

OHIO

House

of

Representatives

JOURNAL

THURSDAY, MARCH 26, 2015

THIRTY-THIRD DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, March 26, 2015, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Father Eric Schild of the St. Kateri Catholic Academy in Oregon, Ohio, followed by the Pledge of Allegiance to the Flag.

The following guests of the House of Representatives were recognized prior to the commencement of business:

Anthony Whitmore, a guest of Representatives Strahorn-39th district, and Rezabek-43rd district.

Students from Miami University, guests of Representatives Retherford-51st district, Conditt-52nd district, and Derickson-53rd district.

Courtney Olesh, a guest of Representative LaTourette-76th district.

Ken and Nancy Arndt, guests of Speaker Rosenberger-91st district.

Mitchell Skeleres, a guest of Representative Patterson-99th district.

The journal of yesterday was read and approved.

REPORTS OF CONFERENCE COMMITTEES

Representative Smith, R. submitted the following report:

The committee of Conference to which the matters of difference between the two houses were referred on **Sub. H. B. No. 53**, Representative Grossman -et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

Delete lines 3247 and 3248

In line 3249, delete "(3)" and insert "(2)"

In line 3251, delete "(4)" and insert "(3)"

In line 3254, delete "(5)" and insert "(4)"

Delete lines 6285 and 6286

In line 6287, delete "(3)" and insert "(2)"

In line 6289, delete "(4)" and insert "(3)"

In line 6292, delete "(5)" and insert "(4)"

In line 14089, delete all after "including" and insert "renting a motor vehicle to the person claiming the benefit of the contractual obligation when the right to such rental is not expressed as a contractual obligation"

Delete lines 14090 through 14092

In line 14093, delete all before the semicolon

In line 15875, after "The" insert "General Assembly hereby declares that the intent of the"

In line 15876, delete all after "Code" and insert "is to clarify the law as it existed prior to the amendment by this act of that section."

Delete lines 15877 through 15888

In line 6 of the title, delete "4501.21,"

In line 50 of the title, delete "4503.86,"

In line 73, delete "4501.21,"

In line 105, delete "4503.86,"

Delete lines 2284 through 2609

Delete lines 3791 through 3832

In line 14249, delete "4501.21,"

Delete lines 15945 through 15947

In line 2987, reinsert "The"

In line 2990, delete "Of each"

In line 2993, delete ", one dollar and seventy-five cents"

In line 2998, delete "The registrar shall remit the"

Delete lines 2999 through 3003

In line 13 of the title, after "4507.21," insert "4507.23,"

In line 78, after "4507.21," insert "4507.23,"

Between lines 6294 and 6295, insert:

"Sec. 4507.23. (A) Except as provided in division (I) of this section, each application for a temporary instruction permit and examination shall be accompanied by a fee of five dollars.

(B) Except as provided in division (I) of this section, each application for a driver's license made by a person who previously held such a license and whose license has expired not more than two years prior to the date of application, and who is required under this chapter to give an actual demonstration of the person's ability to drive, shall be accompanied by a fee of three dollars in addition to any other fees.

(C)(1) Except as provided in divisions (E) and (I) of this section, each application for a driver's license, or motorcycle operator's endorsement, or renewal of a driver's license shall be accompanied by a fee of six dollars.

(2) Except as provided in division (I) of this section, each application for a duplicate driver's license shall be accompanied by a fee of seven dollars

and fifty cents. The duplicate driver's licenses issued under this section shall be distributed by the deputy registrar in accordance with rules adopted by the registrar of motor vehicles.

(D) Except as provided in division (I) of this section, each application for a motorized bicycle license or duplicate thereof shall be accompanied by a fee of two dollars and fifty cents.

(E) Except as provided in division (I) of this section, each application for a driver's license or renewal of a driver's license that will be issued to a person who is less than twenty-one years of age shall be accompanied by whichever of the following fees is applicable:

(1) If the person is sixteen years of age or older, but less than seventeen years of age, a fee of seven dollars and twenty-five cents;

(2) If the person is seventeen years of age or older, but less than eighteen years of age, a fee of six dollars;

(3) If the person is eighteen years of age or older, but less than nineteen years of age, a fee of four dollars and seventy-five cents;

(4) If the person is nineteen years of age or older, but less than twenty years of age, a fee of three dollars and fifty cents;

(5) If the person is twenty years of age or older, but less than twenty-one years of age, a fee of two dollars and twenty-five cents.

(F) Neither the registrar nor any deputy registrar shall charge a fee in excess of one dollar and fifty cents for laminating a driver's license, motorized bicycle license, or temporary instruction permit identification cards as required by sections 4507.13 and 4511.521 of the Revised Code. A deputy registrar laminating a driver's license, motorized bicycle license, or temporary instruction permit identification cards shall retain the entire amount of the fee charged for lamination, less the actual cost to the registrar of the laminating materials used for that lamination, as specified in the contract executed by the bureau for the laminating materials and laminating equipment. The deputy registrar shall forward the amount of the cost of the laminating materials to the registrar for deposit as provided in this section.

(G) Except as provided in division (I) of this section, each transaction described in divisions (A), (B), (C), (D), and (E) of this section shall be accompanied by an additional fee of twelve dollars. The additional fee is for the purpose of defraying the department of public safety's costs associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio.

