

OHIO

House

of

Representatives

JOURNAL

TUESDAY, NOVEMBER 12, 2013

NINETIETH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, November 12, 2013, 9:00 o'clock a.m.

The House met pursuant to adjournment.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 344-Representatives Stinziano, Hill.

To enact section 4503.526 of the Revised Code to create the "Ohio Statehouse" license plate.

H. B. No. 345-Representative Barborak.

Cosponsors: Representatives Cera, Hagan, R., Ramos, Foley, Driehaus, O'Brien, Perales, Curtin, Antonio, Lundy, Ashford, Phillips, Carney.

To enact section 122.177 of the Revised Code to require the Director of Development Services to estimate the revenue that would be foregone by the state as a result of each tax incentive proposed to the Tax Credit Authority and publish that estimate on the web site of the Development Services Agency.

H. B. No. 346-Representative Damschroder.

Cosponsors: Representatives Foley, Wachtmann, Brenner, Ruhl, Terhar, Hackett, Grossman, Smith, DeVitis, Barborak, Milkovich, Retherford, Rogers, Becker, Thompson, Celebrezze.

To amend sections 4506.01, 4506.11, 4507.01, 4507.13, and 4507.52 and to enact sections 4506.072, 4507.021, 4507.061, and 4507.511 of the Revised Code, to amend the version of section 4507.01 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date, to authorize the issuance of an enhanced driver's license, enhanced commercial driver's license, and enhanced identification card to facilitate land and sea border crossings between the United States and Canada and Mexico, pursuant to an agreement with the United States Department of Homeland Security.

H. B. No. 347-Representatives Phillips, Driehaus.

Cosponsors: Representatives Barborak, Clyde, Foley, Hagan, R., Heard, Lundy, Mallory, Ramos, Sheehy, Strahorn.

To amend sections 121.083, 1349.61, 4111.02, 4111.14, 4113.15, 4115.03, 4121.01, 4123.01, 4123.026, 4141.01, and 5747.01 and to enact sections

4175.01 to 4175.18 and 4175.99 of the Revised Code to create a generally uniform definition of employee for specified labor laws and to create a uniform standard to determine whether an individual performing services for an employer is an employee of that employer.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

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

H.B. No. 248 – Representatives Hagan, C. and Wachtmann
TO GENERALLY PROHIBIT AN ABORTION OF AN UNBORN HUMAN INDIVIDUAL WITH A DETECTABLE HEARTBEAT AND TO CREATE THE JOINT LEGISLATIVE COMMITTEE ON ADOPTION PROMOTION AND SUPPORT.

To the committee on Health and Aging

H.B. No. 267 – Representative Barborak
TO EXTEND ELIGIBILITY FOR THE HOMESTEAD EXEMPTION TO ELDERLY OR DISABLED HOMEOWNERS WHO DID NOT RECEIVE THE EXEMPTION FOR 2013 AND HAVE \$30,000 OR MORE IN OHIO ADJUSTED GROSS INCOME.

To the committee on Finance and Appropriations

H.B. No. 285 – Representatives Becker and Lynch
TO PROVIDE THAT AN INDIVIDUAL RETIRING ON OR AFTER THE EFFECTIVE DATE OF THIS ACT FROM ONE OF THE STATE'S PUBLIC RETIREMENT SYSTEMS WHO IS RE-EMPLOYED AS A PUBLIC EMPLOYEE WILL NOT RECEIVE THE PENSION PORTION OF THE RETIREMENT ALLOWANCE FOR THE PERIOD OF EMPLOYMENT.

To the committee on Health and Aging

H.B. No. 318 – Representatives Roegner and O'Brien
TO PERMIT A NEW MOTOR VEHICLE DEALER TO DISPLAY NEW MOTOR VEHICLES AT A LOCATION OTHER THAN THE DEALER'S LICENSED LOCATION IF SUCH DISPLAY IS FOR AN EDUCATIONAL INSTITUTION, TO ALTER THE STATUTORY PROCEDURES GOVERNING MOTOR VEHICLE SHOWS, AND TO CLARIFY THE LAW GOVERNING THE RETAIL SALE OF UTILITY AND CERTAIN OTHER TRAILERS.

