

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, MARCH 4, 2015

TWENTY-SECOND DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, March 4, 2015, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Tad Grover of the Community United Methodist Church in Circleville, 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:

Burt Logan, Ohio History Connection CEO, presented a special gavel to the Ohio House of Representatives.

Cornelius McGrady, a guest of Representative Bishoff-20th district.

Teresa Corall, Lianne Neff-Heppner, Theodore Mallison, and Ashley Aceto, guests of Representative Sykes-34th district.

Chuck Carrant, Tom Roberts, and students from the state government class of Sinclair Community College-39th district.

Rob Cron, Tammy Schwartz, Roland Coloma, Cheryl Irish, and Nancy Parkinson, guests of Representative Derickson-53rd district.

Austin Hardin, a guest of Representative Perales-73rd district.

Students from Findlay High School, guests of Representative Sprague-83rd district.

Christie Weininger and representatives from the Hayes Presidential Center, guests of Representative Reineke-88th district.

Ian Henson, a guest of Speaker Rosenberger-91st district.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 99-Representative Curtin.

Representatives Leland, Lepore-Hagan, Phillips.

To amend sections 5747.02 and 5747.03 of the Revised Code to require that an amount equal to state income tax collections, less amounts contributed to the Ohio political party fund via the income tax checkoff, be distributed for the support of elementary, secondary, vocational, and special education programs.

H. B. No. 100-Representatives Slaby, Patmon.

Representatives O'Brien, S., Lepore-Hagan, Romanchuk, Maag, Blessing, Schaffer, Hambley, Grossman, Dever.

To amend section 4511.25 of the Revised Code to require that a vehicle with a gross vehicle weight rating or an actual gross vehicle weight of more than 10,000 pounds be driven only in either of the two right-hand lanes of a freeway with three lanes of travel in the same direction, except in limited circumstances.

H. B. No. 101-Representative Hall.

Representatives Boose, Thompson, Hambley, Baker, Perales, Blessing, Schaffer.

To enact sections 6109.40, 6109.41, and 6111.33 of the Revised Code to establish requirements governing the training of employees of publicly owned treatment works and public water systems to monitor and test for harmful algae, the development of emergency plans by certain public water systems to respond to harmful algal blooms, and the development of an early warning system for harmful algal blooms, and to require the Director of Natural Resources to study the impact of certain species on Lake Erie.

H. B. No. 102-Representatives Craig, Antani.

Representatives Fedor, Reece, Strahorn.

To amend sections 125.01, 125.09, 125.11, 3772.033, 5747.98, and 5751.98 and to enact sections 5747.61 and 5751.55 of the Revised Code to provide a bid preference for state contracts to a veteran-owned business and to authorize a personal income and commercial activity tax credit for a business that hires and employs a veteran for at least one year.

H. B. No. 103-Representatives Pelanda, Kunze.

Representatives Grossman, Dever, Duffey, Bishoff, Ruhl, Brown, Blessing, Thompson, Leland, Antonio, Driehaus, Fedor.

To enact sections 5.2298, 125.66, and 125.67 of the Revised Code to designate the second week of March as Ohio Womens' Week for Policy and Entrepreneurship, to create the Ohio Womens' Policy and Entrepreneurship Committee, and to require the state, in collaboration with the private sector, to conduct a two-day competition and forum each even-numbered year during the designated week.

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 **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 State Government.

RE: HEALTH CARE COMPACT - ENTER INTO

RON AMSTUTZ
ANDREW BRENNER
BILL HAYES
STEPHANIE KUNZE

NICKIE J. ANTONIO
CHERYL L. GROSSMAN
RON HOOD
DOROTHY PELANDA

The following members voted "NO"

FRED STRAHORN
NICHOLAS CELEBREZZE

KEVIN BOYCE
DANIEL RAMOS

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on State Government.

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 11**-Representatives Brenner, Ruhl, having had the same under consideration, reports it back and recommends its passage.

RE: DELAWARE COUNTY COURT OF COMMON PLEAS -
CREATE DOMESTIC RELATIONS DIVISION

Representative Butler moved to amend the title as follows:

Add the name: "Celebrezze."

