

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, JUNE 10, 2015

## SIXTY-FOURTH DAY

Hall of the House of Representatives, Columbus, Ohio

**Wednesday, June 10, 2015, 9:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Pastor Mark Fuller of the Grove City Church of the Nazarene in Grove City, 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:

TyShawn Irby received H. R. No. 86, presented by Representative Howse-11th district.

Representatives from Advanced Rehabilitation Technology received H. R. No. 95, presented by Representative McColley-81st district.

Katie Harrington received H. R. No. 132, presented by Representative Dever-28th district.

Alex Magnuson, a guest of Representative Stinziano-18th district.

Kevin Freeman, a guest of Representative Bishoff-20th district.

Jeniece Brock, a guest of Representative Sykes-34th district.

Jacob Koehler, the son of Representative Koehler-79th district.

Jessica Sink, a guest of Representative Pelanda-86th district.

Jill Steinbock and Tina Dupont, guests of Representative Kraus-89th district.

Members of the Ohio Society of CPAs, guests of Representative Scherer-92nd district.

The journal of yesterday was read and approved.

**INTRODUCTION OF BILLS**

The following bills and joint resolution were introduced:

**H. B. No. 252** - Representatives Hackett, Ryan.

Cosponsors: Representatives Hambley, Rezabek, Perales, Dever.

To amend section 321.26 of the Revised Code to adjust the fees allowed to county treasurers for collecting property taxes.

**H. B. No. 253** - Representative Retherford.

Cosponsors: Representatives Boose, Ginter, Hambley, Hill, O'Brien, M., Rezabek, Schaffer, Scherer, Thompson.

To amend sections 5725.98 and 5729.98 and to enact sections 122.15, 122.151, 122.152, 122.153, and 122.154 of the Revised Code to enact the

"Ohio Rural Jobs Act" which authorizes a nonrefundable tax credit for insurance companies that invest in rural business growth funds, which are certified to provide capital to rural and agricultural businesses.

**H. B. No. 254** - Representative Ruhl.

To enact section 5534.90 of the Revised Code to designate a portion of State Route 13 within Knox County as the "William "Bill" Burgett Highway."

**H. B. No. 255** - Representatives Brinkman, Hagan.

Cosponsors: Representatives Hood, Vitale, Zeltwanger, Becker, McColley, Blessing, Romanchuk, Kraus, Koehler, Hill, Antani, Roegner, Ruhl, Retherford, Pelanda, LaTourette.

To amend sections 109.572, 2919.123, 2953.25, 4729.291, 4731.22, and 4731.223; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 2919.123 (2919.201); and to enact sections 2919.20, 2919.202, 2919.203, 2919.204, 2919.205, 2919.206, 2919.207, and 2919.208 of the Revised Code to expand the regulation of inducing an abortion with certain drugs.

**H. B. No. 256** - Representative Maag.

Cosponsors: Representatives Johnson, T., Grossman, Terhar, Brown, Thompson, Perales, Clyde, Blessing, Schaffer.

To enact section 5534.23 of the Revised Code to designate a portion of state route forty-eight within Warren county as the "SFC Bobby Lee Estle Memorial Highway."

**H. B. No. 257** - Representative Becker.

Cosponsors: Representatives Brinkman, Retherford, Roegner, Vitale, Young, Zeltwanger.

To amend sections 145.01, 145.191, 145.38, 145.384, 145.471, 145.472, 145.58, 742.26, 1509.01, 1509.02, 1509.11, 1509.34, 2305.234, 2305.2341, 3307.01, 3307.35, 3307.352, 3309.341, 3309.344, 3501.13, 5703.052, 5703.19, 5739.01, 5747.02, 5747.05, 5747.08, 5747.41, 5749.01, 5749.02, 5749.03, 5749.04, 5749.06, 5749.07, 5749.08, 5749.10, 5749.12, 5749.13, 5749.14, 5749.15, and 5749.17, to enact sections 190.01, 190.02, 190.03, 190.04, 321.50, 3701.034, 5163.04, and 5747.027, and to repeal sections 145.381, 145.382, 1509.50, 3307.353, and 3309.345 of the Revised Code to modify the law governing re-employed retirants; to expand the immunity from liability for certain health care professionals, workers, and organizations when providing care to indigent and uninsured individuals; to require the Department of Health to ensure that certain funds are not used to perform elective abortions, or promote or affiliate with any entity that performs elective abortions; to modify the method of calculating the severance tax; to

make certain changes to the sales tax; to modify the income tax rates and calculation; and to reduce General Revenue Fund appropriations for the fiscal biennium ending June 30, 2017; and to eliminate Medicaid funding for the group described in section 192(a)(10)(i)(VIII) of the "Social Security Act," 42 U.S.C. 1396a(a)(10)(A)(i)(VIII).

