

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, FEBRUARY 25, 2015

NINETEENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, February 25, 2015, 9:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Reverend Todd Barlow of the First Church of the Nazarene in Jackson, Ohio, followed by the Pledge of Allegiance to the Flag.

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

Students from Baldwin Wallace University, guests of Representative Dovilla-7th district.

Jackson Biesecker, a guest of Representative Boyd-9th district.

Chris Pond, a guest of Representative Grossman-23rd district.

Kayla Lacey and Carrett Bascom, guests of Representative Terhar-30th district.

Junior Leadership Hudson and the Western Reserve Academy students, guests of Representative Roegner-37th district.

Patrick Sweeney, a guest of Representative Strahorn-39th district.

Mr. and Mrs. David Girbert, guests of Representative Buchy-84th district.

Chasse Layton, Patti Byers, and Lori Maben, guests of Representatives Vitale-85th district and Buchy-84th district.

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

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 80-**Representative Burkley.

Cosponsors: Representatives Blessing, Boose, Brenner, Grossman, Hackett, Hall, Hayes, Hill, LaTourette, Koehler, Maag, Retherford, Ruhl, Scherer, Zeltwanger.

To amend sections 303.21, 519.21, and 5713.30 and to enact section 901.80 of the Revised Code to limit the authority of a board of county commissioners or board of township trustees to prohibit agritourism through zoning, to apply current agricultural use valuation to land used for agritourism for property tax purposes, and to establish immunity in a civil action for agritourism providers.

**H. B. No. 81-**Representative Hambley.

Cosponsors: Representatives Becker, Blessing, Brown, Hood, Koehler, Rezabek, Thompson.

To amend sections 3501.01, 3501.17, 5705.194, 5739.021, and 5739.026 of the Revised Code to eliminate the ability to conduct special elections in February and to require a political subdivision to prepay sixty-five per cent of the estimated cost of a special election.

**H. B. No. 82**-Representative Hambley.

Cosponsors: Representatives Amstutz, Becker, Ginter, Johnson, T., Koehler, Maag, Thompson.

To amend sections 9.06, 307.93, 341.35, and 753.03 of the Revised Code to permit a county, a group of counties, or a group of counties and municipalities to contract for the private operation and management of a correctional facility that houses felon inmates.

**H. B. No. 83**-Representative Cera.

Cosponsors: Representatives Gerberry, Rogers, Lepore-Hagan, Phillips.

To amend sections 1509.30 and 1509.99 of the Revised Code to require the owner of an oil or gas well to provide a royalty statement to the holder of the royalty interest when the owner makes payment to the holder.

**H. B. No. 84**-Representatives Sprague, Sweeney.

Cosponsors: Representatives Becker, Blessing, Henne, Leland, Ruhl.

To amend section 718.37 of the Revised Code to require civil actions by taxpayers related to municipal income taxes be brought against the municipal corporation imposing the tax rather than the municipal corporation's tax administrator.

**H. B. No. 85**-Representatives Ramos, Hagan.

Cosponsors: Representatives Becker, Rezabek, Lepore-Hagan, Fedor, O'Brien, M., Sheehy, Driehaus, Slesnick.

To amend sections 3313.60 and 3319.073 and to enact sections 3314.031 and 3326.091 of the Revised Code with respect to age-appropriate student instruction in child sexual abuse and sexual violence prevention and in-service staff training in child sexual abuse prevention.

**H. B. No. 86**-Representative Grossman.

To enact section 4511.206 of the Revised Code to create the offense of "distracted driving" and to limit its application and prosecution to persons who also commit a moving violation or a vehicular homicide offense at the same time as the distracted driving offense.

**H. B. No. 87**-Representative Slesnick.

Cosponsors: Representatives Ashford, Leland, Cera, Brenner, Fedor, Boyd, Antonio, Lepore-Hagan, Reece, Sheehy.

To enact section 5.2298 of the Revised Code to designate October 7 as Moses Fleetwood Walker Day.

**H. B. No. 88**-Representative Sheehy.

Cosponsors: Representatives Ashford, Lepore-Hagan, Stinziano.

To amend sections 4511.043, 4511.204, and 4511.205 of the Revised Code to prohibit the use of an electronic wireless communications device while operating a vehicle in a school zone during hours when children are present outside or in a construction zone during hours of actual work, to specify that the offenses related to the use of a handheld electronic wireless communications device while driving apply to the operation of all vehicles rather than all motor vehicles as under current law, and to make driving a vehicle while using a handheld electronic wireless communications device to write, send, or read a text-based communication a primary rather than secondary traffic offense.

**H. B. No. 89**-Representative DeVitis.

Cosponsors: Representatives Ginter, Grossman, Rezabek, Boose, McColley, Brenner, Romanchuk, Sprague, Hagan, Duffey, Gonzales, Butler, Cera, Patterson, Sykes.

