

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**CORRECTED VERSION**  
**WEDNESDAY, MAY 5, 2004**

ONE HUNDRED SEVENTY-FOURTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, May 5, 2004 at 1:30 o'clock p.m.**

The House met pursuant to adjournment.

Prayer was offered by President Medwin Hughes of the Trinity College Carmathen in West Wales, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

The following guests of the House of Representatives were recognized by Speaker Householder prior to the commencement of business:

Ted, Jared, and Lucinda Schmied, guests of Representative Blasdel-1st district.

Brandon Hill and Ashley Fedorenko, guests of Representative Flowers-27th district.

Christopher Lopez, a guest of Representative Beatty-27th district.

Members of the Toledo Area Chamber of Commerce and Les Schultz, guests of Representative Olman-46th district.

Linda Carano, wife, Representative Carano-59th district.

Jay and Liz Crawford, guests of Representative Kearns-72nd district.

Students from Malabar Middle School, guests of Representative Hartnett-73rd district.

Jane Marshall, Elaine Mullins, Tom Zitter and members of the Celina Teenage Republicans, guests of Representative Faber-77th district.

Andrea Faber, wife, Representative Faber-77th district.

Robert Green, a guest of Representative Redfern-80th district.

John Boyce, Robert Ulis, Eric Matthews, Susan Oswald, and Dodie Melvin, guests of Representative Collier-90th district.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 485**-Representatives Yates, Ujvagi, S. Patton, Otterman, Koziura, Miller, Jerse, Price, Woodard, Beatty.

To amend section 2923.11 and to enact sections 2923.191 and 5503.13 of the Revised Code to prohibit the manufacture, possession, purchase, sale, transfer, or offer to sell any assault weapon and certain other related conduct.

**H. B. No. 486**-Representatives Hollister, Aslanides, Flowers, Setzer,

Widowfield.

To amend sections 4713.08, 4713.30, and 4713.45 of the Revised Code to require the State Board of Cosmetology adopt rules regarding licensee services outside of a salon, to modify requirements for a cosmetology manager's license, and to modify qualifications for certain instructors to teach at schools of cosmetology.

**H. B. No. 487**-Representatives Beatty, Seitz, Cirelli, Hoops, Oelslager, Raga, Otterman, Schmidt, Miller, Fessler, Kearns, Perry, DeWine, Setzer, Sferra, Sykes, DeGeeter, J. Stewart, Redfern.

To enact section 5.2227 of the Revised Code to declare the month of May of each year "Nurses Month" in Ohio.

Said bills were considered the first time.

### CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 227**-Representative Schneider, et al., were taken up for consideration.

**Sub. H. B. No. 227**-Representatives Schneider, Blasdel, Schmidt, Hollister, Clancy, Trakas, Carmichael, Aslanides, Seaver, Carano, Harwood, Martin, Koziura, Reidelbach, T. Patton, J. Stewart, Allen, Cates, Collier, Faber, Grendell, Setzer, Taylor. -Senators Wachtmann, Nein, Coughlin, Jordan, Armbruster, Jacobson, Austria, Robert Gardner, Harris, Mumper, Padgett, Schuler, Spada, Stivers.

To amend sections 102.02, 102.03, 102.06, 117.10, 145.04, 145.05, 145.051, 145.06, 145.09, 145.27, 171.01, 171.02, 171.03, 171.04, 742.03, 742.04, 742.05, 742.10, 742.38, 742.41, 1707.01, 1707.03, 1707.17, 1707.19, 1707.20, 1707.22, 1707.23, 1707.25, 1707.261, 1707.39, 1707.431, 1707.44, 1707.46, 3307.03, 3307.05, 3307.06, 3307.07, 3307.11, 3307.20, 3309.03, 3309.05, 3309.06, 3309.07, 3309.09, 3309.14, 3309.22, 5505.04, and 5505.07; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 145.051 (145.052) and 3309.061 (3309.071); to enact new sections 145.051 and 3309.061; and sections 109.98, 111.30, 145.041, 145.042, 145.053, 145.054, 145.055, 145.057, 145.092, 145.093, 145.094, 145.99, 171.06, 171.50, 742.031, 742.032, 742.042, 742.043, 742.044, 742.046, 742.102, 742.103, 742.104, 742.99, 1707.162, 1707.163, 3307.041, 3307.042, 3307.043, 3307.051, 3307.052, 3307.061, 3307.072, 3307.073, 3307.074, 3307.99, 3309.041, 3309.042, 3309.043, 3309.051, 3309.052, 3309.072, 3309.073, 3309.074, 3309.99, 5505.041, 5505.042, 5505.043, 5505.044, 5505.045, 5505.046, 5505.048, 5505.049, 5505.062, 5505.063, 5505.064, 5505.065, 5505.122, and 5505.99 of the Revised Code regarding governance of Ohio's five public retirement systems.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 2, nays 94, as follows:  
Representatives Hollister and Kearns voted in the affirmative-2.

Those who voted in the negative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Bocchieri	Book	Brinkman	Brown
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jerse
Key	Kilbane	Koziura	Latta
Martin	Mason	McGregor	Miller
Niehaus	Oelslager	Olman	Otterman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Raussen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	Slaby
Smith G.	Smith S.	Stewart D.	Stewart J.
Strahorn	Sykes	Taylor	Trakas
Ujvagi	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wilson	Wolpert	Woodard	Yates
Young			Householder-94.

The Senate amendments were not concurred in.

Representative Schneider moved to amended the title as follows:

Remove the names: Harwood, Carano

The motion was agreed to and the title so amended.

The title amended was agreed to.

The Senate amendments to **Sub. H. B. No. 262**-Representative Carmichael, et al., were taken up for consideration.

**Sub. H. B. No. 262**-Representatives Carmichael, Peterson, Seitz, Niehaus, Bocchieri, Aslanides, Reinhard, Koziura, Buehrer, Calvert, D. Evans, Flowers, Gilb, Grendell, Kilbane, Schmidt, Taylor. -Senators Coughlin, Armbruster, Fedor, Harris, Jacobson, Roberts, White, Prentiss, Padgett, DiDonato, Spada.

To amend sections 124.57, 3501.05, 3501.10, 3501.28, 3506.01, 3506.05, 3506.06, 3506.10, 3509.07, 3513.052, 3517.109, 3517.1010, 3519.16, 4117.03, 4301.323, 4301.355, and 4301.365 and to enact sections 3506.17, 3506.18, and 3506.19 of the Revised Code and to amend Section 99 of Am. Sub. H.B. 95 of the 125th General Assembly to revise the Election Law, the Liquor Control Law, the Collective Bargaining Law, or the Campaign Finance

Law by increasing the maximum poll worker pay, permitting employees of the state and of political subdivisions to work as judges of elections and receive poll worker pay in addition to their regular employment compensation under certain circumstances, eliminating the required ballot language describing certain past local option elections when a local option election is held on sales of alcoholic beverages at a specific location, changing the ballot language for certain of those local option elections to specify that the election applies to spirituous liquor instead of intoxicating liquor, establishing requirements for protests against initiative or referendum petitions, prohibiting collective bargaining between county boards of elections and their employees, requiring all direct recording electronic voting machines used in this state to include a voter verified paper audit trail, changing the process for counties to acquire voting systems using funds made available pursuant to the Help America Vote Act of 2002, changing the applicability of the law relative to the disposal of excess funds and excess aggregate contributions, and making other changes, and to make an appropriation.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 93, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brown	Calvert
Carano	Carmichael	Cates	Chandler
Cirelli	Clancy	Collier	Combs
Core	Daniels	DeGeeter	DeWine
Distel	Driehaus	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hollister	Hoops	Hughes
Husted	Jerse	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	Otterman	Patton S.
Patton T.	Perry	Peterson	Price
Raga	Rausen	Redfern	Reidelbach
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Sferra	Skindell	Slaby	Smith G.
Smith S.	Stewart D.	Stewart J.	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Woodard	Yates	Young
			Householder-93.

Representatives Brinkman, Callender, and Domenick voted in the negative-3.

