline report submitted by the department of natural resources to the great lakes-st. Lawrence river basin water resources compact council on December 8, 2009, or as determined by the chief of the division of soil and water resources on the basis of sufficient documentation prescribed by the chief;

(2) For a facility that developed the capacity to make a withdrawal or

consumptive use after December 8, 2008, but before the effective date of this section, the capacity of the facility as determined by the chief on the basis of sufficient documentation prescribed by the chief;

(3) For a facility that develops the capacity to make a withdrawal or consumptive use after the effective date of this section, the capacity of the facility specified in a permit issued for the facility under section 1522.11 of the Revised Code.

"Baseline capacity" includes only the capacity of a facility that is representative of the state of the systems at the facility and that is based on approved withdrawal or consumptive use limits for the facility or the most restrictive capacity information available for the facility."

In line 305, delete "(A)" and insert "(C)"

In line 311, delete "(B)" and insert "(D)"

In line 317, delete "(C)" and insert "(E)"

In line 323, delete "(D)" and insert "(F)"

In line 326, delete "(E)" and insert "(G)"

In line 333, delete "(F)" and insert "(H)"

In line 340, delete "(G)" and insert "(I)"

Delete lines 346 through 357 and insert:

" (J) "Ground water" means all water occurring in an aquifer.

(K) "High-quality streams and rivers" means those stream and river segments to which either of the following applies:

(1) The stream or river segment is designated by the director of environmental protection under section 6111.041 of the Revised Code as a beneficial use for exceptional warmwater aquatic life habitat or coldwater aquatic life habitat.

(2) The stream or river segment is categorized by the director under division (A)(2) of section 6111.12 of the Revised Code as an outstanding state water or superior high quality water.

(L) "Large watershed" means any watershed that is greater than three hundred square miles in size as determined by the chief.

(M) "Medium watershed" means any watershed that is at least one hundred square miles in size, but not greater than three hundred square miles in size as determined by the chief."

In line 358, delete "(J)" and insert "(N)"

Delete lines 360 through 380 and insert:

" (O) "Small watershed" means any watershed that is less than one

hundred square miles in size as determined by the chief.

(P) "Stream or river" means a water body having a channel with a well defined bed and banks, either natural or artificial, that confine and conduct continuous or periodic flowing water."

In line 389, after " (A)" delete the balance of the line

Delete lines 390 through 449 and insert " Not later than six months after the effective date of this section, the chief of the division of soil and water resources shall establish a withdrawal and consumptive use permitting program for new or increased withdrawals or consumptive uses of water from the area of the state within the Great Lakes basin. After the establishment of the permitting program, the following persons shall obtain a permit from the chief prior to making a new or increased withdrawal or consumptive use of water from the area of the state within the Great Lakes basin:

(1) A person who proposes to develop the capacity at a facility to make a new withdrawal or to increase a withdrawal beyond the baseline capacity of the facility from a stream or river that is not a high-quality stream or river if any of the following applies:

(a) The capacity will be to make a withdrawal from a stream or river within a small watershed, and the withdrawal capacity of the facility will be greater than one hundred thousand gallons per day averaged over any thirty-day period.

(b) The capacity will be to make a withdrawal from a stream or river within a medium watershed, and the withdrawal capacity of the facility will be greater than two hundred fifty thousand gallons per day averaged over any thirty-day period.

(c) The capacity will be to make a withdrawal from a stream or river within a large watershed, and the withdrawal capacity of the facility will be greater than one million gallons per day averaged over any thirty-day period.

(2) A person who proposes to develop the capacity at a facility to make a new withdrawal or to increase a withdrawal beyond the baseline capacity of the facility from a stream or river that is a high-quality stream or river if any of the following applies:

(a) The capacity will be to make a withdrawal from a stream or river within a small watershed, and the withdrawal capacity of the facility will be greater than ten thousand gallons per day averaged over any thirty-day period.

(b) The capacity will be to make a withdrawal from a stream or river within a medium watershed, and the withdrawal capacity of the facility will be greater than twenty-five thousand gallons per day averaged over any thirty-day period.

(c) The capacity will be to make a withdrawal from a stream or river within a large watershed, and the withdrawal capacity of the facility will be

greater than one hundred thousand gallons per day averaged over any thirty-day period.

(3) A person who proposes to develop the capacity at a facility to make a new withdrawal or to increase a withdrawal beyond the baseline capacity of the facility from ground water if either of the following applies:

(a) During the period from the effective date of this section until one year after the effective date of this section, the capacity will be to make a withdrawal from ground water, and the withdrawal capacity of the facility will be greater than five hundred thousand gallons per day averaged over any thirty-day period.

(b) Beginning one year after the effective date of this section, the capacity will be to make a withdrawal from ground water, and the withdrawal capacity of the facility will be above a threshold or thresholds established in rules adopted in accordance with Chapter 119. of the Revised Code. The rules shall be adopted not later than one year after the effective date of this section. In adopting the rules, the chief shall use the science-based assessment process developed in rules adopted under section 1522.12 of the Revised Code.

