

OHIO

House

of

Representatives

JOURNAL

TUESDAY, DECEMBER 11, 2012

TWO HUNDRED TENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, December 11, 2012, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Owen Stotts of the Grove City Church of the Nazarene in Grove City, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

The Clinton Massey high school football team received H.R. 517, presented by Representatives Rosenberger-86th district and Maag-35th district.

The Lebanon high school drumline received H.R. 476, presented by Representatives Maag-35th district and Beck-67th district.

Jacquelyn Crow received H.R. 494, presented by Representatives Maag-35th district and Beck-67th district.

The Bishop Fenwick high school girls soccer team received H.R. 496, presented by Representatives Maag-35th district and Beck-67th district.

The Franklin high school cheerleading squad received H.R. 483 presented by Representatives Maag-35th district and Beck-67th district.

Valley Vineyards received H.R. 456, presented by Representative Maag-35th district.

Dennis and Cheri Johnson and Jim and Lee Jewett, guests of Representative Stebelton-5th district.

Jim Garland, a guest of Representative Garland-20th district.

James Dugan, a guest of Representative Pillich-28th district.

Carol, Dennis, Eric, and Holly Combs, family of Representative Combs-54th district.

Dylan Fletcher, a guest of Representative Conditt-55th district.

Larry, Tim, Nicole, Jackie, Jessica, and Nick Allen, guests of Representative Fende-62nd district.

Collin Whitesell, a guest of Representatives Goodwin-74th district and Hill-94th district.

Jennifer Garrison, Linda Bolon, and Debbie Newcomb, guests of Representative Phillips-92nd district and Fende-62nd district.

INTRODUCTION OF BILLS

The following bills and joint resolution were introduced:

H. B. No. 615-Representatives Goyal, Letson.

Cosponsors: Representatives Fende, Yuko, O'Brien, Antonio, Stinziano, Gerberry, Garland, Lundy, Reece, Murray, Mallory, Driehaus, Boyce, Fedor, Celebrezze, Heard.

To enact sections 134.01, 134.02, 134.03, 134.031, 134.04, 134.041, 134.042, 134.05, 134.06, 134.07, 134.08, 134.09, and 134.10 of the Revised Code to create the Ohio bond bank to assist political subdivisions with borrowing and with the acquisition of property by acting as a financing conduit.

H. B. No. 616-Representatives Goyal, Lundy.

Cosponsors: Representatives Murray, Pillich.

To amend section 149.351 of the Revised Code to make changes to the statute authorizing injunctive relief and liquidated damages to compensate for harm caused by the destruction of public records, and to designate the Act as "The Public Corruption Prosecution Act."

H. J. R. No. 7-Representative Goyal.

Proposing to amend Section 11 of Article II, Sections 1a and 17a of Article III, Section 7 of Article V, Section 3 of Article VII, Section 4 of Article X, and Section 2 of Article XVII, to enact Section 3 of Article XVII, and to repeal Section 18 of Article III and Section 13 of Article IV of the Constitution of the State of Ohio to institute top two candidate primary elections.

Said bills and joint resolution were considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 360**-Representative Rosenberger, et al., were taken up for consideration.

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.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted - yeas 84, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Antonio	Baker
Barnes	Beck	Blair	Blessing
Boose	Boyce	Bubp	Buchy
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hagan, R.	Hall	Hayes
Heard	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Lundy	Lynch	Mallory	McClain
McGregor	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Pelanda
Phillips	Pillich	Ramos	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Yuko	Batchelder-84.

Representatives Adams J., Anielski, Brenner, Butler, Henne, Martin, Roegner, and Young voted in the negative-8.

Having received a constitutional majority, the emergency clause stood as part of the bill.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 88, nays 4, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Barnes	Beck
Blair	Blessing	Boose	Boyce
Brenner	Bubp	Buchy	Budish
Carney	Celebrezze	Celeste	Cera
Clyde	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Driehaus
Duffey	Fedor	Fende	Foley
Gardner	Garland	Gerberry	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Mallory	Martin	McClain
McGregor	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Pelanda
Phillips	Pillich	Ramos	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Uecker	Wachtmann	Williams
Winburn	Young	Yuko	Batchelder-88.

Representatives Butler, Henne, Roegner, and Thompson voted in the negative-4.

The Senate amendments were concurred in.

The Senate amendments to **Am. Sub. H. B. No. 380**-Representative Blessing, et al., were taken up for consideration.

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.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 57, nays 35, as follows:

Those who voted in the affirmative were: Representatives

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

Those who voted in the negative were: Representatives

Antonio	Boyce	Budish	Carney
Celebrezze	Celeste	Cera	Clyde
Driehaus	Fedor	Fende	Foley
Garland	Gerberry	Goodwin	Hagan, R.
Heard	Letson	Lundy	Mallory
Milkovich	Murray	O'Brien	Okey
Patmon	Phillips	Pillich	Ramos
Slesnick	Stinziano	Sykes	Szollosi
Williams	Winburn		Yuko-35.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 417**-Representative Grossman, et al., were taken up for consideration.

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.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Barnes	Beck
Blair	Blessing	Boose	Boyce
Brenner	Bubp	Buchy	Budish
Butler	Carney	Celebrezze	Celeste
Cera	Clyde	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hagan, R.	Hall	Hayes
Heard	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	Martin	McClain	McGregor
Milkovich	Murray	Newbold	O'Brien
Okey	Patmon	Pelanda	Phillips
Pillich	Ramos	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 420**-Representatives Peterson, Stinziano, et al., were taken up for consideration.

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.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 90, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Anielski	Antonio
Baker	Barnes	Beck	Blair
Blessing	Boose	Boyce	Brenner
Bubp	Buchy	Budish	Butler
Carney	Celebrezze	Celeste	Cera
Clyde	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Driehaus
Duffey	Fedor	Fende	Foley
Gardner	Garland	Gerberry	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Lundy	Lynch	Maag	Mallory
McClain	McGregor	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Pelanda	Phillips	Pillich	Ramos
Roegner	Rosenberger	Ruhl	Scherer
Schuring	Sears	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Williams	Winburn	Young
Yuko			Batchelder-90.

Representatives Amstutz, Martin, and Wachtmann voted in the negative-3.

The Senate amendments were concurred in.

The Senate amendments to **Am. Sub. H. B. No. 510**-Representative Amstutz, et al., were taken up for consideration.

