

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, FEBRUARY 18, 2015

SEVENTEENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, February 18, 2015, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Craig-26th district, followed by the Pledge of Allegiance to the Flag.

The following guests of the House of Representatives were recognized by Speaker Pro Tempore Amstutz prior to the commencement of business:

The St. Charles Preparatory School boys water polo team received H.R. 513, presented by Representative Stinziano-18th district.

The Minster High School and Marion Local High School football teams received H.Rs. 15 and 16 respectively, presented by Representative Buchy-84th district.

John Crawford and Michael Wright, guests of Representative Reece-33rd district.

Arona Sandford, Judy Hill, Andre Washington, Yvonne Cagle, Tara Moseley, Renea Baylor-Woods, Eric Garrett and students from Beyond Expectations Barber College, Taneisha Rine, Marvin Williams, Jerefra Butts, Shavitress Carter, Ramona McQuarter, Bernadine Kent, and John Peck, guests of Representative Sykes-34th district.

Ashley Woolum, a guest of Representative Sprague-83rd district.

Charlie, Carol, and Emily Parrish, guests of Representative Pelanda-86th district.

Jesse Strickland and Ann Dissinger, guests of Representative Johnson, T.-90th district.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 70-Representatives Driehaus, Brenner.

Cosponsors: Representatives Henne, Kuhns, Fedor, Strahorn, Lepore-Hagan, Phillips, Patterson, Bishoff, Blessing, Reece, Curtin, Antonio.

To enact sections 3302.16, 3302.17, and 3302.18 of the Revised Code to authorize school districts and community schools to initiate a community learning center process to assist and guide school restructuring.

H. B. No. 71-Representative Roegner.

Cosponsors: Representatives Blessing, Green, Sears, Derickson, Schaffer, Boose, Bishoff.

To enact section 2305.52 of the Revised Code to prohibit certain indemnity agreements in motor vehicle carrier transportation contracts.

H. B. No. 72-Representative Conditt.

Cosponsors: Representatives Sprague, Dever, Blessing, Baker, Amstutz, Hambley, Perales.

To amend sections 1710.01, 1710.02, 1710.021, 1710.03, 1710.04, 1710.05, 1710.06, 1710.061, 1710.07, 1710.11, 1710.12, 1710.13, 4582.06, and 4582.31; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 1710.061 (1710.40); and to enact sections 1710.20, 1710.21, 1710.22, 1710.23, 1710.24, 1710.25, 1710.26, 1710.27, 1710.28, 1710.29, 1710.30, 1710.31, 1710.32, 1710.33, 1710.34, 1710.35, 1710.36, and 1710.37 of the Revised Code to authorize port authorities to create energy special improvement districts for the purpose of developing and implementing plans for special energy improvement projects and to alter the law governing such districts that are governed by a nonprofit corporation.

H. B. No. 73-Representatives Lepore-Hagan, Gerberry.

Cosponsors: Representatives O'Brien, S., Driehaus, Antonio, Stinziano, Strahorn.

To enact section 107.31 of the Revised Code to establish provisions regarding the possible closing, sale, or privatization of state institutional facilities.

Said bills were considered the first time.

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

Representative Clyde submitted the following report:

The standing committee on Government Accountability and Oversight to which was referred **H. B. No. 14**-Representatives Gerberry and Buchy, having had the same under consideration, reports it back and recommends its passage.

RE: POWDERED/CRYSTALLINE ALCOHOL-PROHIBIT SALE FOR HUMAN CONSUMPTION

Representative Blessing moved to amend the title as follows:

Add the names: "Green, Curtin, Clyde, Brown."

| | |
|-----------------------|--------------------|
| RYAN SMITH | DOUG GREEN |
| JIM BUCHY | JIM BUTLER |
| DAVID LELAND | RONALD V. GERBERRY |
| MICHAEL F. CURTIN | KATHLEEN CLYDE |
| LOUIS W. BLESSING III | TIM W. BROWN |
| DOROTHY PELANDA | |

The report was agreed to.

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

Representative Clyde submitted the following report:

The standing committee on Government Accountability and Oversight to which was referred **H. B. No. 22**-Representatives Dovilla, Anielski, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: MEMORIAL BRIDGE - GEORGE V. VOINOVICH

Representative Blessing moved to amend the title as follows:

Add the names: "Gerberry, Curtin, Brown."

| | |
|-----------------|-----------------------|
| TIM W. BROWN | LOUIS W. BLESSING III |
| RYAN SMITH | DOUG GREEN |
| JIM BUCHY | JIM BUTLER |
| DAVID LELAND | RONALD V. GERBERRY |
| KATHLEEN CLYDE | MICHAEL F. CURTIN |
| DOROTHY PELANDA | |

The report was agreed to.

