

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MAY 16, 2017

FORTY-SIXTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, May 16, 2017, 9:00 o'clock a.m.

The House met pursuant to adjournment.

The journal of the previous legislative day was read and approved.

Representative Brenner 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 Bocchieri submitted the following report:

The standing committee on Insurance to which was referred **H. B. No. 27-** Representative Brinkman, having had the same under consideration, reports it back as a substitute bill and recommends its re-referral to the committee on Rules and Reference.

RE: CREATES FY 2018-2019 WORKERS' COMPENSATION BUDGET

Representative Brinkman moved to amend the title as follows:

Add the name: "Brenner."

THOMAS E. BRINKMAN, JR.
ANDREW BRENNER
ANNE GONZALES
STEPHEN A. HUFFMAN
WES RETHERFORD

MICHAEL HENNE
BILL DEAN
LARRY HOUSEHOLDER
SARAH LATOURETTE

The following members voted "NO"

JOHN A. BOCCIERI
KRISTIN BOGGS

MICHAEL ASHFORD
GLENN W. HOLMES

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on Rules and Reference.

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

The motion was agreed to.

On motion of Representative Brenner, the House recessed.

The House met pursuant to recess.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 217 - Representative Brenner.

Cosponsors: Representatives Blessing, Dean, Hill, Hood, Miller, Seitz, Smith, K., Stein.

To enact section 3345.43 of the Revised Code to prohibit institutions of higher education from requiring students to disclose disciplinary actions on their applications for admission.

H. B. No. 218 - Representative Seitz.

To amend section 1545.06 of the Revised Code to expand a probate court's powers and duties with regard to a park district.

H. B. No. 219 - Representative Bocchieri.

Cosponsors: Representatives Hood, Sheehy, Lepore-Hagan, Becker, Miller, Ashford, Seitz, O'Brien, West, Craig, Kent, Holmes.

To amend section 4511.21 of the Revised Code to specify that a speed limit becomes effective at a reasonable distance from the appropriate sign giving notice of the speed limit.

H. B. No. 220 - Representative Leland.

Cosponsors: Representatives Antonio, Boggs, Craig, Howse, Ingram, Sheehy, Smith, K., Stein, Strahorn.

To enact section 3301.97 of the Revised Code with regard to the use of funds by community schools and nonpublic schools.

H. B. No. 221 - Representative Holmes.

Cosponsors: Representatives Lepore-Hagan, Householder, Bocchieri, Riedel, Lipps, West, O'Brien.

To amend sections 151.08 and 164.01 of the Revised Code to expressly include, as eligible projects under the State Capital Improvements Program administered by the Ohio Public Works Commission, water and sewer laterals located on private property.

H. B. No. 222 - Representative Greenspan.

Cosponsors: Representatives Antani, Becker, Brenner, Carfagna, Goodman, Hambley, Hood, Johnson, Keller, Kick, Koehler, Lipps, McColley, Perales, Seitz, Thompson, Wiggam, Pelanda.

To amend section 3501.01 of the Revised Code to specify that a concealed handgun license qualifies as photo identification for voting purposes.

H. B. No. 223 - Representative Dever.

To amend sections 2323.58, 2323.581, 2323.582, 2323.583, 2323.584, 2323.585, 2323.586, and 2323.587 of the Revised Code relative to transfers of structured settlement payment rights.

H. B. No. 224 - Representative Ingram.

Cosponsors: Representatives Becker, Boccieri, Boggs, Carfagna, Dean, Galonski, Goodman, Holmes, Howse, Kent, Lepore-Hagan, Patterson, Ramos, Reece, Reineke, Riedel, Seitz, Sheehy, Stein, West.

To enact section 3313.818 of the Revised Code to permit districts and schools to re-serve time- and temperature-controlled food items to students if items are unused and returned unopened, undamaged, and in the original packaging.

H. B. No. 225 - Representative Thompson.

Cosponsors: Representatives Hambley, Householder, Stein, Brenner, Riedel, Dean, Schaffer, Seitz, Keller, Edwards, Greenspan, Patterson, Goodman, Wiggam, Retherford, Ginter, Barnes, Young, Romanchuk, Landis, Kick, Patton, Faber, West, Boccieri, Hagan, O'Brien, Gavarone.

