

JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO

SENATE

JOURNAL

TUESDAY, DECEMBER 8, 2015

ONE HUNDRED SEVENTEENTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, December 8, 2015, 9:30 a.m.

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Skindell was selected to preside according to the rule.

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

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered for the first time:

S. B. No. 250 - Senator Schiavoni.

To enact section 3314.088 of the Revised Code to prohibit community schools from using state moneys to pay for advertising, recruiting, or promotional materials.

S. B. No. 251 - Senators Skindell, Jordan.

Cosponsor: Senator Seitz.

To enact sections 2933.67, 2933.68, 2933.69, and 2933.70 of the Revised Code to regulate the use of drones for gathering evidence and information by law enforcement officers in Ohio.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolutions were offered:

S. R. No. 273 - Senator Tavares.

Honoring Bernard M. Eshelman as a French Legion of Honor Medal recipient.

S. R. No. 274 - Senator Oelslager.

Honoring the St. Thomas Aquinas High School girls cross country team as the 2015 Division III State Champion.

S. R. No. 275 - Senator Oelslager.

Honoring Athena Welsh as the 2015 Division III State Cross Country Champion.

S. R. No. 276 - Senator Hughes.

Honoring the Dublin Silver Band as the U.S. Open Brass Band Champion.

S. R. No. 277 - Senators Tavares, Bacon, Hughes.

Honoring Michael B. Coleman on his retirement as mayor of the City of Columbus.

S. R. No. 278 - Senators Tavares, Jones.

Honoring Dr. Arthur R. James on receiving a 2015 Maternal and Child Health Bureau Director's Award.

S. R. No. 279 - Senator Obhof.

Honoring Emily Dunbar as the 2015 Division II State runner-up in girls singles tennis.

S. R. No. 280 - Senator Brown.

Honoring Chuck Corpe as a 2015 Habitat for Humanity of Ohio Volunteer of the Year.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"

So the resolutions were adopted.

Message from the House of Representatives

Mr. President:

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

Am. S. B. No. 10 -Senators Burke, LaRose.

Cosponsors: Senators Coley, Balderson, Beagle, Brown, Cafaro, Eklund, Faber, Gardner, Gentile, Hite, Hottinger, Jones, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Uecker, Widener, Williams, Yuko. Representatives Perales, Bishoff, Landis, Retherford, Terhar, Amstutz, Anielski, Antani, Antonio, Arndt, Barnes, Blessing, Boccieri, Boose, Boyce, Boyd, Brenner, Brown, Buchy, Burkley, Butler, Celebrezze, Cera, Conditt, Craig, Cupp, Derickson, Dever, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Ginter, Green, Grossman, Hackett, Hagan, Hall, Hambley, Hayes, Henne, Hill, Howse, Johnson, G., Johnson, T., Koehler, Kuhns, Kunze, LaTourette, Lepore-Hagan, Maag, Manning, McClain, McColley, O'Brien, M., O'Brien, S., Patterson, Pelanda, Phillips, Ramos, Reece, Reineke, Rezabek, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slesnick, Smith, K., Smith, R., Sprague, Stinziano, Strahorn, Sweeney, Sykes, Thompson, Young, Zeltwanger, Speaker Rosenberger.

To amend section 323.151 and to enact sections 5160.471 and 5902.21 of

the Revised Code to establish a process for identifying individuals who are medical assistance recipients that may be eligible to receive federal military-related health care benefits and to extend eligibility for the enhanced homestead exemption for disabled veterans to include veterans who receive a total disability rating for compensation based on individual unemployability due to a service-connected disability.

With the following additional amendments, in which the concurrence of the Senate is requested.

In line 1 of the title, after "To" insert "amend section 323.151 and to"

In line 6 of the title, after "benefits" insert "and to extend eligibility for the enhanced homestead exemption for disabled veterans to include veterans who receive a total disability rating for compensation based on individual unemployability due to a service-connected disability"

In line 7, after "That" insert "section 323.151 be amended and"

Between lines 8 and 9, insert:

"Sec. 323.151. As used in sections 323.151 to 323.159 of the Revised Code:

(A)(1) "Homestead" means either of the following:

(a) A dwelling, including a unit in a multiple-unit dwelling and a manufactured home or mobile home taxed as real property pursuant to division (B) of section 4503.06 of the Revised Code, owned and occupied as a home by an individual whose domicile is in this state and who has not acquired ownership from a person, other than the individual's spouse, related by consanguinity or affinity for the purpose of qualifying for the real property tax reduction provided in section 323.152 of the Revised Code.

(b) A unit in a housing cooperative that is occupied as a home, but not owned, by an individual whose domicile is in this state.

