

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, SEPTEMBER 30, 2015

NINETY-SEVENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, September 30, 2015, 9:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Reverend Laura J. Young of the Broad Street United Methodist Church 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:

Malea Martinez and Lauren Moses received H.Rs. 145 and 146 respectively, presented by Representative DeVitis-36th district.

Gunner Hall received H.R. 201, presented by Representative Scherer-92nd district.

Tygan Nelson and Holly Averagesch received H.Rs. 137 and 173 respectively, presented by Representative McColley-81st district.

Bryn Toyama, a guest of Representative Baker-16th district.

Ben Kamas, a guest of Representative Stinziano-18th district.

Rachel Beery and Hershel, Syvonja, Hershel Jr., and Stacey Green, guests of Representative Craig-26th district.

Jay, Denise, Brandon, Addison, Jose, and Angelica Martinez, guests of Representative DeVitis-36th district.

Carter Woodland, a guest of Representative Koehler-79th district.

Chad Trownson, 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. 348** - Representative Buchy.

Cosponsors: Representatives Hackett, Hood, Landis, Perales, Sheehy, Smith, R., Strahorn, Terhar, Young.

To enact section 5534.24 of the Revised Code to designate a portion of State Route 571 within Darke County as the "196th Light Infantry Brigade SP4 Robert L Fowble Jr and PFC Jack E Beam Memorial Highway."

**H. B. No. 349** - Representatives Smith, R., Ginter.

Cosponsors: Representatives Amstutz, Blessing, Brenner, Buchy, Dever, Dovilla, Koehler, Reineke, Roegner, Schaffer, Speaker Rosenberger.

To enact section 3704.10 of the Revised Code to require the Environmental Protection Agency to submit a state plan governing carbon dioxide emissions to the General Assembly prior to submitting it to the United States Environmental Protection Agency, and to declare an emergency.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

**Sub. H. B. No. 2** - Representatives Dovilla, Roegner.

Cosponsors: Representatives Brenner, Anielski, Blessing, Buchy, Burkley, Cupp, Dever, DeVitis, Duffey, Grossman, Hackett, Hagan, Hayes, Henne, Koehler, Kraus, Kunze, Manning, McClain, Pelanda, Perales, Romanchuk, Scherer, Slaby, Smith, R., Terhar, Thompson, Young, Speaker Rosenberger  
Senators Coley, Hite, Balderson, Burke, Eklund, Gardner, Jones, LaRose, Lehner, Manning, Obhof, Peterson, Sawyer, Thomas, Widener, Williams, Yuko.

To amend sections 3302.03, 3314.011, 3314.015, 3314.016, 3314.02, 3314.021, 3314.023, 3314.024, 3314.027, 3314.029, 3314.03, 3314.07, 3314.074, 3314.091, 3314.23, 3314.27, 3314.35, 3314.351, 3317.034, and 3321.19; to enact sections 117.105, 3302.037, 3313.131, 3314.019, 3314.031, 3314.032, 3314.034, 3314.035, 3314.036, 3314.037, 3314.038, 3314.039, 3314.251, 3314.271, and 3314.46; and to repeal section 3314.026 of the Revised Code with regard to governance, sponsorship, and management of community schools; to require the Department of Education to study and use a regression formula to create a measure of student academic performance; and to revise the conditions of enrollment status for high school students.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

Representative Amstutz moved that the Senate amendments to **Sub. H. B. No. 2**-Representatives Dovilla, Roegner, et al. be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 2**-Representatives Dovilla, Roegner, et al., were taken up for consideration.

