

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, MARCH 20, 2013

TWENTY-FOURTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, March 20, 2013, 1:30 p.m.**

The House met pursuant to adjournment.

Prayer was offered by Father Daniel Brandenburg of the Catholic Religious Congregation of the Legionaries of Christ in Cincinnati, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

The Versailles High School girls track and field team received H.R. 411, presented by Representative Buchy-84th district.

Nick Rutschilling received H.R. 526, presented by Representative Buchy-84th district.

Samuel Prakel received H.R. 12 and H.R. 51, presented by Representative Buchy-84th district.

The New Albany Soccer League U15 girls team received H.R. 32, presented by Representative Gonzales-19th district.

Jeanine Perry received H.R. 11, presented by Representative Szollosi-46th district.

Ken and Peg Kitchen, guests of Representative Amstutz-1st district.

Todd Puster, a guest of Representative Barborak-5th district.

Jewel Patmon, a guest of Representative Patmon-10th district.

Molly Lutz, Kate Aylward, Lynn Rooks, and Josh Bizantz, guests of Representative Antonio-13th district.

Terry Groden, a guest of Representative Baker-16th district.

Nick Morditt and Christopher Homs, guests of Representative Stinziano-18th district.

Ken Perry, a guest of Representative Szollosi-46th district.

Steve Moore, Manny Chopra, Phillip Howard, and Eric Koren, guests of Representative Conditt-52nd district.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 107**-Representative Baker.

Cosponsors: Representatives Adams, J., Barborak, Gonzales, Henne, Stebelton.

To amend sections 5725.98, 5726.98, 5729.98, and 5747.98 and to enact section 122.177 of the Revised Code to authorize a tax credit for businesses that employ high school students in career exploration internships.

**H. B. No. 108**-Representatives Baker, Schuring.

Cosponsors: Representatives Antonio, Beck, Cera, Derickson, Duffey, Gonzales, Hagan, C., Lundy, Milkovich, Rogers, Sprague, Stebelton, Strahorn, Szollosi.

To amend section 109.91 and to enact sections 109.921 and 311.172 of the Revised Code to add a representative of eligible rape crisis programs as a member of the State Victims Assistance Advisory Council, to require each person who registers as a sex offender to pay a one-hundred-dollar fee, to require the deposit of the fee into the Rape Crisis Program Trust Fund administered by the Attorney General, and to fund rape crisis centers out of the Fund.

**H. B. No. 109**-Representative Damschroder.

Cosponsors: Representatives Adams, R., Ruhl, Stinziano, Brenner, Gonzales, Buchy, Maag.

To amend sections 1345.30 and 1345.99 of the Revised Code to specify individuals who are permitted to recommend and fit hearing aids and to prohibit specified sales of hearing aids via mail.

Said bills were considered the first time.

### 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. 12** – Representative Maag

TO URGE THE PRESIDENT OF THE UNITED STATES TO REOPEN THE WHITE HOUSE FOR PUBLIC TOURS BY THE WEEKEND OF

MARCH 30.

To the committee on State and Local Government

/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. 52** – Representative Sprague

Add the names: Huffman, Budish, Adams J., Brenner, Buchy, Heard, Pelanda, Phillips, Kunze, Szollosi

To designate March 2013 as “Ohio Medal of Honor Month.”

**H.R. No. 54** – Representative Rosenberger

Honoring Josh Quallen as a 2013 Division II State Swimming Champion.

**H.R. No. 55** – Speaker Batchelder, Representative Budish

Add the names: Huffman, Adams J., Brenner, Buchy, Heard, Pelanda, Phillips, Kunze, Szollosi

Recognizing the Governor’s Thirty-third Annual Holocaust Commemoration, April 9, 2013.

/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.

### **BILLS FOR THIRD CONSIDERATION**

**Am. S. B. No. 28**-Senator Obhof.

Cosponsors: Senators Hite, Schaffer, Tavares, Beagle, Coley, Faber, Hughes, Oelslager, Peterson, Sawyer, Seitz, Uecker. Representatives Boose, Letson, Barnes, McClain, Patmon, Rogers, Sprague.

