

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, FEBRUARY 15, 2017

FOURTEENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, February 15, 2017, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend James Singleton of the First Christian Church in Wadsworth, 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:

Brooke Mangas received H.R. 591, presented by Representative McColley-81st district.

Justice Paul Pfeifer received H.R. 35, presented by Representative Goodman-87th district.

Richard Palmer received H.R. 32, presented by Representative Butler-41st district.

Representatives from Beck Center for the Arts, guests of Representative Antonio-13th district.

Justin DeDomenico, Emily Gore, Jonathan Martin, Siobhan McCarthy, Angela McGuinness, Tara Moriarty, Noah Schultz-Byard, Sharon Forester, Peter DeAnna, and Mike Wise, guests of Representative Sweeney-14th district.

Dylan Tuttle, a guest of Representative Leland-22nd district.

Jan Singleton and Diane Ainsworth, guests of Representative Slaby-38th district.

Sara Owens, a guest of Representative West-49th district.

Kimmy Kettering, a guest of Representative Hagan-50th district.

Christopher Davis and Amy Mandelberg, guests of Representative Lepore-Hagan-58th district.

Eric Spina, a guest of Representative Perales-73rd district.

Jeff Barron, a guest of Representative Schaffer-77th district.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 64 - Representatives Schuring, Reece.

To amend sections 2953.51, 2953.52, 2953.53, 2953.54, 2953.55, and 2953.61 of the Revised Code to provide for the expungement of official

records related to the apprehension, arrest, criminal charging, or trial of a person based on mistaken identity.

H. B. No. 65 - Representative Hill.

Cosponsors: Representatives Koehler, Seitz, Cera, Duffey, Blessing, DeVitis, Ryan, Hambley, Carfagna, Brenner, Miller, Kick.

To enact section 3717.042 of the Revised Code to require the Director of Agriculture and the Director of Health to adopt rules governing reviews of registered sanitarians and sanitarians-in-training who conduct inspections of retail food establishments and food service operations.

H. B. No. 66 - Representative Young.

To amend section 3345.45 and to enact section 3345.451 of the Revised Code to require permanently tenured state university or college faculty members to teach at least three credit hours of undergraduate courses per semester.

H. B. No. 67 - Representative Young.

To amend sections 1337.53, 2323.12, and 2323.13 and to repeal sections 1907.09 and 2323.14 of the Revised Code to prohibit a person from obtaining a confession of judgment from another person except in connection with the settlement of a dispute.

H. B. No. 68 - Representative Anielski.

Cosponsors: Representatives Becker, Vitale, Riedel, Greenspan, Scherer, Blessing, Dean, Lipps, Ashford, Sprague, Boccieri, Fedor, Leland, Rogers, Sweeney.

To amend sections 2903.33, 2903.34, 2907.08, 2907.321, 2907.322, 2907.323, and 2929.13 of the Revised Code to include an impaired person as a potential victim of voyeurism, to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance, and to prohibit an owner, operator, administrator, or employee of a care facility from creating, sharing, reproducing, or publishing any image of a care facility resident without a proper purpose and without prior written consent from the resident.

H. B. No. 69 - Representative Cupp.

Cosponsors: Representatives Blessing, Dever, Hambley, Hill, Faber, Seitz.

To amend section 5709.40 of the Revised Code to require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district.

H. B. No. 70 - Representative Merrin.

Cosponsors: Representatives DeVitis, Goodman, Dean, Riedel, Hood, Keller,

Brinkman, Roegner, Vitale, Becker, Sheehy, Wiggam, Thompson, Retherford, Koehler, Householder, Henne, Stein, Butler, LaTourette.

To enact section 5735.50 of the Revised Code to enact the "Fuel Tax Transparency Act" requiring stickers to be placed on retail service station pumps displaying the rates of federal and state taxes applicable to gasoline and diesel fuel.

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 Public Safety to which was referred **H. B. No. 9**-Representative Koehler, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: LIMIT SCOPE OF PROTOCOL FOR MALFUNCTIONING
TRAFFIC SIGNALS

Representative Greenspan moved to amend the title as follows:

Add the names: "Green, Sheehy, Johnson, T."

DOUG GREEN	DAVE GREENSPAN
MICHAEL SHEEHY	ANTHONY DEVITIS
LARRY HOUSEHOLDER	JIM HUGHES
TERRY JOHNSON	DARRELL KICK
MICHELE LEPORE-HAGAN	NATHAN H. MANNING
THOMAS WEST	

The report was agreed to.

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

Representative Sheehy submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 16**-Representative Cera, having had the same under consideration, reports it back and recommends its passage.