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

Cosponsors: Representatives Adams, R., Beck, Blair, Blessing, Boose, Bubp, 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.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 77, nays 16, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Barnes	Beck	Blair
Blessing	Boose	Boyce	Brenner
Bubp	Buchy	Butler	Carney
Celebrezze	Cera	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Duffey	Fende	Gardner	Garland
Gonzales	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hill
Hottinger	Huffman	Johnson	Kozlowski
Landis	Lundy	Lynch	Maag
Mallory	Martin	McClain	McGregor
Milkovich	Murray	Newbold	Okey
Patmon	Pelanda	Phillips	Pillich
Roegner	Rosenberger	Ruhl	Scherer
Schuring	Sears	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Williams	Young
			Batchelder-77.

Those who voted in the negative were: Representatives

Antonio	Budish	Celeste	Clyde
Driehaus	Fedor	Foley	Gerberry
Goodwin	Hagan, R.	Heard	Letson
O'Brien	Ramos	Winburn	Yuko-16.

The Senate amendments were concurred in.

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

Representative Hagan, R. submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **H. B. No. 107**-Representatives Damschroder, Slesnick, et al., having had the same under consideration, reports it back and recommends its passage.

RE: MOTOR VEHICLES-ONE LICENSE PLATE DISPLAYED ON REAR OF VEHICLE

REX DAMSCHRODER	CASEY KOZLOWSKI
ANTHONY DEVITIS	TERRY JOHNSON
ROSS MCGREGOR	BILL PATMON
MARGARET RUHL	

The following members voted "NO"

NICHOLAS J. CELEBREZZE	ROBERT F. HAGAN
SEAN O'BRIEN	JOSEPH W. UECKER

The report was agreed to.

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

Representative Hagan, R. submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **Am. S. B. No. 37**-Senator Hughes, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MEMORIAL STREETS/HIGHWAYS-ODOT DESIGNATE-LAW ENFORCEMENT OFFICERS KILLED IN ACTION

Representative Damschroder moved to amend the title as follows:

Add the names: "Representatives Johnson, Ruhl, Uecker."

REX DAMSCHRODER	CASEY KOZLOWSKI
NICHOLAS J. CELEBREZZE	ANTHONY DEVITIS
ROBERT F. HAGAN	TERRY JOHNSON
ROSS MCGREGOR	BILL PATMON
MARGARET RUHL	JOSEPH W. UECKER

The report was agreed to.

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

Representative Hagan, R. submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **Sub. S. B. No. 114**-Senator Seitz, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MOTOR VEHICLE LAWS

Representative Damschroder moved to amend the title as follows:

Add the name: "Representative Ruhl."

- | | |
|------------------------|-----------------|
| REX DAMSCHRODER | CASEY KOZLOWSKI |
| NICHOLAS J. CELEBREZZE | ANTHONY DEVITIS |
| ROBERT F. HAGAN | TERRY JOHNSON |
| ROSS MCGREGOR | SEAN O'BRIEN |
| BILL PATMON | MARGARET RUHL |
| JOSEPH W. UECKER | |

The report was agreed to.

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

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

Sub. S.B. No. 327 - Senators Beagle and Tavares, et al
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.

To the committee on Ways and Means

Sub. S.B. No. 330 - Senator Schiavoni, et al
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.

To the committee on Criminal Justice

- | | |
|-------------------|---------------|
| LOUIS W. BLESSING | JOHN ADAMS |
| ANDREW BRENNER | ANNE GONZALES |

CHERYL GROSSMAN
ARMOND BUDISH
MATT SZOLLOSI

DOROTHY PELANDA
DEBBIE PHILLIPS

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

MOTIONS AND RESOLUTIONS

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

H.R. No. 517 - Representatives Rosenberger-Maag
Honoring the Clinton-Massie High School football team on placing first in the 2012 Division IV State Championship tournament.

H.R. No. 518 - Representative Buchy
Honoring the Marion Local High School football team as the 2012 Division VI State Champion.

H.R. No. 519 - Representative Buchy
Honoring the Coldwater High School football team as the 2012 Division V State Champion.

H.R. No. 520 - Representative DeVitis
Honoring Matt Adorni as a 2012 All-Ohio Division VI Co-Coach of the Year in football.

H.R. No. 521 - Speaker Batchelder
Honoring Terri Meese Bierdeman on her retirement from STRS.

H.R. No. 522 - Representative DeVitis
Honoring Gary Strain as the 2012 All-Ohio Division VI Offensive Co-Player of the Year in football.

/s/LOUIS BLESSING
Louis Blessing, Chair

Representative Blessing 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.

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

The motion was agreed to.

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

H. R. No. 523-Speaker Batchelder, Representative Budish.

Relative to travel allowance.

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

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

Member's Name	District Number	Round Trip Mileage
Zack Milkovich	45	238

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

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Barnes	Beck
Blair	Blessing	Boose	Boyce
Brenner	Bubp	Buchy	Budish
Butler	Carney	Celebrezze	Celeste
Cera	Clyde	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hagan, R.	Hall	Hayes
Heard	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	Martin	McClain	McGregor
Milkovich	Murray	Newbold	O'Brien
Okey	Patmon	Pelanda	Phillips
Pillich	Ramos	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi

Terhar
Williams

Thompson
Winburn

Uecker
Young

Wachtmann
Yuko
Batchelder-93.

The resolution was adopted.

Representative Blessing moved that the House insist on its amendments to **Am. Sub. S. B. No. 70**-Senator Schaffer, et al. , and ask for a committee of Conference.

The motion was agreed to.

Representative Blessing moved that the House insist on its amendments to **Sub. S. B. No. 287**-Senators LaRose, Cafaro, et al. , and ask for a committee of Conference.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 610-Representative Stautberg.
Cosponsor: Representative Bulp.

To amend sections 2333.22, 2715.21, 2735.01, 2735.02, and 2735.04 of the Revised Code to add to and clarify the powers of a receiver and to provide a procedure for a receiver's sale of real property, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Blessing moved that **Sub. H. B. No. 610**-Representative Stautberg, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

H. R. No. 297-Representatives Peterson, Butler.
Cosponsors: Representatives Johnson, Duffey, Grossman, Pillich, Derickson, Terhar, O'Brien, Adams, J., Patmon, Blessing, Lundy, Adams, R., Stebelton, Hill, Reece, Landis, Thompson, Beck, Antonio, Buchy, Gonzales, Gardner, McGregor, Yuko, Okey, Bulp, Hagan, C., Martin, Milkovich, Rosenberger, Young.

