

OHIO

House

of

Representatives

JOURNAL

TUESDAY, FEBRUARY 23, 2016

ONE HUNDRED FORTY-FIRST DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, February 23, 2016, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor David Vaughn of the Whitewater Crossing Church in Cleves, Ohio, followed by the Pledge of Allegiance to the Flag.

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

The Archbishop Hoban High School football team and girls soccer team received H.Rs. 286 and 271 respectively, presented by Representative Sykes-34th district.

Nathan Kulbe received H.R. 316, presented by Representative Green-66th district.

Bobbi DeBruler received H.R. 314, presented by Representative Ramos-56th district.

The University of Akron football team received H.R. 302, presented by Representative Sykes-34th district.

The La Salle High School football team received H.R. 305, presented by Representative Terhar-30th district.

Lance Combs, a guest of Representative Romanchuk-2nd district.

Will Thornton, a guest of Representative Boyd-9th district.

Heidi and Matt McLane, guests of Representative Patmon-10th district.

Terence Harrison, Abigail Duncan, Anthony Louderback, Dave Frese, Maureen Holliday, India Adams, Robert Johnson, Blaine Behymer, and Jeremy Ramsey, guests of Representative Driehaus-31st district.

Jessica Andress, a guest of Representatives Henne-40th district and Rezabek-43rd district.

Jim Mullaney, a guest of Representative Conditt-52nd district.

Members of the Delaware Hayes Student Senate, guests of Representative Brenner-67th district.

Magaly Aranda, a guest of Representative Perales-73rd district.

Former State Representative Bridey Matheny, a guest of Representative LaTourette-76th district.

Andy Shaffer, a guest of Representative McColley-81st district.

Christy Weininger, Kathy Boukissen, and Lisa Stuart, guests of Representative Reineke-88th district.

Members of the Cincinnati Chamber of Commerce, guests of Speaker Rosenberger-91st district.

MESSAGE FROM THE SPEAKER

February 22, 2016

Cliff Rosenberger, Speaker
Ohio House of Representatives
Vern Riffe Center, 14th Floor
Columbus, OH 43215

Dear Speaker Rosenberger:

Please accept this letter as notice of my resignation from the Ohio House of Representatives as a State Representative effective Monday, February 22, 2016.

I have thoroughly enjoyed being a member of the Ohio House of Representatives, and I am thankful for the many opportunities you have given me during my tenure in the Ohio House. I owe much to the Ohio House of Representatives and wish you and every member continued success in helping to pass and enact legislation which stimulates Ohio's economy, exercises fiscal responsibility, lessen the tax burden on our citizens and maintains jobs.

In my new capacity as the State Senator for the 10th Senate District, I look forward to continue working with you, members of the Ohio House of Representatives and members of the Senate.

Sincerely,

Robert D. Hackett, State Representative
74th House District

MESSAGE FROM THE SPEAKER

February 23, 2016

Representative Robert Hackett
Ohio House of Representatives
77 South High Street, 11th Floor
Columbus, Ohio 43215

Dear Representative Hackett,

This is to acknowledge receipt and acceptance of your letter of resignation from the Ohio House of Representatives, effective February 22, 2016.

It has been an honor working with you over the years. You have served your constituents and the state of Ohio well and I am confident you will continue to do so as a member of the Ohio Senate.

Best Regards,

Clifford A. Rosenberger
Speaker, Ohio House of Representatives

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 473 - Representative Amstutz.

To amend sections 122.86, 324.02, 324.021, 5703.70, 5739.121, 5743.05, and 5743.53 and to enact section 5743.06 of the Revised Code to require voter approval before a county may levy a new utilities services tax, to allow small businesses to count employees of related or affiliated entities towards satisfying the employment criteria of the business investment tax credit, to permit a bad debt refund for cigarette and tobacco product excise taxes paid when a purchaser fails to pay a dealer for the cigarettes or tobacco products and the unpaid amount is charged off as uncollectible by the dealer, and to allow vendors to receive a refund of sales taxes remitted for bad debts on private label credit cards when the debt is charged off as uncollectible by the credit card lender.

H. B. No. 474 - Representative Brown.

To amend sections 3301.0712, 3319.111, 3333.04, 3333.041, 3333.048, 3333.731, 3345.061, 3345.35, 3354.01, 3354.09, 3357.01, 3357.09, 3357.19, 3358.01, 3358.08, 3365.01, 3365.06, and 3365.07; to enact sections 3333.051, 3333.172, 3333.45, 3345.19, and 3365.091; to repeal sections 3333.0411 and 3345.692 of the Revised Code; and to amend Section 369.540 of Am. Sub. H.B. 64 of the 131st General Assembly and to amend Section 369.540 of Am. Sub. H.B. 64 of the 131st General Assembly to codify it as section 3333.94 of the Revised Code with respect to the coordination and administration of higher education programs and the College Credit Plus program.