The Senate amendments were concurred in.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS  
FOR SECOND CONSIDERATION**

Representative Distel submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **Sub. S. B. No. 67**-Senator Mumper, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: AGRICULTURAL DAMAGING DESTRUCTION - PROHIBIT

Representative Aslanides moved to amend the title as follows:

Add the names: "Representatives Faber, Aslanides, Gibbs, Carmichael, Distel, Domenick, C. Evans, Niehaus, Reinhard, Schlichter, Seaver, Setzer, Wagner, Walcher, Widener."

TOM NIEHAUS  
BOB GIBBS  
STEVE L. DRIEHAUS  
TODD BOOK  
KEITH L. FABER  
ARLENE J. SETZER  
JEFF WAGNER  
CLYDE EVANS  
JOHN DOMENICK  
CHRIS WIDENER

JIM CARMICHAEL  
JIM ASLANIDES  
DERRICK SEAVER  
TYRONE K. YATES  
KATHLEEN WALCHER  
STEVE REINHARD  
JOHN SCHLICHTER  
JEANINE PERRY  
L. GEORGE DISTEL

The report was agreed to.

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

Representative Distel submitted the following report:

The standing committee on Commerce and Labor to which was referred **H. B. No. 223**-Representative Gibbs, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: EMPLOYEE INJURY - SUBS ABUSE TEST PRESUMPTION

TOM BRINKMAN  
THOM COLLIER  
JIM MCGREGOR

COURTNEY COMBS  
TIMOTHY O. SCHAFFER  
RON YOUNG

The following members voted "NO"

TIMOTHY J. DEGEETER  
L. GEORGE DISTEL  
SALLY CONWAY KILBANE

DAN STEWART  
DALE MILLER

The report was agreed to.

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

Representative D. Stewart submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 431**-Representative Schneider, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: "HOUSING FINANCE AGENCY - INDEPENDENT/REVISE LAW"

JON M. PETERSON  
JIM CARMICHAEL  
PATRICIA M. CLANCY  
ANNIE L. KEY

JAMES PETER TRAKAS  
LARRY L. FLOWERS  
LANCE T. MASON  
DAN STEWART

The report was agreed to.

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

Representative Cirelli submitted the following report:

The standing committee on Health to which was referred **H. B. No. 373**-Representative Kearns, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: EXPANDED FUNCTION DENTAL AUXILIARIES LICENSE

Representative White moved to amend the title as follows:

Add the names: "Hollister, Reidelbach, Schneider, Slaby, S. Smith."

LYNN E. OLMAN  
JOHN J. WHITE  
MERLE GRACE KEARNS  
COURTNEY COMBS  
SANDRA STABILE HARWOOD  
MICHELLE G. SCHNEIDER  
CATHERINE L. BARRETT  
NANCY P. HOLLISTER  
MARILYN SLABY  
CHARLES R. BLASDEL

JAMES M. HOOPS  
SHIRLEY A. SMITH  
LARRY PRICE  
LINDA REIDELBACH  
DIANA M. FESSLER  
MARY M. CIRELLI  
GEOFFREY C. SMITH  
EARL MARTIN  
JOYCE BEATTY

The report was agreed to.

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

Representative Cirelli submitted the following report:

The standing committee on Health to which was referred **H. B. No. 377**-Representative Raga, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PHARMACY BOARD MONITOR DRUG USE/MISUSE

CHARLES R. BLASDEL  
 GEOFFREY C. SMITH  
 COURTNEY COMBS  
 JOHN J. WHITE  
 SANDRA STABILE HARWOOD  
 MARILYN SLABY  
 EARL MARTIN  
 LYNN E. OLMAN

JAMES M. HOOPS  
 MARY M. CIRELLI  
 MERLE GRACE KEARNS  
 SHIRLEY A. SMITH  
 CATHERINE L. BARRETT  
 NANCY P. HOLLISTER  
 MICHELLE G. SCHNEIDER

The following members voted "NO"

LARRY PRICE  
 DIANA M. FESSLER

LINDA REIDELBACH  
 JOYCE BEATTY

The report was agreed to.

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

Representative Driehaus submitted the following report:

The standing committee on Public Utilities to which was referred **H. B. No. 361**-Representative Flowers, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: 911 - ENHANCED WIRELESS/WIRELINE IMPROVEMENT

Representative Olman moved to amend the title as follows:

Add the names: "Faber, Martin, Daniels, Strahorn, Carmichael."

KEITH L. FABER  
 FRED STRAHORN  
 ROBERT E. LATTA  
 STEVE L. DRIEHAUS  
 BARBARA A. SYKES  
 COURTNEY COMBS  
 JOSEPH KOZIURA  
 LYNN E. OLMAN  
 JEAN SCHMIDT  
 JOHN P. HAGAN  
 CHRIS WIDENER

EARL MARTIN  
 DALE MILLER  
 L. GEORGE DISTEL  
 DAN STEWART  
 WILLIAM J. HARTNETT  
 DAVID DANIELS  
 THOMAS F. PATTON  
 GEOFFREY C. SMITH  
 MICHELLE G. SCHNEIDER  
 JOHN J. WHITE  
 JIM CARMICHAEL

The following members voted "NO"

TOM NIEHAUS

LANCE T. MASON

The report was agreed to.

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

Representative Brown submitted the following report:

The standing committee on Human Services and Aging to which was referred **H. B. No. 389**-Representative Hughes, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: IDENTITY FRAUD INCREASE PENALTY/PASSPORT

Representative Schneider moved to amend the title as follows:

Add the names: "Schmidt, Schneider, Brown, S. Patton, Price, Otterman, Cirelli, Perry."

SYLVESTER D. PATTON	MARY M. CIRELLI
EDNA BROWN	ROBERT J. OTTERMAN
MICHELLE G. SCHNEIDER	JEANINE PERRY
TOM RAGA	JEAN SCHMIDT
JOHN P. HAGAN	JIM RAUSSEN
LARRY L. FLOWERS	EARL MARTIN
SHAWN N. WEBSTER	JOHN J. WHITE
JOSEPH KOZIURA	LARRY PRICE

The following members voted "NO"

DIANA M. FESSLER	LINDA REIDELBACH
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The report was agreed to.

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

#### **MOTIONS AND RESOLUTIONS**

Representative Trakas moved that majority party members asking leave to be absent or absent the week of Tuesday, May 4, 2004, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Miller moved that minority party members asking leave to be absent or absent the week of Tuesday, May 4, 2004, 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. H. B. No. 144**-Representatives Buehrer, Perry, Price, Brown, Cirelli.

To amend sections 3107.15, 3109.051, 3109.11, and 3109.12 of the Revised Code to provide that the rights of certain parties to seek companionship or visitation rights with a child in certain circumstances are not curtailed when the child is adopted by a stepparent, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Cates moved that **H. B. No. 144**-Representative Buehrer, be informally passed and that it be made a special order of business for Tuesday, May 11, 2004.

The motion was agreed to.

**Sub. H. B. No. 215**-Representatives Schmidt, Schneider, White, Collier, Peterson, Hollister, Kearns, Wagner, Faber, Gibbs, DeWine, Flowers, Taylor, Setzer, Raga, Reidelbach, Wolpert, Webster, Aslanides, Raussen, Daniels, Carmichael, Blasdel, Koziura, D. Evans, T. Patton, Sferra, Seaver, Hughes, Barrett, G. Smith, Driehaus, Woodard, Olman, Book, Brown.

To amend section 2743.43, to enact sections 2317.43, 2323.421, 2323.45, and 3929.302, and to repeal section 2303.23 of the Revised Code to prohibit the use of a defendant's statement of sympathy as evidence in a medical liability action, establish qualifications for expert witnesses in medical liability actions, regulate the use of affidavits of noninvolvement in medical claims, and regulate the collection and disclosure of medical claims data, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative G. Smith moved to amend as follows:

In line 88, delete "not"

In line 274, delete "respectfully" and insert "respectfully"

The question being, "Shall the motion to amend be agreed to?"

The motion was agreed to without objection.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 94, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Clancy	Collier
Combs	Core	Daniels	DeGeeter
DeWine	Distel	Domenick	Driehaus
Evans C.	Evans D.	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Kearns	Key	Kilbane	Koziura
Latta	Martin	Mason	McGregor
Miller	Niehaus	Oelslager	Olman
Otterman	Patton S.	Patton T.	Perry
Peterson	Price	Raga	Raussen
Redfern	Reidelbach	Reinhard	Schaffer

Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Sferra	Skindell
Slaby	Smith G.	Smith S.	Stewart D.
Stewart J.	Sykes	Taylor	Trakas
Ujvagi	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wilson	Wolpert	Woodard	Yates
Young			Householder-94.

