

OHIO

House

of

Representatives

JOURNAL

2nd CORRECTED VERSION
THURSDAY, NOVEMBER 13, 2003

ONE HUNDRED FIFTEENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, November 13, 2003 at 1:00 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Fred Shuttlesworth of the Greater New Light Baptist Church in Cincinnati, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

Mieasha Hicks received HR 141, presented by Representative Ujvagi-47th district.

OSU Medical Center received HR 136, presented by Representative D. Stewart-25th district.

Drew Balser received HR 144, presented by Rep. Daniels-86th district.

Blanchester High School Future Farmers of America received HR 143, presented by Rep. Daniels-86th district.

Tom and Terry Balser, Melissa Snyder, John Scaggs, George Rise, Rick Burton, guests of Representative Daniels-86th district.

Calen Byers, a guest of Representative Hughes-22nd district.

Boy Scout Troup #230, guests of Representative Hoops-75th district.

Conner Brintlinger, a guest of Representative Wolpert-23rd district.

Don White, Angie Wilson, Brent Bergman, Bill and Darlene Barber, Janet Faul, Doug and Debbie Bibler, guests of Representative Schmidt-66th district.

Holly Childs, a guest of Representatives Wilson-96th and Domenick-95th district.

Mindy Wise, a guest of Representative T. Patton-18th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 329-Representatives Schlichter, Wagner, Hoops, DeWine, C. Evans, Carano, Hughes, Allen, Husted, Fessler, Ujvagi, Price, Seitz, Clancy, Boccieri.

To enact section 4503.541 of the Revised Code to create "National Defense" license plates.

H. B. No. 330-Representatives Hartnett, Book, Gilb, Jerse, Fessler, S. Patton, Redfern, Strahorn, Skindell, Widener, Boccieri, Niehaus, Barrett, Harwood, Perry, Allen, Distel, Schaffer, Chandler, Carano, Key, Taylor, Sferra, Beatty, Ujvagi.

To amend sections 3301.0710 and 3301.0711 of the Revised Code to change the dates by which certain proficiency and achievement tests are administered and to change the dates on which the results of those tests are released to school districts.

H. B. No. 331-Representatives Schmidt, Schneider, Hughes, Clancy, Raga, Schlichter, Webster, T. Patton, Grendell, Flowers, Barrett, J. Stewart, Miller, Allen, DeBose, McGregor, Latta, S. Patton, Key, Kearns, Brown, Jerse, Beatty, Harwood, Kilbane, Walcher.

To amend sections 1751.62, 3923.52, 3923.53, and 3923.54 of the Revised Code to raise the cap on the amount of benefits health care plans may provide for the expense of screening mammographies, an examination that the plans are required to cover, and to provide for the annual adjustment of this cap to reflect inflation.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Otterman submitted the following report:

The standing committee on Banking, Pensions, and Securities to which was referred **H. B. No. 227**-Representative Schneider, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: STRS BOARD CHANGES MEMBER COMPOSITION

Representative Blasdel moved to amend the title as follows:

Add the names: "Koziura, Reidelbach, T. Patton, J. Stewart, Allen."

Remove: "Seitz."

GEOFFREY C. SMITH
JIM HUGHES
CHARLES A. WILSON
JOSEPH KOZIURA
JEAN SCHMIDT
TODD BOOK
WILLIAM J. SEITZ

THOMAS F. PATTON
BOB GIBBS
CHRIS WIDENER
JIMMY STEWART
DALE MILLER
SHAWN N. WEBSTER
ROBERT J. OTTERMAN

LINDA REIDELBACH
 JOHN J. WHITE
 FRED STRAHORN
 MICHELLE G. SCHNEIDER

DIXIE J. ALLEN
 SHIRLEY A. SMITH
 CHARLES R. BLASDEL

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on County and Township Government to which was referred **H. B. No. 269**-Representative Raga, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: LAND CONVEYANCE - TO MASON IN WARREN COUNTY

Representative Wolpert moved to amend the title as follows:

Add the names: "Daniels, Walcher, Domenick, Collier, McGregor, Wolpert."

LYNN E. OLMAN
 JIM MCGREGOR
 JEFF WAGNER
 DAVID DANIELS
 LARRY L. WOLPERT
 PETER UJVAGI
 KATHLEEN CHANDLER
 JOHN SCHLICHTER
 EARL MARTIN

MARY M. CIRELLI
 LARRY PRICE
 THOM COLLIER
 CLYDE EVANS
 MICHAEL J. SKINDELL
 LARRY L. FLOWERS
 JOHN DOMENICK
 KATHLEEN WALCHER
 DIANA M. FESSLER

The report was agreed to.

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

Representative Perry submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 202**-Representative McGregor, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: OHIO ZOO LICENSE PLATES

Representative Reinhard moved to amend the title as follows:

Add the names: "Widowfield, Reinhard."

JIM MCGREGOR
 STEVE REINHARD
 JEANINE PERRY
 JAMES M. HOOPS

DAVID R. EVANS
 JOHN WIDOWFIELD
 JOHN SCHLICHTER
 GREGORY JOLIVETTE

ANNIE L. KEY
LARRY PRICE

SYLVESTER D. PATTON
LARRY L. FLOWERS

The report was agreed to.

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

Representative Perry submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 247**-Representative T. Patton, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DEMONSTRATION RAILROAD QUIET ZONES

Representative Reinhard moved to amend the title as follows:

Add the names: "Perry, Price, S. Patton, Schlichter, McGregor, Key, Reinhard, Widowfield."

DAVID R. EVANS
SYLVESTER D. PATTON
JEANINE PERRY
JOHN WIDOWFIELD
JAMES M. HOOPS
ANNIE L. KEY

LARRY PRICE
STEVE REINHARD
JIM MCGREGOR
JOHN SCHLICHTER
GREGORY JOLIVETTE
LARRY L. FLOWERS

The report was agreed to.

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

Representative Woodard submitted the following report:

The standing committee on Finance and Appropriations to which was referred **H. B. No. 275**-Representative Key, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: OPERATION IRAQI FREEDOM CHILD SCHOLARSHIPS

Representative Calvert moved to amend the title as follows:

Add the names: "Calvert, Core, DeWine, Faber, Flowers, Grendell, Hartnett, Hoops, Hughes, Husted, Jerse, Kearns, Miller, S. Patton, T. Patton, Peterson, Schlichter, Schmidt, J. Stewart, Trakas, Webster, Wilson."

CHARLES CALVERT
TONY CORE
WILLIAM J. HARTNETT
JIM HUGHES
JON M. PETERSON
FRED STRAHORN
PETER UJVAGI
JAMES M. HOOPS

SHAWN N. WEBSTER
CATHERINE L. BARRETT
JAMES PETER TRAKAS
JOHN SCHLICHTER
JEAN SCHMIDT
DALE MILLER
EDWARD JERSE
CHARLES A. WILSON

DIXIE J. ALLEN
 CLYDE EVANS
 TIMOTHY J. GRENDELL
 KEVIN DEWINE
 JON A. HUSTED
 JIMMY STEWART

LARRY L. FLOWERS
 SYLVESTER D. PATTON
 KEITH L. FABER
 THOMAS F. PATTON
 MERLE GRACE KEARNS

The report was agreed to.

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

Representative Wilson 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. 301 - Representatives Core, et al

LIMIT THE DURATION OF A MUTUAL INSURANCE COMPANY'S LIEN ON PROPERTY IT INSURES TO FIVE YEARS FROM THE DATE OF FILING

To the committee on Insurance

H.B. No. 302 - Representative Walcher

TO CREATE A "U.S. ARMED FORCES ACTIVE DUTY" LICENSE PLATE

To the committee on Transportation and Public Safety

H.B. No. 303 - Representative Oelslager

TO REPEAL SECTION 2317.023 OF THE REVISED CODE TO ADOPT THE UNIFORM MEDIATION ACT

To the committee on Judiciary

H.B. No. 304 - Representatives Seaver, et al

TO DESIGNATE A PORTION OF STATE ROUTE 66 IN AUGLAIZE COUNTY THE "KENNETH JUTTE-JOHN GARMAN MEMORIAL HIGHWAY."