(H) At the time and in the manner provided by section 4503.10 of the Revised Code, the deputy registrar shall transmit the fees collected under divisions (A), (B), (C), (D), and (E), those portions of the fees specified in and collected under division (F), and the additional fee under division (G)

of this section to the registrar. The registrar shall pay two dollars and fifty cents of each fee collected under divisions (A), (B), (C)(1) and (2), (D), and (E)(1) to (4) of this section, and the entire fee collected under division (E)(5) of this section, into the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code, and such fees shall be used for the sole purpose of supporting driver licensing activities. The registrar also shall pay five dollars of each fee collected under division (C)(2) of this section and the entire fee collected under division (G) of this section into the state highway safety fund created in section 4501.06 of the Revised Code. The remaining fees collected by the registrar under this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code.

(I) A disabled veteran who has a service-connected disability rated at one hundred per cent by the veterans' administration may apply to the registrar or a deputy registrar for the issuance to that veteran, without the payment of any fee prescribed in this section, of any of the following items:

- (1) A temporary instruction permit and examination;
- (2) A new, renewal, or duplicate driver's or commercial driver's license;
- (3) A motorcycle operator's endorsement;
- (4) A motorized bicycle license or duplicate thereof;
- (5) Lamination of a driver's license, motorized bicycle license, or temporary instruction permit identification card as provided in division (F) of this section.

An application made under division (I) of this section shall be accompanied by such documentary evidence of disability as the registrar may require by rule.

(J)(1) The registrar of motor vehicles shall adopt rules that establish a prorated fee schedule that specifies the fee to be charged by the registrar or a deputy registrar for the issuance of a duplicate driver's license. The rules shall require the base fee to be equal to the fee for a duplicate driver's license that existed immediately prior to the effective date of this amendment. In order to determine the prorated amount for a duplicate license under the rules, the registrar shall reduce the base fee by an amount determined by the registrar that is correlated with the number of months between the date a person applies for the duplicate and the date of expiration of the license. The registrar shall allocate the money received from a prorated duplicate driver's license fee to the same funds and in the same proportion as the allocation of the base fee.

(2) Notwithstanding any other provision of law, after the registrar has adopted rules under division (J)(1) of this section, an applicant for a

duplicate driver's license shall be required to pay only the appropriate prorated fee established under those rules."

In line 14254, after "4507.21," insert "4507.23,"

In line 18 of the title, delete "4921.25,"

In line 51 of the title, delete "4513.70,"

In line 82, delete "4921.25,"

In line 105, delete "4513.70,"

In line 9250, reinsert "4921.25"; delete "4513.70"

Delete lines 9254 through 9272

Delete lines 10151 through 10175

In line 14258, delete "4921.25,"

In line 1 of the title, delete "126.11,"

In line 2 of the title, delete "163.06, 163.09, 163.15, 163.21,"

In line 3 of the title, delete "166.25, 307.202, 505.69, 717.01,"

In line 4 of the title, delete "4117.10,"

In line 18 of the title, delete "4981.01,"

Delete lines 19 through 25 of the title

In line 26 of the title, delete "5501.03,"

In line 27 of the title, delete "5512.05, 5512.07, 5519.01,"

In line 29 of the title, delete "5705.19,"

Delete lines 31 through 48 of the title

In line 49 of the title, delete everything before "to"

In line 53 of the title, delete "4981.20, 4981.21,"

In line 70, delete "126.11,"; delete "163.06, 163.09, 163.15, 163.21,"; delete "166.25,"

In line 71, delete "307.202, 505.69, 717.01,"

In line 81, delete "4117.10,"

In line 82, delete everything after "4921.25,"

Delete lines 83 through 86

In line 87, delete everything before "5501.55,"

In line 88, delete "5512.02, 5512.07, 5519.01,"

In line 90, delete "5705.19,"

In line 91, delete everything after the semicolon

Delete lines 92 through 103

In line 104, delete everything before "and"

Delete lines 204 through 370

Delete lines 463 through 793

Delete lines 987 through 1169

Delete lines 1448 through 1579

Delete lines 10176 through 10259

Delete lines 10407 through 12357

Delete lines 12454 through 12512

Delete lines 12519 through 12550

Delete lines 12860 through 13168

In line 14246, delete "126.11, "; delete "163.06, 163.09, 163.15, 163.21,"

In line 14247, delete everything before "1548.07,"

In line 14248, delete "4117.10,"

In line 14258, delete everything after "4921.25,"

Delete lines 14259 through 14262

In line 14263, delete everything before "5501.55,"

In line 14264, delete everything after "5502.67,"

In line 14266, delete "5705.19,"

In line 14268, delete "4981.20,"

In line 14269, delete "4981.21,"

In line 15 of the title, delete "4511.21,"

In line 79, delete "4511.21,"

Delete lines 7673 through 8164

In line 14256, delete "4511.21,"

In line 15 of the title, delete "4511.213,"

In line 80, delete "4511.213,"

In line 7605, delete "4511.351,"

Delete lines 8165 through 8229

In line 8230, after "(A)" delete the balance of the line

Delete lines 8231 through 8256

In line 8257, delete "(C)(1)"