To amend sections 5701.11 and 5751.01 of the Revised Code to expressly incorporate changes in the Internal Revenue Code since December 20, 2012,

into Ohio law, 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, and to declare an emergency, was taken up for consideration the third time.

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

The yeas and nays were taken and resulted - yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Antonio
Ashford	Baker	Barborak	Barnes
Beck	Becker	Bishoff	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.
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-95.

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

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 94, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Antonio
Ashford	Baker	Barborak	Barnes
Beck	Becker	Bishoff	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.
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
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby	Slesnick	Smith
Sprague	Stautberg	Stebelton	Stinziano
Strahorn	Sykes	Szollosi	Terhar
Thompson	Wachtmann	Williams	Winburn
Young			Batchelder-94.

Representative Romanchuk voted in the negative-1.

Having received the required constitutional majority, the bill passed as an emergency measure.

Representative Beck moved to amend the title as follows:

Add the names: "Adams, J., Amstutz, Beck, Bishoff, Buchy, Conditt, Milkovich, O'Brien, Pillich, Scherer, Smith, Winburn, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 47**-Senator Seitz.

Cosponsors: Senators Eklund, Coley, Burke.

To amend sections 3.02, 302.09, 305.02, 503.24, 733.31, 1901.10, 2301.02, 3501.301, 3501.38, 3503.06, 3503.14, 3503.16, 3503.19, 3503.28, 3505.13, 3505.18, 3505.181, 3505.182, 3505.183, 3509.03, 3509.04, 3509.05, 3511.02, 3511.05, 3511.09, 3513.04, 3513.262, 3513.263, 3513.30, 3513.31, 3519.05, and 3519.16 and to enact section 3501.302 of the Revised Code to revise the Election Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Clyde moved to amend as follows:

In line 14, after "3513.30," insert "and"; delete ", 3519.05, and"

In line 15, delete "3519.16"

Delete lines 2966 through 3189

In line 3194, after "3513.30," insert "and"; delete ", 3519.05,"

In line 3195, delete "and 3519.16"

In line 6 of the title, after "3513.30," insert "and"

In line 7 of the title, delete ", 3519.05, and 3519.16"

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

Representative Sears 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 58, nays 36, 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	Scherer	Schuring	Sears
Slaby	Smith	Sprague	Stautberg
Stebelton	Terhar	Thompson	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barborak	Barnes
Bishoff	Boyce	Budish	Carney
Celebrezze	Cera	Clyde	Curtin
Driehaus	Fedor	Foley	Gerberry
Letson	Lundy	Mallory	Milkovich
O'Brien	Patmon	Patterson	Phillips
Pillich	Ramos	Redfern	Reece
Rogers	Slesnick	Stinziano	Strahorn
Sykes	Szollosi	Williams	Winburn-36.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Stinziano moved to amend as follows:

In line 15, delete "section" and insert "sections"; after "3501.302" insert "and 3519.23"

Between lines 3189 and 3190, insert:

" **Sec. 3519.23.** After a referendum petition containing the signatures of six per cent or more of the electors of this state has been certified by the secretary of state to appear on the ballot regarding a law, section of law, or item in a law appropriating money, the general assembly shall not amend or repeal

that law or any section or item of that law or enact, amend, or repeal any law that is identical or substantially similar to that law or any section or item of that law until the results of the referendum election on that law, section, or item are certified, unless the petitioners withdraw the referendum."

In line 7 of the title, delete "section" and insert "sections"

In line 8 of the title, after "3501.302" insert "and 3519.23"

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

Representative Sears 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 58, nays 37, 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	Scherer	Schuring	Sears
Slaby	Smith	Sprague	Stautberg
Stebelton	Terhar	Thompson	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	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
			Winburn-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Reece moved to amend as follows:

In line 1220, strike through "pursuant to division (B)(3) of" and insert "under"

Strike through line 1226

In line 1227, strike through "3505.183 of the Revised Code"

In line 1526, after "(3)" insert "The election official shall accurately complete the poll worker checklist portion of the affirmation in the individual's presence, including identifying the individual's correct precinct if the individual is not voting in the correct precinct.