(4) A person who owns a facility with a capacity to make a new withdrawal or to increase a withdrawal beyond the baseline capacity of the facility from Lake Erie if the withdrawal capacity of the facility will be greater than two million five hundred thousand gallons per day averaged over any thirty-day period;

(5) A person who owns a facility with a capacity to make a new consumptive use or to increase a consumptive use beyond the baseline capacity of the facility if the consumptive use capacity of the facility will be greater than two million gallons per day averaged over any thirty-day period.

(B) A person shall apply for a withdrawal and consumptive use permit under this section by submitting an application to the chief. The permit application shall contain the following information, as applicable:

(1) The withdrawal capacity per day of the facility for which a permit is sought if the withdrawal is to occur at a facility already in operation;

(2) The total new or increased daily withdrawal capacity proposed for the facility;

(3) The locations and sources of water proposed to be withdrawn;

(4) The locations of proposed discharges or return flows;

(5) The locations and nature of proposed consumptive uses;

(6) The estimated average annual and monthly volumes and rates of withdrawal;

(7) The estimated average annual and monthly volumes and rates of consumptive use;

(8) The effects the withdrawal is anticipated to have with respect to water resources;

(9) A description of alternative sources of water, if any, available to satisfy an applicant's withdrawal or consumptive use needs if the application is denied or modified;

(10) A description of the water conservation practices the applicant intends to utilize;

(11) Any other information the chief may require by rules adopted in accordance with Chapter 119. of the Revised Code."

In line 450, delete " (3) A" and insert " (C) An applicant shall submit a"

Delete lines 453 through 455

Delete lines 471 through 510 and insert:

" Not later than one year after the effective date of this section, the chief of the division of soil and water resources shall establish by rules adopted in accordance with Chapter 119. of the Revised Code a science-based assessment process for determining whether a withdrawal or consumptive use will cause significant individual or cumulative adverse resource impacts. The assessment process shall take into account all of the following:

(1) Quantitative standards to determine the impacts of ground water withdrawals on surface water, ground water, and water dependent natural resources;

(2) Quantitative standards that maintain stream flows protective of aquatic life;

(3) Source water quality;

(4) Impacts of cumulative withdrawals."

In line 533, delete " divisions (A)(1) to (3) of"

In line 591, after " from" delete the balance of the line

In line 592, delete everything before the underlined period and insert "high-quality streams and rivers"; after the underlined period delete the balance of the line

Delete lines 593 through 597

In line 614, delete " divisions (A)(1) to"

In line 615, delete " (3) of"

The question being, "Shall the motion to amend be agreed 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 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	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 pass?"

Representative Szollosi moved to amend as follows:

Delete lines 521 through 528

In line 662, delete " The"

Delete lines 663 through 666

Delete lines 677 through 679

Delete lines 691 through 694

The question being, "Shall the motion to amend be agreed 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 58, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Boose	Brenner	Bubp	Buchy
Burke	Butler	Carey	Combs
Conditt	Damschroder	Derickson	Dovilla
Duffey	Gardner	Gonzales	Goodwin
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	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 pass?"

Representative Antonio moved to amend as follows:

In line 10, delete "1522.13,"

Delete lines 314 through 316 and insert " "Baseline facility abandonment" also means the nonuse of a facility for a period of ten years."

In line 343, after the underlined period delete the balance of the line

Delete lines 344 and 345 and insert " "Facility abandonment" also means the nonuse of a facility for a period of ten years."

In line 456, after " (D)" delete the balance of the line

Delete lines 457 through 460

In line 461, delete " (E)"

In line 463, delete " (E)" and insert " (E)"

Between lines 465 and 466, insert:

" (F) In determining whether to issue a permit or permit renewal under this section, the chief shall consider the permit application in light of the cumulative effect on the water source of other permit applications for withdrawals and consumptive uses submitted during the ten years prior to the submission of the application.

(G) A permit issued under this section shall be valid for a period of time specified by the chief, not to exceed ten years.

(H) Any person who is issued a permit under this section shall submit an annual report to the chief with information the chief may require by rules adopted in accordance with Chapter 119. of the Revised Code.

(I) The following withdrawals are exempt from the requirement to obtain a permit under this section:

(1) Withdrawals used to supply vehicles, including vessels and aircraft, whether for the needs of the persons or animals being transported or for ballast or other needs related to the operation of the vehicles;

(2) Withdrawals used in a noncommercial project on a short-term basis for firefighting, humanitarian, or emergency response purposes;

(3) Withdrawals used for general residential purposes and serving fewer than twenty-five persons;

(4) Withdrawals from diffused surface water, including storm water retention ponds, private ponds, farm ponds, golf course ponds, nursery ponds, and those private waters that do not combine or effect a junction with natural surface or ground water.