In line 8262, delete "(2)" and insert "(B)"

Delete lines 8266 through 8271

In line 14256, delete "4511.213,"

In line 51 of the title, after "5516.15," insert "and"

In line 52 of the title, delete ", and 5533.261"

In line 106, after "5516.15," insert "and"; delete ", and 5533.261"

Delete lines 12720 through 12727

In line 28 of the title, delete "5537.16,"

In line 29 of the title, delete "5537.99,"

In line 89, delete "5537.16, "; delete "5537.99,"

Delete lines 12743 through 12797

Delete lines 12812 through 12824

In line 14265, delete "5537.16, "; delete "5537.99,"

In line 5952, strike through "traveling" and insert "doing either of the following:"

(i) Traveling"

In line 5953, strike through the second "and" and insert ", provided that the holder"

In line 5955, after "employer" insert:

"(ii) Traveling to or from an official function sponsored by the school the holder attends between the hours of midnight and six a.m., provided that the holder has in the holder's immediate possession written documentation from an appropriate official of the school;

(iii) Traveling to or from an official religious event between the hours of midnight and six a.m., provided that the holder has in the holder's immediate possession written documentation from an appropriate official affiliated with the event"

In line 5957, strike through "traveling" and insert "doing either of the following:"

(i) Traveling"

In line 5958, strike through the second "and" and insert ", provided that the holder"

In line 5960, after "employer" insert:

"(ii) Traveling to or from an official function sponsored by the school the holder attends between the hours of one a.m. and five a.m., provided that the holder has in the holder's immediate possession written documentation from an appropriate official of the school;

(iii) Traveling to or from an official religious event between the hours of one a.m. and five a.m., provided that the holder has in the holder's

immediate possession written documentation from an appropriate official affiliated with the event"

In line 5961, after "employer" insert ", school official, or official affiliated with a religious event"

In line 5964, after "employer" insert ", school official, or official affiliated with a religious event""; strike through "an employee who is"

In line 5969, after "employers" insert ", school officials, officials affiliated with religious events."

Strike through lines 5983 and 5984

In line 5985, strike through "attends, or"; after "holder" insert "of the probationary driver's license"

In line 5987, strike through the comma

In line 15778, delete "Funding" and insert "Issues"

Delete lines 15789 through 15795

In line 15796, after "(B)" insert "(1) The Task Force shall study methods for increasing the speed on, and access to, rural highways and freeways in Ohio. The Task Force also shall study methods for saving money on license plates, including specifically a single license plate requirement.

(2) Not later than December 15, 2015, the Task Force shall issue a report containing its findings and recommendations with regard to the areas of study specified in division (B)(1) of this section to the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives.

(C)(1)"

In line 15802, delete "(C)" and insert "(2)"

In line 15803, after "recommendations" insert "with regard to the areas of study specified in division (C)(1) of this section"

In line 15842, delete "written notice"

In line 15844, delete "identifying" and insert "a report of advancement of developing"

In line 3244, after "(B)" insert "(1) Whoever violates division (A) of this section is guilty of a minor misdemeanor.

(2) The offense established under division (B)(1) of this section is a strict liability offense and strict liability is a culpable mental state for purposes of section 2901.20 of the Revised Code. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(C)"

In line 6282, after "(B)" insert "(1) Whoever violates division (A) of this section is guilty of a minor misdemeanor.

(2) The offense established under division (B)(1) of this section is a strict liability offense and strict liability is a culpable mental state for purposes of section 2901.20 of the Revised Code. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(C)"

Managers on the Part of the House of Representatives

Managers on the Part of the Senate

/S/ RYAN SMITH
RYAN SMITH

/S/ CAPRI S. CAFARO
CAPRI S. CAFARO

/S/ CHERYL L. GROSSMAN
CHERYL L. GROSSMAN

/S/ GAYLE MANNING
GAYLE MANNING

/S/ _____
ALICIA REECE

/S/ THOMAS F. PATTON
THOMAS F. PATTON

The question being, "Shall the report of the committee of Conference be agreed to?"

The yeas and nays were taken and resulted – yeas 82, nays 13, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Ashford
Baker	Barnes	Becker	Blessing
Boose	Boyd	Brenner	Brinkman
Brown	Buchy	Burkley	Butler
Celebrezze	Cera	Conditt	Craig
Cupp	Derickson	Dever	DeVitis
Dovilla	Driehaus	Duffey	Gerberry
Ginter	Gonzales	Green	Grossman
Hackett	Hagan	Hall	Hambley
Hayes	Henne	Hill	Hood
Howse	Huffman	Johnson, T.	Koehler
Kraus	Kunze	Landis	LaTourette
Maag	Manning	McClain	McColley
O'Brien, S.	Patmon	Pelanda	Perales
Reece	Reineke	Retherford	Rezabek
Rogers	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Sheehy	Slaby	Slesnick	Smith, R.
Sprague	Stinziano	Strahorn	Sykes
Terhar	Thompson	Vitale	Young
Zeltwanger			Rosenberger-82

Those who voted in the negative were: Representatives

Antonio	Boyce	Clyde	Curtin
Fedor	Johnson, G.	Leland	Lepore-Hagan
O'Brien, M.	Patterson	Phillips	Ramos
			Smith, K.-13

The report of the committee of Conference was agreed to.

