

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
TUESDAY, JUNE 30, 2015

SEVENTY-FIFTH DAY

Hall of the House of Representatives, Columbus, Ohio

Tuesday, June 30, 2015, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Ginter-5th district, 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:

Brandon Rush, Alisha Swiney, and Natalie Kannan, guests of Representative Strahorn-39th district.

Emily Hayes, the granddaughter of Representative Hayes-72nd district.

Maya Loken, a guest of Representative Clyde-75th district.

Bill Herman and Dale Stewart, guests of Representative McColley-81st district.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 280 - Representatives Kraus, Koehler.

Cosponsors: Representatives Boose, Thompson, Becker, Maag, Hambley.

To enact section 2.01 of the Revised Code to adopt the Compact for a Balanced Budget and to declare an emergency.

Said bill was considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 6**-Representatives LaTourette, Kunze, et al., were taken up for consideration.

Sub. H. B. No. 6-Representatives LaTourette, Kunze.

Cosponsors: Representatives Amstutz, Antani, Antonio, Baker, Barnes, Brenner, Brown, Buchy, Burkley, Butler, Conditt, Cupp, Derickson, Dever, Driehaus, Duffey, Gerberry, Ginter, Gonzales, Green, Grossman, Hackett, Hagan, Hambley, Henne, Hill, Johnson, T., Koehler, Kraus, Landis, Maag, Manning, McClain, O'Brien, M., O'Brien, S., Patterson, Perales, Phillips, Rezabek, Roegner, Rogers, Ruhl, Schaffer, Schuring, Sears, Sheehy, Slaby, Smith, K., Smith, R., Sprague, Strahorn, Terhar, Young, Zeltwanger, Speaker Rosenberger Senators Obhof, Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gardner, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Oelslager, Peterson, Sawyer, Schiavoni, Tavares, Thomas, Uecker, Widener, Williams, Yuko.

To amend section 2901.13 of the Revised Code to increase the period of limitations for prosecution of rape or sexual battery, to extend that period of limitations 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.

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

The yeas and nays were taken and resulted – yeas 92, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Antonio
Ashford	Baker	Barnes	Becker
Bishoff	Blessing	Boose	Boyce
Boyd	Brenner	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Clyde	Conditt	Craig	Cupp
Curtin	Derickson	Dever	DeVitis
Dovilla	Driehaus	Duffey	Fedor
Gerberry	Ginter	Green	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Koehler	Kraus
Kuhns	Kunze	Landis	LaTourette
Leland	Lepore-Hagan	Maag	Manning
McClain	McColley	O'Brien, M.	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	Sweeney	Sykes	Terhar
Vitale	Young	Zeltwanger	Rosenberger-92

Representative Brinkman voted in the negative-1.

Having received a constitutional majority, the emergency clause stood as part of the bill.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Antonio
Ashford	Baker	Barnes	Becker
Bishoff	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	Ginter	Green
Hackett	Hagan	Hall	Hambley
Hayes	Henne	Hill	Hood
Howse	Huffman	Johnson, G.	Koehler
Kraus	Kuhns	Kunze	Landis
LaTourette	Leland	Lepore-Hagan	Maag
Manning	McClain	McColley	O'Brien, M.
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	Sweeney	Sykes
Terhar	Vitale	Young	Zeltwanger
			Rosenberger-93

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 238**-Representatives Sears, McColley, et al., were taken up for consideration.

Sub. H. B. No. 238-Representatives Sears, McColley.

Cosponsors: Representatives Brown, Blessing, Green, Buchy, Derickson, Fedor, Huffman, Schuring, Sheehy.