H. B. No. 475 - Representative Schuring.

To amend section 122.85 of the Revised Code to authorize motion picture companies to transfer the authority to claim refundable motion picture tax

credits to other persons, to adjust how the credit is calculated, to increase the total amount of credits that may be awarded per year, to remove the limit on the maximum credit amount that may be awarded to a motion picture, and to create a job training program for resident film crew members.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Sheehy submitted the following report:

The standing committee on Transportation and Infrastructure to which was referred **S. B. No. 182**-Senators Balderson, Peterson, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MEMORIAL HIGHWAYS-MILITARY PERSONNEL

Representative Boose moved to amend the title as follows:

Add the names: "Representatives Boose, Green, Sheehy, Arndt, DeVitis, Dovilla, Johnson, T., Lepore-Hagan."

TERRY BOOSE

MICHAEL SHEEHY

STEVEN ARNDT

ANTHONY DEVITIS

GRETA JOHNSON

MICHELE LEPORE-HAGAN

DOUG GREEN

NIRAJ J. ANTANI

JOHN BECKER

MICHAEL D. DOVILLA

TERRY JOHNSON

MARTIN J. SWEENEY

The following member voted "NO"

MARGARET ANN RUHL

The report was agreed to.

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

Representative Rogers submitted the following report:

The standing committee on Local Government to which was referred **H. B. No. 361**-Representative Brenner, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: COMMUNITY EVENTS IN PARKS/RECREATIONAL
FACILITIES-AUTHORIZE SPENDING

Representative Ryan moved to amend the title as follows:

Add the names: "Rogers, Ruhl."

Representative Ryan moved to amend the title as follows:

In line 78, after "events" insert "that are open to the public"

In line 179, after "events" insert "that are open to the public"

In line 216, after "events" insert "that are open to the public"

The motion was agreed to and the bill so amended.

MARLENE ANIELSKI
JOHN M. ROGERS
NAN A. BAKER
TERRY BOOSE
MARGARET CONDITT
JEFFERY S. REZABEK

SCOTT RYAN
MICHAEL ASHFORD
JOHN BECKER
JANINE R. BOYD
STEPHEN D. HAMBLEY
MARGARET ANN RUHL

The report was agreed to.

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

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 305-Representative Schuring.

Cosponsors: Representatives Barnes, Kuhns, Lepore-Hagan, Ramos, Sykes.

To amend sections 143.09, 145.011, and 3309.011 of the Revised Code to include certain nonteaching employees of The University of Akron as members in the Public Employees Retirement System and to retroactively extend eligibility for benefits from the Volunteer Peace Officers' Dependents Fund regarding a volunteer peace officer who is totally and permanently disabled or killed in the line of duty on or after December 22, 2015, 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	Fedor
Ginter	Gonzales	Green	Grossman
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 Schuring moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Antonio, Arndt, Ashford, Baker, Boggs, Boyd, Brown, Buchy, Burkley, Celebrezze, Cera, Craig, Dever, DeVitis, Dovilla, Driehaus, Fedor, Ginter, Green, Grossman, Hagan, Hall, Hambley, Hayes, Howse, Johnson, G., Johnson, T., Leland, Manning, McClain, McColley, O'Brien, M., O'Brien, S., Patterson, Perales, Phillips, Reece, Retherford, Roegner, Rogers, Ruhl, Ryan, Schaffer, Sheehy, Slaby, Slesnick, Smith, K., Strahorn, Sweeney, Thompson, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 290-Representatives Sprague, Anielski.

Cosponsors: Representatives Blessing, Dever, Grossman, Hackett, Henne, Rezabek, Romanchuk, Thompson, Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Johnson, T., Kuhns, LaTourette, Sykes.

To amend sections 4729.01, 4729.291, 4729.51, 4729.57, 4731.22, and 4731.227 and to enact sections 4729.88 and 4731.96 of the Revised Code to permit a patient with a terminal condition to be treated with a drug, product, or device that is not approved by the United States Food and Drug Administration, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 96, nays 1, 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	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	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 Conditt voted in the negative-1.

The bill passed.

Representative Sprague moved to amend the title as follows:

Add the names: "Antani, Arndt, Baker, Boccieri, Boose, Boyd, Burkley, Clyde, Dovilla, Fedor, Ginter, Green, Hagan, Hall, Hambley, Johnson, G., Lepore-Hagan, Maag, Manning, McClain, O'Brien, M., O'Brien, S., Patterson, Perales, Ramos, Reineke, Roegner, Ruhl, Ryan, Schuring, Sheehy, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 325-Representatives Green, O'Brien, S.

Cosponsors: Representatives Grossman, Sheehy, Bishoff, Hill, Rogers, Smith, K., Phillips, Sprague, Young, Brenner, Smith, R., Antani, Blessing, Burkley, Antonio, Boose, Hambley, Ginter, Sears, DeVitis, Rezabek, Thompson, Johnson, T., Ashford, Hackett, Buchy, Lepore-Hagan, Scherer, Fedor, Slesnick, Ramos, Brown, Terhar, McClain, Stinziano, Curtin, Huffman, Maag, Derickson, Conditt, Romanchuk.

