

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, MAY 20, 2015

FIFTY-FIFTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, May 20, 2015, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Rabbi Michael Ungar of the Tifereth Israel Synagogue in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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

The Cuyahoga Valley Career Center culinary arts team received H. R. No. 106, presented by Representative Anielski-6th district.

The Polaris Career Center culinary team received H. R. No. 104, presented by Representatives Dovilla-7th district and Sweeney-14th district.

Sarah Knott, a guest of Representative Bishoff-20th district.

Anne Gerhardt, a guest of Representatives Dever-28th district and Conditt-52nd district.

Phillip Montgomery, a guest of Representatives Johnson, G.-35th district and Sykes-34th district.

Students from the Hillel Academy of Greater Dayton, guests of Representative Butler-41st district.

Mulamula, Berhan Solomon, Andriatsitohaina Jaona, Awale Ali Kullane, guests of Representative Hagan-50th district.

Jason Freudenberg, Dannelle Chine, and students from the Austintown Middle School, guests of Representative Lepore-Hagan-58th district.

James Dignan and Bob Barko, guests of Representatives Gerberry-59th district, Lepore-Hagan-58th district, O'Brien, S.-63rd district, and O'Brien, M.-64th district.

Diana Muccio and students from Warren John F. Kennedy Catholic School, guests of Representative O'Brien, M.-64th district.

Richard and Zoanne Kelly and Joe Cooke, guests of Representative Landis-98th district.

Jenna Wolfe, a guest of Representative Patterson-99th district.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 222 - Representatives Driehaus, Perales.

Cosponsors: Representatives Antonio, Bishoff, Brown, Grossman, Lepore-

Hagan, Sheehy, Smith, K., Stinziano.

To amend sections 2903.13 and 2917.41 and to enact section 306.20 of the Revised Code to increase the penalty for assault when the victim is an employee of an Ohio transit system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; to permit the court to impose a fine of up to \$5000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; to authorize Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and to increase the penalty for evading payment of the known fares of a public transportation system.

H. B. No. 223 - Representative Stinziano.

To amend section 4109.06 of the Revised Code to allow minors to be employed by a youth athletic program if certain conditions are satisfied.

H. B. No. 224 - Representatives Antani, Duffey.

Cosponsor: Representative Johnson, T.

To enact section 3701.862 of the Revised Code to require each accountable care organization (ACO) to establish a clinical laboratory testing advisory board and each clinical laboratory that provides services to participants in the ACO to designate a member of the board.

H. B. No. 225 - Representatives Grossman, Curtin.

Cosponsors: Representatives Schaffer, Leland, Fedor, Thompson, Hood, Johnson, T., Brown, Bishoff, Blessing.

To enact section 5534.20 of the Revised Code to designate a portion of Interstate Route 70 in Columbus as the "Sgt. Jesse Balthaser U.S.M.C. Memorial Highway."

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **Sub. S. B. No. 13**-Senators Jones, Hughes, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: RAPE/SEXUAL BATTERY-IMPLICATED BY DNA EVIDENCE-
EXTEND STATUTE OF LIMITATIONS

Representative Butler moved to amend the title as follows:

Add the names: "Representatives Dever, Stinziano, Butler, Conditt."

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 Craig submitted the following report:

The standing committee on Armed Services, Veterans Affairs, and Public Safety to which was referred **H. B. No. 18**-Representatives Gonzales, Ginter, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: LAND USE CONTROLS-NOT RESTRICT DISPLAY OF SERVICE FLAGS/STAR BANNERS/U.S. FLAG

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

Add the names: "Perales, Anielski, Bishoff, Landis, O'Brien, M., Retherford, Zeltwanger."

TERRY JOHNSON

HEARCEL F. CRAIG

HEATHER BISHOFF

GRETA JOHNSON

AL LANDIS

WES RETHERFORD

A. NINO VITALE

PAUL ZELTWANGER

RICK PERALES

MARLENE ANIELSKI

TERESA FEDOR

STEVEN W. KRAUS

MICHAEL J. O'BRIEN

LOU TERHAR

RON YOUNG

The report was agreed to.

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

Representative Curtin submitted the following report:

The standing committee on Ways and Means to which was referred **H. B. No. 26**-Representatives Maag, Hagan, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: SALES AND USE TAX-EXEMPT INVESTMENT METAL BULLION AND COINS

Representative McClain moved to amend the title as follows:

Add the names: "Amstutz, Rogers, Schaffer, Slaby, Sheehy, Barnes."

JEFFREY A. MCCLAIN

JACK CERA

NAN A. BAKER

TERRY BOOSE

MICHAEL F. CURTIN

DENISE DRIEHAUS

MICHAEL HENNE

BILL REINEKE

SCOTT RYAN

MICHAEL SHEEHY

EMILIA STRONG SYKES

GARY SCHERER

RON AMSTUTZ

JOHN BARNES, JR.

TONY BURKLEY

JONATHAN DEVER

STEPHEN D. HAMBLEY

ROBERT MCCOLLEY

JOHN M. ROGERS

TIMOTHY O. SCHAFFER

MARILYN SLABY

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, May 19, 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, May 19, 2015, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

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

H. R. No. 115-Speaker Rosenberger, Representatives Ryan, Bishoff, Strahorn, Amstutz, Anielski, Antani, Antonio, Ashford, Baker, Barnes, Becker, 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, Kuhns, 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, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, Smith, K., Smith, R.,

Sprague, Stinziano, Sweeney, Sykes, Terhar, Thompson, Vitale, Young, Zeltwanger.

Honoring the late Lieutenant Stephen F. Byus as the recipient of a 2015 Ohio Military Medal of Distinction.