(2) The homestead shall include so much of the land surrounding it, not exceeding one acre, as is reasonably necessary for the use of the dwelling or unit as a home. An owner includes a holder of one of the several estates in fee, a vendee in possession under a purchase agreement or a land contract, a mortgagor, a life tenant, one or more tenants with a right of survivorship, tenants in common, and a settlor of a revocable or irrevocable inter vivos trust holding the title to a homestead occupied by the settlor as of right under the trust. The tax commissioner shall adopt rules for the uniform classification and valuation of real property or portions of real property as homesteads.

(B) "Sixty-five years of age or older" means a person who has

attained age sixty-four prior to the first day of January of the year of application for reduction in real estate taxes.

(C) "Total income" means Ohio adjusted gross income of the owner and the owner's spouse for the year preceding the year in which application for a reduction in taxes is made, as determined under division (A) of section 5747.01 of the Revised Code.

(D) "Permanently and totally disabled" means that a person other than a disabled veteran has, on the first day of January of the year of application for reduction in real estate taxes, some impairment in body or mind that makes the person unable to work at any substantially remunerative employment that the person is reasonably able to perform and that will, with reasonable probability, continue for an indefinite period of at least twelve months without any present indication of recovery therefrom or has been certified as permanently and totally disabled by a state or federal agency having the function of so classifying persons.

(E) "Housing cooperative" means a housing complex of at least two units that is owned and operated by a nonprofit corporation that issues a share of the corporation's stock to an individual, entitling the individual to live in a unit of the complex, and collects a monthly maintenance fee from the individual to maintain, operate, and pay the taxes of the complex.

(F) "Disabled veteran" means a person who is a veteran of the armed forces of the United States, including reserve components thereof, or of the national guard, who has ~~received~~ been discharged or released from active duty in the armed forces under honorable conditions, and who has received a permanent total disability rating or a total disability rating for compensation based on individual unemployability for a service-connected disability or combination of service-connected disabilities ~~for which the schedule for rating disabilities as prescribed in Schedule Title 38, Part 4 of the Code of Federal Regulations, as amended, prescribes a one hundred per cent evaluation."~~

After line 34, insert:

"Section 2. That existing section 323.151 of the Revised Code is hereby repealed.

Section 3. The amendment by this act of section 323.151 of the Revised Code applies to tax year 2015 and thereafter."

Attest:

Bradley J. Young,
Clerk.

Said amendments were laid over under the rule.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Am. Sub. H. B. No. 50 -Representatives Pelanda, Grossman.

Cosponsors: Representatives Sears, Driehaus, Stinziano, Rogers, Fedor, Rezabek, Blessing, Maag, Lepore-Hagan, LaTourette, Amstutz, Boyd, Kuhns, Anielski, Antonio, Arndt, Ashford, Barnes, Bocchieri, Boose, Brown, Burkley, Celebrezze, Craig, DeVitis, Duffey, Green, Hayes, Howse, Kunze, O'Brien, M., O'Brien, S., Patterson, Phillips, Reece, Ruhl, Scherer, Schuring, Sheehy, Slesnick, Smith, K., Smith, R., Strahorn, Sweeney, Speaker Rosenberger.

To amend sections 2151.353, 2151.415, 2151.82, 5101.141, and 5103.30 and to enact sections 2111.011, 5101.1411, 5101.1412, 5101.1413, and 5101.1414 of the Revised Code to extend the age for which a person is eligible for federal foster care and adoption assistance payments under Title IV-E to age twenty-one; to require that a guardian receive the Ohio Guardianship Guide; to conform to recent amendments to federal Title IV-E program requirements.

H. B. No. 197 -Representative Rezabek.

Cosponsors: Representatives Johnson, T., Sprague, O'Brien, M., Manning, Boose, Koehler, LaTourette, Smith, R., Huffman, Brown, Antonio, Arndt, Ashford, Barnes, Buchy, Burkley, Celebrezze, Duffey, Ginter, Green, Hackett, Hambley, Kunze, Landis, McColley, O'Brien, S., Perales, Ruhl, Schaffer, Sheehy.

To enact section 2925.62 of the Revised Code to prohibit the over-the-counter sale, without a prescription, of dextromethorphan to a person who is under 18 years of age.

Sub. H. B. No. 200 -Representative Hagan.

Cosponsors: Representatives Duffey, Becker, Roegner, Blessing, Hackett, Gonzales, Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Ginter, Johnson, T., Kuhns, LaTourette, Lepore-Hagan, Schuring, Sears, Sprague, Amstutz, Anielski, Arndt, Ashford, Baker, Boose, Boyd, Buchy, Burkley, Celebrezze, Cera, Conditt, Cupp, Derickson, Dever, DeVitis, Dovilla,

Driehaus, Fedor, Green, Grossman, Hall, Hambley, Hayes, Henne, Hill, Howse, Koehler, Kunze, Landis, Leland, Maag, Manning, McClain, McColley, O'Brien, M., O'Brien, S., Patterson, Pelanda, Perales, Phillips, Ramos, Reece, Reineke, Retherford, Rezabek, Rogers, Ruhl, Ryan, Schaffer, Scherer, Sheehy, Smith, K., Smith, R., Stinziano, Strahorn, Sweeney, Terhar, Thompson, Young.

