

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, MAY 21, 2014

ONE HUNDRED FIFTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, May 21, 2014, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Father Michael Lumpe of the St. Joseph Cathedral in Columbus, 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 Pro Tempore Huffman:

Representatives from the Center of Science and Industry received H.R. 393 presented by Representatives Grossman-23rd district, Stinziano-18th district, et al.

Austin Pfarr and Hayden Lee received H.Rs. 368 and 369 respectively, presented by Representative Pelanda-86th district.

Ann Schiele received H.R. 392, presented by Representatives Stinziano-18th district and Curtin-17th district.

Kathleen Corrigan received H.R. 425, presented by Representatives Antonio-13th district and Budish-8th district.

Ryan Harris received H.R. 384, presented by Representative Budish-8th district.

Representatives from Pearl Valley Cheese received H.R. 434, presented by Representatives Hayes-72nd district and Amstutz-1st district.

Andrew Fetchlik received H.R. 418, presented by Representatives Patterson-99th district and Lynch-76th district.

The Polaris Career Center management and culinary arts teams received H.R. 347, presented by Representatives Foley-14th district and Dovilla-7th district.

Scott Jewett received a commendation, presented by Representative Lundy-55th district.

Sheri Duffey received H.R. 348, presented by Representatives Stebelton-77th district and Hood-78th district.

Ryan Stover, a guest of Representative Dovilla-7th district.

Kathy Espy, Bailey Cultice, Robin Shockley, Robin Hulzhinsson-Bell, Joanna Worthington, and Jason Koma, guests of Representatives Curtin-17th district, Stinziano-18th district, and Grossman-23rd district.

Participants in the AIDS Watch 2014 Advocacy Day, guests of Representatives Stinziano-18th district and Heard-26th district.

Members of the Delta Sigma Theta Sorority, Inc. and former State Representative Dixie Allen, guests of Representative Heard-26th district.

Jamie Walters, a guest of Representative Schuring-48th district.

Austin Ross and Seth Marcum, guests of Representatives Hagan, C.-50th district, Schuring-48th district, and DeVitis-36th district.

Jacqueline Miller, a guest of Speaker Batchelder-69th district and Representative Retherford-51st district.

Kayla Gowdy, a guest of Representative Hayes-72nd district.

Steven Stainslaw, a guest of Representative Hackett-74th district.

Steve Fout and the 4th grade class from The Experiential Academy, guests of Representative Rosenberger-91st district.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 556-Representative Rogers.

Cosponsors: Representatives Cera, Ashford, Gerberry, Patterson, O'Brien, Lundy, Antonio.

To amend sections 319.02 and 323.152 of the Revised Code to restore the application of the 10% and 2.5% property tax rollbacks to tax levies approved on or after the effective date of Am. Sub. H.B. 59 of the 130th General Assembly.

Said bill was considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 165**-Representative Roegner, et al., were taken up for consideration.

Sub. H. B. No. 165-Representative Roegner.

Cosponsors: Representatives Thompson, Wachtmann, Beck, Hood, Huffman, Scherer, Schuring, Sears, Speaker Batchelder. Senators Bacon, Eklund, LaRose, Seitz.

To amend sections 4761.01, 4761.03, 4761.07, and 4761.11 of the Revised Code to exempt certified hyperbaric technologists from the laws governing the practice of respiratory care.

The question being, "Shall the Senate amendments be concurred in?"

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

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barborak
Barnes	Beck	Becker	Bishoff
Blair	Blessing	Boose	Boyce
Brenner	Brown	Buchy	Budish
Burkley	Butler	Carney	Celebrezze
Cera	Clyde	Conditt	Curtin
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Foley
Gerberry	Gonzales	Green	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hill
Hood	Hottinger	Huffman	Johnson
Kunze	Landis	Letson	Lundy
Lynch	Maag	Mallory	McClain
McGregor	Milkovich	O'Brien	Patmon
Patterson	Pelanda	Perales	Phillips
Pillich	Ramos	Redfern	Reece
Retherford	Roegner	Rogers	Romanchuk
Rosenberger	Ruhl	Scherer	Schuring
Sears	Sheehy	Slaby	Smith
Sprague	Stautberg	Stebelton	Stinziano
Strahorn	Terhar	Thompson	Wachtmann
Williams	Winburn		Batchelder-95.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 484**-Representatives Rosenberger, Brown, et al., were taken up for consideration.

Sub. H. B. No. 484-Representatives Rosenberger, Brown.

Cosponsors: Representatives Dovilla, Amstutz, Adams, R., Anielski, Antonio, Baker, Beck, Boose, Buchy, Burkley, Clyde, Damschroder, Derickson, DeVitis, Duffey, Foley, Green, Grossman, Hackett, Hall, Hayes, Hill, McClain, McGregor, O'Brien, Patterson, Pillich, Ramos, Redfern, Rogers, Sears, Sprague, Stebelton, Stinziano, Winburn, Speaker Batchelder. Senators Beagle, Brown, Eklund, Hite, Hughes, Lehner, Oelslager, Sawyer, Tavares, Uecker.

To amend sections 3333.048, 3333.77, and 3358.06; to enact sections 3333.0413, 3333.171, 3333.33, 3333.44, and 3333.90; and to repeal section 3345.19 of the Revised Code; and to amend Sections 363.120, 363.190, and 363.200 of Am. Sub. H.B. 59 of the 130th General Assembly with respect to the coordination and administration of higher education programs.

