

OHIO

House

of

Representatives

JOURNAL

TUESDAY, JANUARY 26, 2016

ONE HUNDRED THIRTIETH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, January 26, 2016, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor B.J. Van Aman of the Pickerington Baptist Temple in Pickerington, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the previous legislative day was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 431 - Representatives Sheehy, Patterson.

Cosponsors: Representatives Bishoff, Bocchieri, Dever, Driehaus, Leland, Lepore-Hagan, O'Brien, M., Ramos, Smith, K.

To enact section 5.289 of the Revised Code to designate February 17th as "Annie Glenn Communication Disorders Awareness Day."

H. B. No. 432 - Representatives Cupp, Rezabek.

To amend sections 2101.16, 2105.02, 2105.14, 2105.31, 2105.32, 2105.33, 2105.34, 2105.35, 2105.36, 2105.37, 2107.07, 2107.10, 2109.62, 2111.131, 2113.86, 5801.10, 5803.02, 5804.02, 5808.16, 5812.32, 5812.46, 5812.51, 5814.01, 5814.02, 5814.03, 5814.04, 5814.05, 5814.06, 5814.07, 5814.08, and 5815.23; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2105.39 (2105.38) and 5814.09 (5814.10); to enact new sections 2105.39 and 5814.09 and sections 2105.40, 2127.012, and 5802.04; and to repeal section 2105.38 of the Revised Code to revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act.

H. B. No. 433 - Representative Grossman.

To enact section 5534.17 of the Revised Code to designate a portion of State Route 62 in Franklin County as the "Lance Cpl. Eric J. Bernholtz Memorial Highway."

H. B. No. 434 - Representative Baker.

Cosponsors: Representatives Blessing, Bocchieri, O'Brien, M., Sprague.

To enact section 5.232 of the Revised Code to designate March as "Fibromuscular Dysplasia Awareness Month."

H. B. No. 435 - Representative McClain.

Cosponsors: Representatives Blessing, Ruhl, Grossman, Hambley, Reineke, Sheehy, Smith, K.

To enact sections 158.01, 158.02, 158.03, 158.04, 158.05, 158.06, 158.07, 158.08, 158.09, 158.10, and 158.11 of the Revised Code to authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities.

H. B. No. 436 - Representatives Cupp, Rogers.

Cosponsors: Representatives Amstutz, Arndt, Blessing, Celebrezze, Grossman, Johnson, G., Manning, O'Brien, S., Rezabek, Sheehy, Slaby, Sprague.

To amend section 4510.13 of the Revised Code to authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Cera submitted the following report:

The standing committee on Ways and Means to which was referred **Am. S. B. No. 2**-Senator Peterson, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: INCORPORATE INTERNAL REVENUE CODE CHANGES
INTO OHIO LAW

Representative McClain moved to amend the title as follows:

Add the names: "Representatives Amstutz, Rogers, Cera."

JEFFREY A. MCCLAIN
RON AMSTUTZ
JOHN BARNES, JR.
TONY BURKLEY
JONATHAN DEVER
STEPHEN D. HAMBLEY
ROBERT MCCOLLEY
JOHN M. ROGERS
TIMOTHY O. SCHAFFER
MARILYN SLABY

JACK CERA
NAN A. BAKER
TERRY BOOSE
MICHAEL F. CURTIN
DENISE DRIEHAUS
MICHAEL HENNE
BILL REINEKE
SCOTT RYAN
MICHAEL SHEEHY
EMILIA STRONG SYKES

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 **Sub. S. B. No. 54**-Senator Jones, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ELECTRONIC CIGARETTES-NOT IN CHILD RESISTANT PACKAGING-BAN SALE

Representative Huffman moved to amend the title as follows:

Add the names: "Representatives Huffman, Bishoff, Brown, Johnson, T."

ANNE GONZALES	STEPHEN A. HUFFMAN
NICKIE J. ANTONIO	JOHN BARNES, JR.
HEATHER BISHOFF	TIM W. BROWN
JIM BUTLER	TIMOTHY E. GINTER
TERRY JOHNSON	SARAH LATOURETTE
MICHELE LEPORE-HAGAN	RONALD MAAG
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 Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 89**-Representative DeVitis, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MEDICAID SCHOOL PROGRAM

Representative Huffman moved to amend the title as follows:

Add the name: "Bishoff."

