OHIO House of Representatives JOURNAL

FIFTY-EIGHTH DAY

Hall of the House of Representatives, Columbus, Ohio Wednesday, May 27, 2015, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Glen Rogers, Jr. of the Temple Baptist Church in Green, 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:

Sarah Everhart received H. R. No. 122, presented by Representative Scherer-92nd district.

James Dowdy received H. R. No. 24, presented by Representative Gonzales-19th district.

David-Brian Whisler received H. R. No. 119, presented by Representative O'Brien, M.-64th district.

Tammy Lampkin, a guest of Representative Howse-11th district.

Megan McCants, Staci Freeman, and members of the Alpha Kappa Alpha Sorority, Incorporated, guests of Representative Sykes-34th district.

Participants in the Ohio Democratic Women's Lobby Day, guests of Representative Fedor-45th district.

Members of the Alpha Kappa Alpha Sorority, Incorporated, guests of Representative Zeltwanger-54th district.

Ginger Sampson, Jim Staschiak, and Steve Welton, guests of Representative Sprague-83rd district.

Sydney Speas, Regan Farrar, Kami Sturgill, Rilyn Ashley, Cheyenne Blevins, and Skylar Zimmerman, 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. 231 - Representatives Grossman, McClain.

Cosponsors: Representatives Green, Hambley, Ruhl.

To amend section 5715.19 of the Revised Code to require counties, municipal corporations, townships, and school boards that file complaints against the valuation of property they do not own to pass a resolution approving the complaint and specifying the compensation paid to any person retained to represent the county, municipal corporation, township, or school board in the matter of the complaint.

H. B. No. 232 - Representatives Grossman, Scherer.

Cosponsors: Representatives Ryan, Burkley, Reineke, Hackett, Sheehy.

To amend sections 5741.01 and 5741.17 of the Revised Code to prescribe new criteria for determining whether sellers are presumed to have substantial nexus with Ohio and therefore required to register to collect use tax, to allow sellers presumed to have substantial nexus to rebut that presumption, and to require a person, before the person enters into a sale of goods contract with the state, to register, along with the person's affiliates, to collect use tax.

H. B. No. 233 - Representative Schuring.

Cosponsors: Representatives Ashford, Baker, Blessing, Boyd, Fedor, Hackett, Hambley, Kraus, Lepore-Hagan, Patmon, Reineke, Scherer, Sears, Sheehy.

To amend sections 133.04, 133.06, 709.024, 709.19, 3317.021, 5501.311, 5709.12, 5709.82, 5709.83, 5709.831, 5709.832, 5709.85, 5709.91, 5709.911, 5709.913, and 5715.27 and to enact sections 1710.14, 1724.12, 5709.45, 5709.46, and 5709.47 of the Revised Code to authorize municipal corporations to create downtown redevelopment districts and innovation districts for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixeduse areas, and supporting grants and loans to technology-oriented and other businesses.

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 **Sub. S. B. No. 7**-Senator Manning, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PURE CAFFEINE PRODUCTS - PROHIBIT SALE

Representative Blessing moved to amend the title as follows:

Add the names: "Representatives Brown, Clyde, Buchy, Derickson, Gerberry, Green, Leland, Pelanda, Smith, R."

TIM W. BROWN
KATHLEEN CLYDE
JIM BUTLER
RONALD V. GERBERRY
DAVID LELAND
DOROTHY PELANDA

LOUIS W. BLESSING III JIM BUCHY TIMOTHY DERICKSON DOUG GREEN ROBERT MCCOLLEY RYAN SMITH The report was agreed to.

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

Representative Cera submitted the following report:

The standing committee on Ways and Means to which was referred **H. B. No. 9-**Representative Boose, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TAX DEDUCTIONS AND CREDITS - PERIODICALLY REVIEW

Representative McClain moved to amend the title as follows:

Add the names: "Dever, Driehaus, Rogers."