The question being, "Shall the Senate amendments be concurred in?"

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

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barborak
Barnes	Beck	Becker	Bishoff
Blair	Blessing	Boose	Boyce
Brenner	Brown	Buchy	Budish
Burkley	Butler	Carney	Celebrezze
Cera	Clyde	Conditt	Curtin
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Foley
Gerberry	Gonzales	Green	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hill
Hood	Hottinger	Huffman	Johnson
Kunze	Landis	Letson	Lundy
Lynch	Maag	Mallory	McClain
McGregor	Milkovich	O'Brien	Patmon
Patterson	Pelanda	Perales	Phillips
Pillich	Ramos	Redfern	Reece
Retherford	Roegner	Rogers	Romanchuk
Rosenberger	Ruhl	Scherer	Schuring
Sears	Sheehy	Slaby	Smith
Sprague	Stautberg	Stebelton	Stinziano
Strahorn	Terhar	Thompson	Wachtmann
Williams	Winburn		Batchelder-95.

The Senate amendments were concurred in.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Carney submitted the following report:

The standing committee on Insurance to which was referred **H. B. No. 430**-Representatives Kunze, Stinziano, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: SELF-SERVICE STORAGE FACILITIES-REGULATE

Representative Hackett moved to amend the title as follows:

Add the names: "Hackett, Bishoff, Sears."

Representative Kunze moved to amend as follows:

In line 589, after " (P)" insert " (1) Notwithstanding any other provision of law, if a self-service storage facility's insurance-related activities, and those of its endorsees, employees, and authorized representatives, are limited to offering and disseminating self-service storage insurance on behalf of and under the

direction of a limited lines self-service storage insurance agent that meets the requirements of this section, the facility is authorized to offer and disseminate insurance and receive related compensation for these services if the self-service storage facility is registered by the limited lines self-service storage insurance agent as described in division (I) of this section. Any compensation paid to a self-service storage facility's endorsee, employee, or authorized representative for the services described in this section shall be incidental to the endorsee's, employee's, or authorized representative's overall compensation and not based on the purchase of the self-service storage insurance coverage.

(2) All costs paid or charged to a consumer for the purchase of self-service storage insurance or related services, including compensation to the self-service storage facility, shall be separately itemized on the customer's bill.

(Q)"

The motion was agreed to and the bill so amended.

ROBERT HACKETT	MICHAEL HENNE
JOHN PATRICK CARNEY	JOHN ADAMS
MIKE ASHFORD	HEATHER BISHOFF
JIM BUTLER	STEPHANIE KUNZE
ROSS MCGREGOR	SEAN O'BRIEN
WES RETHERFORD	BARBARA R. SEARS
MARILYN SLABY	ROBERT COLE SPRAGUE
MICHAEL STINZIANO	FRED STRAHORN

The report was agreed to.

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

Representative Carney submitted the following report:

The standing committee on Insurance to which was referred **Sub. S. B. No. 140**-Senator Bacon, et al., having had the same under consideration, reports it back and recommends its passage.

RE: INSURANCE-HOLDING COMPANIES/MERGER & CONSOLIDATION/RISK MANAGEMENT

Representative Hackett moved to amend the title as follows:

Add the names: "Representatives Hackett, Henne, Carney, Bishoff, McGregor, O'Brien, Retherford, Sears, Slaby, Sprague."

ROBERT HACKETT	MICHAEL HENNE
JOHN PATRICK CARNEY	JOHN ADAMS
MIKE ASHFORD	HEATHER BISHOFF
JIM BUTLER	STEPHANIE KUNZE
ROSS MCGREGOR	SEAN O'BRIEN
WES RETHERFORD	BARBARA R. SEARS

MARILYN SLABY
MICHAEL STINZIANO

ROBERT COLE SPRAGUE
FRED STRAHORN

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 **Sub. S. B. No. 78**-Senator Hughes, et al., having had the same under consideration, reports it back and recommends its passage.

RE: SPECIALTY CONSTRUCTION CONTRACTORS-CHANGE
LAW REGULATING

Representative Dovilla moved to amend the title as follows:

Add the name: "Representative Dovilla."

MIKE DOVILLA
JOHN ADAMS
ANDREW BRENNER
DOROTHY PELANDA
KATHLEEN CLYDE
MATT LUNDY

RON GERBERRY
LOUIS W. BLESSING
MATT HUFFMAN
RICK PERALES
MICHAEL F. CURTIN

The report was agreed to.

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

Representative Ramos submitted the following report:

The standing committee on Finance and Appropriations to which was referred **H. B. No. 533**-Representatives McGregor, Mallory, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TOLL PROJECTS-SCOPE/USER FEES/PUBLIC-PRIVATE
TRANSPORTATION FACILITY AGREEMENTS

RON AMSTUTZ
RICHARD ADAMS
MIKE ASHFORD
JACK CERA
TIMOTHY DERICKSON
DENISE DRIEHAUS
ANNE GONZALES
DAVE HALL
MATT LUNDY
JEFF MCCLAIN
DEBBIE PHILLIPS

TERRY BOOSE
NICKIE J. ANTONIO
PETER BECK
KATHLEEN CLYDE
MIKE DOVILLA
MIKE FOLEY
CHERYL GROSSMAN
BILL HAYES
RON MAAG
ROSS MCGREGOR
DAN RAMOS

CLIFF ROSENBERGER
 RYAN SMITH
 PETER STAUTBERG

BARBARA R. SEARS
 ROBERT COLE SPRAGUE

The report was agreed to.