ANNE GONZALES	STEPHEN A. HUFFMAN
NICKIE J. ANTONIO	JOHN BARNES, JR.
HEATHER BISHOFF	TIM W. BROWN
JIM BUTLER	TIMOTHY E. GINTER
TERRY JOHNSON	SARAH LATOURETTE
MICHELE LEPORE-HAGAN	RONALD MAAG
ROBERT COLE SPRAGUE	EMILIA STRONG SYKES

The following member voted "NO"

BARBARA R. SEARS

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 **Am. S. B. No. 124**-Senator Thomas, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: ASTHMA AWARENESS MONTH-MAY; CHILDHOOD ASTHMA AWARENESS DAY-MAY 5

Representative Huffman moved to amend the title as follows:

Add the names: "Representatives Huffman, Barnes, Bishoff, Brown, Johnson, T., Sykes."

ANNE GONZALES
NICKIE J. ANTONIO
HEATHER BISHOFF
JIM BUTLER
TERRY JOHNSON
MICHELE LEPORE-HAGAN
BARBARA R. SEARS
EMILIA STRONG SYKES

STEPHEN A. HUFFMAN
JOHN BARNES, JR.
TIM W. BROWN
TIMOTHY E. GINTER
SARAH LATOURETTE
RONALD MAAG
ROBERT COLE SPRAGUE

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. 128**-Senators Cafaro, Schiavoni, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: BARTTER SYNDROME AWARENESS DAY-MAY 30

Representative Huffman moved to amend the title as follows:

Add the names: "Representatives Antonio, Barnes, Bishoff, Brown, Butler, Johnson, T., Kuhns, Sykes."

ANNE GONZALES
NICKIE J. ANTONIO
HEATHER BISHOFF
JIM BUTLER

STEPHEN A. HUFFMAN
JOHN BARNES, JR.
TIM W. BROWN
TIMOTHY E. GINTER

TERRY JOHNSON
SARAH LATOURETTE
RONALD MAAG
ROBERT COLE SPRAGUE

CHRISTIE BRYANT KUHN
MICHELE LEPORE-HAGAN
BARBARA R. SEARS
EMILIA STRONG SYKES

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 **H. B. No. 290**-Representatives Sprague, Anielski, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TERMINALLY ILL PATIENTS-AUTHORIZE TREATING WITH UNAPPROVED DRUGS

Representative Huffman moved to amend the title as follows:

Add the names: "Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Johnson, T., Kuhns, LaTourette, Sykes."

ANNE GONZALES
NICKIE J. ANTONIO
HEATHER BISHOFF
JIM BUTLER
TERRY JOHNSON
SARAH LATOURETTE
RONALD MAAG
ROBERT COLE SPRAGUE

STEPHEN A. HUFFMAN
JOHN BARNES, JR.
TIM W. BROWN
TIMOTHY E. GINTER
CHRISTIE BRYANT KUHN
MICHELE LEPORE-HAGAN
BARBARA R. SEARS
EMILIA STRONG SYKES

The report was agreed to.

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

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. 298-Speaker Rosenberger.

Relative to the election of Kristin Boggs to fill the vacancy in the membership of the House of Representatives created by the resignation of Michael Stinziano of the 18th 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, Michael Stinziano of the 18th House District, has resigned as a member of the House of Representatives of the 131st General Assembly effective December 31, 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 Kristin Boggs, 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 18th House District, is hereby elected, effective January 26, 2016, pursuant to Section 11 of Article II of the Ohio Constitution, as a member of the House of Representatives from the 18th House District, to fill the vacancy created by the unexpired portion of the term of said Michael Stinziano, 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 32, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Bishoff
Bocchieri	Boyce	Boyd	Celebrezze
Cera	Clyde	Craig	Curtin
Driehaus	Howse	Johnson, G.	Kuhns
Leland	Lepore-Hagan	O'Brien, M.	O'Brien, S.
Patmon	Patterson	Phillips	Ramos
Reece	Rogers	Sheehy	Slesnick
Smith, K.	Strahorn	Sweeney	Sykes-32

The resolution was adopted.

Kristin Boggs was escorted to the bar of the House by Representatives Strahorn, Boyce, Antonio, Bishoff, Craig, Amstutz, Schuring, Duffey, and Grossman, took the oath of office administered by Judge Jennifer Brunner of

the Tenth District Court of Appeals, and entered upon the discharge of her duties.