(4)"

In line 1532, strike through "(4)" and insert "(5)"

In line 1533, strike through "(4)" and insert "(5)"

In line 1535, strike through "(3)" and insert "(4)"

In line 1538, strike through "(5)" and insert "(6)"

In line 1542, strike through "(5)" and insert "(6)"

In line 1562, strike through "(6)" and insert "(7)"

In line 1572, strike through "or executes an affirmation that the"

Strike through lines 1573 through 1575

In line 1576, strike through "declines to execute such an affirmation,"

In line 1577, strike through "the type of" and insert "whether"; after "identification" insert "was"

In line 1578, after "provided" strike through the balance of the line

Strike through line 1579

In line 1580, strike through "declined to execute such an affirmation"

In line 1582, strike through "(3)" and insert "(4)"

In line 1583, after "individual" insert "does not provide identification and"; strike through "such"

In line 1586, strike through "(3)" and insert "(4)"

In line 1587, strike through "(7)" and insert "(8)"

In line 1597, strike through "(8)" and insert "(9)"

In line 1639, strike through "will" and insert "may"

In line 1642, after the period insert "The election official also shall note,

on the poll worker checklist portion of the affirmation, that the election official directed the individual to the correct precinct and the location of the individual's correct precinct."

In line 1694, after the second "affirmation" insert " , including the poll worker checklist,"

Strike through lines 1734 through 1758

In line 1759, strike through "document, other than"

In line 1760, strike through "a notice of"

Strike through lines 1761 through 1768

In line 1769, strike through "paycheck, or other government document, other than"

In line 1771, after " ø" strike through the balance of the line

Strike through lines 1772 through 1779

In line 1780, strike through "paycheck, or other government document, other than"

In line 1782, after " ø" strike through the balance of the line

Strike through lines 1783 through 1815 and insert:

**" Poll Worker Checklist**

The Provisional Ballot Affirmation of ..... (Print voter's name) was subscribed and affirmed before me on .....(Month) / .....(Day) / .....(Year).

**1. Reason for voting provisionally – Why is this voter casting a provisional ballot?**

..... Voter's name does not appear on the official precinct list

..... Voter requested an absent voter's ballot but did not receive one

..... Voter is otherwise not eligible to cast a regular ballot

**2. ID – Did the voter present identification?**

..... Yes

..... No

**3. Additional information required? – Is the provisional voter required to provide additional information to the Board of Elections?**

..... Yes

..... No

**4. Voter information – Did you have the voter complete the voter's portion of this envelope?**

..... Yes

..... No

**5. Correct precinct – Is the voter voting in his or her correct precinct?**

..... Yes

..... No

**5a. If no, what is the voter's correct precinct?**

.....

**5b. Notice of correct precinct – Have you directed the voter to go to the voter's correct precinct?**

..... Yes

..... No

**6. Name of this precinct (where voter has appeared to vote)**

.....

**X.....**

**Signature of Election Official ""**

In line 1824, strike through "(6)" and insert " (7)"

In line 1867, strike through "(8)" and insert " (9)"

In line 1894, strike through "(8)" and insert " (9)"

In line 1900, strike through "If" and insert " Except as otherwise provided in division (C) of this section, if"

In line 1955, after "(1)" insert " If a provisional voter cast a ballot in a precinct in which the provisional voter is not registered and eligible to vote and the election officials failed to direct the provisional voter to the correct precinct, the election officials shall remake that provisional voter's ballot. The election official shall be deemed to have failed to direct the provisional voter to the correct precinct if the election official did not complete that checklist or did not correctly complete that checklist."

(2) A board of elections that remakes a provisional ballot under division (C)(1) of this section shall remake the provisional ballot on a ballot for the appropriate precinct to reflect the offices, questions, and issues for which the provisional voter was eligible to cast a ballot and for which the provisional voter attempted to cast a provisional ballot. The remade ballot shall be counted for each office, question, and issue for which the provisional voter was eligible to vote.