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

Representative Ramos submitted the following report:

The standing committee on Finance and Appropriations to which was referred **Sub. S. B. No. 263**-Senators Peterson, Beagle, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: TAX/FEE OVERPAYMENT-TAX COMMISSIONER NOTIFY TAXPAYER OF

Representative Amstutz moved to amend the title as follows:

Add the names: "Representatives Amstutz, Beck."

Representative Duffey moved to amend as follows:

In line 8, delete the first "section" and insert "sections"; after "5703.05" insert "and 5739.121"

Between lines 171 and 172, insert:

"**Sec. 5739.121.** (A) As used in this section, ~~"bad~~ :

(1) "Bad debt" means any debt that has become worthless or uncollectible in the time period between a vendor's preceding return and the present return, has been uncollected for at least six months, and that may be claimed as a deduction pursuant to the "Internal Revenue Code of 1954," 68A Stat. 50, 26 U.S.C. 166, as amended, and regulations adopted pursuant thereto, or that could be claimed as such a deduction if the vendor kept accounts on an accrual basis. "Bad debt" does not include any interest or sales tax on the purchase price, uncollectible amounts on property that remains in the possession of the vendor until the full purchase price is paid, expenses incurred in attempting to collect any account receivable or for any portion of the debt recovered, and repossessed property.

(2) "Lender" means a person or an affiliate, assignee, or transferee of a person that owns a private label credit card account, or an interest in a private label credit card receivable, provided that interest was any of the following:

(a) Transferred from a third party;

(b) Purchased directly from a vendor that remitted tax imposed under this chapter or from an affiliate of the vendor;

(c) Originated according to a written agreement between the person and a vendor that remitted tax imposed under this chapter or an affiliate of the vendor.

(3) "Private label credit card" means a charge card or credit card on which the name or logo of a vendor appears.

(4) "Accounts or receivables bad debt" means the unpaid balance on private label credit card accounts or receivables that are bad debt and are charged off as uncollectible on the books of a lender on or after July 1, 2014, and against which a deduction or refund has not previously been taken or allowed, respectively, under this section. For the purposes of division (A)(4) of this section only, "bad debt" shall be determined without regard to when the debt has become worthless or uncollectible relative to the period between a vendor's returns, and the deductibility of the debt for federal income tax purposes shall be determined with respect to the lender instead of the vendor.

(5) "Affiliate" means any person that is a member of an affiliated group or that would be a member of an affiliated group if the person was a corporation.

(6) "Affiliated group" has the same meaning as in section 1504 of the Internal Revenue Code.

(B) In computing taxable receipts for purposes of this chapter, a vendor may deduct the amount of bad debts. ~~The~~ Except as provided in division (F) of this section, the amount deducted must be charged off as uncollectible on the books of the vendor. A deduction may be claimed only with respect to bad debts on which the taxes pursuant to sections 5739.10 and 5739.12 of the Revised Code were paid in a preceding tax period. If the vendor's business consists of taxable and nontaxable transactions, the deduction shall equal the full amount of the debt if the debt is documented as a taxable transaction in the vendor's records. If no such documentation is available, the maximum deduction on any bad debt shall equal the amount of the bad debt multiplied by the quotient obtained by dividing the sales taxed pursuant to this chapter during the preceding calendar year by all sales during the preceding calendar year, whether taxed or not. If a consumer or other person pays all or part of a bad debt with respect to which a vendor claimed a deduction under this section, the vendor shall be liable for the amount of taxes deducted in connection with that portion of the debt for which payment is received and shall remit such taxes in the vendor's next payment to the tax commissioner.

(C) Any claim for a bad debt deduction under this section shall be supported by such evidence as the tax commissioner by rule requires. The commissioner shall review any change in the rate of taxation applicable to any taxable sales by a vendor claiming a deduction pursuant to this section and adopt rules for altering the deduction in the event of such a change in order to ensure that the deduction on any bad debt does not result in the vendor claiming the deduction recovering any more or less than the taxes imposed on the sale that constitutes the bad debt.

(D) In any reporting period in which the amount of bad debt exceeds the amount of taxable sales for the period, the vendor may file a refund claim for any tax collected on the bad debt in excess of the tax reported on the return. The

refund claim shall be filed in the manner provided in section 5739.07 of the Revised Code, except that the claim may be filed within four years of the due date of the return on which the bad debt first could have been claimed.

(E) When the filing responsibilities of a vendor have been assumed by a certified service provider, the certified service provider shall claim the bad debt allowance provided by this section on behalf of the vendor. The certified service provider shall credit or refund to the vendor the full amount of any bad debt allowance or refund.

~~(F) No person other than the vendor in the transaction that generated the bad debt or, as provided in division (E) of this section, a certified service provider, may claim the bad debt allowance provided by this section (1) A vendor may deduct on a return or obtain a refund of tax remitted by the vendor on accounts or receivables bad debt.~~

A vendor taking a deduction or claiming a refund under division (F)(1) of this section shall include all credit sale transactions outstanding in the account or receivable at the time the account or receivable is charged off as uncollectible on the books of a lender in calculating the deduction or refund, regardless of the date on which the credit sale transaction occurs.