JIM BUTLER
MICHAEL STINZIANO
NICHOLAS CELEBREZZE
ROBERT R. CUPP
GRETA JOHNSON
DOROTHY PELANDA
EMILIA STRONG SYKES

NATHAN H. MANNING
NIRAJ J. ANTANI
MARGARET CONDITT
JONATHAN DEVER
ROBERT MCCOLLEY
JEFFERY S. REZABEK

The report was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on Government Accountability and Oversight to which was referred **H. B. No. 40**-Representatives Gonzales, Dever, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: STATE MEDICAL BOARD-IMPOSE FINES FOR CERTAIN VIOLATIONS/CONDITIONS FOR RESTORATION OF CERTAIN CERTIFICATES TO PRACTICE

Representative Blessing moved to amend the title as follows:

Add the names: "Brown, Green."

TIM W. BROWN

LOUIS W. BLESSING III

JIM BUCHY

JIM BUTLER

TIMOTHY DERICKSON

RONALD V. GERBERRY

DOUG GREEN

DAVID LELAND

ROBERT MCCOLLEY

DOROTHY PELANDA

RYAN SMITH

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, Senate Bill, and House Joint Resolution be considered for the second time and referred to the following committees for consideration:

H. B. No. 80 - Representative Burkley

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.

To the committee on Agriculture and Rural Development

H. B. No. 81 - Representative Hambley

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.

To the committee on Government Accountability and Oversight

H. B. No. 82 - Representative Hambley

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.

To the committee on State Government

H. B. No. 83 - Representative Cera

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.

To the committee on Energy and Natural Resources

H. B. No. 84 - Representatives Sprague and Sweeney

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.

To the committee on Ways and Means

H. B. No. 86 - Representative Grossman

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.

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

H. B. No. 87 - Representative Slesnick

TO DESIGNATE OCTOBER 7 AS MOSES FLEETWOOD WALKER DAY.

To the committee on State Government

H. B. No. 88 - Representative Sheehy

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.

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

H. B. No. 89 - Representative DeVitis
REGARDING THE MEDICAID SCHOOL PROGRAM.

To the committee on Health and Aging

H. B. No. 90 - Representatives Hackett and Bishoff
TO REGULATE INSURANCE REQUIREMENTS FOR
TRANSPORTATION NETWORK COMPANIES AND TRANSPORTATION
NETWORK COMPANY DRIVERS.

To the committee on Government Accountability and Oversight

H. B. No. 91 - Representative Green
TO LENGTHEN THE MAXIMUM TERM OF A PROPERTY TAX LEVIED
FOR THE PURPOSE OF OPERATING A CEMETERY.

To the committee on Ways and Means

H. B. No. 92 - Representative Hagan
TO PROHIBIT AN EMPLOYEE OF A PUBLIC OR NONPUBLIC SCHOOL
OR INSTITUTION OF HIGHER EDUCATION WHO IS NOT IN A
POSITION OF AUTHORITY FROM ENGAGING IN SEXUAL CONDUCT
WITH A MINOR AT LEAST FOUR YEARS YOUNGER THAN THE
EMPLOYEE WHO IS ENROLLED IN OR ATTENDS THAT PUBLIC OR
NONPUBLIC SCHOOL OR WHO IS ENROLLED IN OR ATTENDS THAT
INSTITUTION OF HIGHER EDUCATION.

To the committee on Judiciary

H. B. No. 93 - Representatives Baker and Landis
TO SPECIFY THAT "BREAST CANCER AWARENESS" LICENSE
PLATES MAY BE ISSUED TO MOTORCYCLE OWNERS.

To the committee on Transportation and Infrastructure

H. B. No. 94 - Representative Barnes
TO PROHIBIT A PERSON FROM NEGLIGENTLY ALLOWING AN
ANIMAL TO BE TETHERED OUTDOORS UNDER SPECIFIED
CIRCUMSTANCES.

To the committee on Agriculture and Rural Development

H. B. No. 95 - Representative DeVitis
TO PROHIBIT A HEALTH INSURER FROM ESTABLISHING A FEE
SCHEDULE FOR DENTAL PROVIDERS FOR SERVICES THAT ARE
NOT COVERED BY ANY CONTRACT OR PARTICIPATING PROVIDER

AGREEMENT BETWEEN THE HEALTH INSURER AND THE DENTAL PROVIDER.