(D)(1)"

In line 1968, strike through "(D)" and insert " (E)"

In line 1969, after "(3)" insert " or (C)"

In line 1982, strike through the first "(E)" and insert "(F)"; strike through the second "(E)" and insert "(F)"

In line 1991, strike through "(7)" and insert "(8)"

In line 1996, strike through "(8)" and insert "(9)"

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

Representative Sears 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 58, nays 37, 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	Scherer	Schuring	Sears
Slaby	Smith	Sprague	Stautberg
Stebelton	Terhar	Thompson	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	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
			Winburn-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Phillips moved to amend as follows:

In line 14, after "3513.31," insert "3519.01,"

Between lines 2965 and 2966, insert:

**"Sec. 3519.01.** (A) Only one proposal of law or constitutional amendment to be proposed by initiative petition shall be contained in an initiative petition to enable the voters to vote on that proposal separately. A petition shall include the text of any existing statute or constitutional provision that would be amended or repealed if the proposed law or constitutional amendment is adopted.

Whoever seeks to propose a law or constitutional amendment by initiative petition shall, by a written petition signed by one thousand qualified electors, submit the proposed law or constitutional amendment and a summary of it to the attorney general for examination. Within ten days after the receipt of the written petition and the summary of it, the attorney general shall conduct an examination of the summary. If, in the opinion of the attorney general, the summary is a fair and truthful statement of the proposed law or constitutional amendment, the attorney general shall so certify and then forward the submitted petition to the Ohio ballot board for its approval under division (A) of section 3505.062 of the Revised Code. If the Ohio ballot board returns the submitted petition to the attorney general with its certification as described in that division, the attorney general shall then file with the secretary of state a verified copy of the proposed law or constitutional amendment together with its summary and the attorney general's certification.

Whenever the Ohio ballot board divides an initiative petition into individual petitions containing only proposed law or constitutional amendment under division (A) of section 3505.062 of the Revised Code resulting in the need for the petitioners to resubmit to the attorney general appropriate summaries for each of the individual petitions arising from the board's division of the initiative petition, the attorney general shall review the resubmitted summaries, within ten days after their receipt, to determine if they are a fair and truthful statement of the respective proposed laws or constitutional amendments and, if so, certify them. These resubmissions shall contain no new explanations or arguments. Then, the attorney general shall file with the secretary of state a verified copy of each of the proposed laws or constitutional amendments together with their respective summaries and the attorney general's certification of each.

(B)(1) Whoever seeks to file a referendum petition against any law, section, or item in any law shall, by a written petition signed by one thousand qualified electors, submit the measure to be referred and a summary of it to the secretary of state and, on the same day or within one business day before or after that day, submit a copy of the petition, measure, and summary to the attorney general.

(2) Not later than ~~ten~~ three business days after receiving the petition, measure, and summary, the secretary of state shall do both of the following:

(a) Have the validity of the signatures on the petition verified;

(b) After comparing the text of the measure to be referred with the copy of the enrolled act on file in the secretary of state's office containing the law,

section, or item of law, determine whether the text is correct and, if it is, so certify.

(3) Not later than ~~ten~~ three business days after receiving a copy of the petition, measure, and summary, the attorney general shall examine the summary and, if in the attorney general's opinion, the summary is a fair and truthful statement of the measure to be referred, so certify.

(C) Any person who is aggrieved by a certification decision under division (A) or (B) of this section may challenge the certification or failure to certify of the attorney general in the supreme court, which shall have exclusive, original jurisdiction in all challenges of those certification decisions."

In line 3194, after "3513.31," insert "3519.01,"

In line 7 of the title, after "3513.31," insert "3519.01,"

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

Representative Sears 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 58, nays 37, 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	Scherer	Schuring	Sears
Slaby	Smith	Sprague	Stautberg
Stebelton	Terhar	Thompson	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	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
			Winburn-37.

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 57, nays 38, 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	Scherer	Schuring	Sears
Slaby	Smith	Sprague	Stautberg
Stebelton	Terhar	Thompson	Wachtmann
			Batchelder-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	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
Winburn			Young-38.

The bill passed.

