

OHIO

House

of

Representatives

JOURNAL

TUESDAY, OCTOBER 31, 2017

NINETY-FIFTH DAY

Hall of the House of Representatives, Columbus, Ohio

Tuesday, October 31, 2017, 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 Carfagna was selected to preside under the Rule.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 398 - Representatives Perales, Boggs.

Cosponsors: Representatives Becker, Brenner, Carfagna, Celebrezze, DeVitis, Lang, McColley, Riedel, Seitz, West.

To amend sections 4303.021 and 4303.041 of the Revised Code to revise the law governing sales of spirituous liquor by micro-distilleries.

H. B. No. 399 - Representatives Henne, Butler.

Cosponsors: Representatives DeVitis, Keller, Hood, Becker, Romanchuk, Sprague, Dean, Goodman, Wiggam.

To amend section 5162.80; to amend for the purpose of adopting a new section number as indicated in parentheses, section 5162.80 (3962.02); and to enact sections 191.11, 191.12, 3962.01, 3962.03, 3962.04, 3962.05, 3962.06, 3962.10, 3962.11, 3962.12, 3962.16, 3962.17, 3962.21, 3962.22, 3962.23, 3962.24, 3962.25, 3962.26, 3962.27, 3962.28, 3962.29, 3962.30, 3962.31, 3962.32, 3962.35, 3966.01, 3966.02, 3966.03, 3966.04, 3966.05, 3966.06, 3966.07, 3966.08, 3966.09, and 5164.65 of the Revised Code to enact the Ohio Right to Shop Act to require health insurers to establish shared savings incentive programs for enrollees.

H. B. No. 400 - Representative Holmes.

Cosponsors: Representatives West, Sweeney, Bocchieri, Hood, Riedel.

To enact section 5534.82 of the Revised Code to designate the bridge spanning Squaw Creek, that is part of State Route 169 in Trumbull County, as the "World War I and World War II Veterans Memorial Bridge."

H. B. No. 401 - Representative Holmes.

Cosponsors: Representatives West, Sweeney, Bocchieri, Hood, Riedel, Miller.

To enact section 5534.81 of the Revised Code to designate the bridge spanning Squaw Creek, that is part of United States Route 422 in Girard, as the "Purple Heart Veterans Memorial Bridge."

H. B. No. 402 - Representative Hill.

Cosponsors: Representatives Smith, R., Lang, Seitz, Cera, Becker, Celebrezze, Scherer, Rezabek, Riedel, Koehler, Manning, Kick, Reineke.

To amend sections 128.01, 128.32, 4165.01, 4905.402, 4905.61, 4927.02, 4927.12, 4927.17, 4927.19, and 4931.05, to enact section 4927.102, and to repeal section 4927.08 of the Revised Code to revise state regulation of telephone companies.

Said bills were considered the first time.

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

Representative Sykes 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. 384 - Representative Gonzales

TO REQUIRE ONLY ONE NOTICE TO BE SENT TO A VEHICLE OWNER AND ANY KNOWN LIENHOLDER AFTER A VEHICLE IS TOWED FROM A PRIVATE TOW-AWAY ZONE.

To the committee on Transportation and Public Safety

H. B. No. 385 - Representative West

TO PROHIBIT A STATE AGENCY FROM PREVENTING AN EMPLOYEE FROM DISCUSSING THE EMPLOYEE'S OWN WAGES OR ANOTHER EMPLOYEE'S WAGES, TO PROHIBIT A STATE AGENCY FROM SEEKING A PROSPECTIVE EMPLOYEE'S WAGE OR SALARY HISTORY, TO PROHIBIT RETALIATION AGAINST AN EMPLOYEE WHO DISCUSSES WAGES OR OPPOSES A PROHIBITED ACT OR PRACTICE, AND TO CREATE THE WAGE DISPARITY STUDY COMMITTEE.

To the committee on Economic Development, Commerce, and Labor

H. B. No. 386 - Representatives Henne and Kelly

TO MODIFY THE FEES THAT A CREDIT REPORTING AGENCY CAN CHARGE IN RELATION TO A CREDIT REPORT FREEZE.

To the committee on Financial Institutions, Housing, and Urban Development

H. B. No. 387 - Representatives Bocchieri and Lepore-Hagan

TO DESIGNATE THE BRIDGE SPANNING STATE ROUTE 11, THAT IS PART OF MAHONING AVENUE IN AUSTINTOWN TOWNSHIP IN MAHONING COUNTY, AS THE "WOMEN VETERANS BRIDGE."

