

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, JANUARY 21, 2014

ONE HUNDRED THIRTEENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, January 21, 2014, 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 Brenner was selected to preside under the Rule.

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

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 405**-Representatives Budish, Hottinger.

Cosponsors: Representatives Patterson, Boyd, Barborak, Reece, Ruhl, Hagan, R., Lundy, Mallory, Winburn, Pillich, Perales, Hood, Stebelton, Grossman.

To amend sections 5747.08 and 5747.98 and to enact sections 3333.51 and 5747.82 of the Revised Code to grant an income tax credit to individuals who earn degrees in science, technology, engineering, or math-based fields of study.

**H. B. No. 406**-Representatives Green, Landis.

Cosponsors: Representatives Grossman, Letson, Blessing, Mallory.

To enact sections 4511.454, 4511.455, and 4511.456 of the Revised Code to create the motorcycle road guard certificate and training program to allow certified individuals to function as traffic controllers.

**H. B. No. 407**-Representative Butler.

Cosponsors: Representatives Adams, J., Amstutz, Beck, Becker, Fedor, Hill, Lynch, Retherford, Roegner, Smith, Terhar, Thompson.

To amend section 2929.13 and to enact sections 5120.037, 5120.0371, and 5120.038 of the Revised Code to require the Department of Rehabilitation and Correction to establish a pilot work program for offenders, to establish and operate the program at repayment, retraining, and reclamation factories that are not in or on the grounds of a prison or jail and permit the Department to establish and operate the program in prisons, to permit counties to establish and operate local repayment, retraining, and reclamation factories for certain offenders, to provide for the manufacture of goods and the sale of the goods manufactured by the pilot work program or local pilot work program on the open market or the assembly, processing, manufacture, or repair of components for goods pursuant to contract, to grant a nonviolent participant

one day of credit off the participant's prison term or jail term for each day the participant productively participates in the program at a repayment, retraining, and reclamation factory or a local repayment, retraining, and reclamation factory, and to name this act the "Repayment, Retraining, and Reclamation Act."

**H. B. No. 408**-Representatives Sears, Amstutz.

Cosponsors: Representatives Burkley, Duffey, Ruhl, McGregor, Baker, Stebelton, Sprague, Brenner, Derickson, Romanchuk, Smith, Schuring.

To amend section 5747.98 and to enact section 5747.78 of the Revised Code to authorize an income tax credit for donations to the permanent endowment fund of an eligible community foundation.

**H. B. No. 409**-Representatives Barnes, Patmon.

To enact section 4561.61 of the Revised Code to create the Commercial Airline and Air Freight Commission.

**H. B. No. 410**-Representative Grossman.

Cosponsors: Representatives Terhar, Fedor, Thompson, Ruhl, Hackett.

To amend sections 4709.01, 4709.03, 4713.01, 4713.02, 4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 4713.20, 4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.29, 4713.30, 4713.31, 4713.32, 4713.34, 4713.35, 4713.37, 4713.41, 4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.58, 4713.60, 4713.61, 4713.62, 4713.63, and 4713.64; to enact new section 4713.39 and sections 4713.071, 4713.66, and 4713.67; and to repeal sections 4713.17 and 4713.39 of the Revised Code to make changes to the Cosmetology Licensing Law.

**H. B. No. 411**-Representative Patmon.

Cosponsor: Representative Stebelton.

To amend section 149.43 of the Revised Code to include in the definition of public record records kept by a police department established by a qualified nonprofit corporation or a campus police department established by a private college or university and to amend the version of section 149.43 of the Revised Code that is scheduled to take effect March 20, 2015, to continue the provisions of this act on and after that effective date.

**H. B. No. 412**-Representative Gonzales.

Cosponsors: Representatives Bishoff, Hood, Terhar, Young.

To amend sections 1.64, 2133.211, 2305.113, 4503.44, 4729.01, 4730.01, 4730.02, 4730.03, 4730.04, 4730.06, 4730.08, 4730.091, 4730.10, 4730.101,

4730.11, 4730.12, 4730.13, 4730.14, 4730.16, 4730.21, 4730.25, 4730.251, 4730.27, 4730.28, 4730.31, 4730.32, 4730.33, 4730.38, 4730.39, 4730.41, 4730.42, 4730.43, 4730.49, 4730.51, 4730.53, 4765.01, 4765.51, and 5123.47, to amend, for the purpose of adopting a new section number as shown in parentheses, sections 4730.091 (4730.201) and 4730.092 (4730.202), to enact new section 4730.20, and to repeal sections 4730.081, 4730.09, 4730.15, 4730.17, 4730.18, 4730.19, 4730.20, 4730.401, 4730.44, 4730.45, 4730.46, 4730.47, 4730.48, 4730.50, and 4730.52 of the Revised Code to revise the law governing the practice of physician assistants.