Representative Dovilla moved to amend the title as follows:

Add the names: "Representatives Blessing, Lynch, Stebelton, Terhar, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. S. B. No. 10**-Senators Coley, Smith.

Cosponsors: Senators Obhof, Faber, Widener, Patton, Hite, Lehner, Oelslager, Eklund, LaRose, Burke, Jones, Bacon, Beagle, Manning, Gardner, Brown, Cafaro, Hughes, Peterson, Sawyer, Schaffer, Schiavoni, Tavares, Turner, Uecker. Representatives Dovilla, Gerberry, Adams, J., Cera, Curtin, Fedor.

To amend sections 3501.29, 3501.35, 3505.181, 3505.23, 3505.24, and 3509.01 of the Revised Code to revise the law regarding polling places and voting machines, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Clyde moved to amend as follows:

In line 6, delete "of the Revised Code"; after "amended" insert "and section 3501.91 of the Revised Code be enacted"

Between lines 124 and 125, insert:

" Sec. 3501.91. Notwithstanding any contrary provision of law and in accordance with the "Civil Rights Act of 1964," 78 Stat. 241, 42 U.S.C. 1971, no person acting under color of law shall:

(A) In determining whether an individual is qualified to vote in any election, apply any standard, practice, or procedure different from the standards, practices, or procedures applied to other individuals within the same county who have been found to be qualified to vote;

(B) Deny the right of any individual to vote in any election because of an error or omission on any record or paper relating to any application, registration, or other act requisite to voting, if the error or omission is not material in determining whether the individual is qualified to vote in that election; or

(C) Employ any literacy test as a qualification for voting in any election."

In line 2 of the title, after "3509.01" insert "and to enact section 3501.91"

In line 3 of the title, delete "and" and insert a comma

In line 4 of the title, after "machines" insert ", and the right to vote"

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

Representative Sears 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 37, 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	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
Scherer	Schuring	Sears	Slaby
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Wachtmann	Young
			Batchelder-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	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
			Winburn-37.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Clyde moved to amend as follows:

After line 550, insert:

**"Section 3.** (A) There is hereby created the Motor Voter Act Study Committee, consisting of eight members. Two members shall be appointed by the President of the Senate, two members shall be appointed by the Minority Leader of the Senate, two members shall be appointed by the Speaker of the House of Representatives, and two members shall be appointed by the Minority Leader of the House of Representatives. The Committee shall elect from among its members a co-chairperson from the House of Representatives and a co-chairperson from the Senate, neither of whom shall be from the same political party. The Committee shall hold a minimum of three public meetings.

(B) The Committee shall do all of the following:

(1) Study whether Ohio is in compliance with the National Voter Registration Act of 1993, also known as the Motor Voter Act;

(2) Determine whether Ohio is complying with its duties under the Motor Voter Act and otherwise is in compliance with the Act, and if Ohio is not in compliance, determine whether that lack of compliance jeopardizes federal funding that assists with elections in Ohio;

(3) Determine whether Ohio, through the Secretary of State, county election officials, the Bureau of Motor Vehicles, and deputy registrars, is meeting its obligation under federal and state law to offer voter registration to every person who engages in a transaction with the Bureau of Motor Vehicles or

a deputy registrar;

(4) Determine whether funding levels of the Department of Public Safety and the Bureau of Motor Vehicles are adequate to comply with the Motor Voter Act;

(5) Compare the rates of voter registration at offices of the Bureau of Motor Vehicles and deputy registrars among and within counties in Ohio and among Ohio and other states;

(6) Use resources such as census data, U.S. Election Assistance Commission reports, and other data to evaluate how Ohio compares with other states in terms of pro-active voter registration efforts, dedication of resources to voter registration, and compliance with the Motor Voter Act;

(7) Formulate recommendations as to how Ohio may improve its voter registration process and carry out the purpose of the Motor Voter Act: to promote the exercise of the fundamental right to vote;

(8) Make recommendations to the General Assembly relative to the measures that can be taken to improve voter registration efforts through the offices of the Registrar of Motor Vehicles and deputy registrars.

