

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, JUNE 7, 2017

FIFTY-FOURTH DAY

Hall of the House of Representatives, Columbus, Ohio

Wednesday, June 7, 2017, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Father Randy Giesige of St. Mary's Church in Defiance, 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:

The Ohio Steel Stingers received H.R. 77, presented by Representatives Keller-53rd district and Conditt-52nd district.

Mackenzie Lewis received H.R. 150, presented by Representative Kent-25th district.

Eric Smer and Amimee Schlernitzauer, guests of Representative West-49th district.

Stephen, Hallerie, and Colin Kinsey, and Felix Munz, guests of Representative Lipps-62nd district.

Dan and Ellyn Briggs, guests of Representative Carfagna-68th district.

Jo Poelking and Bill Defries, guests of Representative Perales-73rd district.

Mara Hanson, a guest of Representative LaTourette-76th district.

Kevin Garringer, a guest of Representative McColley-81st district.

Estephan Covell, a guest of Representative Riedel-82nd district.

Hannah Emerson, a guest of Representative Pelanda-86th district.

Ontario Legislature Internship Programme participants, guests of Speaker Rosenberger-91st district.

Ed and Jennifer Sargus, guests of Representative Cera-96th district.

Bruce and Lori McDonald, Monica Fell, and Delores Burns, guests of Representative Landis-98th district.

Jim, Sue, and Julia Krieg, guests of Representative Patterson-99th district.

The journal of yesterday was read and approved.

Representative Schuring moved that the House advance to the sixth order of business, being motions and resolutions.

The motion was agreed to.

MOTIONS AND RESOLUTIONS

Representative Celebrezze reported for the Rules and Reference committee recommending that the following resolution be read and approved:

H. R. No. 151 - Speaker Rosenberger, Representatives Strahorn, Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Becker, Blessing, Boccieri, Boggs, Boyd, Brenner, Brinkman, Butler, Carfagna, Celebrezze, Cera, Clyde, Conditt, Craig, Cupp, Dean, Dever, DeVitis, Duffey, Edwards, Faber, Fedor, Galonski, Gavarone, Ginter, Gonzales, Goodman, Green, Greenspan, Hagan, Hambley, Henne, Hill, Holmes, Hood, Householder, Howse, Huffman, Hughes, Ingram, Johnson, Keller, Kelly, Kent, Kick, Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Lipps, Manning, McColley, Merrin, Miller, O'Brien, Patmon, 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, Sweeney, Sykes, Thompson, Vitale, West, Wiggam, Young, Zeltwanger

In memory of the Honorable Irene Balogh Smart.

/s/CLIFFORD A. ROSENBERGER

Clifford A. Rosenberger, Chair

Representative Schuring moved that the Rules and Reference committee report on resolutions be agreed to and that the resolution contained therein be brought up for immediate adoption, read in full, 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. 151-Speaker Rosenberger, Representatives Strahorn, Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Becker, Blessing, Boccieri, Boggs, Boyd, Brenner, Brinkman, Butler, Carfagna, Celebrezze, Cera, Clyde, Conditt, Craig, Cupp, Dean, Dever, DeVitis, Duffey, Edwards, Faber, Fedor, Galonski, Gavarone, Ginter, Gonzales, Goodman, Green, Greenspan, Hagan, Hambley, Henne, Hill, Holmes, Hood, Householder, Howse, Huffman, Hughes, Ingram, Johnson, Keller, Kelly, Kent, Kick, Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Lipps, Manning, McColley, Merrin, Miller, O'Brien, Patmon, 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, Sweeney, Sykes, Thompson, Vitale, West, Wiggam, Young, Zeltwanger

In memory of the Honorable Irene Balogh Smart.

WHEREAS, The members of the House of Representatives of the 132nd General Assembly of Ohio were deeply saddened to learn of the death of the Honorable Irene Balogh Smart and extend our heartfelt condolences to her family and friends; and

WHEREAS, Irene Smart left an indelible impression on the people

whose lives she touched, and she will be remembered as a spirited individual who contributed immeasurably to the world around her. An attorney and former member of the Canton City Council, she was elected by the people of the 49th district to serve as a member of the Ohio House of Representatives for three terms, and she also served as a judge for the Canton Municipal Court, the Stark County Court of Common Pleas, and the Ohio 5th District Court of Appeals, from which she retired; and

WHEREAS, Irene Smart's regard for improving the quality of life in our society was clearly evident in her personal sacrifices of time and effort to her family, friends, and community, and her generosity, talents, and seemingly inexhaustible energy will be held up as a measure for others to aspire to. A remarkable individual, she was a skilled violinist, a gifted artist, and a devoted member of Christ Presbyterian Church, and she displayed exceptional concern in all of her endeavors. Her absence will be keenly felt; and

WHEREAS, A loving wife to her husband, the late Charles, a caring mother to her three children, Charles, Jennifer, and the late Mary, and a committed grandmother to her three grandchildren, David, Edmund, and Christopher, Irene Smart readily extended warmth and understanding to others. The legacy of care and commitment she established will stand as a monument to her personal character; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 132nd General Assembly of Ohio, in adopting this Resolution, express a profound sense of loss and sincere regret at the death of the Honorable Irene Balogh Smart; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of the Honorable Irene Balogh Smart.