RE: DESIGNATE A MEMORIAL HIGHWAY

Representative Greenspan moved to amend the title as follows:

Add the names: "Green, Sheehy, Householder, Lepore-Hagan, West."

DOUG GREEN	DAVE GREENSPAN
MICHAEL SHEEHY	ANTHONY DEVITIS
LARRY HOUSEHOLDER	JIM HUGHES

TERRY JOHNSON
MICHELE LEPORE-HAGAN
THOMAS WEST

DARRELL KICK
NATHAN H. MANNING

The report was agreed to.

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

Representative Sheehy submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 22**-Representative Hambley, having had the same under consideration, reports it back and recommends its passage.

RE: DESIGNATE A MEMORIAL HIGHWAY

Representative Greenspan moved to amend the title as follows:

Add the names: "Green, Householder, Hughes, West."

DOUG GREEN
MICHAEL SHEEHY
LARRY HOUSEHOLDER
TERRY JOHNSON
MICHELE LEPORE-HAGAN
THOMAS WEST

DAVE GREENSPAN
ANTHONY DEVITIS
JIM HUGHES
DARRELL KICK
NATHAN H. MANNING

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Patton moved that majority party members asking leave to be absent or absent the week of Wednesday, February 15, 2017, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Antonio moved that minority party members asking leave to be absent or absent the week of Wednesday, February 15, 2017, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative Pelanda 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. 15-Speaker Rosenberger, Representative Strahorn

Relative to travel allowance.

WHEREAS, Section 101.27 of the Revised Code provides that each member receive a travel reimbursement based upon the mileage from and to the member's place of residence, by the most direct highway route of public travel to and from the seat of government; therefore be it

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay members whose mileage was not paid for the last quarter of the second year of the 131st General Assembly; and be it further

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay the following members travel allowance based upon their round trip mileage as set opposite their names and district numbers:

Member's Name	District Number	Round-Trip Mileage
Marlene Anielski	6	276.64
Niraj J. Antani	42	163.5
Nickie J. Antonio	13	273
Steven M. Arndt	89	250
Michael Ashford	44	291
John Barnes, Jr.	12	286
John Becker	65	212
Heather Bishoff	20	N/A
Louis W. Blessing, III	29	214
John A. Bocchieri	59	362
Kristin Boggs	18	N/A
Janine R. Boyd	9	306
Andrew Brenner	67	42.4
Thomas E. Brinkman, Jr.	27	205

Jim Butler	41	154
Rick Carfagna	68	36
Nicholas Celebrezze	15	268
Jack Cera	96	256.98
Kathleen Clyde	75	276
Margaret Conditt	52	198
Hearcel F. Craig	26	N/A
Robert R. Cupp	4	184
Bill Dean	74	126
Jonathan Dever	28	196
Anthony DeVitis	36	260
Mike Duffey	21	N/A
Jay Edwards	94	120
Keith Faber	84	215
Teresa Fedor	45	300
Theresa Gavarone	3	240
Timothy E. Ginter	5	326
Anne Gonzales	19	N/A
Wesley A. Goodman	87	88
Doug Green	66	184
Dave Greenspan	16	262
Christina Hagan	50	286
Stephen D. Hambley	69	240
Michael Henne	40	158
Brian Hill	97	104
Glenn W. Holmes	63	339

Ron Hood	78	45
Larry Householder	72	88
Stephanie D. Howse	11	280
Stephen A. Huffman	80	146
Jim Hughes	24	N/A
Catherine D. Ingram	32	210
Greta Johnson	35	248
Terry Johnson	90	180
Candice Keller	53	178
Brigid Kelly	31	201.5
Bernadine Kenendy Kent	25	N/A
Darrell Kick	70	164
J. Kyle Koehler	79	114
Al Landis	98	246
Laura Lanese	23	N/A
Sarah LaTourette	76	314
David Leland	22	N/A
Michele Lepore-Hagan	58	344
P. Scott Lipps	62	178
Nathan H. Manning	55	242
Robert McColley	81	307.4
Derek Merrin	47	270
Adam C. Miller	17	N/A
Michael J. O'Brien	64	346
Bill Patmon	10	293.6
John Patterson	99	380

Thomas F. Patton	7	252
Dorothy Pelanda	86	90
Rick Perales	73	130
Daniel Ramos	56	245
Alicia Reece	33	200
Bill Reineke	88	174
Wes Retherford	51	210
Jeffery S. Rezabek	43	146.4
Craig S. Riedel	82	284
Kristina Roegner	37	274
John M. Rogers	60	329.52
Mark J. Romanchuk	2	132
Clifford A. Rosenberger	91	146
Scott Ryan	71	76.8
Timothy O. Schaffer	77	64
Gary Scherer	92	48
Kirk Schuring	48	252
Bill Seitz	30	232
Michael Sheehy	46	252
Marilyn Slaby	38	250
Kent Smith	8	298
Ryan Smith	93	202
Robert Cole Sprague	83	206.6
Dick Stein	57	192
Fred Strahorn	39	138
Martin J. Sweeney	14	262