**Sub. H. B. No. 2**-Representatives Dovilla, Roegner.

Cosponsors: Representatives Brenner, Anielski, Blessing, Buchy, Burkley, Cupp, Dever, DeVitis, Duffey, Grossman, Hackett, Hagan, Hayes, Henne, Koehler, Kraus, Kunze, Manning, McClain, Pelanda, Perales, Romanchuk, Scherer, Slaby, Smith, R., Terhar, Thompson, Young, Speaker Rosenberger  
 Senators Coley, Hite, Balderson, Burke, Eklund, Gardner, Jones, LaRose, Lehner, Manning, Obhof, Peterson, Sawyer, Thomas, Widener, Williams, Yuko.

To amend sections 3302.03, 3314.011, 3314.015, 3314.016, 3314.02, 3314.021, 3314.023, 3314.024, 3314.027, 3314.029, 3314.03, 3314.07, 3314.074, 3314.091, 3314.23, 3314.27, 3314.35, 3314.351, 3317.034, and 3321.19; to enact sections 117.105, 3302.037, 3313.131, 3314.019, 3314.031, 3314.032, 3314.034, 3314.035, 3314.036, 3314.037, 3314.038, 3314.039, 3314.251, 3314.271, and 3314.46; and to repeal section 3314.026 of the Revised Code with regard to governance, sponsorship, and management of community schools; to require the Department of Education to study and use a regression formula to create a measure of student academic performance; and to revise the conditions of enrollment status for high school students.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 34, nays 58, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Becker
Bishoff	Boyce	Boyd	Butler
Celebrezze	Cera	Craig	Curtin
Driehaus	Fedor	Howse	Johnson, G.
Kuhns	Leland	Lepore-Hagan	O'Brien, S.
Patmon	Patterson	Phillips	Ramos
Reece	Roegner	Rogers	Sheehy
Slesnick	Smith, K.	Stinziano	Strahorn
Sweeney			Sykes-34

Those who voted in the negative were: Representatives

Amstutz	Antani	Baker	Blessing
Boose	Brenner	Brinkman	Brown
Buchy	Burkley	Conditt	Cupp
Derickson	Dever	DeVitis	Dovilla
Duffey	Ginter	Gonzales	Green
Grossman	Hackett	Hagan	Hall
Hambley	Hayes	Henne	Hill
Hood	Huffman	Johnson, T.	Koehler
Kunze	Landis	LaTourette	Maag
Manning	McClain	McColley	Pelanda
Perales	Reineke	Retherford	Rezabek
Romanchuk	Ruhl	Ryan	Schaffer

Scherer  
Smith, R.  
Zeltwanger

Schuring  
Sprague

Sears  
Vitale

Slaby  
Young  
Rosenberger-58

The Senate amendments were not concurred in.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

**Am. H. B. No. 11** - Representatives Brenner, Ruhl.

Cosponsors: Representatives Celebrezze, Anielski, Antonio, Baker, Blessing, Boose, Buchy, Gerberry, Grossman, Kraus, McColley, Rogers, Smith, K., Stinziano, Young Senators Burke, Coley, Eklund, Faber, Hite, Hughes, Jordan, Patton, Seitz.

To amend sections 141.13, 141.16, 2151.07, 2301.02, and 2301.03 of the Revised Code to create a domestic relations division of the Delaware County Court of Common Pleas, to create a judgeship for that division, to require payments to retired assigned judges under certain specified circumstances, and to declare an emergency.

With the following additional amendments, in which the concurrence of the House is requested.

In line 1 of the title, after "sections" insert "141.13, 141.16,"

In line 4 of the title, delete "and" and insert ", "

In line 5 of the title, after "division" insert ", and to require payments to retired assigned judges under certain specified circumstances"

In line 6, after "sections" insert "141.13, 141.16,"

Between lines 7 and 8, insert:

**"Sec. 141.13.** (A) No fees in addition to the salaries and compensation provided in sections 141.01 to 141.12 of the Revised Code shall be allowed to any such officer. No additional remuneration shall be given any such officer under any other title than that by which the officer was elected or duly appointed. Subject to division divisions (B) and (C) of this section, the salaries provided in such sections shall be in full compensation for any services rendered by such officers and employees, payment of which is made from the state treasury.