/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 brought up for immediate adoption.

The motion was agreed to.

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

The resolution was adopted.

Representative Amstutz moved that the following concurrent resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. C. R. No. 20-Speaker Rosenberger

To provide for the Ohio General Assembly to meet in joint session in the chamber of the House of Representatives on May 21, 2015, for the purpose of honoring the recipients of the Ohio Military Medal of Distinction and their family members.

WHEREAS, Am. Sub. S.B. 248 of the 127th General Assembly established the Ohio Military Medal of Distinction to honor Ohioans who have fallen while in the service of the United States; and

WHEREAS, The Ohio General Assembly intends to honor the recipients of the Ohio Military Medal of Distinction in a joint session of the General Assembly convened for that purpose; now therefore be it

RESOLVED, That we, the members of the 131st General Assembly of the State of Ohio, shall meet in joint session in the chamber of the House of Representatives on Thursday, May 21, 2015, at 11:15 o'clock a.m., for the purpose of honoring the recipients of the Ohio Military Medal of Distinction and their family members.

The question being, "Shall the concurrent resolution be adopted?"

The concurrent resolution was adopted.

Representative Amstutz moved that the following concurrent resolution be read by title only and brought up for immediate adoption:

H. C. R. No. 19-Speaker Rosenberger

To delegate to the President of the Senate and the Speaker of the House of Representatives authority to designate groups of members to prepare arguments for and against amendments to the Ohio Constitution proposed by the General Assembly, a person or persons to prepare an argument for any law, section, or item submitted to the electors by referendum petition, and a person or persons to prepare an argument against any constitutional amendment proposed by initiative petition.

The motion was agreed to.

The question being, “Shall the concurrent resolution be adopted?”

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	Cera
Clyde	Conditt	Craig	Cupp
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	Kuhns	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.	Stinziano	Strahorn
Sweeney	Sykes	Terhar	Thompson
Vitale	Young	Zeltwanger	Rosenberger-96

The concurrent resolution was adopted.

BILLS FOR THIRD CONSIDERATION

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

Cosponsors: Representatives Grossman, Blessing, Gonzales, Antonio, Barnes, Bishoff, Brown, Lepore-Hagan, Sears.

To enact sections 4723.489, 4729.282, 4730.432, and 4731.93 of the Revised Code regarding the authority to prescribe without examination a drug for a sexual partner of a patient diagnosed with chlamydia, gonorrhea, or trichomoniasis, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 90, nays 6, 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	Cera	Clyde
Conditt	Craig	Cupp	Derickson
Dever	DeVitis	Dovilla	Driehaus
Duffey	Fedor	Gerberry	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Howse	Huffman
Johnson, G.	Johnson, T.	Koehler	Kraus
Kuhns	Kunze	Landis	LaTourette
Leland	Lepore-Hagan	Maag	Manning
McClain	McColley	O'Brien, M.	O'Brien, S.
Patmon	Patterson	Pelanda	Perales
Phillips	Ramos	Reece	Reineke
Rezabek	Rogers	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring
Sears	Sheehy	Slaby	Slesnick
Smith, K.	Smith, R.	Stinziano	Strahorn
Sweeney	Sykes	Terhar	Thompson
Young			Rosenberger-90

Representatives Brinkman, Hood, Retherford, Roegner, Vitale, Zeltwanger voted in the negative-6.

The bill passed.

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

Add the names: "Boyd, Clyde, Craig, Driehaus, Fedor, Gerberry, Green, Hackett, Howse, Johnson, G., Kuhns, O'Brien, M., O'Brien, S., Patterson, Phillips, Ramos, Reece, Rogers, Sheehy, Stinziano, Strahorn, Sweeney, Sykes."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 155-Representatives Dever, Conditt.

Cosponsors: Representatives Amstutz, Anielski, Becker, Boyd, Brown, Buchy, Derickson, DeVitis, Dovilla, Driehaus, Duffey, Ginter, Grossman,

Hall, Hambley, Hayes, Henne, Huffman, Koehler, Landis, LaTourette, Lepore-Hagan, Maag, Manning, McClain, Patmon, Patterson, Ramos, Retherford, Romanchuk, Ryan, Schuring, Sears, Slesnick, Sweeney, Terhar, Zeltwanger.

To amend section 2329.66 and to enact sections 113.50, 113.51, 113.52, 113.53, 113.54, 113.55, and 113.56 of the Revised Code to require the Treasurer of State to create a program offering federally tax-advantaged savings accounts used to pay for a person's qualified disability expenses and to disregard the value of and income from that account in determining whether that person is eligible for state or local means-tested public assistance, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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	Cera
Clyde	Conditt	Craig	Cupp
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	Kuhns	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.	Stinziano	Strahorn
Sweeney	Sykes	Terhar	Thompson
Vitale	Young	Zeltwanger	Rosenberger-96

The bill passed.

Representative Dever moved to amend the title as follows:

Add the names: "Antani, Antonio, Baker, Barnes, Bishoff, Blessing, Boose, Brenner, Burkley, Butler, Clyde, Craig, Cupp, Fedor, Gerberry, Gonzales, Green, Hackett, Hagan, Howse, Johnson, G., Johnson, T., Kraus, Kuhns, Kunze, Leland, McColley, O'Brien, M., O'Brien, S., Pelanda, Phillips, Reece, Reineke, Rezabek, Rogers, Ruhl, Schaffer, Slaby, Stinziano, Strahorn,

Thompson, Vitale, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Amstutz, the House recessed.

The House met pursuant to recess.

On motion of Representative Hill, the House adjourned until Thursday, May 21, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.