Emilia Strong Sykes	34	250
Andy Thompson	95	248
A. Nino Vitale	85	86
Thomas West	49	260
Scott Wiggam	1	192
Ron Young	61	344
Paul Zeltwanger	54	174

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

Those who voted in the affirmative were: Representatives

Anielski	Antani	Antonio	Arndt
Ashford	Barnes	Becker	Bishoff
Blessing	Bocchieri	Boggs	Boyd
Brenner	Brinkman	Butler	Carfagna
Celebrezze	Cera	Clyde	Conditt
Craig	Cupp	DeVitis	Dean
Duffey	Edwards	Faber	Fedor
Gavarone	Ginter	Goodman	Green
Greenspan	Hagan	Hambley	Henne
Hill	Holmes	Householder	Howse
Huffman	Hughes	Ingram	Johnson, T.
Keller	Kelly	Kent	Kick
Koehler	LaTourette	Landis	Lanese
Leland	Lepore-Hagan	Lipps	Manning
McColley	Merrin	Miller	O'Brien
Patterson	Patton	Pelanda	Perales
Ramos	Retherford	Rezabek	Roegner
Rogers	Romanchuk	Ryan	Schaffer
Scherer	Schuring	Seitz	Sheehy
Slaby	Smith, K.	Smith, R.	Sprague
Stein	Strahorn	Sweeney	Sykes
Thompson	Vitale	West	Wiggam
Young	Zeltwanger		Rosenberger-91

The resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Am. H. B. No. 4-Representatives Cupp, Rogers.

Cosponsors: Representatives Becker, Butler, Carfagna, Dever, Faber, Gavarone, Ginter, Goodman, Hambley, Hill, Johnson, G., Riedel, Schaffer, Scherer, Slaby, Stein, Young, Manning, Rezabek, Conditt.

To amend sections 2925.03 and 2925.11 of the Revised Code to provide

that in determining the amount of cocaine for trafficking and possession offenses, it also includes a compound, mixture, preparation, or substance containing cocaine, and to declare an emergency, was taken up for consideration the third time.

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

The yeas and nays were taken and resulted – yeas 96, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antani	Antonio	Arndt
Ashford	Barnes	Becker	Bishoff
Blessing	Bocchieri	Boggs	Boyd
Brenner	Butler	Carfagna	Celebrezze
Cera	Clyde	Conditt	Craig
Cupp	DeVitis	Dean	Dever
Duffey	Edwards	Faber	Fedor
Gavarone	Ginter	Gonzales	Goodman
Green	Greenspan	Hagan	Hambley
Henne	Hill	Holmes	Hood
Householder	Howse	Huffman	Hughes
Ingram	Johnson, T.	Keller	Kelly
Kent	Kick	Koehler	LaTourette
Landis	Lanese	Leland	Lepore-Hagan
Lipps	Manning	McColley	Merrin
Miller	O'Brien	Patterson	Patton
Pelanda	Perales	Ramos	Reece
Reineke	Retherford	Rezabek	Riedel
Roegner	Rogers	Romanchuk	Ryan
Schaffer	Scherer	Schuring	Seitz
Sheehy	Slaby	Smith, K.	Smith, R.
Sprague	Stein	Strahorn	Sweeney
Sykes	Thompson	Vitale	West
Wiggam	Young	Zeltwanger	Rosenberger-96

Representative Brinkman voted in the negative-1.

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

The question being, "Shall the bill pass as an emergency measure?"

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

Those who voted in the affirmative were: Representatives

Anielski	Antani	Antonio	Arndt
Ashford	Barnes	Becker	Bishoff
Blessing	Bocchieri	Boggs	Boyd
Brenner	Brinkman	Butler	Carfagna
Celebrezze	Cera	Clyde	Conditt
Craig	Cupp	DeVitis	Dean
Dever	Duffey	Edwards	Faber
Fedor	Gavarone	Ginter	Gonzales
Goodman	Green	Greenspan	Hagan
Hambley	Henne	Hill	Holmes
Hood	Householder	Howse	Huffman

Hughes	Ingram	Johnson, T.	Keller
Kelly	Kent	Kick	Koehler
LaTourette	Landis	Lanese	Leland
Lepore-Hagan	Lipps	Manning	McColley
Merrin	Miller	O'Brien	Patterson
Patton	Pelanda	Perales	Ramos
Reece	Reineke	Retherford	Rezabek
Riedel	Roegner	Rogers	Romanchuk
Ryan	Schaffer	Scherer	Schuring
Seitz	Sheehy	Slaby	Smith, K.
Smith, R.	Sprague	Stein	Strahorn
Sweeney	Sykes	Thompson	Vitale
West	Wiggam	Young	Zeltwanger
			Rosenberger-97

Having received the required constitutional majority, the bill passed as an emergency measure.