To amend sections 1509.071, 1509.34, and 5747.01 of the Revised Code to allow a landowner to report an idle and orphaned well or abandoned well, to require the Chief of the Division of Oil and Gas Resources Management to inspect and classify such a well, to require the Chief to begin plugging a well classified as distressed-high priority within a specified time period, and to authorize an income tax deduction for reimbursements paid by the state to a landowner for costs incurred to plug an idle or orphaned well.

H. B. No. 226 - Representatives Seitz, Sweeney.

Cosponsors: Representatives Dean, Becker, Thompson, Goodman, Stein, Reineke, Blessing, Koehler.

To amend sections 1705.48, 3737.51, 3737.71, 3737.99, 3743.04, 3743.17, 3743.44, 3743.45, 3743.60, 3743.61, 3743.63, 3743.65, 3743.75, 3743.99, 5703.052, 5703.053, 5703.19, 5703.70, and 5703.77 and to enact sections 3737.04, 3737.05, 3737.06, 3737.07, 3737.08, 3737.09, 3737.10, 3737.11, 3737.12, 3743.46, 3743.47, 3743.591, and 3743.67 of the Revised Code to establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and

to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks.

H. B. No. 227 - Representative LaTourette.

To amend section 4501.21 and to enact section 4503.88 of the Revised Code to create the "Kenston Local Schools" license plate.

H. B. No. 228 - Representatives Johnson, LaTourette.

Cosponsors: Representatives Conditt, Schuring, Pelanda, Patton, McColley, Antani, Becker, Brenner, Brinkman, Carfagna, Dean, Duffey, Ginter, Goodman, Green, Henne, Hill, Hood, Householder, Huffman, Keller, Koehler, Lipps, Merrin, Riedel, Roegner, Romanchuk, Schaffer, Slaby, Smith, R., Sprague, Stein, Thompson, Vitale, Wiggam.

To amend sections 307.932, 2307.601, 2901.05, 2901.09, 2923.12, 2923.126, 2923.16, and 2953.37 and to repeal section 2923.1212 of the Revised Code to assign to the prosecution the burden of disproving a self-defense or related claim, to expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and to modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and the posting of warning signs regarding the possession of weapons on specified premises.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Celebrezze submitted the following report:

The standing committee on Rules and Reference to which was referred **Sub. H. B. No. 27**-Representative Brinkman, et. al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Finance.

RE: CREATES FY 2018-2019 WORKERS' COMPENSATION BUDGET

KIRK SCHURING
NICKIE J. ANTONIO
KRISTIN BOGGS
RICK CARFAGNA
RON HOOD
THOMAS F. PATTON
SCOTT RYAN
BILL SEITZ

FRED STRAHORN
LOUIS W. BLESSING III
ANDREW BRENNER
NICHOLAS CELEBREZZE
SARAH LATOURETTE
DOROTHY PELANDA
GARY SCHERER
EMILIA STRONG SYKES

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on Finance.

Representative Ashford submitted the following report:

The standing committee on State and Local Government to which was referred **H. B. No. 51**-Representative Faber, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: REVIEW AND SUNSET CABINET DEPARTMENTS

Representative Hambley moved to amend as follows:

In line 25, delete "each even-numbered" and insert "the first"; delete "and expire" and insert "to commence after the effective date of this section, and every third general assembly thereafter. A department expires"

In line 27, delete "odd-numbered"

In line 42, delete "each odd-numbered" and insert "the second"; delete "and expire" and insert "to commence after the effective date of this section, and every third general assembly thereafter. A department expires"

In line 44, delete "even-numbered"

In line 285, delete "odd-numbered"

In line 288, after the comma insert "the auditor of state shall conduct the audits as follows: In the general assembly preceding the general assembly during which departments are scheduled to be reviewed under division (B) or (C) of section 101.88 of the Revised Code,"; strike through "state agencies"

In line 289, strike through "selected from"

In line 290, strike through "listed in"; delete "division (B) of"; strike through "section"; delete "101.88"; strike through "of the Revised"

In line 291, strike through "Code" and insert "scheduled to be reviewed during the subsequent general assembly"; after "education" insert an underlined comma

In line 292, delete "These performance" and insert "The"

In line 293, after "audits" insert "of departments scheduled to be reviewed during the subsequent general assembly"

Delete lines 297 through 307

The motion was agreed to and the bill so amended.

