

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, JANUARY 29, 2020

ONE HUNDRED FIFTIETH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, January 29, 2020, 1:00 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson of the Capitol Ministries in Columbus, 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:

Ella Munshen, a guest of Representative Lepore-Hagan- 58th district.

Tippecanoe boys soccer team, guests of Representative Powell- 80th district.

Justin Lambert, a guest of Representative Russo- 24th district.

Nicole Condrey, a guest of Representative Keller- 53rd district.

Ashley and Anthony Caldwell, guests of Representative Lanese- 23rd district.

Pickerington High School Central football team, guests of Representative LaRe- 77th district.

Zack Jones, Nick Jones, Cheryl Perrotta, Joyce Wiedie, Chuck Weidie, Harold Jones, and Alison Kish; guests of Representative Galonski- 35th district.

Mary Ann Mullenix, a guest of Representative Sykes- 34th district.

Visitors from Richwood Civic Centers, guests of Representative Richardson- 86th district.

Sarah Naiman, a guest of Representative Miller, J.- 56th district.

The journal of yesterday was read and approved.

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. Sub. H. B. No. 9 - Representatives Jones, Sweeney

Cosponsors: Representatives Ingram, Galonski, Holmes, A., Baldrige, Blair, Blessing, Boggs, Boyd, Brent, Brown, Carfagna, Carruthers, Cera, Clites, Crawley, Cross, Crossman, Cupp, Denson, Edwards, Ghanbari, Ginter, Greenspan, Grendell, Hicks-Hudson, Hillyer, Howse, Jordan, Lang, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Manning, D., Manning, G., Miller, A., Miranda, O'Brien, Oelslager, Patterson, Patton, Perales, Reineke, Richardson, Robinson, Roemer, Rogers, Romanchuk, Russo, Ryan, Scherer, Seitz, Sheehy, Smith, K., Smith, T., Sobecki, Stein, Strahorn, Sykes,

Weinstein, West, Wiggam Senators Blessing, Dolan, Eklund, Huffman, M., Huffman, S.

To amend sections 3310.03, 3310.032, 3333.16, and 3345.81 and to enact sections 3302.103, 3310.033, 3345.351, and 3345.481 of the Revised Code and to amend Sections 265.10 and 265.210 of H.B. 166 of the 133rd General Assembly with regard to student degree completion at state institutions of higher education, to modify eligibility criteria for the Educational Choice Scholarship program, to dissolve certain academic distress commissions, to make an appropriation, and to declare an emergency.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In the table on line 635, in row X, column 4, strike through "6,942,880,845" and insert "6,972,880,845"; column 5, reinsert "6,774,618,845"; delete "6,794,618,845"

In the table on line 635, in row AF, column 4, strike through "8,187,203,556" and insert "8,217,203,556"; column 5, reinsert "8,079,038,142"; delete "8,099,038,142"

In the table on line 635, in row CH, column 4, strike through "11,750,095,505" and insert "11,780,095,505"; column 5, reinsert "11,985,178,607"; delete "12,015,178,607"

In line 684, after "to" insert "\$17,600,000 in fiscal year 2020 and up to"

In line 685, strike through "each"; after "year" insert "2021"

In line 687, after "Code" insert ", unless the number of students awarded scholarships for fiscal year 2021 is less than or equal to the number of scholarships awarded for fiscal year 2020, in which case, up to \$17,600,000 shall be used in fiscal year 2021"

In line 753, delete "\$20,000,000" and insert "\$30,000,000"; delete "2021" and insert "2020"

In line 756, delete "for students who qualified for a scholarship"

Delete lines 757 through 759

In line 760, delete "homeschooled in the prior school year" and insert "in a manner determined by the Department"

Attest:

Vincent L. Keeran,
Clerk.

Representative Butler moved that the Senate amendments to **Am. Sub. H. B. No. 9**-Representatives Jones, Sweeney, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. Sub. H. B. No. 9**-Representatives Jones, Sweeney, et al., were taken up for consideration.

Am. Sub. H. B. No. 9 - Representatives Jones, Sweeney

Cosponsors: Representatives Ingram, Galonski, Holmes, A., Baldrige, Blair, Blessing, Boggs, Boyd, Brent, Brown, Carfagna, Carruthers, Cera, Clites, Crawley, Cross, Crossman, Cupp, Denson, Edwards, Ghanbari, Ginter, Greenspan, Grendell, Hicks-Hudson, Hillyer, Howse, Jordan, Lang, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Manning, D., Manning, G., Miller, A., Miranda, O'Brien, Oelslager, Patterson, Patton, Perales, Reineke, Richardson, Robinson, Roemer, Rogers, Romanchuk, Russo, Ryan, Scherer, Seitz, Sheehy, Smith, K., Smith, T., Sobecki, Stein, Strahorn, Sykes, Weinstein, West, Wiggam Senators Blessing, Dolan, Eklund, Huffman, M., Huffman, S.

