

OHIO

House

of

Representatives

JOURNAL

THURSDAY, DECEMBER 6, 2012

TWO HUNDRED NINTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, December 6, 2012, 9:00 o'clock a.m.

The House met pursuant to adjournment.

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

Representative Conditt 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 Yuko submitted the following report:

The standing committee on Commerce, Labor, and Technology to which was referred **Sub. S. B. No. 298**-Senator Cafaro, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: LOCAL ENTERTAINMENT DISTRICTS-LIQUOR PERMITS
FOR

RON YOUNG
RICHARD ADAMS
TERRY BLAIR
ROSS MCGREGOR
DAN RAMOS
JOSEPH W. UECKER

JOHN ADAMS
NICKIE ANTONIO
ROBERT F. HAGAN
DENNIS MURRAY
LOUIS TERHAR
KENNY YUKO

The report was agreed to.

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

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has refused to concur in the House amendments to:

Am. Sub. S. B. No. 70 -Senator Schaffer - et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has refused to concur in the House amendments to:

Sub. S. B. No. 287 -Senators LaRose, Cafaro - et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Sub. S. B. No. 333-Senator Obhof - et al.

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:

Sub. S. B. No. 327-Senators Beagle, Tavares

Cosponsors: Senators Seitz, Bacon, Balderson, Brown, Eklund, Faber, Hughes, Kearney, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Smith, Turner, Wagoner, Widener

To amend sections 5725.33, 5725.98, 5729.16, and 5733.58 and to enact section 5725.331 of the Revised Code to divide the New Markets Tax Credit program into the New Markets Revitalization Tax Credit program, with an annual credit cap of \$15 million, and the New Markets Expansion Tax Credit program, with an annual credit cap of \$35 million, and to specify separate standards and application procedures for each program.

Sub. S. B. No. 330 -Senator Schiavoni

Cosponsors: Senators Turner, Wagoner, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Gentile, Hite, Hughes, Kearney, Niehaus, Obhof, Peterson, Sawyer, Schaffer, Skindell, Smith, Tavares, Widener

To amend sections 2929.12 and 2929.22 of the Revised Code to require a court in determining the sentence for a criminal offense to consider emotional, mental, or physical conditions traceable to an offender's military service that contributed to the offender's commission of the offense and to consider the offender's military service record.

Attest: Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

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. 417 -Representative Grossman

Cosponsors: Representatives Duffey, Thompson, Hall, Beck, Blair, Pelanda, Terhar, Patmon, Kozlowski, Reece, Hill, Hackett, Uecker, Yuko, Anielski, Antonio, Baker, Boose, Boyd, Butler, Garland, Hagan, C., Huffman, Johnson, Luckie, Lundy, Milkovich, Newbold, Ramos, Sykes, Winburn, Young, Speaker Batchelder Senators Brown, Bacon, Beagle, Hite, Hughes, Jones, Manning, Sawyer, Seitz, Tavares, Wagoner

To enact section 4731.228 of the Revised Code regarding responsibility for notifying patients that a physician's employment by a health care entity has been terminated.

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

Attest: Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

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

Sub. H. B. No. 420-Representatives Peterson, Stinziano
Cosponsors: Representatives McClain, Grossman, Henne, McGregor, Ruhl, Combs, Hagan, C., Hill, Stebelton, Garland, Clyde, Buchy, Hall, Heard, Kozlowski, Letson, Luckie Senators Hite, Bacon, Balderson, Lehner, Patton, Seitz, Wagoner

To amend sections 905.31, 905.40, 905.411, 905.44, 905.50, 905.99, 1533.10, 1533.11, 1533.111, 1533.32, 1533.73, and 1533.731 and to enact section 1531.40 of the Revised Code to require commercial nuisance wild animal control operators that provide nuisance wild animal removal or control services to be licensed by the Chief of the Division of Wildlife, to exempt residents of other states that own land in this state from having to obtain licenses and permits issued by the Division for hunting, trapping, or fishing under specified circumstances, to allow persons to hunt in commercial bird shooting preserves and wild animal hunting preserves without obtaining a hunting license or deer permit, as applicable, and to revise the rulemaking authority of the Director of Agriculture regarding anhydrous ammonia and other fertilizers.

