

OHIO

House

of

Representatives

JOURNAL

TUESDAY, NOVEMBER 19, 2013

NINETY-THIRD DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, November 19, 2013, 9:00 o'clock a.m.

The House met pursuant to adjournment.

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

Representative Buchy 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. 353-Representative Wachtmann.

To enact section 5902.20 of the Revised Code to create the Ohio Veterans Health Care System.

H. B. No. 354-Representatives Butler, Young.

Cosponsors: Representatives Adams, J., Beck, Becker, Brenner, Henne, Hood, Lynch, Retherford, Roegner, Sprague, Stebelton, Terhar.

To enact section 2935.034 of the Revised Code to prevent the state or a political subdivision from assisting the armed forces of the United States in the illegal investigation, prosecution, or detention of any person within the state who is lawfully present in the United States.

H. B. No. 355-Representatives Driehaus, Blair.

Cosponsors: Representatives Celebrezze, Boyd, Grossman, Ashford, Mallory, Blessing, Strahorn, Reece, Phillips, Antonio, Stinziano, Foley, Sheehy, Ramos, Boose, Pillich, Slesnick.

To amend sections 2903.13 and 2917.41 and to enact section 306.20 of the Revised Code to increase the penalty for assault when the victim is an employee of an Ohio transit system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; to permit the court to impose a fine of up to \$5000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; to authorize Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and to increase the penalty for evading payment of the known fares of a public transportation system.

Said bills were considered the first time.

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

Representative Gerberry submitted the following report:

The standing committee on Policy and Legislative Oversight to which was referred **Am. S. J. R. No. 5**-Senator Faber, et al., having had the same under consideration, reports it back with the following amendment and recommends its adoption when so amended.

RE: U.S. CONSTITUTION-AMENDMENTS CONVENTION-APPLY FOR

Representative Pelanda moved to amend as follows:

In line 17, delete "be it further" and insert:

"It is the intention of the General Assembly that matters shall not be considered at the convention that do not pertain to an amendment requiring that, in the absence of a national emergency, the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and be it further"

The motion was agreed to and the bill so amended.

MIKE DOVILLA
LOUIS W. BLESSING
MATT HUFFMAN
RICK PERALES

JIM BUCHY
ANDREW BRENNER
DOROTHY PELANDA
MICHAEL F. CURTIN

The following members voted "NO"

RON GERBERRY
JACK CERA
TERESA FEDOR

JOHN ADAMS
KATHLEEN CLYDE

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Education to which was referred **H. B. No. 111**-Representatives Duffey, Stinziano, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: STATE UNIVERSITIES-STUDENT TRUSTEES-VOTE/ATTEND EXECUTIVE SESSIONS

Representative Stebelton moved to amend the title as follows:

Add the names: "Fedor, Bishoff."

GERALD L. STEBELTON	ANDREW BRENNER
JOHN BECKER	TIMOTHY DERICKSON
BILL HAYES	MICHAEL HENNE
STEPHANIE KUNZE	MARILYN SLABY
RYAN SMITH	ANDY THOMPSON
TERESA FEDOR	NICKIE J. ANTONIO
HEATHER BISHOFF	DENISE DRIEHAUS
DEBBIE PHILLIPS	JOHN PATTERSON
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 **H. B. No. 203**-Representative Johnson, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CONCEALED HANDGUNS/FIREARMS
CONTROL/SELF-DEFENSE/EXERCISE OF RIGHTS

Representative Dovilla moved to amend the title as follows:

Add the names: "Buchy, Perales."

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

The following members voted "NO"

RON GERBERRY	KATHLEEN CLYDE
MICHAEL F. CURTIN	TERESA FEDOR

The report was agreed to.

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

Representative Driehaus submitted the following report:

The standing committee on Economic Development and Regulatory Reform to which was referred **H. B. No. 218**-Representatives Rosenberger, Dovilla, et al., having had the same under consideration, reports it back and recommends its passage.

RE: ENTREPRENEUR IN RESIDENCE PILOT PROGRAM

Representative Baker moved to amend the title as follows:

Add the names: "Barnes, Burkley, Hagan, C.."