To amend sections 3313.7110, 3313.7111, 3314.143, 3326.28, 3328.29, 4729.01, 4729.51, 4729.60, and 5101.76 and to enact sections 2925.64, 3728.01, 3728.03, 3728.04, 3728.05, 3728.09, 3728.10, 3728.11, 4723.483, 4729.88, 4730.432, and 4731.96 of the Revised Code regarding storage of and access to epinephrine autoinjectors for which there are no patient-specific prescriptions and civil immunity of health professionals.

Sub. H. B. No. 207 -Representatives Henne, McColley.

Cosponsors: Representatives Boose, Romanchuk, Hambley, Burkley, Hood, Sprague, Terhar, Maag, Reineke, Hackett, DeVitis, Retherford, Sears, Amstutz, Anielski, Antani, Antonio, Arndt, Barnes, Bishoff, Blessing, Brenner, Buchy, Butler, Conditt, Cupp, Derickson, Dever, Dovilla, Duffey, Ginter, Green, Grossman, Hall, Hayes, Hill, Huffman, Koehler, LaTourette, Manning, McClain, O'Brien, M., O'Brien, S., Patterson, Pelanda, Perales, Phillips, Rezabek, Rogers, Ruhl, Ryan, Schaffer, Scherer, Schuring, Slesnick, Smith, R., Stinziano, Sweeney, Thompson, Young, Zeltwanger, Speaker Rosenberger.

To amend sections 4123.93 and 4123.931 and to enact section 4123.932 of the Revised Code to allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience.

H. B. No. 260 -Representative Blessing.

Cosponsors: Representatives Hall, Antonio, Romanchuk, Dever, Smith, K., Schaffer, Terhar, Brown, Brenner, Green, Sheehy, Kraus, Ashford, Huffman, Butler, Ginter, Johnson, T., Kuhns, Ramos, Schuring, Sears, Sykes, Anielski, Barnes, Bishoff, Boccieri, Boyce, Buchy, Burkley, Celebrezze, Craig, Derickson, Dovilla, Grossman, Hackett, Hambley, Kunze, Leland, O'Brien, M., O'Brien, S., Pelanda, Perales, Reineke, Retherford, Rogers, Sprague, Strahorn, Sweeney, Young, Speaker Rosenberger.

To amend section 5.2240 of the Revised Code to designate the first week of December as "Crohn's and Colitis Awareness Week."

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 219 -Representative Barnes.

Cosponsors: Representatives Huffman, Antonio, Bishoff, Brown, Butler, Duffey, Johnson, T., Schuring, Sears, Sprague, Ashford, Baker, Blessing, Boyd, Buchy, Celebrezze, Craig, DeVitis, Dovilla, Hackett, Kuhns, Landis, O'Brien, M., Patterson, Ramos, Rogers, Schaffer, Sheehy, Stinziano, Strahorn, Sweeney, Sykes, Terhar, Speaker Rosenberger.

To enact section 5.256 of the Revised Code to designate January as "Thyroid Health Awareness Month."

H. B. No. 243 -Representative Schaffer.

Cosponsors: Representatives Anielski, Ashford, Baker, Barnes, Blessing, Brown, Fedor, Hackett, O'Brien, M., O'Brien, S., Perales, Rogers, Speaker Rosenberger.

To amend sections 4703.02 and 4703.33 of the Revised Code to make changes governing the architects board and the landscape architects board regarding continuing education requirements.

H. B. No. 299 -Representatives Blessing, Rezabek.

Cosponsors: Representatives Butler, Terhar, Dever, Brenner, Bishoff, LaTourette, Grossman, Huffman, Schaffer, Amstutz, Anielski, Ashford, Baker, Barnes, Boyce, Boyd, Brown, Buchy, Burkley, Conditt, Craig, Driehaus, Duffey, Green, Hackett, Hall, Hambley, Hayes, Henne, Hill, Johnson, G., Johnson, T., Kuhns, Kunze, Maag, Manning, O'Brien, M., O'Brien, S., Patmon, Pelanda, Perales, Reece, Reineke, Rogers, Ruhl, Ryan, Scherer, Schuring, Sheehy, Slesnick, Sprague, Stinziano, Strahorn, Sweeney, Sykes, Thompson.

