

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MAY 5, 2015

FORTY-SIXTH DAY

Hall of the House of Representatives, Columbus, Ohio

Tuesday, May 5, 2015, 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 Koehler was selected to preside under the Rule.

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

Representative Smith, R. moved that the House advance to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 121**-Representatives Stinziano, Ruhl, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: SERVICE DOG AWARENESS WEEK-LAST WEEK OF JULY

Representative Maag moved to amend the title as follows:

Add the names: "Gerberry, Grossman, Hackett, Slesnick, Sweeney, LaTourette."

RONALD MAAG

JOHN BECKER

ROBERT D. HACKETT

RON HOOD

MARTIN J. SWEENEY

RONALD V. GERBERRY

CHERYL L. GROSSMAN

STEPHEN SLESNICK

STEPHEN A. HUFFMAN

SARAH LATOURETTE

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 State Government to which was referred **H. B. No. 141**-Representatives Hambley, Boyce, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: RENAME OHIO HISTORICAL SOCIETY AS OHIO HISTORY CONNECTION

Representative Maag moved to amend the title as follows:

Add the name: "Hackett."

Representative Grossman moved to amend as follows:

In line 1911, delete "connection"; strike through "income"

In line 1912, strike through "tax contribution"

In line 4342, delete "connection"; strike through "income tax contribution"

In line 4372, delete "connection"; strike through "income tax contribution"

In line 4381, delete "connection"; strike through "income tax contribution"

In line 4388, delete "connection"; strike through "income tax contribution"

In line 4427, delete "connection"; strike through "income tax"

In line 4428, strike through "contribution"

In line 4432, delete "connection"; strike through "income tax contribution"

In line 4452, delete "connection"; strike through "income tax contribution"

The motion was agreed to and the bill so amended.

RONALD MAAG

JOHN BECKER

ROBERT D. HACKETT

RON HOOD

MARTIN J. SWEENEY

RONALD V. GERBERRY

CHERYL L. GROSSMAN

STEPHEN SLESNICK

STEPHEN A. HUFFMAN

SARAH LATOURETTE

The report was agreed to.

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

Message from the Speaker

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

Remove Representative Dovilla; appoint Representative Schaffer.

Representative Smith, R. moved that the House revert to the second order of business, being introduction of bills.

The motion was agreed to.

On motion of Representative Smith, R., the House recessed.

The House met pursuant to recess.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 183 - Representatives Antani, Stinziano.

Cosponsors: Representatives Bishoff, Clyde, Duffey, Phillips.

To amend sections 3335.02, 3335.09, 3337.01, 3339.01, 3341.02, 3343.02, 3343.06, 3344.01, 3350.10, 3352.01, 3356.01, 3359.01, 3361.01, 3362.01, and 3364.01 of the Revised Code to grant student members of the boards of trustees of state universities and the Northeast Ohio Medical University voting power and the authority to attend executive sessions.

H. B. No. 184 - Representatives Dovilla, Antonio.

Cosponsors: Representatives Anielski, Becker, Boyd, Celebrezze, Conditt, Derickson, DeVitis, Fedor, Grossman, Henne, Johnson, T., Lepore-Hagan, Leland, Patmon, Phillips, Ramos, Rezabek, Stinziano.

To amend sections 109.572, 4731.07, 4731.224, 4731.24, 4731.25, 4776.01, and 4776.20 and to enact sections 4780.01 to 4780.15 and 4780.99 of the Revised Code to require the licensure of music therapists and to require the State Medical Board to regulate the licensure and practice of music therapists.

H. B. No. 185 - Representative Koehler.

Cosponsors: Representatives Grossman, Becker, Amstutz, Buchy, Rezabek.

To amend sections 2909.03 and 2909.11 of the Revised Code to eliminate lack of the property owner's consent as an element of arson when the property is abandoned real property and to make the consent of the owner of abandoned real property an affirmative defense.

H. B. No. 186 - Representative Burkley.

Cosponsors: Representatives Becker, Buchy, Reineke, Scherer.

