

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, FEBRUARY 13, 2013

ELEVENTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, February 13, 2013, 8:00 o'clock a.m.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

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

The motion was agreed to.

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

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

H.B. No. 39 – Representative Foley
TO REQUIRE THE GOVERNOR TO PARTICIPATE IN HOUSE
QUESTION TIMES.

To the committee on State and Local Government

H.B. No. 40 – Representative Foley
TO REQUIRE THE TREASURER OF STATE TO INVESTIGATE
WHETHER STATE TREASURY FUNDS, CUSTODIAL FUNDS, OR
FUNDS OF STATE INSTITUTIONS OF HIGHER EDUCATION WERE
LOST AS A RESULT OF FRAUDULENT MANIPULATIONS TO THE
LIBOR AND TO DECLARE AN EMERGENCY.

To the committee on Policy and Legislative Oversight

H.B. No. 41 – Representative Hagan, R.
TO AUTHORIZE A POLITICAL SUBDIVISION TO ENACT AND
ENFORCE HEALTH AND SAFETY STANDARDS FOR OIL AND GAS
DRILLING AND EXPLORATION.

To the committee on Agriculture and Natural Resources

H.B. No. 42 – Representative Hagan, R.
TO REVISE THE REQUIREMENTS CONCERNING AN OIL AND GAS
PERMIT APPLICATION, AN OIL AND GAS WELL COMPLETION
RECORD, DESIGNATION OF TRADE SECRET PROTECTION FOR
CHEMICALS USED TO DRILL OR STIMULATE AN OIL AND GAS
WELL, AND DISCLOSURE OF CHEMICAL INFORMATION TO A
HEALTH CARE PROFESSIONAL OR EMERGENCY RESPONDER, TO
REQUIRE AN OWNER TO REPORT ALL CHEMICALS BROUGHT TO A

WELL SITE, AND TO MAKE OTHER CHANGES IN THE OIL AND GAS LAW.

To the committee on Agriculture and Natural Resources

H.B. No. 43 – Representatives Carney and Duffey
TO ADOPT THE ADENA PIPE AS THE OFFICIAL ARTIFACT OF THE STATE.

To the committee on State and Local Government

H.B. No. 44 – Representative McClain
TO REQUIRE THE DIRECTOR OF HEALTH TO DEVELOP PROTOCOLS REGARDING THE AUTHORITY TO ADMINISTER, DELIVER, DISTRIBUTE, OR DISPENSE DRUGS DURING CERTAIN PUBLIC HEALTH EMERGENCIES.

To the committee on Health and Aging

H.B. No. 45 – Representative Johnson
TO CREATE “MILITARY SACRIFICE” LICENSE PLATES.

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 46 – Representative Amstutz
TO CREATE A SMALL CLAIMS DIVISION OF THE OHIO BOARD OF TAX APPEALS, TO ALLOW FOR PARTIES TO FILE A NOTICE OF APPEAL TO THE BOARD BY FACSIMILE OR ELECTRONIC TRANSMISSION USING ELECTRONIC MAIL, TO REQUIRE THE BOARD TO ESTABLISH A CASE MANAGEMENT SCHEDULE FOR APPEALS, AND TO AUTHORIZE THE TAX COMMISSIONER TO EXPEDITE AND ISSUE A FINAL DETERMINATION FOR RESIDENTIAL PROPERTY VALUE APPEALS WITH WRITTEN CONSENT OF THE PARTIES.

To the committee on Ways and Means

H.B. No. 47 – Representative Milkovich
TO REQUIRE FREE HUNTING, TRAPPING, AND FISHING LICENSES, PERMITS, AND STAMPS FOR VETERANS.

To the committee on Agriculture and Natural Resources

H.B. No. 48 – Representative Milkovich
TO CHANGE THE AGE AT WHICH AN INDIVIDUAL MAY MAKE A POLITICAL CONTRIBUTION, TO REDUCE THE AMOUNT OF POLITICAL CONTRIBUTIONS THAT MAY BE MADE BY A CONTRIBUTOR, AND TO SIMILARLY REDUCE THE AMOUNT OF CONTRIBUTIONS THAT POLITICAL ENTITIES MAY ACCEPT.

To the committee on Policy and Legislative Oversight

H.B. No. 49 – Representatives Dovilla and Retherford
TO REVISE THE LAWS GOVERNING THE PROVISION OF ADULT PROTECTIVE SERVICES.