State of Ohio

County of Franklin

I, Kristin Boggs, 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/ KRISTIN BOGGS
Kristin Boggs

Sworn to and subscribed before me this 26th day of January, 2016.

/s/ JENNIFER BRUNNER
Jennifer Brunner
Judge
Tenth District Court of Appeals

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 166-Representative Green.

Cosponsors: Representatives Brenner, Blessing, Hambley, Becker.

To amend sections 323.153, 1343.03, 5717.04, 5719.042, and 5747.51 and to repeal sections 319.19, 1318.01, 1318.02, 1318.03, 1318.04, 1318.05, 1318.06, 1318.07, 1318.08, 1318.99, 1901.313, 1907.202, 2303.25, 3765.01, 3765.02, 3765.03, 3765.04, and 5709.23 of the Revised Code to extend the deadline for filing an application for the homestead exemption or 2 1/2% property tax rollback to the end of the tax year, to require that auditors certify Local Government Fund allocations to subdivisions by regular or electronic, rather than certified mail, to require that notices of appeal from a decision of the Board of Tax Appeals originating with a county board of revision be filed with that board and the county auditor, to clarify the effect of certain certifications related to the repealed personal property tax, and to repeal laws requiring county auditors to issue permits for traveling shows, issue licenses for new merchandise public auctions, certify the annual state tax interest rate to local courts, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Green moved to amend, amendment 1410, as follows:

In line 386, correct the spelling of "submit"

Delete lines 451 through 664 and insert:

"**Sec. 5747.51.** (A) On or before the twenty-fifth day of July of each year, the tax commissioner shall make and certify to the county auditor of each county an estimate of the amount of the local government fund to be allocated to the undivided local government fund of each county for the ensuing calendar year, adjusting the total as required to account for subdivisions receiving local government funds under section 5747.502 of the Revised Code.

(B) At each annual regular session of the county budget commission convened pursuant to section 5705.27 of the Revised Code, each auditor shall present to the commission the certificate of the commissioner, the annual tax budget and estimates, and the records showing the action of the commission in its last preceding regular session. The commission, after extending to the representatives of each subdivision an opportunity to be heard, under oath administered by any member of the commission, and considering all the facts and information presented to it by the auditor, shall determine the amount of the undivided local government fund needed by and to be apportioned to each subdivision for current operating expenses, as shown in the tax budget of the subdivision. This determination shall be made pursuant to divisions (C) to (I) of this section, unless the commission has provided for a formula pursuant to section 5747.53 of the Revised Code. The commissioner shall reduce or increase the amount of funds from the undivided local government fund to a subdivision required to receive reduced or increased funds under section 5747.502 of the Revised Code.

Nothing in this section prevents the budget commission, for the purpose of apportioning the undivided local government fund, from inquiring into the claimed needs of any subdivision as stated in its tax budget, or from adjusting claimed needs to reflect actual needs. For the purposes of this section, "current operating expenses" means the lawful expenditures of a subdivision, except those for permanent improvements and except payments for interest, sinking fund, and retirement of bonds, notes, and certificates of indebtedness of the subdivision.

(C) The commission shall determine the combined total of the estimated expenditures, including transfers, from the general fund and any special funds other than special funds established for road and bridge; street construction, maintenance, and repair; state highway improvement; and gas, water, sewer, and electric public utilities operated by a subdivision, as shown in the subdivision's tax budget for the ensuing calendar year.

(D) From the combined total of expenditures calculated pursuant to division (C) of this section, the commission shall deduct the following expenditures, if included in these funds in the tax budget:

(1) Expenditures for permanent improvements as defined in division

(E) of section 5705.01 of the Revised Code;

(2) In the case of counties and townships, transfers to the road and bridge fund, and in the case of municipalities, transfers to the street construction, maintenance, and repair fund and the state highway improvement fund;

(3) Expenditures for the payment of debt charges;

(4) Expenditures for the payment of judgments.