(B) Division (A) of this section does not affect any right of a full-time municipal court judge, or a part-time judge of a municipal court of a territory

having a population of more than fifty thousand, to compensation under divisions (B)(1)(a) and (2) of section 901.11 of the Revised Code; to health, medical, hospital, dental, or surgical benefits coverage or other fringe benefits provided pursuant to Chapter 901. of the Revised Code; or to compensation, fringe benefits, or expenses otherwise provided pursuant to that or any other chapter of the Revised Code. Division (A) of this section also does not affect any right of an acting judge, judge, or assigned judge as described in sections 901.122 and 901.123 of the Revised Code to compensation to which an acting judge, judge, or assigned judge is entitled under Chapter 901. or section 141.16 of the Revised Code, or to any health, medical, hospital, dental, or surgical benefits coverage, other fringe benefits or compensation, or expenses to which an acting judge, judge, or assigned judge may be entitled under that or any other chapter of the Revised Code.

(C) Notwithstanding division (A) of this section or any other provision of the Revised Code to the contrary, any retired assigned judge, as defined in section 141.16 of the Revised Code, is eligible for benefits granted under division (C) of section 141.16 of the Revised Code.

**Sec. 141.16. (A)** Any voluntarily retired judge, or any judge who is retired under Section 6 of Article IV, Ohio Constitution, may be assigned with his the judge's consent, by the chief justice or acting chief justice of the supreme court, to active duty as a judge. While so serving, he the judge shall be paid, from money appropriated for this purpose, the established compensation for such office, computed on a per diem basis, in addition to any retirement benefits to which he the judge may be entitled.

**(B)** Annually, on the first day of August, the administrative director of the Ohio courts shall issue a billing to the county treasurer of any county to which such a judge is assigned for reimbursement of the county's portion of the compensation previously paid by the state for the twelve-month period preceding the last day of June. The county's portion of the compensation shall be that part of each per diem paid by the state which is proportional to the county's share of the total compensation of a resident judge of such court. The county treasurer shall forward the payment within thirty days.

(C)(1) A retired assigned judge is eligible to receive a retired assigned judge payment if the retired assigned judge completes not less than one hundred hours of service in the preceding quarter as assigned by the chief justice or acting chief justice. The payment shall be seven hundred fifty dollars per quarter and shall be paid from money appropriated for this purpose. The payment is subject to any and all applicable taxes under local, state, and federal law.

(2) Except as provided in division (C)(3) of this section, the payment shall be paid within thirty days after the end of the quarter in which the one hundred hours is served.

(3) In the case of a county-operated municipal court, other municipal court, or county court to which a judge was assigned, payment shall be made within thirty days after receipt of the quarterly request for reimbursement as required in division (B) of section 1901.123 of the Revised Code.

(D) Division (C) of this section does not affect any right of a retired assigned judge to receive any allowance, annuity, pension, or other benefit vested pursuant to Chapter 145. of the Revised Code or other eligible retirement system pursuant to Ohio law.

(E) As used in this section:

(1) "Retired assigned judge" is a judge that is described in division (A) of this section.

(2) "Quarter" is the preceding three-month period ending on the last day of the month of March, June, September, or December of each year."

In line 1746, after "sections" insert "141.13, 141.16,"

After line 1747, insert:

"Section 3. Divisions (C), (D), and (E) of section 141.16 of the Revised Code are hereby enacted under the authority granted the General Assembly under Section 6(C) of Article IV and Article II of the Ohio Constitution. This authority grants the General Assembly the ability to pass laws providing retirement benefits for judges. The purpose of the payments required under section 141.16 of the Revised Code is to ensure that retired assigned judges remain available for service to the state of Ohio in order to promote the effective administration of justice throughout the state. Given the unpredictable nature of case filings, the purpose of the section is to provide cost-effective means to address case-load surges and reduce case disposition delay that might otherwise require the addition of full-time sitting judges.