To amend section 5120.092 and to enact section 5120.80 of the Revised Code to allow the Director of Budget and Management to transfer funds from the Adult and Juvenile Correctional Facilities Bond Retirement Fund to any fund created in the state treasury administered by the Department of Rehabilitation and Correction or the Department of Youth Services, to create the Community Programs Fund, and to authorize the conveyance of state-owned real property.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted – yeas 56, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Baker
Becker	Blessing	Brinkman	Brown
Buchy	Burkley	Butler	Conditt
Cupp	Derickson	Dever	DeVitis
Dovilla	Ginter	Green	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Huffman
Koehler	Kraus	Kunze	Landis
LaTourette	Maag	Manning	McClain
McColley	Pelanda	Perales	Reineke
Retherford	Rezabek	Romanchuk	Ryan
Schaffer	Scherer	Schuring	Sears
Slaby	Smith, R.	Sprague	Terhar
Vitale	Young	Zeltwanger	Rosenberger-56

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Bishoff
Boose	Boyce	Boyd	Brenner
Celebrezze	Cera	Clyde	Craig
Curtin	Driehaus	Duffey	Fedor
Gerberry	Howse	Johnson, G.	Kuhns
Leland	Lepore-Hagan	O'Brien, M.	Patmon
Patterson	Phillips	Ramos	Reece
Rogers	Ruhl	Sheehy	Slesnick
Smith, K.	Stinziano	Strahorn	Sweeney
			Sykes-37

The Senate amendments were concurred in.

Representative Sears moved to amend the title as follows:

Remove the names: "Fedor and Sheehy."

MOTIONS AND RESOLUTIONS

Representative Dovilla moved that majority party members asking leave to be absent or absent the week of Tuesday, June 30, 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 Tuesday, June 30, 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

H. B. No. 180-Representative Maag.

Cosponsors: Representatives Romanchuk, Perales, Thompson, Burkley, Green, Blessing, Derickson, Reزابek, Duffey, Becker, Grossman, Boose, Ruhl, Retherford, Vitale, McColley, Henne, Hood, Hackett, Anielski, Brenner, Buchy, Zeltwanger, Young, Roegner.

To enact section 9.49 and to repeal sections 153.013 and 5525.26 of the Revised Code 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Sykes moved to amend, amendment 0760-2, as follows:

In line 2 of the title, after "to" insert "generally"

In line 7 of the title, after "improvement" insert "and to provide an exception for certain political subdivisions"

In line 59, delete "No" and insert "Except as otherwise provided in division (C) of this section, no"

In line 66, delete "No" and insert "Except as otherwise provided in division (C) of this section, no"

After line 70, insert:

"(C) This section does not apply to a political subdivision where both of the following apply:

(1) The unemployment rate of the political subdivision is above the state average at the time the bid specification for the proposed public improvement is issued.

(2) A county, with respect to the unincorporated territory of the county, a township, with respect to the unincorporated territory of the township, or a municipal corporation has adopted a resolution or ordinance, as applicable, that allows the political subdivision to require or incentivize a contractor to employ as laborers a certain number or percentage of individuals who reside within the defined geographic area or service area of the political subdivision.

For purposes of this division, a resolution adopted by a board of township trustees prevails over a conflicting resolution adopted by the board of county commissioners in the county within which the township is located.

Delete lines 73 through 93

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 58, nays 35, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Baker	Becker
Blessing	Boose	Brenner	Brown
Buchy	Burkley	Butler	Conditt
Cupp	Derickson	Dever	DeVitis
Dovilla	Duffey	Ginter	Green
Hackett	Hagan	Hall	Hambley
Hayes	Henne	Hill	Hood
Huffman	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-58

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Howse moved to amend, amendment 0905X1, as follows:

In line 2 of the title, after "to" insert "generally"

In line 59, delete "No" and insert "Except as provided in division (C) of this section, no"

In line 66, delete "No" and insert "Except as provided in division (C) of this section, no"

Between lines 70 and 71, insert:

"(C) This section does not apply to any public improvement constructed by or on behalf of a county that has adopted a charter pursuant to Section 3 of Article X, Ohio Constitution, if, before soliciting bids for the public improvement, the chartered county has adopted a resolution that allows the chartered county to require or provide incentives for a contractor to employ as laborers a certain number or percentage of individuals who reside within the defined geographic area or service area of the chartered county."

