

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, FEBRUARY 22, 2017

SIXTEENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, February 22, 2017, 9:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Father Chris Wittmann of the Mount St. John Church in Beavercreek, 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:

Holly Koester received H.R. 471, presented by Representative Anielski-6th district.

Chad Johnson received H.R. 595, presented by Representative Goodman-87th district.

Tiffany Tynes Curry received H.R. 41, presented by Representative Boggs-18th district.

Caleb Pearce, a guest of Representative Wiggam-1st district.

Casey, Joan, Joy, and Neil Koester, Marsha Huffman, and Louis Tuttle, guests of Representative Anielski-6th district.

Christopher Dalton, a guest of Representative Ingram-32nd district.

Carrie Davis and Aaron Harter, guests of Representative Rezabek-43rd district.

Ryan Manochi, a guest of Representative Hagan-50th district.

Tim Hesselbrock, Terri Niederman, and Cheyenne Jones, guests of Representatives Retherford-51st district, Conditt-52nd district, and Keller-53rd district.

Carol Rimedio-Righetti, Anthony Traficanti, and Dave Ditzler, guests of Representative Lepore-Hagan-58th district.

Members of the Darke County Farm Bureau, guests of Representative Faber-84th district.

The journal of yesterday was read and approved.

### INTRODUCTION OF BILLS

The following bills and joint resolution were introduced:

**H. B. No. 76** - Representatives Arndt, Gavarone.

To amend section 4501.21 and to enact sections 4503.436 and 4503.566 of the Revised Code to create the "Ohio National Guard Ohio Cross" license plate and the "Ottawa National Wildlife Refuge" license plate.

**H. B. No. 77** - Representative Retherford.

To amend sections 5104.01, 5104.015, and 5104.99 and to enact sections 5104.0113, 5104.15, 5104.16, and 5104.17 of the Revised Code to provide for the licensure of sick-child care centers.

**H. B. No. 78** - Representative Retherford.

Cosponsors: Representatives Brenner, Bishoff, LaTourette, DeVitis, Leland, Perales, Craig, Rogers, Patterson, Rezabek, Koehler, Duffey, Ginter, Pelanda, Sheehy.

To amend sections 173.501, 173.521, 173.542, 1347.08, 2317.54, 4715.36, 5101.60, 5101.61, 5101.611, 5101.612, 5101.62, 5101.622, 5101.63, 5101.64, 5101.65, 5101.66, 5101.67, 5101.68, 5101.69, 5101.691, 5101.692, 5101.70, 5101.71, 5101.72, 5101.99, 5123.61, and 5126.31; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 5101.61 (5101.63), 5101.611 (5101.64), 5101.612 (5101.631), 5101.62 (5101.65), 5101.622 (5101.652), 5101.63 (5101.651), 5101.64 (5101.66), 5101.65 (5101.68), 5101.66 (5101.681), 5101.67 (5101.682), 5101.68 (5101.69), 5101.69 (5101.70), 5101.691 (5101.701), 5101.692 (5101.702), 5101.70 (5101.71), 5101.71 (5101.61), and 5101.72 (5101.611); to enact new section 5101.62 and sections 5101.632, 5101.73, 5101.74, and 5101.741; and to repeal section 5101.621 of the Revised Code to revise the laws governing the provision of adult protective services.

**H. B. No. 79** - Representatives Retherford, Hagan.

Cosponsors: Representatives Hambley, Seitz, Dean, Thompson, Brenner, Faber, Becker, Vitale, Brinkman, Koehler, Riedel, Goodman, Antani, Stein, Hood, Schaffer, Blessing.

To amend sections 109.71, 109.73, 109.75, 109.79, 109.801, and 2923.126 and to enact sections 109.748 and 109.771 of the Revised Code to provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

**H. B. No. 80** - Representatives LaTourette, Smith, K.

Cosponsors: Representatives Antonio, Blessing, Bocchieri, Boggs, Brenner, Craig, Edwards, Fedor, Leland, Lepore-Hagan, Miller, Rezabek, Riedel, Seitz, Smith, R., West, Ashford.

