

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MAY 17, 2016

ONE HUNDRED SEVENTY-SECOND DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, May 17, 2016, 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 Hayes moved that the House advance to the sixth order of business, being motions and resolutions.

The motion was agreed to.

MOTIONS AND RESOLUTIONS

Representative Hayes moved that **Sub. H. B. No. 432**-Representatives Cupp, Rezabek, be taken from the calendar and re-referred to the committee on Rules and Reference.

The motion was agreed to without objection.

Representative Hayes moved that **Sub. H. B. No. 444**-Representative Blessing, et al., be taken from the calendar and re-referred to the committee on Government Accountability and Oversight.

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 Kunze and Ryan; appoint Representatives Cupp and Schuring.

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

The motion was agreed to.

On motion of Representative Hayes, the House recessed.

The House met pursuant to recess.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 567 - Representative Driehaus.

To enact section 187.14 of the Revised Code to require that, if JobsOhio provides financial assistance for the cleanup and remediation of brownfields, at least 85% of the assistance must be in the form of grants.

H. B. No. 568 - Representatives Phillips, Rogers.

Cosponsors: Representatives Driehaus, Howse, Lepore-Hagan, Ramos, Smith, K., Strahorn.

To amend sections 121.083, 1349.61, 4111.02, 4111.14, 4113.15, 4115.03, 4121.01, 4123.01, 4123.026, 4141.01, and 5747.01 and to enact sections 4113.83, 4113.84, 4113.85, 4113.86, 4113.87, 4113.88, 4175.01, 4175.02, 4175.03, 4175.04, 4175.05, 4175.06, 4175.07, 4175.08, 4175.09, 4175.091, 4175.10, 4175.11, 4175.12, 4175.13, 4175.14, 4175.15, 4175.16, 4175.17, 4175.18, and 4175.99 of the Revised Code to create a generally uniform definition of employee for specified labor laws, to create a uniform standard to determine whether an individual performing services for an employer is an employee of that employer, and to regulate the payment of wages via payroll card.

H. B. No. 569 - Representative Antonio.

Cosponsors: Representatives Sheehy, Boggs, Brown, Clyde, Lepore-Hagan, Boyd, Boccieri, Reece, Fedor, Leland, Bishoff, Ramos, Driehaus.

To amend section 2927.12 of the Revised Code to rename the offense of ethnic intimidation to bias-motivated crime; to expand the scope of the offense to include specified crimes committed based on a person's actual or perceived ethnicity, gender, sexual orientation, gender identity, or disability; to require peace officer training on bias-motivated crime, and to require law enforcement agencies to submit data on bias-motivated crime to the Ohio Department of Public Safety and the Federal Bureau of Investigation and provide for the annual public release of the data.

H. B. No. 570 - Representative Hill.

To amend sections 3313.64, 3313.98, 3313.981, 3314.08, 3326.31, and 3326.33 of the Revised Code regarding funding for students enrolled in community schools, STEM schools, and other districts through interdistrict open enrollment.

H. B. No. 571 - Representatives Duffey, Boggs.

Cosponsors: Representatives Sweeney, Hagan, Blessing, Romanchuk, Ruhl, Antani, Arndt, Hambley, Baker, Scherer, Perales.

To amend section 3313.471 of the Revised Code regarding the presentation

of career information to students.

H. B. No. 572 - Representatives Leland, Sprague.

Cosponsors: Representatives Bocchieri, Boggs, Johnson, G., Ramos, Rogers, Lepore-Hagan, Smith, K.

To amend section 5747.113 and to enact section 3701.265 of the Revised Code to allow taxpayers to contribute all or a portion of their income tax refunds to support improved cancer reporting through the Ohio Cancer Incidence Surveillance System Fund.

H. B. No. 573 - Representative Scherer.

To amend sections 956.01, 956.13, and 956.18 and to enact sections 956.051, 956.181, 956.19, 956.20, 956.21, 956.22, 956.23, and 956.99 of the Revised Code to regulate the sale of dogs from pet stores and dog retailers and to require the Director of Agriculture to license pet stores.

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 referred **Sub. H. B. No. 432**-Representatives Cupp, Rezabek, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REVISE LAWS GOVERNING DECEDENT'S ESTATES

RON AMSTUTZ
ANDREW BRENNER
BILL HAYES
DANIEL RAMOS

FRED STRAHORN
ROBERT R. CUPP
DOROTHY PELANDA
KIRK SCHURING

The following members voted "NO"

NICKIE J. ANTONIO
NICHOLAS CELEBREZZE

KEVIN BOYCE
RON HOOD

The report was agreed to.

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

Representative Celebrezze 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. 540 - Representative Cera

TO LIMIT THE AMOUNT OF REVENUE THAT MAY BE CREDITED TO THE OIL AND GAS WELL FUND AND TO ALLOCATE FUNDS IN EXCESS OF THAT AMOUNT TO LOCAL GOVERNMENTS AND FIRE DEPARTMENTS.

To the committee on Finance

H. B. No. 551 - Representative Hill

TO REQUIRE THE DIRECTOR OF AGRICULTURE AND THE DIRECTOR OF HEALTH TO ADOPT RULES GOVERNING REVIEWS OF REGISTERED SANITARIANS AND SANITARIANS-IN-TRAINING WHO CONDUCT INSPECTIONS OF RETAIL FOOD ESTABLISHMENTS AND FOOD SERVICE OPERATIONS.