To the committee on Transportation and Public Safety

H.B. No. 305 - Representatives Schaffer, et al

TO THE USE OF ELECTRONIC OR TELEPHONIC TRANSMISSIONS IN CERTAIN MEETINGS AND VOTINGS OF NONPROFIT CORPORATIONS AND THE AUTHORITY TO TAKE ACTION ON BEHALF OF A NONPROFIT CORPORATION WITHOUT A MEETING OF INCORPORATORS, DIRECTORS, OR MEMBERS

To the committee on Civil and Commercial Law

H.B. No. 306 - Representative Wolpert

TO ELIMINATE THE AUTHORITY OF THE DIVISION OF LIQUOR CONTROL TO ORDER LIQUOR PERMIT HOLDERS TO STOP SELLING INTOXICATING LIQUOR TO CERTAIN PERSONS; TO AUTHORIZE THE DIVISION TO SHARE SOCIAL SECURITY NUMBERS WITH

OTHER STATE AGENCIES FOR SPECIFIC PURPOSES AND TO SEEK BCII OR FBI CRIMINAL RECORDS CHECKS; TO MODIFY PROVISIONS RELATING TO THE ANNUAL PERMIT FEES FOR A-2, B-2, AND B-4 PERMIT HOLDERS; TO CHANGE THE NAME OF THE OUT-OF-STATE SUPPLIER "CONSENT TO IMPORT"; TO CHANGE THE REGISTRATION FEE FOR AGENTS, SOLICITORS, AND SALES PERSONS OF BEER OR INTOXICATING LIQUOR MANUFACTURERS, SUPPLIERS, BROKERS, OR WHOLESALE DISTRIBUTORS TO A BIENNIAL FEE; TO REVISE THE DEADLINE FOR PAYING A PERMIT FEE WHEN A PERSON APPLIES FOR A LIQUOR PERMIT; TO CHANGE PROVISIONS THAT REQUIRE THE DISCLOSURE OF SHAREHOLDERS OF OR HOLDERS OF MEMBERSHIP INTERESTS IN A CORPORATION OR LIMITED LIABILITY COMPANY APPLYING FOR A LIQUOR PERMIT; TO CORRECT REFERENCES TO THE "DEPARTMENT OF LIQUOR CONTROL" AND "DIRECTOR OF LIQUOR CONTROL;" TO CHANGE THE MANNER IN WHICH BEER, INTOXICATING LIQUOR, AND ALCOHOL SEIZED BY A LAW ENFORCEMENT AGENCY IS DISPOSED OF; TO REVISE WHEN DUPLICATE PERMIT FEES ARE PAID; TO REVISE OTHER PROVISIONS OF THE LIQUOR CONTROL LAW; AND TO AMEND THE VERSION OF SECTION 4301.99 OF THE REVISED CODE THAT IS SCHEDULED TO TAKE EFFECT JANUARY 1, 2004, TO CONTINUE THE PROVISIONS OF THIS ACT ON AND AFTER THAT EFFECTIVE DATE

To the committee on State Government

H.B. No. 307 - Representatives Widener, et al

TO PROVIDE THAT CERTAIN PERSONS WHO ABANDON MOTOR VEHICLES ON PUBLIC ROADS MAY BE PREVENTED FROM REGISTERING A VEHICLE OR OBTAINING A DRIVER'S LICENSE, UNTIL THE TOWING AND STORAGE FEES ON THE ABANDONED VEHICLE ARE PAID

To the committee on Transportation and Public Safety

H.B. No. 308 - Representative Hughes

TO ADOPT THE BULLFROG AS THE STATE AMPHIBIAN

To the committee on State Government

H.B. No. 309 - Representative Hoops

TO CHANGE THE STATUS OF THE JUDGE OF THE NAPOLEON MUNICIPAL COURT FROM PART-TIME TO FULL-TIME

To the committee on Judiciary

H.B. No. 310 - Representatives Raga, et al

TO ESTABLISH THE OHIO MANUFACTURED HOMES COMMISSION TO REGULATE THE INSTALLATION OF MANUFACTURED HOUSING IN OHIO

To the committee on Commerce and Labor

H.B. No. 311 - Representatives Hagan, Miller

TO CREATE THE OHIO'S BEST RX PROGRAM

To the committee on Finance and Appropriations

H.B. No. 312 - Representatives Flowers, et al

TO CREATE THE COMMISSION ON ELECTRONIC SECURITY SYSTEM REGULATION IN THE DEPARTMENT OF COMMERCE AND TO LICENSE ELECTRONIC SECURITY SYSTEM COMPANIES AND THEIR EMPLOYEES WHO PERFORM ELECTRONIC SECURITY SYSTEM SERVICES, AND TO CERTIFY ELECTRONIC SECURITY SYSTEM TRAINING PROGRAMS AND THEIR INSTRUCTORS

To the committee on State Government

H.B. No. 313 - Representative DePiero

TO INCREASE THE PENALTY FOR CRIMINAL CHILD ENTICEMENT

To the committee on Criminal Justice

H.B. No. 314 - Representatives Peterson, et al

TO REQUIRE CERTAIN HEALTH CARE POLICIES, CERTIFICATES, CONTRACTS, AND AGREEMENTS AND PUBLIC EMPLOYEE BENEFIT PLANS TO PROVIDE QUALIFIED BENEFITS FOR POLYPEPTIDE-BASED AND AMINO-ACID-BASED FORMULAS

To the committee on Health

H.B. No. 315 - Representatives Webster, et al

TO EXPAND AGGRAVATED VEHICULAR HOMICIDE AND AGGRAVATED VEHICULAR ASSAULT TO PROHIBIT A PERSON FROM CAUSING DEATH OR SERIOUS PHYSICAL HARM AS PROXIMATE RESULT OF OPERATING A VEHICLE AT A TIME WHEN THE PERSON'S DRIVER'S OR COMMERCIAL DRIVER'S LICENSE OR NONRESIDENT OPERATING PRIVILEGE IS SUSPENDED OR WHEN THE PERSON HAS NO VALID LICENSE AND BEING INVOLVED IN AN ACCIDENT, AND TO PROVIDE A "NO ACTUAL KNOWLEDGE" AFFIRMATIVE DEFENSE TO A CHARGE UNDER THIS PROHIBITION BASED ON AN ADMINISTRATIVE SUSPENSION

To the committee on Criminal Justice

H.B. No. 316 - Representatives Wolpert, et al

TO PROVIDE SHERIFFS, DEPUTY SHERIFFS, AND COUNTY CORRECTIONAL OFFICERS WITH QUALIFIED IMMUNITY FROM DAMAGES CAUSED BY OUTSIDE WORK DETAILS CONSISTING OF PRISONERS IMPRISONED FOR NONVIOLENT OFFENSES WHO VOLUNTEER FOR THE WORK DETAIL

To the committee on Civil and Commercial Law

H.B. No. 317 - Representative DeBose

TO REDUCE THE NUMBER OF ACTIVATION CRITERIA THAT MUST BE MET IN ORDER TO IMPLEMENT THE STATEWIDE EMERGENCY ALERT PROGRAM AND REQUIRE THAT THE CHILD THAT IS THE SUBJECT OF THE ALERT BE UNDER THIRTEEN YEARS OF AGE

To the committee on Criminal Justice

H.B. No. 318 - Representatives Seitz, et al

TO PROVIDE A PROCEDURE FOR A PROBATE COURT TO TREAT A DOCUMENT AS A WILL NOTWITHSTANDING ITS NONCOMPLIANCE WITH THE STATUTORY FORMALITIES FOR EXECUTING WILLS

To the committee on Judiciary

H.B. No. 319 - Representatives Raussen, et al

TO AUTHORIZE THE TAX COMMISSIONER TO PROVIDE MUNICIPAL INCOME TAX ADMINISTRATORS WITH ACCESS TO SCHOOL DISTRICT INCOME TAX RECORDS AND RETURNS

To the committee on Ways and Means

H.B. No. 320 - Representatives Jolivette, et al

TO REQUIRE OWNERS OF LOW-LEVEL DAMS TO INSTALL WARNING SIGNS AND BUOYS ON OR NEAR THE DAMS

To the committee on Agriculture and Natural Resources

H.B. No. 321 - Representatives Flowers, et al

CONCERNING GEOGRAPHIC REGIONS FOR PROVISION OF PREHOSPITAL EMERGENCY MEDICAL SERVICES AND THE AUTHORITY OF THE STATE BOARD OF EMERGENCY MEDICAL SERVICES TO SUSPEND CERTIFICATES TO PRACTICE EMERGENCY MEDICAL SERVICES

To the committee on Health

H.B. No. 322 - Representatives Widener, et al

TO INCREASE THE ANNUAL RENEWAL OF REGISTRATION FEE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS, TO IMPLEMENT CONTINUING PROFESSIONAL DEVELOPMENT REQUIREMENTS FOR REGISTRATION RENEWALS OF PROFESSIONAL ENGINEERS AND SURVEYORS BEGINNING IN CALENDAR YEAR 2008, AND TO AUTHORIZE THE STATE BOARD OF EXAMINERS OF ARCHITECTS TO ADOPT RULES PERTAINING TO CONTINUING EDUCATION REQUIREMENTS

To the committee on Homeland Security, Engineering, and Architectural Design

H.B. No. 323 - Representative Hoops

TO ALLOW BOARDS OF COUNTY COMMISSIONERS AND BOARDS OF TOWNSHIP TRUSTEES TO DONATE CERTAIN PERSONAL PROPERTY TO ELIGIBLE NONPROFIT ORGANIZATIONS