To amend section 3313.813 of the Revised Code to require school districts to allow approved summer food service program sponsors to use school facilities to provide food service for summer intervention services under certain conditions.

**H. B. No. 81** - Representatives Seitz, Antonio.

Cosponsors: Representatives Dever, Miller, Hambley, Duffey, Brinkman, Blessing, Riedel, Lepore-Hagan, Smith, K., Ryan, Stein.

To amend sections 2929.02, 2929.022, 2929.024, 2929.03, 2929.04, 2929.06, 2953.21, and 2953.23 and to enact section 2929.025 of the Revised Code to provide that a person convicted of aggravated murder who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense.

**H. B. No. 82** - Representative Ryan.

To amend section 321.26 of the Revised Code to adjust the fees allowed to county treasurers for collecting property taxes.

**H. B. No. 83** - Representatives Smith, K., Howse.

Cosponsors: Representatives Ramos, Leland, Bocchieri, Craig, Ashford, Lepore-Hagan, West, Sprague, Holmes, Sykes, Antonio, Cera, Boyd, Riedel, Kent.

To enact section 5534.56 of the Revised Code to designate the planned boulevard known as the Opportunity Corridor within Cleveland as the "Carl and Louis Stokes Opportunity Corridor."

**H. B. No. 84** - Representatives Arndt, Patton.

Cosponsor: Representative Greenspan.

To enact section 5.47 of the Revised Code to designate June as "Ohio Goes Boating Month."

**H. B. No. 85** - Representative Retherford.

Cosponsors: Representatives Dean, Thompson, Becker, Hood, Blessing, LaTourette, Butler, Perales, Conditt, Koehler, Vitale, Roegner, Young, Henne, Romanchuk.

To enact sections 190.01 and 190.02 of the Revised Code to enter into the Health Care Compact.

**H. B. No. 86** - Representatives Smith, K., Craig.

Cosponsors: Representatives Leland, Sykes, Fedor, Sheehy, Boggs, Ashford, West, Antonio, Kent, Strahorn.

To amend sections 4111.02, 4111.09, and 4111.14 and to repeal section 4111.07 of the Revised Code to increase the state minimum wage to ten dollars and ten cents per hour beginning January 1, 2019.

**H. B. No. 87** - Representative Roegner.

Cosponsors: Representatives Becker, Blessing, Butler, Dean, DeVitis, Dever, Duffey, Fedor, Hambley, Henne, Hill, Keller, Leland, Patterson, Patmon, Rezabek, Riedel, Schaffer, Slaby, Smith, K., Smith, R., Stein, Thompson, Vitale, Young.

To enact section 3314.52 of the Revised Code regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school.

**H. B. No. 88** - Representative Anielski.

Cosponsors: Representatives Patton, Roegner, Slaby, Howse, Celebrezze, Sykes.

To amend section 4501.21 and to enact section 4503.905 of the Revised Code to create the "Cuyahoga Valley Career Center" license plate.

**H. B. No. 89** - Representatives Patterson, Kelly.

Cosponsors: Representatives Thompson, Celebrezze, Hood, Rogers, Dean, O'Brien, Bishoff, Faber, Riedel, Lepore-Hagan.

To provide for a three-day sales tax "holiday" in August 2017 during which sales of clothing and school supplies are exempt from sales and use taxes.

**H. J. R. No. 2** - Representatives Hagan, Patmon.

Cosponsors: Representatives Ginter, DeVitis, Roegner, Retherford, Conditt, Manning, Hambley, McColley, Riedel, Johnson, T., Thompson, Romanchuk.

Application to the Congress of the United States for a Convention of the States under Article V of the Constitution of the United States that is limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and Members of Congress.

Said bills and joint resolution were considered the first time.

