

OHIO

House

of

Representatives

JOURNAL

TUESDAY, FEBRUARY 28, 2017

EIGHTEENTH DAY

Hall of the House of Representatives, Columbus, Ohio

Tuesday, February 28, 2017, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Stanley Grabill of the Allegheny Wesleyan Methodist Church in Salem, 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:

Sam Meece received H.R. 578 presented by Representative McColley-81st district.

Hiral Gutka and Niyati, Delip, and Yamini Dave, guests of Representatives Schuring-48th district and Landis-98th district.

Kaitlin Kaye, a guest of Representative Hagan-50th district.

Brooke Meyer and students from St. Paul High School, guests of Representative Stein-57th district.

Matt, Rhoda Jane, Marissa, Makayla, and Robert Olmsted, guests of Representative Pelanda-86th district.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 99 - Representative Cera.

Cosponsors: Representatives Rogers, O'Brien, Leland, Antonio, Ashford, Ramos, Miller, Boccieri, Smith, K., Lepore-Hagan.

To amend sections 109.84, 126.30, 145.2915, 2307.84, 2307.91, 2307.97, 2317.02, 2913.48, 3121.899, 3701.741, 3963.10, 4115.03, 4121.03, 4121.12, 4121.121, 4121.125, 4121.127, 4121.129, 4121.13, 4121.30, 4121.31, 4121.32, 4121.34, 4121.36, 4121.41, 4121.44, 4121.441, 4121.442, 4121.444, 4121.45, 4121.50, 4121.61, 4123.025, 4123.05, 4123.15, 4123.26, 4123.27, 4123.291, 4123.30, 4123.311, 4123.32, 4123.324, 4123.34, 4123.341, 4123.342, 4123.343, 4123.35, 4123.351, 4123.353, 4123.402, 4123.441, 4123.442, 4123.444, 4123.46, 4123.47, 4123.51, 4123.511, 4123.512, 4123.522, 4123.53, 4123.54, 4123.542, 4123.57, 4123.571, 4123.65, 4123.651, 4123.66, 4123.67, 4123.68, 4123.69, 4123.74, 4123.741, 4123.85, 4123.89, 4123.93, 4123.931, 4125.03, 4125.04, 4131.01, 4729.80, 5145.163, and 5503.08 and to enact sections 4133.01 to 4133.16 of the Revised Code to modify workers' compensation benefit amounts for occupational

pneumoconiosis claims and to create the Occupational Pneumoconiosis Board to determine medical findings for such claims.

H. B. No. 100 - Representative Lipps.

To enact section 5534.93 of the Revised Code to designate a portion of State Route 73 in Warren County as the "Officer Bill Johnson Memorial Highway."

H. B. No. 101 - Representative Merrin.

Cosponsors: Representatives Becker, Thompson, Seitz, Stein, West, Roegner, Sheehy, Sprague, Hood, Smith, R.

To amend sections 4729.16, 4729.99, and 4731.96 and to enact sections 3707.60, 4729.382, 4729.46, and 4731.961 of the Revised Code to authorize an epinephrine autoinjector substitution when a prescription is filled or refilled, to authorize epinephrine to be dispensed without a prescription under a physician-established protocol, and to declare the act the "Epinephrine Accessibility Act."

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, House Joint Resolution, and Senate Bill be considered for the second time and referred to the following committees for consideration:

H. B. No. 71 - Representative DeVitis

TO SPECIFY THAT FAILURE TO DISPLAY A LICENSE PLATE ON THE FRONT OF A MOTOR VEHICLE THAT IS REQUIRED TO DISPLAY A FRONT LICENSE PLATE IS A SECONDARY TRAFFIC OFFENSE AND TO ESTABLISH A MAXIMUM FINE OF \$100 FOR SUCH AN OFFENSE.
To the committee on Transportation and Public Safety

H. B. No. 72 - Representatives Johnson, T. and Antonio

TO ADOPT REQUIREMENTS RELATED TO STEP THERAPY PROTOCOLS IMPLEMENTED BY HEALTH PLAN ISSUERS AND THE DEPARTMENT OF MEDICAID.
To the committee on Health

H. B. No. 73 - Representatives Rezabek and Koehler

TO PROHIBIT SALES OF DEXTROMETHORPHAN WITHOUT A PRESCRIPTION TO PERSONS UNDER AGE 18.
To the committee on Health

H. B. No. 74 - Representatives Huffman and Gavarone
TO INCREASE THE MAXIMUM INCOME TAX DEDUCTION FOR CONTRIBUTIONS TO THE STATE'S 529 COLLEGE SAVINGS PROGRAM FROM \$2,000 TO \$3,000 PER BENEFICIARY PER YEAR.
To the committee on Ways and Means