To the committee on Commerce, Labor and Technology

H.B. No. 328 – Representatives Young and Hagan, C.
TO MODIFY THE AUTHORITY OF THE CONTROLLING BOARD TO APPROVE CERTAIN EXPENDITURES.
To the committee on State and Local Government

H.B. No. 333 – Representative Stinziano
TO REQUIRE AN ALLEGED AGGRIEVED PARTY TO PROVIDE A NOTICE OF AN ALLEGED ACCESSIBILITY LAW VIOLATION IN ADVANCE OF FILING A CIVIL ACTION AND TO DECLARE AN EMERGENCY.
To the committee on Judiciary

H.B. No. 334 – Representatives Hayes and Hottinger
WITH RESPECT TO THE EXPULSION OF A STUDENT FROM A SCHOOL DISTRICT, COMMUNITY SCHOOL, OR STEM SCHOOL FOR ACTIONS THAT ENDANGER THE HEALTH AND SAFETY OF OTHER STUDENTS OR SCHOOL EMPLOYEES AND TO DECLARE AN EMERGENCY.
To the committee on Education

H.B. No. 335 – Representative Butler
TO CREATE THE GREEN FLEETS LOAN GUARANTEE PROGRAM TO GUARANTEE THE REPAYMENT OF LOANS MADE TO GOVERNMENTAL ENTITIES AND PRIVATE BUSINESSES TO FUND THE CONVERSION OF ALL OR A PORTION OF THEIR FLEET VEHICLES TO RUN ON NATURAL GAS FUEL; TO APPLY THE MOTOR FUEL TAX TO COMPRESSED NATURAL GAS; TO AUTHORIZE A TEMPORARY EXEMPTION FROM THE MOTOR FUEL TAX FOR PURCHASERS OF PROPANE AND COMPRESSED NATURAL GAS; TO REQUIRE THE INSPECTION OF CERTAIN NATURAL GAS VEHICLES; TO CREATE A WEIGHT LIMIT EXEMPTION FOR COMPRESSED NATURAL GAS VEHICLES; AND TO CLARIFY THE REGULATORY AUTHORITY OF THE FIRE MARSHAL WITH REGARD TO FILLING STATIONS DISPENSING GASEOUS FUEL.
To the committee on Ways and Means

H.B. No. 336 – Representatives O'Brien and Hall
TO CREATE THE GASEOUS FUEL VEHICLE CONVERSION PROGRAM, TO ALLOW A CREDIT AGAINST THE INCOME OR COMMERCIAL ACTIVITY TAX FOR THE PURCHASE OR CONVERSION OF AN ALTERNATIVE FUEL VEHICLE, TO REDUCE THE AMOUNT OF SALES TAX DUE ON THE PURCHASE OR LEASE OF A QUALIFYING ELECTRIC VEHICLE BY UP TO \$500, TO APPLY THE MOTOR FUEL TAX TO THE DISTRIBUTION OR SALE OF COMPRESSED NATURAL GAS, TO AUTHORIZE A TEMPORARY, PARTIAL MOTOR FUEL TAX EXEMPTION FOR SALES OF

COMPRESSED NATURAL GAS USED AS MOTOR FUEL, AND TO MAKE AN APPROPRIATION.

To the committee on Finance and Appropriations

H.B. No. 337 – Representative Terhar

TO REVISE BUDGETING REQUIREMENTS THAT APPLY TO LOCAL GOVERNMENTS, MANDATE THAT CERTAIN ACTUARIAL STANDARDS BE APPLIED IN POLITICAL SUBDIVISIONS THAT HAVE INDEPENDENT RETIREMENT SYSTEMS, AND AUTHORIZE THE AUDITOR OF STATE TO IMPOSE SANCTIONS ON LOCAL GOVERNMENTS THAT FAIL TO COMPLY WITH BUDGET, DEBT, OR PENSION REQUIREMENTS UNDER STATE LAW.

