

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MAY 7, 2013

THIRTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, May 7, 2013, 8:30 a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Brenner was selected to preside under the Rule.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 154-Representative Gerberry.

Cosponsors: Representatives Antonio, Fedor, Lundy.

To amend section 3770.06 and to enact section 3317.54 of the Revised Code to require that a portion of lottery profits be distributed annually on a per pupil basis to public and chartered nonpublic schools.

H. B. No. 155-Representatives Ramos, Reece.

Cosponsors: Representatives Driehaus, Antonio, Foley, Phillips, Hagan, R.

To amend sections 4507.05 and 4507.06 of the Revised Code to allow a person who has been approved for the Deferred Action for Childhood Arrivals program by United States Citizenship and Immigration Services to obtain a temporary instruction permit, driver's license, or motorcycle operator's license or endorsement and to amend the versions of sections 4507.05 and 4507.06 of the Revised Code that are scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date.

H. B. No. 156-Representative Reece.

Cosponsors: Representatives Antonio, Fedor, Heard, Ashford, Sykes.

To enact section 2151.351 of the Revised Code to require restraints to be removed from an alleged or adjudicated delinquent child prior to the commencement of a juvenile court hearing or proceeding unless the court determines that the use of restraints is necessary to prevent physical harm to the child or another person or to prevent the child from escaping.

H. B. No. 157-Representative Stautberg.

Cosponsors: Representatives Beck, Becker, Ruhl, Terhar.

To enact section 503.23 of the Revised Code to establish a procedure to recall an elective township officer.

H. B. No. 158-Representatives Brenner, Patmon.

Cosponsors: Representatives Henne, McClain, Terhar, Hood, Thompson, Huffman, Reece, Barnes, Butler, Stautberg, Maag, Stebelton, Driehaus, Sears, Boose.

To amend sections 109.572, 5725.98, 5726.98, 5729.98, and 5747.98 and to enact section 3310.30 of the Revised Code to authorize nonrefundable tax credits for donations to nonprofit entities providing scholarships to low-income students enrolling in nonpublic schools.

H. B. No. 159-Representatives Hackett, Schuring.

Cosponsors: Representatives Johnson, Brenner, Grossman, Thompson, Duffey, Maag, Green, Barborak, Stebelton, Cera, Buchy.

To amend sections 1753.07, 1753.09, 3901.21, 3963.01, 3963.02, and 3963.03 of the Revised Code to prohibit a health insurer from establishing a fee schedule for dental providers for services that are not covered by any contract or participating provider agreement between the health insurer and the dental provider.

Said bills were considered the first time.

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

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

H.B. No. 143 – Representatives DeVitis and Butler
TO REQUIRE THE ADMINISTRATOR OF WORKERS'
COMPENSATION TO INCLUDE IN THE NOTICE OF PREMIUM RATE
THAT IS APPLICABLE TO AN EMPLOYER FOR AN UPCOMING
POLICY YEAR THE MATHEMATICAL EQUATION USED BY THE
ADMINISTRATOR TO DETERMINE THE EMPLOYER'S PREMIUM
RATE.

To the committee on Insurance

H.B. No. 144 – Representative Kunze
TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS WITHIN THE
RESTRICTIONS THAT CURRENTLY APPLY TO THE SALE OR
DISTRIBUTION TO, AND POSSESSION OR USE BY, MINORS OF
CIGARETTES AND OTHER TOBACCO PRODUCTS AND TO DECLARE
AN EMERGENCY.

To the committee on Health and Aging

H.B. No. 145 – Representative Henne

TO PROVIDE THAT WHEN A MOTOR VEHICLE PASSES A BICYCLE THE SAFE PASSING DISTANCE TO THE LEFT IS THREE FEET, AND TO ALTER THE PROTOCOL FOR PROCEEDING INTO AN INTERSECTION THAT HAS MALFUNCTIONING TRAFFIC LIGHTS.

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 146 – Representative Gonzales

TO MODIFY THE COMPOSITION OF THE OPTICAL DISPENSERS BOARD.

To the committee on Health and Aging

H.B. No. 147 – Representatives Patmon and Wachtmann

TO REQUIRE A SURGEON PERFORMING A MASTECTOMY, LYMPH NODE DISSECTION, OR LUMPECTOMY IN A HOSPITAL TO GUIDE THE PATIENT AND PROVIDE REFERRALS IN ACCORDANCE WITH THE STANDARDS OF THE NATIONAL ACCREDITATION PROGRAM FOR BREAST CENTERS AND TO NAME THIS ACT THE “LIZZIE B. BYRD ACT.”

To the committee on Health and Aging

H.B. No. 148 – Representatives Driehaus and R. Hagan

TO PROHIBIT LAND APPLICATION AND DEEP WELL INJECTION OF BRINE, TO PROHIBIT THE CONVERSION OF WELLS, AND TO ELIMINATE THE INJECTION FEE THAT IS LEVIED UNDER THE OIL AND GAS LAW.

To the committee on Agriculture and Natural Resources

H.B. No. 149 – Representative Anielski

TO DESIGNATE SEPTEMBER 10 AS “OHIO SUICIDE PREVENTION DAY.”

To the committee on Health and Aging

H.B. No. 150 – Representative Gonzales

TO REPLACE THE REHABILITATION SERVICES COMMISSION WITH THE OPPORTUNITIES FOR OHIOANS WITH DISABILITIES AGENCY, TO REQUIRE THE GOVERNOR TO APPOINT THE OPPORTUNITIES FOR OHIOANS WITH DISABILITIES COMMISSION WITHIN THE AGENCY, TO REVISE DEFINITIONS IN THE LAW GOVERNING THE AGENCY, AND TO MAKE RELATED ORGANIZATIONAL CHANGES.

