

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**THURSDAY, DECEMBER 5, 2013**

ONE HUNDREDTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Thursday, December 5, 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 Scherer was selected to preside under the Rule.  
The journal of yesterday was read and approved.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 377**-Representative Anielski.

To amend Section 10 of Am. Sub. H.B. 386 of the 129th General Assembly, as subsequently amended, to make changes to the second payment from the Casino Operator Settlement Fund to certain local government entities.

**H. B. No. 378**-Representatives Smith, Sprague.

To amend section 5119.11 and to enact section 4731.056 of the Revised Code to prohibit a physician from prescribing or personally furnishing certain drugs to treat opioid dependence or addiction unless the patient is receiving appropriate behavioral counseling or treatment.

Said bills were considered the first time.

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

Representative Fedor submitted the following report:

The standing committee on Education to which was referred **H. B. No. 181**-Representative Brenner, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: STUDENT ID INFORMATION-NOT TO FEDERAL  
GOVERNMENT UNLESS SCHOOL BOARD AUTHORIZES

GERALD L. STEBELTON  
JOHN BECKER  
BILL HAYES  
MATT HUFFMAN

ANDREW BRENNER  
TIMOTHY DERICKSON  
MICHAEL HENNE  
STEPHANIE KUNZE

RYAN SMITH  
NICKIE J. ANTONIO  
DENISE DRIEHAUS  
JOHN PATTERSON

TERESA FEDOR  
HEATHER BISHOFF  
DEBBIE PHILLIPS  
FRED STRAHORN

The report was agreed to.

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

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 257**-Representatives Antonio, Schuring, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FATHER-ALLEGED/GUILTY OF RAPE/SEXUAL BATTERY-PARENTAL RIGHTS

Representative Butler moved to amend the title as follows:

Add the names: "Celebrezze, Pillich, Stautberg, Winburn."

JIM BUTLER  
MICHAEL STINZIANO  
MARGARET CONDITT  
TOM LETSON  
CONNIE PILLICH  
GERALD L. STEBELTON

DOROTHY PELANDA  
NICHOLAS J. CELEBREZZE  
BILL HAYES  
MATT LYNCH  
PETER STAUTBERG  
ROLAND WINBURN

The report was agreed to.

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

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 261**-Representatives Butler, Stinziano, having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: COURT OF CLAIMS/CRIME VICTIMS COMPENSATION PROGRAM-REVISIONS

Representative Stinziano moved to amend as follows:

In line 332, strike through "one"

In line 333, strike through "judge of"

In line 808, strike through "a judge of"

The motion was agreed to and the bill so amended.

Representative Stinziano moved to amend as follows:

In line 154, after "member" insert " pursuant to the court's random assignment process"

The motion was agreed to and the bill so amended.

JIM BUTLER	DOROTHY PELANDA
MICHAEL STINZIANO	NICHOLAS J. CELEBREZZE
MARGARET CONDITT	BILL HAYES
TOM LETSON	MATT LYNCH
CONNIE PILLICH	PETER STAUTBERG
GERALD L. STEBELTON	ROLAND WINBURN

The report was agreed to.

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

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 274**-Representatives Patmon, Sears, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COMPANION ANIMALS-REVISE DEFINITION/PROVISIONS REGARDING TREATMENT OF

Representative Butler moved to amend the title as follows:

Add the names: "Celebrezze, Pillich, Winburn."

JIM BUTLER	DOROTHY PELANDA
MICHAEL STINZIANO	NICHOLAS J. CELEBREZZE
MARGARET CONDITT	BILL HAYES
TOM LETSON	MATT LYNCH
CONNIE PILLICH	PETER STAUTBERG
GERALD L. STEBELTON	ROLAND WINBURN

The report was agreed to.

The bill 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. 342**-Representatives Brenner, Driehaus, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: STRAIGHT A PROGRAM-EDUCATIONAL SERVICE CENTER ELIGIBLE FOR GRANT/PROJECT GOALS

Representative Stebelton moved to amend the title as follows:

Add the name: "Bishoff."

Representative Brenner moved to amend as follows:

In line 109, strike through ", as"

In line 110, strike through everything before the period

The motion was agreed to and the bill so amended.

