

OHIO

House

of

Representatives

JOURNAL

TUESDAY, APRIL 12, 2016

ONE HUNDRED FIFTY-FIFTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, April 12, 2016, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Larry Macon, Jr. of the Mt. Zion Church in Oakwood Village, 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:

Representatives from the City of Barberton received H.R. 279, presented by Representative Johnson, G.-35th district.

Supporters and families of organ and tissue donation received H.R. 363, presented by Representatives Cupp-4th district and Koehler-79th district.

Sharlynn Key received H.R. 310, presented by Representatives Rezabek-43rd district and Huffman-80th district.

Devin Hoover received H.R. 128, presented by Representatives Retherford-51st district and Conditt-52nd district.

The John Glenn High School boys basketball team received H.R. 365, presented by Representative Hill-97th district.

Citizens of Risingsun, members of Northwest Ohio Right to Life, and Toledo Diocese members, guests of Representative Brown-3rd district.

Gayle Williams-Byers, a guest of Representative Smith, K.-8th district.

Abe Bonowitz and members of Ohioans to Stop Executions, guests of Representative Antonio-13th district.

Jenifer French and Sonia Pahrail, guests of Representative Leland-22nd district.

Lucious Knowles-Campbell, Theresa Hall, Kyree Rollins, Kiel Barton, Kailynn Johnson, Stephanie Kran, Charles Shahid, Zakiya Brown, Kristin Johnson, guests of Representative Boyce-25th district.

Micaela Bresler and Emily Willard, guests of Representative Reece-33rd district.

Janell Smith, a guest of Representative Henne-40th district.

Margie Christie, Paul Coudron, and members of Dayton Right to Life, guests of Representative Antani-42nd district.

Jack Puffenberger, a guest of Representative Sheehy-46th district.

Curt Warren, a guest of Representative Hagan-50th district.

Jim Miraldi, a guest of Representative Ramos-56th district.

Mark Mihok, a guest of Representative Boose-57th district.

James Fredericka, a guest of Representative O'Brien, M.-64th district.

Craig Baldwin, a guest of Representative Brenner-67th district.

Judge Bird, a guest of Representative McColley-81st district.

Kristen Johnson, a guest of Representative Sprague-83rd district.

Eamon Costello, a guest of Representative Pelanda-86th district.

Jim Kieper and Andrew Hemminger, guests of Representative Arndt-89th district.

Members of Ohio Right to Life and Linda McConnaughey and the Hillsboro High School government class, guests of Speaker Rosenberger-91st district.

John Street, a guest of Representative Scherer-92nd district.

Patrick Lang, a guest of Representative Phillips-94th district.

Former State Representatives Jerry and Eileen Krupinski, guests of Representative Cera-96th district.

Cynthia Wescott Rice and Ronald Rice, guests of Representative Patterson-99th district and O'Brien, S.-63rd district.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 513 - Representative Gonzales.

Cosponsors: Representatives Antonio, Arndt, Becker, Hagan, Smith, K., Sweeney.

To amend section 2313.14 of the Revised Code to permit a prospective juror who is a mother who is breast-feeding her baby to be excused from jury service.

H. B. No. 514 - Representative Sykes.

Cosponsors: Representatives Sprague, Strahorn, Leland, Antonio, Fedor, Reece, Ramos, Craig, Ashford, Boggs, Boyd, Howse, Sheehy, Bishoff.

To enact section 4743.08 of the Revised Code to require certain health care professionals to complete instruction in cultural competency.

H. B. No. 515 - Representatives Patterson, Cera.

Cosponsors: Representatives O'Brien, M., Antonio, Rogers, Boccieri, Lepore-Hagan.