(E) In addition to the deductions made pursuant to division (D) of this section, revenues accruing to the general fund and any special fund considered under division (C) of this section from the following sources shall be deducted from the combined total of expenditures calculated pursuant to division (C) of this section:

(1) Taxes levied within the ten-mill limitation, as defined in section 5705.02 of the Revised Code;

(2) The budget commission allocation of estimated county public library fund revenues to be distributed pursuant to section 5747.48 of the Revised Code;

(3) Estimated unencumbered balances as shown on the tax budget as of the thirty-first day of December of the current year in the general fund, but not any estimated balance in any special fund considered in division (C) of this section;

(4) Revenue, including transfers, shown in the general fund and any special funds other than special funds established for road and bridge; street construction, maintenance, and repair; state highway improvement; and gas, water, sewer, and electric public utilities, from all other sources except those that a subdivision receives from an additional tax or service charge voted by its electorate or receives from special assessment or revenue bond collection. For the purposes of this division, where the charter of a municipal corporation prohibits the levy of an income tax, an income tax levied by the legislative authority of such municipal corporation pursuant to an amendment of the charter of that municipal corporation to authorize such a levy represents an additional tax voted by the electorate of that municipal corporation. For the purposes of this division, any measure adopted by a board of county commissioners pursuant to section 322.02, 324.02, 4504.02, or 5739.021 of the Revised Code, including those measures upheld by the electorate in a referendum conducted pursuant to section 322.021, 324.021, 4504.021, or 5739.022 of the Revised Code, shall not be considered an additional tax voted by the electorate.

Subject to division (G) of section 5705.29 of the Revised Code, money in a reserve balance account established by a county, township, or municipal corporation under section 5705.13 of the Revised Code shall not

be considered an unencumbered balance or revenue under division (E)(3) or (4) of this section. Money in a reserve balance account established by a township under section 5705.132 of the Revised Code shall not be considered an unencumbered balance or revenue under division (E)(3) or (4) of this section.

If a county, township, or municipal corporation has created and maintains a nonexpendable trust fund under section 5705.131 of the Revised Code, the principal of the fund, and any additions to the principal arising from sources other than the reinvestment of investment earnings arising from such a fund, shall not be considered an unencumbered balance or revenue under division (E)(3) or (4) of this section. Only investment earnings arising from investment of the principal or investment of such additions to principal may be considered an unencumbered balance or revenue under those divisions.

(F) The total expenditures calculated pursuant to division (C) of this section, less the deductions authorized in divisions (D) and (E) of this section, shall be known as the "relative need" of the subdivision, for the purposes of this section.

(G) The budget commission shall total the relative need of all participating subdivisions in the county, and shall compute a relative need factor by dividing the total estimate of the undivided local government fund by the total relative need of all participating subdivisions.

(H) The relative need of each subdivision shall be multiplied by the relative need factor to determine the proportionate share of the subdivision in the undivided local government fund of the county; provided, that the maximum proportionate share of a county shall not exceed the following maximum percentages of the total estimate of the undivided local government fund governed by the relationship of the percentage of the population of the county that resides within municipal corporations within the county to the total population of the county as reported in the reports on population in Ohio by the department of development as of the twentieth day of July of the year in which the tax budget is filed with the budget commission:

Percentage of municipal population within the county:	Percentage share of the county shall not exceed:
Less than forty-one per cent	Sixty per cent
Forty-one per cent or more but less than eighty-one per cent	Fifty per cent
Eighty-one per cent or more	Thirty per cent

Where the proportionate share of the county exceeds the limitations established in this division, the budget commission shall adjust the proportionate shares determined pursuant to this division so that the proportionate share of the county does not exceed these limitations, and it shall increase the proportionate shares of all other subdivisions on a pro rata basis. In counties having a population of less than one hundred thousand, not less than ten per cent shall be distributed to the townships therein.

(I) The proportionate share of each subdivision in the undivided local government fund determined pursuant to division (H) of this section for any calendar year shall not be less than the product of the average of the percentages of the undivided local government fund of the county as apportioned to that subdivision for the calendar years 1968, 1969, and 1970, multiplied by the total amount of the undivided local government fund of the county apportioned pursuant to former section 5735.23 of the Revised Code for the calendar year 1970. For the purposes of this division, the total apportioned amount for the calendar year 1970 shall be the amount actually allocated to the county in 1970 from the state collected intangible tax as levied by section 5707.03 of the Revised Code and distributed pursuant to section 5725.24 of the Revised Code, plus the amount received by the county in the calendar year 1970 pursuant to division (B)(1) of former section 5739.21 of the Revised Code, and distributed pursuant to former section 5739.22 of the Revised Code. If the total amount of the undivided local government fund for any calendar year is less than the amount of the undivided local government fund apportioned pursuant to former section 5739.23 of the Revised Code for the calendar year 1970, the minimum amount guaranteed to each subdivision for that calendar year pursuant to this division shall be reduced on a basis proportionate to the amount by which the amount of the undivided local government fund for that calendar year is less than the amount of the undivided local government fund apportioned for the calendar year 1970.

