

OHIO

House

of

Representatives

JOURNAL

THURSDAY, DECEMBER 7, 2017

ONE HUNDRED EIGHTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, December 7, 2017, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Huffman was selected to preside under the Rule.

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

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 438 - Representatives Hambley, Kick.

Cosponsors: Representatives Seitz, Brenner, Stein.

To amend section 3311.056 and to enact section 3311.059 of the Revised Code to permit the addition of appointed members to educational service center boards and to permit a local school district to sever its territory from one educational service center and annex that territory to an adjacent service center under specified conditions.

H. B. No. 439 - Representatives Dever, Ginter.

To amend sections 2903.212, 2907.41, 2919.251, 2935.15, 2937.22, 2937.222, 2937.23, and 2941.58 and to enact sections 181.27 and 2937.231 of the Revised Code to require courts to use the results of a validated risk assessment tool in bail determinations; to allow nonmonetary bail to be set; to require courts to collect certain data on bail, pretrial release, and sentencing; and to require the state Criminal Sentencing Commission to create a list of validated risk assessment tools and monitor the policies and procedures of courts in setting bail and utilizing pretrial supervision services.

H. B. No. 440 - Representatives Fedor, Kent.

Cosponsors: Representatives Antonio, Ramos, Leland, Lepore-Hagan, Boyd, Patterson, Howse, West, Miller, Holmes, Galonski, Sykes, Cera, Reece, Kelly, Sheehy, Boggs, Ingram.

To amend section 109.02 and to enact sections 3920.01, 3920.02, 3920.03, 3920.04, 3920.05, 3920.06, 3920.07, 3920.08, 3920.09, 3920.10, 3920.11, 3920.12, 3920.13, 3920.14, 3920.15, 3920.21, 3920.22, 3920.23, 3920.24, 3920.25, 3920.26, 3920.27, 3920.28, 3920.31, 3920.32, and 3920.33 of the Revised Code to establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

H. B. No. 441 - Representatives Lanese, Dever.

To amend sections 126.35 and 5747.11 and to enact section 5747.114 of the Revised Code to allow the Department of Taxation to provide taxpayers who file electronic returns the option of receiving their income tax refund in the form of a prepaid card.

H. B. No. 442 - Representative Antani.

Cosponsors: Representatives Becker, West.

To amend section 3313.5315 of the Revised Code to authorize any student from a country or province outside the United States who attends an elementary or secondary school in Ohio and holds an F-1 visa to participate in interscholastic athletics at that school on the same basis as Ohio residents.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative O'Brien submitted the following report:

The standing committee on Energy and Natural Resources to which was referred **H. C. R. No. 16**-Representative Thompson, et. al., having had the same under consideration, reports it back and recommends its adoption.

RE: COUNTER MANIPULATION OF OIL MARKET BY OPEC

AL LANDIS
MICHAEL J. O'BRIEN
JOHN A. BOCCIERI
JAY EDWARDS
TIM SCHAFFER
SCOTT WIGGAM

CHRISTINA HAGAN
NIRAJ J. ANTANI
KATHLEEN CLYDE
DAVID LELAND
ANDY THOMPSON

The report was agreed to.

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

Representative Clyde submitted the following report:

The standing committee on Government Accountability and Oversight to which was referred **S. B. No. 44**-Senator LaRose, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: ALLOW ELECTRONIC FILING OF CAMPAIGN FINANCE STATEMENTS

Representative Blessing moved to amend the title as follows:

Add the names: "Representatives Blessing, Faber, Ginter, Greenspan."