To amend sections 131.51 and 5739.02 and to enact sections 5739.212 and 5741.033 of the Revised Code to exempt from sales and use taxation the bulk sale of firewood and certain other heating fuels, and to reimburse the Local Government Fund and Public Library Fund and county and transit sales tax

collections for the resulting revenue losses.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Slesnick submitted the following report:

The standing committee on State Government to which was referred **Am. S. B. No. 239**-Senator Hughes, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: OHIO PURPLE HEART DAY-AUGUST 7

RONALD MAAG

STEPHEN SLESNICK

KRISTIN BOGGS

CHERYL L. GROSSMAN

STEPHEN A. HUFFMAN

MARTIN J. SWEENEY

STEPHANIE KUNZE

JOHN BECKER

MICHAEL F. CURTIN

RON HOOD

RICK PERALES

RON YOUNG

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

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

H. R. No. 367 - Representatives Ashford, Sears, Sheehy

Honoring ProMedica Health System on its One Hundred Forty-second Anniversary.

H. R. No. 368 - Representatives Hall and Landis

Honoring Guggisberg Cheese, Inc. on being named a World Champion at the 2016 World Championship Cheese Contest.

Add the name: Amstutz

H. R. No. 369 - Representative Gonzales

Honoring the Westerville South High School boys basketball team as the 2016 Division I State Champion.

Add the name: Boyce

H. R. No. 370 - Representative Scherer

Honoring David Magda as a 2016 Division II/III State Indoor Track and Field Champion.

H. R. No. 371 - Representative Terhar

Honoring the Oak Hills High School cheerleading competition team on winning the 2016 Division I Mount State Championship.

H. R. No. 372 - Representative Boyce

Recognizing National Crime Victims' Rights Week in Ohio, April 10-16, 2016.

Add the names: Pelanda, Kunze, Brenner, Ryan, Hayes, Strahorn, Celebrezze, Amstutz, Antonio

/s/RON AMSTUTZ

Ron Amstutz, Chair

Representative Amstutz 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.

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. 366-Speaker Rosenberger

Relative to the election of Bill Dean to fill the vacancy in the membership of the House of Representatives created by the resignation of Robert D. Hackett of the 74th 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, Robert D. Hackett of the 74th House District, has resigned as a member of the House of Representatives of the 131st General Assembly effective February 22, 2016, 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 Bill Dean, 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 74th House District, is

hereby elected, effective April 12, 2016, pursuant to Section 11 of Article II of the Ohio Constitution, as a member of the House of Representatives from the 74th House District, to fill the vacancy created by the unexpired portion of the term of said Robert D. Hackett, 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 resolution be adopted?”

The yeas and nays were taken and resulted – yeas 62, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Arndt
Baker	Becker	Blessing	Boose
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Conditt	Cupp
Derickson	Dever	DeVitis	Duffey
Ginter	Gonzales	Green	Grossman
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Huffman
Johnson, T.	Koehler	Kunze	Landis
Maag	Manning	McClain	McColley
Pelanda	Perales	Reineke	Retherford
Rezabek	Roegner	Romanchuk	Ruhl
Ryan	Schaffer	Scherer	Schuring
Sears	Slaby	Smith, R.	Sprague
Terhar	Thompson	Vitale	Young
Zeltwanger			Rosenberger-62

The resolution was adopted.

Bill Dean was escorted to the bar of the House by Representatives Amstutz, Sears, Buchy, Pelanda, Brinkman, Hood, Strahorn, Celebrezze, Antonio, and Cera, took the oath of office administered by Representative Hood, and entered upon the discharge of his duties.

State of Ohio

County of Franklin

I, Bill Dean, 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/ BILL DEAN

Bill Dean

Sworn to and subscribed before me this 12th day of April, 2016.

/s/ RON HOOD

Ron Hood

State Representative

House District 78

BILLS FOR THIRD CONSIDERATION

H. B. No. 335-Representatives Craig, Grossman.

Cosponsors: Representatives Brenner, Becker, Smith, K., O'Brien, M., Boyce, Rogers.

To amend sections 1901.20 and 1907.02 and to enact section 4511.072 of the Revised Code to specify the jurisdiction of municipal and county courts over municipal traffic ordinances and to establish requirements governing fines, fees, or other charges for traffic violations and infractions imposed by a municipal corporation that does not have the authority to establish a mayor's court, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

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

Sykes
Young

Terhar
Zeltwanger

Thompson

Vitale
Rosenberger-95

The bill passed.