To the committee on Judiciary

H.B. No. 50 – Representatives Heard and McGregor
TO PROTECT THE RIGHTS OF CHILDREN BEFORE AND DURING
CUSTODIAL INTERROGATIONS.

To the committee on Judiciary

H.B. No. 51 – Representatives McGregor and Patmon
TO AUTHORIZE THE OHIO TURNPIKE COMMISSION TO ISSUE
REVENUE BONDS FOR INFRASTRUCTURE PROJECTS, TO RENAME
THE OHIO TURNPIKE COMMISSION AS THE OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION, TO REPEAL AUTHORITY
ALLOWING THE DIRECTOR OF BUDGET AND MANAGEMENT AND
THE DIRECTOR OF TRANSPORTATION TO EXECUTE A CONTRACT
WITH A PRIVATE ENTITY FOR THE PURPOSE OF OUTSOURCING
TURNPIKE-RELATED HIGHWAY SERVICES, TO MAKE OTHER
CHANGES IN THE LAW GOVERNING THE OHIO TURNPIKE
COMMISSION, AND TO MAKE AN APPROPRIATION.

To the committee on Finance and Appropriations

H.B. No. 52 – Representative Ruhl
TO DESIGNATE A PORTION OF STATE ROUTE 3 IN KNOX COUNTY
AS THE “U.S. ARMY SPECIALIST RYAN A. MARTIN MEMORIAL
HIGHWAY.”

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 53 – Representative Adams, R.
TO DESIGNATE A PORTION OF STATE ROUTE 55 IN MIAMI
COUNTY AS THE “PFC. JEFFREY L. RICE MEMORIAL HIGHWAY.”

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 54 – Representative Beck
TO EXPRESSLY INCORPORATE CHANGES IN THE INTERNAL
REVENUE CODE SINCE DECEMBER 20, 212, INTO OHIO LAW, AND
TO DECLARE AN EMERGENCY.

To the committee on Ways and Means

H.B. No. 55 – Representatives Pillich and Terhar
TO PERMIT PERSONS WHO QUIT WORK TO ACCOMPANY THE
PERSON’S SPOUSE ON A MILITARY TRANSFER TO BE ELIGIBLE
FOR UNEMPLOYMENT COMPENSATION BENEFITS.

To the committee on Commerce, Labor and Technology

H.B. No. 56 – Representative Gerberry
TO ALLOW A BOARD OF TOWNSHIP TRUSTEES TO REDUCE THE
PERCENTAGE OR TERM OF A PROPERTY TAX EXEMPTION
GRANTED TO A BUSINESS UNDER A TAX INCREMENT FINANCING
AGREEMENT IF THE BUSINESS FAILS TO CREATE THE NUMBER OF
NEW JOBS THE BUSINESS AGREED TO CREATE IN THE
AGREEMENT.

To the committee on State and Local Government

H.B. No. 57 – Representative Gerberry

TO REQUIRE AN INDIVIDUAL TO FILE PROOF OF SUCCESSFUL COMPLETION OF TRAINING WITH THE COUNTY RECORDER PRIOR TO BEING APPOINTED AS A HUMANE SOCIETY AGENT AND TO REQUIRE THE REVOCATION OR SUSPENSION OF AN APPOINTMENT UNDER CERTAIN CIRCUMSTANCES.

To the committee on State and Local Government

H.B. No. 58 – Representative Gerberry

TO CHANGE THE VOTING MEMBERSHIP OF THE STATE BOARD OF EDUCATION TO CONSIST OF A MEMBER FROM EACH OF SEVERAL ELECTORAL DISTRICTS WITH BOUNDARIES COINCIDING WITH THE STATE'S CONGRESSIONAL DISTRICTS AND A PRESIDENT TO BE APPOINTED BY THE GOVERNOR IF THERE IS AN EVEN NUMBER OF SUCH ELECTORAL DISTRICTS.

To the committee on Education

H.B. No. 59 – Representative Amstutz

TO MAKE OPERATING APPROPRIATIONS FOR THE BIENNIUM BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2015, AND TO PROVIDE AUTHORIZATION AND CONDITIONS FOR THE OPERATION OF STATE PROGRAMS.