To honor the 511 African-American Ohioans who enlisted in the 54th and 55th Regiments of the Massachusetts Volunteer Infantry during the Civil War, was taken up for consideration the third time.

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

Representative Butler moved to amend the title as follows:

Add the names: "Anielski, Baker, Barnes, Blair, Boose, Boyce, Brenner, Budish, Carney, Celebrezze, Celeste, Cera, Clyde, Combs, Damschroder, DeVitis, Dovilla, Driehaus, Fedor, Fende, Foley, Garland, Gerberry, Goodwin, Hackett, Hall, Hayes, Heard, Henne, Hottinger, Huffman, Kozlowski, Letson, Lynch, Maag, Mallory, McClain, Murray, Newbold, Pelanda, Phillips, Ramos, Roegner, Ruhl, Scherer, Schuring, Sears, Smith, Sprague, Stautberg, Stinziano, Sykes, Szollosi, Wachtmann, Williams, Winburn, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

- | | | | |
|-------------|-----------|------------|----------------|
| Adams J. | Adams R. | Amstutz | Anielski |
| Antonio | Baker | Barnes | Beck |
| Blair | Blessing | Boose | Boyce |
| Brenner | Bubp | Buchy | Budish |
| Butler | Carney | Celebrezze | Celeste |
| Cera | Clyde | Combs | Conditt |
| Damschroder | DeVitis | Derickson | Dovilla |
| Driehaus | Duffey | Fedor | Fende |
| Foley | Gardner | Garland | Gerberry |
| Gonzales | Goodwin | Grossman | Hackett |
| Hagan, C. | Hagan, R. | Hall | Hayes |
| Heard | Henne | Hill | Hottinger |
| Huffman | Johnson | Kozlowski | Landis |
| Letson | Lundy | Lynch | Maag |
| Mallory | Martin | McClain | McGregor |
| Milkovich | Murray | Newbold | O'Brien |
| Okey | Patmon | Pelanda | Phillips |
| Pillich | Ramos | Roegner | Rosenberger |
| Ruhl | Scherer | Schuring | Sears |
| Slesnick | Smith | Sprague | Stautberg |
| Stebelton | Stinziano | Sykes | Szollosi |
| Terhar | Thompson | Uecker | Wachtmann |
| Williams | Winburn | Young | Yuko |
| | | | Batchelder-93. |

The resolution was adopted.

Sub. S. B. No. 139-Senator Hughes.

Cosponsors: Senators Schaffer, Seitz, Patton, Bacon, Beagle, Daniels, Faber, Hite, Jones, Niehaus, Obhof, Tavares.

To amend sections 4123.291, 4125.01, 4125.02, 4125.03, 4125.05, 4125.07, 4125.08, 4141.24, and 5747.07 and to enact sections 4125.041, 4125.042,

4125.051, 4125.10, and 4125.11 of the Revised Code to establish certain financial capacity requirements for professional employer organizations, clarify rights and liabilities of professional employer organizations and client employers, and make other changes to the professional employer organization law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Hagan, R. moved to amend as follows:

In line 11, after "sections" insert "1509.03, 1509.06, 1509.31,"

Between lines 14 and 15, insert:

"Sec. 1509.03. (A) The chief of the division of oil and gas resources management shall adopt, rescind, and amend, in accordance with Chapter 119. of the Revised Code, rules for the administration, implementation, and enforcement of this chapter. The rules shall include procedures and requirements for the enforcement of an affidavit required in division (A)(12) of section 1509.06 of the Revised Code. In addition, the rules shall include an identification of the subjects that the chief shall address when attaching terms and conditions to a permit with respect to a well and production facilities of a well that are located within an urbanized area or with respect to a horizontal well and production facilities associated with a horizontal well. The subjects shall include all of the following:

- (1) Safety concerning the drilling or operation of a well;
- (2) Protection of the public and private water supply, including the amount of water used and the source or sources of the water;
- (3) Fencing and screening of surface facilities of a well;
- (4) Containment and disposal of drilling and production wastes;
- (5) Construction of access roads for purposes of the drilling and operation of a well;
- (6) Noise mitigation for purposes of the drilling of a well and the operation of a well, excluding safety and maintenance operations.

No person shall violate any rule of the chief adopted under this chapter.

(B)(1) Any order issuing, denying, or modifying a permit or notices required to be made by the chief pursuant to this chapter shall be made in compliance with Chapter 119. of the Revised Code, except that personal service may be used in lieu of service by mail. Every order issuing, denying, or modifying a permit under this chapter and described as such shall be considered an adjudication order for purposes of Chapter 119. of the Revised Code. Division (B)(1) of this section does not apply to a permit issued under section 1509.06 of the Revised Code.

- (2) Where notice to the owners is required by this chapter, the notice

shall be given as prescribed by a rule adopted by the chief to govern the giving of notices. The rule shall provide for notice by publication except in those cases where other types of notice are necessary in order to meet the requirements of the law.

(C) The chief or the chief's authorized representative may at any time enter upon lands, public or private, for the purpose of administration or enforcement of this chapter, the rules adopted or orders made thereunder, or terms or conditions of permits or registration certificates issued thereunder and may examine and copy records pertaining to the drilling, conversion, or operation of a well for injection of fluids and logs required by division (C) of section 1509.223 of the Revised Code. No person shall prevent or hinder the chief or the chief's authorized representative in the performance of official duties. If entry is prevented or hindered, the chief or the chief's authorized representative may apply for, and the court of common pleas may issue, an appropriate inspection warrant necessary to achieve the purposes of this chapter within the court's territorial jurisdiction.

(D) The chief may issue orders to enforce this chapter, rules adopted thereunder, and terms or conditions of permits issued thereunder. Any such order shall be considered an adjudication order for the purposes of Chapter 119. of the Revised Code. No person shall violate any order of the chief issued under this chapter. No person shall violate a term or condition of a permit or registration certificate issued under this chapter.

(E) Orders of the chief denying, suspending, or revoking a registration certificate; approving or denying approval of an application for revision of a registered transporter's plan for disposal; or to implement, administer, or enforce division (A) of section 1509.224 and sections 1509.22, 1509.222, 1509.223, 1509.225, and 1509.226 of the Revised Code pertaining to the transportation of brine by vehicle and the disposal of brine so transported are not adjudication orders for purposes of Chapter 119. of the Revised Code. The chief shall issue such orders under division (A) or (B) of section 1509.224 of the Revised Code, as appropriate.