Representative Grossman moved to amend the title as follows:

Add the names: "Anielski, Antonio, Arndt, Barnes, Boose, Buchy, Celebrezze, Conditt, Ginter, Green, Johnson, T., Koehler, Maag, Manning, McColley, O'Brien, S., Patmon, Perales, Reineke, Scherer, Sheehy, Strahorn, Sweeney, Thompson."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 57-Representative Maag.

Cosponsors: Representatives Becker, Zeltwanger, Henne.

To amend sections 2929.03, 2929.04, 2929.14, 2941.148, 2971.03, 2971.07, and 5120.61 of the Revised Code to change the sentence for aggravated murder, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 83, nays 11, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antonio	Arndt
Ashford	Baker	Becker	Bishoff
Blessing	Bocchieri	Boose	Boyce
Boyd	Brenner	Brinkman	Brown
Buchy	Burkley	Butler	Celebrezze
Cera	Conditt	Craig	Cupp
Curtin	Dean	Derickson	Dever
DeVitis	Driehaus	Duffey	Fedor
Ginter	Gonzales	Green	Grossman
Hagan	Hall	Hambley	Hayes
Henne	Hill	Hood	Huffman
Johnson, T.	Koehler	Kunze	Landis
Leland	Lepore-Hagan	Maag	Manning
McClain	McColley	O'Brien, M.	O'Brien, S.
Pelanda	Perales	Reineke	Retherford
Rezabek	Roegner	Rogers	Romanchuk
Ruhl	Ryan	Schaffer	Scherer
Schuring	Sears	Sheehy	Slaby
Smith, K.	Smith, R.	Sprague	Strahorn
Sweeney	Terhar	Thompson	Vitale
Young	Zeltwanger		Rosenberger-83

Those who voted in the negative were: Representatives

Antani	Barnes	Boggs	Howse
Johnson, G.	Patmon	Patterson	Phillips
Ramos	Reece		Sykes-11

The bill passed.

Representative Maag moved to amend the title as follows:

Add the names: "Anielski, Blessing, Boose, Brown, Buchy, Butler, Cera, Conditt, Duffey, Ginter, Green, Grossman, Hambley, Hayes, Johnson, T., Koehler, Kunze, Manning, McClain, O'Brien, M., O'Brien, S., Retherford, Rogers, Schuring, Smith, R., Terhar, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 165-Representative Green.

Cosponsors: Representatives Brenner, Rezabek, Kraus, Derickson, Terhar, Grossman, Maag.

To amend section 1533.12 of the Revised Code to allow an individual on active military duty, while on leave or furlough, to hunt deer or wild turkey without procuring a deer or wild turkey permit, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antani	Antonio
Arndt	Ashford	Baker	Barnes
Becker	Bishoff	Blessing	Bocchieri
Boggs	Boose	Boyce	Boyd
Brenner	Brinkman	Brown	Buchy
Burkley	Butler	Celebrezze	Cera
Conditt	Craig	Cupp	Curtin
Dean	Derickson	Dever	DeVitis
Driehaus	Duffey	Fedor	Ginter
Gonzales	Green	Grossman	Hagan
Hall	Hambley	Hayes	Henne
Hill	Hood	Howse	Huffman
Johnson, G.	Johnson, T.	Koehler	Kunze
Landis	Leland	Lepore-Hagan	Maag
Manning	McClain	McColley	O'Brien, M.
O'Brien, S.	Patmon	Patterson	Pelanda
Perales	Phillips	Ramos	Reece
Reineke	Retherford	Rezabek	Roegner
Rogers	Romanchuk	Ruhl	Ryan
Schaffer	Scherer	Schuring	Sears
Sheehy	Slaby	Smith, K.	Smith, R.
Sprague	Strahorn	Sweeney	Sykes
Terhar	Thompson	Vitale	Young
Zeltwanger			Rosenberger-94

The bill passed.