GERALD L. STEBELTON	ANDREW BRENNER
JOHN BECKER	TIMOTHY DERICKSON
BILL HAYES	MICHAEL HENNE
MATT HUFFMAN	STEPHANIE KUNZE
RYAN SMITH	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 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. 359** – Representative Sprague  
TO REQUIRE DISCLOSURE OF THE ADDICTIVE NATURE OF CERTAIN PRESCRIPTION DRUGS.  
To the committee on Health and Aging

**H.B. No. 360** – Representatives Foley and Hagan, R.  
TO REQUIRE TREBLE WAGES FOR RETAIL EMPLOYEES WHO WORK DURING THE THANKSGIVING HOLIDAY AND TO PROHIBIT A RETAIL EMPLOYER FROM ADVERSELY AFFECTING THE EMPLOYMENT STATUS, WAGES, HOURS, OR EMPLOYMENT CONDITIONS OF A RETAIL EMPLOYEE BECAUSE THE RETAIL EMPLOYEE REFUSES TO WORK ON THANKSGIVING DAY.  
To the committee on Commerce, Labor and Technology

**H.B. No. 361** – Representatives Gonzales and Smith  
TO PROHIBIT HEALTH INSURERS FROM EXCLUDING COVERAGE RELATED TO ACQUIRED BRAIN INJURIES.  
To the committee on Health and Aging

**H.B. No. 362** – Representatives Scherer and Derickson  
TO AUTHORIZE THE STEM COMMITTEE TO GRANT A  
DESIGNATION OF STEM SCHOOL EQUIVALENT TO A COMMUNITY  
SCHOOL OR CHARTERED NONPUBLIC SCHOOL AND TO MAKE  
OTHER REVISIONS TO THE LAW REGARDING STEM SCHOOLS.  
To the committee on Education

**H.B. No. 363** – Representatives Sprague and Driehaus  
TO PROVIDE AN IMMUNITY FROM ARREST, PROSECUTION,  
CONVICTION, OR SUPERVISED RELEASE SANCTIONING FOR A  
MINOR DRUG POSSESSION OFFENSE FOR A PERSON WHO SEEKS  
OR OBTAINS MEDICAL ASSISTANCE FOR SELF OR ANOTHER  
PERSON WHO IS EXPERIENCING A MEDICAL EMERGENCY AS A  
RESULT OF INGESTING DRUGS OR ALCOHOL OR FOR A PERSON  
WHO IS EXPERIENCING SUCH A MEDICAL EMERGENCY AND FOR  
WHOM MEDICAL ASSISTANCE IS SOUGHT.  
To the committee on Judiciary

**H.B. No. 364** – Representative DeVitis  
TO REGULATE THE USE OF UNMANNED AERIAL VEHICLES IN THIS  
STATE.  
To the committee on Transportation, Public Safety and Homeland Security

**H.B. No. 365** – Representatives Stinziano and Duffey  
TO REQUIRE THE TAX COMMISSIONER TO NOTIFY A TAXPAYER  
THAT THE TAXPAYER HAS OVERPAID CERTAIN BUSINESS TAXES.  
To the committee on Ways and Means

**H.B. No. 366** – Representative Sprague  
TO REQUIRE HOSPICE CARE PROGRAMS TO ESTABLISH  
PROCEDURES TO PREVENT DIVERSION OF CONTROLLED  
SUBSTANCES THAT CONTAIN OPIOIDS.  
To the committee on Health and Aging

**H.B. No. 367** – Representatives Driehaus and Sprague  
TO REQUIRE THE HEALTH CURRICULUM OF EACH SCHOOL  
DISTRICT TO INCLUDE INSTRUCTION IN PRESCRIPTION OPIOID  
ABUSE PREVENTION.  
To the committee on Education

**H.B. No. 368** – Representative Lynch  
TO ESTABLISH RIGHTS FOR PUBLIC UTILITY CUSTOMERS  
REGARDING SMART METERS INSTALLED ON THEIR PREMISES.  
To the committee on Public Utilities

**H.B. No. 369** – Representative Sprague  
TO REQUIRE THE MEDICAID PROGRAM AND HEALTH INSURERS  
TO COVER CERTAIN SERVICES FOR RECIPIENTS WITH OPIOID  
ADDICTIONS; TO ESTABLISH REQUIREMENTS FOR BOARDS OF  
ALCOHOL, DRUG ADDICTION, AND MENTAL HEALTH SERVICES

REGARDING TREATMENT SERVICES FOR OPIOID ADDICTION TO HELP DEFRAID PAYROLL COSTS ASSOCIATED WITH A COURT'S EMPLOYMENT OF DRUG COURT CASE MANAGERS; TO PROVIDE A STATE SHARE OF THE CAPITAL COSTS OF RECOVERY HOUSING PROJECTS; AND TO MAKE APPROPRIATIONS.

To the committee on Health and Aging

**H.B. No. 375** – Representative Huffman

TO LEVY A SEVERANCE TAX ON WELL OWNERS OF OIL AND GAS SEVERED FROM HORIZONTAL WELLS, TO CREATE A NONREFUNDABLE INCOME TAX CREDIT FOR THE AMOUNT OF HORIZONTAL WELL SEVERANCE TAX PAID, TO REPEAL A COST RECOVERY ASSESSMENT IMPOSED ON OIL AND GAS WELL OWNERS, TO REDUCE THE SEVERANCE TAX RATE ON NATURAL GAS EXTRACTED FROM NONHORIZONTAL WELLS, TO EXCLUDE FROM THE TAX BASE OF THE COMMERCIAL ACTIVITY TAX GROSS RECEIPTS FROM THE SALE OF OIL OR NATURAL GAS SEVERED THROUGH USE OF A HORIZONTAL WELL, AND TO MAKE AN APPROPRIATION.

