

OHIO

House

of

Representatives

JOURNAL

MONDAY, NOVEMBER 16, 2015

ONE HUNDRED TENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Monday, November 16, 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 Brenner was selected to preside under the Rule.

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

Representative Kunze moved that the House advance to the sixth order of business, being motions and resolutions.

The motion was agreed to.

MOTIONS AND RESOLUTIONS

Representative Kunze moved that **Sub. H. B. No. 50**-Representatives Pelanda, Grossman – et al., be taken from the calendar and re-referred to the committee on Rules and Reference.

The motion was agreed to without objection.

MESSAGE FROM THE SPEAKER

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

Remove Representatives Antonio, Hood, and Ryan; appoint Representatives Craig, Brown, and Hackett.

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

The motion was agreed to.

On motion of Representative Kunze, the House recessed.

The House met pursuant to recess.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 396 - Representative Hall.

Cosponsors: Representatives Dovilla, Thompson, O'Brien, M., Patterson, Strahorn, Sprague, Young, Slaby, Smith, K., Arndt, Blessing.

To amend section 1531.17 and to enact sections 1532.01, 1532.02, 1532.03, 1532.04, 1532.05, and 1532.99 of the Revised Code to prohibit the possession, introduction, sale, or offer of sale of specified restricted and prohibited species.

H. B. No. 397 - Representative Thompson.

Cosponsors: Representatives Amstutz, Antani, Becker, Blessing, Boyd, Buchy, Derickson, Dever, Green, Grossman, Hall, Hood, Retherford, Romanchuk, Strahorn, Slesnick, Vitale, Young.

To amend section 4501.21 and to enact section 4503.97 of the Revised Code to create the "I Stand with Israel" license plate.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Boyce submitted the following report:

The standing committee on Rules and Reference to which was referred **Sub. H. B. No. 50**-Representatives Pelanda, Grossman, et. al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

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

Representative Pelanda moved to amend as follows:

In line 740, delete "May 1, 2016" and insert "July 1, 2017"

In line 756, delete "May 1, 2016" and insert "July 1, 2017"

In line 834, delete "The" and insert "Not later than July 1, 2017, the"

Delete lines 884 through 921

The motion was agreed to and the bill so amended.

Representative Pelanda moved to amend as follows:

In line 7 of the title, delete "to provide a"

In line 8 of the title, delete "ward's bill of rights;"

In line 18, after the first "a" insert "guardianship"; after the first underlined comma insert "prepared by the attorney general or the Ohio judicial conference"

In line 32, delete "has prepared a guardianship"

In line 33, delete "guide and"

In line 34, delete all after "guide"

In line 35, delete all before "clerk" and insert ", the updated guide shall include the rights of a ward. The"

In line 48, delete "by July 1, 2015, and"

In line 51, delete ", including"

Delete line 52

In line 53, delete "this section"

In line 59, delete the second "the"

Delete line 60

In line 61, delete "(1) A" and insert "a"; delete the underlined semicolon

In line 62, delete "(2) The bill of rights of a ward" and insert "pursuant to this section"

In line 63, delete "with the ward's"

In line 64, delete "bill of rights pursuant to division (A) or (B) of this section"

In line 66, after "section" insert ". The signed form shall be kept permanently in the guardianship file of the probate court"

Delete lines 67 through 100

The motion was agreed to and the bill so amended.

RON AMSTUTZ
TIM W. BROWN
BILL HAYES
DOROTHY PELANDA

ANDREW BRENNER
ROBERT D. HACKETT
STEPHANIE KUNZE

The following members voted "NO"

KEVIN BOYCE
DANIEL RAMOS

HEARCEL F. CRAIG

The report was agreed to.

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

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

H. B. No. 377 - Representative Brinkman

TO PROHIBIT ANY REQUIREMENT THAT EMPLOYEES OF PRIVATE EMPLOYERS JOIN OR PAY DUES TO ANY EMPLOYEE ORGANIZATION AND TO ESTABLISH CIVIL AND CRIMINAL PENALTIES AGAINST EMPLOYERS WHO VIOLATE THAT PROHIBITION.