**H. J. R. No. 3** - Representatives Patmon, Hagan.

Cosponsors: Representatives Thompson, Roegner, Boose, Butler, Kraus, Terhar, Conditt, Buchy, Romanchuk, Johnson, T., Hill, Ruhl, Retherford.

Application to the Congress of the United States for a Convention of the States under Article V of the Constitution of the United States.

Said bills and joint resolution 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 **Sub. S. B. No. 110**-Senator Burke, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: NURSE AUTHORIZED TO PRESCRIBE-DELEGATION;  
PATHOLOGY SERVICES-DERMATOLOGY SPECIMENS-BILLING

Representative Sears moved to amend the title as follows:

Add the names: "Representatives Gonzales, Antonio, Bishoff, Schuring."

|                      |                     |
|----------------------|---------------------|
| ANNE GONZALES        | NICKIE J. ANTONIO   |
| HEATHER BISHOFF      | TIM W. BROWN        |
| JIM BUTLER           | MIKE DUFFEY         |
| TIMOTHY E. GINTER    | TERRY JOHNSON       |
| CHRISTIE BRYANT KUHN | RONALD MAAG         |
| 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. 164**-Representatives Pelanda, Rogers, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: OFFENSE NOT SEALABLE-OFFENDER MAY HAVE SEALED  
IF LATER SEALABLE

Representative Butler moved to amend the title as follows:

Add the name: "Sykes."

JIM BUTLER  
MICHAEL STINZIANO  
NICHOLAS CELEBREZZE  
JONATHAN DEVER  
DOROTHY PELANDA  
EMILIA STRONG SYKES

NATHAN H. MANNING  
NIRAJ J. ANTANI  
ROBERT R. CUPP  
GRETA JOHNSON  
JEFFERY S. REZABEK

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. 180**-Representative Maag, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: PUBLIC IMPROVEMENTS-ELIMINATE RESIDENCE  
REQUIREMENT

Representative Young moved to amend the title as follows:

Add the names: "Young, Roegner."

RON YOUNG  
LOUIS W. BLESSING III  
RON HOOD  
AL LANDIS  
KRISTINA ROEGNER

ANTHONY DEVITIS  
MIKE DUFFEY  
J. KYLE KOEHLER  
DOROTHY PELANDA

The following members voted "NO"

MICHELE LEPORE-HAGAN  
ALICIA REECE

TERESA FEDOR  
STEPHEN SLESNICK

The report was agreed to.

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

Representative Howse submitted the following report:

The standing committee on Community and Family Advancement to which was referred **H. B. No. 204**-Representatives Derickson, Manning, having had the same under consideration, reports it back and recommends its passage.

RE: POLICE-NO LIMIT ON BASIC TRAINING/HAVE HIGH SCHOOL DIPLOMA

Representative Derickson moved to amend the title as follows:

Add the name: "Dever."

TIMOTHY DERICKSON  
STEPHANIE D. HOWSE  
JANINE R. BOYD  
CHRISTINA HAGAN  
RON HOOD  
JEFFREY A. MCCLAIN

TIMOTHY E. GINTER  
KEVIN BOYCE  
JONATHAN DEVER  
BILL HAYES  
MICHELE LEPORE-HAGAN

The following members voted "NO"

NIRAJ J. ANTANI

BILL PATMON

The report was agreed to.

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

### MOTIONS AND RESOLUTIONS

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

**H. R. No. 89—Speaker Rosenberger, Representatives Strahorn, 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, DeVitis, Derickson, Dever, 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, LaTourette, Landis, 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, Sweeney, Sykes, Terhar, Thompson, Vitale, Young, Zeltwanger**

In memory of Frank Sawyer.