(J) On the basis of such apportionment, the county auditor shall compute the percentage share of each such subdivision in the undivided local government fund and shall at the same time certify to the tax commissioner the percentage share of the county as a subdivision. No payment shall be made from the undivided local government fund, except in accordance with such percentage shares.

Within ten days after the budget commission has made its apportionment, whether conducted pursuant to section 5747.51 or 5747.53 of the Revised Code, the auditor shall publish a list of the subdivisions and the amount each is to receive from the undivided local government fund and the percentage share of each subdivision, in a newspaper or newspapers of countywide circulation, and send a copy of such allocation to the tax commissioner.

The county auditor shall also send ~~by certified mail, return receipt requested~~, a copy of such allocation by ordinary or electronic mail to the fiscal officer of each subdivision entitled to participate in the allocation of the undivided local government fund of the county. This copy shall constitute the official notice of the commission action referred to in section 5705.37 of the Revised Code.

All money received into the treasury of a subdivision from the undivided local government fund in a county treasury shall be paid into the general fund and used for the current operating expenses of the subdivision.

If a municipal corporation maintains a municipal university, such municipal university, when the board of trustees so requests the legislative authority of the municipal corporation, shall participate in the money apportioned to such municipal corporation from the total local government fund, however created and constituted, in such amount as requested by the board of trustees, provided such sum does not exceed nine per cent of the total amount paid to the municipal corporation.

If any public official fails to maintain the records required by sections 5747.50 to 5747.55 of the Revised Code or by the rules issued by the tax commissioner, the auditor of state, or the treasurer of state pursuant to such sections, or fails to comply with any law relating to the enforcement of such sections, the local government fund money allocated to the county may be withheld until such time as the public official has complied with such sections or such law or the rules issued pursuant thereto."

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 96, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Arndt
Ashford	Baker	Barnes	Becker
Bishoff	Blessing	Boccieri	Boggs
Boose	Boyce	Boyd	Brenner
Brinkman	Brown	Buchy	Burkley
Butler	Celebrezze	Cera	Clyde
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	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, 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
Strahorn	Sweeney	Sykes	Terhar
Thompson	Vitale	Young	Rosenberger-96

Representative Antonio voted in the negative-1.

The bill passed.

Representative Green moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Boose, Conditt, Cupp, Grossman, Hackett, Johnson, T., McClain, Reineke, Retherford, Rogers, Ruhl, Ryan, Sprague, Thompson, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 236-Representatives Blessing, Landis.

Cosponsor: Representative Howse.

To amend section 4733.151 of the Revised Code to require professional engineers to complete continuing professional development hours in professional ethics or rules relevant to engineering or surveying practices, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

January 26, 2016

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. 236**-Representatives Blessing, Landis, et al., because it might be construed that I have an interest in the legislation.

Sincerely,

/s/ TIMOTHY O. SCHAFFER
 Timothy O. Schaffer
 State Representative
 77th House District

The request was granted.

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
Arndt	Ashford	Baker	Barnes
Becker	Bishoff	Blessing	Bocchieri
Boggs	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Clyde	Conditt	Craig	Cupp
Curtin	Derickson	Dever	DeVitis
Dovilla	Driehaus	Duffey	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, M.	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
Strahorn	Sweeney	Sykes	Terhar
Thompson	Vitale	Young	Rosenberger-96

The bill passed.

Representative Blessing moved to amend the title as follows:

Add the names: "Anielski, Boyd, Brown, Dever, DeVitis, Green, Hackett, Lepore-Hagan, Perales, Retherford, Rogers, Sweeney, Terhar."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 60-Senator Hughes.

Cosponsors: Senators Bacon, Eklund, Oelslager, Patton, Seitz, Tavares, Williams, LaRose, Cafaro, Yuko, Balderson, Coley, Faber, Gardner, Hite, Jordan, Lehner, Manning, Obhof Representative Green.

