

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MARCH 19, 2013

TWENTY-THIRD DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, March 19, 2013, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Billy Bailey of Project 5:16 Ministries 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 Ross High School/Butler Tech engineering design team received H.R. 29, presented by Representative Retherford-51st district.

Nick Altenbach received H.R. 479, presented by Representative Gonzales-19th district.

The Seneca East High School boys cross country team received H.R. 36, presented by Representative Damschroder-88th district.

Grace Drake and Rosie Jovic, guests of Representative Anielski-6th district.

Students from the Horizon Science Academy, guests of Representative Patmon-10th district.

Friends and family members of the Ross High School engineer and design team, guests of Representative Retherford-51st district.

Scott Gerdes, a guest of Representative Patterson-99th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 104-Representatives Ruhl, Stautberg.

Cosponsors: Representatives Gonzales, Sprague, Hackett, Butler.

To amend sections 2151.011, 2151.23, 2923.125, 2923.1213, 2923.13, 2945.37, 2945.38, 2945.39, 2945.40, 2945.401, 2967.22, 5119.23, 5120.17, 5122.01, 5122.03, 5122.05, 5122.10, 5122.11, 5122.13, 5122.141, 5122.15, 5122.19, 5122.21, 5122.27, 5122.30, 5122.31, 5122.311, 5139.54, 5305.22, 5907.06, and 5907.09 and to enact section 5122.111 of the Revised Code and to amend the version of section 2151.011 of the Revised Code that is scheduled to take effect on January 1, 2014, to make changes to the laws governing the civil commitment of and treatment provided to mentally ill persons.

H. B. No. 105-Representative Hayes.

Cosponsors: Representatives Derickson, Beck, Milkovich, Strahorn.

To enact section 5.2279 of the Revised Code to designate the calendar week including the seventeenth day of July as "Congenital Diaphragmatic Hernia Week."

H. B. No. 106-Representative Damschroder.

To enact section 5533.191 of the Revised Code to designate a portion of State Route 19 in the Village of Green Springs as the "Lance Corporal Jeremy S. Shock Memorial Highway."

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Hagan, R. submitted the following report:

The standing committee on Commerce, Labor, and Technology to which was referred **H. B. No. 12**-Representative Roegner, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

**RE: GASEOUS FUEL AND FUEL OIL FIRED BOILERS-
ELIMINATE LICENSED OPERATOR REQUIREMENT**

Representative Landis moved to amend as follows:

In line 25, delete " (4)"; strike through the balance of the line

Strike through lines 26 through 28

In line 29, strike through "boiler and pressure vessel inspectors"; delete the underlined period

In line 30, after " (E)" insert " (4) Adopt rules that prescribe the conditions and requirements for design, certification, reporting, installation, operation, and periodic testing and maintenance of controls and safety devices on an automatically operated boiler directly fired with gas, oil, gas-oil, or electricity that would allow an owner to operate a low pressure steam boiler or power boiler without the presence of a licensed low pressure boiler operator, a licensed high pressure boiler operator, or a licensed steam engineer as required in section 4104.05 of the Revised Code."; begin a new paragraph

Delete lines 50 through 54

In line 55, strike through "No" and insert " Unless otherwise provided by the rules adopted by the board of building standards pursuant to division (A)(5) of section 4104.02 of the Revised Code, no"; after "pressure" insert " steam"

In line 56, strike through "at" and insert " that has"; strike through "thirty horsepower" and insert " three hundred sixty square feet of heating surface"

In line 57, reinsert "to that person"

Delete line 64

In line 65, strike through "No" and insert " Unless otherwise provided by the rules adopted by the board pursuant to division (A)(5) of section 4104.02 of the Revised Code, no"; strike through "at" and insert " that has"

In line 66, strike through "thirty horsepower" and insert " three hundred sixty square feet of heating surface,"; reinsert "to that"

In line 67, reinsert "person"

Delete line 73

In line 74, strike through "No" and insert " Unless otherwise provided by the rules adopted by the board pursuant to division (A)(5) of section 4104.02 of the Revised Code, no"

In line 81, strike through "(D) For purposes of this section"; delete the underlined colon

In line 82, delete " (1) A "; strike through "horsepower"; delete the second underlined quotation mark; strike through the balance of the line

Strike through line 83

Delete lines 84 through 91

In line 3 of the title, delete "gaseous fuel and fuel oil fired"

In line 4 of the title, after "boilers" insert "directly fired with gas, oil, gas-oil, or electricity"; delete "certain safety and"

In line 5 of the title, delete "engineering"; after "standards" insert "established by the Board of Building Standards"

The motion was agreed to and the bill so amended.

RON YOUNG
NAN BAKER
LOUIS W. BLESSING
ANTHONY DEVITIS
RON HOOD
MATT LUNDY
DAN RAMOS

MIKE DUFFEY
NICK BARBORAK
MARGARET CONDITT
ROBERT F. HAGAN
AL LANDIS
ZACK MILKOVICH

The report was agreed to.

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

Representative Driehaus submitted the following report:

The standing committee on Economic Development and Regulatory Reform to which was referred **S. C. R. No. 2**-Senator Beagle, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: RESHORING MONTH IN OHIO-MARCH 2013

Representative Baker moved to amend the title as follows:

Add the names: "Representatives Barnes, Bishoff."

NAN BAKER	DENISE DRIEHAUS
JOHN BARNES	PETER BECK
HEATHER BISHOFF	TONY BURKLEY
MICHAEL F. CURTIN	CHRISTINA HAGAN
MICHAEL HENNE	RON HOOD
STEPHANIE KUNZE	SANDRA WILLIAMS

The report was agreed to.

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

Representative Barnes submitted the following report:

The standing committee on Ways and Means to which was referred **Am. S. B. No. 28**-Senator Obhof, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: INTERNAL REVENUE CODE-INCORPORATE CHANGES INTO OHIO LAW

Representative Beck moved to amend the title as follows:

Add the names: "Representatives Boose, Letson, Barnes, McClain, Patmon, Rogers, Sprague."