(J) The capacity to make a withdrawal of water may not be transferred by the owner of a facility to another facility without obtaining a new permit for the facility prior to the transfer.

(K) Prior to the expiration of a permit issued under this section and in accordance with rules, the permittee may submit an application for renewal of the permit to the chief. The chief shall grant a permit renewal without further review if a permittee demonstrates that the permittee is in compliance with all terms and conditions of the permit, and the permittee demonstrates through third-party verification that the permittee has implemented environmentally sound and economically feasible water conservation practices that result in measurable conservation as defined by rule.

(L) A renewal shall be valid for a period of time specified by the chief, not to exceed ten years.

(M) The chief shall adopt rules in accordance with Chapter 119. of the Revised Code necessary to administer this section, including rules that do all of the following:

(1) Provide guidance on standards for determining whether and when to conduct a public meeting or hearing concerning a permit application;

(2) Establish environmentally sound and economically feasible conservation measures required for permittees in each water use sector;

(3) Require permittees to improve water conservation as the adverse resource impact of a withdrawal or consumptive use increases."

Delete lines 529 through 587

In line 598, after " 1522.15." delete the balance of the line

Delete lines 599 through 631

In line 632, delete " (B)"; after " chief" insert " of the division of soil and water resources"

In line 3 of the title, delete the first "and"; after "1522.11" insert ", 1522.12, and 1522.14"

The question being, "Shall the motion to amend be agreed 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 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon

Phillips
Slesnick
Williams

Pillich
Stinziano
Winburn

Ramos
Sykes

Reece
Szollosi
Yuko-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Foley moved to amend as follows:

In line 282, delete " The" and strike through the balance of the line

Strike through line 283

In line 285, delete " related to"

Delete line 286

In line 287, strike through "unless the general assembly enacts legislation"

In line 288, strike though "authorizing the"

In line 289, strike through "adoption of"; delete " the"; strike through "rules."; delete " The"; strike through "governor, the"

Strike through line 290

In line 291, delete " shall not"; strike through "adopt rules"

In line 292, delete " establishing a mandatory"; strike through "water conservation"

In line 293, delete " program" and strike through the balance of the line

In line 671, after " (B)" delete the balance of the line

Delete lines 672 through 679

In line 680, delete " (C)"

Delete lines 691 through 694

The question being, "Shall the motion to amend be agreed 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 58, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.
Baker
Blessing
Buchy
Combs
Dovilla
Goodwin

Adams R.
Balderson
Boose
Burke
Conditt
Duffey
Grossman

Amstutz
Beck
Brenner
Butler
Damschroder
Gardner
Hackett

Anielski
Blair
Bubp
Carey
Derickson
Gonzales
Hagan, C.

Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	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 pass?"

Representative Lundy moved to amend as follows:

In line 456, after " (D)" insert " The chief shall provide public notice in a newspaper of local circulation and on the internet web site of the department of natural resources of the receipt of an application for a permit under this section. The chief shall provide a public comment period of not less than forty-five days prior to acting on the application. In accordance with section 6.2 of the compact, the chief shall assure public accessibility to all documents relevant to the application and shall make the record of decision available for public inspection.

(E)"

In line 461, delete " (E)" and insert " (F)"

In line 463, delete " (F)" and insert " (G)"

In line 696, delete " five" and insert " three"

In line 699, after the underlined period delete the balance of the line

Delete lines 700 through 702 and insert " Terms of office for members of the commission shall be for six years, commencing on the twenty-ninth day of June and ending on the twenty-eighth day of June, except that the terms of the initial members appointed to the commission shall be for two, four, and six years as designated by the governor at the time of the appointment."

In line 713, after " (B)" delete the balance of the line

Delete lines 714 through 718 and insert " A member of the commission

shall have knowledge of or experience in water withdrawal technology, ecology, hydrology, or environmental or natural resources laws of this state. At least one member of the commission shall have a background in economic development or job creation. At least two members shall represent the public interest. Not more than two members shall belong to the same political party. No member shall be currently on the payroll of, or receiving pension or other benefits from, a registered user under section 1521.16 of the Revised Code or the owner of a facility for which a permit has been issued under this chapter."

In line 719, delete " Three" and insert " Two"

In line 749, delete " having a direct economic interest"

In line 750, after " be" insert " aggrieved or"

The question being, "Shall the motion to amend be agreed 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 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	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 pass?"

The yeas and nays were taken and resulted - yeas 60, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Stinziano	Thompson
Uecker	Wachtmann	Young	Batchelder-60.

Those who voted in the negative were: Representatives

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

The bill passed.

Representative Wachtmann moved to amend the title as follows:

Add the names: "Beck, Blair, Blessing, Brenner, Buchy, Damschroder, Dovilla, Hackett, Hall, Hottinger, Huffman, Johnson, Kozlowski, Maag, Martin, McClain, Newbold, Roegner, Sears, Slaby, Thompson, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 120-Representatives Carey, Gentile.