To amend sections 5162.01, 5162.36, 5162.361, 5162.363, 5162.364, 5162.54, and 5162.64; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 5162.362 (5162.363), 5162.363 (5162.364), and 5162.364 (5162.369); and to enact new section 5162.362 and sections 5162.365, 5162.366, 5162.367, and 5162.368 of the Revised Code regarding the Medicaid School Program.

**H. B. No. 90**-Representatives Hackett, Bishoff.

Cosponsors: Representatives Grossman, O'Brien, S., Slesnick, Thompson, Stinziano, Leland.

To enact sections 3938.01, 3938.02, 3938.03, 3938.04, 3938.05, 3938.06, 3938.07, and 3938.99 of the Revised Code to regulate insurance requirements for transportation network companies and transportation network company drivers.

Said bills were considered the first time.

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

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 62**-Representative Buchy, et. al., having had the same under consideration, reports it back and recommends its passage.

**RE: KRABBE DISEASE AWARENESS WEEK - SECOND WEEK OF SEPTEMBER**

Representative Huffman moved to amend the title as follows:

Add the names: "Gonzales, Antonio, Barnes, Bishoff, Brown, Butler, Duffey, Johnson, T., LaTourette, Lepore-Hagan, Ramos, Sprague, Sears, Sykes."

ANNE GONZALES	STEPHEN A. HUFFMAN
NICKIE J. ANTONIO	JOHN BARNES, JR.
HEATHER BISHOFF	TIM W. BROWN
JIM BUTLER	MIKE DUFFEY
TIMOTHY E. GINTER	TERRY JOHNSON
SARAH LATOURETTE	MICHELE LEPORE-HAGAN
DANIEL RAMOS	BARBARA R. SEARS
ROBERT COLE SPRAGUE	EMILIA STRONG SYKES

The report was agreed to.

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

**MOTIONS AND RESOLUTIONS**

Representative Dovilla moved that majority party members asking leave to be absent or absent the week of Tuesday, February 24, 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 Tuesday, February 24, 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. 17-**Representatives Blessing, Landis.

Cosponsors: Representatives Brenner, Grossman, Conditt, Becker, Maag, Romanchuk, Roegner, Amstutz, Thompson, Dever, Young.

To enact section 2305.2310 of the Revised Code to provide civil immunity for architects, contractors, engineers, surveyors, and tradespersons providing volunteer services during a declared emergency, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

February 25, 2015

The Honorable Cliff Rosenberger, Speaker  
The Ohio House of Representatives  
Columbus, Ohio

Speaker Rosenberger,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on **H. B. No. 17**-Representatives Blessing, Landis, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ TIMOTHY O. SCHAFFER  
TIMOTHY O. SCHAFFER  
State Representative  
77th House District

The request was granted.

The yeas and nays were taken and resulted – yeas 96, 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
Fedor	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
McColley	O'Brien, M.	O'Brien, S.	Patmon
Patterson	Pelanda	Perales	Ramos
Reece	Reineke	Retherford	Rezabek
Roegner	Rogers	Romanchuk	Ruhl
Ryan	Scherer	Schuring	Sears
Sheehy	Slaby	Slesnick	Smith, K.
Smith, R.	Sprague	Stinziano	Strahorn
Sweeney	Sykes	Terhar	Thompson
Vitale	Young	Zeltwanger	Rosenberger-96

The bill passed.

Representative Blessing moved to amend the title as follows:

Add the names: "Anielski, Baker, Boose, Brown, Buchy, Burkley, Derickson, DeVitis, Dovilla, Duffey, Ginter, Green, Hackett, Hagan, Hall, Hayes, Hood, Koehler, Kraus, McClain, Pelanda, Perales, Retherford, Ruhl, Ryan, Scherer, Schuring, Sears, Terhar, Zeltwanger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 62-Representative Buchy.**

Cosponsors: Representatives Derickson, Fedor, Ginter, Grossman, Hill, Huffman, Leland, Stinziano, Gonzales, Antonio, Barnes, Bishoff, Brown, Butler, Duffey, Johnson, T., LaTourette, Lepore-Hagan, Ramos, Sprague, Sears, Sykes.

To enact section 5.2299 of the Revised Code to designate the second week of September as "Krabbe Disease Awareness Week.", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 97, 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
Fedor	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
McColley	O'Brien, M.	O'Brien, S.	Patmon
Patterson	Pelanda	Perales	Ramos
Reece	Reineke	Retherford	Rezabek
Roegner	Rogers	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring
Sears	Sheehy	Slaby	Slesnick
Smith, K.	Smith, R.	Sprague	Stinziano
Strahorn	Sweeney	Sykes	Terhar
Thompson	Vitale	Young	Zeltwanger
			Rosenberger-97

The bill passed.