In line 90, after "authorities" insert "other than certain chartered counties as specified in that 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 59, 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	Duffey	Ginter
Green	Hackett	Hagan	Hall
Hambley	Hayes	Henne	Hill
Hood	Huffman	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-59

Those who voted in the negative were: Representatives

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

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 62, nays 31, as follows:

Those who voted in the affirmative were: Representatives

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

Those who voted in the negative were: Representatives

Anielski	Antonio	Ashford	Barnes
Boyce	Boyd	Celebrezze	Clyde
Craig	Curtin	Driehaus	Fedor

Gerberry	Howse	Johnson, G.	Kuhns
Leland	Lepore-Hagan	O'Brien, M.	Patmon
Patterson	Phillips	Ramos	Reece
Rogers	Sheehy	Smith, K.	Stinziano
Strahorn	Sweeney		Sykes-31

The bill passed.

Representative Maag moved to amend the title as follows:

Add the names: "Antani, Brinkman, Conditt, Hambley, Huffman, Kraus, Schaffer."

Remove the name: "Anielski."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 116-Representatives Brown, Ginter.

Cosponsors: Representatives Becker, Kuhns, Kraus, Lepore-Hagan, Huffman, Barnes, Bishoff, Duffey, Ramos.

To amend sections 1739.05, 5164.01, 5164.753, 5164.757, 5167.01, and 5167.12 and to enact sections 1751.68, 3923.602, 4729.20, and 5164.7511 of the Revised Code regarding insurance and Medicaid coverage of medication synchronization, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	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	Ginter	Green	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Koehler	Kraus
Kuhns	Kunze	Landis	LaTourette
Leland	Lepore-Hagan	Maag	Manning
McClain	McColley	O'Brien, M.	Patmon
Patterson	Pelanda	Perales	Phillips
Ramos	Reece	Reineke	Retherford
Rezabek	Rogers	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring
Sears	Sheehy	Slaby	Slesnick
Smith, T.	Smith, R.	Sprague	Stinziano

Strahorn
Vitale

Sweeney
Young

Sykes
Zeltwanger

Terhar
Rosenberger-92

The bill passed.

Representative Brown moved to amend the title as follows:

Add the names: "Anielski, Antonio, Baker, Blessing, Boyce, Boyd, Buchy, Burkley, Celebrezze, Clyde, Conditt, Craig, Derickson, Dever, Dovilla, Driehaus, Fedor, Green, Hackett, Hall, Hambley, Hayes, Henne, Hill, Howse, Johnson, G., Kunze, Landis, Leland, Maag, Manning, McClain, O'Brien, M., Patterson, Pelanda, Reece, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, Smith, K., Smith, R., Sprague, Stinziano, Strahorn, Sweeney, Sykes, Terhar, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

Cosponsors: Representatives Maag, Rezabek, Gonzales.

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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	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	Ginter	Green	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Koehler	Kraus
Kuhns	Kunze	Landis	LaTourette
Leland	Lepore-Hagan	Maag	Manning
McClain	McColley	O'Brien, M.	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
Vitale

Sweeney
Young

Sykes
Zeltwanger

Terhar
Rosenberger-92

The bill passed.

Representative Manning moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Antonio, Baker, Blessing, Boyce, Boyd, Buchy, Burkley, Conditt, Craig, Derickson, Dever, Dovilla, Gerberry, Ginter, Green, Hackett, Hall, Hambley, Hayes, Howse, Kraus, Kuhns, Leland, McClain, O'Brien, M., Patterson, Pelanda, Perales, Ramos, Reece, Retherford, Rogers, Ryan, Schaffer, Scherer, Sears, Sheehy, Slaby, Smith, R., Stinziano, Strahorn, Terhar, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 259-Representatives Ryan, Sears.

Cosponsors: Representatives Henne, Blessing, Hill, Duffey, Bishoff, Brenner, Smith, K., Hackett, Kuhns, Retherford, Stinziano.