Representative Letson moved to amend as follows:

In line 5, delete "section" and insert "sections"; after "5701.11" insert "and 5751.01"

Between lines 40 and 41, insert:

"Sec. 5751.01. As used in this chapter:

(A) "Person" means, but is not limited to, individuals, combinations of individuals of any form, receivers, assignees, trustees in bankruptcy, firms, companies, joint-stock companies, business trusts, estates, partnerships, limited liability partnerships, limited liability companies, associations, joint ventures, clubs, societies, for-profit corporations, S corporations, qualified subchapter S subsidiaries, qualified subchapter S trusts, trusts, entities that are disregarded for federal income tax purposes, and any other entities.

(B) "Consolidated elected taxpayer" means a group of two or more persons treated as a single taxpayer for purposes of this chapter as the result of an election made under section 5751.011 of the Revised Code.

(C) "Combined taxpayer" means a group of two or more persons treated as a single taxpayer for purposes of this chapter under section 5751.012 of the Revised Code.

(D) "Taxpayer" means any person, or any group of persons in the case of a consolidated elected taxpayer or combined taxpayer treated as one taxpayer, required to register or pay tax under this chapter. "Taxpayer" does not include excluded persons.

(E) "Excluded person" means any of the following:

(1) Any person with not more than one hundred fifty thousand dollars of taxable gross receipts during the calendar year. Division (E)(1) of this section does not apply to a person that is a member of a consolidated elected taxpayer;

(2) A public utility that paid the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter, except that a public utility that is a combined company is a taxpayer with regard to the following gross receipts:

(a) Taxable gross receipts directly attributed to a public utility activity, but not directly attributed to an activity that is subject to the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code;

(b) Taxable gross receipts that cannot be directly attributed to any activity, multiplied by a fraction whose numerator is the taxable gross receipts described in division (E)(2)(a) of this section and whose denominator is the total taxable gross receipts that can be directly attributed to any activity;

(c) Except for any differences resulting from the use of an accrual basis method of accounting for purposes of determining gross receipts under this chapter and the use of the cash basis method of accounting for purposes of determining gross receipts under section 5727.24 of the Revised Code, the gross receipts directly attributed to the activity of a natural gas company shall be determined in a manner consistent with division (D) of section 5727.03 of the Revised Code.

As used in division (E)(2) of this section, "combined company" and "public utility" have the same meanings as in section 5727.01 of the Revised Code.

(3) A financial institution, as defined in section 5726.01 of the Revised Code, that paid the tax imposed by section 5726.02 of the Revised Code based on one or more taxable years that include the entire tax period under this chapter;

(4) A person directly or indirectly owned by one or more financial institutions, as defined in section 5726.01 of the Revised Code, that paid the tax imposed by section 5726.02 of the Revised Code based on one or more taxable

years that include the entire tax period under this chapter.

For the purposes of division (E)(4) of this section, a person owns another person under the following circumstances:

(a) In the case of corporations issuing capital stock, one corporation owns another corporation if it owns fifty per cent or more of the other corporation's capital stock with current voting rights;

(b) In the case of a limited liability company, one person owns the company if that person's membership interest, as defined in section 1705.01 of the Revised Code, is fifty per cent or more of the combined membership interests of all persons owning such interests in the company;

(c) In the case of a partnership, trust, or other unincorporated business organization other than a limited liability company, one person owns the organization if, under the articles of organization or other instrument governing the affairs of the organization, that person has a beneficial interest in the organization's profits, surpluses, losses, or distributions of fifty per cent or more of the combined beneficial interests of all persons having such an interest in the organization.

(5) A domestic insurance company or foreign insurance company, as defined in section 5725.01 of the Revised Code, that paid the insurance company premiums tax imposed by section 5725.18 or Chapter 5729. of the Revised Code, or an unauthorized insurance company whose gross premiums are subject to tax under section 3905.36 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter;

(6) A person that solely facilitates or services one or more securitizations of phase-in-recovery property pursuant to a final financing order as those terms are defined in section 4928.23 of the Revised Code. For purposes of this division, "securitization" means transferring one or more assets to one or more persons and then issuing securities backed by the right to receive payment from the asset or assets so transferred.

(7) Except as otherwise provided in this division, a pre-income tax trust as defined in division (FF)(4) of section 5747.01 of the Revised Code and any pass-through entity of which such pre-income tax trust owns or controls, directly, indirectly, or constructively through related interests, more than five per cent of the ownership or equity interests. If the pre-income tax trust has made a qualifying pre-income tax trust election under division (FF)(3) of section 5747.01 of the Revised Code, then the trust and the pass-through entities of which it owns or controls, directly, indirectly, or constructively through related interests, more than five per cent of the ownership or equity interests, shall not be excluded persons for purposes of the tax imposed under section 5751.02 of the Revised Code.

(8) Nonprofit organizations or the state and its agencies, instrumentalities, or political subdivisions.

(F) Except as otherwise provided in divisions (F)(2), (3), and (4) of this section, "gross receipts" means the total amount realized by a person, without deduction for the cost of goods sold or other expenses incurred, that contributes to the production of gross income of the person, including the fair market value of any property and any services received, and any debt transferred or forgiven as consideration.

(1) The following are examples of gross receipts:

(a) Amounts realized from the sale, exchange, or other disposition of the taxpayer's property to or with another;

(b) Amounts realized from the taxpayer's performance of services for another;

(c) Amounts realized from another's use or possession of the taxpayer's property or capital;

(d) Any combination of the foregoing amounts.

(2) "Gross receipts" excludes the following amounts:

(a) Interest income except interest on credit sales;

(b) Dividends and distributions from corporations, and distributive or proportionate shares of receipts and income from a pass-through entity as defined under section 5733.04 of the Revised Code;

(c) Receipts from the sale, exchange, or other disposition of an asset described in section 1221 or 1231 of the Internal Revenue Code, without regard to the length of time the person held the asset. Notwithstanding section 1221 of the Internal Revenue Code, receipts from hedging transactions also are excluded to the extent the transactions are entered into primarily to protect a financial position, such as managing the risk of exposure to (i) foreign currency fluctuations that affect assets, liabilities, profits, losses, equity, or investments in foreign operations; (ii) interest rate fluctuations; or (iii) commodity price fluctuations. As used in division (F)(2)(c) of this section, "hedging transaction" has the same meaning as used in section 1221 of the Internal Revenue Code and also includes transactions accorded hedge accounting treatment under statement of financial accounting standards number 133 of the financial accounting standards board. For the purposes of division (F)(2)(c) of this section, the actual transfer of title of real or tangible personal property to another entity is not a hedging transaction.