To amend sections 3310.03, 3310.032, 3333.16, and 3345.81 and to enact sections 3302.103, 3310.033, 3345.351, and 3345.481 of the Revised Code and to amend Sections 265.10 and 265.210 of H.B. 166 of the 133rd General Assembly with regard to student degree completion at state institutions of higher education, to modify eligibility criteria for the Educational Choice Scholarship program, to dissolve certain academic distress commissions, to make an appropriation, and to declare an emergency.

The question being, “Shall the emergency clause stand as part of the bill?”

The yeas and nays were taken and resulted – yeas 0, nays 96, as follows:

Those who voted in the negative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Boyd	Brent
Brinkman	Brown	Butler	Callender
Carfagna	Carruthers	Cera	Clites
Crawley	Cross	Crossman	Cupp
Dean	Denson	DeVitis	Edwards
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Howse	Ingram	Jones
Jordan	Keller	Kelly	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lepore-Hagan	Lightbody	Lipps
Liston	Manchester	Manning, D.	Manning, G.
McClain	Merrin	Miller, J.	Miranda
O'Brien	Oelslager	Patterson	Patton
Perales	Plummer	Powell	Reineke

Richardson	Riedel	Robinson	Roemer
Rogers	Romanchuk	Russo	Scherer
Seitz	Sheehy	Skindell	Smith, K.
Smith, T.	Sobecki	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney
Sykes	Upchurch	Vitale	Weinstein
West	Wiggam	Wilkin	Householder-96

Not having received a constitutional majority, the emergency clause failed of passage.

The Senate amendments were not concurred in.

On motion of Representative Butler, the House recessed.

The House met pursuant to recess.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate insists on its amendments to:

Am. Sub. H. B. No. 9 -Representatives Jones, Sweeney – et al.

and asks for a committee of conference

Attest:

Vincent L. Keeran,
Clerk.

MESSAGE FROM THE SPEAKER

The Speaker hereby appoints the following members of the House to the committee of conference on matters of difference between the two houses on:

Am. Sub. H. B. No. 9-Representatives Jones, Sweeney, et al.

Representatives Jones, Edwards, and Robinson.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the President of the Senate has appointed as managers on the part of the Senate on matters of difference between the two Houses on:

Am. Sub. H. B. No. 9 - Representatives Jones, Sweeney – et al.

Senators Huffman, M., Peterson, Fedor

Attest:

Vincent L. Keeran,
Clerk.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 485 - Representatives Stephens, Scherer.

Cosponsors: Representatives Koehler, Carfagna, Lipps, Riedel.

To amend sections 5713.30, 5713.31, and 5713.351 and to repeal section 5713.36 of the Revised Code to remove a requirement that owners of farmland enrolled in the CAUV program must file a renewal application each year in order to remain in the program.

H. B. No. 486 - Representative Powell.

Cosponsors: Representatives Seitz, Riedel, O'Brien, Merrin, Wiggam, Keller, Hood, Becker.

To amend section 2901.13 and to enact sections 2305.117, 2907.13, 4731.86, 4731.87, 4731.871, 4731.88, 4731.881, 4731.89, and 4731.90 of the Revised Code to create the crime of fraudulent assisted reproduction and civil actions for an assisted reproduction procedure without consent.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Denson submitted the following report:

The standing committee on Energy and Natural Resources to which was referred **H. R. No. 247**-Representative Roemer, et al., having had the same under consideration, reports it back with the following amendment and recommends its adoption when so amended.

RE: IMPROVE AIR QUALITY MORE EFFICIENTLY

Representative Vitale moved to amend the title as follows:

Add the name: "Vitale"

Representative Stein moved to amend as follows:

In line 66, delete "1991" and insert "1995"

The motion was agreed to and the resolution so amended.

A. NINO VITALE

DARRELL KICK

BRIAN BALDRIDGE
HARAZ N. GHANBARI
DICK STEIN

JON CROSS
BRETT HUDSON HILLYER
SCOTT WIGGAM

The following members voted "NO"

SEDRICK DENSON
MICHAEL J. O'BRIEN

GIL BLAIR
CASEY WEINSTEIN

The report was agreed to.

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

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

H. B. No. 481 - Representative Fraizer
TO AUTHORIZE THE CONVEYANCE OF STATE-OWNED REAL
PROPERTY.

To the committee on State and Local Government

H. B. No. 482 - Representatives Clites and Manchester
TO PROHIBIT A PHARMACY BENEFIT MANAGER FROM TAKING
CERTAIN ACTIONS WITH RESPECT TO REIMBURSEMENTS MADE
TO HEALTH CARE PROVIDERS THAT PARTICIPATE IN THE
FEDERAL 340B DRUG PRICING PROGRAM.