Representatives Cirelli and Strahorn voted in the negative-2.

The bill passed.

Representative Schmidt moved to amend the title as follows:

Add the names: "Brinkman, Calvert, Cates, Chandler, Clancy, Combs, Core, DeGeeter, Distel, Domenick, C. Evans, Fessler, Gilb, Grendell, Hagan, Hartnett, Harwood, Hoops, Husted, Key, Kilbane, Martin, Mason, Niehaus, Oelslager, Otterman, S. Patton, Price, Reinhard, Schaffer, Schlichter, Seitz, Slaby, J. Stewart, Widowfield, Yates, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 369**-Representatives Collier, Calvert, Peterson, Cates, Clancy, T. Patton, Setzer, Hughes, Carano, Skindell, Aslanides, Ujvagi, D. Evans, Harwood, Allen, DeWine, Distel, Perry, Schaffer, Beatty, Barrett, Kearns, Latta, Brown.

To amend sections 323.151, 955.011, 2913.01, 2913.02, 2921.321, 4503.064, and 5117.01 of the Revised Code to expand the offense of "harassing a police dog or horse"; to rename "handicapped assistance dogs" as "service dogs"; to enact the offense of "harassing a service dog"; to require an offender who commits any of the assault or harassment offenses related to police dogs or horses or service dogs to pay resulting veterinary, replacement, and training costs; to make theft of a police dog or horse or a service dog a third degree felony; to include seizure assistance, response, and alert dogs as "service dogs" for the assault, harassment, and theft offenses related to service dogs; to exempt seizure assistance, seizure response, or seizure alert dogs from the fee for registration and provide that the registration is permanent; and to replace the phrase "unfit to work" with "unable to work" in various definitions related to persons with a disability, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Collier moved to amend as follows:

In line 462, after the first "dog" insert "and the offender knows or should know that the property stolen is a police dog or horse or service dog"

In line 659, after "(G)" insert "This section only applies to an offender who knows or should know at the time of the violation that the police dog or horse or service dog that is the subject of a violation under this section is a police dog or horse or service dog.

(H)"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 87, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Book	Brinkman	Brown	Callender
Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Combs	Core	Daniels	DeGeeter
DeWine	Distel	Domenick	Driehaus
C. Evans	D. Evans	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Kearns	Kilbane	Latta	Martin
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	T. Patton	Perry
Peterson	Price	Raga	Rausser
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Slaby	G. Smith
D. Stewart	J. Stewart	Strahorn	Sykes
Taylor	Trakas	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Wilson	Wolpert	Woodard
Yates	Young		Householder-87.

Those who voted in the negative were: Representatives

Bocieri	Key	Koziura	Mason
S. Patton	Redfern	Skindell	S. Smith
			Ujvagi-9.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 87, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Book	Brinkman	Brown	Callender
Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Combs	Core	Daniels	DeGeeter
DeWine	Distel	Domenick	Driehaus
Evans C.	Evans D.	Faber	Fessler

Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Kearns	Kilbane	Koziura	Latta
Martin	Mason	McGregor	Niehaus
Oelslager	Olman	Otterman	Patton T.
Perry	Peterson	Price	Raga
Raussen	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Sferra	Slaby
Smith G.	Stewart D.	Stewart J.	Strahorn
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Young		Householder-87.

Those who voted in the negative were: Representatives

Bocchieri	Key	Miller	Patton S.
Redfern	Skindell	Smith S.	Sykes
			Yates-9.

The bill passed.

Representative Collier moved to amend the title as follows:

Add the names: "Chandler, Cirelli, C. Evans, Fessler, Flowers, Hartnett, Hollister, Hoops, Otterman, Raussen, Schmidt, Schneider, Taylor, Walcher."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 375**-Representatives Kilbane, Willamowski, Collier, Kearns, McGregor, Hollister, C. Evans, Clancy, Strahorn, S. Smith, Widener, Key, Hartnett, Ujvagi, Fessler, Harwood, Setzer, Webster.

To amend sections 2930.16, 2967.12, and 5149.101 of the Revised Code to require the Parole Board, at the request of the victim of a specified offense or certain other persons, to hold a full board hearing and to permit the victim of such an offense, the victim's representative, and the victim's immediate family to testify at that hearing, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Kilbane moved to amend as follows:

In line 9, after "2930.16," insert "2967.03,"

Between lines 105 and 106, insert:

**"Sec. 2967.03.** The adult parole authority may exercise its functions and duties in relation to the pardon, commutation of sentence, or reprieve of a convict upon direction of the governor or upon its own initiative. It may exercise its

functions and duties in relation to the parole of a prisoner who is eligible for parole upon the initiative of the head of the institution in which the prisoner is confined or upon its own initiative. When a prisoner becomes eligible for parole, the head of the institution in which the prisoner is confined shall notify the authority in the manner prescribed by the authority. The authority may investigate and examine, or cause the investigation and examination of, prisoners confined in state correctional institutions concerning their conduct in the institutions, their mental and moral qualities and characteristics, their knowledge of a trade or profession, their former means of livelihood, their family relationships, and any other matters affecting their fitness to be at liberty without being a threat to society.

The authority may recommend to the governor the pardon, commutation of sentence, or reprieve of any convict or prisoner or grant a parole to any prisoner for whom parole is authorized, if in its judgment there is reasonable ground to believe that granting a pardon, commutation, or reprieve to the convict or paroling the prisoner would further the interests of justice and be consistent with the welfare and security of society. However, the authority shall not recommend a pardon or commutation of sentence of, or grant a parole to, any convict or prisoner until the authority has complied with the applicable notice requirements of sections 2930.16 and 2967.12 of the Revised Code and until it has considered any statement made by a victim or a victim's representative that is relevant to the convict's or prisoner's case and that was sent to the authority pursuant to section 2930.17 of the Revised Code and any other statement made by a victim or a victim's representative that is relevant to the convict's or prisoner's case and that was received by the authority after it provided notice of the pendency of the action under sections 2930.16 and 2967.12 of the Revised Code. If a victim ~~or~~ victim's representative, or the victim's spouse, parent, sibling, or child appears at a full board hearing of the parole board and gives testimony as authorized by section 5149.101 of the Revised Code, the authority shall consider the testimony in determining whether to grant a parole. The trial judge and prosecuting attorney of the trial court in which a person was convicted shall furnish to the authority, at the request of the authority, a summarized statement of the facts proved at the trial and of all other facts having reference to the propriety of recommending a pardon or commutation, or granting a parole, together with a recommendation for or against a pardon, commutation, or parole, and the reasons for the recommendation. The trial judge of the court, and the prosecuting attorney in the trial, in which a prisoner was convicted may appear at a full board hearing of the parole board and give testimony in regard to the grant of a parole to the prisoner as authorized by section 5149.101 of the Revised Code. All state and local officials shall furnish information to the authority, when so requested by it in the performance of its duties.

The adult parole authority shall exercise its functions and duties in relation to the release of prisoners who are serving a stated prison term in accordance with section 2967.28 of the Revised Code."

In line 249, after "2930.16," insert "2967.03,"

In line 1 of the title, after "2930.16," insert "2967.03,"

The question being, "Shall the motion to amend be agreed to?"

The motion was agreed to without objection.

The question being, "Shall the bill as amended pass?"

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

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative Kilbane moved to amend the title as follows:

Add the names: "Aslanides, Barrett, Book, Carano, Carmichael, Cates, Chandler, Daniels, DeGeeter, Distel, Domenick, Driehaus, Faber, Flowers, Gibbs, Gilb, Grendell, Hagan, Hoops, Hughes, Jerse, Koziura, Latta, Martin, Niehaus, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Price, Redfern, Reidelbach, Schaffer, Schlichter, Schmidt, Schneider, Skindell, Slaby, G. Smith, D. Stewart, Taylor, Trakas, Walcher, Widowfield, Wolpert, Woodard, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 383**-Representatives Walcher, D. Evans, Aslanides, Wagner, McGregor, Reidelbach, Fessler, Price, Wolpert, Olman, Kearns,

Setzer, Webster, Hagan, Collier, Schaffer, Widener, Distel.