Representative Buchy moved to amend the title as follows:

Add the names: "Anielski, Ashford, Baker, Blessing, Boyd, Brenner, Burkley, Celebrezze, Clyde, Craig, Cupp, DeVitis, Dovilla, Driehaus, Gerberry, Green, Hackett, Hagan, Hall, Hayes, Johnson, G., McClain, O'Brien, M., O'Brien, S., Patterson, Pelanda, Roegner, Rogers, Ryan, Schaffer, Sheehy, Slaby, Slesnick, Smith, K., Smith, R., Sweeney, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

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

**Sub. S. B. No. 1** - Senators Gardner, Peterson

Cosponsors: Senators Hite, LaRose, Eklund, Manning, Beagle, Bacon, Balderson, Brown, Burke, Coley, Faber, Hottinger, Hughes, Lehner, Obhof, Oelslager, Patton, Sawyer, Schiavoni, Seitz, Tavares, Thomas, Widener, Williams, Yuko

To amend sections 6109.10 and 6111.03 and to enact sections 905.326, 905.327, 1511.10, 1511.11, 3745.50, and 6111.32 of the Revised Code and to amend Section 333.30 of Am. Sub. H.B. 59 of the 130th General Assembly to require applicators of fertilizer or manure to comply with specified requirements, to establish requirements governing dredged material, nutrient loading, and phosphorous testing by publicly owned treatment works, and to declare an emergency.

Attest:

Vincent L. Keeran,  
Clerk.

Said bill was considered the first time.

On motion of Representative Amstutz, the House recessed.

The House met pursuant to recess.

Representative Hood moved that the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.



The motion was agreed to.

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

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 4**-Representatives Sprague and Rezabek, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: NALOXONE-FURNISH OR DISPENSE WITH REGARD TO  
PERSON AT RISK OF OPIOID OVERDOSE

Representative Huffman moved to amend the title as follows:

Add the names: "Gonzales, Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Ginter, Johnson, T., LaTourette, Lepore-Hagan, Ramos, Sears, Schuring, Sykes."

ANNE GONZALES  
NICKIE J. ANTONIO  
HEATHER BISHOFF  
JIM BUTLER  
TERRY JOHNSON  
MICHELE LEPORE-HAGAN  
DANIEL RAMOS  
BARBARA R. SEARS  
EMILIA STRONG SYKES

STEPHEN A. HUFFMAN  
JOHN BARNES, JR.  
TIM W. BROWN  
TIMOTHY E. GINTER  
SARAH LATOURETTE  
RONALD MAAG  
KIRK SCHURING  
ROBERT COLE SPRAGUE

The report was agreed to.

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

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **H. C. R. No. 5**-Representatives Patterson, Ruhl, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: URGE ACTION TO PREVENT LYME DISEASE

Representative Huffman moved to amend the title as follows:

Add the names: "Gonzales, Barnes, Brown, Butler, Ginter, Sears, Ramos."

ANNE GONZALES  
NICKIE J. ANTONIO  
HEATHER BISHOFF  
JIM BUTLER

STEPHEN A. HUFFMAN  
JOHN BARNES, JR.  
TIM W. BROWN  
TIMOTHY E. GINTER

TERRY JOHNSON  
MICHELE LEPORE-HAGAN  
DANIEL RAMOS  
BARBARA R. SEARS

SARAH LATOURETTE  
RONALD MAAG  
KIRK SCHURING  
EMILIA STRONG SYKES

The report was agreed to.

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

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 34**-Representatives Retherford, Boose, et. al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Rules and Reference.

RE: HEALTH CARE COMPACT-ENTER INTO

ANNE GONZALES  
NICKIE J. ANTONIO  
HEATHER BISHOFF  
TIMOTHY E. GINTER  
SARAH LATOURETTE  
RONALD MAAG  
KIRK SCHURING  
EMILIA STRONG SYKES

STEPHEN A. HUFFMAN  
JOHN BARNES, JR.  
TIM W. BROWN  
TERRY JOHNSON  
MICHELE LEPORE-HAGAN  
DANIEL RAMOS  
BARBARA R. SEARS

The report was agreed to.

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

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

**H. B. No. 70** - Representatives Driehaus and Brenner  
TO AUTHORIZE SCHOOL DISTRICTS AND COMMUNITY SCHOOLS  
TO INITIATE A COMMUNITY LEARNING CENTER PROCESS TO  
ASSIST AND GUIDE SCHOOL RESTRUCTURING.  
To the committee on Education

**H. B. No. 71** - Representative Roegner  
TO PROHIBIT CERTAIN INDEMNITY AGREEMENTS IN MOTOR  
VEHICLE CARRIER TRANSPORTATION CONTRACTS.  
To the committee on Judiciary

**H. B. No. 72 - Representative Conditt**

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.