Section 4. The Supreme Court may use appropriation item 005321, Operating Expenses - Judiciary/Supreme Court, to make payments to retired assigned judges as provided under division (C) of section 141.16 of the Revised Code as amended by this act."

In line 4 of the title, delete "and" and insert a comma

In line 5 of the title, after "division" insert ", and to declare an emergency"

After line 1747, insert:

"Section 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and

safety. The reason for such necessity is the need to create a domestic relations division of the Delaware County Court of Common Pleas and to create a judgeship for that division in a timely fashion. Therefore, this act shall go into immediate effect"

Attest:

Vincent L. Keeran,  
Clerk.

Representative Amstutz moved that the Senate amendments to **Am. H. B. No. 11**-Representatives Brenner, Ruhl, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. H. B. No. 11**-Representatives Brenner, Ruhl, et al., were taken up for consideration.

**Am. H. B. No. 11**-Representatives Brenner, Ruhl.

Cosponsors: Representatives Celebrezze, Anielski, Antonio, Baker, Blessing, Boose, Buchy, Gerberry, Grossman, Kraus, McColley, Rogers, Smith, K., Stinziano, Young Senators Seitz, Patton, Jordan, Hughes, Hite, Faber, Eklund, Coley, Burke.

To amend sections 141.13, 141.16, 2151.07, 2301.02, and 2301.03 of the Revised Code to create a domestic relations division of the Delaware County Court of Common Pleas and to create a judgeship for that division, to require payments to retired assigned judges under certain specified circumstances, and to declare an emergency.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted – yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Antonio	Ashford
Baker	Barnes	Becker	Bishoff
Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Koehler
Kuhns	Kunze	Landis	LaTourette
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
Vitale	Young	Zeltwanger	Rosenberger-92

Having received the required Constitutional majority, the emergency clause stood as part of the bill.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Antonio	Ashford
Baker	Barnes	Becker	Bishoff
Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Koehler
Kuhns	Kunze	Landis	LaTourette
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
Vitale	Young	Zeltwanger	Rosenberger-92

The Senate amendments were concurred in.

### MOTIONS AND RESOLUTIONS

Representative Dovilla moved that majority party members asking leave to be absent or absent the week of Wednesday, September 30, 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, September 30, 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. 56**-Representatives Schuring, Slesnick.

Cosponsors: Representatives Antonio, Becker, Bishoff, Brenner, Boyd, Dever, Driehaus, Fedor, Hood, Leland, Lepore-Hagan, Maag, Reece, Retherford, Ruhl, Thompson, Sheehy.

To amend sections 124.11, 124.34, 329.021, 2953.36, 4121.121, 5123.08, and 5139.02 and to enact section 9.73 of the Revised Code to prohibit public employers from including on an employment application any question concerning the criminal background of the applicant, to prohibit a felony conviction from being used against an officer or employee when a public employer is undertaking certain employment practices, unless the conviction occurs while the officer or employee is employed in the civil service, and to remove the bar against sealing a conviction record when the victim is 16 or 17 years old, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 91, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Antonio	Ashford
Baker	Barnes	Becker	Bishoff
Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Koehler
Kuhns	Kunze	Landis	LaTourette
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	Scherer	Schuring
Sears	Sheehy	Slaby	Slesnick
Smith, K.	Smith, R.	Sprague	Stinziano
Strahorn	Sweeney	Sykes	Vitale
Young	Zeltwanger		Rosenberger-91

Representative Schaffer voted in the negative-1.

The bill passed.

Representative Schuring moved to amend the title as follows:

Add the names: "Amstutz, Ashford, Blessing, Boyce, Buchy, Craig,

Derickson, DeVitis, Ginter, Green, Grossman, Hackett, Howse, Johnson, T., Kuhns, McClain, O'Brien, S., Patmon, Patterson, Pelanda, Perales, Ramos, Rogers, Ryan, Sears, Smith, R., Stinziano, Sweeney, Sykes, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. H. B. No. 92**-Representative Hagan.