To the committee on State Government

H. B. No. 556 - Representatives Duffey and Bishoff

TO MAKE BOUNDARIES OF CERTAIN SCHOOL DISTRICTS THAT ARE PARTIES TO AN ANNEXATION AGREEMENT PERMANENT UNDER STATE LAW.

To the committee on Education

H. B. No. 557 - Representative Clyde

TO CREATE A PRESUMPTION OF VALIDITY FOR CERTAIN ELECTION MATTERS AND TO REQUIRE CERTAIN PROVISIONAL BALLOTS CAST IN THE WRONG POLLING PLACE TO BE REMADE AND COUNTED.

To the committee on Government Accountability and Oversight

Sub. S. B. No. 242 - Senators Uecker and Coley

TO REVISE THE LAW GOVERNING NEW MOTOR VEHICLE FRANCHISE AGREEMENTS.

To the committee on Government Accountability and Oversight

Sub. S. B. No. 293 - Senator Balderson

TO REVISE SPECIFIED LAWS RELATING TO NATURAL RESOURCES.

To the committee on Energy and Natural Resources

Sub. S. B. No. 296 - Senator Seitz

TO SPECIFY REQUIREMENTS FOR LAWSUITS CONCERNING ELECTION PROCEDURES, TO SPECIFY THE CONDITIONS UNDER WHICH A COURT MAY ORDER THAT A POLLING PLACE BE KEPT OPEN FOR EXTENDED HOURS ON THE DAY OF AN ELECTION, AND TO REQUIRE A PERSON WHO VOTES DURING THOSE EXTENDED HOURS TO CAST A PROVISIONAL BALLOT.

To the committee on Government Accountability and Oversight

Sub. S. B. No. 321 - Senator Faber

TO CREATE A PROCEDURE WITHIN THE COURT OF CLAIMS TO HEAR COMPLAINTS ALLEGING A DENIAL OF ACCESS TO PUBLIC

RECORDS, TO MODIFY THE CIRCUMSTANCES UNDER WHICH A PERSON WHO FILES A MANDAMUS ACTION SEEKING THE RELEASE OF PUBLIC RECORDS MAY BE AWARDED COURT COSTS AND ATTORNEY'S FEES, AND TO EXPAND THE INFRASTRUCTURE RECORD EXEMPTION UNDER PUBLIC RECORDS LAW.

To the committee on Government Accountability and Oversight

RON AMSTUTZ
ROBERT R. CUPP
RON HOOD
KIRK SCHURING
NICKIE J. ANTONIO
NICHOLAS CELEBREZZE

ANDREW BRENNER
BILL HAYES
DOROTHY PELANDA
FRED STRAHORN
KEVIN BOYCE
DANIEL RAMOS

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

S. C. R. No. 21 - Senators Bacon and Tavares
TO URGE THE UNITED STATES DEPARTMENT OF
TRANSPORTATION (USDOT) TO SELECT THE CITY OF COLUMBUS
AS THE AWARD WINNER FOR THE USDOT SMART CITY
CHALLENGE.

To the committee on Government Accountability and Oversight

H. R. No. 427 - Representatives Boggs and Antonio
TO URGE OFFICERS AND EMPLOYEES OF THE STATE OF OHIO TO
REFRAIN FROM NONESSENTIAL OFFICIAL TRAVEL TO THE STATE
OF NORTH CAROLINA.

To the committee on Government Accountability and Oversight

/s/ RON AMSTUTZ
Ron Amstutz, Chair

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

The motion was agreed to.

Said Senate Concurrent Resolution and House Resolution were 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. 425 - Representative Patterson

Honoring the City of Geneva on its One Hundred Fiftieth Anniversary.

H. R. No. 429 - Representative McColley

Honoring Richard Kortokrax on his retirement from coaching.

H. R. No. 430 - Representative DeVitis

Honoring Rachel Prior as an Outstanding Youth Award recipient.

H. R. No. 431 - Representative Antonio

Honoring the Lakewood Public Library on the occasion of its One Hundredth Anniversary.

/s/ RON AMSTUTZ
Ron Amstutz, Chair

Representative Grossman 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 Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 37 - Representatives Stinziano, Duffey

Cosponsors: Representatives Blessing, Antani, Boyd, Buchy, Driehaus, Gerberry, Henne, Leland, Lepore-Hagan, Manning, O'Brien, M., Perales, Ramos, Retherford, Rogers, Sweeney, Young Senators Uecker, Bacon, Balderson, Beagle, Burke, Coley, Eklund, Faber, Hackett, Hite, Jones, Patton,

Seitz, Tavares, Thomas, Yuko

To amend sections 4301.01, 4301.03, 4301.21, and 4301.62 and to enact section 4301.244 of the Revised Code to establish exemptions to the Open Container Law regarding beer or intoxicating liquor purchased from specified D liquor permit holders and consumed on the premises of a market that meets specified conditions, to eliminate the maximum permitted alcohol content of beer, and to establish labeling requirements for beer containing higher alcohol content.

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

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

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 Cupp and Schuring; appoint Representatives Kunze and Ryan.

On motion of Representative Grossman, the House adjourned until Wednesday, May 18, 2016 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.