**H. B. No. 413**-Representatives Stautberg, Brenner.

To prohibit the administration of the assessments developed by the Partnership for Assessment of Readiness for College and Careers for the 2014-2015 school year, to prohibit the renewal of the state's memorandum of understanding with the Partnership, and to declare an emergency.

Said bills were considered the first time.

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

Representative Patmon submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **H. B. No. 233**-Representative Grossman, et al., having had the same under consideration, reports it back and recommends its passage.

RE: ARMY SPECIALIST NICHOLUAS E. ZIMMER MEMORIAL  
HIGHWAY-PORION OF I-270

Representative Damschroder moved to amend the title as follows:

Add the names: "Damschroder, Ruhl, Celebrezze, Green, Milkovich."

REX DAMSCHRODER  
JOHN BECKER  
ANTHONY DEVITIS  
ROBERT F. HAGAN  
ZACK MILKOVICH

MARGARET RUHL  
NICHOLAS J. CELEBREZZE  
DOUG GREEN  
ROSS MCGREGOR  
BILL PATMON

The report was agreed to.

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

Representative Patmon submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **S. B. No. 194**-Senator Seitz, et al., having had

the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: MOTOR-DRIVEN CYCLES/MOTOR SCOOTERS-PARK ON SIDEWALK

Representative Damschroder moved to amend the title as follows:

Add the names: "Representatives Damschroder, Ruhl."

Representative Damschroder moved to amend as follows:

In line 5, delete "section" and insert "sections 4503.181 and"

Between lines 6 and 7, insert:

"**Sec. 4503.181.** (A) As used in this section, "historical motor vehicle" means any motor vehicle that is more than twenty-five years old and that is owned solely as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses, ~~but in no event is~~ . A historical motor vehicle shall not be used for general transportation, but may be operated on the public roads and highways to and from a location where maintenance is performed on the vehicle.

(B) In lieu of the annual license tax levied in sections 4503.02 and 4503.04 of the Revised Code, a license fee of ten dollars is levied on the operation of ~~an~~ a historical motor vehicle.

(C) A person who owns ~~an~~ a historical motor vehicle and applies for license plates under this section shall execute an affidavit that the vehicle for which plates are requested is owned and operated solely for the purposes enumerated in division (A) of this section, and also setting forth in the affidavit that the vehicle has been inspected and found safe to operate on the public roads and highways in the state. A person who owns ~~an~~ a historical motor vehicle and desires to display model year license plates on the vehicle as permitted by this section shall execute at the time of registration an affidavit setting forth that the model year license plates the person desires to display on the person's historical motor vehicle are legible and serviceable license plates that originally were issued by this state. No registration issued pursuant to this section need specify the weight of the vehicle.

(D) A vehicle registered under this section may display historical vehicle license plates issued by the registrar of motor vehicles or model year license plates procured by the applicant. Historical vehicle license plates shall not bear a date, but shall bear the inscription "Historical Vehicle--Ohio" and the registration number, which shall be shown thereon. Model year license plates shall be legible and serviceable license plates issued by this state and inscribed with the date of the year corresponding to the model year when the vehicle was manufactured. Notwithstanding section 4503.21 of the Revised Code, only one model year license plate is required to be displayed on the rear of the historical motor vehicle at all times. The registration certificate and the historical vehicle license plates issued by the registrar shall be kept in the vehicle at all times the

vehicle is operated on the public roads and highways in this state.

Notwithstanding section 4503.21 of the Revised Code, the owner of ~~an~~ a historical motor vehicle that was manufactured for military purposes and that is registered under this section may display the assigned registration number of the vehicle by painting the number on the front and rear of the vehicle. The number shall be painted, in accordance with the size and style specifications established for numerals and letters shown on license plates in section 4503.22 of the Revised Code, in a color that contrasts clearly with the color of the vehicle, and shall be legible and visible at all times. Upon application for registration under this section and payment of the license fee prescribed in division (B) of this section, the owner of such ~~an~~ a historical motor vehicle shall be issued historical vehicle license plates. The registration certificate and at least one such license plate shall be kept in the vehicle at all times the vehicle is operated on the public roads and highways in this state. If ownership of such a vehicle is transferred, the transferor shall surrender the historical vehicle license plates or transfer them to another historical motor vehicle the transferor owns, and remove or obliterate the registration numbers painted on the vehicle.