(C) The Committee shall consult with and receive input from voters, voting rights advocates, county election officials, state election officials from the office of the Secretary of State, officials from the Department of Public Safety and Bureau of Motor Vehicles, and deputy registrars.

The Bureau of Motor Vehicles, the Secretary of State, county boards of elections, and deputy registrars shall cooperate with the Committee and make records from their respective offices available to the Committee in a prompt manner, and shall not hinder the Committee in the performance of its duties.

(D) The Committee shall compile a report containing its findings and recommendations, and not later than October 1, 2013, shall furnish a copy of its report to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives. After the reports have been so distributed, the Committee shall cease to exist."

In line 4 of the title, after "machines" insert "and to create the Motor Voter Act Study Committee"

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

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

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

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

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Baker
Beck	Becker	Blessing	Boose
Brenner	Brown	Buchy	Burkley
Butler	Conditt	Damschroder	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
Scherer	Schuring	Sears	Slaby
Smith	Sprague	Stautberg	Stebelton
Terhar	Thompson	Wachtmann	Young
			Batchelder-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	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	Stinziano	Strahorn
Sykes	Szollosi	Williams	Winburn-36.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Antonio
Ashford	Baker	Barborak	Barnes
Beck	Becker	Bishoff	Blessing
Boose	Boyce	Brenner	Brown
Buchy	Budish	Burkley	Butler
Carney	Celebrezze	Cera	Clyde
Conditt	Curtin	Damschroder	Derickson
Dovilla	Driehaus	Duffey	Foley
Gerberry	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	Phillips	Pillich

Ramos	Redfern	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-92.

Representatives Fedor and Reece voted in the negative-2.

The bill passed.

Representative Dovilla moved to amend the title as follows:

Add the names: "Anielski, Brenner, Brown, Buchy, Burkley, Grossman, Hackett, Hall, Huffman, Maag, McClain, Milkovich, Perales, Pillich, Retherford, Sears, Stebelton, Stinziano, Terhar, Wachtmann, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. H. B. No. 12**-Representative Roegner.

Cosponsors: Representatives Young, Butler, Terhar, Stebelton, Lynch, McGregor, Gonzales, Thompson, Hood, Scherer.

To amend sections 4104.02 and 4104.05 of the Revised Code to eliminate the licensed operator requirement for boilers directly fired with gas, oil, gas-oil, or electricity that comply with standards established by the Board of Building Standards, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Roegner moved to amend as follows:

In line 35, after " electricity" insert " or a stationary steam engine"

In line 36, delete " or" and insert an underlined comma; after the second " boiler" insert " , or a stationary steam engine"

In line 63, delete " (5)" and insert " (4)"

In line 74, delete " (5)" and insert " (4)"

In line 85, delete " (5)" and insert " (4)"

In line 4 of the title, after "electricity" insert "or stationary steam engines"

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

The yeas and nays were taken and resulted - yeas 88, nays 5, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Antonio
Baker	Barborak	Barnes	Beck
Becker	Bishoff	Blessing	Boose
Brenner	Brown	Buchy	Budish
Burkley	Butler	Carney	Celebrezze
Cera	Clyde	Conditt	Curtin
Damschroder	Derickson	Dovilla	Driehaus
Duffey	Fedor	Foley	Gerberry
Gonzales	Green	Grossman	Hackett
Hagan, C.	Hall	Hayes	Heard
Henne	Hill	Hood	Hottinger
Huffman	Johnson	Kunze	Landis
Lundy	Lynch	Maag	Mallory
McClain	McGregor	Milkovich	O'Brien
Patmon	Patterson	Pelanda	Perales
Pillich	Ramos	Reece	Retherford
Roegner	Rogers	Romanchuk	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby	Slesnick	Smith	Sprague
Stautberg	Stebelton	Stinziano	Strahorn
Sykes	Szollosi	Terhar	Thompson
Wachtmann	Williams	Young	Batchelder-88.