Representative Cupp moved to amend the title as follows:

Add the names: "Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Blessing, Boyd, Brenner, Dean, DeVitis, Edwards, Fedor, Green, Greenspan, Hagan, Henne, Holmes, Householder, Huffman, Hughes, Ingram, Johnson, T., Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Lipps, McColley, Miller, O'Brien, Patterson, Patton, Pelanda, Perales, Reineke, Romanchuk, Ryan, Schuring, Seitz, Smith, R., Sprague, Sweeney, Thompson, West, Wiggam, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 11-Representative Scherer.

Cosponsors: Representatives Schaffer, Rogers, Blessing, Hambley, Henne, Retherford.

To amend section 5701.11 of the Revised Code to expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law, 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

Anielski	Antani	Antonio	Arndt
Ashford	Barnes	Becker	Bishoff
Blessing	Bocchieri	Boggs	Boyd
Brenner	Brinkman	Butler	Carfagna
Celebrezze	Cera	Clyde	Conditt
Craig	Cupp	DeVitis	Dean
Dever	Duffey	Edwards	Faber
Fedor	Gavarone	Ginter	Gonzales
Goodman	Green	Greenspan	Hagan

Hambley	Henne	Hill	Holmes
Hood	Householder	Howse	Huffman
Hughes	Ingram	Johnson, T.	Keller
Kelly	Kent	Kick	Koehler
LaTourette	Landis	Lanese	Leland
Lepore-Hagan	Lipps	Manning	McColley
Merrin	Miller	O'Brien	Patterson
Patton	Pelanda	Perales	Ramos
Reece	Reineke	Retherford	Rezabek
Riedel	Roegner	Rogers	Romanchuk
Ryan	Schaffer	Scherer	Schuring
Seitz	Sheehy	Slaby	Smith, K.
Smith, R.	Sprague	Stein	Strahorn
Sweeney	Sykes	Thompson	Vitale
West	Wiggam	Young	Zeltwanger
			Rosenberger-97

The bill passed.

Representative Scherer moved to amend the title as follows:

Add the names: "Anielski, Antonio, Ashford, Barnes, Boyd, Craig, Dever, Ginter, Green, Holmes, Householder, Johnson, T., McColley, Miller, O'Brien, Patterson, Patton, Reineke, Riedel, Ryan, Seitz, Smith, R., Sprague, Sweeney, Thompson, Wiggam, Young, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 32-Representative Seitz.

Cosponsors: Representatives Greenspan, Riedel, Hughes, Young, Kent, Bishoff, Blessing, Manning, McColley, Rogers.

To amend section 3772.99 of the Revised Code to specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility, 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 3, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antonio	Arndt	Ashford
Barnes	Becker	Bishoff	Blessing
Bocchieri	Boggs	Boyd	Brenner
Brinkman	Butler	Carfagna	Celebrezze
Cera	Clyde	Conditt	Craig
Cupp	DeVitis	Dean	Dever
Duffey	Edwards	Faber	Fedor
Gavarone	Gonzales	Goodman	Green
Greenspan	Hagan	Hambley	Henne
Hill	Holmes	Hood	Householder
Howse	Huffman	Hughes	Ingram

Keller	Kelly	Kent	Kick
Koehler	LaTourette	Landis	Lanese
Leland	Lepore-Hagan	Lipps	Manning
McColley	Merrin	Miller	O'Brien
Patterson	Patton	Pelanda	Perales
Ramos	Reece	Reineke	Retherford
Rezabek	Riedel	Roegner	Rogers
Romanchuk	Ryan	Schaffer	Scherer
Schuring	Seitz	Sheehy	Slaby
Smith, K.	Smith, R.	Sprague	Stein
Strahorn	Sweeney	Sykes	Thompson
Vitale	West	Wiggam	Young
Zeltwanger			Rosenberger-94

Representatives Antani, Ginter, and Johnson, T. voted in the negative-3.

The bill passed.

Representative Seitz moved to amend the title as follows:

Add the names: "Miller, Patton, Reece, Retherford, Rezabek, Sheehy, Speaker Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Schuring, the House adjourned until Tuesday, February 21, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.