Cosponsors: Representatives Burke, Murray, Combs, Yuko, O'Brien, Milkovich, Stebelton, Balderson, Letson, Antonio, Hall, Buchy.

To create the Water Access To Every Residence Task Force, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 98, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gentile	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	McKenney
Mecklenborg	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Peterson
Phillips	Pillich	Ramos	Reece
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Slesnick	Sprague
Stautberg	Stebelton	Stinziano	Sykes
Szollosi	Thompson	Uecker	Wachtmann
Weddington	Williams	Winburn	Young
Yuko			Batchelder-98.

The bill passed.

Representative Carey moved to amend the title as follows:

Add the names: "Adams, R., Amstutz, Anielski, Barnes, Beck, Blair, Bubp, Carney, Clyde, Conditt, Derickson, Driehaus, Fedor, Fende, Foley, Garland, Gerberry, Hackett, Hagan, C., Hagan, R., Hayes, Heard, Henne, Johnson, Landis, Luckie, Mallory, McClain, McKenney, Newbold, Okey, Peterson, Ramos, Reece, Schuring, Slaby, Slesnick, Stinziano, Thompson, Weddington, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 157-Representatives Schuring, Letson.

Cosponsors: Representatives Derickson, Hall, Combs, Stebelton, Yuko, Hollington, Fende, Antonio.

To enact section 3319.80 of the Revised Code to authorize educational service centers to provide teacher professional development on dyslexia, 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	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gentile	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	McKenney
Mecklenborg	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Peterson
Pillich	Ramos	Reece	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Slesnick	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Thompson	Uecker	Wachtmann	Weddington
Williams	Winburn	Young	Yuko
			Batchelder-97.

The bill passed.

Representative Schuring moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Anielski, Barnes, Beck, Boose, Brenner, Bubp, Buchy, Budish, Carney, Celeste, Dovilla, Driehaus, Fedor, Gardner, Garland, Gentile, Gerberry, Goyal, Hackett, Hagan, C., Hagan, R., Heard, Henne, Hottinger, Kozlowski, Luckie, Lundy, Mallory, McClain, Mecklenborg, Milkovich, Murray, Newbold, O'Brien, Okey, Patmon, Peterson, Pillich, Ramos, Reece, Roegner, Ruhl, Slaby, Slesnick, Stinziano, Weddington, Williams, Winburn, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 218-Representative Hottinger.

Cosponsors: Representatives Grossman, Stebelton, Carey, Blair, Buchy, Blessing, Ruhl, Maag, Letson, Hackett, Carney, Luckie, Schuring, Sears.

To amend sections 1751.66 and 3923.60 of the Revised Code to use the compendia adopted by the United States Department of Health and Human Services to determine whether an insurer may exclude coverage for off-label drug usage, 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	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gentile	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	McKenney
Mecklenborg	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Peterson
Pillich	Ramos	Reece	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Slesnick	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Thompson	Uecker	Wachtmann	Weddington
Williams	Winburn	Young	Yuko
			Batchelder-97.

The bill passed.

Representative Hottinger moved to amend the title as follows:

Add the names: "Adams, R., Anielski, Antonio, Boose, Budish, Combs, Derickson, Dovilla, Fedor, Fende, Foley, Gardner, Garland, Gerberry, Goyal, Hagan, C., Hagan, R., Hall, Heard, Johnson, Kozlowski, Lundy, Mallory, McKenney, Milkovich, Murray, Newbold, O'Brien, Okey, Peterson, Pillich, Ramos, Slaby, Uecker, Weddington, Young, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 245-Representative Yuko.

Cosponsors: Representatives Ashford, Mecklenborg, Derickson, Combs, Fende, Ramos, Antonio, Gerberry, Letson, Lundy, Goodwin, Barnes, Carney, Celeste, Garland, Hackett, Johnson, Schuring, Sears.

To enact section 5.2267 of the Revised Code to designate September as "Pain Awareness Month", 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	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gentile	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	McKenney
Mecklenborg	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Peterson
Pillich	Ramos	Reece	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Slesnick	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Thompson	Uecker	Wachtmann	Weddington
Williams	Winburn	Young	Yuko
			Batchelder-97.

The bill passed.

Representative Yuko moved to amend the title as follows:

Add the names: "Adams, R., Anielski, Blair, Blessing, Buchy, Budish, Clyde, DeGeeter, Driehaus, Fedor, Foley, Gentile, Goyal, Hagan, C., Hagan, R., Hall, Heard, Huffman, Landis, Mallory, McKenney, Milkovich, Murray, Okey, Patmon, Pillich, Reece, Slesnick, Stinziano, Szollosi, Weddington, Williams, Winburn, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. C. R. No. 13-Representative Beck.