To enact section 5533.261 of the Revised Code to designate a portion of Interstate Route 670 as the "Dana G. 'Buck' Rinehart Memorial Highway", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Antonio
Arndt	Ashford	Baker	Barnes
Becker	Bishoff	Blessing	Boccieri
Boggs	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Clyde	Conditt	Craig	Cupp
Curtin	Derickson	Dever	DeVitis
Dovilla	Driehaus	Duffey	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, 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	Strahorn	Sweeney	Sykes
Terhar	Thompson	Vitale	Young
			Rosenberger-97

The bill passed.

Representative Duffey moved to amend the title as follows:

Add the names: "Anielski, Antonio, Ashford, Baker, Bishoff, Blessing, Boccieri, Boggs, Boyce, Brenner, Brown, Buchy, Celebrezze, Craig, Cupp, Curtin, Dever, DeVitis, Dovilla, Duffey, Gonzales, Grossman, Hackett, Hall, Hill, Hood, Johnson, T., Kunze, Landis, Maag, McClain, Perales, Retherford, Roegner, Rogers, Ruhl, Schaffer, Scherer, Schuring, Sears, Sheehy, Smith, R., Sprague, Strahorn, Sweeney, Sykes, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 158-Representatives Dever, Howse.

Cosponsors: Representatives Amstutz, Anielski, Antonio, Bishoff, Boyd, Brown, Butler, Conditt, Derickson, DeVitis, Dovilla, Ginter, Hambley, Hayes, Huffman, Lepore-Hagan, Maag, McClain, Patmon, Patterson, Phillips, Ramos, Reineke, Retherford, Romanchuk, Ryan, Schuring, Sears, Slesnick, Sweeney, Sykes, Zeltwanger, Gonzales, Barnes, Johnson, T., Kuhns,

LaTourette.

To amend sections 1.02, 121.22, 121.37, 135.801, 145.01, 145.012, 145.298, 145.332, 149.431, 152.04, 173.25, 173.27, 173.38, 173.381, 305.07, 307.02, 313.12, 325.07, 711.23, 1751.01, 1751.14, 2101.17, 2101.24, 2108.521, 2109.01, 2111.01, 2111.10, 2111.49, 2151.011, 2151.281, 2151.353, 2151.414, 2151.415, 2151.421, 2151.425, 2151.651, 2152.02, 2152.12, 2152.14, 2152.51, 2152.52, 2152.54, 2152.56, 2152.811, 2305.111, 2311.14, 2317.021, 2503.37, 2721.05, 2744.01, 2901.13, 2903.341, 2905.32, 2907.24, 2919.23, 2929.01, 2929.04, 2929.06, 2930.061, 2930.16, 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 2945.482, 2945.491, 2949.29, 2950.01, 2951.041, 2967.22, 3107.02, 3301.52, 3301.53, 3301.55, 3301.57, 3301.58, 3314.022, 3317.02, 3317.024, 3317.03, 3317.032, 3317.07, 3317.15, 3317.20, 3323.01, 3323.02, 3323.021, 3323.03, 3323.04, 3323.05, 3323.09, 3323.091, 3323.12, 3323.141, 3323.142, 3701.881, 3707.20, 3721.01, 3763.06, 3791.031, 3923.24, 3923.241, 4112.01, 4303.272, 4399.05, 4723.071, 4757.41, 4971.16, 5101.46, 5103.02, 5119.44, 5120.051, 5120.11, 5120.17, 5120.173, 5121.04, 5122.01, 5123.01, 5123.012, 5123.014, 5123.02, 5123.03, 5123.033, 5123.04, 5123.044, 5123.0410, 5123.0412, 5123.0413, 5123.0417, 5123.0418, 5123.081, 5123.092, 5123.093, 5123.122, 5123.165, 5123.169, 5123.17, 5123.171, 5123.18, 5123.19, 5123.196, 5123.20, 5123.27, 5123.34, 5123.35, 5123.351, 5123.36, 5123.37, 5123.374, 5123.375, 5123.40, 5123.41, 5123.42, 5123.421, 5123.422, 5123.43, 5123.44, 5123.441, 5123.45, 5123.451, 5123.47, 5123.50, 5123.51, 5123.52, 5123.541, 5123.542, 5123.55, 5123.57, 5123.58, 5123.601, 5123.61, 5123.611, 5123.612, 5123.614, 5123.62, 5123.63, 5123.64, 5123.65, 5123.651, 5123.67, 5123.69, 5123.701, 5123.71, 5123.74, 5123.75, 5123.76, 5123.79, 5123.80, 5123.81, 5123.82, 5123.83, 5123.84, 5123.85, 5123.86, 5123.87, 5123.88, 5123.89, 5123.91, 5123.92, 5123.93, 5123.95, 5123.96, 5123.99, 5126.01, 5126.022, 5126.023, 5126.04, 5126.041, 5126.042, 5126.043, 5126.046, 5126.05, 5126.051, 5126.054, 5126.055, 5126.058, 5126.059, 5126.0510, 5126.08, 5126.082, 5126.11, 5126.15, 5126.22, 5126.25, 5126.30, 5126.31, 5126.33, 5126.333, 5126.40, 5126.46, 5126.49, 5126.52, 5126.55, 5126.58, 5139.06, 5139.08, 5139.12, 5139.27, 5139.39, 5139.54, 5164.25, 5164.342, 5164.881, 5165.01, 5166.20, 5166.21, 5166.22, 5168.68, 5301.22, 5305.17, 5307.19, 5310.12, 5321.01, 5705.05, 5705.091, 5705.19, 5705.222, 5709.40, 5709.73, 5709.78, 5711.07, 5747.03, 5815.28, and 5815.35 of the Revised Code to replace provisions containing the term "mental retardation" and its derivatives with corresponding provisions containing the term "intellectual disability" and its derivatives and to specify that an intellectual disability is a form of developmental disability, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Antonio
Arndt	Ashford	Baker	Barnes
Becker	Bishoff	Blessing	Bocchieri
Boggs	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Clyde	Conditt	Craig	Cupp
Curtin	Derickson	Dever	DeVitis
Dovilla	Driehaus	Duffey	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, 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	Strahorn	Sweeney	Sykes
Terhar	Thompson	Vitale	Young
			Rosenberger-97