Sec. 1509.06. (A) An application for a permit to drill a new well, drill an existing well deeper, reopen a well, convert a well to any use other than its original purpose, or plug back a well to a different source of supply, including associated production operations, shall be filed with the chief of the division of oil and gas resources management upon such form as the chief prescribes and shall contain each of the following that is applicable:

(1) The name and address of the owner and, if a corporation, the name and address of the statutory agent;

(2) The signature of the owner or the owner's authorized agent. When an authorized agent signs an application, it shall be accompanied by a certified copy of the appointment as such agent.

(3) The names and addresses of all persons holding the royalty interest in

the tract upon which the well is located or is to be drilled or within a proposed drilling unit;

(4) The location of the tract or drilling unit on which the well is located or is to be drilled identified by section or lot number, city, village, township, and county;

(5) Designation of the well by name and number;

(6)(a) The geological formation to be tested or used and the proposed total depth of the well;

(b) If the well is for the injection of a liquid, identity of the geological formation to be used as the injection zone and the composition of the liquid to be injected.

(7) The type of drilling equipment to be used;

(8)(a) An identification, to the best of the owner's knowledge, of each proposed source of ground water and surface water that will be used in the production operations of the well. The identification of each proposed source of water shall indicate if the water will be withdrawn from the Lake Erie watershed or the Ohio river watershed. In addition, the owner shall provide, to the best of the owner's knowledge, the proposed estimated rate and volume of the water withdrawal for the production operations. If recycled water will be used in the production operations, the owner shall provide the estimated volume of recycled water to be used. The owner shall submit to the chief an update of any of the information that is required by division (A)(8)(a) of this section if any of that information changes before the chief issues a permit for the application.

(b) Except as provided in division (A)(8)(c) of this section, for an application for a permit to drill a new well within an urbanized area, the results of sampling of water wells within three hundred feet of the proposed well prior to commencement of drilling. In addition, the owner shall include a list that identifies the location of each water well where the owner of the property on which the water well is located denied the owner access to sample the water well. The sampling shall be conducted in accordance with the guidelines established in "Best Management Practices For Pre-drilling Water Sampling" in effect at the time that the application is submitted. The division shall furnish those guidelines upon request and shall make them available on the division's web site. If the chief determines that conditions at the proposed well site warrant a revision, the chief may revise the distance established in this division for purposes of pre-drilling water sampling.

(c) For an application for a permit to drill a new horizontal well, the results of sampling of water wells within one thousand five hundred feet of the proposed horizontal wellhead prior to commencement of drilling. In addition, the owner shall include a list that identifies the location of each water well where the owner of the property on which the water well is located denied the owner access to sample the water well. The sampling shall be conducted in accordance

with the guidelines established in "Best Management Practices For Pre-drilling Water Sampling" in effect at the time that the application is submitted. The division shall furnish those guidelines upon request and shall make them available on the division's web site. If the chief determines that conditions at the proposed well site warrant a revision, the chief may revise the distance established in this division for purposes of pre-drilling water sampling.

(9) For an application for a permit to drill a new well within an urbanized area, a sworn statement that the applicant has provided notice by regular mail of the application to the owner of each parcel of real property that is located within five hundred feet of the surface location of the well and to the executive authority of the municipal corporation or the board of township trustees of the township, as applicable, in which the well is to be located. In addition, the notice shall contain a statement that informs an owner of real property who is required to receive the notice under division (A)(9) of this section that within five days of receipt of the notice, the owner is required to provide notice under section 1509.60 of the Revised Code to each residence in an occupied dwelling that is located on the owner's parcel of real property. The notice shall contain a statement that an application has been filed with the division of oil and gas resources management, identify the name of the applicant and the proposed well location, include the name and address of the division, and contain a statement that comments regarding the application may be sent to the division. The notice may be provided by hand delivery or regular mail. The identity of the owners of parcels of real property shall be determined using the tax records of the municipal corporation or county in which a parcel of real property is located as of the date of the notice.

(10) A plan for restoration of the land surface disturbed by drilling operations. The plan shall provide for compliance with the restoration requirements of division (A) of section 1509.072 of the Revised Code and any rules adopted by the chief pertaining to that restoration.

(11)(a) A description by name or number of the county, township, and municipal corporation roads, streets, and highways that the applicant anticipates will be used for access to and egress from the well site;

(b) For an application for a permit for a horizontal well, a copy of an agreement concerning maintenance and safe use of the roads, streets, and highways described in division (A)(11)(a) of this section entered into on reasonable terms with the public official that has the legal authority to enter into such maintenance and use agreements for each county, township, and municipal corporation, as applicable, in which any such road, street, or highway is located or an affidavit on a form prescribed by the chief attesting that the owner attempted in good faith to enter into an agreement under division (A)(11)(b) of this section with the applicable public official of each such county, township, or municipal corporation, but that no agreement was executed.

(12) For an application for a permit to drill a new horizontal well, a copy of an affidavit signed by the owner certifying that not less than sixty per cent of

the owner's full-time employees during all phases of construction of the horizontal well are residents of this state;

(13) Such other relevant information as the chief prescribes by rule.

Each application shall be accompanied by a map, on a scale not smaller than four hundred feet to the inch, prepared by an Ohio registered surveyor, showing the location of the well and containing such other data as may be prescribed by the chief. If the well is or is to be located within the excavations and workings of a mine, the map also shall include the location of the mine, the name of the mine, and the name of the person operating the mine.

(B) The chief shall cause a copy of the weekly circular prepared by the division to be provided to the county engineer of each county that contains active or proposed drilling activity. The weekly circular shall contain, in the manner prescribed by the chief, the names of all applicants for permits, the location of each well or proposed well, the information required by division (A)(11) of this section, and any additional information the chief prescribes. In addition, the chief promptly shall transfer an electronic copy or facsimile, or if those methods are not available to a municipal corporation or township, a copy via regular mail, of a drilling permit application to the clerk of the legislative authority of the municipal corporation or to the clerk of the township in which the well or proposed well is or is to be located if the legislative authority of the municipal corporation or the board of township trustees has asked to receive copies of such applications and the appropriate clerk has provided the chief an accurate, current electronic mailing address or facsimile number, as applicable.