Cosponsors: Representatives Antonio, Blair, Blessing, Brenner, Butler, Derickson, Garland, Gerberry, Grossman, Landis, Pillich, Reece, Rosenberger, Roegner, Stinziano, Szollosi, Wachtmann, Johnson, Martin, Bulp, Fedor, Hagan, C., Milkovich, Yuko.

To honor and commemorate veterans of the Vietnam War on the fifty-fifth anniversary of the first casualty of the war, was taken up for consideration the third time.

Representative Beck moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Anielski, Ashford, Baker, Balderson, Barnes, Boose, Buchy, Budish, Burke, Carey, Carney, Celeste, Clyde, Combs, Conditt, Damschroder, DeGeeter, Dovilla, Driehaus, Duffey, Fende, Foley, Gardner, Gentile, Gonzales, Goodwin, Goyal, Hackett, Hagan, R., Hall, Hayes, Heard, Henne, Hollington, Hottinger, Huffman, Kozlowski, Letson, Luckie, Lundy, Maag, Mallory, McClain, McGregor, McKenney, Mecklenborg, Murray, Newbold, O'Brien, Okey, Patmon, Peterson, Ramos, Ruhl, Schuring, Sears, Slaby, Slesnick, Sprague, Stautberg, Stebelton, Sykes, Thompson, Uecker, Weddington, Williams, Winburn, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

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	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bulp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gentile	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	McKenney
Mecklenborg	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Peterson
Pillich	Ramos	Reece	Roegner
Rosenberger	Ruhl	Schuring	Sears

Slaby	Slesnick	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Thompson	Uecker	Wachtmann	Weddington
Williams	Winburn	Young	Yuko
			Batchelder-97.

The concurrent 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:

Am. Sub. H. B. No. 163 -Representative Balderson

Cosponsors: Representatives Carey, Derickson, Boose, Adams, J., Blessing, Combs, Hackett, Stebelton, Buchy, Amstutz, Anielski, Barnes, Beck, Blair, Bulp, Burke, Dovilla, Gardner, Garland, Gerberry, Grossman, Hagan, C., Hayes, Hottinger, Letson, Lundy, Maag, Mallory, Martin, McClain, Mecklenborg, Newbold, Peterson, Roegner, Ruhl, Slaby, Stautberg, Szollosi, Thompson, Uecker, Wachtmann Senators Schaffer, Brown, Coley, Daniels, Hite, Hughes, Jordan, Lehner, Manning, Niehaus, Oelslager, Sawyer, Schiavoni, Seitz, Stewart, Tavares, Turner, Wagoner, Widener, Wilson

To amend sections 1513.07, 1513.073, 1513.075, 1513.081, 1513.16, 1513.18, and 1513.371 of the Revised Code to revise the coal mining laws regarding permit application, set-back, and alternative water treatment or supply requirements.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

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

Am. S. B. No. 117 -Senators Seitz, Schiavoni

Cosponsors: Senators Kearney, Wagoner, Bacon, Brown, Coley, Faber, Gillmor, Grendell, Hughes, Obhof, Oelslager, Patton, Smith, Turner, Wilson

To amend sections 1337.092, 1337.12, 2101.24, 2109.21, 2111.02, 2111.12, 2111.121, 5301.071, 5747.02, 5801.10, 5804.12, 5808.14, 5808.17, and 5810.13; to enact new section 2107.52 and sections 1337.21 to 1337.64, 3793.31 to 3793.39, 5808.18, 5808.19, 5809.031, and 5810.14; and to repeal sections 1337.09, 1337.091, 1337.093, 1337.18, 1337.19, 1337.20, and 2107.52 of the Revised Code to adopt the Uniform Power of Attorney Act; to modify a trustee's duties with respect to life insurance policies, specify a trustee's power to distribute trust principal in further trust, provide for the titling of assets in trust form, and make other changes in the Trust Code; to modify the anti-lapse provisions regarding wills and adopt anti-lapse provisions applicable to trusts; to provide a mechanism for a probate court to order a person who suffers from alcohol and other drug abuse to undergo treatment; to provide a rule of construction interpreting federal estate tax and generation-skipping transfer tax formulas in wills and trusts due to the repeal of those taxes; and to declare an emergency.