To the committee on Commerce and Labor

H. B. No. 378 - Representatives Hambley and Rezabek

TO AUTHORIZE LAW ENFORCEMENT OFFICERS OF TOWNSHIP POLICE DISTRICTS AND JOINT POLICE DISTRICTS, AND TOWNSHIP CONSTABLES, SERVING SPECIFIED SMALL POPULATIONS TO MAKE ARRESTS FOR MOTOR VEHICLE-RELATED VIOLATIONS COMMITTED ON AN INTERSTATE HIGHWAY IN THE SAME MANNER AS TOWNSHIP LAW ENFORCEMENT OFFICERS SERVING LARGER POPULATIONS.

To the committee on Local Government

H. B. No. 379 - Representative Lepore-Hagan

WITH REGARD TO THE OPERATION OF ACADEMIC DISTRESS COMMISSIONS AND TO MODIFY THE EARMARKED FUNDING FOR THE ESTABLISHMENT OF ACADEMIC DISTRESS COMMISSIONS.

To the committee on Education

H. B. No. 380 - Representatives Dever and Reece

TO REQUIRE EACH LAW ENFORCEMENT AGENCY TO ADOPT A WRITTEN POLICY REGARDING THE INVESTIGATION OF FIREARMS-RELATED OFFICER-INVOLVED DEATHS THAT INVOLVE AN OFFICER SERVING THE AGENCY; TO PROVIDE FOR INVESTIGATIONS INTO OFFICER-INVOLVED DEATHS BY INVESTIGATORY PANELS OF LAW ENFORCEMENT OFFICERS; TO REQUIRE AN INVESTIGATORY PANEL TO PROVIDE A REPORT OF ITS INVESTIGATION FINDINGS TO THE PROSECUTOR AND THE OFFICER'S LAW ENFORCEMENT AGENCY; TO PROVIDE FOR PUBLIC ACCESS TO THE REPORT, EXCEPT FOR INFORMATION THAT IS NOT A PUBLIC RECORD, IF THE PROSECUTOR DETERMINES THAT THERE IS NO BASIS TO PROSECUTE OR A GRAND JURY ENTERS A NO BILL REGARDING THE INVOLVED OFFICER; AND TO REQUIRE AN INVESTIGATORY PANEL TO INFORM THE DECEASED INDIVIDUAL'S FAMILY MEMBERS OF

CONTACT INFORMATION FOR THE OFFICE OF THE PROSECUTOR HANDLING THE CASE.

To the committee on Judiciary

H. B. No. 381 - Representatives Ramos and Howse

TO REQUIRE THE DIRECTOR OF JOB AND FAMILY SERVICES TO REQUEST A FEDERAL WAIVER OF TIME LIMITS FOR CERTAIN SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM RECIPIENTS.

To the committee on State Government

H. B. No. 382 - Representative Leland

TO DESIGNATE THE MONTH OF OCTOBER AS "OHIO PRINCIPALS MONTH."

To the committee on Education

H. B. No. 383 - Representatives Hagan and McColley

TO REQUIRE ONE-HALF UNIT OF ECONOMIC AND FINANCIAL LITERACY IN THE HIGH SCHOOL SOCIAL STUDIES CURRICULUM, TO REQUIRE THE CHANCELLOR OF HIGHER EDUCATION TO PREPARE AN INFORMED STUDENT DOCUMENT FOR EACH STATE INSTITUTION OF HIGHER EDUCATION, TO REQUIRE THE STATE BOARD OF EDUCATION TO INCLUDE INFORMATION ON THE INFORMED STUDENT DOCUMENT IN THE STANDARDS AND MODEL CURRICULA IT CREATES FOR FINANCIAL LITERACY AND ENTREPRENEURSHIP, AND TO ENTITLE THE ACT THE "INFORMED STUDENT DOCUMENT ACT."

To the committee on Education

H. B. No. 384 - Representatives Schaffer and Duffey

TO SPECIFY THAT STATE INSTITUTIONS OF HIGHER EDUCATION MAY BE SUBJECT TO PERFORMANCE AUDITS CONDUCTED BY THE AUDITOR OF STATE.

To the committee on Government Accountability and Oversight

H. B. No. 385 - Representatives Driehaus and Howse

TO CREATE THE GENDER PAY DISPARITY TASK FORCE.