/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, read in full, 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. R. No. 89**-Speaker Rosenberger, Representatives Strahorn, 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, DeVitis, Derickson, Dever, 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, LaTourette, Landis, 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, Sweeney, Sykes, Terhar, Thompson, Vitale, Young, Zeltwanger

In memory of Frank Sawyer.

WHEREAS, The members of the House of Representatives of the 131st General Assembly of Ohio were deeply saddened to learn of the death of Frank Sawyer and extend our sincere condolences to his family and friends; and

WHEREAS, Although there are no words to ease the sadness now felt, surely there is solace in the remembrance of having been touched by such a remarkable person as Frank Sawyer. The warmth of his personality made a lasting impression on the people whose lives he touched, and the love, compassion, and understanding he gladly extended to those around him will long remain in the hearts and minds of many; and

WHEREAS, Frank Sawyer's zealous love of life and his selfless concern for the welfare of others distinguished him as an outstanding human being and as a leading citizen. A former president of the Mansfield City Council, he served in the Ohio House of Representatives from 1983 to 1998, and his tremendous efforts are an inspiration for others; and

WHEREAS, A loyal husband to his wife, Karen, and a caring friend to all, Frank Sawyer led an exemplary life, manifesting those virtues we all seek to emulate. Indeed, his generosity, talents, and seemingly inexhaustible energy are a pleasure to recall; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 131st General Assembly of Ohio, in adopting this Resolution, pay tribute to the memory of a truly honorable man, Frank Sawyer; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of Frank Sawyer.

The resolution was adopted.

Representative Dovilla moved that majority party members asking leave to be absent or absent the week of Wednesday, June 10, 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, June 10, 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. 95**-Representative DeVitis.

Cosponsors: Representatives Blessing, Scherer, Roegner, Duffey, Buchy, Schuring, Johnson, T., Hackett, Cera, Grossman.

To amend sections 1753.07, 1753.09, 3901.21, 3963.01, 3963.02, and 3963.03 of the Revised Code 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

June 10, 2015

The Honorable Clifford A. 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. 95**-Representative DeVitis, et al., because it might be construed that I have an interest in the legislation.



Sincerely yours,

/s/ JONATHAN DEVER  
 JONATHAN DEVER  
 State Representative  
 28th House District

The request was granted.

The yeas and nays were taken and resulted – yeas 61, nays 33, as follows:

Those who voted in the affirmative were: Representatives

|            |             |           |                |
|------------|-------------|-----------|----------------|
| Amstutz    | Antani      | Baker     | Barnes         |
| Becker     | Blessing    | Boose     | Brenner        |
| Brinkman   | Brown       | Buchy     | Burkley        |
| Butler     | Cera        | Craig     | Cupp           |
| Curtin     | Derickson   | DeVitis   | Dovilla        |
| Duffey     | Gerberry    | Ginter    | Gonzales       |
| Green      | Grossman    | Hackett   | Hagan          |
| Hall       | Hayes       | Henne     | Hill           |
| Hood       | Johnson, T. | Koehler   | Landis         |
| Maag       | Manning     | McClain   | McColley       |
| Patmon     | Pelanda     | Perales   | Reineke        |
| Retherford | Rezabek     | Roegner   | Ruhl           |
| Ryan       | Schaffer    | Scherer   | Schuring       |
| Slaby      | Slesnick    | Smith, R. | Sprague        |
| Stinziano  | Terhar      | Vitale    | Young          |
|            |             |           | Rosenberger-61 |

Those who voted in the negative were: Representatives

|             |              |             |               |
|-------------|--------------|-------------|---------------|
| Anielski    | Antonio      | Ashford     | Bishoff       |
| Boyce       | Boyd         | Celebrezze  | Clyde         |
| Driehaus    | Fedor        | Hambley     | Howse         |
| Johnson, G. | Kraus        | Kuhns       | Kunze         |
| Leland      | Lepore-Hagan | O'Brien, S. | Patterson     |
| Phillips    | Ramos        | Reece       | Rogers        |
| Romanchuk   | Sears        | Sheehy      | Smith, K.     |
| Strahorn    | Sweeney      | Sykes       | Thompson      |
|             |              |             | Zeltwanger-33 |

The bill passed.