To the committee on County and Township Government

H.B. No. 324 - Representative Oelslager

TO MODIFY AND CORRECT ERRORS IN THE OHIO CRIMINAL SENTENCING COMMISSION'S TRAFFIC LAW REVISIONS, AND TO DECLARE AN EMERGENCY

To the committee on Criminal Justice

H.B. No. 325 - Representatives Hollister, et al

RELATIVE TO THE CONDUCT OF BINGO, INSTANT BINGO AT A BINGO SESSION, AND INSTANT BINGO OTHER THAN AT A BINGO SESSION BY A CHARITABLE ORGANIZATION, AND TO OTHER CHARITABLE GAMBLING-RELATED MATTERS

To the committee on State Government

H.B. No. 326 - Representatives Martin, et al

TO CREATE THE ENGINEERING AND SCIENCE JOB CREATION AND RETENTION LOAN FUND, TO AUTHORIZE THE OHIO BOARD OF REGENTS TO LEND MONEY FROM THE FUND TO POSTSECONDARY STUDENTS ENROLLED IN OHIO INSTITUTIONS OF HIGHER EDUCATION, TO GRANT TAX CREDITS TO INDIVIDUALS WHO BORROW MONEY FROM THE FUND, AND TO GRANT TAX CREDITS TO INDIVIDUALS AND BUSINESSES THAT MAKE CONTRIBUTIONS TO THE FUND

To the committee on Finance and Appropriations

H.B. No. 327 - Representatives Wolpert, et al

TO ALLOW A MEDICAID RECIPIENT ELIGIBLE FOR HOME AND COMMUNITY-BASED SERVICES AND HOSPICE SERVICES TO RECEIVE THE SERVICES CONCURRENTLY

To the committee on Human Services and Aging

H.B. No. 328 - Representatives Olman, et al

TO NAME THE NEW INTERSTATE ROUTE 280 BRIDGE SPANNING THE MAUMEE RIVER IN LUCAS COUNTY THE "VETERANS' GLASS CITY SKYWAY."

To the committee on Transportation and Public Safety

LARRY HOUSEHOLDER
CHARLES CALVERT
LARRY L. FLOWERS
THOMAS F. PATTON
JOHN SCHLICHTER
KENNETH A. CARANO
ROBERT J. OTTERMAN

GARY W. CATES
JIM CARMICHAEL
JIM HUGHES
JON M. PETERSON
DIXIE J. ALLEN
EDWARD JERSE
CHARLES A. WILSON

Representative Cates 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 the 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 a second time and referred as

recommended.

MOTIONS AND RESOLUTIONS

Representative Wilson reported for the Rules and Reference Committee recommending that the following House Concurrent Resolution be introduced and referred to the following committee for consideration:

H. Con. R. No. 31 - Representative Hollister

TO URGE CONGRESS TO REAUTHORIZE ABANDONED MINE LAND FEE COLLECTION AUTHORITY, TO DISPERSE SHARES OF THAT FEE WITH APPROPRIATION, TO RELEASE THE UNAPPROPRIATED BALANCE IN THE ABANDONED MINE LAND FUND, AND TO CONSIDER REEVALUATING THE ADMINISTRATION OF THE ABANDONED MINE LAND RECLAMATION PROGRAM AND THE FUND

To the committee on Finance and Appropriations

/s/ LARRY HOUSEHOLDER

LARRY HOUSEHOLDER, Chair

Representative Cates moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolution was introduced and referred as recommended.

Representative Wilson reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

H.R. No. 140 - Representative Seaver

HONORING MEGGI S. LENS MAN AS MISS OHIO NATIONAL TEENAGER 2003

Add the names: "Allen, Carano, T. Patton"

H.R. No. 141 - Representatives Ujvagi, Perry, Brown, Olman, Allen, Barrett, Beatty, Boccieri, Carano, Chandler, Collier, DeBose, C. Evans, D. Evans, Faber, Flowers, Hartnett, Harwood, Hoops, Hughes, Kearns, Key, Latta, McGregor, Miller, S. Patton, T. Patton, Price, Redfern, Reidelbach, Schaffer, Schmidt, Schneider, Seaver, Seitz, Setzer, Sferra, Skindell, S. Smith, Strahorn, Sykes, Taylor, Willamowski, Williams, Wolpert

HONORING MIEASHA HICKS AS NATIONAL YOUTH SPOKESPERSON FOR THE BOYS AND GIRLS CLUBS OF AMERICA

H.R. No. 143 - Representative Daniels

HONORING THE BLANCHSTER HIGH SCHOOL FUTURE FARMERS OF AMERICA CHAPTER AS THE NUMBER ONE RANKED CHAPTER IN THE NATION ON STUDENT DEVELOPMENT

Add the names: "Schlichter, Allen"

/s/ LARRY HOUSEHOLDER

LARRY HOUSEHOLDER, Chair

Representative Cates 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 Trakas moved that majority party members asking leave to be absent or absent the week of Thursday, November 13, 2003, 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 Thursday, November 13, 2003, 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. 102-Representatives Collier, Aslanides, Seitz, Husted, Widener, McGregor, Allen, Koziura, Gilb, Setzer, C. Evans.

To amend sections 2151.011, 3313.48, 3313.533, 3313.62, 3317.01, and 3317.029; to enact new section 3313.481; and to repeal sections 3313.481 and 3313.482 of the Revised Code to require that school districts and chartered nonpublic schools be open for 910 hours of instruction a year for grades one through six, and 1,001 hours for grades seven through twelve, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 83, nays 13, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	Brinkman	Brown
Callender	Calvert	Carano	Carmichael
Cates	Clancy	Collier	Core
Daniels	DeBose	DeWine	Domenick
Driehaus	Evans C.	Evans D.	Faber

Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hoops
Hughes	Husted	Jerse	Jolivette
Key	Kilbane	Koziura	Latta
Martin	Mason	McGregor	Miller
Niehaus	Olman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Skindell
Smith G.	Smith S.	Stewart D.	Stewart J.
Strahorn	Taylor	Wagner	Walcher
Webster	White	Widener	Willamowski
Williams	Wilson	Wolpert	Woodard
Yates	Young		Householder-83.

Those who voted in the negative were: Representatives

Buehrer	Chandler	Cirelli	Distel
Fessler	Kearns	Oelslager	Otterman
Sferra	Sykes	Trakas	Ujvagi
			Widowfield-13.

The bill passed.

Representative Collier moved to amend the title as follows:

Add the names: "Clancy, Flowers, Hughes, Schlichter."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 103-Representatives Wilson, Young, Redfern, Allen, Hartnett, Seitz, Chandler, Hagan, Bocchieri, Widowfield, Carano, S. Patton, Miller, Book, Ujvagi, Skindell, Harwood, Beatty.

To amend sections 4549.61, 4549.62, and 4549.63 of the Revised Code to modify the guidelines governing seizure of a motorcycle by a law enforcement officer when the identity of the motorcycle cannot be determined, to establish limited civil liability with certain exceptions if the law enforcement officer or agency fails to comply with specified guidelines, and to maintain the provisions of this act on and after January 1, 2004, by amending the version of section 4549.62 of the Revised Code that takes effect on that date, 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

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	Brinkman	Brown

Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Core	Daniels
DeBose	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jerse
Jolivette	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	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Williams	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative Wilson moved to amend the title as follows:

Add the names: "Aslanides, Barrett, Callender, DeBose, Domenick, Grendell, Hoops, Jerse, McGregor, Otterman, Schlichter, Schmidt, Seaver, Sferra, Sykes."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 183-Representatives Daniels, Allen, C. Evans, Seitz, Setzer, Raga, Ujvagi, Young, McGregor.

To amend sections 4123.01 and 4123.291 and to enact sections 4125.01 to 4125.08 and 4125.99 of the Revised Code to register professional employer organizations for purposes of enforcing compliance with workers' compensation laws, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Daniels moved to amend as follows:

In line 115, delete "or"

In line 116, after "corporation" insert "; or"

(c) An individual who otherwise is an employee of an employer but who

signs the waiver and affidavit specified in section 4123.15 of the Revised Code on the condition that the administrator has granted a waiver and exception to the individual's employer under section 4123.15 of the Revised Code"

In line 443, delete "section" and insert "sections"; after "4123.01" insert "and 4123.291"

In line 444, delete "is" and insert "are"

The motion was agreed to and the bill so amended.

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

Representative Cates moved to amend as follows:

In line 358, after " the " insert " two "

In line 359, after delete " period " and insert " periods "

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

The yeas and nays were taken and resulted - yeas 80, nays 16, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Blasdel	Book
Brinkman	Buehrer	Callender	Calvert
Carano	Carmichael	Cates	Cirelli
Clancy	Collier	Core	Daniels
DeBose	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Harwood	Hoops
Hughes	Husted	Jolivette	Kearns
Key	Kilbane	Koziura	Latta
Martin	McGregor	Niehaus	Oelslager
Olman	Otterman	Patton S.	Patton T.
Perry	Peterson	Raga	Raussen
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Smith G.	Stewart D.
Stewart J.	Taylor	Trakas	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Williams	Wilson
Wolpert	Woodard	Yates	Householder-80.