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

Representative Clyde submitted the following report:

The standing committee on Government Accountability and Oversight to which was referred **H. B. No. 48**-Representative Maag, et. al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Rules and Reference.

RE: CONCEALED CARRY-AFFIRMATIVE DEFENSES-CARRYING FIREARM IN CERTAIN VULNERABLE AREAS

TIM W. BROWN
RYAN SMITH
JIM BUCHY
DAVID LELAND
KATHLEEN CLYDE
DOROTHY PELANDA

LOUIS W. BLESSING III
DOUG GREEN
JIM BUTLER
RONALD V. GERBERRY
MICHAEL F. CURTIN

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on Rules and Reference.

Representative Clyde submitted the following report:

The standing committee on Government Accountability and Oversight to which was referred **H. B. No. 35**-Representatives Retherford, Hood, et. al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Rules and Reference.

RE: FIREARMS - PROHIBIT SEIZURE / REGISTRY

TIM W. BROWN
RYAN SMITH
JIM BUCHY
DAVID LELAND
KATHLEEN CLYDE
DOROTHY PELANDA

LOUIS W. BLESSING III
DOUG GREEN
JIM BUTLER
RONALD V. GERBERRY
MICHAEL F. CURTIN

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on Rules and Reference.

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 29**-Representative Johnson, T., et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: ALPHA-1 ANTITRYPSIN DEFICIENCY AWARENESS MONTH
-NOVEMBER

Representative Huffman moved to amend the title as follows:

Add the names: "Huffman, Antonio, Bishoff, Brown, Duffey, Sears."

Representative Johnson, T. moved to amend as follows:

In line 7, after “Month” insert “.”; delete “to increase”

Delete line 8

The motion was agreed to and the bill so amended.

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|----------------------|----------------------|
| STEPHEN A. HUFFMAN | NICKIE J. ANTONIO |
| JOHN BARNES, JR. | HEATHER BISHOFF |
| TIM W. BROWN | JIM BUTLER |
| MIKE DUFFEY | TIMOTHY E. GINTER |
| TERRY JOHNSON | CHRISTIE BRYANT KUHN |
| MICHELE LEPORE-HAGAN | SARAH LATOURETTE |
| RONALD MAAG | DANIEL RAMOS |
| KIRK SCHURING | BARBARA R. SEARS |
| EMILIA STRONG SYKES | |

The report was agreed to.

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

Representative Lepore-Hagan submitted the following report:

The standing committee on Commerce and Labor to which was referred **H. B. No. 17**-Representatives Blessing, Landis, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: ARCHITECTS/CONTRACTORS/ENGINEERS/SURVEYORS/
TRADEPERSONS-IMMUNITY FOR VOLUNTEER SERVICES DURING
EMERGENCY

| | |
|----------------------|-----------------------|
| RON YOUNG | ANTHONY DEVITIS |
| MICHELE LEPORE-HAGAN | LOUIS W. BLESSING III |
| MIKE DUFFEY | RON HOOD |
| J. KYLE KOEHLER | AL LANDIS |
| DOROTHY PELANDA | STEPHEN SLESNICK |

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 Bill be considered for the second time and referred to the following committees for consideration:

H. B. No. 65 - Representative Driehaus
TO PROVIDE FOR THE PERIODIC APPRAISAL OF THE

EFFECTIVENESS OF TAX EXPENDITURES.

To the committee on Ways and Means

H. B. No. 66 - Representative Barnes

TO CREATE THE VETERAN AND DISABLED OHIOAN TECHNOLOGY COUNCIL.

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

H. B. No. 67 - Representative Ramos

TO CREATE THE FRANCES LEWANDOWSKI MEMORIAL MEDICAL RESEARCH FUND AND THE MEDICAL UNIVERSITY RESEARCH RESERVE FUND TO PROVIDE GRANTS TO PUBLIC MEDICAL SCHOOLS FOR RESEARCH ON TERMINAL, CHRONIC, OR CURRENTLY INCURABLE DISEASES, TO REQUIRE THE GENERAL ASSEMBLY ANNUALLY TO APPROPRIATE FOR THOSE GRANTS AN AMOUNT EQUAL TO NOT LESS THAN ONE-TENTH OF ONE PER CENT OF THE TOTAL PRIOR YEAR GENERAL REVENUE FUND APPROPRIATIONS, AND TO MAKE AN APPROPRIATION.