To the committee on Community and Family Advancement

H. B. No. 386 - Representative Perales

TO ADD A REPRESENTATION OF THE WRIGHT BROTHERS' FIRST PILOTED AIRPLANE TO THE COAT OF ARMS AND GREAT SEAL OF THE STATE OF OHIO.

To the committee on State Government

H. B. No. 387 - Representatives Terhar and Dever

TO RAISE THE MAXIMUM ALLOWABLE LIMIT OF THE MONETARY JURISDICTION OF SMALL CLAIMS DIVISIONS OF MUNICIPAL

COURTS.

To the committee on Local Government

H. B. No. 388 - Representative Scherer

TO AUTHORIZE A COURT TO GRANT UNLIMITED DRIVING PRIVILEGES WITH AN IGNITION INTERLOCK DEVICE TO FIRST-TIME OVI OFFENDERS, TO EXPAND THE PENALTIES RELATED TO IGNITION INTERLOCK DEVICE VIOLATIONS, TO MODIFY THE LAW GOVERNING THE INSTALLATION AND MONITORING THE IGNITION INTERLOCK DEVICES, TO EXTEND THE LOOK BACK PERIOD FOR OVI AND OVI-RELATED OFFENSES FROM SIX TO TEN YEARS, AND TO MODIFY THE PENALTIES FOR OVI OFFENSES.

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

H. B. No. 389 - Representatives Antonio and Driehaus

TO ENACT THE OHIO FAIRNESS ACT TO PROHIBIT DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION OR GENDER IDENTITY OR EXPRESSION, TO ADD MEDIATION TO THE LIST OF INFORMAL METHODS BY WHICH THE OHIO CIVIL RIGHTS COMMISSION MAY USE TO INDUCE COMPLIANCE WITH OHIO'S CIVIL RIGHTS LAW BEFORE INSTITUTING A FORMAL HEARING, AND TO UPHOLD EXISTING RELIGIOUS EXEMPTIONS UNDER OHIO CIVIL RIGHTS LAW.

To the committee on Community and Family Advancement

H. B. No. 390 - Representatives Schaffer and Retherford

TO EXEMPT THE SALE OF NATURAL GAS BY A MUNICIPAL GAS COMPANY FROM THE SALES AND USE TAX.

To the committee on Ways and Means

H. B. No. 391 - Representative Terhar

TO REQUIRE THE CHANCELLOR OF HIGHER EDUCATION TO CREATE THE SMARTOHIO FINANCIAL LITERACY PILOT PROGRAM AT THE UNIVERSITY OF CINCINNATI TO OPERATE FOR THE 2016-2017 SCHOOL YEAR AND TO MAKE AN APPROPRIATION.

To the committee on Finance

H. B. No. 392 - Representatives Sykes and Kuhns

TO AUTHORIZE THE ISSUANCE OF DOMESTIC VIOLENCE PROTECTION ORDERS WITH RESPECT TO CONDUCT DIRECTED AT AN INTIMATE PARTNER, TO PROVIDE ACCESS TO DOMESTIC VIOLENCE SHELTERS FOR INTIMATE PARTNERS WHO ARE VICTIMS OF DOMESTIC VIOLENCE, AND TO REQUIRE THE ATTORNEY GENERAL'S VICTIM'S BILL OF RIGHTS PAMPHLET TO INCLUDE A NOTICE THAT AN INTIMATE PARTNER WHO IS THE VICTIM OF DOMESTIC VIOLENCE HAS THE RIGHT TO PETITION

FOR A CIVIL PROTECTION ORDER.

To the committee on Judiciary

H. B. No. 393 - Representative Blessing

TO ALLOW A PERSON TO POSSESS AN OPEN CONTAINER OF BEER OR INTOXICATING LIQUOR ON THE PREMISES OF A MARKET IF THE BEER OR INTOXICATING LIQUOR WAS PURCHASED FROM AN ADJACENT D PERMIT PREMISES AND THE MARKET IS HOSTING AN EVENT PURSUANT TO AN F-8 PERMIT HELD FOR THE MARKET AND GRANTS PERMISSION FOR THE POSSESSION AND CONSUMPTION WITHIN THE DEFINED F-8 PERMIT PREMISES.