To amend sections 2307.75 and 3737.88 and to enact section 2305.52 of the Revised Code to create a qualified immunity for the dispensing of incompatible motor fuel, to limit the Product Liability Law with respect to motor fuel and motor fuel additives, and to prohibit an insurer from denying a claim on the basis that an underground storage tank is not compatible with a motor fuel if the State Fire Marshal has determined otherwise.

H. B. No. 187 - Representative Ginter.

Cosponsors: Representatives LaTourette, Blessing, Schaffer, Vitale, Lepore-Hagan, Ruhl, Becker, Hambley.

To amend sections 4741.20 and 4765.01 and to enact section 4765.52 of the Revised Code to authorize a first responder, emergency medical technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic, or volunteer firefighter to stabilize an injured animal in an emergency.

H. B. No. 188 - Representatives Manning, Huffman.

Cosponsors: Representatives Maag, Rezabek.

To amend sections 4729.01, 4729.281, and 4729.39 of the Revised Code to revise the laws governing pharmacist consult agreements and the laws governing the circumstances under which a pharmacist may dispense or sell a drug without a prescription.

H. B. No. 189 - Representative Brenner.

Cosponsors: Representatives Becker, Maag, Hood, Thompson, Brinkman, Conditt, Schaffer, Vitale, Hayes, Retherford, Kraus, Rezabek, Green, LaTourette, Terhar, Hall, Huffman, Roegner, Ruhl, Butler, Buchy, Hambley, Young.

To amend sections 3501.01, 3503.14, 3503.16, 3503.19, 3503.28, 3505.18, 3505.181, 3505.182, 3505.183, 3509.03, 3509.04, 3509.05, 3509.08, 3511.02, 3511.05, 3511.09, 4507.50, and 4507.52 of the Revised Code to revise the law concerning the identification an elector must provide in order to cast absent voter's ballots, to vote in person at a polling place, or to cast a provisional ballot.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Celebrezze submitted the following report:

The standing committee on Rules and Reference to which was re-referred **Sub. H. B. No. 50**-Representatives Pelanda, Grossman, et al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Finance.

RE: WARD'S BILL OF RIGHTS/GUARDIANSHIP GUIDE/FOSTER CARE-EXTEND ELIGIBILITY

RON AMSTUTZ
NICKIE J. ANTONIO
ANDREW BRENNER
BILL HAYES
STEPHANIE KUNZE
SCOTT RYAN

FRED STRAHORN
KEVIN BOYCE
NICHOLAS CELEBREZZE
RON HOOD
DOROTHY PELANDA

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on Finance.

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

H. B. No. 169 - Representatives Brown and Reineke
TO MODIFY THE LAWS GOVERNING THE PRACTICE OF PHYSICAL THERAPY.

To the committee on Commerce and Labor

H. B. No. 170 - Representative Hagan
TO PROHIBIT AN EMPLOYER FROM TAKING AN ADVERSE EMPLOYMENT ACTION AGAINST A PERSON WHO HAS NOT BEEN OR WILL NOT BE VACCINATED AGAINST INFLUENZA.

To the committee on Commerce and Labor

H. B. No. 171 - Representatives Blessing and Dever
TO DECREASE THE MINIMUM AMOUNT OF HEROIN INVOLVED IN A VIOLATION OF TRAFFICKING IN HEROIN OR POSSESSION OF HEROIN THAT MAKES THE VIOLATION A FELONY OF THE FIRST DEGREE AND THAT IS NECESSARY TO CLASSIFY AN OFFENDER AS A MAJOR DRUG OFFENDER.

To the committee on Judiciary

H. B. No. 172 - Representative Barnes
TO ENACT THE FAIR AND ACCURATE REPORTING OF CRIMINAL RECORDS LAW, TO REQUIRE CERTAIN BUSINESS ENTITIES THAT PUBLISH CRIMINAL RECORD INFORMATION TO ENSURE THAT THE INFORMATION IS COMPLETE AND ACCURATE, TO PROVIDE A PROCEDURE BY WHICH A SUBJECT OF PUBLISHED CRIMINAL RECORD INFORMATION MAY HAVE INCOMPLETE OR INACCURATE INFORMATION CORRECTED OR REMOVED FROM THE PUBLICATION, AND TO PROVIDE REMEDIES FOR THE FAILURE OF A BUSINESS ENTITY TO REMOVE OR CORRECT INCOMPLETE OR INACCURATE INFORMATION.

