

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, FEBRUARY 14, 2017

THIRTEENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, February 14, 2017, 9:00 o'clock a.m.**

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

Representative Hood moved that the House advance to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

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

Representative Johnson, G. submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 4**-Representatives Cupp, Rogers, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: PRESCRIBE HOW COCAINE IS TO BE MEASURED FOR OFFENSE

Representative Cupp moved to amend the title as follows:

Add the names: "Manning, Rezabek, Conditt."

Representative Cupp moved to amend as follows:

In line 1356, after "**3.**" insert "The General Assembly is aware of the Ohio Supreme Court's holding in *State v. Gonzales*, \_\_ Ohio St.3d \_\_, 2016-Ohio-8319. It was not the intent of the General Assembly to require the State, in prosecuting cocaine offenses involving mixed substances, to prove that the weight of the cocaine meets the statutory threshold, excluding the weight of any filler materials used in the mixture.

**Section 4."**

In line 1374, delete "**4.**" and insert "**5.**"

The motion was agreed to and the bill so amended.

NATHAN H. MANNING  
GRETA JOHNSON  
MARGARET CONDITT  
BERNADINE KENNEDY KENT

JEFFERY S. REZABEK  
JIM BUTLER  
ROBERT R. CUPP  
LAURA LANESE

ROBERT MCCOLLEY  
JOHN M. ROGERS

DOROTHY PELANDA  
BILL SEITZ

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 Ways and Means to which was referred **H. B. No. 11**-Representative Scherer, having had the same under consideration, reports it back and recommends its passage.

RE: INCORPORATE INTERNAL REVENUE CODE CHANGES

Representative Scherer moved to amend the title as follows:

Add the names: "Schaffer, Rogers, Blessing, Hambley, Henne, Retherford."

TIMOTHY O. SCHAFFER  
JOHN M. ROGERS  
JOHN BECKER  
JANINE R. BOYD  
TERESA FEDOR  
DOUG GREEN  
MICHAEL HENNE  
DEREK MERRIN  
BILL REINEKE  
CRAIG S. RIEDEL  
EMILIA STRONG SYKES

GARY SCHERER  
JOHN BARNES, JR.  
LOUIS W. BLESSING III  
JACK CERA  
WESLEY A. GOODMAN  
STEPHEN D. HAMBLEY  
LARRY HOUSEHOLDER  
DANIEL RAMOS  
WES RETHERFORD  
SCOTT RYAN

The report was agreed to.

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

Representative Johnson, G. submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 32**-Representative Seitz, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: APPLY CRIMINAL PENALTIES TO CASINOS AND AFFILIATED CASINOS

Representative Seitz moved to amend the title as follows:

Add the names: "Manning, McColley, Rogers."

NATHAN H. MANNING  
GRETA JOHNSON  
MARGARET CONDITT  
BERNADINE KENNEDY KENT

JEFFERY S. REZABEK  
JIM BUTLER  
ROBERT R. CUPP  
LAURA LANESE

ROBERT MCCOLLEY  
JOHN M. ROGERS

DOROTHY PELANDA  
BILL SEITZ

The report was agreed to.

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

Representative Hood moved that the House revert to the second order of business, being introduction of bills.

The motion was agreed to.

On motion of Representative Hood, the House recessed.

The House met pursuant to recess.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 61** - Representatives Johnson, G., Kelly.

Cosponsors: Representatives Antani, Ashford, Antonio, Bishoff, Boggs, Boyd, Cera, Clyde, Fedor, Henne, Howse, Leland, Lepore-Hagan, Ramos, Rogers, Sheehy, Smith, K., Sykes, Vitale, West.

To amend section 5739.02 of the Revised Code to exempt from sales tax the sale of tampons and other feminine hygiene products associated with menstruation.

**H. B. No. 62** - Representatives Patterson, Sheehy.

Cosponsors: Representatives Rogers, Boccieri, Fedor, Antonio, Bishoff, O'Brien, Ashford, Leland, Ramos.

To amend sections 321.24, 939.01, and 939.02 and to enact section 5709.30 of the Revised Code to require the Director of Agriculture to adopt rules establishing the Ohio Water Quality Improvement Program, to exempt land enrolled in the Program from taxation, and to reimburse local taxing units for revenue lost due to that exemption.

**H. B. No. 63** - Representative Hughes.

Cosponsors: Representatives Duffey, Leland, Kent, Boggs.

To amend sections 2903.11, 2929.01, 2929.13, and 2929.14 and to enact section 2941.1425 of the Revised Code to require an additional prison term for felonious assault of 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, or 20 years if the offender also is convicted of a specification that charges that the harm caused by the violation resulted in a permanent, serious disfigurement or substantial incapacity or that the offender used an accelerant in committing the violation and to name the act's provisions "Judy's Law."

Said bills were considered the first time.

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

Representative Celebrezze reported for the Rules and Reference committee recommending that the following House Bills and Senate Bill be considered for the second time and referred to the following committees for consideration:

**H. B. No. 39** - Representatives Arndt and Gavarone  
TO AUTHORIZE CERTAIN TOWNSHIPS TO REQUIRE THE REMOVAL OF SNOW AND ICE FROM SIDEWALKS ABUTTING PROPERTY.  
To the committee on State and Local Government

**H. B. No. 40** - Representatives Dever and Greenspan  
TO REQUIRE THE TREASURER OF STATE TO ESTABLISH THE OHIO STATE GOVERNMENT EXPENDITURE DATABASE.  
To the committee on State and Local Government