(d) Proceeds received attributable to the repayment, maturity, or redemption of the principal of a loan, bond, mutual fund, certificate of deposit, or marketable instrument;

(e) The principal amount received under a repurchase agreement or on account of any transaction properly characterized as a loan to the person;

(f) Contributions received by a trust, plan, or other arrangement, any of

which is described in section 501(a) of the Internal Revenue Code, or to which Title 26, Subtitle A, Chapter 1, Subchapter (D) of the Internal Revenue Code applies;

(g) Compensation, whether current or deferred, and whether in cash or in kind, received or to be received by an employee, former employee, or the employee's legal successor for services rendered to or for an employer, including reimbursements received by or for an individual for medical or education expenses, health insurance premiums, or employee expenses, or on account of a dependent care spending account, legal services plan, any cafeteria plan described in section 125 of the Internal Revenue Code, or any similar employee reimbursement;

(h) Proceeds received from the issuance of the taxpayer's own stock, options, warrants, puts, or calls, or from the sale of the taxpayer's treasury stock;

(i) Proceeds received on the account of payments from insurance policies, except those proceeds received for the loss of business revenue;

(j) Gifts or charitable contributions received; membership dues received by trade, professional, homeowners', or condominium associations; and payments received for educational courses, meetings, meals, or similar payments to a trade, professional, or other similar association; and fundraising receipts received by any person when any excess receipts are donated or used exclusively for charitable purposes;

(k) Damages received as the result of litigation in excess of amounts that, if received without litigation, would be gross receipts;

(l) Property, money, and other amounts received or acquired by an agent on behalf of another in excess of the agent's commission, fee, or other remuneration;

(m) Tax refunds, other tax benefit recoveries, and reimbursements for the tax imposed under this chapter made by entities that are part of the same combined taxpayer or consolidated elected taxpayer group, and reimbursements made by entities that are not members of a combined taxpayer or consolidated elected taxpayer group that are required to be made for economic parity among multiple owners of an entity whose tax obligation under this chapter is required to be reported and paid entirely by one owner, pursuant to the requirements of sections 5751.011 and 5751.012 of the Revised Code;

(n) Pension reversions;

(o) Contributions to capital;

(p) Sales or use taxes collected as a vendor or an out-of-state seller on behalf of the taxing jurisdiction from a consumer or other taxes the taxpayer is required by law to collect directly from a purchaser and remit to a local, state, or federal tax authority;

(q) In the case of receipts from the sale of cigarettes or tobacco products

by a wholesale dealer, retail dealer, distributor, manufacturer, or seller, all as defined in section 5743.01 of the Revised Code, an amount equal to the federal and state excise taxes paid by any person on or for such cigarettes or tobacco products under subtitle E of the Internal Revenue Code or Chapter 5743. of the Revised Code;

(r) In the case of receipts from the sale of motor fuel by a licensed motor fuel dealer, licensed retail dealer, or licensed permissive motor fuel dealer, all as defined in section 5735.01 of the Revised Code, an amount equal to federal and state excise taxes paid by any person on such motor fuel under section 4081 of the Internal Revenue Code or Chapter 5735. of the Revised Code;

(s) In the case of receipts from the sale of beer or intoxicating liquor, as defined in section 4301.01 of the Revised Code, by a person holding a permit issued under Chapter 4301. or 4303. of the Revised Code, an amount equal to federal and state excise taxes paid by any person on or for such beer or intoxicating liquor under subtitle E of the Internal Revenue Code or Chapter 4301. or 4305. of the Revised Code;

(t) Receipts realized by a new motor vehicle dealer or used motor vehicle dealer, as defined in section 4517.01 of the Revised Code, from the sale or other transfer of a motor vehicle, as defined in that section, to another motor vehicle dealer for the purpose of resale by the transferee motor vehicle dealer, but only if the sale or other transfer was based upon the transferee's need to meet a specific customer's preference for a motor vehicle;

(u) Receipts from a financial institution described in division (E)(3) of this section for services provided to the financial institution in connection with the issuance, processing, servicing, and management of loans or credit accounts, if such financial institution and the recipient of such receipts have at least fifty per cent of their ownership interests owned or controlled, directly or constructively through related interests, by common owners;

(v) Receipts realized from administering anti-neoplastic drugs and other cancer chemotherapy, biologicals, therapeutic agents, and supportive drugs in a physician's office to patients with cancer;

(w) Funds received or used by a mortgage broker that is not a dealer in intangibles, other than fees or other consideration, pursuant to a table-funding mortgage loan or warehouse-lending mortgage loan. Terms used in division (F)(2)(w) of this section have the same meanings as in section 1322.01 of the Revised Code, except "mortgage broker" means a person assisting a buyer in obtaining a mortgage loan for a fee or other consideration paid by the buyer or a lender, or a person engaged in table-funding or warehouse-lending mortgage loans that are first lien mortgage loans.

(x) Property, money, and other amounts received by a professional employer organization, as defined in section 4125.01 of the Revised Code, from a client employer, as defined in that section, in excess of the administrative fee charged by the professional employer organization to the client employer;

(y) In the case of amounts retained as commissions by a permit holder under Chapter 3769. of the Revised Code, an amount equal to the amounts specified under that chapter that must be paid to or collected by the tax commissioner as a tax and the amounts specified under that chapter to be used as purse money;

(z) Qualifying distribution center receipts.

(i) For purposes of division (F)(2)(z) of this section:

(I) "Qualifying distribution center receipts" means receipts of a supplier from qualified property that is delivered to a qualified distribution center, multiplied by a quantity that equals one minus the Ohio delivery percentage. If the qualified distribution center is a refining facility, "supplier" includes all dealers, brokers, processors, sellers, vendors, cosigners, and distributors of qualified property.