Cosponsors: Representatives Grossman, Brenner, Maag, Hood, Becker, Slaby, Fedor, Rezabek, Thompson.

To amend section 2907.03 of the Revised Code 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, 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 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Antonio	Ashford
Baker	Barnes	Becker	Bishoff
Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Koehler
Kuhns	Kunze	Landis	LaTourette
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
Vitale	Young	Zeltwanger	Rosenberger-92

The bill passed.

Representative Hagan moved to amend the title as follows:

Add the names: "Amstutz, Baker, Buchy, Butler, DeVitis, Hackett, Hayes, Hill, Johnson, T., Koehler, Landis, LaTourette, O'Brien, S., Patterson, Retherford, Rogers, Schaffer, Schuring, Smith, R., Sweeney, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 34**-Representatives Retherford, Boose.

Cosponsors: Representatives Romanchuk, Blessing, Roegner, Butler, Maag, Becker, Brenner, Buchy, Thompson, Kraus, Hood, Conditt, LaTourette, Perales.

To enact sections 190.01 and 190.02 of the Revised Code to enter into the Health Care Compact, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 61, nays 31, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Baker	Becker
Blessing	Boose	Brenner	Brinkman
Brown	Buchy	Burkley	Butler
Conditt	Cupp	Derickson	Dever
DeVitis	Dovilla	Duffey	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Huffman
Johnson, T.	Koehler	Kunze	Landis
LaTourette	Maag	Manning	McClain
McColley	Pelanda	Perales	Reineke
Retherford	Rezabek	Roegner	Romanchuk
Ruhl	Ryan	Schaffer	Scherer
Schuring	Sears	Slaby	Smith, R.
Sprague	Vitale	Young	Zeltwanger
			Rosenberger-61

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Bishoff
Boyce	Boyd	Celebrezze	Cera
Craig	Curtin	Driehaus	Fedor
Howse	Johnson, G.	Kuhns	Leland
Lepore-Hagan	O'Brien, S.	Patmon	Patterson
Phillips	Ramos	Reece	Rogers
Sheehy	Slesnick	Smith, K.	Stinziano
Strahorn	Sweeney		Sykes-31

The bill passed.

Representative Retherford moved to amend the title as follows:

Add the names: "Antani, Burkley, Green, Henne, Koehler, Reineke, Ruhl, Vitale, Young, Zeltwanger, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. C. R. No. 11**-Representative Hall.

Cosponsors: Representatives Grossman, Thompson, Blessing, Slaby, Boose, Clyde, Sheehy, Amstutz, Brenner, Hambley, Dever, Hill, Burkley, Buchy.

To commend Governor John Kasich on his efforts to improve the water quality of Lake Erie and to affirm the Governor's ability to form an interstate compact with other states in furtherance of this objective, was taken up for consideration the third time.

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

Representative Hall moved to amend the title as follows:

Add the names: "Brown, Cupp, Dovilla, Hackett, Hagan, Hayes, Huffman, Landis, Maag, O'Brien, S., Patterson, Perales, Reineke, Rezabek, Rogers, Schaffer, Sears, Sprague, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

Representative Patterson moved to amend, amendment 1044, as follows:

In line 1 of the title, delete "on his" and insert ", Ohio's agricultural community, and Ohio's environmental advocacy and research organizations on their"

In line 5, delete "has" and insert ", Ohio's agricultural community, and Ohio's environmental advocacy and research organizations have"

In line 6, delete "comprehensive" and insert "bipartisan"

In line 8, delete "Governor's budget proposes" and insert "Governor supported bipartisan legislation"

In line 13, delete "has" and insert ", Ohio's agricultural community, and Ohio's environmental advocacy and research organizations have"

In line 14, delete "and" and insert "; and"

WHEREAS, The Governor"

In line 19, after "Kasich" insert ", Ohio's agricultural community, and Ohio's environmental advocacy and research organizations"

In line 20, delete "his" and insert "their"

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

The motion was agreed to and the concurrent resolution so amended.