NAN BAKER	LOUIS TERHAR
DENISE DRIEHAUS	JOHN BARNES
TONY BURKLEY	MICHAEL F. CURTIN
CHRISTINA HAGAN	MICHAEL HENNE
STEPHANIE KUNZE	MICHAEL SHEEHY
SANDRA WILLIAMS	

The report was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on Policy and Legislative Oversight to which was referred **H. R. No. 282**-Representatives Dovilla, Hill, having had the same under consideration, reports it back and recommends its adoption.

RE: U.S. EPA-HOLD PUBLIC SESSIONS ON PROPOSED POWER PLANT REGULATIONS

Representative Dovilla moved to amend the title as follows:

Add the names: "Buchy, Adams, J., Cera, Perales."

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

The report was agreed to.

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

Representative Driehaus submitted the following report:

The standing committee on Economic Development and Regulatory Reform to which was referred **H. B. No. 292**-Representative Perales, et al., having had the same under consideration, reports it back and recommends its passage.

RE: AEROSPACE AND TECHNOLOGY STUDY COMMITTEE

Representative Baker moved to amend the title as follows:

Add the names: "Barnes, Burkley, Driehaus, Hagan, C., Henne, Williams."

- | | |
|-----------------|-------------------|
| NAN BAKER | LOUIS TERHAR |
| DENISE DRIEHAUS | JOHN BARNES |
| TONY BURKLEY | MICHAEL F. CURTIN |
| CHRISTINA HAGAN | MICHAEL HENNE |
| STEPHANIE KUNZE | MICHAEL SHEEHY |
| SANDRA WILLIAMS | |

The report was agreed to.

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

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. 344 – Representatives Stinziano and Hill
TO CREATE THE “OHIO STATEHOUSE” LICENSE PLATE.
To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 345 – Representative Barborak
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.
To the committee on Ways and Means

H.B. No. 346 – Representative Damschroder
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.
To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 347 – Representatives Phillips and Driehaus
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.
To the committee on Commerce, Labor and Technology

H.B. No. 348 – Representatives Henne and Hagan, C.
TO PROHIBIT STATE INSTITUTIONS OF HIGHER EDUCATION FROM REQUIRING STUDENTS TO BE COVERED BY A HEALTH INSURANCE POLICY OR A HEALTH CARE BENEFITS PLAN AS A CONDITION OF ENROLLMENT OR FROM AUTOMATICALLY ENROLLING STUDENTS IN SUCH POLICIES OR PLANS.
To the committee on Education

H.B. No. 349 – Representative Hackett
TO REQUIRE AN ADDITIONAL DEFINITE TERM OF IMPRISONMENT OF 5 TO 10 YEARS FOR AN OFFENDER WHO IS CONVICTED OF OR PLEADS GUILTY TO A FELONY OFFENSE OF VIOLENCE IF THE OFFENDER IS CONVICTED OF OR PLEADS GUILTY TO A SPECIFICATION THAT THE VICTIM SUFFERED PERMANENT DISABLING HARM.
To the committee on Judiciary

H.B. No. 350 – Representative Patterson
TO REVISE THE PURPOSES FOR WHICH A HISTORICAL VEHICLE MAY BE OPERATED.
To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 351 – Representative Becker
TO PROHIBIT INSURERS FROM OFFERING COVERAGE FOR ABORTION SERVICES.
To the committee on Insurance

H.B. No. 352 – Representatives Hayes and Thompson
REGARDING THE REGULATION OF THERAPEUTIC WILDERNESS CAMPS.
To the committee on Health and Aging

Sub. S.B. No. 69 – Senator Beagle
TO ESTABLISH THE COURSE AND PROGRAM SHARING NETWORK.
To the committee on Education

Am. S.B. No. 106 – Senator Schaffer
TO PROHIBIT THE OPERATION OF A MOTOR VEHICLE ON OR ONTO ANY LOCATION THAT IS TEMPORARILY COVERED BY A RISE IN WATER LEVEL AND TO IMPOSE ON AN OFFENDER A FINANCIAL SANCTION OF UP TO \$2,000 FOR THE COST OF THE PERSON'S RESCUE, PAYABLE TO THE PERSON'S RESCUER.
To the committee on Transportation, Public Safety and Homeland Security

Am. S.B. No. 155 – Senator Burke
TO AUTHORIZE A JOINT BOARD OF COUNTY COMMISSIONERS TO CONDUCT PROCEEDINGS REGARDING EXISTING JOINT COUNTY DITCHES VIA TELECONFERENCE OR VIDEO CONFERENCE.
To the committee on State and Local Government

Am. Sub. S.B. No. 206 – Senators Burke and Cafaro
TO REQUIRE IMPLEMENTATION OF CERTAIN MEDICAID
REVISIONS, REFORM SYSTEMS, AND PROGRAM OVERSIGHT; TO
PROVIDE FOR GOVERNMENT PROGRAMS THAT PROVIDE PUBLIC
BENEFITS TO PRIORITIZE EMPLOYMENT GOALS; AND TO MAKE
AN APPROPRIATION.