(C)(1) Except as provided in division (C)(2) of this section, the chief shall not issue a permit for at least ten days after the date of filing of the application for the permit unless, upon reasonable cause shown, the chief waives that period or a request for expedited review is filed under this section. However, the chief shall issue a permit within twenty-one days of the filing of the application unless the chief denies the application by order.

(2) If the location of a well or proposed well will be or is within an urbanized area, the chief shall not issue a permit for at least eighteen days after the date of filing of the application for the permit unless, upon reasonable cause shown, the chief waives that period or the chief at the chief's discretion grants a request for an expedited review. However, the chief shall issue a permit for a well or proposed well within an urbanized area within thirty days of the filing of the application unless the chief denies the application by order.

(D) An applicant may file a request with the chief for expedited review of a permit application if the well is not or is not to be located in a gas storage reservoir or reservoir protective area, as "reservoir protective area" is defined in section 1571.01 of the Revised Code. If the well is or is to be located in a coal bearing township, the application shall be accompanied by the affidavit of the landowner prescribed in section 1509.08 of the Revised Code.

In addition to a complete application for a permit that meets the

requirements of this section and the permit fee prescribed by this section, a request for expedited review shall be accompanied by a separate nonrefundable filing fee of two hundred fifty dollars. Upon the filing of a request for expedited review, the chief shall cause the county engineer of the county in which the well is or is to be located to be notified of the filing of the permit application and the request for expedited review by telephone or other means that in the judgment of the chief will provide timely notice of the application and request. The chief shall issue a permit within seven days of the filing of the request unless the chief denies the application by order. Notwithstanding the provisions of this section governing expedited review of permit applications, the chief may refuse to accept requests for expedited review if, in the chief's judgment, the acceptance of the requests would prevent the issuance, within twenty-one days of their filing, of permits for which applications are pending.

(E) A well shall be drilled and operated in accordance with the plans, sworn statements, and other information submitted in the approved application.

(F) The chief shall issue an order denying a permit if the chief finds that there is a substantial risk that the operation will result in violations of this chapter or rules adopted under it that will present an imminent danger to public health or safety or damage to the environment, provided that where the chief finds that terms or conditions to the permit can reasonably be expected to prevent such violations, the chief shall issue the permit subject to those terms or conditions, including, if applicable, terms and conditions regarding subjects identified in rules adopted under section 1509.03 of the Revised Code. The issuance of a permit shall not be considered an order of the chief.

The chief shall post notice of each permit that has been approved under this section on the division's web site not later than two business days after the application for a permit has been approved.

(G) Each application for a permit required by section 1509.05 of the Revised Code, except an application to plug back an existing well that is required by that section and an application for a well drilled or reopened for purposes of section 1509.22 of the Revised Code, also shall be accompanied by a nonrefundable fee as follows:

(1) Five hundred dollars for a permit to conduct activities in a township with a population of fewer than ten thousand;

(2) Seven hundred fifty dollars for a permit to conduct activities in a township with a population of ten thousand or more, but fewer than fifteen thousand;

(3) One thousand dollars for a permit to conduct activities in either of the following:

(a) A township with a population of fifteen thousand or more;

(b) A municipal corporation regardless of population.

(4) If the application is for a permit that requires mandatory pooling, an additional five thousand dollars.

For purposes of calculating fee amounts, populations shall be determined using the most recent federal decennial census.

Each application for the revision or reissuance of a permit shall be accompanied by a nonrefundable fee of two hundred fifty dollars.

(H)(1) Prior to the commencement of well pad construction and prior to the issuance of a permit to drill a proposed horizontal well or a proposed well that is to be located in an urbanized area, the division shall conduct a site review to identify and evaluate any site-specific terms and conditions that may be attached to the permit. At the site review, a representative of the division shall consider fencing, screening, and landscaping requirements, if any, for similar structures in the community in which the well is proposed to be located. The terms and conditions that are attached to the permit shall include the establishment of fencing, screening, and landscaping requirements for the surface facilities of the proposed well, including a tank battery of the well.

(2) Prior to the issuance of a permit to drill a proposed well, the division shall conduct a review to identify and evaluate any site-specific terms and conditions that may be attached to the permit if the proposed well will be located in a one-hundred-year floodplain or within the five-year time of travel associated with a public drinking water supply.

(I) A permit shall be issued by the chief in accordance with this chapter. A permit issued under this section for a well that is or is to be located in an urbanized area shall be valid for twelve months, and all other permits issued under this section shall be valid for twenty-four months.

(J) An applicant or a permittee, as applicable, shall submit to the chief an update of the information that is required under division (A)(8)(a) of this section if any of that information changes prior to commencement of production operations.

(K) A permittee or a permittee's authorized representative shall notify an inspector from the division at least twenty-four hours, or another time period agreed to by the chief's authorized representative, prior to the commencement of well pad construction and of drilling, reopening, converting, well stimulation, or plugback operations.

Sec. 1509.31. (A) Whenever the entire interest of an oil and gas lease is assigned or otherwise transferred, the assignor or transferor shall notify the holders of the royalty interests, and, if a well or wells exist on the lease, the division of oil and gas resources management, of the name and address of the assignee or transferee by certified mail, return receipt requested, not later than thirty days after the date of the assignment or transfer. When notice of any such assignment or transfer is required to be provided to the division, it shall be provided on a form prescribed and provided by the division and verified by both

the assignor or transferor and by the assignee or transferee and shall be accompanied by a nonrefundable fee of one hundred dollars for each well. The notice form applicable to assignments or transfers of a well to the owner of the surface estate of the tract on which the well is located shall contain a statement informing the landowner that the well may require periodic servicing to maintain its productivity; that, upon assignment or transfer of the well to the landowner, the landowner becomes responsible for compliance with the requirements of this chapter and rules adopted under it, including, without limitation, the proper disposal of brine obtained from the well, the plugging of the well when it becomes incapable of producing oil or gas, and the restoration of the well site; and that, upon assignment or transfer of the well to the landowner, the landowner becomes responsible for the costs of compliance with the requirements of this chapter and rules adopted under it and the costs for operating and servicing the well.