The bill passed.

Representative Dever moved to amend the title as follows:

Add the names: "Antani, Ashford, Baker, Blessing, Boyce, Brenner, Burkley, Celebrezze, Cera, Clyde, Craig, Cupp, Driehaus, Grossman, Hackett, Hagan, Hall, Henne, Hill, Johnson, G., Koehler, Kunze, Landis, Leland, Manning, McColley, O'Brien, M., O'Brien, S., Pelanda, Perales, Reece, Rezabek, Rogers, Ruhl, Schaffer, Sheehy, Slaby, Smith, K., Smith, R., Sprague, Strahorn, Terhar."

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 passage of the following bills:

H. B. No. 17 - Representatives Blessing, Landis

Cosponsors: Representatives Brenner, Grossman, Conditt, Becker, Maag, Romanchuk, Roegner, Amstutz, Thompson, Dever, Young, Anielski, Baker, Boose, Brown, Buchy, Burkley, Derickson, DeVitis, Dovilla, Duffey, Ginter, Green, Hackett, Hagan, Hall, Hayes, Hood, Koehler, Kraus, McClain, Pelanda, Perales, Retherford, Ruhl, Ryan, Scherer, Schuring, Sears, Terhar, Zeltwanger Senators Bacon, Balderson, Burke, Coley, Eklund, Gardner, Hite, Hottinger, Jordan, LaRose, Lehner, Obhof, Patton, Peterson, Seitz, Uecker, Yuko

To enact section 2305.2310 of the Revised Code to provide civil immunity for architects, contractors, engineers, surveyors, and tradespersons providing volunteer services during a declared emergency.