STEPHEN D. HAMBLEY
 RICK CARFAGNA
 WESLEY A. GOODMAN
 RICK PERALES

JOHN BECKER
 BILL DEAN
 BRIAN HILL
 SCOTT RYAN

The following members voted "NO"

MARLENE ANIELSKI
 MICHAEL ASHFORD
 GLENN W. HOLMES

STEVEN M. ARNDT
 JANINE R. BOYD
 MICHAEL J. O'BRIEN

The report was agreed to.

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

Representative Ashford submitted the following report:

The standing committee on State and Local Government to which was referred **H. B. No. 134**-Representatives Hambley, Kick, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: ALLOW COMMUNITY IMPROVEMENT GRANTS OUTSIDE COUNTY TO SCHOOLS

Representative Hambley moved to amend as follows:

In line 32, strike through all after the period

In line 33, strike through "state"; delete "or a political subdivision"; strike through "shall be located in the county."

Delete lines 34 and 35

Between lines 70 and 71, insert:

"Except as otherwise provided in this division, grants awarded by the community improvements board shall be used only for permanent improvement projects located within the county. If the grant revenue is derived from a tax that was levied on the effective date of H.B. 134 of the 132nd general assembly and the government agency to which the grant is to be paid is a school district, the grant may be used for permanent improvement projects located anywhere within that school district even if a portion of the school district is located outside the county."

In line 432, delete "all grant revenue"

Delete lines 433 through 448 and insert "grants awarded by a community improvements board on or after the effective date of this section"

as long as the act's amendments concerning the use of the grant revenue, as defined in section 307.283 of the Revised Code, are not inconsistent with the board of county commissioner's resolution levying the tax or the ballot language approved by the electors of the county."

The motion was agreed to and the bill so amended.

MARLENE ANIELSKI	STEPHEN D. HAMBLEY
STEVEN M. ARNDT	MICHAEL ASHFORD
JOHN BECKER	JANINE R. BOYD
RICK CARFAGNA	BILL DEAN
WESLEY A. GOODMAN	BRIAN HILL
GLENN W. HOLMES	MICHAEL J. O'BRIEN
RICK PERALES	SCOTT RYAN

The report was agreed to.

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

Representative Ashford submitted the following report:

The standing committee on State and Local Government to which was referred **H. B. No. 135**-Representative Patmon, having had the same under consideration, reports it back and recommends its passage.

RE: DESIGNATE SUPERMAN DAY

MARLENE ANIELSKI	STEPHEN D. HAMBLEY
STEVEN M. ARNDT	MICHAEL ASHFORD
JOHN BECKER	JANINE R. BOYD
RICK CARFAGNA	BILL DEAN
WESLEY A. GOODMAN	BRIAN HILL
GLENN W. HOLMES	MICHAEL J. O'BRIEN
RICK PERALES	SCOTT RYAN

The report was agreed to.

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

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

H. B. No. 203 - Representative Barnes

TO REQUIRE THE DIRECTOR OF DEVELOPMENT SERVICES TO ESTABLISH A YOUTH SUMMER JOBS PLEDGING INITIATIVE TO INCREASE ACCESS TO SUMMER EMPLOYMENT OPPORTUNITIES FOR HIGH SCHOOL AND COLLEGE YOUTH.

To the committee on Higher Education and Workforce Development

H. B. No. 204 - Representative Barnes

TO CREATE THE DEPARTMENT OF GRANTS AND PHILANTHROPIC GESTURES.

To the committee on Community and Family Advancement

H. B. No. 205 - Representative Barnes

TO ENACT THE "SENIOR HOUSING RELIEF ACT" TO PROHIBIT THE SALE OF DELINQUENT PROPERTY TAX CERTIFICATES FOR HOMESTEADS OWNED FOR AT LEAST 20 YEARS BY A PERSON AGED 65 OR OLDER AT THE TIME OF THE SALE AND TO PROHIBIT TAX FORECLOSURE ON SUCH PROPERTY WHEN THE SENIOR HOMEOWNER HAS PAID THE CURRENT TAXES IN ALL BUT FIVE OR FEWER TAXABLE YEARS.

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

H. B. No. 206 - Representative Barnes

TO CREATE THE COMMERCIAL AIRLINE AND AIR FREIGHT COMMISSION.