(B) When the entire interest of a well is proposed to be assigned or otherwise transferred to the landowner for use as an exempt domestic well, the owner who has been issued a permit under this chapter for the well shall submit to the chief of the division of oil and gas resources management an application for the assignment or transfer that contains all documents that the chief requires and a nonrefundable fee of one hundred dollars. The application for such an assignment or transfer shall be prescribed and provided by the chief. The chief may approve the application if the application is accompanied by a release of all of the oil and gas leases that are included in the applicable formation of the drilling unit, the release is in a form such that the well ownership merges with the fee simple interest of the surface tract, and the release is in a form that may be recorded. However, if the owner of the well does not release the oil and gas leases associated with the well that is proposed to be assigned or otherwise transferred or if the fee simple tract that results from the merger of the well ownership with the fee simple interest of the surface tract is less than five acres, the proposed exempt domestic well owner shall post a five thousand dollar bond with the division prior to the assignment or transfer of the well to ensure that the well will be properly plugged. The chief, for good cause, may modify the requirements of this section governing the assignment or transfer of the interests of a well to the landowner. Upon the assignment or transfer of the well, the owner of an exempt domestic well is not subject to the severance tax levied under section 5749.02 of the Revised Code, but is subject to all applicable fees established in this chapter.

(C) The owner holding a permit under section 1509.05 of the Revised Code is responsible for all obligations and liabilities imposed by this chapter and any rules, orders, and terms and conditions of a permit adopted or issued under it, and no assignment or transfer by the owner relieves the owner of the obligations and liabilities until and unless the assignee or transferee files with the division the information described in divisions (A)(1), (2), (3), (4), (5), (10), (11), ~~and~~ (12) and (13) of section 1509.06 of the Revised Code; obtains liability insurance coverage required by section 1509.07 of the Revised Code, except when none is required by that section; and executes and files a surety bond,

negotiable certificates of deposit or irrevocable letters of credit, or cash, as described in that section. Instead of a bond, but only upon acceptance by the chief, the assignee or transferee may file proof of financial responsibility, described in section 1509.07 of the Revised Code. Section 1509.071 of the Revised Code applies to the surety bond, cash, and negotiable certificates of deposit and irrevocable letters of credit described in this section. Unless the chief approves a modification, each assignee or transferee shall operate in accordance with the plans and information filed by the permit holder pursuant to section 1509.06 of the Revised Code.

(D) If a mortgaged property that is being foreclosed is subject to an oil or gas lease, pipeline agreement, or other instrument related to the production or sale of oil or natural gas and the lease, agreement, or other instrument was recorded subsequent to the mortgage, and if the lease, agreement, or other instrument is not in default, the oil or gas lease, pipeline agreement, or other instrument, as applicable, has priority over all other liens, claims, or encumbrances on the property so that the oil or gas lease, pipeline agreement, or other instrument is not terminated or extinguished upon the foreclosure sale of the mortgaged property. If the owner of the mortgaged property was entitled to oil and gas royalties before the foreclosure sale, the oil or gas royalties shall be paid to the purchaser of the foreclosed property."

In line 1198, after "sections" insert "1509.03, 1509.06, 1509.31,"

In line 1 of the title, after "sections" insert "1509.03, 1509.06, 1509.31,"

In line 9 of the title, delete "and"

In line 10 of the title, after "law" insert ", and require an oil or gas well owner to certify in a permit application that not less than 60% of the owner's full-time employees during all phases of construction of a horizontal well are Ohio residents"

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

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

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

The yeas and nays were taken and resulted - yeas 57, nays 36, as follows:

Those who voted in the affirmative were: Representatives

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

Sprague
ThompsonStautberg
UeckerStebelton
WachtmannTerhar
Young
Batchelder-57.

Those who voted in the negative were: Representatives

Antonio	Barnes	Boyce	Budish
Carney	Celebrezze	Celeste	Cera
Clyde	Driehaus	Fedor	Fende
Foley	Garland	Gerberry	Hagan, R.
Heard	Letson	Lundy	Mallory
Milkovich	Murray	O'Brien	Okey
Patmon	Phillips	Pillich	Ramos
Ruhl	Slesnick	Stinziano	Sykes
Szollosi	Williams	Winburn	Yuko-36.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Barnes	Beck
Blair	Blessing	Boose	Boyce
Brenner	Bubp	Buchy	Butler
Carney	Celebrezze	Celeste	Cera
Clyde	Combs	Conditt	Damschroder
DeVitis	Derickson	Dovilla	Driehaus
Duffey	Fedor	Fende	Foley
Gardner	Garland	Gerberry	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Lundy	Lynch	Maag	Mallory
Martin	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slesnick
Smith	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Terhar
Thompson	Uecker	Wachtmann	Williams
Winburn	Young	Yuko	Batchelder-92.

The bill passed.

Representative Adams, R. moved to amend the title as follows:

Add the names: "Representatives Adams, R., Anielski, Antonio, Baker, Beck, Blessing, Bubp, Buchy, Carney, Combs, Damschroder, Duffey, Garland, Gonzales, Goodwin, Grossman, Hagan, C., Hall, Henne, Hottinger, Letson, Mallory, McClain, Milkovich, Murray, O'Brien, Pelanda, Ruhl, Scherer, Slesnick, Stebelton, Stinziano, Uecker, Young, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 304-Senator Balderson.

Cosponsors: Senators Wagoner, Hughes, Brown, Seitz, Jones, Tavares, Bacon, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Kearney, LaRose, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Smith, Turner, Widener. Representatives Fende, Antonio, Barnes, Carney, Gardner, Garland, Hackett, Johnson, Sears, Smith.

To enact section 5.2281 of the Revised Code to designate the month of May as "Better Hearing and Speech 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 90, nays 0, as follows:

Those who voted in the affirmative were: Representatives

- | | | | |
|-----------|-------------|-----------|----------------|
| Adams J. | Adams R. | Amstutz | Anielski |
| Antonio | Baker | Barnes | Beck |
| Blair | Blessing | Boose | Boyce |
| Brenner | Bubp | Buchy | Butler |
| Carney | Celebrezze | Celeste | Cera |
| Clyde | Combs | Conditt | Damschroder |
| DeVitis | Derickson | Dovilla | Driehaus |
| Duffey | Fedor | Fende | Foley |
| Gardner | Garland | Gerberry | Gonzales |
| Goodwin | Grossman | Hackett | Hagan, C. |
| Hagan, R. | Hall | Hayes | Heard |
| Henne | Hill | Hottinger | Huffman |
| Johnson | Kozlowski | Landis | Letson |
| Lundy | Lynch | Maag | Mallory |
| Martin | McClain | McGregor | Milkovich |
| Murray | Newbold | O'Brien | Okey |
| Patmon | Pelanda | Phillips | Ramos |
| Roegner | Rosenberger | Ruhl | Scherer |
| Schuring | Sears | Slesnick | Smith |
| Sprague | Stautberg | Stebelton | Stinziano |
| Sykes | Terhar | Thompson | Uecker |
| Wachtmann | Williams | Winburn | Young |
| Yuko | | | Batchelder-90. |

The bill passed.