To the committee on Health

H. B. No. 483 - Representative Ghanbari
TO DESIGNATE A PORTION OF STATE ROUTE 795 IN WOOD
COUNTY AS THE "LAKE TOWNSHIP VETERANS MEMORIAL
HIGHWAY."

To the committee on Transportation and Public Safety

H. B. No. 484 - Representatives Abrams and Carfagna
REGARDING THE PRACTICE OF ATHLETIC TRAINING.

To the committee on Health

LARRY HOUSEHOLDER
EMILIA STRONG SYKES
RICHARD D. BROWN
JAY EDWARDS
LAURA LANESE

JIM BUTLER
KRISTIN BOGGS
JAMIE CALLENDER
PAULA HICKS-HUDSON
BILL SEITZ

Representative Butler 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 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 were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H. R. No. 304 - Representative Keller

Honoring Collinsville Grange 2264 on its Centennial.

H. R. No. 305 - Representative Green

Honoring Ripley American Legion Post 367 on its Centennial.

/s/LARRY HOUSEHOLDER

Larry Householder, Chair

Representative Butler 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.

Representative Sykes reported for the Rules and Reference committee recommending that the following House Resolution be read and approved:

H. R. No. 286 - Speaker Householder, Representatives Sykes, Abrams, Antani, Baldridge, Becker, Blair, Boggs, Boyd, Brent, Brinkman, Brown, Butler, Callender, Carfagna, Carruthers, Cera, Clites, Crawley, Cross, Crossman, Cupp, Dean, Denson, DeVitis, Edwards, Fraizer, Galonski, Ghanbari, Ginter, Green, Greenspan, Grendell, Hambley, Hicks-Hudson, Hillyer, Holmes, A., Hood, Hoops, Howse, Ingram, Jones, Jordan, Keller, Kelly, Kent, Kick, Koehler, Lanese, Lang, LaRe, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Manchester, Manning, D., Manning, G., McClain, Merrin, Miller, A., Miller, J., Miranda, O'Brien, Oelslager, Patterson, Patton, Perales, Plummer, Powell, Reineke, Richardson, Riedel, Robinson, Roemer, Rogers, Romanchuk, Russo, Scherer, Seitz, Sheehy, Skindell, Smith, K., Smith, T., Sobecki, Stein, Stephens, Stoltzfus, Strahorn, Swearingen, Sweeney, Upchurch, Vitale, Weinstein, West, Wiggam, Wilkin, Zeltwanger

In memory of Wayne M. Jones.

/s/LARRY HOUSEHOLDER

Larry Householder, Chair

Representative Butler 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. 286-Speaker Householder, Representatives Sykes, Abrams, Antani, Baldridge, Becker, Blair, Boggs, Boyd, Brent, Brinkman, Brown, Butler, Callender, Carfagna, Carruthers, Cera, Clites, Crawley, Cross, Crossman, Cupp, Dean, Denson, DeVitis, Edwards, Fraizer, Galonski, Ghanbari, Ginter, Green, Greenspan, Grendell, Hambley, Hicks-Hudson, Hillyer, Holmes, A., Hood, Hoops, Howse, Ingram, Jones, Jordan, Keller, Kelly, Kent, Kick, Koehler, Lanese, Lang, LaRe, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Manchester, Manning, D., Manning, G., McClain, Merrin, Miller, A., Miller, J., Miranda, O'Brien, Oelslager, Patterson, Patton, Perales, Plummer, Powell, Reineke, Richardson, Riedel, Robinson, Roemer, Rogers, Romanchuk, Russo, Scherer, Seitz, Sheehy, Skindell, Smith, K., Smith, T., Sobecki, Stein, Stephens, Stoltzfus, Strahorn, Swearingen, Sweeney, Upchurch, Vitale, Weinstein, West, Wiggam, Wilkin, Zeltwanger.

In memory of Wayne M. Jones.

WHEREAS, The members of the House of Representatives of the 133rd General Assembly of Ohio were deeply saddened to learn of the death of Wayne M. Jones and extend our heartfelt condolences to his family and friends; and

WHEREAS, Wayne Jones' attentive ear, decisive voice, and selfless concern for the welfare of others distinguished him as an outstanding human being and a leading citizen. Representing the 46th House District in the Ohio General Assembly from 1988 to 1996, he was known for his ability to work across party lines to bring public investment to his area, which resulted in such beneficial accomplishments as securing funding for the John S. Knight Center in Downtown Akron. In addition, he served the State Democratic Executive Board as a member and the Summit County Democratic Party as its chair, finance chair, and a precinct committee person. A respected titan in politics and a dedicated public servant, he made many lasting, positive impacts, and his noteworthy career is worthy of emulation; and