Representative Grossman moved to amend the title as follows:

Remove the names: "Leland, Reece, Sheehy, Patterson, O'Brien, M., Antonio, Smith, K."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 98**-Representative Brown, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: CHILDHOOD APRAXIA OF SPEECH AWARENESS DAY-
MAY 14

Representative Huffman moved to amend the title as follows:

Add the names: "Antonio, Celebrezze, Johnson, T."

ANNE GONZALES	STEPHEN A. HUFFMAN
NICKIE J. ANTONIO	TIM W. BROWN
JIM BUTLER	NICHOLAS CELEBREZZE
MIKE DUFFEY	TIMOTHY E. GINTER
TERRY JOHNSON	SARAH LATOURETTE
MICHELE LEPORE-HAGAN	RONALD MAAG
DANIEL RAMOS	KIRK SCHURING
BARBARA R. SEARS	EMILIA STRONG SYKES

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Dovilla moved that majority party members asking leave to be absent or absent the week of Wednesday, March 25, 2015, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Boyce moved that minority party members asking leave to be absent or absent the week of Wednesday, March 25, 2015, 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

Sub. H. B. No. 2-Representatives Dovilla, Roegner.

Cosponsor: Representative Brenner.

To amend sections 3302.03, 3314.011, 3314.02, 3314.023, 3314.03, 3314.19, and 3314.23, to enact sections 3314.025, 3314.031, 3314.032, 3314.034, and 3314.46, and to repeal section 3314.026 of the Revised Code with regard to sponsorship and management of community schools, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Patterson moved to amend, amendment 0499, as follows:

In line 8 of the title, after "3314.039," insert "3314.0310,"

In line 17, after "3314.039," insert "3314.0310,"

In line 2456, delete everything after "3314.035." and insert "(A) The department of education shall include in its annual report required by division (A)(5) of section 3314.015 of the Revised Code, and make available to the public on its web site, a complete directory of governing authority members of each community school.

(B) Each community school shall post on the school's web site the name and contact information of each member of the school's governing authority. The contact information shall include any email addresses or telephone numbers used exclusively in an official capacity."

Delete line 2457

In line 2458, delete "governing authority."

In line 2468, after "3314.037." insert "(A)"

Between lines 2476 and 2477, insert:

"(B) Each governing authority of a community school and each nonpublic entity that sponsors a community school shall comply with section

149.43 of the Revised Code as if it were a public office.

(C) Each nonpublic operator of a community school shall comply with section 149.43 of the Revised Code as if it were a public office with respect to all records pertaining to state funds received from the school."

Between lines 2486 and 2487, insert:

"Sec. 3314.0310. The sponsor of a community school shall provide advance notice of public meetings to the public and news media and shall comply with all open meetings law prescribed under section 121.22 of the Revised Code."

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

Representative Sears moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 62, nays 33, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Baker
Becker	Blessing	Boose	Brenner
Brown	Buchy	Burkley	Butler
Conditt	Cupp	Derickson	Dever
DeVitis	Dovilla	Duffey	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hayes	Henne
Hill	Hood	Huffman	Johnson, T.
Koehler	Kraus	Kunze	Landis
LaTourette	Maag	Manning	McClain
McColley	Pelanda	Perales	Reineke
Retherford	Rezabek	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring
Sears	Slaby	Smith, R.	Sprague
Terhar	Thompson	Vitale	Young
Zeltwanger			Rosenberger-62

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyce
Boyd	Brinkman	Celebrezze	Cera
Clyde	Craig	Curtin	Driehaus
Fedor	Gerberry	Hambley	Howse
Johnson, G.	Leland	Lepore-Hagan	O'Brien, M.
O'Brien, S.	Patmon	Patterson	Phillips
Ramos	Reece	Rogers	Sheehy
Slesnick	Smith, K.	Stinziano	Strahorn
			Sykes-33

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Ramos moved to amend, amendment 0494, as follows:

Between lines 1833 and 1834, insert:

“(9) Each member of the governing authority of a community school shall be a qualified elector who resides in any district in the state.”

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

Representative Sears moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 61, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Baker
Becker	Blessing	Boose	Brenner
Brown	Buchy	Burkley	Butler
Conditt	Cupp	Derickson	Dever
DeVitis	Dovilla	Ginter	Gonzales
Green	Grossman	Hackett	Hagan
Hall	Hayes	Henne	Hill
Hood	Huffman	Johnson, T.	Koehler
Kraus	Kunze	Landis	LaTourette
Maag	Manning	McClain	McColley
Pelanda	Perales	Reineke	Retherford
Rezabek	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Slaby	Smith, R.	Sprague	Terhar
Thompson	Vitale	Young	Zeltwanger
			Rosenberger-61

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyce
Boyd	Brinkman	Celebrezze	Cera
Clyde	Craig	Curtin	DrieHaus
Duffey	Fedor	Gerberry	Hambley
Howse	Johnson, G.	Leland	Lepore-Hagan
O'Brien, M.	O'Brien, S.	Patmon	Patterson
Phillips	Ramos	Reece	Rogers
Sheehy	Slesnick	Smith, K.	Stinziano
Strahorn			Sykes-34