Representative Blessing moved to amend as follows:

In line 1 of the title, after "sections" insert "705.92,"

In line 5 of the title, delete "and" and insert ","

In line 7 of the title, after "online" insert ", and to change deadlines for petitions to remove elected officials of certain municipal corporations"

In line 8, after "sections" insert "705.92,"

After line 10, insert:

"Sec. 705.92. Notwithstanding Section 38 of Article II, Ohio Constitution, or any other provisions in the Revised Code to the contrary, any elective officer of a municipal corporation may be removed from office by the qualified voters of such municipal corporation. The procedure to effect such removal shall be:

(A) A petition signed by qualified electors equal in number to at least fifteen per cent of the total votes cast at the most recent regular municipal election, and demanding the election of a successor to the person sought to be removed, shall be filed with the board of elections not later than four p.m. of the ninetieth day before the day of election at which the question of the person's removal is to appear on the ballot. A petition shall contain the required number of valid signatures upon submission to the board of elections. A petition is not valid after ninety days from the date of the first signature. A petition shall contain a general statement in not more than two hundred words of the grounds upon which the removal of the person is sought. The form, sufficiency, and regularity of any such petition shall be determined as provided in the general election laws.

(B) The board of elections shall, not later than the seventy-eighth day before the day of the election at which the question of the person's removal is to appear on the ballot, examine and determine the sufficiency of the petition. If the petition is sufficient, and if the person whose removal is sought does not resign within five days after the sufficiency of the petition has been determined, an election shall be held at the next day on which a primary election may be held or the day of the next general election, whichever is earlier, occurring more than ninety days from the date ~~of the finding of the sufficiency of the petition is filed with the board of elections.~~ The election authorities shall publish notice and make all arrangements for holding the election, which shall be conducted and the result thereof returned and declared in all respects as are the results of regular municipal elections.

(C) The nomination of candidates to succeed each officer sought to be removed shall be made, without the intervention of a primary election, by filing with the election authorities, at least ~~twenty-sixty~~ sixty days before the ~~such~~ special election, a petition proposing a person for each such office, signed by electors equal in number to ten per cent of the total votes cast at the most recent regular municipal election for the head of the ticket.

(D) The ballots at the recall election shall, with respect to each person whose removal is sought, submit the question: "Shall (name of person) be removed from the office of (name of office) by recall?"

Immediately following each such question, there shall be printed on the ballots, the two propositions in the order set forth:

"For the recall of (name of person)."

"Against the recall of (name of person)."

Immediately to the left of the proposition shall be placed a square in which the electors may vote for either of the propositions.

Under each of the questions shall be placed the names of candidates to fill the vacancy. The name of the officer whose removal is sought shall not appear on the ballot as a candidate to succeed the officer's self.

In any recall election, if a majority of the votes cast on the question of removal are affirmative, the person whose removal is sought shall be removed from office upon the announcement of the official canvass of that election, and the candidate receiving the plurality of the votes cast for candidates for that office shall be declared elected. The successor of any person so removed shall hold office during the unexpired term of the successor's predecessor. The question of the removal of any officer shall not be submitted to the electors until such officer has served for at least one year of the term during which the officer is sought to be recalled. The method of removal provided in this section, is in addition to other methods of removal as are provided by law. If, at any such recall election, the incumbent whose removal is sought is not recalled, the incumbent shall be repaid the incumbent's actual and legitimate expenses for the election from the treasury of the municipal corporation, but such sum shall not exceed fifty per cent of the sum that the incumbent is by law permitted to expend as a candidate at any regular municipal election."

In line 2019, after "sections" insert "705.92,"

The motion was agreed to and the bill so amended.

LOUIS W. BLESSING III
KATHLEEN CLYDE
TIMOTHY E. GINTER

BILL REINEKE
KEITH FABER
DAVE GREENSPAN

BRIGID KELLY
DOROTHY PELANDA
RYAN SMITH

BERNADINE KENNEDY KENT
BILL SEITZ
MARTIN J. SWEENEY

The report was agreed to.

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

Representative Antonio submitted the following report:

The standing committee on Health to which was referred **S. B. No. 143**-Senator Eklund, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: DESIGNATE INTERNATIONAL ATAXIA AWARENESS DAY

Representative Gavarone moved to amend the title as follows:

Add the names: "Representatives Huffman, Antonio, Barnes, Butler, Ginter, Johnson, Kent, Lepore-Hagan, Romanchuk, Sykes, West."