To amend sections 2901.11, 2901.12, and 2923.01 and to enact section 2913.421 of the Revised Code to prohibit a person from transmitting multiple electronic mail advertisements, falsifying the originating address or other routing information in multiple electronic mail advertisements, or falsifying registration information for multiple electronic mail accounts, and to prohibit unauthorized access to a public computer to transmit multiple electronic mail advertisements, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Rausen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative Walcher moved to amend the title as follows:

Add the names: "Barrett, Beatty, Carano, Carmichael, Chandler, Cirelli, DeGeeter, Domenick, C. Evans, Flowers, Gilb, Harwood, Hollister, Hughes, Jerse, Latta, Mason, Miller, Niehaus, Otterman, S. Patton, Perry, Reinhard, Schmidt, Schneider, Sferra, Slaby, G. Smith, S. Smith, D. Stewart, J. Stewart, Taylor, White, Wilson, Woodard."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 392**-Representatives Wagner, Williams, McGregor, Latta, Hoops, Price, Seitz, Aslanides, G. Smith, Hollister, Kearns, Harwood, Perry, Raga, Walcher, Distel, DeGeeter, Collier, Schmidt, C. Evans, Faber, Ujvagi, Gilb, Reidelbach, Barrett, Allen, Willamowski.

To amend sections 2108.04, 2108.10, 2108.17, 2108.18, and 2133.07 and to enact section 2133.16 of the Revised Code to permit a declarant of a declaration or living will to make an anatomical gift in the declaration and to make changes to the membership of the Second Chance Trust Fund Advisory Committee, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative Wagner moved to amend the title as follows:

Add the names: "Beatty, Book, Brown, Carano, Chandler, Cirelli, Core, Daniels, Domenick, D. Evans, Flowers, Gibbs, Hagan, Hartnett, Hughes, Key, Mason, Miller, Niehaus, Otterman, Raussen, Redfern, Schlichter, Schneider, Sferra, Skindell, Slaby, D. Stewart, J. Stewart, Sykes, Taylor, Webster, Wilson, Woodard."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 420**-Representatives T. Patton, Otterman, Strahorn, Wilson, Allen, Reidelbach, Miller, Hughes.

To amend sections 1309.613, 1309.625, 2716.03, 2716.11, and 4710.01, to enact new sections 4710.02, 4710.03, and 4710.99 and section 4710.04, and to repeal sections 4710.02, 4710.03, and 4710.99 of the Revised Code to modify the Secured Transactions Law relating to notice of the location for the disposition of collateral that is given to certain persons and to reduce the amount of damages recoverable by a debtor or secondary obligor in an action against a person found in violation of the Secured Transactions Law; relative to property subject to garnishment held by a judgment debtor's employer or another person; relative to engaging in the business of debt adjusting for debtors, to specify contribution limits and auditing and insurance coverage duties, to require timely disbursement of debtor funds, and to provide penalties, including a criminal penalty, for a violation; and to eliminate previous provisions regulating entities engaging in the business of debt pooling, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative T. Patton moved to amend the title as follows:

Add the names: "Barrett, Beatty, Blasdel, Brown, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Core, Daniels, DeGeeter, Domenick, Driehaus, C. Evans, D. Evans, Flowers, Gibbs, Gilb, Hagan, Harwood, Key, Martin, Mason, Niehaus, S. Patton, Perry, Price, Redfern, Schmidt, Seitz, Setzer, S. Smith, D. Stewart, Taylor, Willamowski, Wolpert, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 422**-Representatives Carano, S. Patton, Blasdel, Boccieri, J. Stewart, Seitz, Redfern, Harwood.

To amend section 4301.62 and to enact section 4303.207 of the Revised Code to create the F-7 permit to authorize colleges and universities and professional athletic teams to allow the consumption of beer and intoxicating liquor brought into restricted areas on the property they own or lease, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 74, nays 22, as follows:

Those who voted in the affirmative were: Representatives

Barrett	Beatty	Blasdel	Boccieri
Book	Brinkman	Brown	Carano
Carmichael	Chandler	Cirelli	Clancy
Collier	Daniels	DeGeeter	DeWine
Distel	Domenick	Driehaus	Evans C.
Evans D.	Faber	Flowers	Gibbs
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Key
Kilbane	Koziura	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Otterman	Patton S.	Patton T.	Perry
Peterson	Price	Raga	Rausen
Redfern	Reidelbach	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Sferra	Skindell	Slaby	Smith G.
Smith S.	Stewart D.	Stewart J.	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Willamowski	Wilson	Wolpert	Yates
Young			Householder-74.

Those who voted in the negative were: Representatives

Aslanides	Callender	Calvert	Cates
Combs	Core	Fessler	Gilb
Grendell	Hagan	Kearns	Latta
Olman	Reinhard	Schaffer	Wagner

Walcher  
Widowfield

Webster

White

Widener  
Woodard-22.

The bill passed.

Representative Carano moved to amend the title as follows:

Add the names: "Barrett, Distel, Domenick, Hollister, Key, Koziura, Miller, Niehaus, Otterman, Perry, Schmidt, Sferra, Skindell, Strahorn, Sykes, Ujvagi."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 427**-Representatives Martin, Calvert, Hoops, C. Evans, D. Evans, Faber, Flowers, Hughes, T. Patton, Schmidt, Schneider, Trakas.

To amend sections 5709.62, 5709.63, 5709.631, and 5709.632 and to enact sections 5709.91, 5709.911, and 5709.912 of the Revised Code and to amend Sections 38 and 38.20 of Am. Sub. H.B. 95 of the 125th General Assembly to increase from 10 to 15 the number of years enterprise zones or urban jobs and enterprise zone agreements may exempt property from taxation, subject to school board approval; to create the Job Development Initiatives Fund and transfer up to \$25.8 million of unclaimed funds to it; to address priority, enforcement, and other issues concerning tax increment financing and related programs; and to make appropriations, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Seitz moved to amend as follows:

In line 15, after "5709.632" insert "of the Revised Code"; after "amended" delete the balance of the line

In line 16, delete everything before "to"

Delete lines 938 through 1045

In line 1199, after "6." delete the balance of the line

Delete lines 1200 through 1233

In line 1234, delete "**Section 7.**"; after "5709.631," insert "and"; delete the last comma

In line 1235, delete everything before "of"; delete "or"

In line 1236, delete "enacted"

In lines 1237, 1240, 1241, and 1244, delete "or enacted"

In line 1245, delete "or"

In line 1246, delete the first "enacted"; delete "or enacted"

In line 1249, delete "8" and insert "7"

In line 1258, delete "6,"; delete "9" and insert "8"

In line 1260, delete "9" and insert "8"

In line 2 of the title, after "5709.632" delete the balance of the line

In line 3 of the title, delete "and 5709.912"

In line 11 of the title, after the semicolon delete the balance of the line

Delete line 12 of the title

In line 13, delete "related programs;"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 64, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Brinkman	Callender
Calvert	Carmichael	Cates	Chandler
Clancy	Collier	Combs	Core
Daniels	DeWine	Domenick	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hollister	Hoops	Hughes	Husted
Kearns	Kilbane	Latta	Martin
McGregor	Niehaus	Oelslager	Olman
Patton T.	Peterson	Price	Raga
Raussen	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seitz	Setzer
Slaby	Smith G.	Stewart J.	Taylor
Trakas	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wolpert	Yates	Young	Householder-64.

Those who voted in the negative were: Representatives

Barrett	Beatty	Boccieri	Book
Brown	Carano	Cirelli	DeGeeter
Distel	Driehaus	Hartnett	Harwood
Jerse	Key	Koziura	Mason
Miller	Otterman	Patton S.	Perry
Redfern	Schmidt	Seaver	Sferra
Skindell	Smith S.	Stewart D.	Strahorn
Sykes	Ujvagi	Wilson	Woodard-32.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

Representative Clancy moved to amend as follows:

In line 1234, after "7." insert "(A) The Governor is hereby authorized to execute a deed in the name of the state, conveying to the Board of County Commissioners of Hamilton County and its successors and assigns all of the state's right, title, and interest in the following described real estate:

1916 Central Parkway, Cincinnati, Ohio.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of three hundred thousand dollars.