(II) "Qualified property" means tangible personal property delivered to a qualified distribution center that is shipped to that qualified distribution center solely for further shipping by the qualified distribution center to another location in this state or elsewhere or, in the case of gold, silver, platinum, or palladium delivered to a refining facility solely for refining to a grade and fineness acceptable for delivery to a registered commodities exchange. "Further shipping" includes storing and repackaging property into smaller or larger bundles, so long as the property is not subject to further manufacturing or processing. "Refining" is limited to extracting impurities from gold, silver, platinum, or palladium through smelting or some other process at a refining facility.

(III) "Qualified distribution center" means a warehouse, a facility similar to a warehouse, or a refining facility in this state that, for the qualifying year, is operated by a person that is not part of a combined taxpayer group and that has a qualifying certificate. All warehouses or facilities similar to warehouses that are operated by persons in the same taxpayer group and that are located within one mile of each other shall be treated as one qualified distribution center. All refining facilities that are operated by persons in the same taxpayer group and that are located in the same or adjacent counties may be treated as one qualified distribution center.

(IV) "Qualifying year" means the calendar year to which the qualifying certificate applies.

(V) "Qualifying period" means the period of the first day of July of the second year preceding the qualifying year through the thirtieth day of June of the year preceding the qualifying year.

(VI) "Qualifying certificate" means the certificate issued by the tax commissioner after the operator of a distribution center files an annual application with the commissioner. The application and annual fee shall be filed and paid for each qualified distribution center on or before the first day of September before the qualifying year or within forty-five days after the

distribution center opens, whichever is later.

The applicant must substantiate to the commissioner's satisfaction that, for the qualifying period, all persons operating the distribution center have more than fifty per cent of the cost of the qualified property shipped to a location such that it would be situated outside this state under the provisions of division (E) of section 5751.033 of the Revised Code. The applicant must also substantiate that the distribution center cumulatively had costs from its suppliers equal to or exceeding five hundred million dollars during the qualifying period. (For purposes of division (F)(2)(z)(i)(VI) of this section, "supplier" excludes any person that is part of the consolidated elected taxpayer group, if applicable, of the operator of the qualified distribution center.) The commissioner may require the applicant to have an independent certified public accountant certify that the calculation of the minimum thresholds required for a qualified distribution center by the operator of a distribution center has been made in accordance with generally accepted accounting principles. The commissioner shall issue or deny the issuance of a certificate within sixty days after the receipt of the application. A denial is subject to appeal under section 5717.02 of the Revised Code. If the operator files a timely appeal under section 5717.02 of the Revised Code, the operator shall be granted a qualifying certificate, provided that the operator is liable for any tax, interest, or penalty upon amounts claimed as qualifying distribution center receipts, other than those receipts exempt under division (C)(1) of section 5751.011 of the Revised Code, that would have otherwise not been owed by its suppliers if the qualifying certificate was valid.

(VII) "Ohio delivery percentage" means the proportion of the total property delivered to a destination inside Ohio from the qualified distribution center during the qualifying period compared with total deliveries from such distribution center everywhere during the qualifying period.

(VIII) "Refining facility" means one or more buildings located in a county in the Appalachian region of this state as defined by section 107.21 of the Revised Code and utilized for refining or smelting gold, silver, platinum, or palladium to a grade and fineness acceptable for delivery to a registered commodities exchange.

(IX) "Registered commodities exchange" means a board of trade, such as New York mercantile exchange, inc. or commodity exchange, inc., designated as a contract market by the commodity futures trading commission under the "Commodity Exchange Act," 7 U.S.C. 1 et seq., as amended.

(ii) (I) If the distribution center is new and was not open for the entire qualifying period, the operator of the distribution center may request that the commissioner grant a qualifying certificate. If the certificate is granted and it is later determined that more than fifty per cent of the qualified property during that year was not shipped to a location such that it would be situated outside of this state under the provisions of division (E) of section 5751.033 of the Revised Code or if it is later determined that the person that operates the distribution center had average monthly costs from its suppliers of less than forty million

dollars during that year, then the operator of the distribution center shall ~~be liable for any tax, interest, or penalty upon amounts claimed as qualifying distribution center receipts, other than those receipts exempt under division (C)(1) of section 5751.011 of the Revised Code, that would have not otherwise been owed by its suppliers during the qualifying year if the qualifying certificate was valid~~ pay a penalty for that year equal to five hundred thousand dollars. (For purposes of division (F)(2)(z)(ii) of this section, "supplier" excludes any person that is part of the consolidated elected taxpayer group, if applicable, of the operator of the qualified distribution center.)

(II) The commissioner may grant a qualifying certificate to a distribution center that does not qualify as a qualified distribution center for an entire qualifying period if the operator of the distribution center demonstrates that the business operations of the distribution center have changed or will change such that the distribution center will qualify as a qualified distribution center within thirty-six months after the date the operator first applies for a certificate. If, at the end of that thirty-six-month period, the business operations of the distribution center have not changed such that the distribution center qualifies as a qualified distribution center, the operator of the distribution center shall pay a penalty equal to five hundred thousand dollars for each year that the distribution center received a certificate but did not qualify as a qualified distribution center. For each year the distribution center receives a certificate under division (F)(2)(z)(ii)(II) of this section, the distribution center shall pay all applicable fees required under division (F)(2)(z) of this section and shall submit an updated business plan showing the progress the distribution center made toward qualifying as a qualified distribution center during the preceding year.

(III) An operator may appeal the imposition of a penalty imposed under division (F)(2)(z)(ii)(I) or (II) of this section as provided in section 5717.02 of the Revised Code.

(iii) When filing an application for a qualifying certificate under division (F)(2)(z)(i)(VI) of this section, the operator of a qualified distribution center also shall provide documentation, as the commissioner requires, for the commissioner to ascertain the Ohio delivery percentage. The commissioner, upon issuing the qualifying certificate, also shall certify the Ohio delivery percentage. The operator of the qualified distribution center may appeal the commissioner's certification of the Ohio delivery percentage in the same manner as an appeal is taken from the denial of a qualifying certificate under division (F)(2)(z)(i)(VI) of this section.