STEPHEN A. HUFFMAN
NICKIE J. ANTONIO
JOHN BARNES, JR.
MIKE DUFFEY
TIMOTHY E. GINTER
CANDICE KELLER
DARRELL KICK
DEREK MERRIN
EMILIA STRONG SYKES

THERESA GAVARONE
NIRAJ J. ANTANI
JIM BUTLER
JAY EDWARDS
TERRY JOHNSON
BERNADINE KENNEDY KENT
MICHELE LEPORE-HAGAN
MARK J. ROMANCHUK
THOMAS WEST

The report was agreed to.

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

Representative Holmes submitted the following report:

The standing committee on State and Local Government to which was referred **Sub. S. B. No. 144**-Senator Burke, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ESTABLISH OPPORTUNITIES FOR OHIOANS WITH
DISABILITIES COUNCIL

Representative Hambley moved to amend the title as follows:

Add the names: "Representatives Anielski, Hambley, Carfagna, Perales."

MARLENE ANIELSKI
GLENN W. HOLMES
MICHAEL ASHFORD
JANINE R. BOYD

STEPHEN D. HAMBLEY
STEVEN M. ARNDT
JOHN BECKER
RICHARD D. BROWN

RICK CARFAGNA
BRIAN HILL
RICK PERALES

BILL DEAN
MICHAEL J. O'BRIEN
SCOTT RYAN

The report was agreed to.

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

Representative Antonio submitted the following report:

The standing committee on Health to which was referred **S. B. No. 164**-Senator LaRose, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: PROHIBIT ABORTION IF UNBORN HAS OR MAY HAVE DOWN SYNDROME

Representative Gavarone moved to amend the title as follows:

Add the names: "Representatives Huffman, Antani, Butler, Ginter, Johnson, Merrin, Romanchuk."

STEPHEN A. HUFFMAN
NIRAJ J. ANTANI
MIKE DUFFEY
TIMOTHY E. GINTER
CANDICE KELLER
DEREK MERRIN

THERESA GAVARONE
JIM BUTLER
JAY EDWARDS
TERRY JOHNSON
DARRELL KICK
MARK J. ROMANCHUK

The following members voted "NO"

NICKIE J. ANTONIO
BERNADINE KENNEDY KENT
EMILIA STRONG SYKES

JOHN BARNES, JR.
MICHELE LEPORE-HAGAN
THOMAS WEST

The report was agreed to.

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

Representative Leland submitted the following report:

The standing committee on Federalism and Interstate Relations to which was referred **H. R. No. 193**-Representatives Antonio, Strahorn, et. al., having had the same under consideration, reports it back with the following amendment and recommends its adoption when so amended.

RE: A RESOLUTION URGING CONGRESS TO AWARD A CONGRESSIONAL MEDAL OF HONOR TO THE LATE SENATOR JOHN GLENN AND MRS. ANNIE GLENN

Representative Roegner moved to amend the title as follows:

Add the name: "Retherford."

Representative Leland moved to amend as follows:

In line 2 of the title, delete "Medal of Honor" and insert "Gold Medal"

In line 52, delete "became" and insert "is"

In line 54, delete "had" and insert "has"

In line 63, after "Glenn" insert "have"

In line 65, after "Glenn" insert "have"

In line 67, after "Glenn" insert "have"

In line 71, delete "Medal of Honor" and insert "Gold Medal"

In line 75, delete "Medal of"

In line 76, delete "Honor" and insert "Gold Medal"

The motion was agreed to and the resolution so amended.

KRISTINA ROEGNER
MICHAEL ASHFORD
GLENN W. HOLMES
DEREK MERRIN
PAUL ZELTWANGER

DAVID LELAND
JOHN BECKER
J. KYLE KOEHLER
WES RETHERFORD

The report was agreed to.