To the committee on Finance

H. B. No. 68 - Representative Ramos

TO ALLOW BEER MANUFACTURERS TO MANUFACTURE BEER CONTAINING NOT MORE THAN 21% OF ALCOHOL BY VOLUME BEGINNING ON THE EFFECTIVE DATE OF THIS ACT, AND, BEGINNING ONE YEAR AFTER THE EFFECTIVE DATE OF THIS ACT, TO ALLOW THE SALE AND DISTRIBUTION OF BEER CONTAINING NOT MORE THAN 21% OF ALCOHOL BY VOLUME IN THIS STATE BY INCREASING THE LEGALLY PERMITTED ALCOHOL CONTENT OF BEER FROM 12% TO 21% AND TO GENERALLY PROHIBIT THE INCLUSION OF CAFFEINE OR OTHER STIMULANTS IN BEER CONTAINING MORE THAN 12% OF ALCOHOL BY VOLUME.

To the committee on Government Accountability and Oversight

Am. S. B. No. 2 - Senator Peterson

TO EXPRESSLY INCORPORATE CHANGES IN THE INTERNAL REVENUE CODE SINCE MARCH 22, 2013, INTO OHIO LAW, AND TO DECLARE AN EMERGENCY.

To the committee on Ways and Means

RON AMSTUTZ
MIKE DUFFEY
STEPHANIE KUNZE
FRED STRAHORN
KEVIN BOYCE
DANIEL RAMOS

ANDREW BRENNER
RON HOOD
DOROTHY PELANDA
NICKIE J. ANTONIO
NICHOLAS CELEBREZZE

Representative Sears 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 Bill 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 Bill 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 House Resolutions and House Concurrent Resolution be read by title only and approved:

H. R. No. 23 - Representative Roegner

Honoring GO2 Advertising on receiving a Gold Award at the 2014 National Healthcare Marketing IMPACT Awards.

H. R. No. 24 - Representative Gonzales

Honoring James M. Dowdy II on receiving the 2015 OMEA Distinguished Service Award.

H. C. R. No. 6 - Representatives Retherford, Conditt, Derickson

Honoring Malia Berkely as the 2014-2015 Gatorade Ohio Girls Soccer Player of the Year.

/s/ RON AMSTUTZ

Ron Amstutz, Chair

Representative Sears moved that the Rules and Reference committee report on resolutions be agreed to and that the House Resolutions and House Concurrent Resolution contained therein be approved.

The motion was agreed to.

Representative Dovilla moved that majority party members asking leave to be absent or absent the week of Wednesday, February 18, 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 Wednesday, February 18, 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. 14-Representatives Gerberry, Buchy.

Cosponsors: Representatives Green, Curtin, Clyde, Brown.

To enact section 4301.71 of the Revised Code to prohibit the sale of powdered or crystalline alcohol for human consumption, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 93, 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 | Gerberry |
| Ginter | Gonzales | Green | Grossman |
| Hackett | Hagan | Hall | Hambley |
| Hayes | Henne | Hill | Hood |
| Howse | Huffman | Johnson, G. | Johnson, T. |
| Koehler | Kraus | Kunze | Landis |
| LaTourette | Leland | Lepore-Hagan | Maag |
| Manning | McClain | O'Brien, M. | O'Brien, S. |
| Patmon | Patterson | Pelanda | Perales |
| Phillips | Ramos | Reece | Reineke |
| Retherford | Rezabek | Roegner | Rogers |
| Romanchuk | Ruhl | Ryan | Schaffer |
| Schuring | Sears | Sheehy | Slesnick |
| Smith, K. | Smith, R. | Sprague | Stinziano |
| Strahorn | Sweeney | Sykes | Terhar |
| Thompson | Vitale | Young | Zeltwanger |
| | | | Rosenberger-93 |

Representatives Brinkman voted in the negative-1.

The bill passed.

Representative Buchy moved to amend the title as follows:

Add the names: "Anielski, Antonio, Baker, Barnes, Boose, Boyce, Boyd, Burkley, Celebrezze, Craig, Derickson, DeVitis, Dovilla, Duffey, Grossman, Hayes, Johnson, T., Koehler, Kraus, Lepore-Hagan, McClain, O'Brien, M.,

O'Brien, S., Patterson, Pelanda, Phillips, Rogers, Ryan, Sears, Sheehy, Smith, R., Sprague, Strahorn, Sweeney, Sykes."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 22-Representatives Dovilla, Anielski.