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Patterson moved to amend, amendment 0493, as follows:

In line 3 of the title, after "3314.023," insert "3314.024,"

In line 14, after "3314.023," insert "3314.024,"

Between lines 1883 and 1884, insert:

"Sec. 3314.024.(A) A management company that ~~provides services to a community school that amounts to~~ receives more than twenty per cent of the annual gross revenues of ~~the a community~~ school shall provide a detailed accounting including the nature and costs of the services it provides to the community school. This information shall be ~~included in the footnotes of the financial statements of the school reported using the format specified under~~ division (B) of this section and be subject to audit during the course of the regular financial audit of the community school.

(B) The auditor of state shall prescribe the format for reporting of information by a management company under this section."

In line 3342, after "3314.023," insert "3314.024,"

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

Representative Sears moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 60, nays 35, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Baker
Becker	Blessing	Boose	Brenner
Brown	Buchy	Burkley	Conditt
Cupp	Derickson	Dever	DeVitis
Dovilla	Duffey	Ginter	Gonzales
Green	Grossman	Hackett	Hagan
Hall	Hayes	Henne	Hill
Hood	Huffman	Johnson, T.	Koehler
Kraus	Kunze	Landis	LaTourette
Maag	Manning	McClain	McColley
Pelanda	Perales	Reineke	Retherford
Rezabek	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Slaby	Smith, R.	Sprague	Terhar
Vitale	Young	Zeltwanger	Rosenberger-60

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyce
Boyd	Brinkman	Butler	Celebrezze
Cera	Clyde	Craig	Curtin
Driehaus	Fedor	Gerberry	Hambley
Howse	Johnson, G.	Leland	Lepore-Hagan
O'Brien, M.	O'Brien, S.	Patmon	Patterson
Phillips	Ramos	Reece	Rogers
Sheehy	Slesnick	Smith, K.	Stinziano
Strahorn	Sykes		Thompson-35

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Fedor moved to amend, amendment 0492, as follows:

In line 1 of the title, after "sections" insert "117.11,"

In line 5 of the title, after "sections" insert "117.102,"

In line 12, after "sections" insert "117.11,"

In line 16, after "sections" insert "117.102,"

Between lines 18 and 19, insert:

"Sec. 117.102. (A) As used in this section:

(1) "Community school" means a school established under Chapter 3314. of the Revised Code.

(2) "Operator" has the same meaning as in section 3314.02 of the Revised Code.

(B) The auditor of state annually shall audit each community school operator and each community school sponsor described in division (C)(1) of section 3314.02 or section 3314.021 or 3314.027 of the Revised Code. In the case of a nonpublic operator or sponsor, the audit shall cover all accounts, reports, records, and files regarding the operator's or sponsor's receipt, transfer, or expenditure of public funds related to the operation or sponsorship of a community school.

Sec. 117.11. (A) Except as otherwise provided in this division and in sections 117.102, 117.112, 117.113, and 117.114 of the Revised Code, the auditor of state shall audit each public office at least once every two fiscal years. The auditor of state shall audit a public office each fiscal year if that public office is required to be audited on an annual basis pursuant to "The Single Audit Act of 1984," 98 Stat. 2327, 31 U.S.C.A. 7501 et seq., as amended. In the annual or biennial audit, inquiry shall be made into the methods, accuracy, and legality of the accounts, financial reports, records, files, and reports of the office, whether the laws, rules, ordinances, and orders pertaining to the office have been observed, and whether the requirements and rules of the auditor of state have been complied with. Except as otherwise provided in this division or where auditing standards or procedures dictate otherwise, each audit shall cover at least one fiscal year. If a public office is audited only once every two fiscal years, the audit shall cover both fiscal years.

(B) In addition to the annual or biennial audit provided for in division (A) of this section or in section 117.114 of the Revised Code, the auditor of state may conduct an audit of a public office at any time when so requested by the public office or upon the auditor of state's own initiative if the auditor of state has reasonable cause to believe that an additional audit is in the public interest.

(C)(1) The auditor of state shall identify any public office in which

the auditor of state will be unable to conduct an audit at least once every two fiscal years as required by division (A) of this section and shall provide immediate written notice to the clerk of the legislative authority or governing board of the public office so identified. Within six months of the receipt of such notice, the legislative authority or governing board may engage an independent certified public accountant to conduct an audit pursuant to section 117.12 of the Revised Code.

(2) When the chief fiscal officer of a public office notifies the auditor of state that an audit is required at a time prior to the next regularly scheduled audit by the auditor of state, the auditor of state shall either cause an earlier audit to be made by the auditor of state or authorize the legislative authority or governing board of the public office to engage an independent certified public accountant to conduct the required audit. The scope of the audit shall be as authorized by the auditor of state.

(3) The auditor of state shall approve the scope of an audit under division (C)(1) or (2) of this section as set forth in the contract for the proposed audit before the contract is executed on behalf of the public office that is to be audited. The independent accountant conducting an audit under division (C)(1) or (2) of this section shall be paid by the public office.