To the committee on Transportation and Public Safety

H. B. No. 388 - Representatives Sykes and Roegner
TO CREATE THE "STAN HYWET HALL AND GARDENS" LICENSE
PLATE.

To the committee on Transportation and Public Safety

H. B. No. 389 - Representative Antonio
TO ABOLISH THE DEATH PENALTY.

To the committee on Criminal Justice

H. B. No. 390 - Representative Merrin
TO CLARIFY HOW TO CALCULATE CERTAIN TIMELINES UNDER
WHICH A FORCIBLE ENTRY AND DETAINER ACTION MUST OCCUR.
To the committee on Financial Institutions, Housing, and Urban Development

H. B. No. 391 - Representative Merrin
TO INCLUDE THE COST OF ACCOUNTING DONE TO DETERMINE
THE EXTENT OF ECONOMIC LOSS AS A TYPE OF ECONOMIC LOSS
FOR WHICH RESTITUTION MAY BE GRANTED.

To the committee on Criminal Justice

H. B. No. 392 - Representative Stein
TO GRANT SPECIFIED APIARY OWNERS IMMUNITY IN PERSONAL
INJURY OR PROPERTY DAMAGE CASES.

To the committee on Economic Development, Commerce, and Labor

H. B. No. 393 - Representatives DeVitis and O'Brien
TO AUTHORIZE A PERSON TO SELL BRINE DERIVED FROM AN OIL
AND GAS OPERATION THAT IS PROCESSED AS A COMMODITY FOR
USE IN SURFACE APPLICATION IN DEICING, DUST SUPPRESSION,
AND OTHER APPLICATIONS.

To the committee on Energy and Natural Resources

H. B. No. 394 - Representative Rezabek
TO ELIMINATE MANDATORY AND REVERSE BINDOVERS, AND
MODIFY THE PROCEDURES FOR DISCRETIONARY BINDOVERS, OF
AN ALLEGED JUVENILE OFFENDER FROM A JUVENILE COURT TO
A CRIMINAL COURT; TO REVISE THE PROCEDURES FOR
DETERMINING THE DELINQUENT CHILD CONFINEMENT CREDIT;
TO REVISE CERTAIN DELINQUENT CHILD FINANCIAL SANCTION
DISPOSITIONS AND PROCEDURES AND ESTABLISH A SEPARATE
RESTITUTION DISPOSITION; AND TO PROVIDE SPECIAL PAROLE
ELIGIBILITY DATES FOR PERSONS WITH AN INDEFINITE OR LIFE
SENTENCE IMPOSED FOR AN OFFENSE OTHER THAN
AGGRAVATED MURDER OR ANOTHER CRIME INVOLVING THE
PURPOSEFUL KILLING OF MULTIPLE PERSONS COMMITTED WHEN
THE PERSON WAS UNDER AGE 18 AND SPECIAL PAROLE BOARD

PROCEDURES IN THOSE CASES.

To the committee on Criminal Justice

H. B. No. 395 - Representative Patmon

TO PROHIBIT THE MANUFACTURE, SALE, OR TRANSFER OF ANY TRIGGER CRANK, BUMP-FIRE DEVICE, OR OTHER PRODUCT THAT ACCELERATES A SEMI-AUTOMATIC FIREARM'S RATE OF FIRE BUT DOES NOT CONVERT IT INTO AN AUTOMATIC FIREARM.

To the committee on Federalism and Interstate Relations

H. B. No. 396 - Representatives Patterson and Carfagna

TO CREATE THE STEM DEGREE LOAN REPAYMENT PROGRAM AND TO MAKE AN APPROPRIATION.

To the committee on Finance

H. B. No. 397 - Representatives Boggs and Butler

TO INCLUDE SPINAL MUSCULAR ATROPHY AS AN ADDITIONAL DISORDER TO BE SCREENED FOR UNDER THE NEWBORN SCREENING PROGRAM.

To the committee on Health

S. B. No. 127 - Senator LaRose

TO REQUIRE MOTOR VEHICLE OPERATORS TO TAKE CERTAIN ACTIONS UPON APPROACHING A STATIONARY WASTE COLLECTION VEHICLE COLLECTING REFUSE ON A ROADSIDE.

To the committee on Government Accountability and Oversight

S. B. No. 139 - Senators Skindell and Eklund

TO ADOPT THE UNIFORM ELECTRONIC LEGAL MATERIAL ACT.

To the committee on Government Accountability and Oversight

S. B. No. 143 - Senator Eklund

TO DESIGNATE SEPTEMBER 25 AS "INTERNATIONAL ATAXIA AWARENESS DAY" IN OHIO.