To the committee on Ways and Means

**Sub. S.B. No. 16** – Senator Schiavoni

TO PROVIDE THAT A PERSON IS NOT CRIMINALLY OR CIVILLY LIABLE FOR TRESPASSING ON CERTAIN ABANDONED LAND OR SIMILAR PLACES OF PUBLIC AMUSEMENT IF THE PERSON ENTERS OR REMAINS ON THE LAND OR PLACE OF PUBLIC AMUSEMENT TO REMEDIATE IT AND KNOWS OR HAS REASONABLE CAUSE TO BELIEVE THAT THE LAND OR PLACE OF PUBLIC AMUSEMENT IS IN ONE OF THOSE CATEGORIES; TO ESTABLISH A COURT PROCESS TO ALLOW A PERSON TO REQUEST AND RECEIVE PERMISSION TO ENTER CERTAIN ABANDONED LAND OR SIMILAR PLACES OF PUBLIC AMUSEMENT IN ORDER TO REMEDIATE THAT LAND; TO PROVIDE THAT A PERSON IS NOT CIVILLY LIABLE FOR TRESPASSING ON THAT LAND IF THE PERSON HAS RECEIVED AN ORDER FROM THE COURT GRANTING SUCH PERMISSION; TO PROVIDE THE PROPERTY OWNER WITH IMMUNITY FROM LIABILITY TO A PERSON WHO ENTERS OR REMAINS ON THE LAND OR PLACE OF PUBLIC AMUSEMENT IN THOSE CIRCUMSTANCES SUBJECT TO THE STATUTE GOVERNING LIABILITY TO TRESPASSERS; AND TO PROVIDE THAT A PERSON WHO ENTERS OR REMAINS ON THE LAND OR PLACE OF PUBLIC AMUSEMENT IN THOSE CIRCUMSTANCES IS NOT ENTITLED TO ANY REIMBURSEMENT FOR ANY COST OF THE REMEDIATION UNLESS AGREED TO BY THE PROPERTY OWNER.

To the committee on Judiciary

**Sub. S.B. No. 143** – Senators Seitz and Smith

TO PERMIT THE ATTORNEY GENERAL TO AUTHORIZE THE RELEASE OF INFORMATION RELATING TO CERTAIN ARRESTS AND DELINQUENT CHILD ADJUDICATIONS PURSUANT TO A REQUEST FOR A CRIMINAL RECORDS CHECK; TO REGULATE THE CONFIDENTIALITY OF PERSONAL INFORMATION RELATED TO COMMUNITY SERVICE BLOCK GRANTS; TO CLARIFY THE AUTHORITY OF BOARDS OF COUNTY COMMISSIONERS TO ESTABLISH A COMMUNITY ALTERNATIVE SENTENCING CENTER; TO MODIFY THE PROCEDURE FOR SENTENCING AND ADMITTING AN ELIGIBLE OFFENDER TO A COMMUNITY ALTERNATIVE SENTENCING CENTER; TO CLARIFY THAT AN ELIGIBLE OFFENDER MUST SUCCESSFULLY COMPLETE ANY TERM IN A CENTER AS A CONDITION OF A COMMUNITY RESIDENTIAL SANCTION; TO INCLUDE THE BEST INTERESTS OF THE PERSON AS A REASON FOR WHICH AN ALLEGED OR ADJUDICATED DELINQUENT CHILD WHO IS AT LEAST 18 BUT YOUNGER THAN 21 MAY BE HELD IN AN ADULT DETENTION FACILITY; TO MODIFY THE WAITING PERIOD FOR MAKING A MOTION OR APPLICATION FOR THE SEALING OF A JUVENILE COURT RECORD OF A PERSON WHO IS 18 YEARS OF AGE OR OLDER; TO REAFFIRM THAT BCII IS A PUBLIC OFFICE OR AGENCY FOR PURPOSES OF NOTIFICATION OF A DELINQUENCY RECORD-SEALING ORDER; TO SPECIFY THAT MOST IDENTIFYING INFORMATION THAT RELATES TO THE ADMISSION AND CONFINEMENT IN AN ADULT DETENTION FACILITY OF A PERSON UNDER 21 GENERALLY IS CONFIDENTIAL; TO CLARIFY A COURT'S AUTHORITY TO COMMIT A DELINQUENT CHILD TO THE DEPARTMENT OF YOUTH SERVICES FOR A VIOLATION OF SUPERVISED RELEASE; TO AUTHORIZE A COURT TO ORDER RESTITUTION IF A PERSON CONVICTED OF DRIVING UNDER SUSPENSION OR DRIVING UNDER FINANCIAL-RESPONSIBILITY-LAW SUSPENSION OR CANCELLATION FAILS TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY; TO AUTHORIZE A PERSON CHARGED WITH MULTIPLE OFFENSES IN CONNECTION WITH THE SAME ACT TO APPLY FOR THE SEALING OF RECORDS PERTAINING TO AN ACQUITTED CHARGE; TO MODIFY THE REQUIREMENTS REGARDING TESTING FOR HIV OF PERSONS CHARGED WITH SPECIFIED SEX OFFENSE; TO INCREASE THE SENTENCE OF IMPRISONMENT THAT DISQUALIFIES AN INMATE FROM PARTICIPATING IN THE PRISON NURSERY PROGRAM; TO REMOVE THE CAP OF 40 HOURS PER MONTH AND GIVE A COURT DISCRETION IN SETTING THE AMOUNT OF CREDIT FOR COMMUNITY SERVICE ORDERED FOR FAILURE TO PAY A CRIMINAL COURT COST JUDGMENT; TO AUTHORIZE A COURT THAT RECEIVES OR IS FORWARDED A PETITION FOR A CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT TO DIRECT THE CLERK OF COURT TO PROCESS AND RECORD ALL REQUIRED