(4) The contract for attest services with an independent accountant employed pursuant to this section or section 115.56 of the Revised Code may include binding arbitration provisions, provisions of Chapter 2711. of the Revised Code, or any other alternative dispute resolution procedures to be followed in the event a dispute remains between the state or public office and the independent accountant concerning the terms of or services under the contract, or a breach of the contract, after the administrative provisions of the contract have been exhausted.

(D) If a uniform accounting network is established under section 117.101 of the Revised Code, the auditor of state or a certified public accountant employed pursuant to this section or section 115.56 or 117.112 of the Revised Code shall, to the extent practicable, utilize services offered by the network in order to conduct efficient and economical audits of public offices.

(E) The auditor of state, in accordance with division (A)(3) of section 9.65 of the Revised Code and this section, may audit an annuity program for volunteer fire fighters established by a political subdivision under section 9.65 of the Revised Code. As used in this section, "volunteer fire fighters" and "political subdivision" have the same meanings as in division (C) of section 9.65 of the Revised Code."

In line 3340, after "sections" insert "117.11,"

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

Representative Sears moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 60, nays 35, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Baker
Becker	Blessing	Boose	Brenner
Brown	Buchy	Burkley	Butler
Conditt	Cupp	Derickson	Dever
DeVitis	Dovilla	Ginter	Gonzales
Green	Grossman	Hackett	Hagan
Hall	Hayes	Henne	Hill
Hood	Huffman	Johnson, T.	Koehler
Kraus	Kunze	Landis	LaTourette
Maag	Manning	McClain	McColley
Pelanda	Perales	Reineke	Retherford
Rezabek	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Slaby	Smith, R.	Sprague	Terhar
Vitale	Young	Zeltwanger	Rosenberger-60

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyce
Boyd	Brinkman	Celebrezze	Cera
Clyde	Craig	Curtin	Driehaus
Duffey	Fedor	Gerberry	Hambley
Howse	Johnson, G.	Leland	Lepore-Hagan
O'Brien, M.	O'Brien, S.	Patmon	Patterson
Phillips	Ramos	Reece	Rogers
Sheehy	Slesnick	Smith, K.	Stinziano
Strahorn	Sykes		Thompson-35

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Fedor moved to amend, amendment 0500, as follows:

In line 8 of the title, delete "3314.039,"

In line 17, delete "3314.039,"

In line 2438, delete all after "school"

In line 2439, delete "previous five years and"

Delete lines 2482 through 2486

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

Representative Sears moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 62, nays 33, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Baker
Becker	Blessing	Boose	Brenner
Brown	Buchy	Burkley	Butler
Conditt	Cupp	Derickson	Dever
DeVitis	Dovilla	Ginter	Gonzales
Green	Grossman	Hackett	Hagan
Hall	Hambley	Hayes	Henne
Hill	Hood	Huffman	Johnson, T.
Koehler	Kraus	Kunze	Landis
LaTourette	Maag	Manning	McClain
McColley	Pelanda	Perales	Reineke
Retherford	Rezabek	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring
Sears	Slaby	Smith, R.	Sprague
Terhar	Thompson	Vitale	Young
Zeltwanger			Rosenberger-62

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyce
Boyd	Brinkman	Celebrezze	Cera
Clyde	Craig	Curtin	Driehaus
Duffey	Fedor	Gerberry	Howse
Johnson, G.	Leland	Lepore-Hagan	O'Brien, M.
O'Brien, S.	Patmon	Patterson	Phillips
Ramos	Reece	Rogers	Sheehy
Slesnick	Smith, K.	Stinziano	Strahorn
			Sykes-33

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 70, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Baker
Barnes	Becker	Blessing	Boose
Boyce	Brenner	Brinkman	Brown
Buchy	Burkley	Butler	Conditt
Craig	Cupp	Derickson	Dever
DeVitis	Dovilla	Duffey	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Huffman
Johnson, T.	Koehler	Kraus	Kunze
Landis	LaTourette	Maag	Manning
McClain	McColley	O'Brien, S.	Patmon
Pelanda	Perales	Phillips	Reineke
Retherford	Rezabek	Romanchuk	Ruhl

Ryan	Schaffer	Scherer	Schuring
Sears	Slaby	Smith, K.	Smith, R.
Terhar	Thompson	Vitale	Young
Zeltwanger			Rosenberger-70

Those who voted in the negative were: Representatives

Antonio	Ashford	Boyd	Celebrezze
Cera	Clyde	Curtin	Driehaus
Fedor	Gerberry	Howse	Johnson, G.
Leland	Lepore-Hagan	O'Brien, M.	Patterson
Ramos	Reece	Rogers	Sheehy
Slesnick	Sprague	Stinziano	Strahorn
			Sykes-25

The bill passed.

Representative Dovilla moved to amend the title as follows:

Add the names: "Anielski, Blessing, Buchy, Burkley, Cupp, Dever, DeVitis, Duffey, Grossman, Hackett, Hagan, Hayes, Henne, Koehler, Kraus, Kunze, Manning, McClain, Pelanda, Perales, Romanchuk, Scherer, Slaby, Smith, R., Terhar, Thompson, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 3-Representatives Derickson, Romanchuk.