To the committee on Health and Aging

H. B. No. 96 - Representatives Pelanda and Bishoff

TO AUTHORIZE A PERSON NOT OTHERWISE AUTHORIZED TO DO SO TO ADMINISTER CERTAIN DRUGS PURSUANT TO DELEGATION BY AN ADVANCED PRACTICE REGISTERED NURSE WHO HOLDS A CERTIFICATE TO PRESCRIBE.

To the committee on Health and Aging

Sub. S. B. No. 1 - Senators Gardner and Peterson

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.

To the committee on Agriculture and Rural Development

H. J. R. No. 2 - Representatives Clyde and Curtin

TO REVISE THE REDISTRICTING PROCESS FOR CONGRESSIONAL DISTRICTS.

To the committee on Government Accountability and Oversight

RON AMSTUTZ

CHERYL L. GROSSMAN

RON HOOD

DOROTHY PELANDA

NICKIE J. ANTONIO

NICHOLAS CELEBREZZE

ANDREW BRENNER

BILL HAYES

STEPHANIE KUNZE

FRED STRAHORN

KEVIN BOYCE

DANIEL RAMOS

Representative Amstutz 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, Senate Bill, and House Joint Resolution 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, Senate Bill, and House Joint Resolution 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 Concurrent Resolutions and House Resolution be introduced and referred to the following committees for consideration:

H. C. R. No. 7 - Representatives Sprague

TO URGE THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO PRESERVE THE TAX-EXEMPT STATUS OF MUNICIPAL BONDS.

To the committee on Local Government

H. C. R. No. 8 - Representative Perales

TO REPUDIATE THE CLAIM BY THE STATE OF CONNECTICUT THAT GUSTAVE WHITEHEAD SUCCESSFULLY FLEW A POWERED, HEAVIER THAN AIR MACHINE OF HIS OWN DESIGN ON AUGUST 14, 1901, OR ON ANY OTHER DATE.

To the committee on Transportation and Infrastructure

H. C. R. No. 9 - Representative Baker and Boose

TO ESTABLISH A SUSTAINABLE ENERGY-ABUNDANCE PLAN FOR OHIO TO MEET FUTURE OHIO ENERGY NEEDS WITH AFFORDABLE, ABUNDANT, AND ENVIRONMENTALLY FRIENDLY ENERGY.

To the committee on Public Utilities

H. R. No. 27 - Representative Sykes

TO URGE THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO REAUTHORIZE THE CHILDREN'S HEALTH INSURANCE PROGRAM.

To the committee on Health and Aging

/s/ RON AMSTUTZ

Ron Amstutz, Chair

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

The motion was agreed to.

Said House Concurrent Resolutions and House Resolution were introduced and referred as recommended.

Representative Celebrezze reported for the Rules and Reference committee recommending that the following resolution be read by title only and approved:

H. R. No. 26 - Representative Phillips

Honoring the Ohio University Center for Entrepreneurship as a 2015 Outstanding Emerging Entrepreneurship Program Award winner.

/s/RON AMSTUTZ

Ron Amstutz, Chair

Representative Amstutz 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.

BILLS FOR THIRD CONSIDERATION

H. B. No. 31-Representatives Grossman, Stinziano.

Representatives Baker, Bishoff, Blessing, DeVitis, Dovilla, Ginter, Hackett, Hall, Hambley, Hood, Leland, Maag, Ramos, Rezabek, Ruhl, Schaffer, Smith, K., Strahorn, Vitale, Kunze, Gerberry.

To enact section 5.092 of the Revised Code to designate "Hang on Sloopy," which includes the following lyrics, as the official state rock song: Hang on Sloopy, Sloopy hang on; Sloopy lives in a very bad part of town; All the girls I know they try to put my Sloopy down; Sloopy, I don't care what your daddy do; Don't you know little girl, I'm in love with you; Sloopy, let your hair down, let it down on me; Come on Sloopy let your hair down, Girl it down on me, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 84, nays 14, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antani	Antonio	Ashford
Baker	Barnes	Bishoff	Blessing
Boose	Boyce	Boyd	Brenner
Brown	Buchy	Burkley	Celebrezze
Cera	Clyde	Craig	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Gerberry
Ginter	Gonzales	Green	Grossman
Hackett	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Kraus
Kunze	Landis	LaTourette	Leland
Lepore-Hagan	Maag	Manning	McClain
McColley	O'Brien, M.	O'Brien, S.	Patterson