(E) Historical vehicle and model year license plates are valid without renewal as long as the vehicle for which they were issued or procured is in existence. Historical vehicle plates are issued for the owner's use only for such vehicle unless later transferred to another historical motor vehicle owned by that person. In order to effect such a transfer, the owner of the historical motor vehicle that originally displayed the historical vehicle plates shall comply with division (C) of this section. In the event of a transfer of title, the transferor shall surrender historical vehicle license plates or transfer them to another historical motor vehicle owned by the transferor, but model year license plates may be retained by the transferor. The registrar may revoke license plates issued under this section, for cause shown and after hearing, for failure of the applicant to comply with this section. Upon revocation, historical vehicle license plates shall be surrendered; model year license plates may be retained, but no longer are valid for display on the vehicle.

(F) The owner of ~~an~~ a historical motor vehicle bearing historical vehicle license plates may replace them with model year license plates by surrendering the historical vehicle license plates and motor vehicle certificate of registration to the registrar. The owner, at the time of registration, shall execute an affidavit setting forth that the model year plates are legible and serviceable license plates that originally were issued by this state. Such an owner is required to pay the license fee prescribed by division (B) of this section, but the owner is not required to have the historical motor vehicle reinspected under division (C) of this section.

A person who owns ~~an~~ a historical motor vehicle bearing model year license plates may replace them with historical vehicle license plates by surrendering the motor vehicle certificate of registration and applying for issuance of historical vehicle license plates. Such a person is required to pay the

license fee prescribed by division (B) of this section, but the person is not required to have the historical motor vehicle reinspected under division (C) of this section."

In line 60, delete "section" and insert "sections 4503.181 and"

In line 61, delete "is" and insert "are"

In line 1 of the title, delete "section" and insert "sections 4503.181 and"

In line 4 of the title, after "traffic" insert ", and to revise the purposes for which a historical vehicle may be operated"

The motion was agreed to and the bill so amended.

REX DAMSCHRODER  
JOHN BECKER  
ANTHONY DEVITIS  
ROBERT F. HAGAN  
ZACK MILKOVICH

MARGARET RUHL  
NICHOLAS J. CELEBREZZE  
DOUG GREEN  
ROSS MCGREGOR  
BILL PATMON

The report was agreed to.

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

Representative Ashford reported for the Rules and Reference committee, recommending that the following House Bills, Senate Bill, and Senate Joint Resolution be considered for the second time and referred to the following committees for consideration:

**H.B. No. 401** – Representatives Hagan, R. and Mallory  
TO DESIGNATE A PORTION OF INTERSTATE ROUTE 75 IN  
HAMILTON COUNTY AS THE “WILLIAM L. MALLORY, SR.  
MEMORIAL HIGHWAY.”  
To the committee on Transportation, Public Safety and Homeland Security

**H.B. No. 402** – Representatives Duffey and Landis  
TO REQUIRE THE TAX COMMISSIONER TO NOTIFY TAXPAYERS OF  
TAX OR FEE OVERPAYMENTS, TO AUTHORIZE THE  
COMMISSIONER TO EITHER APPLY AN OVERPAYMENT TO  
FUTURE TAX LIABILITIES OR ISSUE A REFUND, AND TO MAKE AN  
APPROPRIATION.  
To the committee on Ways and Means

**H.B. No. 403** – Representative Becker  
TO GENERALLY AUTHORIZE A PERSON WHO HAS A VALID  
CONCEALED HANDGUN LICENSE TO CARRY A HANDGUN  
CONCEALED INTO ANY PUBLICLY OWNED FACILITY THAT IS NOT  
A SECURE FACILITY, TO LIMIT THIS GENERAL ACCESS WITH

RESPECT TO A NONSECURE SCHOOL BUILDING SO THAT IT APPLIES ONLY IF THE PERSON IS A GOVERNMENT OFFICIAL.

To the committee on State and Local Government

**H.B. No. 404** – Representatives DeVitis and Slaby

TO DESIGNATE THE PORTAGE LAKES AREA IN SUMMIT COUNTY THE PURPLE MARTIN CAPITAL OF OHIO.