JEFFREY A. MCCLAIN **GARY SCHERER** RON AMSTUTZ JACK CERA NAN A. BAKER JOHN BARNES, JR. TERRY BOOSE TONY BURKLEY JONATHAN DEVER DENISE DRIEHAUS STEPHEN D. HAMBLEY ROBERT MCCOLLEY JOHN M. ROGERS SCOTT RYAN TIMOTHY O SCHAFFER MICHAEL SHEEHY MARILYN SLABY EMILIA STRONG SYKES

The report was agreed to.

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

Representative Smith, K submitted the following report:

The standing committee on Economic and Workforce Development to which was referred **H. B. No. 103**-Representatives Pelanda, Kunze, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: WOMENS' WEEK FOR POLICY AND ENTREPRENEURSHIP: OBSERVE; COMMITTEE; FORUM/COMPETITION

Representative Baker moved to amend the title as follows:

Add the names: "Barnes, Kraus."

NAN A. BAKER
KENT SMITH
JOHN BARNES, JR.
DENISE DRIEHAUS
STEVEN W. KRAUS
RON YOUNG
MARK J. ROMANCHUK
NIRAJ J. ANTANI
HEARCEL F. CRAIG
J. KYLE KOEHLER
SCOTT RYAN
PAUL ZELTWANGER

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 **S. B. No. 121-**Senator Hite, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: MENINGOCOCCAL DISEASE-PUPILS TO BE IMMUNIZED AGAINST AT RECOMMENDED AGE

Representative Huffman moved to amend the title as follows:

Add the names: "Representatives Gonzales, Huffman, Antonio, Barnes, Bishoff, Johnson, T., Lepore-Hagan, Ramos, Schuring, Sears, Sprague, Brown, 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 KIRK SCHURING 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.

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 151**-Representative Anielski, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: EXPAND MENACING CRIMES/CAUSE BELIEF WILL HARM OTHER'S IMMEDIATE FAMILY

Representative Butler moved to amend the title as follows:

Add the name: "Butler."

JIM BUTLER

MICHAEL STINZIANO

NICHOLAS CELEBREZZE

JONATHAN DEVER

ROBERT MCCOLLEY

JEFFERY S. REZABEK

NATHAN H. MANNING

NIRAJ J. ANTANI

ROBERT R. CUPP

GRETA JOHNSON

DOROTHY PELANDA

EMILIA STRONG SYKES

The report was agreed to.

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

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 171**-Representatives Blessing, Dever, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: HEROIN-REDUCE AMOUNTS-PENALTY/OFFENDER CLASSIFICATION

Representative Butler moved to amend the title as follows:

Add the name: "Butler."

JIM BUTLER
MICHAEL STINZIANO
NICHOLAS CELEBREZZE
JONATHAN DEVER
ROBERT MCCOLLEY
JEFFERY S. REZABEK

NATHAN H. MANNING NIRAJ J. ANTANI ROBERT R. CUPP GRETA JOHNSON DOROTHY PELANDA

The following member voted "NO"

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 Wednesday, May 27, 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, May 27, 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

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

Cosponsors: Representatives Blessing, Boose, Brenner, Grossman, Hackett, Hall, Hayes, Hill, LaTourette, Koehler, Maag, Retherford, Ruhl, Scherer, Zeltwanger, Patterson, Cera, Hagan, Kraus, Patmon, Rezabek.

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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 95, 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 Craig Cupp Curtin Derickson Dever **DeVitis** Dovilla Driehaus Duffey Fedor Gerberry Ginter Gonzales Green Grossman Hackett Hagan Hall Hambley Hill Haves Henne Hood Howse Huffman Johnson, G. Johnson, T. Koehler Kraus Kuhns Kunze Landis LaTourette Leland Lepore-Hagan Manning McClain McColley O'Brien, M. Patmon Patterson Pelanda Perales **Phillips** Ramos Reece Reineke Retherford Rezabek Roegner Rogers Romanchuk Ruh1 Ryan Schaffer Scherer Schuring Sears Sheehy Slaby Slesnick Smith, K. Smith, R. Sprague Stinziano Strahorn Sweeney Sykes Terhar Thompson Zeltwanger Rosenberger-95 Young

The bill passed.