Those who voted in the negative were: Representatives

Barrett	Beatty	Brown	Chandler
Hartnett	Jerse	Mason	Miller
Price	Redfern	Skindell	Smith S.
Strahorn	Sykes	Ujvagi	Young-16.

The motion was agreed to.

The question recurring, "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

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	Brinkman	Brown
Buehrer	Callender	Calvert	Carano
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Core	Daniels
DeBose	DeWine	Distel	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jerse
Jolivet	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	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Williams	Wilson	Wolpert
Woodard	Yates	Young	Householder-96.

The bill passed.

Representative Daniels moved to amend the title as follows:

Add the names: "Barrett, Carano, Cates, Chandler, Cirelli, Clancy, DeBose, Domenick, Jolivet, Niehaus, Olman, T. Patton, Schaffer, Schlichter, Schmidt, Webster, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 184-Representatives Schmidt, McGregor, Aslanides, Schaffer, Schneider, Rausen, Gilb, Collier, Willamowski, Latta, D. Evans.

To amend section 2929.03 of the Revised Code to permit the imposition of a sentence of life imprisonment without parole, life imprisonment with parole eligibility after serving 25 full years of imprisonment, or life imprisonment with parole eligibility after serving 30 full years of imprisonment when an offender is convicted of or pleads guilty to aggravated murder and is not charged with or convicted of an aggravating circumstance, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 89, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Blasdel	Book
Brinkman	Brown	Buehrer	Callender
Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Core	Daniels	DeBose	DeWine
Distel	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hoops	Hughes
Husted	Jerse	Jolivette	Kearns
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	Otterman	Patton T.
Perry	Peterson	Raga	Rausen
Redfern	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Sferra	Skindell
Smith G.	Smith S.	Stewart D.	Stewart J.
Strahorn	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Williams
Wilson	Wolpert	Yates	Young
			Householder-89.

Representatives Allen, Beatty, Key, Patton S., Price, Sykes, and Woodard voted in the negative-7.

The bill passed.

Representative Schmidt moved to amend the title as follows:

Add the names: "Callender, Carmichael, Cates, Chandler, Clancy, Daniels, Domenick, C. Evans, Flowers, Grendell, Hartnett, Hoops, Hughes, Jerse, Jolivette, Martin, Niehaus, Otterman, T. Patton, Raga, Reidelbach, Schlichter, Seaver, Seitz, Sferra, G. Smith, J. Stewart, Taylor, Wagner, Webster, Widener, Widowfield."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Cates, the House recessed.

The House met pursuant to recess.

Sub. H. B. No. 227-Representatives Schneider, Blasdel, Schmidt, Rausen, Hollister, Clancy, Trakas, Carmichael, Aslanides, Brinkman, Fessler, Otterman, Cirelli, Seaver, Carano, Harwood, Key, Martin, Koziura, Reidelbach, T. Patton, J. Stewart, Allen.

To amend sections 102.02, 113.051, 145.04, 145.05, 145.06, 145.08, 145.09, 145.11, 145.193, 145.40, 171.04, 742.03, 742.08, 742.10, 742.11,

3105.80, 3305.01, 3305.02, 3305.03, 3305.05, 3305.051, 3305.06, 3305.07, 3307.01, 3307.05, 3307.06, 3307.07, 3307.071, 3307.10, 3307.11, 3307.15, 3307.56, 3309.05, 3309.06, 3309.07, 3309.10, 3309.11, 3309.15, 3309.42, 3334.11, 4123.44, 5505.04, 5505.05, 5505.06, and 5505.07; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3305.051 (3305.052); and to enact new section 3305.051 and sections 111.30, 113.052, 145.052, 145.053, 145.054, 145.055, 145.056, 145.092, 145.093, 145.094, 145.114, 145.115, 145.116, 145.117, 145.118, 145.119, 145.99, 742.042, 742.043, 742.044, 742.045, 742.046, 742.102, 742.103, 742.104, 742.114, 742.115, 742.116, 742.117, 742.118, 742.119, 742.99, 1707.49, 3305.053, 3307.032, 3307.041, 3307.042, 3307.061, 3307.072, 3307.073, 3307.074, 3307.075, 3307.152, 3307.153, 3307.154, 3307.155, 3307.156, 3307.157, 3307.99, 3309.032, 3309.041, 3309.042, 3309.062, 3309.063, 3309.071, 3309.072, 3309.073, 3309.157, 3309.158, 3309.159, 3309.1510, 3309.1511, 3309.1512, 3309.99, 5505.041, 5505.042, 5505.043, 5505.044, 5505.045, 5505.051, 5505.052, 5505.062, 5505.063, 5505.064, 5505.065, 5505.066, 5505.067, 5505.111, and 5505.99 of the Revised Code to revise the law governing Ohio's five public retirement systems and the Treasurer of State's custodial duties, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Blasdel moved to amend as follows:

In line 33, delete "145.193, 145.40,"

In line 34, delete everything after "742.11,"

In line 35, delete everything before "3307.05"

In line 36, delete "3307.56,"

In line 37, delete "3309.42,"

In line 38, delete the semicolon

Delete lines 39 and 40

In line 41, delete "3305.051"

In line 46, delete "3305.053,"

In line 1089, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 1126, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 1142, after "system" insert "that are not managed by employees of the board"

In line 1145, after "system" insert "that are not managed by employees of the board"

In line 1161, after "system" insert "that are not managed by employees of the board"

Delete lines 1233 through 1305

In lines 1893, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 1930, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 1946, after "fund" insert "that are not managed by employees of the board"

In line 1949, delete "retirement system" and insert "fund that are not managed by employees of the board"

In line 1965, after "fund" insert "that are not managed by employees of the board"

Delete lines 2065 through 2768

In line 3307, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 3344, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 3360, after "system" insert "that are not managed by employees of the board"

In line 3363, after "system" insert "that are not managed by employees of the board"

In line 3379, after "system" insert "that are not managed by employees of the board"

Delete lines 3451 through 3513

In lines 4003, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 4040, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 4056, after "system" insert "that are not managed by employees of the board"

In line 4059, after "system" insert "that are not managed by employees of the board"

In line 4075, after "system" insert "that are not managed by employees of the board"

Delete lines 4147 through 4188

In line 5017, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 5054, delete "on the board's behalf" and insert "that are not managed by employees of the board"

In line 5070, after "system" insert "that are not managed by employees of the board"

In line 5073, after "system" insert "that are not managed by employees of the board"

In line 5089, after "system" insert "that are not managed by employees of the board"

In line 5211, delete "145.193, 145.40,"

In line 5212, delete everything after "742.11,"

In line 5213, delete everything before "3307.05"

In line 5214, delete "3307.56,"

In line 5215, delete "3309.42,"

In line 5245, delete "the school board member and"

In line 5246, delete "have" and insert "has"

Delete lines 5251 through 5255

In line 5256, delete "**5.**" and insert "**4.**"

In line 5262, delete "**6.**" and insert "**5.**"

In line 2 of the title, delete "145.193, 145.40,"

In line 3 of the title, delete "3105.80,"

Delete line 4 of the title

In line 5 of the title, delete "3305.06, 3305.07, 3307.01,"

In line 7 of the title, delete "3307.56,"

In line 8 of the title, delete "3309.42,"

In line 9 of the title, delete "; to amend"

Delete lines 10 and 11 of the title

In line 12 of the title, delete "(3305.052);"; delete "new section 3305.051 and"

In line 19 of the title, delete "3305.053,"

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

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

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 81, nays 13, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Beatty	Blasdel
Book	Brinkman	Brown	Buehrer
Callender	Calvert	Carmichael	Cates
Cirelli	Clancy	Collier	Core
Daniels	DeBose	DeWine	Distel
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jolivette
Key	Kilbane	Koziura	Latta
Martin	Mason	Miller	Niehaus
Oelslager	Olman	Patton T.	Peterson
Price	Raga	Rausen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Smith G.	Smith S.
Stewart J.	Strahorn	Taylor	Trakas
Wagner	Walcher	Webster	White

Widener
Wolpert

Willamowski
Woodard

Williams
Yates

Wilson
Young
Householder-81.

Those who voted in the negative were: Representatives

Carano
Kearns
Skindell

Chandler
McGregor
Stewart D.

Domenick
Patton S.
Sykes

Jerse
Perry
Ujvagi
Widowfield-13.

The bill passed.

Representative Schneider moved to amend the title as follows:

Add the names: "Cates, Collier, Faber, Grendell, T. Patton, Setzer, Taylor."

Remove: "Brinkman, Cirelli, Fessler, Key, Otterman, Raussen."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 247-Representatives T. Patton, Perry, Price, S. Patton, Schlichter, McGregor, Key, Reinhard, Widowfield.