To the committee on Government Accountability and Oversight

H. B. No. 394 - Representative Sears

TO TEMPORARILY CHANGE THE TAXABLE WAGE BASE UNDER OHIO'S UNEMPLOYMENT COMPENSATION LAW, TO REMOVE DEPENDENCY CLASSES FOR UNEMPLOYMENT COMPENSATION BENEFIT ELIGIBILITY, TO TEMPORARILY FREEZE AUTOMATIC INCREASES FOR WEEKLY UNEMPLOYMENT COMPENSATION BENEFIT AMOUNTS, TO REDUCE THE NUMBER OF WEEKS FOR WHICH AN INDIVIDUAL MAY RECEIVE UNEMPLOYMENT COMPENSATION BENEFITS, TO ABOLISH THE UNEMPLOYMENT COMPENSATION ADVISORY COUNCIL, AND TO MAKE OTHER CHANGES TO OHIO'S UNEMPLOYMENT COMPENSATION LAW.

To the committee on Insurance

H. B. No. 395 - Representative Pelanda

TO ESTABLISH THE CEMETERY GRANT PROGRAM AND TO MAKE AN APPROPRIATION.

To the committee on Finance

S. B. No. 209 - Senator Hite

TO ENACT THE "OHIO RURAL JOBS ACT" WHICH AUTHORIZES A NONREFUNDABLE TAX CREDIT FOR INSURANCE COMPANIES THAT INVEST IN RURAL BUSINESS GROWTH FUNDS, WHICH ARE CERTIFIED TO PROVIDE CAPITAL TO RURAL AND AGRICULTURAL BUSINESSES.

To the committee on Agriculture and Rural Development

Am. S. B. No. 214 - Senator Faber

TO REQUIRE THE DEPARTMENT OF HEALTH TO ENSURE THAT STATE FUNDS AND CERTAIN FEDERAL FUNDS ARE NOT USED EITHER TO PERFORM OR PROMOTE NONTHERAPEUTIC ABORTIONS, OR TO CONTRACT OR AFFILIATE WITH ANY ENTITY THAT PERFORMS OR PROMOTES NONTHERAPEUTIC ABORTIONS.

To the committee on Community and Family Advancement

S. B. No. 223 - Senator Bacon

TO MAKE CHANGES TO THE HEALTH COVERAGE BENEFIT LIMITS AND COVERAGE EXCLUSIONS FOR LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATIONS.

To the committee on Insurance

RON AMSTUTZ

TIM W. BROWN

BILL HAYES

DOROTHY PELANDA

ANDREW BRENNER

ROBERT D. HACKETT

STEPHANIE KUNZE

KEVIN BOYCE

Representative Brenner moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills and Senate Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H. C. R. No. 29 - Representative Hill

TO OPPOSE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S CLEAN POWER PLAN.

To the committee on Energy and Natural Resources

H. C. R. No. 30 - Speaker Rosenberger and Representative Johnson, T.

TO URGE CONGRESS AND THE UNITED STATES DEPARTMENT OF ENERGY TO REVERSE THE DECISION TO TERMINATE FUNDING OF THE AMERICAN CENTRIFUGE PROGRAM AT THE AMERICAN CENTRIFUGE PLANT IN PIKETON, OHIO.

To the committee on Energy and Natural Resources

/s/ RON AMSTUTZ

Ron Amstutz, Chair

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

The motion was agreed to.

Said House Concurrent Resolutions was introduced and referred as recommended.

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

H. R. No. 242 - Representative Landis

Honoring Mark Schlabach as the 2015 Division III State Champion in boys golf.

H. R. No. 243 - Representative Gonzales

Honoring the City of New Albany as the Best Suburb in America for 2015.

/s/RON AMSTUTZ

Ron Amstutz, Chair

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

The motion was agreed to.

MESSAGE FROM THE SPEAKER

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

Remove Representatives Craig, Brown, and Hackett; appoint Representatives Antonio, Hood, and Ryan.

On motion of Representative Brenner, the House adjourned until Tuesday, November 17, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.