Representative Burkley moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Antonio, Bishoff, Brown, Buchy, Cupp, Derickson, Dovilla, Duffey, Ginter, Green, Hambley, Huffman, Johnson, T., Landis, McClain, McColley, O'Brien, M., Pelanda, Ramos, Reineke, Ryan, Schaffer, Smith, R., Sprague, Stinziano, Sweeney, Thompson, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 131-Representative Pelanda.

Cosponsors: Representatives Hill, Buchy, Patmon.

To amend sections 901.23, 921.12, 941.01, 941.03, 941.04, 941.06, 941.07, 941.09, 941.10, 941.11, 941.14, 943.02, 943.14, 1327.46, 1327.48, 1327.50, 1327.501, 1327.61, 1327.99, and 4707.02 and to enact section 1327.502 of the Revised Code to include diseases of concern within the scope of the Animal Diseases Law, and to make changes to the laws governing weights and measures, livestock dealers, and auctioneers, the membership of the Farmland Preservation Advisory Board, and the pesticide licensing renewal process, 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 2, 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	Craig	Cupp	Curtin
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	Manning
McClain	McColley	O'Brien, M.	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	Young	Zeltwanger
			Rosenberger-93

Representatives Brinkman and Hood voted in the negative-2.

The bill passed.

Representative Pelanda moved to amend the title as follows:

Add the names: "Anielski, Antonio, Brown, Grossman, Hackett, Hall, Hambley, Hayes, Johnson, T., Kraus, LaTourette, McClain, Patterson, Scherer, Smith, R., Sprague, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 7-Senator Manning.

Cosponsors: Senators Obhof, Beagle, Jones, Lehner, Schiavoni, Tavares, Bacon, Hughes, Brown, Burke, Eklund, Faber, Gardner, Hite, Oelslager, Patton, Sawyer, Seitz, Skindell, Thomas, Widener Representatives Brown, Clyde, Buchy, Derickson, Gerberry, Green, Leland, Pelanda, Smith, R.

To enact sections 2925.34 and 4301.71 of the Revised Code to prohibit the sale of pure caffeine products and 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 92, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Antonio
Ashford	Baker	Barnes	Becker
Bishoff	Blessing	Boose	Boyce
Boyd	Brown	Buchy	Burkley
Butler	Celebrezze	Cera	Clyde
Craig	Cupp	Curtin	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	Manning	McClain
McColley	O'Brien, M.	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	Young	Zeltwanger	Rosenberger-92

Representatives Brenner, Brinkman, and Hood voted in the negative-3.

The bill passed.

Representative Brown moved to amend the title as follows:

Add the names: "Anielski, Antonio, Barnes, Boose, Boyce, Celebrezze, Cupp, DeVitis, Dovilla, Grossman, Hackett, Hagan, Hall, Huffman, Johnson, G., Johnson, T., Koehler, Kraus, Manning, O'Brien, M., Patterson, Perales,

Rogers, Schaffer, Sheehy, Slaby, Smith, K., Sprague, Strahorn, Speaker Rosenberger."

Remove the name: "Clyde."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 37-Representatives Stinziano, Duffey.

Cosponsor: Representative Blessing.