H. B. No. 75 - Representatives Gavarone and Merrin
TO ESTABLISH AN EXPEDITED PROCESS TO GRANT A PROFESSIONAL LICENSE TO AN INDIVIDUAL WHO IS ON ACTIVE DUTY AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES, OR IS THE SPOUSE OF SUCH AN INDIVIDUAL, AND HOLDS A VALID LICENSE IN ANOTHER STATE.
To the committee on Armed Services, Veterans Affairs, and Homeland Security

H. B. No. 76 - Representatives Arndt and Gavarone
TO CREATE THE "OHIO NATIONAL GUARD OHIO CROSS" LICENSE PLATE AND THE "OTTAWA NATIONAL WILDLIFE REFUGE" LICENSE PLATE.
To the committee on Transportation and Public Safety

H. B. No. 77 - Representative Retherford
TO PROVIDE FOR THE LICENSURE OF SICK-CHILD CARE CENTERS.
To the committee on Economic Development, Commerce, and Labor

H. B. No. 78 - Representative Retherford
TO REVISE THE LAWS GOVERNING THE PROVISION OF ADULT PROTECTIVE SERVICES.
To the committee on Aging and Long Term Care

H. B. No. 79 - Representatives Retherford and Hagan
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.
To the committee on Federalism and Interstate Relations

H. B. No. 80 - Representatives LaTourette and Smith, K.
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.
To the committee on Education and Career Readiness

H. B. No. 81 - Representatives Seitz and Antonio

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.

To the committee on Criminal Justice

H. B. No. 82 - Representative Ryan

TO ADJUST THE FEES ALLOWED TO COUNTY TREASURERS FOR COLLECTING PROPERTY TAXES.

To the committee on Government Accountability and Oversight

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

TO DESIGNATE THE PLANNED BOULEVARD KNOWN AS THE OPPORTUNITY CORRIDOR WITHIN CLEVELAND AS THE "CARL AND LOUIS STOKES OPPORTUNITY CORRIDOR."

To the committee on Transportation and Public Safety

H. B. No. 84 - Representatives Arndt and Patton

TO DESIGNATE JUNE AS "OHIO GOES BOATING MONTH."

To the committee on State and Local Government

H. B. No. 85 - Representative Retherford

TO ENTER INTO THE HEALTH CARE COMPACT.

To the committee on Federalism and Interstate Relations

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

TO INCREASE THE STATE MINIMUM WAGE TO TEN DOLLARS AND TEN CENTS PER HOUR BEGINNING JANUARY 1, 2019.

To the committee on Economic Development, Commerce, and Labor

H. B. No. 87 - Representative Roegner

REGARDING PUBLIC MONEYS RETURNED TO THE STATE AS A RESULT OF A FINDING FOR RECOVERY ISSUED PURSUANT TO AN AUDIT OF A COMMUNITY SCHOOL.

To the committee on Government Accountability and Oversight

H. B. No. 88 - Representative Anielski

TO CREATE THE "CUYAHOGA VALLEY CAREER CENTER" LICENSE PLATE.

To the committee on Transportation and Public Safety

H. B. No. 89 - Representatives Patterson and Kelly

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.

To the committee on Ways and Means

H. J. R. No. 2 - Representatives Hagan and Patmon

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.

To the committee on Federalism and Interstate Relations

Sub. S. B. No. 25 - Senator Hottinger

TO CREATE THE PERRY COUNTY MUNICIPAL COURT IN NEW LEXINGTON ON JANUARY 1, 2018, TO ESTABLISH ONE FULL-TIME JUDGESHIP IN THAT COURT, TO PROVIDE FOR THE NOMINATION OF THE JUDGE BY PETITION ONLY, TO ABOLISH THE PERRY COUNTY COUNTY COURT ON THAT DATE, TO DESIGNATE THE PERRY COUNTY CLERK OF COURTS AS THE CLERK OF THE PERRY COUNTY MUNICIPAL COURT, TO PROVIDE FOR THE ELECTION FOR THE PERRY COUNTY MUNICIPAL COURT OF ONE FULL-TIME JUDGE IN 2017, TO MODIFY THE PROVISIONS REGARDING THE MEMBERSHIP OF THE CRIMINAL JUSTICE RECODIFICATION COMMITTEE, AND TO DECLARE AN EMERGENCY.

To the committee on Criminal Justice

KIRK SCHURING

NICKIE J. ANTONIO

RICK CARFAGNA

RON HOOD

THOMAS F. PATTON

BILL SEITZ

FRED STRAHORN

LOUIS W. BLESSING III

NICHOLAS CELEBREZZE

SARAH LATOURETTE

DOROTHY PELANDA

EMILIA STRONG SYKES

Representative Pelanda 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, House Joint Resolution, 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, House Joint Resolution, 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 House Concurrent Resolution be introduced and referred to the following committee for consideration:

H. C. R. No. 5 - Representative Sykes

TO URGE THE CONGRESS OF THE UNITED STATES, AND IN PARTICULAR THE OHIO CONGRESSIONAL DELEGATION, TO SUPPORT THE PRESERVATION OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010.