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

Representative Bishoff submitted the following report:

The standing committee on State and Local Government to which was referred **H. B. No. 5**-Representatives Pelanda, Gavarone, having had the same under consideration, reports it back and recommends its passage.

RE: DEFINE "MICROBUSINESS"

Representative Hambley moved to amend the title as follows:

Add the names: "Anielski, Hambley, Bishoff, Arndt, Holmes."

MARLENE ANIELSKI  
HEATHER BISHOFF  
JOHN BECKER  
BILL DEAN  
BRIAN HILL

STEPHEN D. HAMBLEY  
STEVEN M. ARNDT  
RICK CARFAGNA  
WESLEY A. GOODMAN  
GLENN W. HOLMES

The report was agreed to.

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

Representative Bishoff submitted the following report:

The standing committee on State and Local Government to which was referred **H. B. No. 12**-Representative Gonzales, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: DESIGNATE BARN AS HISTORICAL ARCHITECTURAL STRUCTURE

Representative Hambley moved to amend the title as follows:

Add the names: "Hambley, Bishoff, Perales."

MARLENE ANIELSKI  
HEATHER BISHOFF  
JOHN BECKER  
RICK CARFAGNA  
WESLEY A. GOODMAN  
GLENN W. HOLMES

STEPHEN D. HAMBLEY  
STEVEN M. ARNDT  
JANINE R. BOYD  
BILL DEAN  
BRIAN HILL  
RICK PERALES

The report was agreed to.

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

Representative Bishoff submitted the following report:

The standing committee on State and Local Government to which was referred **H. B. No. 34**-Representatives Hambley, Ryan, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DELIVER NOTICES BY ORDINARY MAIL OR ELECTRONICALLY

Representative Hambley moved to amend the title as follows:

Add the names: "Bishoff, Arndt."

MARLENE ANIELSKI  
HEATHER BISHOFF  
JOHN BECKER  
RICK CARFAGNA

STEPHEN D. HAMBLEY  
STEVEN M. ARNDT  
JANINE R. BOYD  
BILL DEAN

WESLEY A. GOODMAN  
GLENN W. HOLMES

BRIAN HILL  
RICK PERALES

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 22, 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 22, 2017, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative Schuring moved that the following joint 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. J. R. No. 1-Representative Arndt**

Authorizing a joint session of the Ohio General Assembly to meet at the Sandusky State Theatre in Sandusky, Ohio, for the purpose of receiving a message from the Governor and calling for a committee to wait upon the Governor in anticipation of his State of the State Address.

WHEREAS, The members of the 132nd General Assembly of Ohio, by adoption of this resolution, call for a joint session of the legislature, to be held at the Sandusky State Theatre at 107 Columbus Avenue, Sandusky, Ohio 44870, on Tuesday, April 4, 2017, at 7:00 o'clock p.m.; and

WHEREAS, The Ohio General Assembly annually convenes a joint session of the House and Senate for the purpose of receiving a message from the Governor as to the State of the State; and

WHEREAS, The members of the 132nd General Assembly of Ohio, by adoption of this resolution, call for a committee of nine on the part of the House of Representatives and eight on the part of the Senate to be appointed to wait upon the Governor in anticipation of his State of the State Address, April 4, 2017, at 7:00 o'clock p.m.; and

WHEREAS, It is a tradition of courtesy for the Ohio General Assembly to appoint a committee to wait upon the Governor; therefore be it

RESOLVED, That we, the members of the 132nd General Assembly of Ohio, in adopting this resolution, authorize a joint session of the legislature to be held at the Sandusky State Theater at 107 Columbus Avenue, Sandusky, Ohio 44870, on Tuesday, April 4, 2017, at 7:00 o'clock p.m., for the purpose of welcoming the Governor, the Honorable John Kasich, and receiving his message on the State of the State; and be it further

RESOLVED, That we, the members of the 132nd General Assembly of Ohio, in adopting this resolution, call for a committee of nine on the part of the House of Representatives and eight on the part of the Senate to be appointed to wait upon the Governor; and be it further

RESOLVED, That the rules and customs of the House shall be observed during the joint session; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to Governor John Kasich and to the news media of Ohio.