To the committee on Health and Aging

H.B. No. 151 – Representative Roegner

TO PROHIBIT ANY REQUIREMENT THAT EMPLOYEES OF PRIVATE EMPLOYERS JOIN OR PAY DUES TO ANY EMPLOYEE ORGANIZATION AND TO ESTABLISH CIVIL AND CRIMINAL

PENALTIES AGAINST EMPLOYERS WHO VIOLATE THAT PROHIBITION.

To the committee on Manufacturing and Workforce Development
Add the name: Hood

H.B. No. 152 – Representative Maag

TO REMOVE ANY REQUIREMENT UNDER THE PUBLIC EMPLOYEES COLLECTIVE BARGAINING LAW THAT PUBLIC EMPLOYEES JOIN OR PAY DUES TO ANY EMPLOYEE ORGANIZATION AND TO PROHIBIT PUBLIC EMPLOYERS FROM REQUIRING PUBLIC EMPLOYEES TO JOIN OR PAY DUES TO ANY EMPLOYEE ORGANIZATION.

To the committee on State and Local Government

H.B. No. 153 – Representative R. Hagan

REGARDING THE MEDICAL USE OF CANNABIS.

To the committee on Health and Aging

H.J.R. No. 5 – Representatives Roegner and Maag

TO ENACT SECTION 22 OF ARTICLE I OF THE CONSTITUTION OF THE STATE OF OHIO TO PROHIBIT EMPLOYEES FROM BEING FORCED TO PARTICIPATE IN A LABOR ORGANIZATION AS A CONDITION OF EMPLOYMENT.

To the committee on Manufacturing and Workforce Development

H.J.R. No. 6 – Representative R. Hagan

TO ENACT SECTION 12 OF ARTICLE XV OF THE CONSTITUTION OF THE STATE OF OHIO TO LEGALIZE THE PRODUCTION, USE, AND SALE OF MARIJUANA UNDER SPECIFIED CONDITIONS AND TO PROVIDE FOR THE REGULATION AND TAXATION OF MARIJUANA.

To the committee on State and Local Government

S.B. No. 19 – Senators Tavares and Manning

CREATE THE OHIO FAMILY STABILITY COMMISSION AND TO REPEAL SECTION 5101.345 OF THE REVISED CODE FOUR YEARS AFTER THE EFFECTIVE DATE OF THAT SECTION.

To the committee on Health and Aging

S.B. No. 94 – Senator Balderson

TO DESIGNATE THE FIRST WEEK OF OCTOBER AS “OHIO FOREST PRODUCTS AWARENESS WEEK.”

To the committee on Agriculture and Natural Resources

S.B. No. 115 – Senator Faber

TO EXTEND THE MORATORIUM ON NEW ESTABLISHMENTS CONDUCTING SWEEPSTAKES BY SWEEPSTAKES TERMINAL DEVICES, TO REQUIRE ESTABLISHMENTS TO FILE A NEW AFFIDAVIT, AND TO DECLARE AN EMERGENCY.

To the committee on Policy and Legislative Oversight

MATT HUFFMAN
 ANDREW BRENNER
 DOROTHY PELANDA
 DEBBIE PHILLIPS

JOHN ADAMS
 JIM BUCHY
 STEPHANIE KUNZE
 MATT SZOLLOSI

Representative Hood 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, House Joint Resolutions, and Senate Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills, House Joint Resolutions, and Senate Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H.C.R. No. 19 – Representative Schuring
 TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO
 OPPOSE ANY LEGISLATION THAT REQUIRES SOCIAL SECURITY
 COVERAGE FOR MEMBERS OF ANY OF OHIO'S STATE
 RETIREMENT SYSTEMS.

To the committee on Health and Aging

H.C.R. No. 20 – Representative Redfern
 TO COMMEMORATE THE WAR OF 1812 AND THE BATTLE OF LAKE
 ERIE AND TO RECOGNIZE NORTHWEST OHIO'S IMPORTANT ROLE
 IN THE WAR.

To the committee on State and Local Government

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

S.C.R. No. 13 – Senator LaRose
 HONORING THE STATE OF ISRAEL ON ITS SIXTY-FIFTH
 ANNIVERSARY.

To the committee on State and Local Government

/s/MATT HUFFMAN
 Matt Huffman, Chair

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

The motion was agreed to.

Said House Concurrent Resolutions and Senate Concurrent Resolution were 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. 105 – Representative Thompson
Honoring the Waterford High School FFA parliamentary procedure team on winning the 2012 FFA State Contest.
Add the name: Phillips

H.R. No. 106 – Representative Pelanda
Honoring Margo Geer as a 2013 NCAA Swimming Champion.

H.R. No. 107 – Representative Budish
Honoring John Davis as the 2013 All-Ohio Division III Player of the Year in boys basketball.

H.R. No. 108 – Representative Budish
Honoring Mike Coreno as a 2013 All-Ohio Division III Coach of the Year in girls basketball.

H.R. No. 109 – Representative Perales
Honoring the Bellbrook High School Color Guard as the 2013 Winter Guard International Champion.

H.R. No. 110 – Representatives Stinziano and Curtin
Honoring the Grandview Heights High School Botcats Team 128 on winning the 2013 FIRST Pittsburgh Regional Robotics Competition.

/s/MATT HUFFMAN
Matt Huffman, Chair

Representative Hood 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.

On motion of Representative Hood, the House adjourned until Wednesday, May 8, 2013 at 8:30 a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.