To the committee on State and Local Government

H.B. No. 338 – Representatives McGregor and Hottinger

TO ESTABLISH A TEST TO DETERMINE WHETHER AN INDIVIDUAL PROVIDING SERVICES FOR OR ON BEHALF OF CERTAIN MOTOR TRANSPORTATION COMPANIES IS CONSIDERED AN EMPLOYEE UNDER OHIO'S OVERTIME, WORKERS' COMPENSATION, AND UNEMPLOYMENT COMPENSATION LAWS.

To the committee on Commerce, Labor and Technology

H.B. No. 339 – Representative Hagan, R.

TO REQUIRE THAT ENTRANCE PASSES ISSUED TO LOBBYISTS BY THE CAPITOL SQUARE REVIEW ADVISORY BOARD BE IN THE FORM OF IDENTIFICATION BADGES, WHICH MUST BE WORN BY THE LOBBYISTS WHENEVER THEY ARE ON CAPITOL SQUARE, AND TO REQUIRE THAT LOBBYISTS CARRY CARDS CONTAINING CERTAIN INFORMATION AND SHOW THE CARDS TO GENERAL ASSEMBLY MEMBERS UPON THEIR REQUEST.

To the committee on State and Local Government

H.B. No. 340 – Representative Becker

TO PROVIDE PROTECTIONS FROM FEDERAL PROVISIONS RELATED TO INTERSTATE COMMERCE FOR FIREARMS, FIREARM ACCESSORIES, AND AMMUNITION MANUFACTURED AND REMAINING IN OHIO.

To the committee on Agriculture and Natural Resources

H.B. No. 341 – Representative Smith

TO PROHIBIT A CONTROLLED SUBSTANCE THAT IS A SCHEDULE II DRUG OR CONTAINS OPIOIDS FROM BEING PRESCRIBED OR DISPENSED WITHOUT REVIEW OF PATIENT INFORMATION IN THE STATE BOARD OF PHARMACY'S OHIO AUTOMATED RX REPORTING SYSTEM.

To the committee on Health and Aging

H.B. No. 342 – Representatives Brenner and Driehaus

TO PERMIT AN EDUCATIONAL SERVICE CENTER TO BE A PARTNER OR THE LEAD APPLICANT OF AN EDUCATION

CONSORTIA SEEKING A GRANT UNDER THE STRAIGHT A PROGRAM AND TO MODIFY THE GOALS OF PROJECTS SUPPORTED BY THE PROGRAM.

To the committee on Education

H.B. No. 343 – Representative Stebelton
REGARDING EDUCATIONAL PROGRAMS FOR CERTAIN STUDENTS AND INDIVIDUALS WHO HAVE NOT RECEIVED A HIGH SCHOOL DIPLOMA.

To the committee on Education

S.B. No. 194 – Senator Seitz
TO ALLOW CERTAIN MOTOR-DRIVEN CYCLES AND MOTOR SCOOTERS TO BE PARKED ON A SIDEWALK SO LONG AS THE VEHICLES DO NOT IMPEDE THE NORMAL FLOW OF PEDESTRIAN TRAFFIC.

To the committee on Transportation, Public Safety and Homeland Security

Am. Sub. S.B. No. 200 – Senator Uecker
TO MODIFY THE LAW GOVERNING THE STATEWIDE VOTER REGISTRATION DATABASE AND THE TRANSMISSION OF VOTER REGISTRATION INFORMATION FROM THE BUREAU OF MOTOR VEHICLES TO THE SECRETARY OF STATE AND TO REDUCE THE MINIMUM REQUIRED NUMBER OF DIRECT RECORDING ELECTRONIC VOTING MACHINES.

To the committee on Policy and Legislative Oversight

S.B. No. 201 – Senator Bacon
TO AUTHORIZE THE CONVEYANCE OF STATE-OWNED REAL ESTATE IN FRANKLIN COUNTY TO STEP BY STEP ACADEMY, INC., AND TO DECLARE AN EMERGENCY.