(2) The deduction or refund authorized under division (F)(1) of this section may be taken or obtained by the vendor only on the basis of accounts or receivables bad debt from purchases from the vendor whose name or logo appears on the private label credit card or from purchases from any of the vendor's affiliates or franchisees.

(3) A vendor taking a deduction or receiving a refund under division (F)(1) of this section shall maintain books, records, or other documents verifying the accounts or receivables bad debt, which shall be open to inspection by the commissioner upon request.

(4) If the vendor collects in whole or part any accounts or receivables bad debt on the basis of which the vendor took a deduction or received a refund under division (F) of this section, the vendor shall include the amount collected in the vendor's first return filed after the collection and pay tax on the portion of that amount with respect to which the vendor took the deduction or received a refund.

For the purpose of calculating the amount of tax to remit under division (F)(4) of this section, the vendor shall allocate payments made by the holder of a private label credit card on the holder's accounts based on the agreement between the account holder and the vendor or lender.

(G) The tax commissioner may adopt rules necessary to administer this section."

In line 172, delete "section" and insert "sections"; after "5703.05" insert "and 5739.121"

In line 173, delete "is" and insert "are"

In line 1 of the title, delete the first "section" and insert "sections"; after "5703.05" insert "and 5739.121"

In line 6 of the title, after the comma insert "to provide for a sales tax deduction or refund for bad debts,"

The motion was agreed to and the bill so amended.

RON AMSTUTZ
RICHARD ADAMS
MIKE ASHFORD
JACK CERA
TIMOTHY DERICKSON
DENISE DRIEHAUS
ANNE GONZALES
DAVE HALL
MATT LUNDY
JEFF MCCLAIN
DEBBIE PHILLIPS
CLIFF ROSENBERGER
RYAN SMITH
PETER STAUTBERG

TERRY BOOSE
NICKIE J. ANTONIO
PETER BECK
KATHLEEN CLYDE
MIKE DOVILLA
MIKE FOLEY
CHERYL GROSSMAN
BILL HAYES
RON MAAG
ROSS MCGREGOR
DAN RAMOS
BARBARA R. SEARS
ROBERT COLE SPRAGUE

The report was agreed to.

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

Representative Ramos submitted the following report:

The standing committee on Finance and Appropriations to which was referred **H. B. No. 459**-Representative Sprague, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: UNIFORM DEPOSITORY ACT-MODIFY AUTHORIZED INVESTMENTS OF INTERIM/INACTIVE MONEYS

Representative Amstutz moved to amend the title as follows:

Add the names: "Amstutz, Beck."

RON AMSTUTZ
RICHARD ADAMS
MIKE ASHFORD
JACK CERA
TIMOTHY DERICKSON
DENISE DRIEHAUS
ANNE GONZALES
DAVE HALL

TERRY BOOSE
NICKIE J. ANTONIO
PETER BECK
KATHLEEN CLYDE
MIKE DOVILLA
MIKE FOLEY
CHERYL GROSSMAN
BILL HAYES

MATT LUNDY
JEFF MCCLAIN
DEBBIE PHILLIPS
CLIFF ROSENBERGER
RYAN SMITH
PETER STAUTBERG

RON MAAG
ROSS MCGREGOR
DAN RAMOS
BARBARA R. SEARS
ROBERT COLE SPRAGUE

The report was agreed to.

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

Representative Mallory submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **H. B. No. 419**-Representatives Williams, Hagan, R., et al., having had the same under consideration, reports it back and recommends its passage.

RE: ARNOLD R. PINKNEY MEMORIAL WAY-PORCTIONS OF US
RT. 422 IN CLEVELAND & YOUNGSTOWN

Representative Damschroder moved to amend the title as follows:

Add the names: "Damschroder, Ruhl, Mallory, Green, Johnson, Milkovich, Perales."

REX DAMSCHRODER
DALE MALLORY
NICHOLAS J. CELEBREZZE
ROBERT F. HAGAN
ROSS MCGREGOR
BILL PATMON

MARGARET RUHL
JOHN BECKER
DOUG GREEN
TERRY JOHNSON
ZACK MILKOVICH
RICK PERALES

The report was agreed to.

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

Representative Mallory submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **H. B. No. 346**-Representative Damschroder, et al., having had the same under consideration, reports it back and recommends its passage.

RE: ENHANCED DRIVER'S LICENSES/ID CARDS-EASE
CROSSING INTO CANADA & MEXICO

Representative Damschroder moved to amend the title as follows:

Add the names: "Mallory, Green, Hagan, R., Johnson."

REX DAMSCHRODER
DALE MALLORY

MARGARET RUHL
JOHN BECKER

NICHOLAS J. CELEBREZZE
 ROBERT F. HAGAN
 ROSS MCGREGOR
 RICK PERALES

DOUG GREEN
 TERRY JOHNSON
 ZACK MILKOVICH

The following member voted "NO"

BILL PATMON

The report was agreed to.

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

Representative Mallory submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **H. B. No. 476**-Representative McGregor, having had the same under consideration, reports it back and recommends its passage.

RE: STAFF SERGEANT WESLEY WILLIAMS MEMORIAL
 HIGHWAY-PART OF US 40 IN CLARK COUNTY

Representative Damschroder moved to amend the title as follows:

Add the names: "Damschroder, Ruhl, Mallory, Celebrezze, Green, Hagan, R., Johnson, Milkovich, Patmon, Perales."