Representative DeVitis moved to amend the title as follows:

Add the names: "Amstutz, Green, Hagan, Hood, Perales, Retherford, Terhar, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

Cosponsors: Representatives Grossman, Dever, Duffey, Bishoff, Ruhl, Brown, Blessing, Thompson, Leland, Antonio, Driehaus, Fedor, Barnes, Kraus.

To enact sections 5.2298, 125.66, and 125.67 of the Revised Code to designate the second week of March as Ohio Women's Week for Policy and Entrepreneurship, to create the Ohio Women's 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Smith, K. moved to amend, amendment 0745, as follows:

In line 62, after "the" insert "minority party of the senate, as recommended by the minority leader of the senate, and one member of the"; delete "and one"

In line 63, delete "member of the minority party"

In line 65, after "the" insert "minority party of the house of representatives, as recommended by the minority leader of the house of representatives, and one member of the"

In line 66, delete "and one member of the minority party"

In line 68, delete "are"

The question being, "Shall the motion to amend be agreed to?"

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted – yeas 91, nays 4, as follows:

Those who voted in the affirmative were: Representatives

|             |            |           |              |
|-------------|------------|-----------|--------------|
| Amstutz     | Anielski   | Antani    | Antonio      |
| Ashford     | Baker      | Barnes    | 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     | Johnson, G.  |
| Johnson, T. | Koehler    | Kraus     | Kuhns        |
| Kunze       | Landis     | Leland    | Lepore-Hagan |
| Maag        | Manning    | McClain   | McColley     |
| 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       |
| Young     | Zeltwanger |           | Rosenberger-91 |

Representatives Becker, Brinkman, Hood, Vitale voted in the negative-4.

The bill passed.

Representative Kunze moved to amend the title as follows:

Add the names: "Baker, Boyce, Celebrezze, Clyde, Hackett, Howse, Kuhns, Lepore-Hagan, Manning, McClain, O'Brien, S., Patmon, Patterson, Reece, Reineke, Rogers, Scherer, Schuring, Sheehy, Slesnick, Smith, R., Sprague, Stinziano, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 18-**Representatives Gonzales, Ginter.

Cosponsors: Representatives Amstutz, Becker, Blessing, Brenner, Buchy, Dever, Grossman, Hayes, Johnson, T., Kraus, Leland, Phillips, Rezabek, Roegner, Terhar, Vitale, Young, Perales, Anielski, Bishoff, Landis, O'Brien, M., Retherford, Zeltwanger.

To amend sections 5301.072 and 5311.191 and to enact sections 4781.401 and 5321.131 of the Revised Code to prohibit manufactured homes park operators, condominium associations, neighborhood associations, and landlords from restricting the display of blue star banners, gold star banners, other service flags, and the POW/MIA flag, and to prohibit manufactured homes park operators and landlords from restricting the display of the United States flag, 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  | Hayes     | Henne    | Hill       |

|            |            |              |                |
|------------|------------|--------------|----------------|
| Hood       | Howse      | Johnson, G.  | Johnson, T.    |
| Koehler    | Kraus      | Kuhns        | Kunze          |
| Landis     | Leland     | Lepore-Hagan | Maag           |
| Manning    | McClain    | McColley     | 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-95 |

The bill passed.

Representative Gonzales moved to amend the title as follows:

Add the names: "Antani, Antonio, Ashford, Baker, Barnes, Boose, Brown, Burkley, Butler, Celebrezze, Clyde, Craig, Cupp, Derickson, DeVitis, Dovilla, Driehaus, Duffey, Green, Hackett, Hagan, Hall, Hambley, Henne, Hill, Johnson, G., Koehler, Kuhns, Kunze, Lepore-Hagan, McClain, McColley, O'Brien, S., Patterson, Ramos, Reece, Reineke, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, Smith, K., Smith, R., Sprague, Sweeney, Thompson, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

### MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on June 9, 2015, signed the following:

**Sub. H. B. No. 3**-Representatives Derickson, Romanchuk, et al.

**Am. H. B. No. 29**-Representative Johnson, T., et al.

**Sub. S. B. No. 7**-Senator Manning, et al.

On motion of Representative Amstutz, the House adjourned until Thursday, June 11, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.