Representatives Boyce, Letson, Phillips, Redfern, and Winburn voted in the negative-5.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 84, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Antonio
Baker	Barborak	Barnes	Beck
Becker	Bishoff	Blessing	Boose
Brenner	Brown	Buchy	Budish
Burkley	Butler	Carney	Celebrezze
Cera	Conditt	Curtin	Damschroder
Derickson	Dovilla	Driehaus	Duffey
Fedor	Foley	Gerberry	Gonzales
Green	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hill
Hood	Hottinger	Huffman	Johnson
Kunze	Landis	Lundy	Lynch
Maag	Mallory	McClain	McGregor
Milkovich	O'Brien	Patmon	Patterson
Pelanda	Perales	Pillich	Ramos
Reece	Retherford	Roegner	Rogers
Romanchuk	Rosenberger	Ruhl	Scherer
Schuring	Sears	Slaby	Slesnick
Smith	Sprague	Stautberg	Stebelton

Stinziano  
Wachtmann

Sykes  
Williams

Terhar  
Young

Thompson  
Batchelder-84.

Those who voted in the negative were: Representatives

Ashford  
Letson

Boyce  
Redfern

Clyde  
Strahorn

Heard  
Szollosi  
Winburn-9.

The bill passed.

Representative Roegner moved to amend the title as follows:

Add the names: "Adams, J., Baker, Beck, Becker, Boose, Buchy, Burkley, Conditt, Damschroder, Duffey, Green, Hackett, Hagan, C., Hall, Henne, Landis, Maag, Perales, Retherford, Ruhl, Wachtmann, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. C. R. No. 9**-Representative Adams, J.

Cosponsors: Representatives Grossman, Hood, Hottinger, Retherford, Brenner, Duffey, Thompson, Boose, Hill, Stautberg, Derickson, Beck, Becker, Rosenberger, Hall, Johnson, Sears, Wachtmann, Adams, R., Henne, Brown, Buchy, Green, Hackett, Maag, Lynch, Sprague, Roegner, Dovilla, Milkovich, Huffman, Gerberry, Cera, Fedor.

To urge the United States Department of State to approve the presidential permit application allowing the construction and operation of the TransCanada Keystone XL Pipeline between the United States and Canada, was taken up for consideration the third time.

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

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

Add the names: "Anielski, Baker, Barborak, Blessing, Burkley, Butler, Conditt, Damschroder, Hagan, C., Hayes, Kunze, Landis, Letson, Lundy, McClain, McGregor, Pelanda, Perales, Romanchuk, Ruhl, Scherer, Schuring, Slesnick, Smith, Stebelton, Sykes, Szollosi, Terhar, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

The yeas and nays were taken and resulted - yeas 86, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Ashford
Baker	Barborak	Beck	Becker
Bishoff	Blessing	Boose	Boyce
Brenner	Brown	Buchy	Budish
Burkley	Butler	Carney	Celebrezze
Cera	Clyde	Conditt	Curtin
Damschroder	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
Redfern	Reece	Retherford	Roegner
Rogers	Romanchuk	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby
Slesnick	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Wachtmann	Williams
Young			Batchelder-86.

Representatives Antonio, Barnes, Foley, Heard, Ramos, Strahorn, and Winburn voted in the negative-7.

The concurrent resolution was adopted.

**S. C. R. No. 2-Senator Beagle.**

Cosponsors: Senators Bacon, LaRose, Lehner, Schaffer, Schiavoni, Tavares, Balderson, Brown, Burke, Cafaro, Coley, Eklund, Gentile, Hite, Hughes, Jones, Manning, Obhof, Oelslager, Patton, Peterson, Smith, Turner, Uecker, Widener. Representatives Barnes, Bishoff.

Declaring March 2013 as Reshoring Month in Ohio, was taken up for consideration the third time.