H. B. No. 98 - Representative Brown

Cosponsors: Representatives Rogers, Stinziano, Lepore-Hagan, Blessing, Antonio, Celebrezze, Johnson, T., Anielski, Baker, Barnes, Bishoff, Boyd, Brenner, Buchy, Butler, Clyde, Craig, Derickson, Dever, DeVitis, Dovilla, Driehaus, Duffey, Grossman, Hackett, Hayes, Huffman, Johnson, G., Kuhns, Kunze, LaTourette, Leland, O'Brien, M., Patterson, Pelanda, Ramos, Reece, Ryan, Schaffer, Sears, Sheehy, Smith, R., Strahorn, Sweeney, Sykes, Young Senators Gardner, Beagle, Lehner, Hite, Tavares, Brown, Bacon, Balderson, Burke, Coley, Eklund, Gentile, Hughes, Jones, LaRose, Manning, Patton, Peterson, Sawyer, Schiavoni, Thomas, Widener, Yuko

To amend section 5.2281 of the Revised Code to designate the fourteenth day of May as "Childhood Apraxia of Speech Awareness Day."

H. B. No. 121 - Representatives Stinziano, Ruhl

Cosponsors: Representatives Amstutz, Celebrezze, Lepore-Hagan, Phillips, Rezabek, Gerberry, Grossman, Hackett, Slesnick, Sweeney, LaTourette, Antonio, Baker, Brenner, Brinkman, Brown, Buchy, Craig, Cupp, Derickson, Driehaus, Fedor, Ginter, Hagan, Hall, Hambley, Hill, Johnson, G., Johnson, T., Kuhns, Kunze, Landis, Leland, O'Brien, M., O'Brien, S., Perales, Ramos, Rogers, Romanchuk, Schaffer, Sears, Sheehy, Slaby, Smith, K., Sprague, Sykes, Young Senators Beagle, Tavares, Brown, Bacon, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hottinger, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Thomas, Widener, Yuko

To enact section 5.2298 of the Revised Code to designate the last week of July as "Service Dog Awareness Week."

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

Am. S. B. No. 239 - Senator Hughes

Cosponsors: Senators Beagle, Gardner, Bacon, Balderson, Yuko, Skindell, Eklund, Seitz, Uecker, Brown, LaRose, Hottinger, Burke, Cafaro, Coley, Faber, Gentile, Hite, Jones, Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Tavares, Thomas, Widener, Williams

To enact section 5.46 of the Revised Code to designate the seventh day of August as "Ohio Purple Heart Day."

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

MESSAGE FROM THE SPEAKER

Pursuant to Ohio Revised Code Section 122.72, the Speaker hereby makes the following changes to the Minority Development Financing Advisory Board:

Remove Representative Young; appoint Representative Dever.

MESSAGE FROM THE SPEAKER

Pursuant to Section 5537.24 of the Ohio Revised Code, the Speaker hereby appoints the following members to the Turnpike Legislative Review Committee:

Representatives Boose and Arndt.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the standing committee on Transportation and Infrastructure:

Remove Representative Vitale; appoint Representative Arndt.

On motion of Representative Amstutz, the House recessed.

The House met pursuant to recess.

Representative Brenner moved that the House revert to the sixth order of business, being motions and resolutions.

The motion was agreed to.

MOTIONS AND RESOLUTIONS

Representative Brenner moved that **Sub. H.B. No. 305**-Representative Schuring, et al., be taken from the calendar and re-referred to the committee on Rules and Reference.

The motion was agreed to without objection.

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

H. R. No. 293 - Representatives Anielski and Patmon

Honoring the Saint Ignatius High School boys cross country team as the 2015 Division I State Champion.

Add the names: Celebrezze, Antonio, Strahorn

H. R. No. 294 - Representatives Anielski and Antonio

Honoring the St. Edward High School football team on placing first at the 2015 Division I State Championship.

Add the names: Celebrezze, Strahorn

H. R. No. 295 - Representative Hagan

Honoring the Lake Local School District on its 2015 Energy Project of the Year Award.

Add the name: Strahorn

H. R. No. 296 - Representative Hagan

Honoring the University of Mount Union football team on winning the 2015 NCAA Division III Championship.

Add the names: Hood, Strahorn

H. R. No. 297 - Representative Craig

Honoring the Bishop Hartley High School football team on winning the 2015 Division IV State Championship.

Add the names: Boyce, Strahorn

/s/RON AMSTUTZ

Ron Amstutz, Chair

Representative Brenner moved that the Rules and Reference committee report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on January 26, 2016, signed the following:

H. B. No. 17-Representatives Blessing, Landis - et al.

H. B. No. 98-Representative Brown - et al.

H. B. No. 121-Representatives Stinziano, Ruhl - et al.

On motion of Representative Brenner, the House adjourned until Wednesday, January 27, 2016 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.