(C) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. The deed shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the Board of County Commissioners of Hamilton County. The Board of Commissioners of Hamilton County shall present the deed for recording in the office of the Hamilton County Recorder.

(D) Notwithstanding sections 4141.11 and 4141.31 of the Revised Code, the net proceeds of the conveyance of the real estate described in division (A) of this section shall be deposited to the credit of the Unemployment Compensation Fund created by division (A) of section 4141.09 of the Revised Code.

(E) The Hamilton County Board of County Commissioners shall pay the costs of the conveyance of the real estate described in division (A) of this section.

(F) This section shall expire one year after its effective date.

**Section 8."**

In line 1249, delete "8." and insert "9."

In line 1258, after "6," insert "7,"; delete "9" and insert "10"

In line 1260, delete "9." and insert "10."

In line 13 of the title, after the semicolon insert "to authorize the conveyance of state-owned real estate in Hamilton County to the Board of County Commissioners of Hamilton County;"

The question being, "Shall the motion to amend be agreed to?"

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

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeGeeter	DeWine	Distel	Domenick

Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Kearns	Key	Kilbane
Koziura	Latta	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Otterman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Hollister moved to amend as follows:

In line 14, after "sections" insert "4928.62,"

In line 15, after "sections" insert "4928.64, 4928.641, 4928.642, 4928.643, 4928.644, 4928.65, 4928.651, 4928.652,"

Between lines 16 and 17, insert:

**"Sec. 4928.62.** (A) Beginning on the starting date of competitive retail electric service, there is hereby created the energy efficiency revolving loan program, which shall be administered by the director of development. Under the program, the director may authorize the use of moneys in the energy efficiency revolving loan fund for financial assistance for projects in this state. To the extent feasible given approved applications for assistance, the assistance shall be distributed among the certified territories of electric distribution utilities and participating electric cooperatives, and among the service areas of participating municipal electric utilities, in amounts proportionate to the remittances of each utility and cooperative under divisions (B)(1) and (3) of section 4928.61 of the Revised Code. ~~The~~

(B) Financial assistance under the program may be provided by the director ~~of development~~ in the form of direct loans or grants, or through lending institutions in the form of loan participation agreements at below market rates or linked deposits. The total of all grants provided under this division in any one fiscal year shall not exceed ten per cent of the revenues paid into the ~~energy efficiency revolving loan~~ fund during the previous fiscal year.

The director shall not authorize financial assistance under ~~the program~~this

division unless the director first determines all of the following:

(1) The project will include an investment in products, technologies, or services, including energy efficiency for low-income housing, for residential, commercial and industrial business, local government, educational institution, nonprofit entity, or agricultural customers of an electric distribution utility in this state or a participating municipal electric utility or electric cooperative in this state.

(2) The project will improve energy efficiency in a cost-efficient manner by using both the most appropriate national, federal, or other standards for products as determined by the director, and the best practices for use of technology, products, or services in the context of the total facility or building.

(3) The project will benefit the economic and environmental welfare of the citizens of this state.

(4) The receipt of financial assistance is a major factor in the applicant's decision to proceed with or invest in the project.

~~(B)~~(C) In addition to the financial assistance authorized under division (B) of this section, financial assistance may be provided by the director in accordance with sections 4928.64 to 4928.644 and sections 4928.65 to 4928.652 of the Revised Code.

(D) In carrying out sections 4928.61 to 4928.63 of the Revised Code, the director may do all of the following for the purpose of the ~~energy efficiency revolving loan~~ program:

(1) Acquire in the name of the director any property of any kind or character in accordance with this section, by purchase, purchase at foreclosure, or exchange, on such terms and in such manner as the director considers proper;

(2) Make and enter into all contracts and agreements necessary or incidental to the performance of the director's duties and the exercise of the director's powers under those sections;

(3) Employ or enter into contracts with financial consultants, marketing consultants, consulting engineers, architects, managers, construction experts, attorneys, technical monitors, energy evaluators, or other employees or agents as the director considers necessary, and fix their compensation;

(4) Adopt rules prescribing the application procedures for financial assistance under the program; the terms and conditions of any loans, grants, loan participation agreements, linked deposits, and contracts; criteria pertaining to the eligibility of participating lending institutions; and any other matters necessary for the implementation of the program;

(5) Do all things necessary and appropriate for the operation of the program.

~~(E)~~(E) Financial statements, financial data, and trade secrets submitted to or received by the director from an applicant or recipient of financial assistance

under sections 4928.61 to 4928.63 of the Revised Code, or any information taken from those statements, data, or trade secrets for any purpose, are not public records for the purpose of section 149.43 of the Revised Code.

**Sec. 4928.64.** As used in sections 4928.64 to 4928.644 of the Revised Code:

(A) "Business" means any form of business organization, including, but not limited to, a sole proprietorship, partnership, limited liability company, or corporation, including an S corporation as defined in section 1361 of the Internal Revenue Code.

(B) "Business facilities" means a business's place of business in an eligible county, including land, buildings, machinery, equipment, and other materials, except inventory, used in business.

(C) "Eligible business" means a business that establishes, acquires, maintains, expands, remodels, rehabilitates, or modernizes business facilities in an eligible county, thereby creating new jobs or preserving existing jobs and employment opportunities in, and improving the economic welfare of the people of, the eligible county.

(D) "Eligible county" means a county designated as being in the "Appalachian region" under the "Appalachian Regional Development Act of 1965," 40 U.S.C. 14102.

(E) "Local development district" has the same meaning as in the "Appalachian Regional Development Act of 1965," 40 U.S.C. 14102.

**Sec. 4928.641.** The director of development shall disburse money in the business incubator grant fund to each local development district in the state so that an equal share is made available to each eligible county from the fund. Money disbursed from the fund to local development districts shall be used exclusively for the purpose of making loans in eligible counties as described in section 4928.642 of the Revised Code. Each local development district shall ensure that an equal amount of money is made available for such loans in each eligible county represented by the district.

**Sec. 4928.642.** (A)(1) An eligible business may apply for a loan from the business incubator loan fund of a local development district by submitting an application to the district. The eligible business shall file the application in the form and manner prescribed by the district. The application shall contain all information required by the district. The application shall require an applicant to provide a detailed description of the applicant's business facilities and business activities in the eligible county and to specify how a loan from the district incubator loan fund will create new jobs or preserve existing jobs and employment opportunities in, and improve the economic welfare of the people of, the eligible county. The application shall require an applicant to specify the amount of the loan for which the applicant is applying. The district shall review each application.

(2) The district may approve an application for a loan from the district business incubator loan fund if it determines that the loan will create new jobs or preserve existing jobs and employment opportunities in, and improve the economic welfare of the people of, the eligible county. The district may approve a loan in an amount other than the amount specified in the application. A loan may not exceed thirty thousand dollars. Upon approving the application, the district shall forward a copy of the application to the director of development. If the district has approved a loan in an amount other than the amount specified in the application, the district shall inform the director of the amount of the loan it has approved. If the director consents to the loan, the district may make a loan to the applicant in the amount approved by the district.

(B) Interest shall not accrue on a loan from a district business incubator loan fund until seven years following the date on which the loan was made, at which time interest shall begin to accrue on the unpaid principal balance of the loan at a rate equal to two-thirds of the average prime fixed rate of interest on the date interest begins to accrue on the loan.

(C) Each loan made from a district business incubator loan fund shall be evidenced by a written agreement between the local development district and the eligible business that receives the loan. The agreement shall specify all the terms and conditions of the loan, including the term of the loan, which shall not exceed fifteen years. The terms and conditions of a loan shall be those the district determines to be appropriate and in furtherance of the purposes for which the loan is made. The terms and conditions must conform to sections 4928.64 to 4928.644 of the Revised Code.

(D) An eligible business and its related members, as defined in section 5733.042 of the Revised Code, are not eligible for more than one loan under this section.

(E) Financial statements and other information submitted by an eligible business to a district or the director of development for the purpose of obtaining a loan from a district business incubator loan fund are not open to public inspection.