To the committee on Insurance

/s/ KIRK SCHURING

Kirk Schuring, Vice Chair

Representative Pelanda moved that the Rules and Reference committee report on resolutions be agreed to and that the House Concurrent Resolution contained therein be introduced and referred as recommended.

The motion was agreed to.

Said House Concurrent Resolution was introduced and referred as recommended.

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

H. R. No. 44 - Representative Boyd

Honoring Lauren Gillinov on winning the 2016 Division II State Championship in girls singles tennis.

H. R. No. 46 - Representative Arndt

Honoring Jared Dusseau as the 2016 UA International Pipefitting Apprentice Champion.

H. R. No. 47 - Representative Smith, K.

Honoring the City of Richmond Heights on its One Hundredth Anniversary.

/s/ KIRK SCHURING

Kirk Schuring, Vice Chair

Representative Pelanda 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.

BILLS FOR THIRD CONSIDERATION**Sub. H. B. No. 1**-Representatives Sykes, Manning.

Cosponsors: Representatives Riedel, O'Brien, Kent, Craig, Lanese, Boyd, Smith, R., Hill, Ashford, Dever, Holmes, Leland, McColley, Perales, Johnson, G., Antonio, West, Cera, Rogers, Retherford, Sheehy, Pelanda, Ramos, Butler, Henne, Boccieri, Sprague, Boggs, Fedor, Antani, Householder, DeVitis, Celebrezze, Rezabek.

To amend sections 109.42, 2151.34, 2903.214, 2919.26, 2919.27, 3113.31, and 3113.33 and to enact section 3113.311 of the Revised Code to authorize the issuance of dating violence protection orders with respect to conduct directed at a petitioner alleging dating violence, to provide access to domestic violence shelters for victims of dating violence, and to require the Attorney General's victim's bill of rights pamphlet to include a notice that a petitioner alleging dating violence has the right to petition for a civil protection order, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 92, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antani	Antonio	Arndt
Ashford	Barnes	Becker	Blessing
Boccieri	Boggs	Boyd	Brenner
Butler	Carfagna	Celebrezze	Cera
Clyde	Conditt	Craig	Cupp
Dean	Dever	DeVitis	Duffey
Edwards	Faber	Fedor	Gavarone
Ginter	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	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
West	Wiggam	Young	Zeltwanger-92

Representatives Brinkman and Vitale voted in the negative-2.

The bill passed.

Representative Sykes moved to amend the title as follows:

Add the names: "Anielski, Arndt, Brenner, Carfagna, Clyde, Cupp, Duffey,

Edwards, Gavarone, Green, Greenspan, Hagan, Hambley, Howse, Ingram, Kelly, Koehler, Landis, Lepore-Hagan, Miller, Patterson, Reece, Reineke, Ryan, Scherer, Slaby, Smith, K., Stein, Strahorn, Sweeney."

Remove the name: "Antani."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 34-Representatives Hambley, Ryan.

Cosponsors: Representatives Wiggam, Greenspan, Blessing, Hill, Becker, Riedel, Goodman, Bishoff, Arndt.

To amend sections 9.312, 124.327, 128.07, 149.30, 303.14, 307.204, 307.699, 340.02, 343.01, 505.109, 505.266, 505.391, 505.511, 519.14, 902.04, 931.03, 940.20, 3517.01, 3517.11, 3791.12, 4301.39, 5713.082, 5715.12, 5715.19, 5715.20, 5717.01, 5721.30, 5721.31, 5721.32, 5721.33, and 5727.75 of the Revised Code to authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail, 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

Anielski	Antani	Antonio	Arndt
Ashford	Barnes	Becker	Blessing
Bocchieri	Boggs	Boyd	Brenner
Brinkman	Butler	Carfagna	Celebrezze
Cera	Clyde	Conditt	Craig
Cupp	Dean	Dever	DeVitis
Duffey	Edwards	Faber	Fedor
Gavarone	Ginter	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	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-94

The bill passed.

Representative Hambley moved to amend the title as follows:

Add the names: "Anielski, Antani, Antonio, Ashford, Boyd, Carfagna, Conditt, Craig, Dever, Edwards, Faber, Fedor, Ginter, Green, Henne, Holmes, Howse, Huffman, Kick, Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Lipps, McColley, Miller, O'Brien, Patterson, Patton, Pelanda, Perales, Reineke, Rogers, Romanchuk, Scherer, Seitz, Sheehy, Slaby, Smith, K., Smith, R., Stein, Sweeney, Thompson, Vitale, West, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Pelanda, the House adjourned until Wednesday, March 1, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.