To the committee on Public Utilities

**H. B. No. 73 - Representatives Lepore-Hagan and Gerberry**

TO ESTABLISH PROVISIONS REGARDING THE POSSIBLE CLOSING, SALE, OR PRIVATIZATION OF STATE INSTITUTIONAL FACILITIES.

To the committee on Government Accountability and Oversight

**H. B. No. 74 - Representative Brenner**

AND TO AMEND SECTIONS 10 AND 13 OF AM. SUB. H.B. 487 OF THE 130TH GENERAL ASSEMBLY WITH REGARD TO THE ADMINISTRATION OF STATE PRIMARY AND SECONDARY EDUCATION ASSESSMENTS.

To the committee on Education

**H. B. No. 75 - Representative Patmon**

TO PROHIBIT ANY PERSON FROM STORING OR LEAVING A FIREARM IN THE PERSON'S RESIDENCE UNLESS THE FIREARM IS SECURED IN SAFE STORAGE OR RENDERED INOPERABLE BY A TAMPER-RESISTANT LOCK OR OTHER SAFETY DEVICE IF THE PERSON KNOWS OR REASONABLY SHOULD KNOW THAT A MINOR IS ABLE TO GAIN ACCESS TO THE FIREARM AND TO PROVIDE CRIMINAL PENALTIES IF A MINOR GAINS UNAUTHORIZED ACCESS TO A FIREARM NOT SO STORED OR RENDERED INOPERABLE.

To the committee on State Government

**H. B. No. 76 - Representative Patmon**

TO INCLUDE IN THE DEFINITION OF PUBLIC RECORD RECORDS KEPT BY A POLICE DEPARTMENT ESTABLISHED BY A QUALIFIED NONPROFIT CORPORATION OR A CAMPUS POLICE DEPARTMENT ESTABLISHED BY A PRIVATE COLLEGE OR UNIVERSITY.

To the committee on Judiciary

**H. B. No. 77 - Representative Patmon**

TO REQUIRE STATEWIDE REGISTRATION OF HOME IMPROVEMENT CONTRACTORS, TO MODIFY THE MEMBERSHIP OF THE OHIO CONSTRUCTION INDUSTRY LICENSING BOARD, AND TO MAKE AN APPROPRIATION.

To the committee on Commerce and Labor

**H. B. No. 78 - Representative Patmon**

TO PROHIBIT ANY TRANSFER OF A FIREARM FROM A PERSON WHO IS NOT A FEDERALLY LICENSED FIREARMS DEALER TO A PERSON WHO IS NOT A FEDERALLY LICENSED FIREARMS DEALER UNLESS THE FIREARM IS TRANSFERRED THROUGH A FEDERALLY LICENSED FIREARMS DEALER, THROUGH A STATE OR LOCAL LAW ENFORCEMENT AGENCY, OR PURSUANT TO A SPECIFIED EXCEPTION; TO REQUIRE THAT BACKGROUND CHECKS BE CONDUCTED WHEN A FIREARM IS TRANSFERRED THROUGH A FEDERALLY LICENSED FIREARMS DEALER OR THROUGH A STATE OR LOCAL LAW ENFORCEMENT AGENCY; AND TO PROVIDE FOR RECORDKEEPING WITH RESPECT TO INFORMATION OBTAINED PURSUANT TO SUCH A BACKGROUND CHECK.

To the committee on State Government

**H. B. No. 79** - Representative Patmon

TO REQUIRE AN APPLICANT FOR A HUNTING LICENSE TO SPECIFY WHETHER THE APPLICANT HAS BEEN CONVICTED OF OR PLEADED GUILTY TO A FELONY AND TO REQUIRE THE LICENSE TO SPECIFY "FIREARM RESTRICTED" IF AN APPLICANT HAS SO INDICATED.

To the committee on State Government

RON AMSTUTZ  
CHERYL L. GROSSMAN  
RON HOOD  
DOROTHY PELANDA  
KEVIN BOYCE  
DANIEL RAMOS

ANDREW BRENNER  
BILL HAYES  
STEPHANIE KUNZE  
NICKIE J. ANTONIO  
NICHOLAS CELEBREZZE

Representative Hood 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 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 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 resolution be read by title only and

approved:

**H. R. No. 25 - Representative Buchy**

Honoring the Midmark Corporation on its One Hundredth Anniversary.

/s/RON AMSTUTZ

Ron Amstutz, Chair

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

The motion was agreed to.

On motion of Representative Hood, the House adjourned until Monday, March 2, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.