**Sec. 4928.643.** There is hereby created in the state treasury the business incubator grant fund, which shall consist of money appropriated to the fund by the general assembly. Money in the fund shall be used exclusively for the purpose of making grants to local development districts under section 4928.641 of the Revised Code.

**Sec. 4928.644.** Money granted to a local development district from the business incubator grant fund under section 4928.641 of the Revised Code shall be credited to the district business incubator loan fund, which each local development district shall create. A district business incubator loan fund shall also consist of all payments of principal and interest on loans made from the fund under section 4928.642 of the Revised Code. All investment earnings on the cash balance in a district business incubator loan fund shall be credited to the fund.

Money in a district business incubator loan fund shall be used exclusively for the purpose of making loans under section 4928.642 of the Revised Code.

**Sec. 4928.65.** As used in sections 4928.65 to 4928.652 of the Revised Code:

(A) "Commercial or industrial areas" means areas established by a state, county, municipal, or other local zoning authority as being most appropriate for business, commerce, industry, or trade or an area not zoned by state or local law, regulation, or ordinance, but in which there is located one or more commercial or industrial activities.

(B) "Eligible county" means any of the following:

(1) A county designated as being in the "Appalachian region" under the "Appalachian Regional Development Act of 1965," 79 Stat. 5, 40 U.S.C. App. 403;

(2) A county that is a "distressed area" as defined in section 122.16 of the Revised Code;

(3) A county that has a population of less than one hundred thousand according to the most recent federal decennial census and in which three hundred fifty or more residents of the county were, during the most recently completed calendar year, permanently or temporarily terminated from a private sector employment position for any reason not reflecting discredit on the employee;

(4) A county that has a population of one hundred thousand or more according to the most recent federal decennial census and in which one thousand or more residents of the county were, during the most recently completed calendar year, permanently or temporarily terminated from a private sector employment position for any reason not reflecting discredit on the employee.

**Sec. 4928.651.** (A) If the director of development determines that a grant from the industrial site improvement fund will create new jobs or preserve existing jobs and employment opportunities in an eligible county, the director may grant up to one million dollars from the fund to the eligible county for the purpose of making improvements to commercial or industrial areas within the eligible county, including, but not limited to:

(1) Expanding, remodeling, renovating, and modernizing buildings, structures, and other improvements;

(2) Remediating environmentally contaminated property on which hazardous substances exist under conditions that have caused or would cause the property to be identified as contaminated by the Ohio or United States environmental protection agency; and

(3) Infrastructure improvements, including, but not limited to, site preparation, including building demolition and removal; streets, roads, bridges, and traffic control devices; parking lots and facilities; water and sewer lines and treatment plants; gas, electric, and telecommunications, including broadband,

hook-ups; and water and railway access improvements.

(B) An eligible county may apply to the director for a grant under this section in the form and manner prescribed by the director. The eligible county shall include on the application all information required by the director. The application shall require the eligible county to provide a detailed description of how the eligible county would use a grant to improve commercial or industrial areas within the eligible county, and to specify how a grant will lead to the creation of new jobs or the preservation of existing jobs and employment opportunities in the eligible county. The eligible county shall specify in the application the amount of the grant for which the eligible county is applying.

(C) An eligible county that receives a grant under this section is not eligible for any additional grants from the industrial site improvement fund.

Sec. 4928.652. There is hereby created in the state treasury the industrial site improvement fund, which shall consist of money appropriated to the fund by the general assembly. Money in the fund shall be used exclusively for the purpose of making grants to eligible counties under section 4928.651 of the Revised Code.

The director of development shall prescribe the form and manner in which applications for grants are to be made."

In line 1046, after "sections" insert "4928.62,"

In lines 1048 and 1189, after "38" insert ", 38.18,"

Between lines 1107a and 1108, insert:

"5AQ 195-673	<u>Business Incubator Grants</u>	\$	0	\$	<u>8,700,000</u>
5AR 195-674	<u>Industrial Site Improvements</u>	\$	0	\$	<u>3,300,000"</u>

In line 1114, strike through "\$234,053,579" and insert "\$246,053,579"

In line 1134, delete "793,936,248" and insert "805,936,248"

Between lines 1134 and 1136, insert:

**"Sec. 38.18. ECONOMIC DEVELOPMENT FINANCING OPERATING**

The foregoing appropriation item 195-625, Economic Development Financing Operating, shall be used for the operating expenses of financial assistance programs authorized under Chapter 166. of the Revised Code and under sections 122.43 and 122.45 of the Revised Code.

**VOLUME CAP ADMINISTRATION**

The foregoing appropriation item 195-654, Volume Cap Administration, shall be used for expenses related to the administration of the Volume Cap Program. Revenues received by the Volume Cap Administration Fund (Fund 617) shall consist of application fees, forfeited deposits, and interest earned from the custodial account held by the Treasurer of State.

**UNIVERSAL SERVICE FUND**

The foregoing appropriation item 195-659, Universal Service, shall be used to provide payments to regulated electric utility companies for low-income customers enrolled in Percentage of Income Payment Plan (PIPP) electric accounts, to fund targeted energy efficiency and customer education services to PIPP customers, and to cover the department's administrative costs related to the Universal Service Fund Programs.

#### ENERGY EFFICIENCY REVOLVING LOAN FUND

The foregoing appropriation item 195-660, Energy Efficiency Revolving Loan, shall be used to provide financial assistance to customers for eligible energy efficiency projects for residential, commercial and industrial business, local government, educational institution, nonprofit, and agriculture customers, and to pay for the program's administrative costs as provided in the Revised Code and rules adopted by the Director of Development.

#### BUSINESS INCUBATOR GRANTS

Notwithstanding Chapter 4928. of the Revised Code, \$8,700,000 in cash shall be transferred in fiscal year 2005 from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Business Incubator Grants Fund (Fund 5AQ). Moneys in appropriation item 195-673, Business Incubator Grants (Fund 5AQ), shall be used to make grants to eligible counties under section 4928.641 of the Revised Code.

#### INDUSTRIAL SITE IMPROVEMENTS

Notwithstanding Chapter 4928. of the Revised Code, \$3,300,000 in cash shall be transferred in fiscal year 2005 from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Industrial Site Improvement Fund (Fund 5AR). Moneys in appropriation item 195-674, Industrial Site Improvements, shall be used to make grants to eligible counties for the improvement of commercial or industrial areas within those counties under section 4928.651 of the Revised Code.

#### GLOBAL ANALYST SETTLEMENT AGREEMENTS PAYMENTS

All payments received by the state pursuant to a series of settlements with ten brokerage firms reached with the United States Securities and Exchange Commission, the National Association of Securities Dealers, the New York Stock Exchange, the New York Attorney General, and other state regulators;(henceforth referred to as the "Global Analysts Settlement Agreements"), shall be deposited into the state treasury to the credit of the Economic Development Contingency Fund (Fund 5Y6), which is hereby created in the state treasury. The fund shall be used by the Director of Development to support economic development projects for which appropriations would not otherwise be available, and shall be subject to the submission of a request to the Controlling Board by the Director outlining the planned use of the funds, and the subsequent approval of the request by the Controlling Board."

In line 1234, after "Sections" insert "4928.62, 4928.64, 4928.641,

4928.642, 4928.643, 4928.644, 4928.65, 4928.651, 4928.652,"

In line 1 of the title, after "sections" insert "4928.62,"

In line 2 of the title, delete everything after "sections"

In line 3 of the title, delete the first "and" and insert "4928.64 to 4928.644, 4928.65 to 4928.652, and 5709.91 to"

In line 4 of the title, after "38" insert ", 38.18,"

In line 8 of the title, after the semicolon insert "to authorize the Director of Development to grant money for the purpose of making loans to businesses located in certain economically distressed counties and for the purpose of improving commercial and industrial areas within the counties;"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 82, nays 14, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Bocchieri	Book	Brown	Callender
Calvert	Carano	Carmichael	Chandler
Cirelli	Clancy	Combs	Core
Daniels	DeGeeter	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Kearns	Kilbane	Koziura	Latta
Mason	Miller	Niehaus	Oelslager
Olman	Otterman	Patton T.	Perry
Peterson	Price	Raussen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	Slaby
Smith G.	Stewart D.	Stewart J.	Strahorn
Taylor	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Wilson	Wolpert	Yates
Young			Householder-82.