To amend sections 111.16 and 1329.01 and to enact section 6301.16 of the Revised Code to reduce certain business filing fees charged and collected by the Secretary of State and to specify that Ohio-based companies are to have access to appropriate features of the OhioMeansJobs web site, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Stinziano moved to amend, amendment 0506, as follows:

In line 3 of the title, delete "reduce" and insert "eliminate"

In line 19, strike through the colon

Strike through line 20

In line 21, strike through "issue any shares of capital stock,"

In line 22, delete "ninety-nine"; strike through "dollars;"

Strike through lines 23 through 37

In line 38, strike through "than"; delete "ninety-nine"; strike through "dollars or greater than"

Strike through line 39 and insert ". no fee."

In line 61, delete "ninety-"

In line 62, delete "nine"; strike through "dollars" and insert "no fee"

In line 67, delete "ninety-"

In line 68, delete "nine"; strike through "dollars and, in the case of any new corporation resulting"

Strike through lines 69 through 75

In line 76, strike through all before the semicolon and insert "no fee"

In line 79, delete "ninety-nine"; strike through "dollars" and insert "no fee"

In line 89, delete "ninety-"

In line 90, delete "nine"; strike through "dollars" and insert "no fee"

In line 95, delete "ninety-nine"; strike through "dollars"; after the stricken period insert "no fee"

In line 106, delete "ninety-nine"; strike through "dollars" and insert "no fee"

In line 187, delete "thirty-nine"; strike through "dollars" and insert "no fee"

In line 189, delete "thirty-nine"; strike through "dollars" and insert "no fee"

In line 192, strike through "twenty-five dollars" and insert "no fee"

In line 197, strike through "twenty-five dollars" and insert "no fee"

In line 200, delete "ninety-nine"; strike through "dollars" and insert "no fee"

In line 270, strike through "The" and insert "There shall be no fee associated with filing a"; strike through "shall be accompanied by a"

In line 271, strike through "filing fee of"; delete "thirty-nine"; strike through "dollars, payable to" and insert "with"

In line 272, after "state" insert "under this section"

In line 298, strike through "The" and insert "There shall be no fee associated with filing a"; strike through "shall be accompanied by a"

In line 299, strike through "filing fee of"; delete "thirty-nine"; strike through "dollars, payable to" and insert "with"

In line 300, after "state" insert "under this section"

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

Representative Sears moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 63, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Baker
Becker	Blessing	Boose	Brenner
Brown	Buchy	Burkley	Butler
Conditt	Cupp	Derickson	Dever
DeVitis	Dovilla	Duffey	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Huffman
Johnson, T.	Koehler	Kraus	Kunze
Landis	LaTourette	Maag	Manning
McClain	McColley	Pelanda	Perales
Reineke	Retherford	Rezabek	Romanchuk
Ruhl	Ryan	Schaffer	Scherer
Schuring	Sears	Slaby	Smith, R.
Sprague	Terhar	Thompson	Vitale
Young	Zeltwanger		Rosenberger-63

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyce
Boyd	Brinkman	Celebrezze	Cera
Clyde	Craig	Curtin	Driehaus
Fedor	Gerberry	Howse	Johnson, G.
Leland	Lepore-Hagan	O'Brien, M.	O'Brien, S.
Patmon	Patterson	Phillips	Ramos
Reece	Rogers	Sheehy	Slesnick
Smith, K.	Stinziano	Strahorn	Sykes-32

The motion to amend was laid on the table.

The question recurring, "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

Amstutz	Anielski	Antani	Antonio
Ashford	Baker	Barnes	Becker
Blessing	Boose	Boose	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Clyde	Conditt	Craig	Cupp
Curtin	Derickson	Dever	DeVitis
Dovilla	Driehaus	Duffey	Fedor
Gerberry	Ginter	Gonzales	Green
Grossman	Hackett	Hagan	Hall
Hambley	Hayes	Henne	Hill
Hood	Howse	Huffman	Johnson, G.
Johnson, T.	Koehler	Kraus	Kunze
Landis	LaTourette	Leland	Lepore-Hagan
Maag	Manning	McClain	McColley
O'Brien, M.	O'Brien, S.	Patmon	Patterson
Pelanda	Perales	Phillips	Ramos

Reece	Reineke	Retherford	Rezabek
Rogers	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Sheehy	Slaby	Slesnick	Smith, K.
Smith, R.	Sprague	Stinziano	Strahorn
Sykes	Terhar	Thompson	Vitale
Young	Zeltwanger		Rosenberger-95

The bill passed.

Representative Derickson moved to amend the title as follows:

Add the names: "Anielski, Antani, Antonio, Baker, Blessing, Boose, Boyce, Brenner, Brown, Burkley, Conditt, Craig, Cupp, Dever, DeVitis, Dovilla, Duffey, Gerberry, Ginter, Green, Grossman, Hackett, Hagan, Hall, Hambley, Henne, Hill, Huffman, Koehler, Kraus, Kunze, Landis, Maag, McClain, McColley, O'Brien, M., O'Brien, S., Pelanda, Perales, Phillips, Reece, Retherford, Rezabek, Ruhl, Ryan, Schaffer, Slaby, Smith, R., Sprague, Stinziano, Terhar, Thompson, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 47-Representatives Blessing, Driehaus.