REX DAMSCHRODER
 DALE MALLORY
 NICHOLAS J. CELEBREZZE
 ROBERT F. HAGAN
 ROSS MCGREGOR
 BILL PATMON

MARGARET RUHL
 JOHN BECKER
 DOUG GREEN
 TERRY JOHNSON
 ZACK MILKOVICH
 RICK PERALES

The report was agreed to.

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

Representative Mallory submitted the following report:

The standing committee on Transportation, Public Safety and Homeland Security to which was referred **H. B. No. 518**-Representative Hayes, et al., having had the same under consideration, reports it back and recommends its passage.

RE: CHIEF PETTY OFFICER RAYMOND BORDER MEMORIAL
 HWY-PART OF U.S. RT. 36 IN COSHOCTON COUNTY

Representative Damschroder moved to amend the title as follows:

Add the names: "Damschroder, Ruhl, Mallory, Celebrezze, Green, Hagan, R., Johnson, Milkovich, Patmon, Perales."

REX DAMSCHRODER
DALE MALLORY
NICHOLAS J. CELEBREZZE
ROBERT F. HAGAN
ROSS MCGREGOR
BILL PATMON

MARGARET RUHL
JOHN BECKER
DOUG GREEN
TERRY JOHNSON
ZACK MILKOVICH
RICK PERALES

The report was agreed to.

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

Representative Clyde submitted the following report:

The standing committee on State and Local Government to which was referred **Sub. S. B. No. 3**-Senator LaRose, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: RULE-MAKING & RULE-REVIEW
PROCEDURES/REGULATORY PROCESSES-REFORM

Representative Blair moved to amend the title as follows:

Add the names: "Representatives Grossman, Hackett, Brown, Burkley."

KATHLEEN CLYDE
BRIAN HILL
JOHN M. ROGERS
MARGARET CONDITT
ROBERT HACKETT
RON MAAG
TERRY BOOSE
TONY BURKLEY
TERRY BLAIR

BILL PATMON
CHERYL GROSSMAN
MATT LUNDY
RICHARD ADAMS
RON GERBERRY
STEPHEN SLESNICK
TIM W. BROWN
MICHAEL SHEEHY

The report was agreed to.

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

Representative Clyde submitted the following report:

The standing committee on State and Local Government to which was referred **H. B. No. 494**-Representative Schuring, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: COUNTIES-UNDERTAKE REGIONAL TRANSPORTATION
IMPROVEMENT PROJECTS/FINANCING OF

Representative Blair moved to amend the title as follows:

Add the name: "Rogers."

Representative Brown moved to amend as follows:

In line 11, delete "and"

In line 12, after "5595.12" insert ", 5595.13, and 5595.14"

In line 545, after " (C)" insert " A regional transportation improvement project license tax levied under this section shall continue in effect until its expiration, repeal, or until the dissolution of the regional transportation improvement project for which the tax is levied.

(D)"

In line 596, after " chapter" insert " so long as such costs are approved by the director of transportation under section 5595.13 of the Revised Code"

In line 629, after " (C)" insert " If the cooperative agreement is approved by each county that will be a party to the agreement, one of the participating counties shall send a copy of the agreement to the director of transportation. The director shall evaluate the agreement and determine if the transportation improvements specified in the agreement are in the best interest of the transportation facilities of this state, as defined in section 5501.01 of the Revised Code. If the director approves the agreement, the director shall send notice of approval to each county that is a party to the agreement. Unless otherwise provided in the cooperative agreement, the agreement is effective immediately upon approval by the director. If the director does not approve the agreement, the director shall send notice of denial to each county that is a party to the agreement. The notice of denial shall include the reason or reasons for the denial and recommendations for ways in which the agreement may be changed to meet the approval of the director. If the director does not make a determination within ninety days after receiving a cooperative agreement under this section, the director is deemed to have approved the agreement and, unless otherwise provided in the agreement, the agreement is effective immediately. No cooperative agreement is effective without actual or constructive approval by the director under this section.

(D)"

In line 632, after " counties" insert " and with the approval of the director of transportation obtained in the same manner as approval of the original agreement"

In line 759, delete " shall" and insert " may require the board to submit documentation to substantiate that the board has sufficient resources to fund the board's share of the project. If the director determines that the board has sufficient resources, the director may"; delete " governing"; delete " all such"

Between lines 829 and 830, insert:

" Sec. 5595.13. The governing board of a regional transportation improvement project shall not use any amount pledged or allocated to the board under this chapter for administrative expenses of the board without prior

approval of the director of transportation. The director may approve expenses individually by line item or may approve an aggregate amount to be allocated for administrative expenses over a period of time not exceeding twelve months. The director may prescribe rules pursuant to Chapter 119. of the Revised Code necessary to implement this section.

Sec. 5595.14. Upon completion of the transportation improvements listed in the cooperative agreement, fulfillment of all contractual duties assumed by the governing board, and repayment of all bonds issued by the governing board, the regional transportation improvement project and the governing board shall dissolve by operation of law. Upon dissolution of the regional transportation improvement project, the boards of county commissioners that created the regional transportation improvement project shall assume title to all real and personal property acquired by the board in the fulfillment of its duties under this chapter. The property shall be divided and distributed in accordance with the cooperative agreement. Unless otherwise provided by contract, pledges of revenue to the governing board from the state or a political subdivision or taxing unit shall terminate by operation of law upon the dissolution of the regional transportation improvement project."