Within thirty days after all appeals have been exhausted, the operator of the qualified distribution center shall ~~notify~~ provide the commissioner with a list of all affected suppliers of qualified property ~~. The commissioner shall notify all such suppliers that such~~ the suppliers are required to file, within sixty days after receiving ~~the notice from the operator of the qualified distribution center,~~ amended reports for the ~~impacted~~ affected calendar quarter or quarters or calendar year, whichever the case may be. Any additional tax liability or tax overpayment shall be subject to interest but shall not be subject to the imposition

of any penalty so long as the amended returns are timely filed. The supplier of tangible personal property delivered to the qualified distribution center shall include in its report of taxable gross receipts the receipts from the total sales of property delivered to the qualified distribution center for the calendar quarter or calendar year, whichever the case may be, multiplied by the Ohio delivery percentage for the qualifying year. Nothing in division (F)(2)(z)(iii) of this section shall be construed as imposing liability on the operator of a qualified distribution center for the tax imposed by this chapter arising from any change to the Ohio delivery percentage.

(iv) (I) In the case where the distribution center is new and not open for the entire qualifying period, the operator shall make a good faith estimate of an Ohio delivery percentage for use by suppliers in their reports of taxable gross receipts for the remainder of the qualifying period. The operator of the facility shall disclose to the suppliers that such Ohio delivery percentage is an estimate and is subject to recalculation. By the due date of the next application for a qualifying certificate, the operator shall determine the actual Ohio delivery percentage for the estimated qualifying period and proceed as provided in division (F)(2)(z)(iii) of this section with respect to the calculation and recalculation of the Ohio delivery percentage. The supplier is required to file, within sixty days after receiving notice from the operator of the qualified distribution center, amended reports for the impacted calendar quarter or quarters or calendar year, whichever the case may be. Any additional tax liability or tax overpayment shall be subject to interest but shall not be subject to the imposition of any penalty so long as the amended returns are timely filed.

(II) The operator of a distribution center that receives a qualifying certificate under division (F)(2)(ii)(I) of this section shall make a good faith estimate of the Ohio delivery percentage that the operator estimates will apply to the distribution center at the end of the thirty-six-month period after the operator first applied for a qualifying certificate under that division. The result of the estimate shall be multiplied by a factor of one and seventy-five one-hundredths. The product of that calculation shall be the Ohio delivery percentage used by suppliers in their reports of taxable gross receipts for each qualifying year that the distribution center receives a qualifying certificate under division (F)(2)(ii)(II) of this section, except that, if the product is less than five per cent, the Ohio delivery percentage used shall be five per cent and that, if the product exceeds forty-nine per cent, the Ohio delivery percentage used shall be forty-nine per cent.

(v) Qualifying certificates and Ohio delivery percentages issued by the commissioner shall be open to public inspection and shall be timely published by the commissioner. A supplier relying in good faith on a certificate issued under this division shall not be subject to tax on the qualifying distribution center receipts under division (F)(2)(z) of this section. A person receiving a qualifying certificate is ~~responsible liable for paying the tax, interest, and penalty upon amounts claimed as qualifying distribution center receipts that would not otherwise have been owed by the supplier if the qualifying certificate were~~

~~available when it is later determined that the qualifying certificate a penalty equal to five hundred thousand dollars for each year the person received a certificate that should not have been issued because the statutory requirements were in fact not met.~~

(vi) The annual fee for a qualifying certificate shall be one hundred thousand dollars for each qualified distribution center. If a qualifying certificate is not issued, the annual fee is subject to refund after the exhaustion of all appeals provided for in division (F)(2)(z)(i)(VI) of this section. The fee imposed under this division may be assessed in the same manner as the tax imposed under this chapter. The first one hundred thousand dollars of the annual application fees collected each calendar year shall be credited to the revenue enhancement fund. The remainder of the annual application fees collected shall be distributed in the same manner required under section 5751.20 of the Revised Code.

(vii) The tax commissioner may require that adequate security be posted by the operator of the distribution center on appeal when the commissioner disagrees that the applicant has met the minimum thresholds for a qualified distribution center as set forth in divisions (F)(2)(z)(i)(VI) and (F)(2)(z)(ii) of this section.

(aa) Receipts of an employer from payroll deductions relating to the reimbursement of the employer for advancing moneys to an unrelated third party on an employee's behalf;

(bb) Cash discounts allowed and taken;

(cc) Returns and allowances;

(dd) Bad debts from receipts on the basis of which the tax imposed by this chapter was paid in a prior quarterly tax payment period. For the purpose of this division, "bad debts" means any debts that have become worthless or uncollectible between the preceding and current quarterly tax payment periods, have been uncollected for at least six months, and that may be claimed as a deduction under section 166 of the Internal Revenue Code and the regulations adopted under that section, or that could be claimed as such if the taxpayer kept its accounts on the accrual basis. "Bad debts" does not include repossessed property, uncollectible amounts on property that remains in the possession of the taxpayer until the full purchase price is paid, or expenses in attempting to collect any account receivable or for any portion of the debt recovered;

(ee) Any amount realized from the sale of an account receivable to the extent the receipts from the underlying transaction giving rise to the account receivable were included in the gross receipts of the taxpayer;

(ff) Any receipts directly attributed to providing public services pursuant to sections 126.60 to 126.605 of the Revised Code, or any receipts directly attributed to a transfer agreement or to the enterprise transferred under that agreement under section 4313.02 of the Revised Code.

(gg)(i) As used in this division:

(I) "Qualified uranium receipts" means receipts from the sale, exchange, lease, loan, production, processing, or other disposition of uranium within a uranium enrichment zone certified by the tax commissioner under division (F)(2)(gg)(ii) of this section. "Qualified uranium receipts" does not include any receipts with a situs in this state outside a uranium enrichment zone certified by the tax commissioner under division (F)(2)(gg)(ii) of this section.

(II) "Uranium enrichment zone" means all real property that is part of a uranium enrichment facility licensed by the United States nuclear regulatory commission and that was or is owned or controlled by the United States department of energy or its successor.