Cosponsors: Representatives Amstutz, Blessing, Ginter, Grossman, Hall, Hambley, Kraus, Leland, Perales, Gerberry, Curtin, Brown.

To amend section 5533.359 of the Revised Code to designate both the eastbound and westbound bridges that will span the Cuyahoga River in Cuyahoga County and be part of Interstate Highway 90 as the "George V. Voinovich Bridge.", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 4, as follows:

Those who voted in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|----------------|
| Amstutz | Anielski | Antani | Antonio |
| Ashford | Baker | Barnes | Bishoff |
| Blessing | Boyce | Boyd | Brenner |
| Brown | Buchy | Burkley | Butler |
| Celebrezze | Cera | Clyde | Conditt |
| Craig | Cupp | Curtin | Derickson |
| Dever | DeVitis | Dovilla | Driehaus |
| Duffey | Gerberry | Ginter | Gonzales |
| Green | Grossman | Hackett | Hagan |
| Hall | Hambley | Hayes | Henne |
| Hill | Hood | Howse | Huffman |
| Johnson, G. | Johnson, T. | Kraus | Kunze |
| Landis | LaTourette | Leland | Lepore-Hagan |
| Maag | Manning | McClain | O'Brien, M. |
| O'Brien, S. | Patmon | Patterson | Pelanda |
| Perales | Phillips | Reece | Reineke |
| Retherford | Rezabek | Roegner | Rogers |
| Romanchuk | Ruhl | Ryan | Schaffer |
| Schuring | Sears | Sheehy | Slesnick |
| Smith, K. | Smith, R. | Sprague | Stinziano |
| Strahorn | Sweeney | Sykes | Terhar |
| Thompson | Vitale | Young | Zeltwanger |
| | | | Rosenberger-89 |

Representatives Becker, Boose, Brinkman, Ramos voted in the negative-4.

The bill passed.

Representative Anielski moved to amend the title as follows:

Add the names: "Antani, Baker, Barnes, Bishoff, Brenner, Buchy, Celebrezze, Cera, Cupp, Johnson, T., Landis, Manning, McClain, Rogers, Ruhl, Schaffer, Schuring, Sheehy, Smith, K., Smith, R., Sprague, Stinziano, Sweeney, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 29-Representative Johnson, T.

Cosponsors: Representatives Grossman, Derickson, Ginter, O'Brien, M., Dever, Huffman, Antonio, Bishoff, Brown, Duffey, Sears.

To enact section 5.2299 of the Revised Code to designate November as "Alpha-1 Antitrypsin Deficiency Awareness Month.", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 94, 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 |
| Gerberry | Ginter | Gonzales | Green |
| Grossman | Hackett | Hagan | Hall |
| Hambley | Hayes | Henne | Hill |
| Hood | Howse | Huffman | Johnson, G. |
| Johnson, T. | Koehler | Kraus | Kunze |
| Landis | LaTourette | Leland | Lepore-Hagan |
| Maag | Manning | McClain | O'Brien, M. |
| O'Brien, S. | Patmon | Patterson | Pelanda |
| Perales | Phillips | Ramos | Reece |
| Reineke | Retherford | Rezabek | Roegner |
| Rogers | Romanchuk | Ruhl | Ryan |
| Schaffer | Schuring | Sears | Sheehy |
| Slesnick | Smith, K. | Smith, R. | Sprague |
| Stinziano | Strahorn | Sweeney | Sykes |
| Terhar | Thompson | Vitale | Young |
| Zeltwanger | | | Rosenberger-94 |

The bill passed.

Representative Johnson, T. moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Baker, Barnes, Blessing, Boyd, Buchy, Burkley, Celebrezze, DeVitis, Dovilla, Gerberry, Green, Hagan, Hall, Hayes, Kraus, Landis, Leland, Lepore-Hagan, O'Brien, S., Patterson, Phillips, Rogers, Ruhl, Ryan, Slesnick, Smith, K., Smith, R., Sprague, Stinziano, Strahorn, Sweeney, Terhar, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby appoints Representative LaTourette to the Insurance committee.

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 Representative Duffey; appoint Representative Grossman.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on February 18, 2015, signed the following:

H. J. R. No. 1-Speaker Rosenberger

On motion of Representative Amstutz, the House adjourned until Thursday, February 19, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.