Sub. S. B. No. 171 -Senators Gillmor, Wagoner

Cosponsors: Senators Bacon, Beagle, Cafaro, Coley, Daniels, Hughes, Jones, Jordan, LaRose, Niehaus, Oelslager, Patton, Widener, Wilson

To amend sections 9.90, 101.532, 101.83, 101.84, 101.85, 101.86, 102.02, 109.91, 121.32, 127.14, 173.03, 173.04, 2953.08, 3302.021, 3311.71, 3312.01, 3312.09, 3313.202, 3701.025, 3701.63, 3727.312, 3737.03, 3737.21, 3737.81, 3737.86, 3737.88, 3743.54, 3746.04, 4117.03, 4121.03, 4121.12, 4121.121, 4121.125, 4121.128, 4123.341, 4123.342, 4123.35, 5111.708, 5123.032, and 5123.093; and to repeal sections 9.901, 101.37, 121.374, 122.97, 122.971, 122.98, 122.981, 125.833, 181.21, 181.22, 181.23, 181.24, 181.25, 181.26, 184.23, 184.231, 1349.71, 1349.72, 1501.25, 2151.282, 3306.29, 3306.291, 3306.292, 3306.50, 3306.51, 3306.52, 3306.53, 3306.54, 3306.55, 3306.56, 3306.57, 3306.58, 3306.59, 3311.77, 3312.11, 3312.12, 3319.70, 3319.71, 3701.92, 3727.322, 3746.03, 4121.75, 4121.76, 4121.77, 4121.78, 4121.79, 4501.025, 5111.709, 5111.7010, 5123.60, and 5902.15 of the Revised Code; and to amend Section 5 of Sub. H.B. 125 of the 127th General Assembly as subsequently amended, Section 20 of Am. Sub. H.B. 554 of the 127th General Assembly, Section 3 of Sub. H.B. 187 of the 126th General Assembly, and Section 513.03 of Am. Sub. H.B. 66 of the 126th General Assembly as subsequently amended; and to repeal Section 3 of Sub. H.B. 495 of the 128th General Assembly, Sections 209.40, 309.40.70, and 709.10 of Am. Sub. H.B. 1 of the 128th General Assembly, Sections 755.80 and 756.40 of Am. Sub. H.B. 2 of the 128th General Assembly, Section 3 of Sub. H.B. 7 of the 127th General Assembly, Section 555.17 of Am. Sub. H.B. 67 of the 127th General Assembly, Sections 263.30.30, 337.20.20, 377.20, and 737.11 of Am. Sub. H.B. 119 of the 127th General Assembly, Sections 6 and 7 of Sub. H.B. 125 of the 127th General Assembly, Section 2 of Sub. H.B. 233 of the 127th General

Assembly, Sections 703.30 and 715.50 of Am. Sub. H.B. 562 of the 127th General Assembly, Section 4 of Am. Sub. S.B. 77 of the 127th General Assembly, Sections 206.10.12, 206.42.12, 206.66.24, 206.66.43, 209.63.58, 503.09, and 503.12 of Am. Sub. H.B. 66 of the 126th General Assembly, Section 4 of Sub. H.B. 187 of the 126th General Assembly, Section 1 of Sub. H.B. 371 of the 126th General Assembly, Section 235.60.70 of Am. Sub. H.B. 699 of the 126th General Assembly, Section 3 of Am. Sub. S.B. 167 of the 126th General Assembly, Section 5 of Am. Sub. S.B. 260 of the 126th General Assembly, Section 3 of Sub. S.B. 393 of the 126th General Assembly, Sections 12 and 25 of Am. Sub. H.B. 87 of the 125th General Assembly, Sections 41.35 and 153 of Am. Sub. H.B. 95 of the 125th General Assembly, Section 8 of Sub. H.B. 299 of the 125th General Assembly, Section 6 of Am. Sub. H.B. 516 of the 125th General Assembly, Section 3 of Am. Sub. S.B. 86 of the 125th General Assembly, Section 3 of Sub. H.B. 230 of the 124th General Assembly, Section 3 of Am. Sub. H.B. 474 of the 124th General Assembly, Section 4 of Am. Sub. S.B. 281 of the 124th General Assembly, Section 3 of Am. H.B. 416 of the 127th General Assembly as subsequently amended, Section 701.20 of Am. Sub. H.B. 562 of the 127th General Assembly as subsequently amended, Section 206.66.53 of Am. Sub. H.B. 66 of the 126th General Assembly as subsequently amended, Section 6 of Sub. H.B. 336 of the 126th General Assembly as subsequently amended, Section 755.03 of Am. Sub. H.B. 530 of the 126th General Assembly as subsequently amended, Section 6 of Am. Sub. S.B. 238 of the 126th General Assembly as subsequently amended, Section 152 of Am. Sub. H.B. 95 of the 125th General Assembly as subsequently amended, and Section 59.29 of Am. Sub. H.B. 95 of the 125th General Assembly as subsequently amended to implement the recommendations of the Sunset Review Committee by abolishing, terminating, transferring, or renewing various agencies and by reestablishing the Sunset Review Committee but postponing its operation until the 131st General Assembly, to terminate the operation of certain provisions of this act on December 31, 2016, by repealing sections 101.82, 101.83, 101.84, 101.85, 101.86, and 101.87 of the Revised Code on that date, and to declare an emergency.

Attest:

Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

On motion of Representative Blessing, the House recessed.

The House met pursuant to recess.

Representative Rosenberger moved that the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

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

H.B. No. 270 - Representative Williams, et al

TO CREATE THE "OHIO LEGISLATIVE BLACK CAUCUS
FOUNDATION" LICENSE PLATE.