(ii) Any person that owns, leases, or operates real or tangible personal property constituting or located within a uranium enrichment zone may apply to the tax commissioner to have the uranium enrichment zone certified for the purpose of excluding qualified uranium receipts under division (F)(2)(gg) of this section. The application shall include such information that the tax commissioner prescribes. Within sixty days after receiving the application, the tax commissioner shall certify the zone for that purpose if the commissioner determines that the property qualifies as a uranium enrichment zone as defined in division (F)(2)(gg) of this section, or, if the tax commissioner determines that the property does not qualify, the commissioner shall deny the application or request additional information from the applicant. If the tax commissioner denies an application, the commissioner shall state the reasons for the denial. The applicant may appeal the denial of an application to the board of tax appeals pursuant to section 5717.02 of the Revised Code. If the applicant files a timely appeal, the tax commissioner shall conditionally certify the applicant's property. The conditional certification shall expire when all of the applicant's appeals are exhausted. Until final resolution of the appeal, the applicant shall retain the applicant's records in accordance with section 5751.12 of the Revised Code, notwithstanding any time limit on the preservation of records under that section.

(hh) Amounts realized by licensed motor fuel dealers or licensed permissive motor fuel dealers from the exchange of petroleum products, including motor fuel, between such dealers, provided that delivery of the petroleum products occurs at a refinery, terminal, pipeline, or marine vessel and that the exchanging dealers agree neither dealer shall require monetary compensation from the other for the value of the exchanged petroleum products other than such compensation for differences in product location or grade. Division (F)(2)(hh) of this section does not apply to amounts realized as a result of differences in location or grade of exchanged petroleum products or from handling, lubricity, dye, or other additive injections fees, pipeline security fees, or similar fees. As used in this division, "motor fuel," "licensed motor fuel dealer," "licensed permissive motor fuel dealer," and "terminal" have the same meanings as in section 5735.01 of the Revised Code.

(ii) In the case of amounts collected by a licensed casino operator from casino gaming, amounts in excess of the casino operator's gross casino revenue.

In this division, "casino operator" and "casino gaming" have the meanings defined in section 3772.01 of the Revised Code, and "gross casino revenue" has the meaning defined in section 5753.01 of the Revised Code.

(jj) Any receipts for which the tax imposed by this chapter is prohibited by the constitution or laws of the United States or the constitution of this state.

(3) In the case of a taxpayer when acting as a real estate broker, "gross receipts" includes only the portion of any fee for the service of a real estate broker, or service of a real estate salesperson associated with that broker, that is retained by the broker and not paid to an associated real estate salesperson or another real estate broker. For the purposes of this division, "real estate broker" and "real estate salesperson" have the same meanings as in section 4735.01 of the Revised Code.

(4) A taxpayer's method of accounting for gross receipts for a tax period shall be the same as the taxpayer's method of accounting for federal income tax purposes for the taxpayer's federal taxable year that includes the tax period. If a taxpayer's method of accounting for federal income tax purposes changes, its method of accounting for gross receipts under this chapter shall be changed accordingly.

(G) "Taxable gross receipts" means gross receipts situated to this state under section 5751.033 of the Revised Code.

(H) A person has "substantial nexus with this state" if any of the following applies. The person:

(1) Owns or uses a part or all of its capital in this state;

(2) Holds a certificate of compliance with the laws of this state authorizing the person to do business in this state;

(3) Has bright-line presence in this state;

(4) Otherwise has nexus with this state to an extent that the person can be required to remit the tax imposed under this chapter under the Constitution of the United States.

(I) A person has "bright-line presence" in this state for a reporting period and for the remaining portion of the calendar year if any of the following applies. The person:

(1) Has at any time during the calendar year property in this state with an aggregate value of at least fifty thousand dollars. For the purpose of division (I)(1) of this section, owned property is valued at original cost and rented property is valued at eight times the net annual rental charge.

(2) Has during the calendar year payroll in this state of at least fifty thousand dollars. Payroll in this state includes all of the following:

(a) Any amount subject to withholding by the person under section 5747.06 of the Revised Code;

(b) Any other amount the person pays as compensation to an individual under the supervision or control of the person for work done in this state; and

(c) Any amount the person pays for services performed in this state on its behalf by another.

(3) Has during the calendar year taxable gross receipts of at least five hundred thousand dollars.

(4) Has at any time during the calendar year within this state at least twenty-five per cent of the person's total property, total payroll, or total gross receipts.

(5) Is domiciled in this state as an individual or for corporate, commercial, or other business purposes.

(J) "Tangible personal property" has the same meaning as in section 5739.01 of the Revised Code.

(K) "Internal Revenue Code" means the Internal Revenue Code of 1986, 100 Stat. 2085, 26 U.S.C. 1, as amended. Any term used in this chapter that is not otherwise defined has the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes unless a different meaning is clearly required. Any reference in this chapter to the Internal Revenue Code includes other laws of the United States relating to federal income taxes.

(L) "Calendar quarter" means a three-month period ending on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, or the thirty-first day of December.

(M) "Tax period" means the calendar quarter or calendar year on the basis of which a taxpayer is required to pay the tax imposed under this chapter.

(N) "Calendar year taxpayer" means a taxpayer for which the tax period is a calendar year.

(O) "Calendar quarter taxpayer" means a taxpayer for which the tax period is a calendar quarter.

(P) "Agent" means a person authorized by another person to act on its behalf to undertake a transaction for the other, including any of the following:

(1) A person receiving a fee to sell financial instruments;

(2) A person retaining only a commission from a transaction with the other proceeds from the transaction being remitted to another person;

(3) A person issuing licenses and permits under section 1533.13 of the Revised Code;

(4) A lottery sales agent holding a valid license issued under section 3770.05 of the Revised Code;

(5) A person acting as an agent of the division of liquor control under section 4301.17 of the Revised Code.

(Q) "Received" includes amounts accrued under the accrual method of accounting.

(R) "Reporting person" means a person in a consolidated elected taxpayer or combined taxpayer group that is designated by that group to legally bind the group for all filings and tax liabilities and to receive all legal notices with respect to matters under this chapter, or, for the purposes of section 5751.04 of the Revised Code, a separate taxpayer that is not a member of such a group."

In line 41, delete "section" and insert "sections"; after "5701.11" insert "and 5751.01"

In line 42, delete "is" and insert "are"

After line 48, insert:

"Section 4. Section 5751.01 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 472 and Am. Sub. H.B. 510 of the 129th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act."