To the committee on Transportation and Public Safety

H. B. No. 207 - Representative Patton

TO PROHIBIT A MUNICIPAL CORPORATION OR TOWNSHIP THAT DOES NOT OPERATE EITHER A FIRE DEPARTMENT OR AN EMERGENCY MEDICAL SERVICES ORGANIZATION FROM UTILIZING TRAFFIC LAW PHOTO-MONITORING DEVICES.

To the committee on State and Local Government

H. B. No. 208 - Representative Patton

TO PROHIBIT A LOCAL AUTHORITY WITH A POPULATION OF 200 OR FEWER FROM UTILIZING TRAFFIC LAW PHOTO-MONITORING DEVICES.

To the committee on State and Local Government

H. B. No. 209 - Representative Patton

TO PROHIBIT A LOCAL AUTHORITY, IN ANY YEAR, FROM ISSUING A TOTAL NUMBER OF TRAFFIC TICKETS BASED ON THE USE OF TRAFFIC LAW PHOTO-MONITORING DEVICES THAT EXCEEDS TWO TIMES THE POPULATION OF THE LOCAL AUTHORITY.

To the committee on State and Local Government

H. B. No. 210 - Representative Patton

TO PROHIBIT A LOCAL AUTHORITY FROM DERIVING MORE THAN 30 PER CENT OF THE TOTAL ANNUAL REVENUE OF THE LOCAL AUTHORITY FROM THE ISSUANCE OF TICKETS FOR TRAFFIC LAW VIOLATIONS BASED ON EVIDENCE RECORDED BY TRAFFIC LAW PHOTO-MONITORING DEVICES.

To the committee on State and Local Government

H. B. No. 211 - Representative Hughes

TO REQUIRE THE LICENSURE OF HOME INSPECTORS AND TO CREATE THE OHIO HOME INSPECTOR BOARD TO REGULATE THE LICENSURE AND PERFORMANCE OF HOME INSPECTORS.

To the committee on Economic Development, Commerce, and Labor

H. B. No. 212 - Representative Householder

TO DESIGNATE A PORTION OF STATE ROUTE 16 IN COSHOCTON COUNTY AS THE "STAFF SERGEANT PAUL C. MARDIS JR. MEMORIAL HIGHWAY."

To the committee on Transportation and Public Safety

H. B. No. 213 - Representative Dever

TO CHANGE THE DEFINITION OF "APPRAISAL" FOR PURPOSES OF THE REAL ESTATE APPRAISER LICENSING LAW, TO MAKE CHANGES TO CERTAIN PROCEDURES AND THE EXCEPTIONS TO LICENSURE UNDER THAT LAW, TO REGULATE APPRAISAL MANAGEMENT COMPANIES, AND TO DECLARE AN EMERGENCY.

To the committee on Civil Justice

H. B. No. 214 - Representatives LaTourette and Merrin

TO PROHIBIT A PERSON FROM PERFORMING, INDUCING, OR ATTEMPTING TO PERFORM OR INDUCE AN ABORTION ON A PREGNANT WOMAN WHO IS SEEKING THE ABORTION BECAUSE AN UNBORN CHILD HAS OR MAY HAVE DOWN SYNDROME.

To the committee on Health

H. B. No. 215 - Representative Riedel

TO CREATE THE PAULDING COUNTY MUNICIPAL COURT IN PAULDING ON JANUARY 1, 2019, TO ESTABLISH ONE FULL-TIME JUDGESHIP IN THAT COURT, TO PROVIDE FOR THE NOMINATION OF THE JUDGE BY PETITION ONLY, TO ABOLISH THE PAULDING COUNTY COUNTY COURT ON THAT DATE, TO DESIGNATE THE PAULDING COUNTY CLERK OF COURTS AS THE CLERK OF THE PAULDING COUNTY MUNICIPAL COURT, AND TO PROVIDE FOR THE ELECTION FOR THE PAULDING COUNTY MUNICIPAL COURT OF ONE FULL-TIME JUDGE IN 2018.

To the committee on Criminal Justice

H. B. No. 216 - Representatives Hambley and Brinkman

TO AUTHORIZE A SALES AND USE TAX TRADE-IN CREDIT FOR PURCHASES OF USED MOTOR VEHICLES FROM A LICENSED DEALER.