To enact sections 3938.01, 3938.02, 3938.03, 3938.04, 3938.05, 3938.06, 3938.07, 3938.08, and 3938.09 of the Revised Code to regulate certificates of insurance prepared or issued to verify the purchase of property or casualty insurance coverage, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 91, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	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	Dovilla
Driehaus	Duffey	Fedor	Gerberry
Ginter	Green	Hackett	Hagan
Hall	Hambley	Hayes	Henne
Hill	Hood	Howse	Huffman
Johnson, G.	Koehler	Kraus	Kuhns
Kunze	Landis	LaTourette	Leland
Lepore-Hagan	Maag	Manning	McClain
McColley	O'Brien, M.	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

Sweeney
Young

Sykes
Zeltwanger

Terhar

Vitale
Rosenberger-91

Representative DeVitis voted in the negative-1.

The bill passed.

Representative Ryan moved to amend the title as follows:

Add the names: "Anielski, Buchy, Burkley, Green, Kraus, Kunze, McColley, Rogers, Sprague, Sweeney, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. Sub. S. B. No. 61-Senator Hughes.

Cosponsors: Senators Eklund, Patton, Seitz, Brown, Bacon, Balderson, Burke, Cafaro, Coley, Faber, Gardner, Hite, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Peterson, Sawyer, Schiavoni, Tavares, Thomas, Uecker, Widener, Williams, Yuko Representatives Barnes, Bishoff.

To amend section 3705.23 of the Revised Code to restrict to whom a certified copy of a death certificate containing the decedent's social security number may be issued, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Antonio
Ashford	Baker	Barnes	Becker
Blessing	Boose	Boyd	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Clyde	Conditt	Craig	Cupp
Curtin	Derickson	Dever	DeVitis
Dovilla	Driehaus	Duffey	Fedor
Gerberry	Ginter	Green	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Koehler	Kraus
Kuhns	Kunze	Landis	LaTourette
Leland	Lepore-Hagan	Maag	Manning
McClain	McColley	O'Brien, M.	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	Sweeney	Sykes	Terhar
Vitale	Young	Zeltwanger	Rosenberger-92

The bill passed.

Representative Huffman moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Blessing, Brown, Buchy, Burkley, Conditt, Derickson, Dever, Dovilla, Duffey, Fedor, Gerberry, Green, Hackett, Hambley, Hayes, Huffman, Kraus, Kuhns, Kunze, LaTourette, Leland, Lepore-Hagan, Maag, Manning, McColley, O'Brien, M., Patterson, Pelanda, Perales, Phillips, Ramos, Retherford, Rogers, Ruhl, Ryan, Schaffer, Sears, Sheehy, Slaby, Smith, K., Stinziano, Strahorn, Sweeney, Terhar, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Amstutz, the House recessed.

The House met pursuant to recess.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following joint resolution:

Sub. H. J. R. No. 4 - Representatives Smith, R., Curtin

Cosponsors: Representatives Brown, Buchy, Derickson, Green, McColley, Amstutz, Anielski, Blessing, Boose, Burkley, Butler, Conditt, Dever, Dovilla, Ginter, Grossman, Hackett, Hagan, Hall, Hayes, Henne, Hill, Huffman, Johnson, T., Koehler, Kraus, Landis, Maag, Manning, McClain, Perales, Reineke, Retherford, Rezabek, Ryan, Schaffer, Scherer, Schuring, Sears, Slaby, Sprague, Terhar, Thompson, Speaker Rosenberger Senators Faber, Bacon, Balderson, Burke, Hite, Hottinger, Lehner, Peterson, Uecker, Widener

Proposing to amend Section 1e of Article II of the Constitution of the State of Ohio to prohibit an initiated constitutional amendment that would grant a monopoly, oligopoly, or cartel, specify or determine a tax rate, or confer a commercial interest, right, or license to any person or nonpublic entity.