To the committee on Finance and Appropriations

MATT HUFFMAN
ANDREW BRENNER
DOROTHY PELANDA
MIKE ASHFORD
DAN RAMOS

JOHN ADAMS
JIM BUCHY
STEPHANIE KUNZE
DEBBIE PHILLIPS

Representative Brenner 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 Concurrent Resolutions and Senate Concurrent Resolution be introduced and referred to the following committees for consideration:

H.C.R. No. 35 – Representatives Heard and Hagan, R.
TO URGE SPEAKER JOHN BOEHNER AND THE UNITED STATES
HOUSE OF REPRESENTATIVES TO TAKE IMMEDIATE ACTION TO
PASS A FEDERAL BUDGET THAT BENEFITS ALL AMERICANS.
To the committee on Policy and Legislative Oversight

H.C.R. No. 40 – Representatives Schuring and Ramos
TO ACKNOWLEDGE THE GOVERNMENTAL ACCOUNTING
STANDARDS BOARD STANDARDS 67 AND 68 AND TO PLEDGE THE
GENERAL ASSEMBLY’S CONTINUED SUPPORT OF OHIO’S PUBLIC
EMPLOYERS AND RETIREMENT SYSTEMS IN THEIR MISSION TO
PROVIDE SECURE AND SUSTAINABLE RETIREMENT, DISABILITY,
AND SURVIVOR BENEFITS TO OHIO’S PUBLIC EMPLOYEES.
To the committee on Health and Aging

H.C.R. No. 41 – Representatives Butler and Young
TO CONDEMN SECTION 1021 OF THE NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND TO URGE THE
ATTORNEY GENERAL OF THE STATE OF OHIO TO BRING SUIT TO
CHALLENGE THE CONSTITUTIONALITY OF SECTION 1021 OF THE
NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR
2012.

To the committee on Military and Veterans Affairs

S.C.R. No. 9 – Senator Patton
TO URGE THE PRESIDENT OF THE UNITED STATES AND THE
CONGRESS OF THE UNITED STATES TO TAKE ALL ACTIONS
NECESSARY TO PREVENT ASIAN CARP FROM ENTERING THE
GREAT LAKES, INCLUDING LAKE ERIE.

To the committee on Agriculture and Natural Resources

/s/MATT HUFFMAN
Matt Huffman, Chair

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

H.R. No. 288 – Representative Sears
Honoring the Ottawa Hills High School boys golf team on winning the 2013 Division III State Championship.

H.R. No. 289 – Representative Ruhl
Honoring the Fredericktown Middle School girls cross country team as the 2013 Middle School Athletic Association Division III State Champion.

H.R. No. 290 – Representative Slaby
Honoring the Revere High School boys soccer team as the 2013 Division II State Champion.

H.R. No. 291 – Speaker Batchelder, Representatives Reece, Beck, Dovilla, Patmon, Sykes, Buchy
Honoring Dr. Steven Reece, Sr., for his contributions to the 1994 meeting and 1995 compact between black and white Masons.

H.R. No. 292 – Speaker Batchelder, Representatives Reece, Beck, Dovilla, Patmon, Sykes, Buchy
Honoring James Edward Olmstead for his contributions to the 1994 meeting and 1995 compact between black and white Masons.

H.R. No. 293 – Representative Sears
Honoring the Sylvania Southview High School Mock Trial team as the 2013 Empire World Champion.

H.R. No. 294 – Representatives Beck, Conditt, Maag
Honoring the Mason High School boys soccer team as the 2013 Division I State Champion.

/s/MATT HUFFMAN
Matt Huffman, Chair

Representative Brenner 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 Brenner, the House adjourned until Wednesday, November 20, 2013 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.