Representative Wachtmann moved to amend the title as follows:

Add the names: "Adams, R., Anielski, Baker, Beck, Boyce, Bubp, Buchy, Celebrezze, Celeste, Combs, Damschroder, Derickson, Duffey, Fedor, Gerberry, Goodwin, Hagan, C., Hall, Hayes, Heard, Hill, Lundy, Mallory, Milkovich, Murray, Newbold, O'Brien, Phillips, Slesnick, Stautberg, Stinziano, Sykes, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. C. R. No. 15-Senator Schaffer.

Cosponsors: Senators Tavares, Jones, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Daniels, Eklund, Faber, Gentile, Hite, Hughes, Kearney, Lehner, Manning, Obhof, Oelslager, Patton, Schiavoni, Skindell, Smith, Wagoner. Representatives Gonzales, Fende, Antonio, Carney, Garland, Hackett, Hottinger, Johnson, Schuring, Yuko.

To express the General Assembly's support of increasing public awareness of and education on the importance of folic acid in the diets of women of childbearing age, was taken up for consideration the third time.

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

Representative Wachtmann moved to amend the title as follows:

Add the names: "Amstutz, Barnes, Beck, Blessing, Boyce, Bubp, Budish, Celebrezze, Celeste, Combs, Driehaus, Duffey, Fedor, Gardner, Gerberry, Letson, Mallory, McClain, Milkovich, Murray, O'Brien, Phillips, Pillich, Ramos, Ruhl, Sears, Slesnick, Sprague, Stautberg, Stinziano, Sykes, Szollosi, Wachtmann, Williams, 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 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Barnes	Beck
Blair	Blessing	Boose	Boyce
Brenner	Bubp	Buchy	Budish
Butler	Carney	Celebrezze	Celeste
Cera	Clyde	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Grossman	Hackett

Hagan, C.	Hagan, R.	Hall	Hayes
Heard	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	Martin	McClain	McGregor
Milkovich	Murray	Newbold	O'Brien
Okey	Patmon	Pelanda	Phillips
Pillich	Ramos	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The concurrent resolution was adopted.

Message from the Speaker

Pursuant to Section 127.12 of the Ohio Revised Code, the Speaker hereby makes the following changes to the Controlling Board:

remove Representative Sykes;
appoint Representative Boyce.

On motion of Representative Blessing, the House recessed.

The House met pursuant to recess.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate accedes to the request of the House of Representatives for a Committee of Conference on matters of difference between the two Houses on:

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

The President of the Senate has appointed as managers on the part of the Senate on such matters of difference:

Senators LaRose, Oelslager and Cafaro

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate accedes to the request of the House of Representatives for a Committee of Conference on matters of difference between the two Houses on:

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

The President of the Senate has appointed as managers on the part of the Senate on such matters of difference:

Senators Schaffer, Skindell and Manning

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 passage of the following bill:

Sub. H. B. No. 251-Representative Schuring

Cosponsors: Representatives Adams, J., Murray, Fedor, Phillips, Fende, Yuko, Hagan, R., Letson, Celeste, Combs, Derickson, Hagan, C., Luckie, Milkovich, Ramos, Speaker Batchelder Senators Oelslager, Tavares, Widener

To amend sections 4731.02, 4731.06, 4731.07, 4731.22, 4731.36, 4734.31, 4762.01, 4762.02, 4762.03, 4762.031, 4762.04, 4762.05, 4762.06, 4762.08, 4762.09, 4762.10, 4762.11, 4762.12, 4762.13, 4762.131, 4762.132, 4762.14, 4762.15, 4762.16, 4762.17, 4762.18, 4762.19, and 4762.22 and to repeal section 4731.04 of the Revised Code to regulate the practice of Oriental medicine, to modify the laws governing the practice of acupuncture, and to revise certain laws governing the State Medical Board.

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. 347 -Representative Anielski

Cosponsors: Representatives Hall, Huffman, Stebelton, Baker, Barnes, Beck, Blair, Blessing, Buchy, Combs, Grossman, Hackett, Matheney, Newbold, Roegner, Rose, Ruhl, Sears, Slaby Senators Eklund, Hughes, Jones, Manning, Patton, Seitz, Wagoner

To amend sections 122.12, 122.121, 505.60, and 731.09 and to enact section 731.091 of the Revised Code to authorize the legislative authority of a statutory nonchartered village to be composed of five instead of six members and to authorize the terms of office to be nonstaggered, to restrict the types of competitive events that qualify for state grants based on projected incremental increases in sales tax receipts, and to authorize townships to reimburse officers and employees for out-of-pocket insurance premiums attributable to coverage provided for their immediate dependents.

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. 479-Representatives Hagan, C., Blessing

Cosponsors: Speaker Batchelder, Representatives Gardner, Grossman, Stebelton, Sears, Boose, Damschroder, Schuring, Wachtmann, Johnson, Beck, Gonzales, Terhar, Amstutz, Antonio, Blair, Brenner, Bubb, Buchy, Budish, Carney, Celebrezze, Combs, Conditt, Derickson, DeVitis, Dovilla, Duffey, Foley, Hackett, Hall, Hayes, Henne, Kozlowski, Letson, McClain, McGregor, Milkovich, Newbold, O'Brien, Phillips, Pillich, Ruhl, Smith, Sprague, Stautberg, Winburn Senators Bacon, Obhof, Wagoner

To amend sections 317.08, 317.32, 317.321, 1336.04, 1701.73, 1702.38, 1703.22, 2101.24, 2131.08, 2131.09, 2329.66, 2329.661, 5805.06, 5808.08, 5808.18, 5815.24, 5815.25, and 5815.36 and to enact sections 1301.401,

1319.07, 1319.08, 1319.09, 5815.37, and 5816.01 to 5816.14 of the Revised Code to adopt the Ohio Legacy Trust Act; to modify certain property rights in the Ohio Trust Code; to require the recording of personal property transfers with the county recorder upon request; to regulate the temporary conveyance of trust real property for financing purposes; to grant probate courts concurrent jurisdiction with court of common pleas general divisions over certain actions involving the designation or removal of certain beneficiaries, title change involving joint and survivorship interests, alleged gifts, or the passing of assets upon death other than by will, intestate succession, or trust; to regulate the use and enforceability of certain loan covenants in nonrecourse commercial loan transactions; and to make certain changes in the exempt interests law, the fraudulent transfers law, the secured transactions recording law, and the rule against perpetuities.