To enact sections 4955.41 to 4955.47 of the Revised Code to authorize the establishment of railroad quiet zones by municipal corporations and townships, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Wagner moved to amend as follows:

Between lines 249 and 150, insert:

"(D) All railroad lines within the municipal corporation of Fostoria."

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

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

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

11.13.03

The Honorable Larry Householder, Speaker
The Ohio House of Representatives
Columbus, Ohio

Speaker Householder,

Pursuant to House Rule No. 56, I respectfully request that I be excused from voting on Sub. H.B. No. 247, because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ JAMIE CALLENDER

State Representative Jamie Callender

62nd House District

The request was granted.

The yeas and nays were taken and resulted - yeas 52, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Blasdel	Brown	Calvert	Carano
Carmichael	Cates	Chandler	Clancy
Collier	Daniels	DeWine	Distel
Evans C.	Evans D.	Fessler	Flowers
Gibbs	Hagan	Harwood	Hoops
Hughes	Husted	Jolivette	Kearns
Key	Kilbane	Martin	McGregor
Oelslager	Olman	Patton T.	Peterson
Raga	Rausen	Reidelbach	Schlichter
Schmidt	Schneider	Seitz	Setzer
Smith G.	Smith S.	Taylor	Trakas
Webster	White	Widener	Widowfield
Willamowski	Wolpert	Young	Householder-52.

Those who voted in the negative were: Representatives

Allen	Aslanides	Beatty	Book
Brinkman	Buehrer	Cirelli	Core
DeBose	Domenick	Faber	Gilb
Grendell	Hartnett	Jerse	Koziura
Latta	Mason	Miller	Niehaus
Patton S.	Perry	Price	Redfern
Reinhard	Schaffer	Seaver	Sferra
Skindell	Stewart J.	Strahorn	Sykes
Ujvagi	Wagner	Walcher	Williams
Wilson	Woodard		Yates-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 87, nays 4, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Beatty	Blasdel
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Book	Brinkman	Brown	Buehrer
Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Core	Daniels	DeBose	DeWine
Distel	Domenick	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hoops	Hughes	Husted
Jerse	Jolivette	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Olman	Patton S.	Patton T.	Perry
Peterson	Price	Raga	Rausсен
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	Smith G.
Smith S.	Stewart J.	Taylor	Trakas
Ujvagi	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Williams	Wilson	Wolpert	Woodard
Yates	Young		Householder-87.

Representatives Oelslager, Redfern, Strahorn, and Sykes voted in the negative-4.

The bill passed.

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

Add the names: "Cirelli, Core, Daniels, DeBose, Domenick, Fessler, Flowers, Hoops, Hughes, Jolivette, Kearns, Kilbane, Latta, Martin, Miller, Rausсен, Schmidt, Schneider, Setzer, Skindell, S. Smith, J. Stewart, Walcher, Webster, Wilson."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 261-Representatives Peterson, Hughes, Beatty, Flowers, McGregor, Price, Reidelbach, G. Smith, Wolpert, Aslanides, Key, Perry, Schlichter, Sferra, Widowfield, Buehrer, Calvert, Carano, Carmichael, Clancy, Collier, Daniels, Domenick, D. Evans, Gilb, Grendell, Hartnett, Harwood, Householder, Husted, Jolivette, Latta, Mason, Oelslager, S. Patton, T. Patton, Raga, Rausсен, Schaffer, Schmidt, Seaver, Seitz, Setzer, S. Smith, J. Stewart, Sykes, Taylor, Walcher, White, Widener, Willamowski, Wilson, Yates.

To enact section 5533.69 of the Revised Code to name a portion of State Route Number 315 within Franklin County the "Lawrence E. Hughes Memorial Highway," was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

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

The bill passed.

Representative Peterson moved to amend the title as follows:

Add the names: "Buehrer, Calvert, Carano, Carmichael, Clancy, Collier, Daniels, Domenick, D. Evans, Gilb, Grendell, Hartnett, Harwood, Householder, Husted, Jolivet, Latta, Mason, Oelslager, S. Patton, T. Patton, Raga, Rausen, Schaffer, Schmidt, Seaver, Seitz, Setzer, S. Smith, J. Stewart, Sykes, Taylor, Walcher, White, Widener, Willamowski, Wilson, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 23-Senators Goodman, Mumper, Dann.

To amend sections 4301.25, 4301.252, 4301.365, 4301.62, and 4303.35 and to enact sections 4301.253, 4301.635, and 4303.206 of the Revised Code to create the F-6 permit to be issued to a nonprofit organization to sell wine at an event the organization sponsors; to require the Liquor Control Commission, when considering enforcement actions against the holder of a permit authorizing the sale of beer, wine, mixed beverages, or intoxicating liquor, to take into consideration whether the permit holder and the permit holder's employees have successfully completed a training program on specified topics; to provide, if a particular location is allowed to sell beer or intoxicating liquor on Sunday between 1 p.m. and midnight and a question allowing those sales from 10 a.m. to midnight is defeated, the location can continue sales

between 1 p.m. and midnight; to require that liquor permit holders be notified after they have been the subject of a compliance check conducted by a law enforcement agency to enforce the Underage Drinking Law; to require the Liquor Control Commission in disciplinary actions to consider whether such a compliance check was conducted with trickery, deceit, or deception involved; and to make changes relating to the penalties that may be imposed because of a permit holder's violation of the Liquor Control Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Beatty	Blasdel
Book	Brown	Buehrer	Callender
Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Core	Daniels	DeBose	DeWine
Distel	Domenick	C. Evans	D. Evans
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hoops	Hughes	Husted
Jerse	Jolivette	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	S. Patton	T. Patton
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	G. Smith	S. Smith	D. Stewart
J. Stewart	Strahorn	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Williamowski	Williams	Wilson	Wolpert
Woodard	Yates	Young	Householder-92.

Representative Brinkman voted in the negative-1.

The bill passed.

Representative Carmichael moved to amend the title as follows:

Add the names: "Representatives Carmichael, Cates, Distel, D. Evans, Flowers, Hughes, Martin, Reidelbach

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 28-Senators Spada, Hagan, Blessing, Austria, Miller, Goodman, Brady, DiDonato, Coughlin, Schuring, Robert Gardner, Armbruster, Fingerhut, Jacobson, Hottinger, Randy Gardner, Dann, Roberts,

Mallory, Fedor, Amstutz, Carnes, Herington, Prentiss. -Representatives
 Widener, Seitz, Core, Willamowski.

To enact section 109.87 of the Revised Code to prohibit any seller or telemarketer from engaging in any act or practice in violation of the federal laws dealing with telemarketing acts or practices and to authorize the Attorney General to enforce the state and federal laws dealing with telemarketing acts and practices and to conduct investigations of violations of those laws, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Beatty	Blasdel
Book	Brinkman	Brown	Buehrer
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Core	Daniels	DeBose
DeWine	Distel	Domenick	C. Evans
D. Evans	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hoops	Hughes
Husted	Jerse	Jolivette	Kearns
Key	Kilbane	Koziura	Latta
Martin	Mason	McGregor	Miller
Niehaus	Oelslager	Olman	S. Patton
T. Patton	Perry	Peterson	Price
Raga	Raussen	Redfern	Reidelbach
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Sferra	Skindell	G. Smith	S. Smith
D. Stewart	J. Stewart	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-92.

Representative Williams voted in the negative-1.

The bill passed.

Representative Seitz moved to amend the title as follows:

Add the names: "Allen, Aslanides, Book, Brown, Buehrer, Callender, Calvert, Carmichael, Chandler, Clancy, Collier, DeBose, Distel, Domenick, Driehaus, C. Evans, D. Evans, Faber, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Hoops, Hughes, Husted, Jolivette, Kearns, Kilbane, Latta, Martin, Mason, McGregor, Miller, Niehaus, Olman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Reidelbach, Schlichter, Schmidt, Schneider, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, Sykes, Taylor, Trakas, Ujvagi, Wagner, Walcher, Webster, Widowfield, Wolpert, Woodard, Yates, Young"

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Cates moved that the House revert to the sixth order of business, being Motions and resolutions.

The motion was agreed to.

MOTIONS AND RESOLUTIONS

Representative Cates moved that House Rule 65, pertaining to bills being placed on the calendar, be suspended and that **Sub. H. B. No. 275**-Representative Key, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

Sub. H. B. No. 275-Representatives Key, Allen, Otterman, C. Evans, Redfern, Seitz, Domenick, Barrett, Jolivette, Schaffer, Sykes, D. Stewart, Sferra, Strahorn, Ujvagi, DeBose, Beatty, S. Smith, Fessler, Boccieri, Calvert, Core, DeWine, Faber, Flowers, Grendell, Hartnett, Hoops, Hughes, Husted, Jerse, Kearns, Miller, S. Patton, T. Patton, Peterson, Schlichter, Schmidt, J. Stewart, Trakas, Webster, Wilson.