To amend section 4301.62 of the Revised Code to allow a person to possess beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder that is located in the market, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 92, nays 3, 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 Craig Cupp Curtin Derickson Dever **DeVitis** Dovilla Driehaus Fedor Duffey Gerberry Ginter Gonzales Grossman Hackett Hagan Hall Hambley Henne Hill Hood Howse Huffman Johnson, G. Koehler Kraus Kuhns Kunze Landis LaTourette Leland Lepore-Hagan Manning McClain McColley O'Brien, M. Patmon Patterson Pelanda Perales Phillips Ramos Reece Reineke Retherford Rezabek Roegner Rogers Romanchuk Ruhl Ryan Schaffer Scherer Schuring Slesnick Sears Sheehy Slaby Stinziano Smith, K. Smith, R. Sprague Strahorn Sweeney Sykes Terhar Rosenberger-92 Thompson Young Zeltwanger

Representatives Green, Hayes, and Johnson, T. voted in the negative-3.

The bill passed.

Representative Duffey moved to amend the title as follows:

Add the names: "Antani, Boyd, Buchy, Driehaus, Gerberry, Henne, Leland,

Lepore-Hagan, Manning, O'Brien, M., Perales, Ramos, Retherford, Rogers, Sweeney, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 142-Representative Hagan.

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

To enact section 5.256 of the Revised Code to designate the month of March as "Endometriosis 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
Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Clyde	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
Manning	McClain	McColley	O'Brien, M.
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	Young
Zeltwanger			Rosenberger-94

The bill passed.

Representative Hagan moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Baker, Blessing, Brenner, Buchy, Burkley, Celebrezze, Cera, Craig, Cupp, Derickson, Dever, DeVitis, Driehaus, Gerberry, Hackett, Hall, Kraus, Landis, McClain, McColley, O'Brien, M.,

Patterson, Pelanda, Perales, Phillips, Retherford, Rogers, Ruhl, Schaffer, Sheehy, Slaby, Smith, R., Stinziano, Terhar, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 23-Representative Amstutz.

Cosponsor: Representative Cera.

To amend sections 131.44, 1509.73, 5741.01, 5741.03, and 5741.032 and to enact section 1509.79 of the Revised Code to use a portion of any income from oil and gas leases on state land to fund temporary income tax reductions and local government capital improvement projects, to modify the law governing the use of new Ohio use tax collections from remote sellers for income tax reductions, and to require the Director of Budget and Management to recommend whether or not income tax rates should be permanently reduced after the Director certifies a temporary rate reduction resulting from the accrual of money in the Income Tax Reduction Fund, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 78, nays 16, as follows:

Those who voted in the affirmative were: Representatives

Amstutz Antani Barnes Becker Blessing Boose Boyce Brenner Brown Buchy Burkley Butler Celebrezze Cera Craig Cupp Curtin Derickson Dever **DeVitis** Duffey Gerberry Ginter Gonzales Green Grossman Hackett Hagan Hall Hambley Hayes Henne Hood Huffman Hill Howse Johnson, T. Koehler Kraus Kuhns Landis Kunze LaTourette Manning McClain McColley O'Brien, M. Patmon Pelanda Patterson Perales Reece Reineke Retherford Rezabek Roegner Rogers Romanchuk Ruhl Ryan Schaffer Scherer Schuring Sears Sheehy Slaby Slesnick Smith, R. Sprague Stinziano Strahorn Sweeney Sykes Terhar Thompson Young Rosenberger-78 Zeltwanger

Those who voted in the negative were: Representatives

Anielski	Antonio	Ashford	Baker
Boyd	Brinkman	Clyde	Dovilla
Driehaus	Fedor	Johnson, G.	Leland
Lepore-Hagan	Phillips	Ramos	Smith, K16

The bill passed.

Representative Amstutz moved to amend the title as follows:

Add the names: "Buchy, Burkley, Ginter, Green, Hackett, Hambley, Kraus, McClain, Reineke, Romanchuk, Ruhl, Ryan, Scherer, Smith, R."

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 concurred in the adoption of the following concurrent resolutions:

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.

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.

Attest:	Vincent L. Keeran,
	Clerk

On motion of Representative Amstutz, the House adjourned until Thursday, May 28, 2015 at 9:00 o'clock a.m.

Attest: BRADLEY J. YOUNG,
Clerk.