To amend sections 5119.17 and 5139.01 and to enact sections 2151.26, 2945.65, and 3701.70 of the Revised Code regarding encouraging pregnant women who are addicted to controlled substances to seek treatment, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 96, nays 1, 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	Fedor
Ginter	Gonzales	Green	Grossman
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	Young	Rosenberger-96

Representative Vitale voted in the negative-1.

The bill passed.

Representative Green moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Arndt, Baker, Boccieri, Boyd, Celebrezze, Cera, Craig, Dever, Driehaus, Duffey, Gonzales, Hagan, Howse, Manning, O'Brien, M., Patmon, Patterson, Reineke, Ruhl, Slaby, Strahorn, Sweeney."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 241-Representatives Grossman, Curtin.

Cosponsors: Representatives LaTourette, Brown, Bishoff, Leland, Stinziano, Derickson, Fedor, Schaffer, Phillips, Smith, K., Lepore-Hagan.

To enact section 5.256 of the Revised Code to designate the month of September as "Hunger Action Month", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 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	Fedor
Ginter	Gonzales	Green	Grossman
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 Grossman moved to amend the title as follows:

Add the names: "Anielski, Antonio, Arndt, Ashford, Baker, Barnes, Boggs, Boyce, Boyd, Buchy, Celebrezze, Clyde, Craig, Cupp, Dovilla, Driehaus, Duffey, Green, Hagan, Hall, Howse, Johnson, G., Johnson, T., Kuhns, Kunze, Manning, McClain, O'Brien, M., O'Brien, S., Patmon, Patterson, Pelanda, Ramos, Reece, Reineke, Rogers, Schuring, Slaby, Slesnick, Smith, R., Sprague, Strahorn, Sweeney, Sykes, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. C. R. No. 21-Representatives Romanchuk, Antonio.

Cosponsors: Representatives Smith, R., Sears, Sprague, Grossman, Baker, Ruhl, Brenner, Bishoff, Thompson, Reineke, Green, Henne, Smith, K., Dever, Rogers, Koehler, Stinziano, Gonzales, Huffman, Barnes, Brown, Butler, Duffey, Johnson, T., Kuhns, LaTourette, Maag, Ramos, Schuring.

To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers, and sheltered workshops, was taken up for consideration the third time.

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

Representative Romanchuk moved to amend the title as follows:

Add the names: "Boose, Burkley, Celebrezze, Clyde, Craig, Cupp, Derickson, Dovilla, Driehaus, Fedor, Ginter, Hagan, Hambley, Hayes,

Johnson, G., Kunze, Lepore-Hagan, McColley, O'Brien, M., Patterson, Pelanda, Perales, Phillips, Retherford, Rezabek, Ryan, Scherer, Strahorn, Sweeney, Sykes, Terhar, Young."

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?"

The yeas and nays were taken and resulted – yeas 94, nays 1, 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	Brown	Buchy	Burkley
Butler	Celebrezze	Cera	Clyde
Conditt	Craig	Cupp	Curtin
Derickson	Dever	DeVitis	Dovilla
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	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	Rogers	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring
Sears	Sheehy	Slaby	Slesnick
Smith, K.	Smith, R.	Sprague	Strahorn
Sweeney	Sykes	Terhar	Thompson
Young			Rosenberger-94

Representative Brinkman voted in the negative-1.

The concurrent resolution was adopted.

Am. S. B. No. 124-Senator Thomas.

Cosponsors: Senators Beagle, Brown, Gardner, Hughes, Jones, Sawyer, Schiavoni, Skindell, Yuko, Cafaro, Balderson, Burke, Coley, Faber, Gentile, Hite, Hottinger, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Uecker, Widener, Williams Representatives Huffman, Barnes, Bishoff, Brown, Johnson, T., Sykes.

To enact section 5.256 of the Revised Code to designate May as "Asthma Awareness Month" and to designate May 5 as "Childhood Asthma Awareness 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 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	Fedor
Ginter	Gonzales	Green	Grossman
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 Antonio moved to amend the title as follows:

Add the names: "Anielski, Antonio, Ashford, Baker, Bocchieri, Boggs, Boyce, Boyd, Buchy, Celebrezze, Craig, Cupp, Dovilla, Duffey, Fedor, Grossman, Hagan, Hall, Howse, Johnson, G., Kuhns, Kunze, Landis, Lepore-Hagan, O'Brien, M., O'Brien, S., Patterson, Pelanda, Phillips, Ramos, Reece, Reineke, Retherford, Rogers, Ruhl, Schaffer, Sheehy, Slaby, Slesnick, Smith, K., Smith, R., Sprague, Strahorn, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Amstutz, the House recessed.

The House met pursuant to recess.

On motion of Representative Hill, the House adjourned until Wednesday, February 24, 2016 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.