In line 1 of the title, delete "section" and insert "sections"; after "5701.11" insert "and 5751.01"

In line 4 of the title, after the comma insert "to allow a distribution center to qualify for the commercial activity tax exclusion for receipts from sales to qualified distribution centers if it does not currently meet the exclusion requirements but expects to meet those requirements within three years,"

The motion was agreed to and the bill so amended.

PETER BECK
TOM LETSON
JOHN BARNES
MIKE FOLEY
JEFF MCCLAIN
JOHN M. ROGERS

TERRY BOOSE
NAN BAKER
JOHN BECKER
DOUG GREEN
BILL PATMON
ROBERT COLE SPRAGUE

The report was agreed to.

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

BILLS FOR THIRD CONSIDERATION**Sub. H. B. No. 1**-Representatives Derickson, Romanchuk.

Cosponsors: Representatives Schuring, Grossman, Hall, Hottinger.

To amend sections 6301.01, 6301.02, 6301.03, 6301.04, 6301.06, 6301.07, 6301.08, 6301.09, 6301.10, and 6301.12 of the Revised Code to require a local workforce investment area to use OhioMeansJobs as the local workforce investment area's job placement system, to rename county one-stop systems, and to make other changes to Ohio's Workforce Development Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 81, nays 11, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Baker
Barborak	Barnes	Beck	Becker
Bishoff	Blessing	Boose	Boyce
Brenner	Brown	Buchy	Budish
Burkley	Butler	Conditt	Curtin
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Gonzales
Green	Grossman	Hackett	Hagan, C.
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
Pillich	Retherford	Roegner	Rogers
Romanchuk	Rosenberger	Ruhl	Schuring
Sears	Slaby	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Strahorn	Sykes	Szollosi	Terhar
Thompson	Wachtmann	Williams	Young
			Batchelder-81.

Those who voted in the negative were: Representatives

Antonio	Carney	Celebrezze	Cera
Clyde	Foley	Gerberry	Phillips
Ramos	Redfern		Reece-11.

The bill passed.

Representative Derickson moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Baker, Beck, Blessing, Brown, Buchy, Burkley, Butler, Dovilla, Duffey, Green, Hackett, Hagan, C., Hayes, Henne, Hill, Huffman, Kunze, Letson, Maag, McClain, McGregor, Milkovich,

O'Brien, Pelanda, Perales, Pillich, Retherford, Rosenberger, Ruhl, Sears, Smith, Sprague, Stautberg, Stebelton, Sykes, Thompson, Wachtmann, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 2-Representatives Derickson, Brown.
Cosponsors: Representatives Schuring, Hall, Hottinger.

To amend section 4141.29 of the Revised Code to require an unemployment compensation claimant to register with OhioMeansJobs to be eligible for unemployment compensation benefits and to require a claimant to contact a local one-stop office beginning with the eighth week of filing for unemployment compensation benefits, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Pillich moved to amend as follows:

Between lines 301 and 302, insert:

" (v) The individual's spouse is a member of the armed services of the United States, the spouse is the subject of a military transfer, and the individual left employment to accompany the individual's spouse."

In line 396, strike through "or"; after "(iv)" insert " ,or (v)"

In line 4 of the title, delete "and" and insert a comma

In line 7 of the title, after "benefits" insert ", and to permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits"

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

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

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

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

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Baker
Beck	Becker	Blessing	Boose
Brenner	Brown	Buchy	Burkley
Butler	Conditt	Damschroder	DeVitis
Derickson	Dovilla	Duffey	Gonzales
Green	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hill
Hood	Hottinger	Huffman	Johnson
Kunze	Landis	Lynch	Maag
McClain	McGregor	Pelanda	Perales
Retherford	Roegner	Romanchuk	Rosenberger

Ruhl	Schuring	Sears	Slaby
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Wachtmann	Young
			Batchelder-57.

Those who voted in the negative were: Representatives

Antonio	Barborak	Barnes	Bishoff
Boyce	Budish	Carney	Celebrezze
Cera	Clyde	Curtin	Driehaus
Fedor	Foley	Gerberry	Heard
Letson	Lundy	Mallory	Milkovich
O'Brien	Patmon	Patterson	Phillips
Pillich	Ramos	Redfern	Reece
Rogers	Slesnick	Stinziano	Strahorn
Sykes	Szollosi		Williams-35.

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 80, nays 12, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Baker
Barborak	Barnes	Beck	Becker
Bishoff	Blessing	Boose	Boyce
Brenner	Brown	Buchy	Burkley
Butler	Clyde	Conditt	Curtin
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Gerberry
Gonzales	Green	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hood	Hottinger	Huffman
Johnson	Kunze	Landis	Letson
Lundy	Lynch	Maag	Mallory
McClain	McGregor	Milkovich	O'Brien
Patmon	Patterson	Pelanda	Perales
Pillich	Retherford	Roegner	Rogers
Romanchuk	Rosenberger	Ruhl	Schuring
Sears	Slaby	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Strahorn	Sykes	Szollosi	Terhar
Thompson	Wachtmann	Young	Batchelder-80.

Those who voted in the negative were: Representatives

Antonio	Budish	Carney	Celebrezze
Cera	Foley	Heard	Phillips
Ramos	Redfern	Reece	Williams-12.

The bill passed.

Representative Derickson moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Baker, Blessing, Buchy, Burkley, Butler, Conditt, Dovilla, Green, Grossman, Hackett, Hagan, C., Hayes, Henne, Huffman, Lynch, McClain, McGregor, Milkovich, O'Brien, Pelanda, Perales, Retherford, Roegner, Romanchuk, Rosenberger, Ruhl, Sears, Smith, Stautberg, Stebelton, Sykes, Thompson, Wachtmann, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code Section 4981.02, the Speaker hereby makes the following changes to the Ohio Rail Development Commission:

Remove Representative R. Hagan; appoint Representatives O'Brien and Boose.

On motion of Representative Huffman, the House recessed.

The House met pursuant to recess.

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

The motion was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Letson submitted the following report:

The standing committee on Manufacturing and Workforce Development to which was referred **H. B. No. 77**-Representatives Dovilla, Celebrezze, et al., having had the same under consideration, reports it back and recommends its passage.

RE: MANUFACTURING MONTH-OCTOBER

Representative Schuring moved to amend the title as follows:

Add the name: "Schuring."