In line 2 of the title, delete "5595.12" and insert "5595.14"

The motion was agreed to and the bill so amended.

Representative Lundy moved to amend as follows:

In line 564, delete " freight"

In line 565, delete " freight"

The motion was agreed to and the bill so amended.

KATHLEEN CLYDE
BRIAN HILL
JOHN M. ROGERS
MARGARET CONDITT
ROBERT HACKETT
RON MAAG
TIM W. BROWN
MICHAEL SHEEHY

BILL PATMON
CHERYL GROSSMAN
MATT LUNDY
RICHARD ADAMS
RON GERBERRY
TERRY BOOSE
TONY BURKLEY
TERRY BLAIR

The report was agreed to.

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

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **Sub. S. B. No. 278**-Senators Jones, Tavares, et al., having had the same under consideration, reports it back and recommends its passage.

RE: SUDDEN UNEXPLAINED INFANT DEATH-INVESTIGATIVE REPORTS

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Antonio, Barnes, Bishoff, Brown, Carney, Hagan, R., Hottinger, Johnson, Sprague."

LYNN R. WACHTMANN	ANNE GONZALES
NICKIE J. ANTONIO	JOHN BARNES
HEATHER BISHOFF	TIM W. BROWN
JOHN PATRICK CARNEY	CHRISTINA HAGAN
ROBERT F. HAGAN	BRIAN HILL
JAY HOTTINGER	TERRY JOHNSON
RON MAAG	KIRK SCHURING
BARBARA R. SEARS	RYAN SMITH
ROBERT COLE SPRAGUE	

The report was agreed to.

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

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **S. B. No. 230**-Senators Manning, Oelslager, et al., having had the same under consideration, reports it back and recommends its passage.

RE: NON-SELF-INJECTABLE CANCER DRUGS-ESTABLISH STANDARDS FOR DELIVERY OF

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Antonio, Barnes, Bishoff, Brown, Carney, Schuring, Sprague."

LYNN R. WACHTMANN	ANNE GONZALES
NICKIE J. ANTONIO	JOHN BARNES
HEATHER BISHOFF	TIM W. BROWN
JOHN PATRICK CARNEY	CHRISTINA HAGAN
ROBERT F. HAGAN	BRIAN HILL
JAY HOTTINGER	TERRY JOHNSON
RON MAAG	KIRK SCHURING
BARBARA R. SEARS	RYAN SMITH
ROBERT COLE SPRAGUE	

The report was agreed to.

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

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **Am. S. B. No. 99**-Senators Oelslager, Tavares, et al., having had the same under consideration, reports it back and recommends its passage.

RE: INSURANCE-ORALLY ADMINISTERED CANCER MEDICATIONS

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Wachtmann, Antonio, Barnes, Bishoff, Brown, Carney, Hagan, R., Hottinger, Johnson, Schuring."

LYNN R. WACHTMANN	ANNE GONZALES
NICKIE J. ANTONIO	JOHN BARNES
HEATHER BISHOFF	TIM W. BROWN
JOHN PATRICK CARNEY	CHRISTINA HAGAN
ROBERT F. HAGAN	BRIAN HILL
JAY HOTTINGER	TERRY JOHNSON
RON MAAG	DAN RAMOS
KIRK SCHURING	BARBARA R. SEARS
RYAN SMITH	ROBERT COLE SPRAGUE

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

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

H.R. No. 429 – Representative Maag
Honoring Luke Kennard as the 2014 Gatorade Ohio Boys Basketball Player of the Year.

H.R. No. 430 – Representative Derickson
Honoring the Miami University synchronized skating team as the 2014 U.S. National Champion.
Add the name: Pelanda

H.R. No. 431 – Representative Butler
Honoring the Oakwood High School Academic Decathlon team as the 2014 United States Academic Decathlon Division III National Champion.

H.R. No. 432 – Representative Ruhl

Honoring Kokosing Construction Company, Inc. on receiving a 2014 ACG in the Community Award.

Add the name: Phillips

H.R. No. 433 – Representative Anielski

Honoring Dr. Rachel Jones as the 2014 OAESA Distinguished Principal of the Year.

Add the name: Budish

H.R. No. 434 – Representatives Hayes and Amstutz

Honoring Pearl Valley Cheese on being presented with a Gold Medal at the 2014 World Championship Cheese Contest.

H.R. No. 435 – Representative Slaby

Honoring the Copley High School Blade Runners on winning the 2014 National KidWind turbine competition.

Add the names: Ramos and Phillips

H.R. No. 436 – Representative Sears

Honoring the Sylvania Southview High School Mock Trial team on winning the 2014 State Championship.

/s/MATT HUFFMAN

Matt Huffman, Chair

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

The motion was agreed to.

Representative Grossman moved that majority party members asking leave to be absent or absent the week of Wednesday, May 21, 2014, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Ashford moved that minority party members asking leave to be absent or absent the week of Wednesday, May 21, 2014, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION**H. B. No. 440**–Representative Brown.

Cosponsors: Representatives Damschroder, Ruhl, Mallory, Celebrezze, DeVitis, Green, Hagan, R., Milkovich, Patmon, Perales.