To the committee on Commerce and Labor

H. B. No. 173 - Representatives Anielski and Terhar
TO AUTHORIZE COUNTY RECORDERS TO ISSUE OHIO VETERANS IDENTIFICATION CARDS.

To the committee on Armed Services, Veterans Affairs, and Public Safety

H. B. No. 174 - Representative Barnes
WITH REGARD TO ENTREPRENEURIAL SKILLS EDUCATION

REQUIREMENTS FOR PROFESSIONAL GRADUATE DEGREE PROGRAMS AT STATE INSTITUTIONS OF HIGHER EDUCATION.

To the committee on Education

H. B. No. 175 - Representative Barnes

TO ESTABLISH THE "ACCESS TO GLOBAL MARKET OPPORTUNITIES FOR OHIO MANUFACTURED PRODUCTS PROGRAM" TO BE COMPOSED OF THE "OHIO GLOBAL LEADERSHIP INITIATIVE" AND THE "GLOBAL INITIATIVE ON INTERNATIONAL RELATIONS" TO CREATE NEW, UNTAPPED GLOBAL MARKETS FOR OHIO BUSINESSES AND THEREBY PROMOTE JOB CREATION.

To the committee on Economic and Workforce Development

H. B. No. 176 - Representatives Hall and O'Brien, S.

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 Ways and Means

H. B. No. 177 - Representative Celebrezze

TO REQUIRE VIOLATORS OF SPECIFIED STATUTES IN THE ANIMAL CRUELTY LAW TO REGISTER WITH THE ATTORNEY GENERAL, TO REQUIRE THE ATTORNEY GENERAL TO ESTABLISH A REGISTRY OF THOSE VIOLATORS, AND TO PROHIBIT AN ANIMAL SHELTER FROM PLACING FOR ADOPTION A COMPANION ANIMAL IN THE SHELTER'S CARE WITH SUCH A VIOLATOR.

To the committee on Agriculture and Rural Development

Add the names: Boyce, Strahorn

H. B. No. 178 - Representative Manning

TO ESTABLISH THE F-10 LIQUOR PERMIT TO AUTHORIZE CERTAIN A-2 PERMIT HOLDERS TO SELL OHIO WINES AT FARMERS MARKETS.

To the committee on Government Accountability and Oversight

H. B. No. 179 - Representatives Stinziano and Sykes

TO REQUIRE THAT ELIGIBLE PERSONS IN THE DATABASE OF THE

BUREAU OF MOTOR VEHICLES BE AUTOMATICALLY REGISTERED TO VOTE OR HAVE THEIR REGISTRATIONS UPDATED AUTOMATICALLY, AS APPLICABLE, UNLESS THOSE PERSONS DECLINE TO BE REGISTERED OR TO UPDATE THEIR REGISTRATIONS.

To the committee on Government Accountability and Oversight

H. B. No. 180 - Representative Maag

TO PROHIBIT A PUBLIC AUTHORITY FROM REQUIRING A CONTRACTOR TO EMPLOY A CERTAIN PERCENTAGE OF INDIVIDUALS FROM THE GEOGRAPHIC AREA OF THE PUBLIC AUTHORITY FOR THE CONSTRUCTION OR PROFESSIONAL DESIGN OF A PUBLIC IMPROVEMENT.

To the committee on Commerce and Labor

H. B. No. 181 - Representative Clyde

TO REQUIRE THAT ELIGIBLE PERSONS IN CERTAIN GOVERNMENT AND SCHOOL DATABASES BE AUTOMATICALLY REGISTERED TO VOTE OR HAVE THEIR REGISTRATIONS UPDATED AUTOMATICALLY UNLESS THOSE PERSONS DECLINE TO DO SO AND TO CREATE AN ONLINE VOTER REGISTRATION SYSTEM.