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. 481 -Representative Hackett

Cosponsors: Representatives Beck, Grossman, Boose, Wachtmann, Henne, Slaby, L., Combs, Adams, R., Boyd, Bulp, Buchy, Carney, Damschroder, Gardner, Garland, Gerberry, Goodwin, Hall, Hayes, Kozlowski, Letson, Mallory, McClain, Milkovich, Newbold, Thompson, Yuko, Speaker Batchelder Senators Hughes, Jordan, LaRose, Patton, Seitz, Wagoner

To amend sections 9.833, 148.06, 149.431, 2744.081, 4717.05, 4717.06, 4717.10, 4717.11, 4717.12, 4717.13, 4717.21, 4717.24, and 4717.30 of the Revised Code to authorize the Board of Embalmers and Funeral Directors to issue courtesy licenses to allow funeral directors in bordering states to conduct limited funeral-related activities in Ohio; to permit embalmers and funeral directors to place their licenses on inactive status; to clarify that, upon the sale of the funeral home, the home may remain operating based upon a submission of a new license application to the Board; to permit out-of-state funeral directors without a license to work with licensed funeral directors during a declared disaster or emergency; to eliminate the requirement that funeral homes be the guarantor of the identity of decedents and instead require funeral

homes to complete only visual identification of remains; to exempt certain records concerning individual and joint self insurance of political subdivisions from the public records law; and to authorize joint county department of job and family services employees and detention facility district employees to participate in a deferred compensation program.

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 passed the following bills in which the concurrence of the House is requested:

Am. S. B. No. 334 -Senator Obhof

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

To enact section 5.2279 of the Revised Code to designate October 15 as "Pregnancy and Infant Loss Remembrance Day."

S. B. No. 390 -Senator Obhof

Cosponsor: Senator LaRose

To authorize the conveyance of state-owned real estate in Richland County to the Mansfield Reformatory Preservation Society.

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. 303-Representative Schuring

Cosponsors: Representatives Carney, Gonzales, Fende, Antonio, Barnes, Garland, Hackett, Yuko, Adams, R., Anielski, Bubp, Celeste, Damschroder, Gardner, Grossman, Hagan, R., Heard, Hill, Hottinger, Johnson, Letson, Lynch, Mallory, McClain, Milkovich, Newbold, O'Brien, Okey, Pillich, Ramos, Reece, Sears, Stebelton, Stinziano, Wachtmann, Speaker Batchelder
Senators Beagle, Hughes, Lehner, Manning, Oelslager, Widener

To amend sections 109.57, 1337.11, 2133.01, 2305.113, 2305.234, 2317.54, 2711.22, 3701.881, 3701.92, 3701.923, 3701.924, 3701.925, 3701.926, 3701.927, 3701.928, 3701.929, 3712.01, 3712.03, 3712.09, 3712.99, 3721.01, 3793.11, 3795.01, 3963.01, 4503.44, 4719.01, 4723.01, 4723.03, 4723.06, 4723.063, 4723.07, 4723.08, 4723.09, 4723.17, 4723.171, 4723.24, 4723.271, 4723.28, 4723.32, 4723.34, 4723.35, 4723.41, 4723.42, 4723.43, 4723.431, 4723.44, 4723.48, 4723.482, 4723.485, 4723.487, 4723.50, 4723.61, 4723.64, 4723.65, 4723.651, 4723.652, 4723.66, 4723.67, 4723.68, 4723.69, 4723.71, 4723.72, 4723.73, 4723.74, 4723.75, 4723.751, 4723.76, 4723.77, 4723.79, 4723.83, 4723.84, 4723.87, 4723.88, 4723.99, 4752.02, 4759.01, 4759.03, 4759.05, 4759.06, 4759.10, 5111.222, 5111.231, 5111.24, 5111.242, 5111.246, 5111.25, 5111.88, 5111.981, 5119.22, and 5120.55; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4723.17 (4723.18) and 4723.171 (4723.181); to enact new section 4723.17 and sections 3712.031, 3712.041, 3712.051, 3712.061, 4723.091, 4723.092, 4723.19, 4723.653, and 5111.982; to repeal sections 4723.483, 4723.62, 4723.621, 4723.63, and 4723.78 of the Revised Code; and to amend Section 3.19 of Am. Sub. H.B. 95 of the 125th General Assembly to revise the laws administered by the Board of Nursing and the professionals regulated by the Board; to update statutory references to professional organizations of dietitians; to extend qualified immunity from civil liability for volunteer services provided by certain behavioral health professionals; to modify the requirements for licensure of methadone treatment programs; to make changes in the laws governing certain Medicaid payments for nursing facility services; to authorize certain assessments of persons with intellectual disabilities residing in intermediate care facilities; to enact "Sarah's Law" regarding the licensure of pediatric respite care programs, to amend the version of section 109.57 of the Revised Code that is scheduled to take effect on January 1, 2014, to continue amendments made by this act to that section; 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 Speaker

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on:

Am. Sub. S.B. No. 70— Senator Schaffer, et al.
Representatives Bulp, Huffman, and Stinziano.

Message from the Speaker

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on:

Sub. S.B. No. 287— Senators LaRose, Cafaro, et al.
Representatives Wachtmann, Sears, and Yuko.

Message from the Speaker

The Speaker of the House of Representatives, on December 6, 2012, signed the following:

Sub. H.B. No. 143 - Representatives Stinziano, O'Brien - et al.
Am. Sub. H.B. No. 325 - Representative Landis - et al.
Sub. H.B. No. 334 - Representatives Johnson, Bulp - et al.
Sub. H.B. No. 379 - Representative Blessing - et al.

Message from the Speaker

The Speaker of the House of Representatives, on December 11, 2012, signed the following:

Sub. S.B. No. 141 - Senators Gillmor, Hite - et al.
Sub. S.B. No. 333 - Senator Obhof - et al.

On motion of Representative Hagan, C., the House adjourned until Wednesday, December 12, 2012 at 1:30 p.m.

Attest:

JENNIFER E. WOODRING,
Clerk.