As a substitute joint resolution, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

Representative Amstutz moved that the Senate amendments to **Sub. H. J. R. No. 4**-Representatives Smith, R., Curtin, et al., be taken up for immediate consideration.

The motion was agreed to.

The Senate amendments to **Sub. H. J. R. No. 4**-Representatives Smith, R., Curtin, et al., were taken up for consideration.

Sub. H. J. R. No. 4-Representatives Smith, R., Curtin.

Cosponsors: Representatives Brown, Buchy, Derickson, Green, McColley, Amstutz, Anielski, Blessing, Boose, Burkley, Butler, Conditt, Dever, Dovilla, Ginter, Grossman, Hackett, Hagan, Hall, Hayes, Henne, Hill, Huffman, Johnson, T., Koehler, Kraus, Landis, Maag, Manning, McClain, Perales, Reineke, Retherford, Rezabek, Ryan, Schaffer, Scherer, Schuring, Sears, Slaby, Sprague, Terhar, Thompson, Speaker Rosenberger Senators Faber, Bacon, Balderson, Burke, Hite, Hottinger, Lehner, Peterson, Uecker, Widener.

Proposing to amend Section 1e of Article II of the Constitution of the State of Ohio to prohibit an initiated constitutional amendment that would grant a monopoly, oligopoly, or cartel, specify or determine a tax rate, or confer a commercial interest, right, or license to any person or nonpublic entity.

Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each house concurring herein, that there shall be submitted to the electors of the state, in the manner prescribed by law at the general election to be held on November 3, 2015, a proposal to amend Section 1e of Article II of the Constitution of the State of Ohio to read as follows:

ARTICLE II

Section 1e. (A) The powers defined herein as the "initiative" and "referendum" shall not be used to pass a law authorizing any classification of property for the purpose of levying different rates of taxation thereon or of authorizing the levy of any single tax on land or land values or land sites at a higher rate or by a different rule than is or may be applied to improvements thereon or to personal property.

(B)(1) Restraint of trade or commerce being injurious to this state and its citizens, the power of the initiative shall not be used to pass an amendment to this constitution that would grant or create a monopoly, oligopoly, or cartel, specify or determine a tax rate, or confer a commercial interest, commercial right, or commercial license to any person, nonpublic entity, or group of persons or nonpublic entities, or any combination thereof, however organized, that is not then available to other similarly situated persons or nonpublic entities.

(2) If a constitutional amendment proposed by initiative petition is certified to appear on the ballot and, in the opinion of the Ohio ballot board, the amendment would conflict with division (B)(1) of this section, the board shall prescribe two separate questions to appear on the ballot, as follows:

(a) The first question shall be as follows:

"Shall the petitioner, in violation of division (B)(1) of Section 1e of Article II of the Ohio Constitution, be authorized to initiate a constitutional amendment that grants or creates a monopoly, oligopoly, or cartel, specifies or determines a tax rate, or confers a commercial interest, commercial right, or commercial license that is not available to other similarly situated persons?"

(b) The second question shall describe the proposed constitutional amendment.

(c) If both questions are approved or affirmed by a majority of the electors voting on them, then the constitutional amendment shall take effect. If only one question is approved or affirmed by a majority of the electors voting on it, then the constitutional amendment shall not take effect.

(3) If, at the general election held on November 3, 2015, the electors approve a proposed constitutional amendment that conflicts with division (B)(1) of this section with regard to the creation of a monopoly, oligopoly, or cartel for the sale, distribution, or other use of any federal Schedule I controlled substance, then notwithstanding any severability provision to the contrary, that entire proposed constitutional amendment shall not take effect. If, at any subsequent election, the electors approve a proposed constitutional amendment that was proposed by an initiative petition, that conflicts with division (B)(1) of this section, and that was not subject to the procedure described in division (B)(2) of this section, then notwithstanding any severability provision to the contrary, that entire proposed constitutional amendment shall not take effect.