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

H.B. No. 271 - Representatives Antonio and Foley, et al

TO CREATE THE OHIO WORKS PROGRESS ADMINISTRATION, AND
TO REQUIRE THE GENERAL REVENUE FUND SURPLUS REVENUE
TO BE USED FOR OPERATION OF THE OHIO WORKS PROGRESS
ADMINISTRATION.

To the committee on Finance and Appropriations

H.B. No. 272 - Representatives Celeste and Ruhl, et al

TO INCREASE THE PENALTIES FOR STREET RACING AND TO
CREATE THE OFFENSE OF "STREET RACING MANSLAUGHTER."

To the committee on Criminal Justice

H.B. No. 273 - Representatives Henne and C. Hagan

TO REQUIRE THE DEPARTMENT OF DEVELOPMENT TO REPORT
ECONOMIC DEVELOPMENT AWARD INFORMATION TO THE
GENERAL ASSEMBLY AND THE PUBLIC AND TO REMOVE THE
RESPONSIBILITY OF THE ATTORNEY GENERAL TO PUBLISH
ECONOMIC DEVELOPMENT AWARD REPORTS.

To the committee on Economic and Small Business Development

H.B. No. 274 - Representative Letson

TO PROVIDE THAT A TRANSFER FEE FOR PURPOSES OF A
TRANSFER FEE COVENANT DOES NOT INCLUDE ANY PAYMENT
REQUIRED PURSUANT TO A CONSERVATION EASEMENT OR
AGRICULTURAL EASEMENT.

To the committee on Judiciary and Ethics

H.B. No. 275 - Representatives Young and Slaby, et al

TO ALLOW SUPPLIERS AND CONSUMERS TO ENTER INTO A RIGHT
TO CURE AGREEMENT.

To the committee on Judiciary and Ethics

H.B. No. 276 - Representative Buchy and Gentile, et al

TO INCLUDE THE PRODUCTION FROM CERTAIN FEEDSTOCKS OF BIODIESEL, BIOMASS ENERGY, ELECTRIC OR HEAT ENERGY, AND BIOLOGICALLY DERIVED METHANE GAS IN THE DEFINITION OF "AGRICULTURE" FOR PURPOSES OF THE LAWS GOVERNING COUNTY ZONING, TOWNSHIP ZONING, AND CURRENT AGRICULTURAL USE VALUATION.

To the committee on Agriculture and Natural Resources

H.B. No. 277 - Representatives Blessing and Gerberry

TO PERMIT A HORSE-RACING PERMIT HOLDER WHO IS ELIGIBLE TO BECOME A VIDEO LOTTERY SALES AGENT TO APPLY TO THE STATE RACING COMMISSION TO MOVE ITS TRACK TO ANOTHER LOCATION.

To the committee on State Government and Elections

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

TO ADOPT THE UNIFORM POWER OF ATTORNEY ACT; TO MODIFY A TRUSTEE'S DUTIES WITH RESPECT TO LIFE INSURANCE POLICIES, SPECIFY A TRUSTEE'S POWER TO DISTRIBUTE TRUST PRINCIPAL IN FURTHER TRUST, PROVIDE FOR THE TITLING OF ASSETS IN TRUST FORM, AND MAKE OTHER CHANGES IN THE TRUST CODE; TO MODIFY THE ANTI-LAPSE PROVISIONS REGARDING WILLS AND ADOPT ANTI-LAPSE PROVISIONS APPLICABLE TO TRUSTS; TO PROVIDE A MECHANISM FOR A PROBATE COURT TO ORDER A PERSON WHO SUFFERS FROM ALCOHOL AND OTHER DRUG ABUSE TO UNDERGO TREATMENT; TO PROVIDE A RULE OF CONSTRUCTION INTERPRETING FEDERAL ESTATE TAX AND GENERATION-SKIPPING TRANSFER TAX FORMULAS IN WILLS AND TRUSTS DUE TO THE REPEAL OF THOSE TAXES; AND TO DECLARE AN EMERGENCY.

To the committee on Judiciary and Ethics

Sub. S.B. No. 171 - Senators Gillmor and Wagoner, et al

TO AMEND SECTION 5 OF SUB. H.B. 125 OF THE 127TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 20 OF AM. SUB. H.B. 554 OF THE 127TH GENERAL ASSEMBLY, SECTION 3 OF SUB. H.B. 187 OF THE 126TH GENERAL ASSEMBLY, AND SECTION 513.03 OF AM. SUB. H.B. 66 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED; AND TO REPEAL SECTION 3 OF SUB. H.B. 495 OF THE 128TH GENERAL ASSEMBLY, SECTIONS 209.40, 309.40.70, AND 709.10 OF AM. SUB. H.B. 1 OF THE 128TH GENERAL ASSEMBLY, SECTIONS 755.80 AND 756.40 OF AM. SUB. H.B. 2 OF THE 128TH GENERAL ASSEMBLY, SECTION 3 OF SUB. H.B. 7 OF THE 127TH GENERAL ASSEMBLY, SECTION 555.17 OF AM. SUB. H.B. 67 OF THE 127TH GENERAL ASSEMBLY, SECTIONS 263.30.30, 337.20.20, 377.20, AND 737.11 OF AM. SUB. H.B. 119 OF THE 127TH GENERAL ASSEMBLY, SECTIONS 6 AND 7 OF SUB. H.B. 125 OF THE