The resolution 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. 297**-Representative Hagan, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ALLOW JOINT OWNER OF VEHICLE OR BOAT TO TRANSFER TITLE ON DEATH

Representative Greenspan moved to amend the title as follows:

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

DOUG GREEN
MICHAEL SHEEHY
STEPHANIE D. HOWSE
CANDICE KELLER

DAVE GREENSPAN
LARRY HOUSEHOLDER
JIM HUGHES
DARRELL KICK

MICHELE LEPORE-HAGAN
THOMAS F. PATTON
THOMAS WEST

NATHAN H. MANNING
ALICIA REECE

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. 306**-Representative Gonzales, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: CREATE GOLD RIBBON AWARENESS LICENSE PLATE

Representative Greenspan moved to amend the title as follows:

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

DOUG GREEN
MICHAEL SHEEHY
STEPHANIE D. HOWSE
CANDICE KELLER
MICHELE LEPORE-HAGAN
THOMAS F. PATTON
THOMAS WEST

DAVE GREENSPAN
LARRY HOUSEHOLDER
JIM HUGHES
DARRELL KICK
NATHAN H. MANNING
ALICIA REECE

The report was agreed to.

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

Representative Holmes submitted the following report:

The standing committee on State and Local Government to which was referred **H. B. No. 323**-Representative Patterson, et. al., having had the same under consideration, reports it back and recommends its passage.

RE: AUTHORIZE COLLECTION OF GARBAGE PICK-UP FEES AS IF TAXES

Representative Hambley moved to amend the title as follows:

Add the name: "Hambley."

MARLENE ANIELSKI
GLENN W. HOLMES
MICHAEL ASHFORD
JANINE R. BOYD
RICK CARFAGNA
BRIAN HILL
RICK PERALES

STEPHEN D. HAMBLEY
STEVEN M. ARNDT
JOHN BECKER
RICHARD D. BROWN
BILL DEAN
MICHAEL J. O'BRIEN
SCOTT RYAN

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. 325**-Representative Faber, et. al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DESIGNATE MICHAEL J. ASELAGE MEMORIAL HIGHWAY

Representative Greenspan moved to amend the title as follows:

Add the names: "Green, Sheehy, West."

DOUG GREEN	DAVE GREENSPAN
MICHAEL SHEEHY	LARRY HOUSEHOLDER
STEPHANIE D. HOWSE	JIM HUGHES
CANDICE KELLER	DARRELL KICK
MICHELE LEPORE-HAGAN	NATHAN H. MANNING
THOMAS F. PATTON	ALICIA REECE
THOMAS WEST	

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Education and Career Readiness to which was referred **H. B. No. 338**-Representative Ginter, having had the same under consideration, reports it back and recommends its passage.

RE: REGARDS SCHOOL BUS DRIVER MEDICAL EXAMINATIONS

Representative Brenner moved to amend the title as follows:

Add the names: "Brenner, Hambley."

ANDREW BRENNER	TERESA FEDOR
JIM BUTLER	ROBERT R. CUPP
TAVIA GALONSKI	THERESA GAVARONE
STEPHEN D. HAMBLEY	MICHAEL HENNE
RON HOOD	STEPHEN A. HUFFMAN
CATHERINE D. INGRAM	J. KYLE KOEHLER
NATHAN H. MANNING	JOHN PATTERSON
DANIEL RAMOS	KENT SMITH
RYAN SMITH	

The report was agreed to.

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

Representative Clyde submitted the following report:

The standing committee on Government Accountability and Oversight to which was referred **H. B. No. 341**-Representatives Huffman, Cera, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: EXEMPT PERSONAL INFORMATION ABOUT JUDGES FROM DISCLOSURE

Representative Reineke moved to amend as follows:

In line 2 of the title, after "judges" insert "and magistrates"

In line 185, after the underlined comma insert "magistrate."

In line 906, reinsert "of the"

In line 911, after "~~officer~~" insert "designated public service worker"

The motion was agreed to and the bill so amended.

LOUIS W. BLESSING III
KATHLEEN CLYDE
TIMOTHY E. GINTER
BRIGID KELLY
DOROTHY PELANDA
RYAN SMITH

BILL REINEKE
KEITH FABER
DAVE GREENSPAN
BERNADINE KENNEDY KENT
BILL SEITZ
MARTIN J. SWEENEY

The report was agreed to.

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

Representative Clyde submitted the following report:

The standing committee on Government Accountability and Oversight to which was referred **H. B. No. 361**-Representative Greenspan, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: INCREASE TIME FOR DECIDING PROPERTY TAX COMPLAINTS

Representative Blessing moved to amend the title as follows:

Add the name: "Blessing."