Cosponsors: Representatives Ramos, Retherford, Becker, Conditt, Maag, Kuhns, Antani, Reece, Slesnick, Young, Dever, Kraus, O'Brien, M., Lepore-Hagan.

To amend section 4301.62 and to enact section 4301.82 of the Revised Code to allow municipal corporations and townships with a population of more than 25,000 to create outdoor refreshment areas, to exempt persons within such an area from the open container law, and to declare an emergency, was taken up for consideration the third time.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted – yeas 86, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antani	Antonio	Ashford
Baker	Barnes	Becker	Blessing
Boose	Boyce	Boyd	Brenner
Brinkman	Brown	Buchy	Burkley
Butler	Celebrezze	Cera	Clyde
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Gerberry
Gonzales	Green	Hackett	Hagan
Hall	Hambley	Henne	Hill
Hood	Howse	Huffman	Johnson, G.
Kraus	Kunze	LaTourette	Leland

Lepore-Hagan	Maag	Manning	McClain
McColley	O'Brien, M.	O'Brien, S.	Patmon
Patterson	Pelanda	Perales	Ramos
Reece	Reineke	Retherford	Rezabek
Rogers	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Sheehy	Slaby	Slesnick	Smith, K.
Smith, R.	Sprague	Stinziano	Strahorn
Sykes	Terhar	Thompson	Young
Zeltwanger			Rosenberger-86

Representatives Amstutz, Ginter, Grossman, Hayes, Johnson, T., Landis, Phillips, Vitale voted in the negative-8.

Having received the required Constitutional majority, the emergency clause stood as part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 82, nays 12, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antani	Antonio	Ashford
Baker	Barnes	Becker	Blessing
Boose	Boyce	Boyd	Brenner
Brinkman	Brown	Buchy	Burkley
Butler	Celebrezze	Cera	Clyde
Conditt	Craig	Curtin	Derickson
Dever	DeVitis	Dovilla	Driehaus
Fedor	Gerberry	Green	Hackett
Hagan	Hall	Hambley	Henne
Hill	Hood	Howse	Huffman
Johnson, G.	Kraus	LaTourette	Leland
Lepore-Hagan	Maag	Manning	McClain
McColley	O'Brien, M.	O'Brien, S.	Patmon
Patterson	Pelanda	Perales	Ramos
Reece	Reineke	Retherford	Rezabek
Rogers	Romanchuk	Ryan	Schaffer
Scherer	Schuring	Sears	Sheehy
Slaby	Slesnick	Smith, K.	Smith, R.
Sprague	Stinziano	Strahorn	Sykes
Terhar	Thompson	Vitale	Young
Zeltwanger			Rosenberger-82

Those who voted in the negative were: Representatives

Amstutz	Cupp	Duffey	Ginter
Gonzales	Grossman	Hayes	Johnson, T.
Kunze	Landis	Phillips	Ruhl-12

Having received the required constitutional majority, the bill passed as an emergency measure.

Representative Blessing moved to amend the title as follows:

Add the names: "Anielski, Antonio, Barnes, Brinkman, Buchy, Celebrezze, Dovilla, Hackett, Rogers, Schuring, Sheehy, Strahorn, Terhar, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has agreed to the report of the committee of Conference on matters of difference between the two houses on:

Sub. H. B. No. 53 - Representative Grossman – et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is requested:

Sub. S. B. No. 13 - Senators Jones, Hughes

Cosponsors: Senators Manning, Uecker, Gardner, Lehner, Bacon, Obhof, Beagle, Cafaro, LaRose, Balderson, Burke, Coley, Eklund, Faber, Hite, Jordan, Oelslager, Patton, Peterson, Tavares, Widener

To amend section 2901.13 of the Revised Code to extend the period of limitations for prosecution of rape or sexual battery when a DNA record made in connection with the investigation of the offense matches another DNA record of an identifiable person and to declare an emergency.

Sub. S. B. No. 3 - Senators Hite, Faber

Cosponsors: Senators Coley, Gardner, Lehner, Balderson, Beagle, Burke, Eklund, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Obhof, Oelslager, Patton, Peterson, Seitz, Uecker, Widener

To amend sections 3301.079, 3301.0711, 3301.0715, 3302.02, 3302.03,

3302.034, 3302.13, 3313.46, 3314.03, 3319.02, 3319.114, 3319.223, 3319.26, 3326.11, and 3328.24 and to enact sections 3301.0728 and 3302.16 of the Revised Code to exempt school districts that meet specified benchmarks from certain laws; to revise the law regarding the administration of state primary and secondary education assessments; to revise the competitive bidding threshold for school building and repair contracts; to revise the alternative teacher evaluation framework; and to require the School Facilities Commission to develop a legislative proposal assisting high-performing school districts in purchasing technology, building expansion, and physical alterations to improve school safety or security.

Attest:

Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Sub. S. B. No. 1 - Senators Gardner, Peterson – et al.

Attest:

Vincent L. Keeran,
Clerk.

On motion of Representative Amstutz, the House adjourned until Wednesday, April 1, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.