(C) The supreme court of Ohio shall have original, exclusive jurisdiction in any action that relates to this section.

EFFECTIVE DATE AND REPEAL

If adopted by a majority of the electors voting on this proposal, Section 1e of Article II as amended by this proposal shall take immediate effect and existing Section 1e of Article II of the Constitution of the State of Ohio shall be repealed from that effective date.

SCHEDULE

Division (B)(1) of Section 1e of Article II of the Constitution of the State of Ohio, as amended by this proposal, does not apply to any provision of the Constitution of the State of Ohio in effect prior to the effective date of that amendment.

The question being, "Shall the Senate amendments be concurred in?"

June 30, 2015

The Honorable Clifford A. Rosenberger, Speaker
The Ohio House of Representatives
Columbus, Ohio

Speaker Rosenberger,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on the Senate amendments to **Sub. H. J. R. No. 4-** Representatives Smith, R., Curtin, et al., because it might be construed that I have an interest in the legislation.

Sincerely,

/s/ MICHAEL STINZIANO
MICHAEL STINZIANO
State Representative
18th House District

The request was granted.

June 30, 2015

The Honorable Clifford A. Rosenberger, Speaker
The Ohio House of Representatives
Columbus, Ohio

Speaker Rosenberger,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on the Senate amendments to **Sub. H. J. R. No. 4-** Representatives Smith, R., Curtin, et al., because it might be construed that I have an interest in the legislation.

Sincerely,

/s/ MICHELE LEPORE-HAGAN
MICHELE LEPORE-HAGAN

State Representative
58th House District

The request was granted.

June 30, 2015

The Honorable Clifford A. Rosenberger, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Rosenberger,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on the Senate amendments to **Sub. H. J. R. No. 4-** Representatives Smith, R., Curtin, et al., because it might be construed that I have an interest in the legislation.

Sincerely,

/s/ ALICIA REECE
ALICIA REECE
State Representative
33rd House District

The request was granted.

The yeas and nays were taken and resulted – yeas 72, nays 15, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Ashford
Baker	Barnes	Becker	Blessing
Boose	Boyce	Brenner	Brinkman
Brown	Buchy	Burkley	Butler
Conditt	Craig	Cupp	Curtin
Derickson	Dever	Dovilla	Duffey
Fedor	Ginter	Green	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Koehler
Kraus	Kunze	Landis	LaTourette
Leland	Maag	Manning	McClain
McColley	Patmon	Patterson	Pelanda
Perales	Reineke	Retherford	Rezabek
Rogers	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Sheehy	Slaby	Slesnick	Smith, K.
Smith, R.	Sprague	Sweeney	Terhar
Vitale	Young	Zeltwanger	Rosenberger-72

Those who voted in the negative were: Representatives

Antonio	Boyd	Celebrezze	Cera
Clyde	Driehaus	Gerberry	Howse
Johnson, G.	Kuhns	O'Brien, M.	Phillips
Ramos	Strahorn		Sykes-15

The Senate amendments were concurred in.

Sub. H. J. R. No. 4-Representatives Smith, R., Curtin.

Cosponsors: Representatives Brown, Buchy, Derickson, Green, McColley, Amstutz, Anielski, Blessing, Boose, Burkley, Butler, Conditt, Dever, Dovilla, Ginter, Grossman, Hackett, Hagan, Hall, Hayes, Henne, Hill, Huffman, Johnson, T., Koehler, Kraus, Landis, Maag, Manning, McClain, Perales, Reineke, Retherford, Rezabek, Ryan, Schaffer, Scherer, Schuring, Sears, Slaby, Sprague, Terhar, Thompson, Speaker Rosenberger Senators Faber, Bacon, Balderson, Burke, Hite, Hottinger, Lehner, Peterson, Uecker, Widener.

Proposing to amend Section 1e of Article II of the Constitution of the State of Ohio to prohibit an initiated constitutional amendment that would grant a monopoly, oligopoly, or cartel, specify or determine a tax rate, or confer a commercial interest, right, or license to any person or nonpublic entity.

Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each house concurring herein, that there shall be submitted to the electors of the state, in the manner prescribed by law at the general election to be held on November 3, 2015, a proposal to amend Section 1e of Article II of the Constitution of the State of Ohio to read as follows:

ARTICLE II

Section 1e. (A) The powers defined herein as the "initiative" and "referendum" shall not be used to pass a law authorizing any classification of property for the purpose of levying different rates of taxation thereon or of authorizing the levy of any single tax on land or land values or land sites at a higher rate or by a different rule than is or may be applied to improvements thereon or to personal property.

(B)(1) Restraint of trade or commerce being injurious to this state and its citizens, the power of the initiative shall not be used to pass an amendment to this constitution that would grant or create a monopoly, oligopoly, or cartel, specify or determine a tax rate, or confer a commercial interest, commercial right, or commercial license to any person, nonpublic entity, or group of persons or nonpublic entities, or any combination thereof, however organized, that is not then available to other similarly situated persons or nonpublic entities.

(2) If a constitutional amendment proposed by initiative petition is

certified to appear on the ballot and, in the opinion of the Ohio ballot board, the amendment would conflict with division (B)(1) of this section, the board shall prescribe two separate questions to appear on the ballot, as follows:

(a) The first question shall be as follows:

"Shall the petitioner, in violation of division (B)(1) of Section 1e of Article II of the Ohio Constitution, be authorized to initiate a constitutional amendment that grants or creates a monopoly, oligopoly, or cartel, specifies or determines a tax rate, or confers a commercial interest, commercial right, or commercial license that is not available to other similarly situated persons?"

(b) The second question shall describe the proposed constitutional amendment.

(c) If both questions are approved or affirmed by a majority of the electors voting on them, then the constitutional amendment shall take effect. If only one question is approved or affirmed by a majority of the electors voting on it, then the constitutional amendment shall not take effect.

(3) If, at the general election held on November 3, 2015, the electors approve a proposed constitutional amendment that conflicts with division (B)(1) of this section with regard to the creation of a monopoly, oligopoly, or cartel for the sale, distribution, or other use of any federal Schedule I controlled substance, then notwithstanding any severability provision to the contrary, that entire proposed constitutional amendment shall not take effect. If, at any subsequent election, the electors approve a proposed constitutional amendment that was proposed by an initiative petition, that conflicts with division (B)(1) of this section, and that was not subject to the procedure described in division (B)(2) of this section, then notwithstanding any severability provision to the contrary, that entire proposed constitutional amendment shall not take effect.

(C) The supreme court of Ohio shall have original, exclusive jurisdiction in any action that relates to this section.

EFFECTIVE DATE AND REPEAL

If adopted by a majority of the electors voting on this proposal, Section 1e of Article II as amended by this proposal shall take immediate effect and existing Section 1e of Article II of the Constitution of the State of Ohio shall be repealed from that effective date.

SCHEDULE

Division (B)(1) of Section 1e of Article II of the Constitution of the

State of Ohio, as amended by this proposal, does not apply to any provision of the Constitution of the State of Ohio in effect prior to the effective date of that amendment.

The question being, “Shall **Sub. H. J. R. No. 4**-Representatives Smith, R., Curtin, et al., as amended by the Senate, be adopted?”

The yeas and nays were taken and resulted – yeas 72, nays 15, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Ashford
Baker	Barnes	Becker	Blessing
Boose	Boyce	Brenner	Brinkman
Brown	Buchy	Burkley	Butler
Conditt	Craig	Cupp	Curtin
Derickson	Dever	Dovilla	Duffey
Fedor	Ginter	Green	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Koehler
Kraus	Kunze	Landis	LaTourette
Leland	Maag	Manning	McClain
McColley	Patmon	Patterson	Pelanda
Perales	Reineke	Retherford	Rezabek
Rogers	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Sheehy	Slaby	Slesnick	Smith, K.
Smith, R.	Sprague	Sweeney	Terhar
Vitale	Young	Zeltwanger	Rosenberger-72