To amend sections 3333.26, 5910.04, and 5910.05 and to enact section 5910.033 of the Revised Code to provide college scholarships to children of members of the United States armed forces killed or disabled in the line of duty during Operation Iraqi Freedom, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Beatty	Blasdel
Book	Brinkman	Brown	Buehrer
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Core	Daniels	DeBose
DeWine	Distel	Domenick	C. Evans
D. Evans	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hoops	Hughes
Husted	Jerse	Jolivette	Kearns
Key	Kilbane	Koziura	Latta
Martin	Mason	McGregor	Miller
Niehaus	Oelslager	Olman	S. Patton
T. Patton	Perry	Peterson	Price
Raga	Rausen	Redfern	Reidelbach
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer

Sferra	Skindell	G. Smith	S. Smith
D. Stewart	J. Stewart	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Williams	Wilson
Wolpert	Woodard	Yates	Young
			Householder-93.

The bill passed.

Representative Key moved to amend the title as follows:

Add the names: "Aslanides, Book, Brown, Buehrer, Callender, Carano, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Daniels, Distel, Driehaus, D. Evans, Gibbs, Gilb, Hagan, Harwood, Kilbane, Koziura, Latta, Martin, Mason, McGregor, Niehaus, Oelslager, Olman, Perry, Price, Raga, Raussen, Reidelbach, Reinhard, Schneider, Seaver, Setzer, Skindell, G. Smith, Taylor, Wagner, Walcher, White, Widener, Widowfield, Willamowski, Woodard, Yates, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Cates moved that House Rule 65, pertaining to bills being placed on the calendar, be suspended and that **Am. H. B. No. 202**-Representative McGregor, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

Am. H. B. No. 202-Representatives McGregor, Allen, Carano, C. Evans, Harwood, Hughes, Key, Latta, Miller, Olman, Otterman, Perry, Redfern, Schaffer, Seitz, Ujvagi, Williams, Widowfield, Reinhard.

To amend section 4501.21 and to enact section 4503.74 of the Revised Code to create "Ohio Zoo" license plates, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Core moved to amend as follows:

In line 4, delete the second "section" and insert "sections 5.033 and

"Between lines 5 and 6, insert:

" Sec. 5.033. The fish, *Micropterus dolomieu*, commonly known as the smallmouth bass, is the official fish of the state."

In line 1 of the title, delete the second "section" and insert "sections 5.033 and"

In line 3 of the title, after "plates" insert "and to adopt the smallmouth bass

as the state fish"

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

Representative Callendar moved to amend the amendment as follows:

In line 1 of the amendment, delete "Smallmouth bass" and insert "Yellow perch"

In line 5 of the amendment, delete "Micropterus dolomieu" and insert "Perca flavescens"

In line 6 of the amendment, delete "smallmouth bass" and insert "yellow perch"

In line 10 of the amendment, delete, "smallmouth bass" and insert "yellow perch"

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

Representative Seitz moved that the motion to amend the amendment be laid on the table.

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

The yeas and nays were taken and resulted - yeas 65, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Beatty	Brown
Buehrer	Calvert	Carmichael	Cates
Cirelli	Clancy	Collier	Core
Daniels	DeWine	Domenick	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jolivette
Key	Latta	McGregor	Miller
Niehaus	Oelslager	Olman	Perry
Peterson	Price	Raga	Raussen
Redfern	Reidelbach	Reinhard	Schaffer
Schlichter	Schmidt	Schneider	Seaver
Seitz	Setzer	Smith G.	Stewart J.
Strahorn	Sykes	Wagner	Walcher
Webster	White	Widener	Willamowski
Wilson	Wolpert	Woodard	Yates
			Householder-65.

Those who voted in the negative were: Representatives

Blasdel	Book	Brinkman	Callender
Carano	Chandler	DeBose	Distel
Evans C.	Grendell	Jerse	Kearns
Kilbane	Koziura	Martin	Mason
Patton S.	Patton T.	Sferra	Skindell
Smith S.	Stewart D.	Taylor	Trakas

Ujvagi Widowfield Williams Young-28.

The motion to amend the amendment was laid on the table.

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

The yeas and nays were taken and resulted - yeas 68, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Book	Brinkman
Carmichael	Cates	Chandler	Cirelli
Clancy	Collier	Core	DeBose
DeWine	Domenick	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jolivette
Key	McGregor	Miller	Niehaus
Oelslager	Olman	Patton T.	Perry
Peterson	Price	Raga	Rausen
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Smith G.	Smith S.
Stewart D.	Stewart J.	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Woodard	Yates	Young	Householder-68.

Those who voted in the negative were: Representatives

Beatty	Blasdel	Brown	Buehrer
Callender	Calvert	Carano	Daniels
Distel	Evans C.	Jerse	Kearns
Kilbane	Koziura	Latta	Martin
Mason	Patton S.	Redfern	Skindell
Strahorn	Sykes	Taylor	Trakas
			Williams-25.

The motion was agreed to.

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

Representative Redfern moved to amend as follows:

In line 4, delete the second "section" and insert "sections"

In line 5, after "4503.74" insert "and 4503.85"

In line 11, delete "4503.74."; strike through "and" and insert "4503.74."; after "4503.75" insert ". and 4503.85"

Between lines 109 and 110, insert:

"(15) The registrar shall pay the contributions the registrar receives pursuant to section 4503.85 of the Revised Code to the Ohio sea grant college

program to be used for Lake Erie area research projects."

Between lines 168b and 169, insert:

"Sec. 4503.85. (A) The owner or lessee of any passenger car, noncommercial motor vehicle, motor home, or other vehicle of a class approved by the registrar of motor vehicles may apply to the registrar for the registration of the vehicle and issuance of "Lake Erie - walleye capital" license plates. The application for "Lake Erie - walleye capital" license plates may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance with division (B) of this section, the registrar shall issue to the applicant the appropriate vehicle registration, a set of "Lake Erie - walleye capital" license plates, and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Lake Erie - walleye capital" license plates shall be inscribed with identifying words or markings approved by the registrar, which shall include a picture of a walleye. "Lake Erie - walleye capital" license plates shall bear county identification stickers that identify the county of registration by name or number.

(B) "Lake Erie - walleye capital" license plates and a validation sticker or, when applicable, a validation sticker alone shall be issued upon receipt of an application for registration of a motor vehicle submitted under this section and a contribution as provided in division (C) of this section, payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle tax levied under Chapter 4504. of the Revised Code, and an additional fee of ten dollars, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for "Lake Erie - walleye capital" license plates is combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code, the license plates and validation sticker or validation sticker alone shall be issued upon payment of the fees and taxes referred to or established in this division plus the additional fee prescribed in section 4503.40 or 4503.42 of the Revised Code.

(C) For each application for registration and registration renewal that the registrar receives under this section, the registrar shall collect a contribution of fifteen dollars. The registrar shall transmit this contribution to the treasurer of state for deposit in the license plate contribution fund created in section 4501.21 of the Revised Code.

The additional fee of ten dollars described in division (B) of this section shall be for the purpose of compensating the bureau of motor vehicles for additional services required in issuing license plates under this section. The registrar shall transmit that fee to the treasurer of state for deposit into the state treasury to the credit of the bureau of motor vehicles fund created by section 4501.25 of the Revised Code."

In line 1 of the title, delete the second "section" and insert "sections"; after

"4503.74" insert "and 4503.85"

In line 3 of the title, after "plates" insert "and to create "Lake Erie - Walleye Capital" license plates"

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

The yeas and nays were taken and resulted - yeas 92, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Beatty	Blasdel
Book	Brinkman	Brown	Buehrer
Callender	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Core	Daniels	DeBose	DeWine
Distel	Domenick	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hoops	Hughes	Husted
Jerse	Jolivette	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Williams	Wilson	Wolpert
Woodard	Yates	Young	Householder-92.

Representative Calvert voted in the negative-1.

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 90, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Beatty	Blasdel
Book	Brinkman	Brown	Buehrer
Callender	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Core	Daniels	DeBose	DeWine
Distel	Domenick	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jerse
Jolivette	Kearns	Key	Kilbane
Koziura	Latta	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	Patton S.	Patton T.	Perry

Peterson	Raga	Rausen	Redfern
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Skindell	Smith G.
Smith S.	Stewart D.	Stewart J.	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Williams
Wilson	Wolpert	Woodard	Yates
Young			Householder-90.

Representatives Calvert, Grendell, and Price voted in the negative-3.

The bill passed.

Representative McGregor moved to amend the title as follows:

Add the names: "Cates, Clancy, Core, D. Evans, Flowers, Peterson, Reidelbach, Wolpert."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Cates, the House recessed. The House met pursuant to recess.