WHEREAS, Wayne Jones manifested the virtues we all seek to emulate through his work in such various roles as a partner at the law firm of

Roetzel and Andress, the chief deputy of the Cuyahoga Falls Municipal Court, the deputy director for the Ohio Department of Insurance, a member and chair of the Summit County Board of Elections, and a volunteer for the Cuyahoga Falls Little League North. Clearly, he led an exemplary life, and it is certain that the world is a richer place for his having been in it. He will be sorely missed; and

WHEREAS, Giving of his time, energy, and abilities far beyond what was required or expected, Wayne Jones displayed exceptional civic initiative and insight, and his personal sacrifices to his family, his friends, his community, and the State of Ohio will certainly live beyond him. The warmth and understanding that he so readily extended to others, including his three sons, Jason, Zack, and Nick, and his extended family and friends, will stand as a monument to his character. Indeed, he will long be remembered for his unwavering commitment to service and his estimable contributions; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 133rd General Assembly of Ohio, in adopting this Resolution, express a profound sense of loss and sincere regret at the death of Wayne M. Jones and, in doing so, pay tribute to the memory of a truly exceptional man; 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 Wayne M. Jones.

The resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 355-Representatives Wilkin, Swearingen.

Cosponsors: Representatives Seitz, Cross, Carfagna, Baldrige, Roemer, Stein, Riedel, Romanchuk, Smith, T., Plummer, Stoltzfus, Lipps, Kick, Jordan, McClain, Blair, Hambley.

To enact section 3729.15 of the Revised Code to provide a qualified immunity to camp operators for harm arising from a risk inherent to camping, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 65, nays 31, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Brinkman	Butler	Callender
Carfagna	Carruthers	Cera	Cross
Crossman	Cupp	Dean	DeVitis

Edwards	Fraizer	Galonski	Ghanbari
Ginter	Green	Greenspan	Grendell
Hambley	Hillyer	Holmes, A.	Hood
Hoops	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang
LaRe	Lipps	Manchester	Manning, D.
Manning, G.	McClain	Merrin	O'Brien
Oelslager	Patton	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Roemer	Romanchuk	Scherer	Seitz
Smith, T.	Stein	Stephens	Stoltzfus
Swearingen	Vitale	Wiggam	Wilkin
			Householder-65

Those who voted in the negative were: Representatives

Boggs	Boyd	Brent	Brown
Clites	Crawley	Denson	Hicks-Hudson
Howse	Ingram	Kelly	Leland
Lepore-Hagan	Lightbody	Liston	Miller, J.
Miranda	Patterson	Robinson	Rogers
Russo	Sheehy	Skindell	Smith, K.
Sobecki	Strahorn	Sweeney	Sykes
Upchurch	Weinstein		West-31

The bill passed.

Representative Wilkin moved to amend the title as follows:

Add the names: "Antani, Carruthers, Edwards, Jones, Merrin, Patton."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 224-Representatives Cross, Wilkin.

Cosponsors: Representatives Becker, Lang, Riedel, Stein, Jordan, Kick, Carfagna, Brent, Edwards, Smith, T., Hoops, Manning, D., Lepore-Hagan, Liston, West.

To amend sections 4723.43, 4729.01, and 4761.17 and to enact sections 4723.433, 4723.434, and 4723.435 of the Revised Code regarding the practice of certified registered nurse anesthetists, 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 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Becker	Blair
Boggs	Boyd	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Cross	Crossman	Cupp	Dean
Denson	DeVitis	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green

Greenspan	Grendell	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hood	Hoops
Howse	Ingram	Jones	Jordan
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Manchester
Manning, D.	Manning, G.	McClain	Merrin
Miller, J.	Miranda	O'Brien	Oelslager
Patterson	Patton	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Robinson	Roemer	Rogers	Romanchuk
Russo	Scherer	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Vitale	Weinstein	West	Wiggam
Wilkin			Householder-94

Representatives Antani and Keller voted in the negative-2.

The bill passed.

Representative Cross moved to amend the title as follows:

Add the names: "Baldrige, Blair, Boyd, Brown, Butler, Crawley, Crossman, Cupp, Dean, Denson, DeVitis, Fraizer, Galonski, Ghanbari, Ginter, Grendell, Hambley, Hicks-Hudson, Hillyer, Holmes, A., Howse, Ingram, Jones, Lanese, LaRe, Leland, Lightbody, Manning, G., McClain, Merrin, Miller, J., Miranda, O'Brien, Patterson, Patton, Perales, Reineke, Robinson, Roemer, Rogers, Romanchuk, Russo, Scherer, Sheehy, Sobecki, Strahorn, Sweeney, Sykes, Upchurch, Weinstein, Wiggam."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Butler, the House recessed.

The House met pursuant to recess.

On motion of Representative DeVitis, the House adjourned until Thursday, January 30, 2020 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.