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

The yeas and nays were taken and resulted – yeas 91, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Antonio	Ashford
Baker	Barnes	Becker	Bishoff
Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Koehler
Kuhns	Kunze	Landis	LaTourette
Leland	Lepore-Hagan	Maag	Manning
McClain	McColley	O'Brien, S.	Patmon
Patterson	Pelanda	Perales	Phillips
Ramos	Reece	Reineke	Retherford
Rezabek	Rogers	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring
Sears	Sheehy	Slaby	Slesnick
Smith, K.	Smith, R.	Sprague	Stinziano
Strahorn	Sweeney	Sykes	Vitale
Young	Zeltwanger		Rosenberger-91

The concurrent resolution was adopted.

**Am. H. B. No. 242**-Representatives Hagan, Dever.

Cosponsors: Representatives Duffey, Bishoff, Butler, Blessing, Hackett, Phillips, Ruhl, Ryan, Brown, Johnson, T., Perales, Kraus, Landis, Retherford, Terhar.

To enact section 5.2298 of the Revised Code to designate the fourth Sunday of July as Blue Star Mothers and Families Day, 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 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Antonio	Ashford
Baker	Barnes	Becker	Bishoff

Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Koehler
Kuhns	Kunze	Landis	LaTourette
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
Vitale	Young	Zeltwanger	Rosenberger-92

The bill passed.

Representative Hagan moved to amend the title as follows:

Add the names: "Antani, Antonio, Ashford, Baker, Barnes, Boose, Brenner, Buchy, Burkley, Celebrezze, Conditt, Craig, Cupp, Derickson, DeVitis, Dovilla, Driehaus, Fedor, Ginter, Gonzales, Green, Grossman, Hall, Hambley, Hayes, Henne, Hill, Koehler, Kuhns, Kunze, LaTourette, Leland, Lepore-Hagan, Manning, McClain, McColley, O'Brien, S., Patterson, Pelanda, Ramos, Reece, Reineke, Rezabek, Roegner, Rogers, Romanchuk, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, Sprague, Stinziano, Strahorn, Sweeney, Young, Zeltwanger, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 244**-Speaker Rosenberger, Representative Johnson, T.

Cosponsors: Representatives Ramos, Duffey, Retherford, Terhar, Grossman, Antani, Buchy, Ruhl, Brenner, Romanchuk, Ginter, Derickson, Anielski, Burkley, Bishoff, Dever, Hackett, Perales, Green, Smith, K., Blessing, Brinkman, Schaffer, Kraus, Slesnick, Henne, Hill, Hambley, Koehler, Butler, Brown, Ryan, Sears, Thompson, Sheehy, Pelanda, Lepore-Hagan, Landis.

To enact section 5.28 of the Revised Code to designate the tenth day of November as Armed Services, Peace Officer, First Responder, and Dual Service Recognition Day, 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 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Antonio	Ashford
Baker	Barnes	Becker	Bishoff
Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Koehler
Kuhns	Kunze	Landis	LaTourette
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
Vitale	Young	Zeltwanger	Rosenberger-92

The bill passed.

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

Add the names: "Antonio, Ashford, Baker, Barnes, Boose, Boyd, Celebrezze, Conditt, Craig, Cupp, DeVitis, Dovilla, Driehaus, Fedor, Hagan, Hall, Hayes, Howse, Johnson, G., Kuhns, Kunze, LaTourette, Leland, Manning, McClain, McColley, O'Brien, S., Patterson, Phillips, Reineke, Rezabek, Roegner, Rogers, Scherer, Schuring, Slaby, Smith, R., Sprague, Stinziano, Strahorn, Sweeney, Sykes, Young, Zeltwanger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 163**-Representative Patmon.