To the committee on Ways and Means

Am. S. B. No. 32 - Senator Eklund

TO PROVIDE A PROSECUTOR AN ADDITIONAL FOURTEEN DAYS TO COMMENCE A TRIAL AFTER A PERSON CHARGED WITH A FELONY HAS BEEN DISCHARGED BECAUSE THE PERSON HAS NOT BEEN BROUGHT TO TRIAL WITHIN THE REQUIRED AMOUNT OF TIME AND TO AUTHORIZE THE COURT TO RELEASE THE PERSON FROM DETENTION IN CONNECTION WITH THOSE CHARGES PENDING TRIAL.

To the committee on Criminal Justice

Sub. S. B. No. 36 - Senator Hite

TO REQUIRE THAT THE COMPUTATION OF THE CAPITALIZATION RATE FOR THE PURPOSES OF DETERMINING CAUV OF AGRICULTURAL LAND BE COMPUTED USING A METHOD THAT EXCLUDES APPRECIATION AND EQUITY BUILDUP AND TO STIPULATE THAT CAUV LAND USED FOR A CONSERVATION PRACTICE OR ENROLLED IN A FEDERAL LAND RETIREMENT OR CONSERVATION PROGRAM FOR AT LEAST THREE YEARS MUST BE VALUED AT THE LOWEST OF THE VALUES ASSIGNED ON THE BASIS OF SOIL TYPE.

To the committee on Ways and Means

S. B. No. 62 - Senator Yuko

TO DESIGNATE JULY 8 AS "HARRISON DILLARD DAY."

To the committee on State and Local Government

KIRK SCHURING
NICKIE J. ANTONIO
KRISTIN BOGGS
RICK CARFAGNA
RON HOOD
THOMAS F. PATTON
SCOTT RYAN
BILL SEITZ

FRED STRAHORN
LOUIS W. BLESSING III
ANDREW BRENNER
NICHOLAS CELEBREZZE
SARAH LATOURETTE
DOROTHY PELANDA
GARY SCHERER
EMILIA STRONG SYKES

Representative Blessing 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 Bills 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 Bills 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 Resolution be introduced and referred to the following committee for consideration:

H. R. No. 115 - Representative Cera

TO URGE THE CONGRESS OF THE UNITED STATES TO ENACT, AND THE PRESIDENT OF THE UNITED STATES TO SIGN, LEGISLATION TO EXTEND AND EXPAND THE CURRENT FEDERAL TAX CREDIT FOR CARBON CAPTURE, UTILIZATION, AND STORAGE, AND TO URGE THE CONGRESS TO SUPPORT OTHER POLICIES RELATING TO ENERGY GENERATION AND PROTECTING THE ENVIRONMENT.
To the committee on Energy and Natural Resources

/s/ KIRK SCHURING

Kirk Schuring, Vice Chair

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

The motion was agreed to.

Said House 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. 120 - Representative O'Brien

Honoring the John F. Kennedy High School football team on winning the 2016 Division VII State Championship.

H. R. No. 121 - Representative Pelanda

Honoring the Dublin Jerome High School green cheerleading competition team on securing a 2017 OASSA State Cheerleading and Dance Championship title.

H. R. No. 122 - Representative Anielski

Honoring David Madej as the 2017 Division I State Swimming Champion in the 100-yard freestyle.

H. R. No. 123 - Representatives Hambley and Kick

Honoring the Greater Medina Chamber of Commerce on receiving the Ohio Chamber of Commerce's 2017 Excellence in Grassroots Advocacy Award.

H. R. No. 125 - Representatives Anielski and Patmon

Honoring the St. Ignatius High School hockey team as the 2017 Division I State Champion.

H. R. No. 126 - Representative Seitz

Honoring Terence Daniels on being named the 2017 Ohio Big Brother of the Year.

Add the name: Strahorn

H. R. No. 127 - Representative Anielski

Honoring Tessa Phillips as a 2017 State Gymnastics Champion.

H. R. No. 128 - Representative Anielski

Honoring the Brecksville-Broadview Heights High School gymnastics team as the 2017 Division I State Champion.

H. R. No. 129 - Representative Anielski

Honoring Julian Tagg as a 2017 Division I State Wrestling Champion.

/s/KIRK SCHURING

Kirk Schuring, Vice Chair

Representative Blessing 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.

MESSAGE FROM THE SPEAKER

Pursuant to Section 3701.68(D) of the Ohio Revised Code, the Speaker hereby appoints Representative LaTourette as co-chair of the Commission on Infant Mortality.

On motion of Representative Blessing, the House adjourned until Wednesday, May 17, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.