Representative Cates moved that House Rule 65, pertaining to bills being placed on the calendar, be suspended and that **H. B. No. 129**-Representative Young, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

H. B. No. 129-Representatives Young, Fessler, McGregor, Driehaus, Seitz, Flowers, Schaffer, Reidelbach, Aslanides, Distel, Brinkman, Wagner, Hagan, Collier, Cates, Gilb, Schmidt, Schneider, Grendell, Willamowski, Seaver, Callender, Clancy, Hoops, Faber, Buehrer, Trakas, Setzer, Oelslager, Williams, Niehaus, Wolpert, Husted, Kearns, Reinhard, Schlichter.

To enact sections 3701.65 and 4503.74 of the Revised Code to create "Choose Life" license plates and the "Choose Life" Fund and to provide that moneys in the fund be used by the Director of Health to fund eligible private, nonprofit organizations that provide services to pregnant women who are planning to place their children for adoption, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Miller moved to amend as follows:

Delete lines 44 through 47

In line 48, delete " (6) " and insert " (5) "

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

Representative Raussen 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 64, nays 26, as follows:

Those who voted in the affirmative were: Representatives

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

Those who voted in the negative were: Representatives

Allen	Beatty	Book	Brown
Carano	Chandler	Cirelli	DeBose
Distel	Hartnett	Harwood	Key
Koziura	Mason	Miller	Patton S.
Perry	Price	Redfern	Sferra
Skindell	Stewart D.	Strahorn	Sykes
Wilson			Yates-26.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Miller moved to amend as follows:

In lines 11, 13, 24, 85, 89, 108, and 118, delete "choose life" and insert "consider adoption"

In line 79, delete "choose life" and insert "consider adoption" in both places

In line 90, delete "choose life" and insert "consider adoption"; delete "choose" and insert "the national center for adoption law and policy or its designee"

Delete line 91

In line 92, delete "state of Florida"

In line 94, delete "choose life, inc." and insert "the national center for adoption law and policy or its designee"

In lines 96 and 99, delete "Choose life" and insert "Consider adoption"

In line 113, delete "choose" and insert "consider adoption"

In line 114, delete "life"

In lines 2 and 3 of the title, delete "Choose Life" and insert "Consider Adoption"

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

Representative Faber 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 62, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Blasdel	Brinkman	Buehrer	Callender
Calvert	Carmichael	Cates	Clancy
Collier	Core	Daniels	DeWine
Distel	Domenick	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hoops
Hughes	Husted	Jolivette	Kearns
Kilbane	Latta	Martin	McGregor
Niehaus	Oelslager	Olman	Patton T.
Raga	Raussen	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Smith G.
Stewart J.	Taylor	Trakas	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Young			Householder-62.

Those who voted in the negative were: Representatives

Allen	Beatty	Book	Brown
Carano	Chandler	Cirelli	DeBose
Hartnett	Harwood	Jerse	Key
Koziura	Mason	Miller	Patton S.
Perry	Peterson	Price	Redfern
Sferra	Skindell	Stewart D.	Strahorn
Sykes	Wilson	Woodard	Yates-28.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 67, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Blasdel	Book	Brinkman	Buehrer
Callender	Carmichael	Cates	Clancy
Collier	Core	Daniels	DeBose
DeWine	Distel	Domenick	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan

Hartnett	Hoops	Hughes	Husted
Jolivette	Kearns	Kilbane	Latta
Martin	McGregor	Niehaus	Oelslager
Olman	Patton T.	Perry	Peterson
Raga	Raussen	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Smith G.
Stewart J.	Taylor	Trakas	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Williams	Wilson
Wolpert	Young		Householder-67.

Those who voted in the negative were: Representatives

Allen	Beatty	Brown	Calvert
Carano	Chandler	Cirelli	Harwood
Jerse	Key	Koziura	Mason
Miller	Patton S.	Price	Redfern
Sferra	Skindell	Smith S.	Stewart D.
Strahorn	Sykes	Ujvagi	Woodard
			Yates-25.

The bill passed.

Representative Young moved to amend the title as follows:

Add the names: "Blasdel, Domenick, Jolivette, Latta, Martin, T. Patton, Raussen, Taylor, Walcher, White, Widener, Widowfield."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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:

Sub. H. B. No. 70 - Representatives Willamowski, Hughes, Seitz, Distel, Jolivette, Young, Faber, Carano, Fessler, Seaver, Hollister, McGregor, Strahorn, Olman, Grendell, Boccieri, Latta, Harwood, Ujvagi, Webster, Reinhard, Schlichter, Perry, Sferra, Aslanides, Daniels, Key, Hagan, Clancy, Schneider, Raussen, Core, Calvert, J. Stewart, Walcher, Buehrer, Niehaus, D. Evans, Setzer, Trakas, T. Patton, Gibbs, Carmichael, Gilb, Flowers, Reidelbach, G. Smith, Cates, C. Evans, Skindell, DePiero, Hoops, Allen, DeBose, Jerse, Schmidt, Koziura, S. Patton, Widener, Miller, D. Stewart, Taylor, S. Smith, Kilbane, Brown, Widowfield, Book, Cirelli, Chandler, Otterman, Woodard, Driehaus, Redfern. Senators Jordan, Armbruster, Austria, Brady, Carnes, Coughlin, Robert Gardner, Hottinger, Mumper, Roberts, Spada, Stivers, Zurz, Dann, Schuler, Blessing, Randy Gardner, Goodman, Schuring, White, Wachtmann, Harris, Fingerhut, Jacobson.

To amend section 5517.02 and to enact sections 5533.241, 5533.69, 5533.70, 5533.71, 5533.72, and 5533.73 of the Revised Code to designate Interstate Route 75 as the "Pearl Harbor Memorial Highway" and to permit the Director of Transportation to erect markers along the highway indicating its name, to name four roads and a bridge in Butler County, and to specify those Department of Transportation projects requiring the use of a force account project assessment form.

As a substitute bill, in which the concurrence of the House is requested:

Attest: Matthew T. Schuler,
Clerk.

Representative Cates moved that Joint Rule No. 16, be suspended and that the Senate amendments to **Sub. H. B. No. 70**-Representative Willamowski, et al., be taken up for immediate consideration.

The motion was agreed to.

The Senate amendments to **Sub. H. B. No. 70**-Representative Willamowski, et al., were taken up for consideration.

Sub. H. B. No. 70-Representatives Willamowski, Hughes, Seitz, Distel, Jolivette, Young, Faber, Carano, Fessler, Seaver, Hollister, McGregor, Strahorn, Olman, Grendell, Bocchieri, Latta, Harwood, Ujvagi, Webster, Reinhard, Schlichter, Perry, Sferra, Aslanides, Daniels, Key, Hagan, Clancy, Schneider, Raussen, Core, Calvert, J. Stewart, Walcher, Buehrer, Niehaus, D. Evans, Setzer, Trakas, T. Patton, Gibbs, Carmichael, Gilb, Flowers, Reidelbach, G. Smith, Cates, C. Evans, Skindell, DePiero, Hoops, Allen, DeBose, Jerse, Schmidt, Koziura, S. Patton, Widener, Miller, D. Stewart, Taylor, S. Smith, Kilbane, Brown, Widowfield, Book, Cirelli, Chandler, Otterman, Woodard, Driehaus, Redfern. -Senators Jordan, Armbruster, Austria, Brady, Carnes, Coughlin, Robert Gardner, Hottinger, Mumper, Roberts, Spada, Stivers, Zurz, Dann, Schuler, Blessing, Randy Gardner, Goodman, Schuring, White, Wachtmann, Harris, Fingerhut, Jacobson.

To amend section 5517.02 and to enact sections 5533.241, 5533.69, 5533.70, 5533.71, 5533.72, and 5533.73 of the Revised Code to designate Interstate Route 75 as the "Pearl Harbor Memorial Highway" and to permit the Director of Transportation to erect markers along the highway indicating its name, to name four roads and a bridge in Butler County, and to specify those Department of Transportation projects requiring the use of a force account project assessment form.

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

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Book
Brinkman	Brown	Buehrer	Callender
Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Core	Daniels	DeBose	DeWine
Distel	Domenick	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hoops	Hughes	Husted
Jerse	Jolivette	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Williams	Wilson	Wolpert
Woodard	Yates	Young	Householder-92.

The Senate amendments were concurred in.

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:

Sub. H. B. No. 75 - Representatives Buehrer, Olman, T. Patton, Gilb, Wagner, Webster, Kearns, Husted, Flowers, Cates, Hoops, McGregor, Calvert, Aslanides, Jerse, Carano, DeBose, Allen, Distel, DePiero, Young, Faber, Gibbs, Oelslager, Carmichael, Schmidt, Perry, Strahorn, J. Stewart, C. Evans, D. Evans, Boccieri, Latta, Driehaus, Grendell, Clancy, Brown, Schaffer, Setzer, Chandler, Seaver, Woodard, Reidelbach, Williams, Taylor, Hartnett, Callender, Barrett, Beatty, Book, Cirelli, Collier, Core, Daniels, Domenick, Hagan, Harwood, Hollister, Hughes, Key, Koziura, Martin, Mason, Miller, Niehaus, Otterman, S. Patton, Peterson, Price, Raga, Redfern, Schlichter, Schneider, Skindell, G. Smith, S. Smith, D. Stewart, Sykes, Trakas, Walcher, White, Widener, Widowfield, Willamowski, Wolpert, Yates.