To the committee on Health

Am. S. B. No. 169 - Senator Wilson

TO OVERSEE THE SALE OF TRAVEL INSURANCE.

To the committee on Insurance

S. B. No. 186 - Senator Peterson

TO PROVIDE THAT WAGES AND GUARANTEED PAYMENTS PAID BY A PROFESSIONAL EMPLOYER ORGANIZATION TO THE OWNER OF A PASS-THROUGH ENTITY THAT HAS CONTRACTED WITH THE ORGANIZATION MAY BE CONSIDERED BUSINESS INCOME.

To the committee on Ways and Means

KIRK SCHURING
 KRISTIN BOGGS
 RICK CARFAGNA
 THOMAS F. PATTON
 GARY SCHERER
 EMILIA STRONG SYKES

LOUIS W. BLESSING III
 ANDREW BRENNER
 SARAH LATOURETTE
 SCOTT RYAN
 BILL SEITZ

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

H. R. No. 289 - Representative Landis

Honoring the Village of Zoar on its Bicentennial.

H. R. No. 290 - Representative Scherer

Honoring Enabling Cain as the 2017 Group of the Year at the Josie Music Awards for Independent Artists.

H. R. No. 291 - Representative Romanchuk

Honoring Denise Benson as a 2017 Brooks National Inspiring Coach of the Year.

H. R. No. 292 - Speaker Rosenberger

Honoring the Ohio Veterans Hall of Fame on its 2017 induction ceremony. Add the names: Schuring, Blessing, Boggs, Brenner, Carfagna, LaTourette, Patton, Ryan, Scherer, Seitz, Sykes

H. R. No. 293 - Representative Gonzales

Honoring the Columbus Academy boys golf team on winning the 2017 Division II State Championship.

H. R. No. 294 - Representatives LaTourette and Butler

Recognizing Pancreatic Cancer Awareness Month, November 2017.

/s/KIRK SCHURING

Kirk Schuring, Vice 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.

Representative Brenner moved that the following resolutions be read by title only and brought up for immediate adoption:

H. R. No. 295 - Speaker Rosenberger

Authorizing Ohio YMCA Youth and Government Middle School State Assembly to use the Ohio House Chambers to conduct its 2017 model legislature.

H. R. No. 296 - Representative Huffman

Designating Ohio Diabetes and Cardiovascular Disease Awareness Month, November 2017 and 2018.

The motion was agreed to.

The question being, "Shall the resolutions be adopted?"

The resolutions were adopted.

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. 31 - Representative Cupp

Cosponsors: Representatives Arndt, Becker, Blessing, Conditt, Goodman, Green, Householder, Huffman, Koehler, Lipps, Reineke, Riedel, Roegner, Scherer, Seitz, Schaffer, Sprague, Stein, Anielski, Hambley, Antani, Dever, Duffey, Edwards, Faber, Gavarone, Ginter, Henne, Manning, McColley, Miller, Patton, Perales, Rezabek, Rogers, Ryan, Slaby, Smith, R., Sweeney, Thompson, West, Wiggam, Young Senators Coley, Balderson, Dolan, Eklund, Hackett, Hite, Hoagland, Huffman, Jordan, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Terhar, Uecker, Wilson

To amend sections 9.23, 107.06, 111.16, 147.541, and 189.05, to revive and amend section 5139.44, and to repeal sections 9.239, 147.542, 147.543, 189.01, 189.02, 189.03, 189.04, 189.06, 189.07, 189.08, 189.09, 189.10, 935.26, 935.27, and 935.28 of the Revised Code, and to repeal Section 7 of Am. Sub. H.B. 52 of the 131st General Assembly, Section 3 of Sub. H.B. 463 of the 130th General Assembly, Sections 745.10, 751.20, 751.37, 751.120,

751.130, and 751.140 of Am. Sub. H.B. 483 of the 130th General Assembly, and Section 4 of Sub. S.B. 310 of the 130th General Assembly to revive the RECLAIM Advisory Committee, to formally abolish certain defunct boards, to abolish the Government Contracting Advisory Council and the Local Government Innovation Council, to eliminate electronic notaries, and to eliminate commission fees for compensated officers appointed by the Governor.

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 Section 209.61 of Am. Sub. H.B. No. 49, 132nd General Assembly, the Speaker hereby appoints the following members to the Assisted Living Program Workgroup:

Representatives Arndt and Romanchuk.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on October 30, 2017, signed the following:

H. B. No. 118-Representative Merrin - et al.

Sub. S. B. No. 3-Senators Beagle, Balderson - et al.

On motion of Representative Brenner, the House adjourned until Wednesday, November 1, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.