Cosponsors: Representatives Bishoff, Dever, Rogers.

To enact section 5.256 of the Revised Code to designate May 24 as First Responders' Appreciation Day, 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 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Antonio	Ashford
Baker	Barnes	Becker	Bishoff
Blessing	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Howse
Huffman	Johnson, G.	Johnson, T.	Koehler
Kuhns	Kunze	Landis	LaTourette
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
Vitale	Young	Zeltwanger	Rosenberger-92

The bill passed.

Representative Patmon moved to amend the title as follows:

Add the names: "Amstutz, Ashford, Baker, Barnes, Blessing, Boose, Boyce, Brenner, Brown, Buchy, Burkley, Butler, Celebrezze, Conditt, Craig, Cupp, Derickson, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Ginter, Green, Grossman, Hackett, Hagan, Hall, Hambley, Hayes, Henne, Hill, Howse, Huffman, Johnson, G., Johnson, T., Koehler, Kuhns, Kunze, Landis, LaTourette, Lepore-Hagan, Manning, McClain, McColley, O'Brien, S., Patterson, Pelanda, Perales, Ramos, Reece, Reineke, Rezabek, Roegner, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Smith, R., Sprague, Stinziano, Strahorn, Sykes, Young, 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 sixth order of business, being motions and resolutions.

The motion was agreed to.

### MOTIONS AND RESOLUTIONS

Representative Amstutz moved that the following 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. R. No. 220-Speaker Rosenberger.**

Relative to the election of Steven M. Arndt to fill the vacancy in the membership of the House of Representatives created by the felony guilty verdict and conviction of Steven W. Kraus of the 89th House District.

WHEREAS, Section 11 of Article II of the Ohio Constitution provides for the filling of a vacancy in the membership of the House of Representatives by election by the members of the House of Representatives who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Steven W. Kraus of the 89th House District, elected as a member of the House of Representatives of the 131st General Assembly, was found guilty by a jury verdict of a felony on July 27, 2015 and sentenced on August 25, 2015 as evidenced by the guilty verdict and sentencing entries in State of Ohio v. Steven W. Kraus, Ottawa County, CP Case No. 14CR150, is incompetent to hold an office of honor, trust, or profit pursuant to Ohio Revised Code § 2961.01 and Section 4 of Article V of the Ohio Constitution thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Republican party that Steven M. Arndt, Republican, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 89th House District, is hereby elected, effective September 30, 2015, pursuant to Section 11 of Article II of the Ohio Constitution, as a member of the House of Representatives from the 89th House District, to fill the vacancy created by the unexpired portion of the term of said Steven W. Kraus, ending on December 31, 2016; and be it further

RESOLVED, That a copy of this resolution be spread upon the pages of the Journal of the House of Representatives together with the yeas and nays of the members of the House of Representatives affiliated with the Republican party voting on the resolution, and that the Clerk of the House of Representatives shall certify the resolution and vote on its adoption to the Secretary of State.

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

The yeas and nays were taken and resulted – yeas 61, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Antani	Baker	Becker
Blessing	Boose	Brenner	Brinkman

Brown	Buchy	Burkley	Butler
Conditt	Cupp	Derickson	Dever
DeVitis	Dovilla	Duffey	Ginter
Gonzales	Green	Grossman	Hackett
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Huffman
Johnson, T.	Koehler	Kunze	Landis
LaTourette	Maag	Manning	McClain
McColley	Pelanda	Perales	Reineke
Retherford	Rezabek	Roegner	Romanchuk
Ruhl	Ryan	Schaffer	Scherer
Schuring	Sears	Slaby	Smith, R.
Sprague	Vitale	Young	Zeltwanger Rosenberger-61

The resolution was adopted.