To the committee on State and Local Government

**S.B. No. 219** – Senators Obhof and Seitz

TO ABOLISH THE OFFICE OF THE COURT OF CLAIMS COMMISSIONER, TO TRANSFER THE POWERS OF A JUDGE OF THE COURT OF CLAIMS TO THE COURT; TO SPECIFY CERTAIN POWERS OF A COURT OF CLAIMS MAGISTRATE, TO MODIFY THE ATTORNEY GENERAL'S ANNUAL REPORT ON THE CRIME VICTIMS COMPENSATION PROGRAM, TO CONFORM EXISTING LAW TO THE EXISTING FILING PERIOD FOR FILING A CLAIM FOR REPARATIONS BY AN ADULT, TO ELIMINATE THE PROCEDURE FOR FILING AN AFFIDAVIT OF DISQUALIFICATION FOR A JUDGE OF A MUNICIPAL OR COUNTY COURT AND INSTEAD INCLUDE THE DISQUALIFICATION OF A JUDGE OF A MUNICIPAL OR COUNTY COURT AND A JUDGE OF THE COURT OF CLAIMS WITHIN THE PROCEDURE FOR FILING AN AFFIDAVIT OF DISQUALIFICATION FOR A PROBATE JUDGE, A JUDGE OF A COURT OF APPEALS, AND A JUDGE OF THE COURT OF COMMON PLEAS, AND TO CHANGE THE BASIS OF THE PER DIEM COMPENSATION OF A RETIRED JUDGE WHO SERVES ON THE COURT OF CLAIMS FROM THE ANNUAL COMPENSATION OF A JUDGE OF A COURT OF APPEALS TO THE ANNUAL COMPENSATION OF A JUDGE OF A COURT OF COMMON PLEAS.

To the committee on Judiciary

**S.J.R. No. 6** – Senators Bacon and Manning

PROPOSING TO ENACT SECTION 2S OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF OHIO TO PERMIT THE ISSUANCE OF ADDITIONAL GENERAL OBLIGATION BONDS TO FUND PUBLIC INFRASTRUCTURE CAPITAL IMPROVEMENTS.

To the committee on Finance and Appropriations

MATT HUFFMAN  
JIM BUCHY  
STEPHANIE KUNZE  
DEBBIE PHILLIPS

ANDREW BRENNER  
DOROTHY PELANDA  
MIKE ASHFORD  
DAN RAMOS



Representative Pelanda 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, Senate Bill, and Senate Joint Resolution 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, Senate Bill, and Senate Joint Resolution were considered the second time and referred as recommended.

### **MOTIONS AND RESOLUTIONS**

Representative Ashford reported for the Rules and Reference committee recommending that the following House Concurrent Resolutions be introduced and referred to the following committees for consideration:

**H.C.R. No. 44** – Representatives Dovilla and Fedor  
TO URGE CONGRESS OF THE UNITED STATES TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE UNITED STATES CUSTOMS PLAZA FOR THE NEW INTERNATIONAL TRADE CROSSING BETWEEN THE UNITED STATES AND CANADA.  
To the committee on State and Local Government

**H.C.R. No. 45** – Representative Perales  
TO STRONGLY URGE THE FEDERAL AVIATION ADMINISTRATION TO CONSIDER IMMEDIATELY ADDING ADDITIONAL QUALIFIED UNMANNED AIRCRAFT SYSTEMS RESEARCH AND TEST SITES TO THE SIX CHOSEN RESEARCH AND TEST SITES.  
To the committee on Transportation, Public Safety and Homeland Security

MATT HUFFMAN  
Matt Huffman, Chair

Representative Pelanda moved that the Rules and Reference committee report on resolutions be agreed to and that the House Concurrent Resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said House Concurrent Resolutions were introduced and referred as recommended.

Representative Ashford reported for the Rules and Reference committee recommending that the following resolutions be read by title only and approved:

**H.R. No. 320** – Speaker Batchelder

Honoring Joe Hallett on his retirement from *The Columbus Dispatch*.  
Add the names: Buchy, Kunze, Brenner, Huffman, Ramos, Phillips

**H.R. No. 321** – Representative Phillips

Honoring Kylie Ahart as the 2013 GNCC Women's ATV Professional Champion.

**H.R. No. 322** – Representative Gonzales

Honoring Ama Koranteng on receiving a 2014 National Aspirations in Computing Award.

**H.R. No. 323** – Representatives Conditt, Retherford, Derickson

Honoring the Lakota West High School marching band on being selected to perform at the 2013 Macy's Thanksgiving Day Parade.

MATT HUFFMAN

Matt Huffman, Chair

Representative Pelanda moved that the Rules and Reference committee report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes changes to the membership of the following standing committees:

Policy and Legislative Oversight:

Remove Representatives Cera and Fedor;

Appoint Representatives Sykes and Lundy.

Commerce, Labor and Technology:

Remove Representative Lundy;

Appoint Representative Sheehy.

Finance and Appropriations:

Remove Representative Carney;

Appoint Representative Cera.

## MESSAGE FROM THE SPEAKER

Pursuant to Section 164.02 of the Ohio Revised Code, the Speaker hereby appoints Mike Keenan to the Ohio Public Works Commission as a person from the private sector with experience in public financing.

## MESSAGE FROM THE SPEAKER

Pursuant to Section 4121.70(A)(2)(3) of the Ohio Revised Code, the Speaker hereby makes the following changes to the Labor Management Government Advisory Council:

Remove Anthony Seegers; appoint Sean Chichelli.

On motion of Representative Pelanda, the House adjourned until Wednesday, January 22, 2014 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.