127TH GENERAL ASSEMBLY, SECTION 2 OF SUB. H.B. 233 OF THE 127TH GENERAL ASSEMBLY, SECTIONS 703.30 AND 715.50 OF AM. SUB. H.B. 562 OF THE 127TH GENERAL ASSEMBLY, SECTION 4 OF AM. SUB. S.B. 77 OF THE 127TH GENERAL ASSEMBLY, SECTIONS 206.10.12, 206.42.12, 206.66.24, 206.66.43, 209.63.58, 503.09, AND 503.12 OF AM. SUB. H.B. 66 OF THE 126TH GENERAL ASSEMBLY, SECTION 4 OF SUB. H.B. 187 OF THE 126TH GENERAL ASSEMBLY, SECTION 1 OF SUB. H.B. 371 OF THE 126TH GENERAL ASSEMBLY, SECTION 235.60.70 OF AM. SUB. H.B. 699 OF THE 126TH GENERAL ASSEMBLY, SECTION 3 OF AM. SUB. S.B. 167 OF THE 126TH GENERAL ASSEMBLY, SECTION 5 OF AM. SUB. S.B. 260 OF THE 126TH GENERAL ASSEMBLY, SECTION 3 OF SUB. S.B. 393 OF THE 126TH GENERAL ASSEMBLY, SECTIONS 12 AND 25 OF AM. SUB. H.B. 87 OF THE 125TH GENERAL ASSEMBLY, SECTIONS 41.35 AND 153 OF AM. SUB. H.B. 95 OF THE 125TH GENERAL ASSEMBLY, SECTION 8 OF SUB. H.B. 299 OF THE 125TH GENERAL ASSEMBLY, SECTION 6 OF AM. SUB. H.B. 516 OF THE 125TH GENERAL ASSEMBLY, SECTION 3 OF AM. SUB. S.B. 86 OF THE 125TH GENERAL ASSEMBLY, SECTION 3 OF SUB. H.B. 230 OF THE 124TH GENERAL ASSEMBLY, SECTION 3 OF AM. SUB. H.B. 474 OF THE 124TH GENERAL ASSEMBLY, SECTION 4 OF AM. SUB. S.B. 281 OF THE 124TH GENERAL ASSEMBLY, SECTION 3 OF AM. H.B. 416 OF THE 127TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 701.20 OF AM. SUB. H.B. 562 OF THE 127TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 206.66.53 OF AM. SUB. H.B. 66 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 6 OF SUB. H.B. 336 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 755.03 OF AM. SUB. H.B. 530 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 6 OF AM. SUB. S.B. 238 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 152 OF AM. SUB. H.B. 95 OF THE 125TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, AND SECTION 59.29 OF AM. SUB. H.B. 95 OF THE 125TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED TO IMPLEMENT THE RECOMMENDATIONS OF THE SUNSET REVIEW COMMITTEE BY ABOLISHING, TERMINATING, TRANSFERRING, OR RENEWING VARIOUS AGENCIES AND BY REESTABLISHING THE SUNSET REVIEW COMMITTEE BUT POSTPONING ITS OPERATION UNTIL THE 131ST GENERAL ASSEMBLY, TO TERMINATE THE OPERATION OF CERTAIN PROVISIONS OF THIS ACT ON DECEMBER 31, 2016, BY REPEALING SECTIONS 101.82, 101.83, 101.84, 101.85, 101.86, AND 101.87 OF THE REVISED CODE ON THAT DATE, AND TO DECLARE AN EMERGENCY.

To the committee on State Government and Elections

LOUIS W. BLESSING
ANDREW BRENNER
ANNE GONZALES
ARMOND BUDISH
MATT SZOLLOSI

JOHN ADAMS
DAVE BURKE
CHERYL GROSSMAN
TRACY HEARD

Representative Rosenberger 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 and Senate 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 and Senate Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H.R. No. 147 - Representatives Roegner, Slaby

Honoring Christina Blair as a 2011 Division II State Track and Field Champion.

H.R. No. 148 - Representative Peterson

Honoring Logan Rowe as a 2011 Division II State Track and Field Champion.

/s/ LOUIS BLESSING
Louis Blessing, Chair

Representative Rosenberger 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.

On motion of Representative Rosenberger, the House adjourned until Thursday, June 23, 2011 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.