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

Attest: Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

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

Sub. H. B. No. 360-Representative Rosenberger
Cosponsors: Representatives Butler, Murray, Grossman, Adams, J., Ruhl, Gonzales, Combs, Stautberg, Speaker Batchelder Senators Hite, LaRose, Eklund, Gentile, Niehaus, Seitz, Wagoner

To amend sections 125.183, 167.03, 2307.64, 2913.01, 3745.13, 4742.01, 4905.30, 4927.03, 4927.15, 4931.40, 4931.41, 4931.42, 4931.43, 4931.44,

4931.45, 4931.46, 4931.47, 4931.48, 4931.49, 4931.50, 4931.51, 4931.52, 4931.53, 4931.54, 4931.60, 4931.61, 4931.62, 4931.63, 4931.64, 4931.65, 4931.651, 4931.66, 4931.67, 4931.68, 4931.69, 4931.99, 5705.19, and 5733.55; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 125.183 (5507.02), 4931.40 (5507.01), 4931.41 (5507.03), 4931.42 (5507.06), 4931.43 (5507.07), 4931.44 (5507.08), 4931.45 (5507.12), 4931.46 (5507.15), 4931.47 (5507.18), 4931.48 (5507.09), 4931.49 (5507.32), 4931.50 (5507.34), 4931.51 (5507.22), 4931.52 (5507.25), 4931.53 (5507.26), 4931.54 (5507.27), 4931.60 (5507.40), 4931.61 (5507.42), 4931.62 (5507.46), 4931.63 (5507.53), 4931.64 (5507.55), 4931.65 (5507.57), 4931.651 (5507.571), 4931.66 (5507.60), 4931.67 (5507.63), 4931.68 (5507.65), 4931.69 (5507.66), 4931.75 (4931.10), and 4931.99 (5507.99); to enact new section 4931.99 and sections 5507.021, 5507.022, 5507.44, 5507.51, and 5507.52; and to repeal section 4931.70 of the Revised Code to transfer certain 9-1-1 authority to the Director of Public Safety and to the tax commissioner, to revise the amount and methods of collection and remittance of the wireless 9-1-1 charge for prepaid wireless services, 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.

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. 380 -Representative Blessing
Cosponsors: Representatives Slaby, Hackett, McGregor, Adams, J., Amstutz, Buchy, Wachtmann, Speaker Batchelder Senators Coley, Eklund, Jones, Schaffer, Seitz

To enact sections 2307.951, 2307.952, 2307.953, and 2307.954 of the Revised Code to require claimants in asbestos tort actions to make certain disclosures pertaining to asbestos trust claims that have been submitted to asbestos trust entities for the purpose of compensating the claimant for asbestos exposure.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 120, delete "either" and insert "may"

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

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

Am. Sub. H. B. No. 510 -Representative Amstutz

Cosponsors: Representatives Adams, R., Beck, Blair, Blessing, Boose, Bulp, Hackett, Henne, Hottinger, Huffman, McClain, Ruhl, Sprague, Stebelton, Uecker, Wachtmann, Speaker Batchelder Senators Bacon, Schaffer, Beagle, Coley, Eklund, Faber, Niehaus, Seitz

To amend sections 122.17, 122.171, 122.85, 145.114, 145.116, 149.311, 150.01, 150.07, 150.10, 715.013, 742.114, 742.116, 1311.85, 1311.86, 1311.87, 1311.88, 3307.152, 3307.154, 3309.157, 3309.159, 5505.068, 5505.0610, 5703.052, 5703.053, 5703.70, 5707.03, 5709.76, 5711.22, 5713.03, 5725.02, 5725.14, 5725.16, 5725.26, 5725.33, 5733.01, 5733.02, 5733.021, 5733.06, 5747.01, 5747.98, 5751.01, 5751.011, 5751.012, and 5751.98, to enact sections 5701.12, 5726.01 to 5726.04, 5726.041, 5726.05 to 5726.08, 5726.10, 5726.20, 5726.21, 5726.30 to 5726.33, 5726.36, 5726.40 to 5726.43, 5726.50 to 5726.57, 5726.98, 5726.99, 5747.65, and 5751.54 of the Revised Code, and to repeal Section 757.51 of Am. Sub. H.B. 487 of the 129th General Assembly to impose a new tax on financial institutions, effective January 1, 2014, to provide that such institutions and dealers in intangibles are no longer subject to the corporation franchise tax or dealers in intangibles tax after 2013, to require dealers in intangibles that are not owned by a financial institution to pay the commercial activity tax after 2013 except for "small dollar lenders," which will become subject to the new financial institutions tax, to make changes to the law regarding commercial real estate broker liens, to require county auditors to account for the impact of police powers and other governmental actions in the valuation of real property, and to accelerate the application of provisions of Am. Sub. H.B. 487 of the 129th General Assembly affecting the valuation of real property.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 3034, delete "twenty-four" and insert "twelve"

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

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

Attest:

JENNIFER E. WOODRING,
Clerk.