The question being, “Shall the joint resolution be adopted?”

The yeas and nays were taken and resulted – yeas 59, nays 38, as follows:

Those who voted in the affirmative were: Representatives

|             |            |          |                |
|-------------|------------|----------|----------------|
| Anielski    | Antani     | Arndt    | Barnes         |
| Becker      | Blessing   | Brenner  | Butler         |
| Carfagna    | Clyde      | Cupp     | Dever          |
| DeVitis     | Duffey     | Edwards  | Faber          |
| Gavarone    | Ginter     | Gonzales | Green          |
| Greenspan   | Hagan      | Hambley  | Henne          |
| Hill        | Hood       | Huffman  | Hughes         |
| Johnson, T. | Keller     | Kick     | Landis         |
| Lanese      | LaTourette | Leland   | Lipps          |
| Manning     | McColley   | Merrin   | Patton         |
| Pelanda     | Perales    | Reece    | Reineke        |
| Rezabek     | Romanchuk  | Ryan     | Schaffer       |
| Scherer     | Schuring   | Sheehy   | Slaby          |
| Smith, R.   | Sprague    | Stein    | Sweeney        |
| Thompson    | Wiggam     |          | Rosenberger-59 |

Those who voted in the negative were: Representatives

|         |           |              |             |
|---------|-----------|--------------|-------------|
| Antonio | Ashford   | Bishoff      | Boccieri    |
| Boggs   | Boyd      | Brinkman     | Celebrezze  |
| Cera    | Conditt   | Craig        | Dean        |
| Fedor   | Goodman   | Holmes       | Householder |
| Howse   | Ingram    | Johnson, G.  | Kelly       |
| Kent    | Koehler   | Lepore-Hagan | Miller      |
| O'Brien | Patterson | Ramos        | Retherford  |
| Riedel  | Roegner   | Rogers       | Seitz       |



|                   |          |       |                         |
|-------------------|----------|-------|-------------------------|
| Smith, K.<br>West | Strahorn | Sykes | Vitale<br>Zeltwanger-38 |
|-------------------|----------|-------|-------------------------|

The joint resolution was adopted.

**BILLS FOR THIRD CONSIDERATION**

**H. B. No. 9-Representative Koehler.**

Cosponsors: Representatives O'Brien, Ashford, Riedel, Green, Sheehy, Johnson, T.

To amend section 4511.132 of the Revised Code to specify that the alternative protocol for proceeding into an intersection with malfunctioning traffic lights due to a failure of a vehicle detector applies only to bicycles, 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 0, as follows:

Those who voted in the affirmative were: Representatives

|              |             |             |                |
|--------------|-------------|-------------|----------------|
| Antani       | Antonio     | Arndt       | Ashford        |
| Barnes       | Becker      | Bishoff     | Blessing       |
| Bocchieri    | Boggs       | Boyd        | Brenner        |
| Brinkman     | Butler      | Carfagna    | Celebrezze     |
| Cera         | Clyde       | Conditt     | Craig          |
| Cupp         | Dean        | Dever       | DeVitis        |
| Duffey       | Edwards     | Faber       | Fedor          |
| Gavarone     | Ginter      | Gonzales    | Goodman        |
| Green        | Greenspan   | Hagan       | Hambley        |
| Henne        | Hill        | Holmes      | Hood           |
| Householder  | Howse       | Huffman     | Hughes         |
| Ingram       | Johnson, G. | Johnson, T. | Keller         |
| Kelly        | Kent        | Kick        | Koehler        |
| Landis       | Lanese      | LaTourette  | 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      | Zeltwanger  | Rosenberger-96 |

The bill passed.

Representative Koehler moved to amend the title as follows:

Add the names: "Antani, Arndt, Faber, Gavarone, Ginter, Hambley, Holmes, Miller, Patterson, Patton, Rogers, Sweeney, Thompson, West."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 22-Representative Hambley.**

Cosponsors: Representatives Green, Householder, Hughes, West.