The resolution was adopted.

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

The motion was agreed to.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 261 - Representatives Anielski, Roegner.

To amend sections 4501.21 and 4503.772 and to enact section 4503.875 of the Revised Code to create the Walsh Jesuit license plate.

Said bill was considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Fedor submitted the following report:

The standing committee on Education and Career Readiness to which was referred **H. B. No. 170**-Representatives Carfagna, Duffey, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ADDRESS COMPUTER SCIENCE CURRICULUM

Representative Brenner moved to amend the title as follows:

Add the names: "Hambley, Koehler."

ANDREW BRENNER

JIM BUTLER

THERESA GAVARONE

MICHAEL HENNE

J. KYLE KOEHLER

RYAN SMITH

MARILYN SLABY

ROBERT R. CUPP

STEPHEN D. HAMBLEY

RON HOOD

NATHAN H. MANNING

DICK STEIN

The following members voted "NO"

TERESA FEDOR

CATHERINE D. INGRAM

DANIEL RAMOS

TAVIA GALONSKI

JOHN PATTERSON

KENT SMITH

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Speaker Rosenberger offered the following resolution:

H. R. No. 152-Speaker Rosenberger

Relative to the election of the majority floor leader for the 132nd General Assembly of Ohio.

WHEREAS, Dorothy Pelanda of House District #86 has resigned as majority floor leader of the House of Representatives of the 132nd General Assembly of Ohio, effective May 31, 2017, thus creating a vacancy in the position of majority floor leader of the House of Representatives; and

WHEREAS, The members of the House of Representatives of the 132nd General Assembly have been advised that the caucus of Republican members has chosen Bill Seitz of House District #30 as majority floor leader; therefore be it

RESOLVED, By the members of the House of Representatives of the 132nd General Assembly that Bill Seitz be, and upon adoption of this resolution is, hereby elected to the office of majority floor leader, effective June 7, 2017.

The question being, "Shall the resolution be adopted?"

The yeas and nays were taken and resulted – yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

| | | | |
|--------------|-------------|------------|----------------|
| Anielski | Antani | Antonio | Arndt |
| Barnes | Becker | Blessing | Bocchieri |
| Boyd | Brenner | Brinkman | Butler |
| Carfagna | Celebrezze | Cera | Clyde |
| Conditt | Cupp | Dean | Dever |
| DeVitis | Duffey | Edwards | Faber |
| Fedor | Galonski | Gavarone | Ginter |
| Gonzales | Goodman | Green | Hagan |
| Hambley | Henne | Hill | Holmes |
| Hood | Householder | Howse | Huffman |
| Hughes | Ingram | Johnson | 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 | Young | Zeltwanger |
| | | | Rosenberger-93 |

The resolution was adopted.

The majority floor leader, Representative Seitz, was escorted to the bar of the House by Representatives Schuring, Pelanda, LaTourette, Patton, McColley, and Smith, R., was administered the oath of office by Speaker Rosenberger, and entered upon the discharge of his duties.

State of Ohio

County of Franklin

I, Bill Seitz, do solemnly swear to support the Constitution of the United

States and the Constitution of the State of Ohio, and faithfully to discharge and perform all duties incumbent upon me as a member of the majority leadership of the Ohio House of Representatives, according to the best of my ability and understanding; and this I do as I shall answer unto God.

/s/ BILL SEITZ

Bill Seitz

Sworn to and subscribed before me this 7th day of June, 2017.

/s/ CLIFFORD A. ROSENBERGER

Clifford A. Rosenberger

Speaker

House District 91

Representative Patton moved that majority party members asking leave to be absent or absent the week of Wednesday, June 7, 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, June 7, 2017, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

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

Cosponsors: Senators Coley, Bacon, Balderson, Dolan, Eklund, Gardner, Hoagland, Skindell, Thomas, Yuko Representatives Manning, Rezabek, Conditt, Rogers.

To amend sections 1901.01, 1901.02, 1901.03, 1901.07, 1901.08, 1901.31, 1901.312, 1901.34, and 1907.11 of the Revised Code and to amend Section 729.10 of Am. Sub. H.B. 483 of the 130th General Assembly, as subsequently amended, 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, 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 90, nays 3, as follows:

Those who voted in the affirmative were: Representatives

| | | | |
|------------|-----------|--------------|----------------|
| Anielski | Antani | Antonio | Arndt |
| Barnes | Becker | Blessing | Boccieri |
| Boyd | Brenner | Butler | Carfagna |
| Celebrezze | Cera | Clyde | Conditt |
| Cupp | Dean | Dever | DeVitis |
| Duffey | Edwards | Faber | Fedor |
| Galonski | Gavarone | Ginter | Gonzales |
| Goodman | Green | Hagan | Hambley |
| Henne | Hill | Holmes | Hood |
| Howse | Huffman | Hughes | Ingram |
| Johnson | 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 | West | Wiggam | Young |
| Zeltwanger | | | Rosenberger-90 |

Representatives Brinkman, Householder, and Vitale voted in the negative-3.