Those who voted in the negative were: Representatives

Antonio	Boyd	Celebrezze	Cera
Clyde	Driehaus	Gerberry	Howse
Johnson, G.	Kuhns	O'Brien, M.	Phillips
Ramos	Strahorn		Sykes-15

The joint resolution, as amended by the Senate, was adopted.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following concurrent resolution:

Am. H. C. R. No. 12 – Representatives LaTourette, Antonio
Cosponsors: Representatives Johnson, T., Lepore-Hagan, Ramos, Gerberry, Ruhl, Blessing, Stinziano, Phillips, Sykes, Patterson, Antani, Duffey, Barnes, Rezabek, Boyce, Bishoff, Grossman, Fedor, Smith, K., Rogers, Celebrezze, Kuhns, Leland, Howse, Reece, Gonzales, Brown, Schuring, Sprague, Baker, Brenner, Buchy, Cera, Conditt, Derickson, Dever, Driehaus, Ginter, Green,

Hackett, Hall, Hambley, Hayes, Henne, Huffman, Kunze, Maag, McClain, McColley, O'Brien, M., O'Brien, S., Perales, Reineke, Romanchuk, Sears, Sheehy, Slesnick, Smith, R., Sweeney, Terhar, Young, Speaker Rosenberger
Senators Hite, Gardner, Beagle, Jones, Lehner, Tavares, Brown, Cafaro, Burke, Coley, Eklund, Faber, Gentile, Hottinger, Hughes, LaRose, Manning, Obhof, Oelslager, Peterson, Schiavoni, Skindell, Thomas, Uecker, Widener, Yuko

To declare Ohio's rate of infant mortality a public health crisis and urge comprehensive preterm birth risk screening for all pregnant women in Ohio.

With the following additional amendments, in which the concurrence of the House is requested:

In line 19, delete "38%" and insert "over 52%"

In line 20, delete "(about 53,000 annually)" and insert "(in 2013, 70,479 pregnancies)"

Attest:

Vincent L. Keeran,
Clerk.

Representative Amstutz moved that the Senate amendments to **Am. H. C. R. No. 12**-Representatives LaTourette, Antonio, et al., be taken up for immediate consideration.

The motion was agreed to.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted – yeas 87, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Antonio
Ashford	Baker	Barnes	Becker
Blessing	Boose	Boyce	Boyd
Brenner	Brown	Buchy	Burkley
Butler	Celebrezze	Cera	Clyde
Conditt	Craig	Cupp	Curtin
Derickson	Dever	Dovilla	Driehaus
Duffey	Fedor	Gerberry	Ginter
Green	Hackett	Hagan	Hall
Hambley	Hayes	Henne	Hill
Hood	Howse	Johnson, G.	Koehler
Kraus	Kuhns	Kunze	Landis
LaTourette	Leland	Maag	Manning
McClain	McColley	O'Brien, M.	Patmon
Patterson	Pelanda	Perales	Phillips
Ramos	Reece	Reineke	Retherford
Rezabek	Rogers	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring

Sears
Smith, K.
Strahorn
Young

Sheehy
Smith, R.
Sykes
Zeltwanger

Slaby
Sprague
Terhar

Slesnick
Stinziano
Vitale
Rosenberger-87

Representative Brinkman voted in the negative-1.

The Senate amendments were concurred in.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on June 30, 2015, signed the following:

Am. H. B. No. 51-Representative Hackett – et al.

Am. Sub. H. B. No. 52-Representative Hackett – et al.

Sub. H. J. R. No. 4-Representatives Smith, R., Curtin – et al.

CLERK'S NOTATION

This is to acknowledge receipt from the office of the Governor, on June 30, 2015, a statement of the reasons for the veto of items in **Am. Sub. H. B. No. 64**.

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

Attest:

BRADLEY J. YOUNG,
Clerk.