To amend section 3310.41 of the Revised Code to permit the temporary, legal, or permanent custodian of a qualified child to apply for an Autism Scholarship.

Sub. H. B. No. 300 -Representatives Baker, Manning.

Cosponsors: Representatives Cupp, Schaffer, Butler, Conditt, Dever, Rezabek,

Anielski, Arndt, Boose, Brown, Buchy, Burkley, Hackett, Hayes, Hill, Huffman, Koehler, Lepore-Hagan, Maag, McClain, O'Brien, M., O'Brien, S., Patterson, Perales, Rogers, Sweeney, Speaker Rosenberger.

To amend sections 2903.06 and 4510.54 of the Revised Code to modify the law governing the termination or modification of a lifetime driver's license suspension or a class two suspension that exceeds fifteen years and to specify that a class one driver's license suspension for a specified aggravated vehicular homicide offense begins upon the offender's release from prison.

Sub. H. B. No. 303 -Representatives Dever, McColley.

Cosponsors: Representatives Antani, Barnes, Burkley, Butler, Conditt, Cupp, Hambley, Koehler, Perales, Sprague, Sweeney, Smith, K., Terhar, Kuhns, Brown, Amstutz, Anielski, Arndt, Baker, Blessing, Boccieri, Boyd, Buchy, Craig, Driehaus, Duffey, Fedor, Ginter, Green, Hackett, Henne, Leland, Lepore-Hagan, Manning, O'Brien, M., O'Brien, S., Patterson, Phillips, Reece, Reineke, Retherford, Rogers, Ruhl, Ryan, Schuring, Sheehy, Stinziano, Thompson, Speaker Rosenberger.

To enact sections 5315.01, 5315.02, 5315.03, 5315.04, and 5315.05 of the Revised Code to create the D.O.L.L.A.R. Deed Program.

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

Message from the House of Representatives

Mr. President:

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

Sub. S. B. No. 11 -Senators Eklund, LaRose.

Cosponsors: Senators Seitz, Cafaro, Patton, Hughes, Jones, Williams, Uecker, Schiavoni, Beagle, Yuko, Hite, Gardner, Oelslager, Bacon, Balderson, Brown, Burke, Coley, Faber, Gentile, Hottinger, Lehner, Manning, Obhof, Peterson, Sawyer, Skindell, Tavares, Thomas, Widener. Representatives Hackett, LaTourette, Bishoff, Gonzales, Henne, Anielski, Arndt, Ashford, Barnes, Blessing, Boccieri, Boose, Boyd, Brown, Buchy, Burkley, Butler, Celebrezze, Cera, Clyde, Craig, Dever, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Ginter, Green, Grossman, Hall, Hambley, Hayes, Hill, Huffman, Johnson, G., Johnson, T., Koehler, Kuhns, Landis, Leland, Lepore-Hagan, Maag, Manning, McClain, McColley, O'Brien, M., O'Brien, S., Patterson, Perales, Phillips,

Ramos, Reece, Reineke, Rezabek, Rogers, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sheehy, Slesnick, Smith, K., Sprague, Stinziano, Strahorn, Sweeney, Sykes, Terhar, Speaker Rosenberger.

To amend sections 742.63 and 2329.66 and to enact sections 143.01 to 143.11 of the Revised Code to enact the "Jason Gresko Act" to create the Volunteer Peace Officers' Dependents Fund to provide death benefits to survivors of volunteer peace officers killed in the line of duty and disability benefits to disabled volunteer peace officers and to make survivors of gaming agents and Department of Taxation investigators eligible for benefits from the Ohio Public Safety Officers Death Benefit Fund.

Attest:

Bradley J. Young,
Clerk.

Message from the House of Representatives

Mr. President:

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

S. C. R. No. 6 -Senator Balderson.

Cosponsors: Senators Hite, Hughes, LaRose, Seitz, Williams, Gardner, Bacon, Burke, Coley, Eklund, Hottinger, Jordan, Lehner, Uecker Representatives Landis, Hagan, Anielski, Arndt, Baker, Buchy, Burkley, Dovilla, Green, Hayes, Hill, Huffman, Johnson, T., Koehler, McClain, McColley, Reineke, Retherford, Roegner, Romanchuk, Ruhl, Ryan, Schaffer, Schuring, Smith, R., Sprague, Terhar, Thompson, Speaker Rosenberger.

To urge the U.S. Congress to lift the prohibition on the export of crude oil from the United States.

Attest:

Bradley J. Young,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the Senate amendments to:

Sub. H. B. No. 124 -Representatives Johnson, T., Huffman, – et al.

Am. Sub. H. B. No. 131 -Representative Pelanda – et al.

Attest:

Bradley J. Young,
Clerk.

On the motion of Senator Jordan, the Senate adjourned until Wednesday,
December 9, 2015 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.