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

Representative Baker moved to amend the title as follows:

Add the names: "Adams, J., Anielski, Antonio, Barborak, Beck, Becker, Boose, Brenner, Brown, Buchy, Burkley, Carney, Celebrezze, Cera, Damschroder, Derickson, Dovilla, Driehaus, Foley, Green, Grossman, Hackett, Hagan, C., Hall, Henne, Hood, Hottinger, Huffman, Kunze, Landis, Letson, Mallory, McGregor, Milkovich, O'Brien, Patterson, Pillich, Ramos, Retherford, Roegner, Rogers, Romanchuk, Rosenberger, Schuring, Slesnick, Smith, Sprague, Stautberg, Stebelton, Wachtmann, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

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

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Anielski	Antonio
Ashford	Baker	Barborak	Barnes
Beck	Becker	Bishoff	Blessing
Boose	Boyce	Brenner	Brown
Buchy	Budish	Burkley	Butler
Carney	Celebrezze	Cera	Clyde
Conditt	Curtin	Damschroder	Derickson
Dovilla	Driehaus	Duffey	Fedor
Foley	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	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-92.

The concurrent resolution was adopted.

#### Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following concurrent resolution:

#### **H. C. R. No. 4** -Representatives Romanchuk, Ruhl

Cosponsors: Representatives Johnson, Thompson, Dovilla, Fedor, Conditt, Gonzales, Derickson, Buchy, Landis, Adams, J., Adams, R., Antonio, Hackett, Pillich, Anielski, Barborak, Bishoff, Milkovich, Retherford, Rosenberger, Amstutz, Ashford, Baker, Barnes, Becker, Blair, Blessing, Boose, Boyce, Brenner, Brown, Budish, Burkley, Butler, Carney, Celebrezze, Cera, Clyde, Curtin, DeVitis, Driehaus, Duffey, Foley, Gerberry, Green, Grossman, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hill, Hood, Hottinger, Huffman, Kunze, Letson, Lundy, Lynch, Maag, Mallory, McClain, McGregor, O'Brien, Patmon, Patterson, Pelanda, Perales, Phillips, Ramos, Redfern,

Reece, Roegner, Rogers, Scherer, Sears, Slaby, Slesnick, Smith, Sprague, Stautberg, Stebelton, Stinziano, Sykes, Szollosi, Terhar, Wachtmann, Williams, Winburn, Young, Speaker Batchelder Senators Schaffer, Bacon, Patton, LaRose, Hughes, Brown, Tavares, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hite, Jones, Jordan, Kearney, Lehner, Manning, Obhof, Oelslager, Peterson, Sawyer, Schiavoni, Uecker, Widener

To urge the Congress of the United States to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport in Mansfield, Ohio.

Attest:

Vincent L. Keeran,  
Clerk.

#### Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is requested:

**S. B. No. 4** -Senators Manning, Oelslager

Cosponsors: Senators Obhof, Jones, Hite, Patton, Lehner, Beagle, Uecker, LaRose, Gardner, Eklund, Bacon, Widener, Faber, Cafaro, Tavares, Brown, Balderson, Coley, Hughes, Kearney, Peterson, Sawyer, Schiavoni, Turner

To enact section 3701.5010 of the Revised Code to require a pulse oximetry screening for each newborn born in a hospital or freestanding birthing center.

**Sub. S. B. No. 9** -Senator Bacon

Cosponsors: Senators Beagle, Hite, Jones, Seitz, Widener, Brown, Cafaro, Eklund, Lehner, Manning, Peterson, Smith

To amend sections 1751.12 and 3905.01 and to enact sections 3905.47, 3905.471, 3905.472, 3905.473, and 3905.474 of the Revised Code to specify licensing and continuing education requirements for insurance agents involved in selling, soliciting, or negotiating sickness and accident insurance through a health benefit exchange and to make changes to copayments, cost sharing, and deductibles for health insuring corporations.

**S. B. No. 24** -Senator Obhof

Cosponsors: Senators Manning, Schiavoni, Lehner, Gardner, Jones, Seitz, Sawyer, Kearney, Oelslager, Jordan, Tavares, Balderson, Beagle, Burke,

Cafaro, Coley, Eklund, Faber, Hite, Hughes, Peterson, Schaffer, Turner,  
Uecker, Widener

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

Attest:

Vincent L. Keeran,  
Clerk.

Said bills were considered the first time.

On motion of Representative Huffman, the House adjourned until Thursday,  
March 21, 2013 at 1:00 o'clock p.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.