Representative Greenspan moved to amend as follows:

In line 137, reinsert "The"

In line 138, delete everything before "board"

In line 140, strike through "ninety"; delete "business" and insert "one hundred eighty"; strike through "filing thereof" and insert "last day a complaint may be filed"

In line 141, after "board" insert "under division (A)(1) of this section"

In line 144, strike through "ninety"; delete "business" and insert "one hundred eighty"; delete "The"

Delete lines 145 through 153

The motion was agreed to and the bill so amended.

LOUIS W. BLESSING III
KATHLEEN CLYDE
TIMOTHY E. GINTER
BRIGID KELLY
DOROTHY PELANDA
RYAN SMITH

BILL REINEKE
KEITH FABER
DAVE GREENSPAN
BERNADINE KENNEDY KENT
BILL SEITZ
MARTIN J. SWEENEY

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Duffey moved that the following resolution be read by title only and brought up for immediate adoption:

H. R. No. 317 - Representative Schuring

Honoring David Baker on receiving the 2017 Sports Leadership Award.

The motion was agreed to.

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

The resolution was adopted.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Sub. S. B. No. 33 - Senator Eklund – et al.

Am. S. B. No. 71 - Senator Manning – et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

S. B. No. 170 - Senator LaRose

Cosponsors: Senators Hoagland, Terhar, Yuko, Sykes, Uecker, Hackett, Manning, Balderson, Beagle, Burke, Dolan, Eklund, Gardner, Hottinger, Huffman, Jordan, Kunze, Lehner, McColley, O'Brien, Oelslager, Peterson, Schiavoni, Skindell, Tavares, Thomas, Williams, Wilson

To require the Director of Public Safety to seek approval from the United States Federal Motor Carrier Safety Administration to implement a temporary pilot program regarding the waiver of the skills test for a commercial driver's license that applies to present and former military personnel.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. H. B. No. 174 - Representatives Hughes, Lanese

Cosponsors: Representatives Duffey, Blessing, Craig, Smith, K., Boggs, Brown, Galonski, Barnes, Celebrezze, Clyde, Holmes, Leland, Patton, Rogers, Sheehy, Sprague, Sweeney, Young Senators Coley, Bacon, Hackett, Kunze, Oelslager, Schiavoni, Tavares, Yuko

To amend sections 2301.02 and 2301.03 of the Revised Code to add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas, one to be elected in 2018 and one to be elected in 2020, and to declare an emergency.

Attest:

Vincent L. Keeran,
Clerk.

MESSAGE FROM THE SPEAKER

December 7, 2017

Speaker Rosenberger
77 S. High Street, 14th Floor
Columbus, OH 43215

Dear Speaker Rosenberger,

It has been an honor to serve in leadership as the Ohio House Minority Whip.

I write to inform you of my intention to step down from my position in leadership as the Minority Whip due to my candidacy for the Ohio Senate.

I am grateful to you and Minority Leader Strahorn for this honor and opportunity to serve the people of Ohio. As the State Representative for Ohio House District 13, I look forward to continuing to work with you.

Sincerely,

/s/ NICKIE J. ANTONIO
State Representative Nickie J. Antonio
Minority Whip
District 13

MESSAGE FROM THE SPEAKER

December 7, 2017

Representative Nickie Antonio
Ohio House of Representatives
77 South High Street, 14th Floor
Columbus, Ohio 43215

Dear Representative Antonio,

This letter acknowledges receipt of your House Minority Whip resignation letter, and confirms that you have stepped down as the House Minority Whip, effective December 7, 2017.

I have appreciated the opportunity to work with you during your tenure as a member of Leadership for the House Minority Caucus and I look forward to

working with you for the remainder of this General Assembly.

Best Regards,

/s/ CLIFFORD A. ROSENBERGER
Clifford A. Rosenberger
Speaker, Ohio House of Representatives

On motion of Representative Duffey, the House adjourned until Tuesday, December 12, 2017 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.