To the committee on Finance and Appropriations

H.B. No. 60 – Representative Huffman

TO REQUIRE THAT RULES GOVERNING MATERNITY UNITS, NEWBORN CARE NURSERIES, AND MATERNITY HOMES INCLUDE CERTAIN PROVISIONS PERTAINING TO THE AUTHORITY TO MAKE DECISIONS REGARDING THE TRANSFER OF PATIENTS TO OTHER FACILITIES AND TO SPECIFY PROCEDURES FOR GRANTING VARIANCES OR WAIVERS OF ANY REQUIREMENT IN THE RULES GOVERNING OPERATION OF SUCH FACILITIES.

To the committee on Health and Aging

H.B. No. 61 – Representatives Pelanda and Antonio
REGARDING ACCESS TO ADOPTION RECORDS.

To the committee on Judiciary

MATT HUFFMAN
ANDREW BRENNER
DOROTHY PELANDA
ARMOND BUDISH
DEBBIE PHILLIPS

JOHN ADAMS
JIM BUCHY
STEPHANIE KUNZE
TRACY HEARD
MATT SZOLLOSI

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

The motion was agreed to without objection.

The report was agreed to.

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

Representative Adams, J. moved that the House revert to the second order of business, being introduction of bills.

The motion was agreed to.

On motion of Representative Adams, J., the House recessed.

The House met pursuant to recess.

Prayer was offered by Pastor Barry Pelphrey of the New Beginnings Outreach Ministry in Waverly, Ohio, followed by the Pledge of Allegiance to the Flag.

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

The University of Cincinnati football team received H.R. 22, presented by Representative Driehaus-31st district.

Steve Sims, a guest of Representative Barnes-12th district.

Cynthia Price, Marsha Ogletrow, and Jackie Smith, guests of Representative Reece-33rd district.

Champions of the All-American Soap Box Derby, guests of Representative DeVitis-36th district.

Members of the Junior Leadership Hudson Group, guests of Representative Roegner-37th district.

Angie, Aleah, and Tori Pelphrey, and John, Kayla, and Eli Hill, guests of Representative Rosenberger-86th district.

Chris and Dalton Ullman, guests of Representative Thompson-95th district.

Chris, Freda, Sarah, and Nick Martin, and Giles Immel, guests of Representative Landis-98th district.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 62-Representative Dovilla.

Cosponsors: Representatives Becker, Hood, Ruhl, Thompson, Huffman, Grossman, McGregor, Scherer.

To amend section 4507.05 of the Revised Code to provide that a person who holds a current, valid driver's license from another state be required to pass only vision screening in order to be issued a driver's license, and to amend the version of section 4507.05 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date.

Said bill was considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Pillich submitted the following report:

The standing committee on Military and Veterans Affairs to which was referred **H. C. R. No. 4**-Representatives Romanchuk, Ruhl, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: 179th AIRLIFT WING AT MANSFIELD-LAHM AIRPORT-URGE CONGRESS-MAINTAIN OPERATIONS

Representative Johnson moved to amend the title as follows:

Add the names: "Pillich, Anielski, Barborak, Bishoff, Milkovich, Retherford, Rosenberger."

TERRY JOHNSON
CONNIE PILLICH
NICK BARBORAK
MIKE DOVILLA
ZACK MILKOVICH
CLIFF ROSENBERGER

AL LANDIS
MARLENE ANIELSKI
HEATHER BISHOFF
TERESA FEDOR
WES RETHERFORD
RON YOUNG

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

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

H.C.R. No. 5 – Representatives Bishoff and Rosenberger
TO URGE THE SECRETARY AND THE CHIEF OF STAFF OF THE
UNITED STATES AIR FORCE TO GIVE FULL CONSIDERATION TO
RICKENBACKER AIR GUARD STATION IN COLUMBUS, OHIO, AS
THE LOCATION FOR THE KC-46A MAIN OPERATING BASE.
To the committee on Military and Veterans Affairs

/s/MATT HUFFMAN
Matt Huffman, Chair

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

The motion was agreed to.

Said House Concurrent Resolution was introduced and referred as recommended.

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

H.R. No. 25 – Representatives Maag, Pillich, Beck, Becker, Blessing, Conditt, Derickson, Driehaus, Green, Mallory, Reece, Retherford, Stautberg, Terhar Honoring the Archbishop Moeller High School football team on placing first in the 2012 Division I State Championship tournament.

H.R. No. 26 – Representatives Brenner
Honoring the Olentangy Liberty High School boys soccer team as the 2012 Division I State Champion.