Pelanda	Perales	Phillips	Ramos
Reece	Reineke	Rezabek	Rogers
Romanchuk	Ruhl	Ryan	Schaffer
Scherer	Schuring	Sears	Sheehy
Slaby	Slesnick	Smith, K.	Smith, R.
Sprague	Stinziano	Strahorn	Sweeney
Sykes	Thompson	Young	Rosenberger-84

Those who voted in the negative were: Representatives

Amstutz	Becker	Brinkman	Butler
Conditt	Cupp	Hagan	Koehler
Patmon	Retherford	Roegner	Terhar
Vitale			Zeltwanger-14

The bill passed.

Representative Grossman moved to amend the title as follows:

Add the names: "Brenner, Brown, Celebrezze, Clyde, Craig, Curtin, Duffey, Green, Johnson, T., McColley, O'Brien, M., Patterson, Phillips, Rogers, Sheehy, Sprague."

Remove the name: "Representative Vitale"

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 4-Representatives Sprague, Rezabek.

Representatives Gonzales, Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Ginter, Johnson, T., LaTourette, Lepore-Hagan, Ramos, Sears, Schuring, Sykes.

To amend sections 2925.61, 4729.29, and 4731.94 and to enact sections 4729.44 and 4731.941 of the Revised Code regarding authority to furnish or dispense naloxone to a person who may be at risk of an opioid overdose or a person who may be in a position to assist a person who is at risk, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 98, 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	Phillips
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-98

The bill passed.

Representative Sprague moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Antani, Baker, Blessing, Boose, Brenner, Buchy, Burkley, Celebrezze, Cera, Conditt, Craig, Curtin, Derickson, Dever, Dovilla, Driehaus, Duffey, Fedor, Gerberry, Green, Grossman, Hackett, Hall, Hayes, Henne, Howse, Johnson, G., Koehler, Kraus, Kunze, Landis, Leland, Manning, McClain, O'Brien, M., O'Brien, S., Patmon, Patterson, Pelanda, Perales, Phillips, Rogers, Ruhl, Scherer, Sheehy, Slaby, Smith, K., Smith, R., Stinziano, Strahorn, Sweeney, Terhar, Thompson, Vitale, Zeltwanger, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Amstutz 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 Patterson submitted the following report:

The standing committee on Agriculture and Rural Development to which was referred **H. B. No. 61**-Representatives Buchy, Hall, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: LAKE ERIE WATER QUALITY

Representative Burkley moved to amend the title as follows:
Add the names: "Hill, Patterson, Boose, Cera, Retherford, Ruhl."

BRIAN HILL	TONY BURKLEY
JOHN PATTERSON	TERRY BOOSE
JIM BUCHY	JACK CERA
CHRISTINA HAGAN	STEVEN W. KRAUS
SARAH LATOURETTE	MICHAEL J. O'BRIEN
SEAN O'BRIEN	BILL PATMON
DEBBIE PHILLIPS	WES RETHERFORD
JEFFERY S. REZABEK	TIMOTHY O. SCHAFFER
MICHAEL SHEEHY	ANDY THOMPSON
A. NINO VITALE	PAUL ZELTWANGER
MARGARET ANN RUHL	

The report was agreed to.

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

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes changes to the membership of the following standing committees:

Financial Institutions, Housing, and Urban Development:
Remove Representative Kuhns; appoint Representatives Bishoff and Smith, K. as Ranking Member.

Health and Aging:
Remove Representative Kuhns; appoint Representative Celebrezze.

Insurance:
Remove Representative Kuhns; appoint Representative Leland.

MESSAGE FROM THE SPEAKER

Pursuant to Section 103.11 of the Ohio Revised Code, the Speaker hereby appoints the following members to the Ohio Legislative Service Commission:

Speaker Rosenberger, Representatives Amstutz, Dovilla, Sears, and Buchy.

On motion of Representative Amstutz, the House adjourned until Thursday, March 5, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.