Steven M. Arndt was escorted to the bar of the House by Representatives Amstutz, Sears, Schuring, Brown, Boose, Strahorn, Celebrezze, Boyce, and Antonio, took the oath of office administered by Speaker Rosenberger, and entered upon the discharge of his duties.

State of Ohio

County of Franklin

I, Steven M. Arndt, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and faithfully to discharge and perform all duties incumbent upon me as a member of the Ohio House of Representatives, according to the best of my ability and understanding; and this I do as I shall answer unto God.

/s/ STEVEN M. ARNDT  
Steven M. Arndt

Sworn to and subscribed before me this 30th day of September, 2015.

/s/ CLIFFORD A. ROSENBERGER  
Clifford A. Rosenberger  
Speaker  
Ohio House of Representatives

Representative Amstutz moved that the following 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. R. No. 221-Speaker Rosenberger.**

Relative to the election of John A. Boccieri to fill the vacancy in the membership of the House of Representatives created by the resignation of Ronald V. Gerberry of the 59th House District.

WHEREAS, Section 11 of Article II, Ohio Constitution provides for the filling of a vacancy in the membership of the House of Representatives by election by the members of the House of Representatives who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, Ronald V. Gerberry of the 59th House District has resigned as a member of the House of Representatives of the 131st General Assembly effective August 21, 2015, thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Democrat party that John A. Boccieri, Democrat, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 59th House District, is hereby elected, effective September 30, 2015, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 59th House District, to fill the vacancy created by the unexpired portion of the term of said Ronald V. Gerberry, ending on December 31, 2016; and be it further

RESOLVED, That a copy of this resolution be spread upon the pages of the Journal of the House of Representatives together with the yeas and nays of the members of the House of Representatives affiliated with the Democrat party voting on the resolution, and that the Clerk of the House of Representatives shall certify the resolution and vote on its adoption to the Secretary of State.

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

The yeas and nays were taken and resulted – yeas 29, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Bishoff
Boyce	Boyd	Celebrezze	Cera
Craig	Curtin	Driehaus	Fedor
Howse	Johnson, G.	Kuhns	Leland
Lepore-Hagan	O'Brien, S.	Patterson	Phillips
Ramos	Rogers	Sheehy	Slesnick
Smith, K.	Stinziano	Strahorn	Sweeney
			Sykes-29

The resolution was adopted.

John A. Boccieri was escorted to the bar of the House by Representatives

Strahorn, Celebrezze, Boyce, Antonio, Lepore-Hagan, Amstutz, Sears, Dovilla, and Pelanda, took the oath of office administered by Justice William O'Neill of the Supreme Court of Ohio, and entered upon the discharge of his duties.

State of Ohio

County of Franklin

I, John A. Boccieri, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and faithfully to discharge and perform all duties incumbent upon me as a member of the Ohio House of Representatives, according to the best of my ability and understanding; and this I do as I shall answer unto God.

/s/ JOHN A. BOCCIERI

John A. Boccieri

Sworn to and subscribed before me this 30th day of September, 2015.

/s/ WILLIAM O'NEILL

William O'Neill

Justice

Supreme Court of Ohio

### **MESSAGE FROM THE SPEAKER**

Pursuant to House Rules 13, 28, and 30, the Speaker hereby appoints Representative Arndt to the following standing committees:

Armed Services, Veterans Affairs, and Public Safety; Commerce and Labor; and Economic and Workforce Development.

#### Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate insists on its amendments to:

**Sub. H. B. No. 2** -Representatives Dovilla, Roegner – et al.

and asks for a committee of Conference

Attest:

Vincent L. Keeran,  
Clerk.

**MESSAGE FROM THE SPEAKER**

The Speaker hereby appoints the following members of the House to the committee of Conference on matters of difference between the two houses on:

**Sub. H. B. No. 2**— Representatives Dovilla, Roegner, et al.

Representatives Hayes, Amstutz, and Fedor.

On motion of Representative Amstutz, the House adjourned until Thursday, October 1, 2015 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.