/s/MATT HUFFMAN
Matt Huffman, Chair

Representative Huffman 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 Huffman 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. 27-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 members whose mileage was not paid for the last quarter of the second year of the 129th General Assembly; and be it further

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
John Adams	85	153
Richard N. Adams	80	157
Ron Amstutz	01	202
Marlene Anielski	06	269.38
Nickie Antonio	13	273
Michael Ashford	44	291
Nan A. Baker	16	300
Nick Barborak	5	335
John Barnes, Jr.	12	286
William G. Batchelder	69	230
Peter Beck	54	188
John Becker	65	212
Heather Bishoff	20	N/A
Terry Blair	42	157
Louis W. Blessing, III	29	214
Terry Boose	57	212.2
Kevin Boyce	25	N/A
Barbara Boyd	09	306
Andrew Brenner	67	42.4
Tim W. Brown	03	245
Jim Buchy	84	196
Armond Budish	08	295.35
Tony Burkley	82	290
Jim Butler	41	154
John Patrick Carney	22	N/A
Nicholas Celebrezze	15	276
Jack Cera	96	256.98
Kathleen Clyde	75	276
Margaret Conditt	52	198
Michael F. Curtin	17	N/A
Rex Damschroder	88	222
Timothy Derickson	53	218
Anthony DeVitis	36	260

Mike Dovilla	07	258
Denise Driehaus	31	212
Mike Duffey	21	N/A
Teresa Fedor	45	284
Mike Foley	14	270
Ronald V. Gerberry	59	335
Anne Gonzales	19	N/A
Doug Green	66	184
Cheryl L. Grossman	23	N/A
Robert D. Hackett	74	52
Christina Hagan	50	286
Robert F. Hagan	58	346
David Hall	70	170
Bill Hayes	72	56
Tracy Maxwell Heard	26	N/A
Michael Henne	40	158
Brian Hill	97	104
Ron Hood	78	45
Jay Hottinger	71	76.8
Matt Huffman	04	180
Terry Johnson	90	180
Stephanie Kunze	24	N/A
Al Landis	98	246
Tom Letson	64	340
Matt Lundy	55	254
Matt Lynch	76	305
Ronald Maag	62	160
Dale Mallory	32	216.6
Jeff A. McClain	87	141
Ross W. McGregor	79	90
Zack Milkovich	35	238
Sean O'Brien	63	364
Bill Patmon	10	293.6
John Patterson	99	380
Dorothy Pelandia	86	76
Rick Perales	73	130
Debbie Phillips	94	172
Connie Pillich	28	186
Daniel Ramos	56	245
Chris Redfern	89	250
Alicia Reece	33	200
Wes Retherford	51	210
Kristina Roegner	37	269
John M. Rogers	60	329.52
Mark J. Romanchuk	02	132
Cliff Rosenberger	91	146
Margaret Ann Ruhl	68	108
Gary Scherer	92	48
Kirk Schuring	48	252
Barbara R. Sears	47	276
Marilyn Slaby	38	250
Stephen Slesnick	49	268
Ryan Smith	93	202
Robert Sprague	83	206.6
Peter Stautberg	27	222
Gerald L. Stebelton	77	62
Michael Stinziano	18	N/A
Fred Strahorn	39	138
Vernon Sykes	34	250
Matthew Szollosi	46	300
Louis Terhar	30	226
Andy Thompson	95	248

Lynn R. Wachtmann	81	295.6
Sandra Williams	11	293
Roland Winburn	43	150
Ron Young	61	344

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

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

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barborak
Barnes	Beck	Becker	Bishoff
Blair	Blessing	Boose	Boyce
Brenner	Brown	Buchy	Budish
Burkley	Butler	Carney	Celebrezze
Cera	Clyde	Conditt	Curtin
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Foley
Gerberry	Gonzales	Green	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hill
Hood	Hottinger	Huffman	Johnson
Kunze	Landis	Letson	Lundy
Lynch	Maag	Mallory	McClain
McGregor	Milkovich	O'Brien	Patmon
Patterson	Pelanda	Perales	Phillips
Pillich	Ramos	Redfern	Reece
Retherford	Roegner	Rogers	Romanchuk
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Strahorn	Sykes	Szollosi	Terhar
Thompson	Wachtmann	Williams	Winburn
Young			Batchelder-98.

The resolution was adopted.

Representative Grossman moved that majority party members asking leave to be absent or absent the week of Tuesday, February 12, 2013, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Heard moved that minority party members asking leave to be absent or absent the week of Tuesday, February 12, 2013, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

On motion of Representative Huffman, the House adjourned until Thursday, February 14, 2013 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.