To enact section 5533.641 of the Revised Code to designate a portion of State Route 65 in Wood County as the "Staff Sergeant Bradley C. Hart Memorial Roadway", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barborak
Barnes	Beck	Becker	Bishoff
Blair	Blessing	Boose	Boyce
Brenner	Brown	Buchy	Budish
Burkley	Butler	Carney	Celebrezze
Cera	Clyde	Conditt	Curtin
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Foley
Gerberry	Gonzales	Green	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hill
Hood	Hottinger	Huffman	Johnson
Kunze	Landis	Letson	Lundy
Lynch	Maag	Mallory	McClain
McGregor	Milkovich	O'Brien	Patmon
Patterson	Pelanda	Perales	Phillips
Pillich	Ramos	Redfern	Reece
Retherford	Roegner	Rogers	Romanchuk
Rosenberger	Ruhl	Scherer	Schuring
Sears	Sheehy	Slaby	Smith
Sprague	Stautberg	Stebelton	Stinziano
Strahorn	Terhar	Thompson	Wachtmann
Williams	Winburn		Batchelder-95.

The bill passed.

Representative Brown moved to amend the title as follows:

Add the names: "Adams, R., Anielski, Antonio, Baker, Barborak, Barnes, Beck, Blair, Blessing, Boose, Boyce, Buchy, Budish, Burkley, Butler, Carney, Clyde, Derickson, Dovilla, Driehaus, Duffey, Fedor, Foley, Gerberry, Grossman, Hackett, Hagan, C., Hall, Hayes, Heard, Henne, Hill, Hottinger, Huffman, Johnson, Kunze, Landis, Letson, Lundy, Lynch, Maag, McClain, O'Brien, Patterson, Pelanda, Pillich, Redfern, Reece, Retherford, Roegner, Rogers, Romanchuk, Rosenberger, Scherer, Schuring, Sears, Sheehy, Slaby, Sprague, Stautberg, Stebelton, Stinziano, Strahorn, Terhar, Wachtmann, Winburn, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 533-Representatives McGregor, Mallory.

Cosponsors: Representatives Rosenberger, Stautberg, Terhar, Wachtmann, Pillich, Adams, R., Becker, Beck, Reece, Driehaus, Derickson, Barnes, Buchy, Maag.

To amend sections 5501.44, 5501.70, 5501.71, 5501.73, 5501.78, 5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 5531.16, and 5739.02 and to enact sections 5531.141, 5531.142, 5531.143, 5531.144, 5531.145, 5531.146, 5531.147, 5531.148, and 5531.149 of the Revised Code to provide that a toll project may include the replacement, improvement, rehabilitation, operation, and maintenance of a bridge or system of bridges at one location that carries two interstate highways over the Ohio River to another state, to amend the law governing public-private agreements relative to transportation facilities, and to provide for the collection of user fees on toll projects by toll project operators, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative McGregor moved to amend as follows:

In line 58, strike through "they become" and insert "it becomes"

In line 215, delete the first "a" and insert "one or more"; delete "entity" and insert "entities"

In line 216, delete the second "the" and insert "each"

In line 221, delete "a" and insert "one or more"; delete "entity" and insert "entities"

In line 223, delete the first "the" and insert "each"

In line 231, after "proposal" insert ", except as set forth in the request for proposals or in the public-private agreement"

In line 466, after "project" insert "for which user fees are charged"

In line 629, delete "in the bond proceedings"

In line 630, delete "for those obligations" and insert "issued for the purpose of financing the toll project"

In line 631, delete "those bond" and insert "the"; after "proceedings" insert "authorizing such obligations"

In line 641, after "payable" insert ", taking into account any other amounts available for such purposes"

In line 642, after "(2)" delete the balance of the line

In line 643, delete "purpose, any" and insert "Any"

In line 654, after "agreement" insert "and shall be used for the exclusive benefit of such toll project"

In line 667, after "~~shall~~" insert "of obligations issued for the purpose of financing the toll project"

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

The motion was agreed to and the bill so amended.

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

Representative Driehaus moved to amend as follows:

In line 611, delete " may" and insert " shall"; after " hold" insert " at least one"; after " public" delete the balance of the line

In line 612, delete " state" and insert " hearing within fifty miles of the location of the toll project for which the written process is developed"

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

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 88, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Antonio
Ashford	Baker	Barborak	Barnes
Beck	Becker	Bishoff	Blair
Blessing	Boose	Boyce	Brenner
Brown	Buchy	Budish	Burkley
Butler	Carney	Cera	Clyde
Conditt	Curtin	Damschroder	DeVitis
Derickson	Dovilla	Driehaus	Duffey
Foley	Gonzales	Green	Grossman
Hackett	Hagan, C.	Hall	Hayes
Heard	Henne	Hill	Hood
Hottinger	Huffman	Johnson	Kunze
Landis	Letson	Lundy	Maag
Mallory	McClain	McGregor	Milkovich
Patmon	Patterson	Pelanda	Perales
Phillips	Pillich	Ramos	Redfern
Reece	Retherford	Roegner	Rogers
Romanchuk	Rosenberger	Ruhl	Scherer
Schuring	Sears	Sheehy	Slaby
Smith	Sprague	Stautberg	Stebelton
Stinziano	Strahorn	Terhar	Thompson
Wachtmann	Williams	Winburn	Batchelder-88.

Representatives Adams J., Celebrezze, Fedor, Gerberry, Hagan, R., Lynch, and O'Brien voted in the negative-7.

The bill passed.