KIRK SCHURING
TIMOTHY DERICKSON
DAVE HALL
KRISTINA ROEGNER
TOM LETSON
SANDRA WILLIAMS

MARK J. ROMANCHUK
DOUG GREEN
JAY HOTTINGER
KEVIN BOYCE
JOHN PATTERSON

The report was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on Policy and Legislative Oversight to which was referred **H. R. No. 43**-Representative Stinziano, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: INTERNATIONAL OLYMPIC COMMITTEE EXECUTIVE BOARD-REVERSE DECISION TO REMOVE WRESTLING AS AN OLYMPIC CORE SPORT

Representative Dovilla moved to amend the title as follows:

Add the names: "Gerberry, Perales, Cera."

MIKE DOVILLA	JIM BUCHY
RON GERBERRY	JOHN ADAMS
LOUIS W. BLESSING	ANDREW BRENNER
MATT HUFFMAN	DOROTHY PELANDA
RICK PERALES	JACK CERA
KATHLEEN CLYDE	MICHAEL F. CURTIN
TERESA FEDOR	

The report was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on Policy and Legislative Oversight to which was referred **Sub. S. B. No. 47**-Senator Seitz, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ELECTION LAW-REVISE

MIKE DOVILLA	JIM BUCHY
JOHN ADAMS	LOUIS W. BLESSING
ANDREW BRENNER	MATT HUFFMAN
DOROTHY PELANDA	RICK PERALES

The following members voted "NO"

RON GERBERRY	JACK CERA
KATHLEEN CLYDE	MICHAEL F. CURTIN
TERESA FEDOR	

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 House Bills and Senate Bill be considered for the second time and referred to the following committees for consideration:

H.B. No. 102 – Representative Roegner

TO CHANGE STATE POLICY REGARDING NATURAL GAS COMPETITION, TO REQUIRE ASSESSMENTS ON RETAIL NATURAL GAS SUPPLIERS FOR SUBSIDIES GRANTED IN RETAIL AUCTIONS, AND TO REQUIRE THE ASSESSMENTS TO BE DISTRIBUTED TO NONMERCANTILE CUSTOMERS.

To the committee on Public Utilities

H.B. No. 103 – Representative Huffman

TO SPECIFY THE MANNER OF SENDING A NOTICE OF INTENT TO FILE A MEDICAL CLAIM AND TO PROVIDE A PROCEDURE FOR THE DISCOVERY OF OTHER POTENTIAL DEFENDANTS WITHIN A SPECIFIED PERIOD AFTER THE FILING OF A MEDICAL CLAIM.

To the committee on Judiciary

H.B. No. 104 – Representatives Ruhl and Stautberg

TO MAKE CHANGES TO THE LAWS GOVERNING THE CIVIL COMMITMENT OF AND TREATMENT PROVIDED TO MENTALLY ILL PERSONS.

To the committee on Judiciary

H.B. No. 105 – Representative Hayes

TO DESIGNATE THE CALENDAR WEEK INCLUDING THE SEVENTEENTH DAY OF JULY AS “CONGENITAL DIAPHRAGMATIC HERNIA WEEK.”

To the committee on Health and Aging

H.B. No. 106 – Representative Damschroder

TO DESIGNATE A PORTION OF STATE ROUTE 19 IN THE VILLAGE OF GREEN SPRINGS AS THE “LANCE CORPORAL JEREMY S. SHOCK MEMORIAL HIGHWAY.”

To the committee on Transportation, Public Safety and Homeland Security

S.B. No. 26 – Senator Schaffer

TO CORRECT A CROSS REFERENCE WITH REGARD TO CONCUSSIONS AND HEAD INJURIES IN ATHLETIC ACTIVITIES ORGANIZED BY YOUTH SPORTS ORGANIZATIONS AND TO DECLARE AN EMERGENCY.

To the committee on Health and Aging

MATT HUFFMAN
ANDREW BRENNER
DOROTHY PELANDA
ARMOND BUDISH
DEBBIE PHILLIPS

JOHN ADAMS
JIM BUCHY
STEPHANIE KUNZE
TRACY HEARD
MATT SZOLLOSI

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

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bill 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 resolutions be read by title only and approved:

H.R. No. 49 – Representative Baker
Honoring Lauren Golick as the 2012 Division I State Singles Tennis Champion.

H.R. No. 50 – Speaker Batchelder, Representatives Adams, J., Adams, R., Amstutz, Anielski, Antonio, Baker, Barborak, Beck, Becker, Blair, Blessing, Boose, Brenner, Brown, Buchy, Burkley, Butler, Clyde, Conditt, Curtin, Damschroder, Derickson, DeVitis, Dovilla, Duffey, Gerberry, Gonzales, Green, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Henne, Hill, Hood, Hottinger, Huffman, Johnson, Kunze, Landis, Letson, Lundy, Lynch, Maag, Mallory, McClain, McGregor, Milkovich, O'Brien, Patmon, Patterson, Pelanda, Perales, Pillich, Ramos, Retherford, Roegner, Rogers, Romanchuk, Rosenberger, Ruhl, Scherer, Schuring, Sears, Slaby, Slesnick, Smith, Sprague, Stautberg, Stebelton, Stinziano, Strahorn, Szollosi, Terhar, Thompson, Wachtmann, Young
Add the names: Budish, Phillips, Heard
Recognizing Vietnam Veterans Day in Ohio, March 30, 2013.

H.R. No. 51 – Representative Buchy
Honoring Samuel Prakes as the 2012 Division III State Cross Country Champion.

/s/MATT HUFFMAN
Matt Huffman, Chair

Representative McClain 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

The Speaker of the House of Representatives, on Monday, March 18, 2013, signed the following:

H.B. No. 33 - Representative Hackett - et al.

Sub. H.B. No. 34 - Representative Hackett - et al.

CLERK'S NOTATION

This is to acknowledge receipt of the report of the committee of Conference on **Am. Sub. H.B. No. 51**-Representatives McGregor, Patmon, et al., on March 19, 2013.

On motion of Representative McClain, the House adjourned until Wednesday, March 20, 2013 at 1:30 p.m.

Attest:

BRADLEY J. YOUNG,
Clerk.