To the committee on State and Local Government

Am. S.B. No. 202 – Senators Obhof and Kearney
TO PROVIDE EXCEPTIONS TO THE APPLICABILITY OF THE CONTROL SHARE ACQUISITION ACT, TO REQUIRE BOARD APPROVAL FOR ACT OPT-OUT AMENDMENTS OF A CORPORATION'S REGULATIONS OR ARTICLES OF INCORPORATION, AND TO APPLY A THREE-YEAR LOOK-BACK PERIOD TO OWNERSHIP OF SHARES FOR PURPOSES OF DETERMINING APPLICABILITY OF CERTAIN SHAREHOLDER TRANSACTION LAWS.

To the committee on Judiciary

Sub. S.B. No. 205 – Senator Coley
TO REVISE THE LAW CONCERNING THE MAILING OF ABSENT VOTER'S BALLOTS AND APPLICATIONS FOR THOSE BALLOTS AND

TO CLARIFY THAT AN ELECTOR GENERALLY IS RESPONSIBLE TO COMPLETE THE ELECTOR'S ABSENT VOTER'S BALLOT DOCUMENTS.

To the committee on Policy and Legislative Oversight

MATT HUFFMAN
ANDREW BRENNER
DOROTHY PELANDA
MIKE ASHFORD
DEBBIE PHILLIPS

JOHN ADAMS
JIM BUCHY
STEPHANIE KUNZE
TRACY HEARD

Representative Adams, J. moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills 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 and Senate Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H.C.R. No. 37 – Representative Becker

TO URGE THE UNITED STATES HOUSE OF REPRESENTATIVES TO INITIATE IMPEACHMENT PROCEEDINGS AGAINST UNITED STATES DISTRICT COURT JUDGE TIMOTHY S. BLACK.

To the committee on Judiciary

H.R. No. 282 – Representatives Dovilla and Hill

TO URGE THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO HOLD PUBLIC LISTENING SESSIONS ON PROPOSED REGULATIONS TARGETING CARBON DIOXIDE EMISSIONS FROM EXISTING POWER PLANTS IN THOSE STATES THAT WOULD BE MOST DIRECTLY IMPACTED BY THE REGULATIONS.

To the committee on Policy and Legislative Oversight

H.R. No. 283 – Representative Young

TO URGE THE UNITED STATES CONGRESS AND THE UNITED STATES DEPARTMENT OF DEFENSE TO PROTECT AND UPHOLD

THE RELIGIOUS AND FREE SPEECH RIGHTS OF MILITARY SERVICE MEMBERS.

To the committee on Military and Veterans Affairs

S.C.R. No. 26 – Senators Tavares and Burke

TO RECOGNIZE THE MONTH OF NOVEMBER AS OHIO ADOPTION MONTH TO RAISE AWARENESS ABOUT THE NEED FOR ADOPTION.

To the committee on Health and Aging

/s/MATT HUFFMAN
Matt Huffman, Chair

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

The motion was agreed to.

Said House Resolutions, House Concurrent Resolution, and Senate Concurrent Resolution were introduced and referred as recommended.

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

H.R. No. 284 – Representative Ruhl

Honoring the Fredericktown Middle School boys cross country team as the 2013 Middle School Athletic Association Division III State Champion.

H.R. No. 285 – Representatives Beck, Maag, Conditt

Honoring the Mason High School girls cross country team as the 2013 Division I State Champion.

H.R. No. 286 – Representative O'Brien

Honoring the Youngstown ARS Composite Squadron 051 drill team as a 2013 national drill team champion.

H.R. No. 287 – Representative Celebrezze

Honoring the Padua Franciscan High School girls volleyball team on winning the 2013 Division II State Championship.

/s/MATT HUFFMAN
Matt Huffman, Chair

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

The motion was agreed to.

MESSAGE FROM THE SPEAKER

Pursuant to Section 263.325(B)(1) of Am. Sub. H. B. 59, 130th General Assembly, the Speaker hereby makes the following changes to the governing board of the Straight A Program:

Remove Colleen Grady; appoint Representative Brenner.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the standing committee on Rules and Reference:

Remove Representative Heard; appoint Representative Ramos.

On motion of Representative Adams, J., the House adjourned until Wednesday, November 13, 2013 at 1:30 p.m.

Attest:

BRADLEY J. YOUNG,
Clerk.