Those who voted in the negative were: Representatives

Brinkman	Cates	Collier	DeWine
Fessler	Key	Martin	McGregor
Patton S.	Raga	Smith S.	Sykes
Trakas			Woodard-14.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Yates moved to amend as follows:

Between lines 752 and 753, insert:

"(12) "In any calendar year during which this agreement is in effect, if the actual number of employee positions created or retained by . . . . . (insert name of enterprise) is not equal to or greater than seventy-five per cent of the number of employee positions estimated to be created or retained under this agreement that year, . . . . . (insert name of enterprise) shall repay the amount of taxes on property that would have been payable had the property not been exempted from taxation that year under this agreement.""

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 81, nays 14, as follows:

Those who voted in the affirmative were: Representatives

- |            |            |             |                 |
|------------|------------|-------------|-----------------|
| Aslanides  | Beatty     | Bocchieri   | Book            |
| Brown      | Calvert    | Carano      | Carmichael      |
| Cates      | Chandler   | Cirelli     | Clancy          |
| Collier    | Combs      | Daniels     | DeGeeter        |
| DeWine     | Domenick   | Evans C.    | Faber           |
| Fessler    | Flowers    | Gibbs       | Gilb            |
| Grendell   | Hagan      | Hartnett    | Harwood         |
| Hollister  | Hoops      | Hughes      | Husted          |
| Jerse      | Kearns     | Key         | Kilbane         |
| Koziura    | Latta      | Mason       | McGregor        |
| Miller     | Niehaus    | Oelslager   | Olman           |
| Otterman   | Patton S.  | Patton T.   | Perry           |
| Price      | Raga       | Rausen      | Redfern         |
| Reidelbach | Schaffer   | Schlichter  | Schneider       |
| Seaver     | Seitz      | Setzer      | Skindell        |
| Slaby      | Smith G.   | Smith S.    | Stewart D.      |
| Stewart J. | Strahorn   | Sykes       | Taylor          |
| Ujvagi     | Walcher    | Webster     | White           |
| Widener    | Widowfield | Willamowski | Wilson          |
| Wolpert    | Woodard    | Yates       | Young           |
|            |            |             | Householder-81. |

Those who voted in the negative were: Representatives

- |          |          |           |            |
|----------|----------|-----------|------------|
| Blasdel  | Brinkman | Callender | Core       |
| Distel   | Driehaus | Evans D.  | Martin     |
| Peterson | Reinhard | Schmidt   | Sferra     |
| Trakas   |          |           | Wagner-14. |

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative T. Patton moved to amend as follows:

In lines 14 and 1046, after "sections" insert "122.18,"

Between lines 16 and 17, insert:

**"Sec. 122.18.** (A) As used in this section:

(1) "Facility" means all real property and interests in real property owned by a landlord and leased to a tenant pursuant to a project that is the subject of an agreement under this section;

(2) "Full-time employee" has the same meaning as under section 122.17 of the Revised Code;

(3) "Landlord" means a county or municipal corporation, or a corporate entity that is an instrumentality of a county or municipal corporation and that is not subject to the tax imposed by section 5733.06 or 5747.02 of the Revised Code;

(4) "New employee" means a full-time employee first employed by, or under or pursuant to a contract with, the tenant in the project that is the subject of the agreement after a landlord enters into an agreement with the tax credit authority under this section;

(5) "New income tax revenue" means the total amount withheld under section 5747.06 of the Revised Code by the tenant or tenants at a facility during a year from the compensation of new employees for the tax levied under Chapter 5747. of the Revised Code;

(6) "Tenant" means the United States ~~or~~, any department, agency, or instrumentality ~~thereof~~ of the United States, or any person under contract with the United States or any department, agency, or instrumentality of the United States.

(B) The tax credit authority may enter into an agreement with a landlord under which an annual payment equal to the new income tax revenue or the amount called for under division (D)(3) or (4) of this section shall be made to the landlord from moneys of this state that were not raised by taxation, and shall be credited by the landlord to the rental owing from the tenant to the landlord for a facility.

(C) A landlord that proposes a project to create new jobs in this state may apply to the tax credit authority to enter into an agreement for annual payments under this section. The director of development shall prescribe the form of the application. After receipt of an application, the authority may enter into an agreement with the landlord for annual payments under this section if it determines all of the following:

(1) The project will create new jobs in this state;

(2) The project is economically sound and will benefit the people of this state by increasing opportunities for employment and strengthening the economy of this state;

(3) Receiving the annual payments will be a major factor in the decision of the landlord and tenant to go forward with the project.

(D) An agreement with a landlord for annual payments shall include all of the following:

(1) A description of the project that is the subject of the agreement;

(2) The term of the agreement, which shall ~~be the greater of~~ not exceed twenty years ~~or until the date on which the bonds or other forms of financing referred to in division (D)(3) of this section are no longer outstanding;~~

(3) Based on the estimated new income tax revenue to be derived from the facility at the time the agreement is entered into, provision for a guaranteed ~~minimum~~ payment to the landlord commencing with the issuance by the landlord of any bonds or other forms of financing for the construction of the facility and continuing for ~~so long as such bonds or other forms of financing or any bonds or other forms of financing issued to refund such bonds or other forms of financing are outstanding~~ the term approved by the authority;

(4) Provision for offsets to this state of the annual payment in years in which such annual payment is greater than the guaranteed ~~minimum~~ payment of amounts previously paid by this state to the landlord in excess of the new income tax revenue by reason of the guaranteed ~~minimum~~ payment;

(5) A specific method for determining how many new employees are employed during a year;

(6) A requirement that the landlord annually shall obtain from the tenant and report to the director of development the number of new employees, the new income tax revenue withheld in connection with the new employees, and any other information the director needs to perform the director's duties under this section;

(7) A requirement that the director of development annually shall verify the amounts reported under division (D)(6) of this section, and after doing so shall issue a certificate to the landlord stating that the amounts have been verified.

(E) The director of development, in accordance with Chapter 119. of the Revised Code, shall adopt rules necessary to implement this section."

In line 1234, after "7." insert "The amendment made to section 122.18 of the Revised Code by this act is in support of Ohio's effort to attract the NASA Shared Services Facility to this state. It is expected that appropriations in support of the payments to be made under division (D)(3) of section 122.18 of the Revised Code, as amended by this act, with respect to that facility will be necessary commencing in state fiscal year 2006 and will be made from moneys of this state that were not raised by taxation, including profits on the sale of spirituous liquor.

**Section 8.**"; after "Sections" insert "122.18,"

In line 1249, delete "8." and insert "9."

In line 1258, after "6," insert "7,"; delete "9" and insert "10"

In line 1260, delete "9." and insert "10."

In line 1 of the title, after "sections" insert "122.18,"

In line 13 of the title, after the semicolon insert "to modify the law authorizing payments to municipalities and counties that attract federal jobs;"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 94, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Bocchieri	Book	Brown	Callender
Calvert	Carmichael	Cates	Chandler
Cirelli	Clancy	Collier	Combs
Core	Daniels	DeGeeter	DeWine
Distel	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Kearns
Key	Kilbane	Koziura	Latta
Martin	Mason	McGregor	Miller
Niehaus	Oelsluger	Olman	Otterman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Rausen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	Slaby
Smith G.	Smith S.	Stewart D.	Stewart J.
Strahorn	Sykes	Taylor	Trakas
Ujvagi	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wilson	Wolpert	Woodard	Yates
Young			Householder-94.

Representative Brinkman voted in the negative-1.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Miller moved to amend as follows:

In line 51, strike through "information"

In line 63, after "submission" insert ";

(4) A certification by the enterprise that but for an agreement under this section the enterprise would not locate or retain operations in the enterprise zone. A municipal corporation shall not enter into an agreement under division (C) or (E) of this section with any enterprise that does not provide the certification required under division (B)(4) of this section"

In line 338, after the period insert "A board shall not enter into an agreement under division (B) or (D) of this section with any enterprise that does not provide the certification required under division (B)(4) of section 5709.62 of the Revised Code."

In line 816, after the period insert "The legislative authority or board shall not enter into an agreement under this section with any enterprise that does not provide the certification required under division (B)(4) of section 5709.62 of the Revised Code."