Representative Green moved to amend the title as follows:

Add the names: "Amstutz, Anielski, Antani, Arndt, Bocchieri, Boose, Brown, Buchy, Burkley, Butler, Celebrezze, Cera, Cupp, DeVitis, Dever, Fedor, Ginter, Hambley, Hayes, Hill, Huffman, Johnson, T., Landis, Lepore-Hagan, McColley, O'Brien, M., O'Brien, S., Patterson, Pelanda, Perales, Phillips, Ramos, Retherford, Rogers, Romanchuk, Ryan, Scherer, Smith, R., Sprague, Strahorn, Thompson, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. B. No. 133-Senator Beagle.

Cosponsors: Senators Eklund, Schiavoni, Hughes, Yuko, Oelslager, Bacon, Gardner, Hite, Lehner, Tavares, Brown, Balderson, Burke, Coley, Faber, Jones, LaRose, Manning, Obhof, Patton, Peterson, Thomas Representatives Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Johnson, T., Kuhns, LaTourette, Ramos, Sykes.

To enact section 5.2298 of the Revised Code to designate June as "Scleroderma Awareness Month", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

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

Terhar
Zeltwanger

Thompson

Vitale

Young
Rosenberger-94

The bill passed.

Representative Gonzales moved to amend the title as follows:

Add the names: "Anielski, Ashford, Boccieri, Buchy, Celebrezze, Derickson, Duffey, Fedor, Grossman, Hambley, Johnson, G., Kunze, Leland, O'Brien, M., Patterson, Perales, Rogers, Schaffer, Strahorn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. C. R. No. 2-Senators Balderson, Gentile.

Cosponsors: Senators Coley, Eklund, Hite, Hughes, Yuko, LaRose, Gardner, Beagle, Jones, Lehner, Tavares, Brown, Manning, Cafaro, Faber, Obhof, Patton, Peterson, Schiavoni, Skindell, Thomas, Widener, Williams
Representatives Antonio, Bishoff, Ginter, Johnson, T., Lepore-Hagan, Ramos, Schuring.

To urge the United States Congress to increase federal funding for research and development involving advanced medical technology used in the treatment of type 1 diabetes, was taken up for consideration the third time.

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

Representative Gonzales moved to amend the title as follows:

Add the names: "Barnes, Boccieri, Boyce, Boyd, Brown, Buchy, Cera, Craig, Fedor, Johnson, G., Koehler, Manning, O'Brien, M., O'Brien, S., Patmon, Patterson, Pelanda, Reece, Rogers, Schaffer, Strahorn, Sykes."

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 80, nays 14, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Anielski	Antonio	Arndt
Ashford	Baker	Barnes	Bishoff
Blessing	Boccieri	Boggs	Boyce
Boyd	Brenner	Brown	Buchy
Burkley	Celebrezze	Cera	Conditt
Craig	Cupp	Curtin	Derickson
Dever	DeVitis	Driehaus	Duffey
Fedor	Ginter	Gonzales	Green
Grossman	Hagan	Hall	Hambley
Hayes	Hill	Howse	Huffman

Johnson, G.	Johnson, T.	Koehler	Kunze
Landis	Leland	Lepore-Hagan	Maag
Manning	McClain	McColley	O'Brien, M.
O'Brien, S.	Patmon	Patterson	Pelanda
Phillips	Ramos	Reece	Reineke
Retherford	Rezabek	Rogers	Romanchuk
Ruhl	Ryan	Schaffer	Scherer
Schuring	Sears	Sheehy	Slaby
Smith, K.	Smith, R.	Sprague	Strahorn
Sweeney	Sykes	Thompson	Rosenberger-80

Those who voted in the negative were: Representatives

Antani	Becker	Boose	Brinkman
Butler	Dean	Henne	Hood
Perales	Roegner	Terhar	Vitale
Young			Zeltwanger-14

The concurrent resolution was adopted.

MESSAGE FROM THE SPEAKER

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

Remove Representative Young; appoint Representative LaTourette.

On motion of Representative Amstutz, the House adjourned until Wednesday, April 13, 2016 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.