Representative McGregor moved to amend the title as follows:

Add the names: "Conditt, Green, Hackett, Retherford, Schuring, Sears, Stebelton, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 491-Representatives Buchy, Blessing.

To amend sections 119.12, 2915.01, 2915.03, 2915.06, 2915.061, 3770.01, 3770.02, 3770.05, 3772.01, 3772.02, 3772.03, 3772.032, 3772.033, 3772.04, 3772.06, 3772.07, 3772.10, 3772.12, 3772.121, 3772.15, 3772.17, 3772.21, 3772.23, 3772.25, 3772.31, and 3772.99 and to enact sections 2915.062 and 3772.14 of the Revised Code to make various changes to the Gambling Law, Lottery Law, and Casino 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 90, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Anielski	Antonio
Ashford	Baker	Barborak	Barnes
Beck	Becker	Bishoff	Blair
Blessing	Boose	Boyce	Brenner
Brown	Buchy	Budish	Burkley
Butler	Carney	Celebrezze	Cera
Clyde	Conditt	Curtin	Damschroder
DeVitis	Derickson	Dovilla	Driehaus
Duffey	Fedor	Foley	Gerberry
Gonzales	Green	Grossman	Hackett
Hagan, C.	Hagan, R.	Hall	Hayes
Heard	Henne	Hill	Hottinger
Huffman	Johnson	Kunze	Landis
Letson	Lundy	Lynch	Maag
McClain	McGregor	Milkovich	O'Brien
Patmon	Patterson	Pelanda	Perales
Phillips	Pillich	Ramos	Retherford
Roegner	Rogers	Romanchuk	Rosenberger
Ruhl	Scherer	Schuring	Sears
Sheehy	Slaby	Smith	Sprague
Stautberg	Stebelton	Stinziano	Strahorn
Terhar	Thompson	Wachtmann	Williams
Winburn			Batchelder-90.

Representatives Amstutz, Hood, and Redfern voted in the negative-3.

The bill passed.

Representative Buchy moved to amend the title as follows:

Add the names: "Bishoff, Curtin, Huffman, Stebelton."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. Sub. S. B. No. 192-Senator Manning.

Cosponsors: Senators Patton, Seitz, Skindell, Hite, Peterson, Balderson, Burke, Coley, Eklund, Gardner, Lehner. Representatives Hall, Boose,

Thompson, Cera, Barborak, Burkley, Curtin, Damschroder, Hill, Landis, Lynch, Patterson, Retherford, Scherer.

To enact section 901.50 of the Revised Code to grant the Director of Agriculture exclusive authority to regulate invasive plant species, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barborak
Barnes	Beck	Becker	Bishoff
Blair	Blessing	Boose	Boyce
Brenner	Brown	Buchy	Budish
Burkley	Butler	Carney	Celebrezze
Cera	Clyde	Conditt	Curtin
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Foley
Gerberry	Gonzales	Green	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hill
Hood	Hottinger	Huffman	Johnson
Kunze	Landis	Letson	Lundy
Lynch	Maag	McClain	McGregor
Milkovich	O'Brien	Patmon	Patterson
Pelanda	Perales	Phillips	Pillich
Ramos	Redfern	Reece	Retherford
Roegner	Rogers	Romanchuk	Rosenberger
Ruhl	Scherer	Schuring	Sears
Sheehy	Slaby	Smith	Sprague
Stautberg	Stebelton	Stinziano	Strahorn
Terhar	Thompson	Wachtmann	Williams
Winburn			Batchelder-94.

The bill passed.

Representative Hall moved to amend the title as follows:

Add the names: "Anielski, Baker, Beck, Blessing, Brown, Buchy, Celebrezze, Hackett, Hayes, Johnson, McClain, McGregor, Milkovich, O'Brien, Phillips, Pillich, Ramos, Rogers, Ruhl, Slaby, Sprague, Winburn, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 198-Representatives Butler, Burkley.

Cosponsors: Representatives Adams, J., Boose, Brenner, Ruhl, Perales, Henne.

To amend sections 5709.40, 5709.73, 5709.77, 5709.78, and 5709.911 of the Revised Code to establish a procedure by which political subdivisions proposing a tax increment financing (TIF) incentive district are required to provide notice to the record owner of each parcel within the proposed incentive district before creating the district, and to permit such owners, under specific conditions, to exclude their parcels from the incentive district by submitting a written response, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 83, nays 11, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Barnes	Beck
Becker	Bishoff	Blair	Blessing
Boose	Brenner	Brown	Buchy
Budish	Burkley	Butler	Celebrezze
Cera	Clyde	Conditt	Curtin
Damschroder	DeVitis	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
McClain	McGregor	Milkovich	O'Brien
Patmon	Patterson	Pelanda	Perales
Ramos	Reece	Retherford	Roegner
Rogers	Romanchuk	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby
Smith	Sprague	Stautberg	Stebelton
Stinziano	Terhar	Thompson	Wachtmann
Williams	Winburn		Batchelder-83.

Those who voted in the negative were: Representatives

Ashford	Barborak	Boyce	Carney
Fedor	Hagan, R.	Phillips	Pillich
Redfern	Sheehy		Strahorn-11.

The bill passed.

Representative Butler moved to amend the title as follows:

Add the names: "Anielski, Beck, Blessing, Buchy, Conditt, Terhar, Winburn, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Sears, the House adjourned until Thursday, May 22, 2014 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.