To the committee on Government Accountability and Oversight

H. B. No. 182 - Representative Schuring

TO REVISE THE LAW GOVERNING THE CREATION AND OPERATION OF JOINT ECONOMIC DEVELOPMENT DISTRICTS (JEDDS) AND ENTERPRISE ZONES.

To the committee on Economic and Workforce Development

RON AMSTUTZ

BILL HAYES

STEPHANIE KUNZE

SCOTT RYAN

NICKIE J. ANTONIO

NICHOLAS CELEBREZZE

ANDREW BRENNER

RON HOOD

DOROTHY PELANDA

FRED STRAHORN

KEVIN BOYCE

Representative Ryan 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 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 were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Celebrezze reported for the Rules and Reference committee recommending that the following House Concurrent Resolution be introduced and referred to the following committee for consideration:

H. C. R. No. 14 - Representatives Slesnick and Ramos
TO DECLARE THE STATE OF OHIO'S SUPPORT OF ITS
STEELWORKERS IN URGING THE PRESIDENT AND THE CONGRESS
OF THE UNITED STATES TO ENSURE THAT THE PENSION BENEFIT
GUARANTY CORPORATION IS FULLY FUNDED AND PROPERLY
ADMINISTERED TO PAY PENSION BENEFITS TO RETIRED
STEELWORKERS AND THEIR SPOUSES.

To the committee on Commerce and Labor

/s/ RON AMSTUTZ
Ron Amstutz, Chair

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

The motion was agreed to.

Said House Concurrent Resolution was introduced and referred as recommended.

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

H. R. No. 88 - Speaker Rosenberger and Representative Duffey
Honoring Jack Nicklaus on receiving a Congressional Gold Medal.
Add the names: Kunze, Hood, Brenner, Strahorn, Boyce, Antonio, Ryan

H. R. No. 90 - Representatives Brenner, Schaffer, Blessing
Recognizing National Charter Schools Week, May 3-9, 2015.

H. R. No. 91 - Representatives Stinziano and Leland
Honoring The Ohio State University synchronized swimming team on winning the 2015 U.S. Collegiate National Championship.
Add the names: Hood, Kunze, Strahorn, Boyce

H. R. No. 92 - Representative Schuring
Designating Historic Preservation Month in Ohio, May 2015.

H. R. No. 93 - Representative Derickson

Honoring the Miami University collegiate synchronized skating team as the 2015 U.S. National Champion.

Add the names: Pelanda, Hayes, Ryan

H. R. No. 94 - Representative McColley

Honoring the St. Paul Lutheran School seventh- and eighth-grade girls basketball team as the 2015 All-Ohio Lutheran Basketball Tournament Champion.

H. R. No. 95 - Representative McColley

Honoring Advanced Rehabilitation Technology on its 2015 Excellence in Entrepreneurship Award.

H. R. No. 96 - Representative Landis

Honoring Eric Toukonen as the 2015 Ohio Division II Wrestling Coach of the Year.

H. R. No. 97 - Representative Landis

Honoring Tyler Warner as a 2015 Division II State Wrestling Champion.

H. R. No. 98 - Representative Leland

Honoring Katie Brosmer as the 2015 Ohio Big Sister of the Year.

H. R. No. 99 - Representative Perales

Honoring David Borden on being named the 2015 Ohio Big Brother of the Year.

H. R. No. 100 - Representative Butler

Honoring the Archbishop Alter High School girls basketball team on winning the 2015 Division II State Championship.

/s/RON AMSTUTZ

Ron Amstutz, Chair

Representative Ryan 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.

CLERK'S NOTATION

This is to acknowledge receipt from the Supreme Court of Ohio, on April 30, 2015, of amendments to the Ohio Rules of Appellate Procedure, the Ohio Rules of Civil Procedure, and the Ohio Rules of Juvenile Procedure.

On motion of Representative Ryan, the House adjourned until Wednesday, May 6, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.