**H. B. No. 41** - Representative Pelanda  
TO MODIFY THE LAW CONCERNING CHALLENGES TO VOTER REGISTRATIONS, THE APPOINTMENT OF OBSERVERS, AND THE PROCEDURES FOR PROCESSING ABSENT VOTER'S BALLOTS AND FOR CASTING ABSENT VOTER'S BALLOTS IN PERSON.  
To the committee on Government Accountability and Oversight

**H. B. No. 42** - Representatives Sprague and DeVitis  
TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES ON CERTAIN MOTOR VEHICLES.  
To the committee on Economic Development, Commerce, and Labor

**H. B. No. 43** - Representative DeVitis  
TO DESIGNATE THE PORTION OF STATE ROUTE 93 IN NEW FRANKLIN AS THE "PFC BURT "RUSTY" MILLER MEMORIAL HIGHWAY."  
To the committee on Transportation and Public Safety

**H. B. No. 44** - Representative Patmon  
TO DESIGNATE MAY 24 AS FIRST RESPONDERS' APPRECIATION DAY.  
To the committee on State and Local Government

**H. B. No. 45** - Representative Sprague  
TO DESIGNATE MAY AS "NEUROFIBROMATOSIS AWARENESS MONTH."  
To the committee on Health

**H. B. No. 46** - Representative Sprague  
TO MODIFY THE QUALIFICATIONS REGARDING NOTES ELIGIBLE

FOR INVESTMENT OF COUNTY INACTIVE MONEYS AND MONEY IN THE PUBLIC LIBRARY FUND.

To the committee on Financial Institutions, Housing, and Urban Development

**H. B. No. 47** - Representative Boccieri

TO ENACT THE "STUDENTS TO SOLDIERS SUPPORT ACT (S3A)" REGARDING THE PARTICIPATION OF STUDENTS WHO ARE SERVING IN THE UNIFORMED SERVICES IN EXTRACURRICULAR ACTIVITIES AT PUBLIC AND NONPUBLIC SCHOOLS AND PUBLIC AND PRIVATE COLLEGES.

To the committee on Education and Career Readiness

**H. B. No. 48** - Representative Schaffer

TO PROHIBIT A WAR RELIC THAT IS LOCATED ON PUBLIC PROPERTY OR ON THE PROPERTY OF A CEMETERY ASSOCIATION FROM BEING SOLD OR OTHERWISE DISPOSED OF, OR DESTROYED, RELOCATED, REMOVED, ALTERED, OR OTHERWISE DISTURBED, EXCEPT UNDER CERTAIN CIRCUMSTANCES.

To the committee on Criminal Justice

**H. B. No. 49** - Representative Smith, R.

TO MAKE OPERATING APPROPRIATIONS FOR THE BIENNIUM BEGINNING JULY 1, 2017, AND ENDING JUNE 30, 2019, AND TO PROVIDE AUTHORIZATION AND CONDITIONS FOR THE OPERATION OF STATE PROGRAMS.

To the committee on Finance

**H. B. No. 50** - Representative Schaffer

TO ESTABLISH REQUIREMENTS FOR ELECTRONIC BENEFIT TRANSFER CARDS ISSUED UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

To the committee on Community and Family Advancement

**H. B. No. 51** - Representative Faber

TO REQUIRE STANDING COMMITTEES OF THE GENERAL ASSEMBLY TO ESTABLISH A SCHEDULE FOR THE PERIODIC REVIEW AND SUNSET OF STATE DEPARTMENTS THAT ARE CURRENTLY IN THE GOVERNOR'S CABINET, AND TO REQUIRE THAT AUDITOR OF STATE PERFORMANCE AUDITS BE SCHEDULED TO COINCIDE WITH THE PERIODIC REVIEW.

To the committee on State and Local Government

**H. B. No. 52** - Representative Rezabek

TO REGULATE THE SOLICITATION OF CERTAIN DEEDS.

To the committee on Civil Justice

**H. B. No. 53** - Representative Becker

TO REMOVE ANY REQUIREMENT UNDER THE PUBLIC EMPLOYEES COLLECTIVE BARGAINING LAW THAT PUBLIC EMPLOYEES JOIN OR PAY DUES TO ANY EMPLOYEE ORGANIZATION, TO PROHIBIT PUBLIC EMPLOYERS FROM REQUIRING PUBLIC EMPLOYEES TO JOIN OR PAY DUES TO ANY EMPLOYEE ORGANIZATION, TO PROHIBIT AN EMPLOYEE ORGANIZATION FROM BEING REQUIRED TO REPRESENT PUBLIC EMPLOYEES WHO ARE NOT MEMBERS OF THE EMPLOYEE ORGANIZATION, AND TO MAKE AN APPROPRIATION.

To the committee on Finance

**Am. S. B. No. 22** - Senator Peterson

TO EXPRESSLY INCORPORATE CHANGES IN THE INTERNAL REVENUE CODE SINCE FEBRUARY 14, 2016, INTO OHIO LAW.

To the committee on Ways and Means

CLIFFORD A. ROSENBERGER	KIRK SCHURING
LOUIS W. BLESSING III	KRISTIN BOGGS
ANDREW BRENNER	RICK CARFAGNA
NICHOLAS CELEBREZZE	RON HOOD
SARAH LATOURETTE	DOROTHY PELANDA
GARY SCHERER	BILL SEITZ
EMILIA STRONG SYKES	

Representative Hood moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills and Senate Bill contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bill were considered the second time and referred as recommended.

### 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. 36** - Representative Johnson, T.

Honoring Dinaleigh Baxter as the 2017 Miss Ohio USA.

**H. R. No. 37** - Representative Hood

Honoring D.J. Dodd as a UPMAC National Champion.

/s/CLIFFORD A. ROSENBERGER  
Clifford A. Rosenberger, Chair

Representative Hood 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.

On motion of Representative Hood, the House adjourned until Wednesday, February 15, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.