In line 8 of the title, after the semicolon insert "to require a certification by businesses of the necessity of an enterprise zone for its operations;"

The question being, "Shall the motion to amend be agreed to?"

Representative Calvert moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 57, nays 36, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Callender	Calvert
Carmichael	Cates	Clancy	Collier
Combs	Core	Daniels	DeWine
Evans C.	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hollister	Hoops	Hughes	Husted
Kearns	Latta	Martin	McGregor
Niehaus	Oelslager	Olman	Patton T.
Peterson	Raga	Raussen	Reidelbach
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seitz	Setzer	Smith G.
Stewart J.	Taylor	Trakas	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wolpert	Young
			Householder-57.

Those who voted in the negative were: Representatives

Barrett	Beatty	Boccieri	Book
Brinkman	Brown	Chandler	Cirelli
DeGeeter	Distel	Domenick	Driehaus
Hartnett	Harwood	Jerse	Key
Kilbane	Koziura	Mason	Miller
Otterman	Patton S.	Perry	Price
Redfern	Seaver	Sferra	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Wilson	Woodard	Yates-36.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Jerse moved to amend as follows:

In lines 87, 101, 124, 128, 135, 362, 376, and 390, after "cent" insert "for the first ten years and fifty per cent thereafter"

In line 142, after "taxation" insert "for the first ten years"

In line 144, strike through "all" and insert "the first ten"

In line 396, after "taxation" insert "for the first ten years"

In line 398, strike through "all" and insert "the first ten"

The question being, "Shall the motion to amend be agreed to?"

Representative Calvert moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 53, nays 42, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Callender	Calvert
Carmichael	Cates	Clancy	Collier
Combs	Core	Daniels	DeWine
Evans C.	Evans D.	Faber	Flowers
Gibbs	Gilb	Grendell	Hagan
Hollister	Hoops	Hughes	Husted
Kearns	Latta	Martin	Oelslager
Olman	Peterson	Raga	Rausen
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seitz	Setzer
Slaby	Smith G.	Taylor	Trakas
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wolpert
			Householder-53.

Those who voted in the negative were: Representatives

Barrett	Beatty	Boccieri	Book
Brinkman	Brown	Chandler	Cirelli
DeGeeter	Distel	Domenick	Driehaus
Fessler	Hartnett	Harwood	Jerse
Key	Kilbane	Koziura	Mason
McGregor	Miller	Niehaus	Otterman
Patton S.	Patton T.	Perry	Price
Redfern	Seaver	Sferra	Skindell
Smith S.	Stewart D.	Stewart J.	Strahorn
Sykes	Ujvagi	Wilson	Woodard
Yates			Young-42.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Chandler moved to amend as follows:

In line 1048, after "**3.**" insert "That Section 2 of Sub. S.B. 186 of the 123rd General Assembly is hereby repealed.

**Section 4.** It is the intent of Section 3 of this act to prevent the repeal of sections 122.13, 122.131, 122.132, 122.133, 122.134, 122.135, and 122.136 of the Revised Code that was to have taken effect December 31, 2004, and thereby

to remove the limitation imposed by such repeal upon the continued existence of those sections. This intent is not affected by the rule of statutory interpretation contained in section 1.57 of the Revised Code.

**Section 5. "**

In line 1189, delete "4" and insert "6"

In line 1191, delete "5" and insert "7"

In line 1199, delete "6" and insert "8"

In line 1234, delete "7" and insert "9"

In line 1249, delete "8" and insert "10"

In line 1258, delete "6" and insert "3, 4, 8"; delete "9" and insert "11"

In line 1260, delete "9" and insert "11"

In line 3 of the title, delete the second "and" and insert a comma

In line 5 of the title, after "Assembly" insert ", and to repeal Section 2 of Sub. S.B. 186 of the 123rd General Assembly"

In line 13 of the title, after the semicolon insert "to prevent the repeal of the Employee Ownership Assistance Program that is to take effect December 31, 2004;"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Calvert	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Combs	Core	Daniels	DeGeeter
DeWine	Distel	Domenick	Driehaus
Evans C.	Evans D.	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Kearns	Key	Kilbane	Koziura
Latta	Martin	Mason	McGregor
Miller	Niehaus	Oelslager	Olman
Otterman	Patton S.	Patton T.	Perry
Peterson	Price	Raga	Rausen
Redfern	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Sferra	Skindell
Slaby	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Wilson	Wolpert	Woodard
Yates	Young		Householder-95.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 71, nays 24, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Blasdel	Bocchieri
Book	Brown	Callender	Calvert
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Combs	Core
Daniels	DeWine	Domenick	Evans C.
Evans D.	Faber	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Hollister	Hoops	Hughes	Husted
Kearns	Kilbane	Latta	Martin
McGregor	Niehaus	Oelslager	Olman
Patton S.	Patton T.	Perry	Peterson
Raga	Rausen	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Slaby
Smith G.	Stewart J.	Taylor	Trakas
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Young		Householder-71.

Those who voted in the negative were: Representatives

Beatty	Brinkman	DeGeeter	Distel
Driehaus	Fessler	Harwood	Jerse
Key	Koziura	Mason	Miller
Otterman	Price	Redfern	Sferra
Skindell	Smith S.	Stewart D.	Strahorn
Sykes	Ujvagi	Woodard	Yates-24.

The bill passed.

Representative Martin moved to amend the title as follows:

Add the names: "Aslanides, Collier, Domenick, Gibbs, Gilb, Hagan, Oelslager, Reidelbach, Walcher."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. C. R. No. 43**-Representatives Young, Aslanides, Brinkman, Combs, Distel, Faber, Fessler, Grendell, Hughes, McGregor, Miller, Olman, Otterman, Schaffer, Taylor, Trakas, Widowfield.

To urge Congress in pending legislation titled "The Transportation Equity Act: A Legacy for Users" to amend the federal Mass Transportation Law to specify that if an amount appropriated to assist in providing mass transportation services is specified to be used to procure manufactured goods produced in the United States, then every procurement line item in the

production of those goods also must be produced in the United States, was taken up for consideration the third time.

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

Representative Young moved to amend the title as follows:

Add the names: "Barrett, Cirelli, Harwood, Reidelbach, Schmidt."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

The yeas and nays were taken and resulted - yeas 88, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Carmichael	Cates	Chandler
Cirelli	Clancy	Collier	Combs
DeGeeter	Distel	Domenick	Driehaus
Evans C.	Evans D.	Faber	Fessler
Flowers	Gilb	Grendell	Hagan
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	Otterman	Patton S.
Patton T.	Perry	Peterson	Price
Raga	Rausen	Redfern	Reidelbach
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Slaby	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-88.

Representatives Calvert, Core, Daniels, DeWine, Gibbs, Kearns, and Reinhard voted in the negative-7.

The concurrent resolution was adopted.

**Sub. S.C.R. No. 24-** Senators Schuler, Mallory, Stivers, Miller, Goodman, Prentiss, Representatives Flowers, Koziura, G. Smith, Wolpert, McGregor, Miller, Young.

To urge the support of Taiwan's participation in the World Health Organization and to deplore the persecution of the Falun Gong practitioners, Christians, and members of other religious groups in the People's Republic of China and to urge that specified actions be taken to end that persecution, was taken up for consideration the third time.

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

Representative Young moved to amend the title as follows:

Add the name: "Barrett."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

The yeas and nays were taken and resulted - yeas 88, nays 5, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Callender	Carmichael	Cates	Chandler
Cirelli	Clancy	Collier	Combs
Core	Daniels	DeGeeter	DeWine
Distel	Domenick	Driehaus	Evans C.
Evans D.	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jerse
Key	Kilbane	Koziura	Latta
Martin	Mason	McGregor	Miller
Niehaus	Oelslager	Olman	Otterman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Raussen	Redfern
Reidelbach	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Sferra	Skindell	Slaby	Smith G.
Smith S.	Stewart D.	Stewart J.	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-88.

Representatives Calvert, Faber, Kearns, Reinhard, and Widener voted in the negative-5.

The concurrent resolution was adopted.

On motion of Representative Cates, the House adjourned until Thursday, May 6, 2004 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.