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 92, nays 1, as follows:

Those who voted in the affirmative were: Representatives

| | | | |
|--------------|-------------|------------|----------|
| Anielski | Antani | Antonio | Arndt |
| Barnes | Becker | Blessing | Boccieri |
| Boyd | Brenner | Brinkman | Butler |
| Carfagna | Celebrezze | Cera | Clyde |
| Conditt | Cupp | Dean | Dever |
| DeVitis | Duffey | Edwards | Faber |
| Fedor | Galonski | Gavarone | Ginter |
| Gonzales | Goodman | Green | Hagan |
| Hambley | Henne | Hill | Holmes |
| Hood | Householder | Howse | Huffman |
| Hughes | Ingram | Johnson | Keller |
| Kelly | Kent | Kick | Koehler |
| Landis | Lanese | LaTourette | Leland |
| Lepore-Hagan | 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-92 |

Representative Lipps voted in the negative-1.

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

Representative Manning moved to amend the title as follows:

Add the names: "Barnes, Blessing, Boyd, Celebrezze, Galonski, Hill, Leland, Miller, Patton, Riedel, Schaffer, Seitz, Sheehy, Smith, K., Sprague, Sweeney."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 46-Representative Sprague.

Cosponsors: Representatives Arndt, Blessing, Dean, Henne, Schaffer, Seitz, Dever, Brenner.

To amend section 135.35 of the Revised Code to modify the qualifications regarding notes eligible for investment of county inactive moneys, 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 1, as follows:

Those who voted in the affirmative were: Representatives

| | | | |
|-------------|------------|-----------|--------------|
| Anielski | Antani | Antonio | Arndt |
| Barnes | Becker | Blessing | Bocchieri |
| Boyd | Brenner | Butler | Carfagna |
| Celebrezze | Cera | Clyde | Conditt |
| Cupp | Dean | Dever | DeVitis |
| Duffey | Edwards | Faber | Fedor |
| Galonski | Gavarone | Ginter | Gonzales |
| Goodman | Green | Hagan | Hambley |
| Henne | Hill | Holmes | Hood |
| Householder | Howse | Huffman | Hughes |
| Ingram | Johnson | 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
Wiggam

Thompson
Young

Vitale
Zeltwanger

West
Rosenberger-92

Representative Brinkman voted in the negative-1.

The bill passed.

Representative Sprague moved to amend the title as follows:

Add the names: "Anielski, Barnes, Boyd, Edwards, Ginter, Green, Hambley, Huffman, Hughes, Johnson, Landis, Leland, Lepore-Hagan, Manning, McColley, Miller, Patton, Pelanda, Perales, Reineke, Retherford, Rezabek, Riedel, Romanchuk, Ryan, Sheehy, Smith, K., Sweeney, Thompson, West, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 68-Representative Anielski.

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

To amend sections 2907.321, 2907.322, 2907.323, 2929.13, and 2929.14 of the Revised Code 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

| | | | |
|--------------|-------------|------------|-----------|
| Anielski | Antani | Antonio | Arndt |
| Barnes | Becker | Blessing | Boccieri |
| Boyd | Brenner | Brinkman | Butler |
| Carfagna | Celebrezze | Cera | Clyde |
| Conditt | Cupp | Dean | Dever |
| DeVitis | Duffey | Edwards | Faber |
| Fedor | Galonski | Gavarone | Ginter |
| Gonzales | Goodman | Green | Hagan |
| Hambley | Henne | Hill | Holmes |
| Hood | Householder | Howse | Huffman |
| Hughes | Ingram | Johnson | 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 | Young | Zeltwanger |
| | | | Rosenberger-93 |

The bill passed.

Representative Anielski moved to amend the title as follows:

Add the names: "Antonio, Arndt, Barnes, Boyd, Brenner, Butler, Carfagna, Dever, Edwards, Gavarone, Ginter, Green, Hagan, Hambley, Holmes, Householder, Hughes, Johnson, Keller, Kent, Kick, Koehler, Landis, Lepore-Hagan, McColley, O'Brien, Patterson, Patton, Pelanda, Perales, Ramos, Retherford, Rezabek, Romanchuk, Ryan, Schaffer, Schuring, Sheehy, Stein, Strahorn, West, Young, Zeltwanger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on June 6, 2017, signed the following:

H. B. No. 32-Representative Seitz - et al.

H. R. No. 85-Representative Young - et al.

On motion of Representative Schuring, the House adjourned until Thursday, June 8, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.