To enact section 5534.69 of the Revised Code to designate a portion of State Route 261 in Medina and Summit Counties as the "Sergeant James F. Allen III 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 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

|              |             |             |                |
|--------------|-------------|-------------|----------------|
| Antani       | Antonio     | Arndt       | Ashford        |
| Barnes       | Becker      | Bishoff     | Blessing       |
| Bocchieri    | Boggs       | Boyd        | Brenner        |
| Brinkman     | Butler      | Carfagna    | Celebrezze     |
| Cera         | Clyde       | Conditt     | Craig          |
| Cupp         | Dean        | Dever       | DeVitis        |
| Duffey       | Edwards     | Faber       | Fedor          |
| Gavarone     | Ginter      | Gonzales    | Goodman        |
| Green        | Greenspan   | Hagan       | Hambley        |
| Henne        | Hill        | Holmes      | Hood           |
| Householder  | Howse       | Huffman     | Hughes         |
| Ingram       | Johnson, G. | Johnson, T. | Keller         |
| Kelly        | Kent        | Kick        | Koehler        |
| Landis       | LANESE      | LaTourette  | 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      | Zeltwanger  | Rosenberger-96 |

The bill passed.

Representative Hambley moved to amend the title as follows:

Add the names: "Anielski, Antonio, Bishoff, Blessing, Bocchieri, Celebrezze, Cera, Clyde, Craig, Dever, Fedor, Ginter, Goodman, Holmes, Ingram, Johnson, G., Johnson, T., Kent, Landis, LaTourette, Lepore-Hagan, Lipps, Miller, O'Brien, Patton, Perales, Retherford, Riedel, Rogers, Romanchuk, Ryan, Schaffer, Scherer, Seitz, Sheehy, Slaby, Smith, R., Sprague, Strahorn, Sweeney, Sykes."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 16-Representative Cera.**

Cosponsors: Representatives Green, Sheehy, Householder, Lepore-Hagan, West.

To enact section 5534.74 of the Revised Code to designate a portion of State Route 43 in Jefferson County as the "Army Corporal Carl H. Bernhart 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

|            |              |             |                |
|------------|--------------|-------------|----------------|
| Anielski   | Antani       | Antonio     | Arndt          |
| Ashford    | Barnes       | Becker      | Bishoff        |
| Blessing   | Bocchieri    | Boggs       | Boyd           |
| Brenner    | Brinkman     | Butler      | Carfagna       |
| Celebrezze | Cera         | Clyde       | Conditt        |
| Craig      | Cupp         | Dean        | Dever          |
| DeVitis    | Duffey       | Edwards     | Faber          |
| Fedor      | Gavarone     | Ginter      | Gonzales       |
| Goodman    | Green        | Greenspan   | Hagan          |
| Hambley    | Henne        | Hill        | Holmes         |
| Hood       | Householder  | Howse       | Huffman        |
| Hughes     | Ingram       | Johnson, G. | Johnson, T.    |
| Keller     | Kelly        | Kent        | Kick           |
| Koehler    | Landis       | Lanese      | LaTourette     |
| 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      | Zeltwanger     |
|            |              |             | Rosenberger-97 |

The bill passed.

Representative Cera moved to amend the title as follows:

Add the names: "Anielski, Antonio, Barnes, Bishoff, Blessing, Bocchieri, Boyd, Celebrezze, Clyde, Craig, Dever, DeVitis, Faber, Fedor, Ginter, Goodman, Hambley, Holmes, Hughes, Johnson, G., Johnson, T., Kent, Landis, LaTourette, Miller, O'Brien, Patton, Perales, Retherford, Riedel, Rogers, Romanchuk, Ryan, Schaffer, Seitz, Sheehy, Slaby, Smith, K., Sprague, Strahorn, Sweeney, Sykes, Thompson."

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 Monday, February 27, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.