NOTICES; TO INCLUDE PERSONS CONVICTED TWICE OF THE SAME MISDEMEANOR AS ELIGIBLE OFFENDERS FOR PURPOSES OF SEALING RECORDS OF THE CONVICTIONS; TO PROVIDE A QUALIFIED IMMUNITY IN SPECIFIED CIRCUMSTANCES TO A GOVERNMENT OFFICIAL WHO MISTAKENLY RELEASES INFORMATION FROM A SEALED OR EXPUNGED RECORD; AND TO CLARIFY THE APPLICATION OF THE CONVICTION RECORD SEALING LAW TO INDIVIDUAL CONVICTIONS AND BAIL FORFEITURES.

To the committee on Judiciary

**S.B. No. 148** – Senators Turner and Patton

TO DESIGNATE A PORTION OF INTERSTATE 271 IN BEDFORD HEIGHTS AS THE “ARMY PVT. BRANDON SLOAN MEMORIAL HIGHWAY.”

To the committee on Transportation, Public Safety and Homeland Security

**S.B. No. 179** – Senator Eklund

TO INCLUDE RECYCLED WATER AS A PRIVATE WATER SYSTEM FOR PURPOSES OF REGULATION BY THE DEPARTMENT OF HEALTH AND BOARDS OF HEALTH.

To the committee on State and Local Government

**Am. S.B. No. 186** – Senator Hughes

TO CREATE THE “KNIGHTS OF COLUMBUS” LICENSE PLATE.

To the committee on Transportation, Public Safety and Homeland Security

**Sub. S.B. No. 216** – Senator Seitz

TO REVISE THE LAW CONCERNING PROVISIONAL BALLOTS, TO PERMIT AN ABSENT VOTER TO CURE A DEFECTIVE IDENTIFICATION ENVELOPE, AND TO SPECIFY PERMITTED PROCEDURES FOR A VOTING LOCATION THAT SERVES MORE THAN ONE PRECINCT.

To the committee on Policy and Legislative Oversight

**S.B. No. 228** – Senator Widener

TO LIMIT THE CONTROLLING BOARD'S AUTHORITY TO APPROVE THE EXPENDITURE OF CERTAIN FUNDS AND TO REQUIRE STATE AGENCIES TO PROVIDE CERTAIN INFORMATION TO THE CONTROLLING BOARD REGARDING REQUESTED PURCHASES FROM OUT-OF-STATE SUPPLIERS.

To the committee on State and Local Government

MATT HUFFMAN  
ANDREW BRENNER

JOHN ADAMS  
JIM BUCHY

DOROTHY PELANDA  
ARMOND BUDISH  
DEBBIE PHILLIPS

STEPHANIE KUNZE  
MIKE ASHFORD  
DAN RAMOS

Representative Duffey 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 resolution be read by title only and approved:

**H.R. No. 305** – Representatives Retherford, Conditt, Derickson  
Honoring the Stephen T. Badin High School girls soccer team as the 2013  
Division III State Champion.

/s/MATT HUFFMAN  
Matt Huffman, Chair

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

The motion was agreed to.

### MESSAGE FROM THE SPEAKER

Pursuant to Section 107.12(D)(1)(b)(c) of the Ohio Revised Code, the Speaker hereby appoints the following members to the Governor's Advisory Board of Faith-Based and Community Initiatives:

Representatives Derickson and Mallory.

On motion of Representative Duffey, the House adjourned until Tuesday, December 10, 2013 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.