Senators Amstutz, Prentiss, Brady, Robert Gardner, Austria, Carnes, DiDonato, Fedor, Goodman, Harris, Hottinger, Jordan, Mumper, Roberts, Schuler, Schuring, Spada, Stivers, Wachtmann, White, Zurz, Armbruster, Dann.

To amend sections 311.01 and 3313.616 of the Revised Code to grant high school diplomas to veterans of the Korean Conflict, to expand eligibility for diplomas to certain veterans, to clarify the educational qualifications for county sheriffs, and to declare and emergency.

As a substitute bill, in which the concurrence of the House is requested:

Attest: Matthew T. Schuler ,
Clerk.

Representative Cates moved that Joint Rule No. 16, be suspended and that the Senate amendments to **Sub. H. B. No. 75**-Representative Buehrer, et al., be taken up for immediate consideration.

The motion was agreed to.

The Senate amendments to **Sub. H. B. No. 75**-Representative Buehrer, et al., were taken up for consideration.

Sub. H. B. No. 75-Representatives Buehrer, Olman, T. Patton, Gilb, Wagner, Webster, Kearns, Husted, Flowers, Cates, Hoops, McGregor, Calvert, Aslanides, Jerse, Carano, DeBose, Allen, Distel, DePiero, Young, Faber, Gibbs, Oelslager, Carmichael, Schmidt, Perry, Strahorn, J. Stewart, C. Evans, D. Evans, Boccieri, Latta, Driehaus, Grendell, Clancy, Brown, Schaffer, Setzer, Chandler, Seaver, Woodard, Reidelbach, Williams, Taylor, Hartnett, Callender, Barrett, Beatty, Book, Cirelli, Collier, Core, Daniels, Domenick, Hagan, Harwood, Hollister, Hughes, Key, Koziura, Martin, Mason, Miller, Niehaus, Otterman, S. Patton, Peterson, Price, Raga, Redfern, Schlichter, Schneider, Skindell, G. Smith, S. Smith, D. Stewart, Sykes, Trakas, Walcher, White, Widener, Widowfield, Willamowski, Wolpert, Yates. -Senators Amstutz, Prentiss, Brady, Robert Gardner, Austria, Carnes, DiDonato, Fedor, Goodman, Harris, Hottinger, Jordan, Mumper, Roberts, Schuler, Schuring, Spada, Stivers, Wachtmann, White, Zurz, Armbruster, Dann.

To amend sections 311.01 and 3313.616 of the Revised Code to grant high school diplomas to veterans of the Korean Conflict, to expand eligibility for diplomas to certain veterans, to clarify the educational qualifications for county sheriffs, and to declare and emergency.

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

The yeas and nays were taken and resulted - yeas 82, nays 10, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Book
Buehrer	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy

Collier	Core	Daniels	DeBose
DeWine	Distel	Domenick	Evans C.
Evans D.	Fessler	Flowers	Gibbs
Gilb	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jerse
Jolivette	Kearns	Key	Kilbane
Koziura	Latta	Martin	McGregor
Miller	Niehaus	Oelslager	Olman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Raussen	Reidelbach
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Sferra	Smith G.	Stewart D.	Stewart J.
Strahorn	Sykes	Taylor	Trakas
Ujvagi	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Williams	Wilson	Wolpert	Woodard
Yates			Householder-82.

Those who voted in the negative were: Representatives

Brinkman	Brown	Callender	Faber
Grendell	Mason	Redfern	Skindell
Smith S.			Young-10.

Having received a constitutional majority, the emergency clause stood as part of the bill.

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

The yeas and nays were taken and resulted - yeas 91, nays 1, as follows:

Those who voted in the affirmative were: Representatives

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

Yates

Young

Householder-91.

Representative Brinkman voted in the negative-1.

The Senate amendments were concurred in.

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. 85 - Representatives Raussen, Raga, Wagner, McGregor, Kearns, Husted, Ujvagi, Allen, Schneider, Reinhard, Schlichter, Daniels, Barrett, Beatty, Brown, Carmichael, Chandler, Cirelli, Clancy, Collier, Domenick, Driehaus, C. Evans, Flowers, Gibbs, Harwood, Hughes, Jolivette, Miller, Niehaus, S. Patton, Perry, Price, Reidelbach, Schmidt, Seitz, Skindell, J. Stewart, Taylor, Williams, Woodard. Senators Schuler, Goodman, Hottinger.

To amend sections 307.051, 307.055, 505.37, 505.375, 505.72, 4503.49, 4513.263, 4766.01, 4766.02, 4766.03, 4766.04, 4766.05, 4766.06, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11, 4766.12, 4766.13, and 5503.12 and to enact sections 4766.15, 4766.17, 4766.20, and 5111.151 of the Revised Code to authorize the Ohio Ambulance Licensing Board to license private nonemergency medical service organizations that operate ambulette vehicles for the transportation of persons who require the use of a wheelchair and private air medical service organizations that operate air medical transportation, to add four members to the Board, to rename the Board the Ohio Medical Transportation Board, to codify portions of the Ohio Administrative Code dealing with the treatment of certain trusts for purposes of determining an individual's eligibility for medical assistance reimbursable by the Medicaid Program, and to amend the version of section 4513.263 of the Revised Code that is scheduled to take effect January 1, 2004, to continue the provisions of this act on and after that effective date.

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

In line 135, after "purchase" insert ", lease, lease an option to purchase,"

In line 140, after the third comma insert "lease with an option to purchase,"

In line 152, after the second comma insert "lease, lease with an option purchase,"

In line 162, after "purchase" insert ", lease, lease with an option to

purchase, "

In line 255, after "purchase" insert ", lease, or lease with an option to purchase"

In line 263, delete "The" and insert:

"The"

Between lines 277 and 278, insert:

"Section 505.40 of the Revised Code does not apply to any securities issued, or any lease with an option to purchase entered into, in accordance with this division."

In line 304, after "service" insert "organization"

Attest:

Matthew T. Schuler,
Clerk.

Representative Cates moved that Joint Rule No. 16, be suspended and that the Senate amendments to **Am. Sub. H. B. No. 85**-Representative Raussen, et al., be taken up for immediate consideration.

The motion was agreed to.

The Senate amendments to **Am. Sub. H. B. No. 85**-Representative Raussen, et al., were taken up for consideration.

Am. Sub. H. B. No. 85-Representatives Raussen, Raga, Wagner, McGregor, Kearns, Husted, Ujvagi, Allen, Schneider, Reinhard, Schlichter, Daniels, Barrett, Beatty, Brown, Carmichael, Chandler, Cirelli, Clancy, Collier, Domenick, Driehaus, C. Evans, Flowers, Gibbs, Harwood, Hughes, Jolivette, Miller, Niehaus, S. Patton, Perry, Price, Reidelbach, Schmidt, Seitz, Skindell, J. Stewart, Taylor, Williams, Woodard. -Senators Schuler, Goodman, Hottinger.

To amend sections 307.051, 307.055, 505.37, 505.375, 505.72, 4503.49, 4513.263, 4766.01, 4766.02, 4766.03, 4766.04, 4766.05, 4766.06, 4766.07, 4766.08, 4766.09, 4766.10, 4766.11, 4766.12, 4766.13, and 5503.12 and to enact sections 4766.15, 4766.17, 4766.20, and 5111.151 of the Revised Code to authorize the Ohio Ambulance Licensing Board to license private nonemergency medical service organizations that operate ambulette vehicles for the transportation of persons who require the use of a wheelchair and private air medical service organizations that operate air medical transportation, to add four members to the Board, to rename the Board the Ohio Medical Transportation Board, to codify portions of the Ohio Administrative Code dealing with the treatment of certain trusts for purposes of determining an individual's eligibility for medical assistance reimbursable by the Medicaid Program, and to amend the version of section 4513.263 of the

Revised Code that is scheduled to take effect January 1, 2004, to continue the provisions of this act on and after that effective date.

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

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Book
Brinkman	Brown	Buehrer	Callender
Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Core	Daniels	DeBose	DeWine
Distel	Domenick	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hoops	Hughes	Husted
Jerse	Jolivette	Kearns	Key
Kilbane	Koziura	Latta	Martin
Mason	McGregor	Miller	Niehaus
Oelslager	Olman	Patton S.	Patton T.
Perry	Peterson	Price	Raga
Raussen	Redfern	Reidelbach	Reinhard
Schaffer	Schlichter	Schmidt	Schneider
Seaver	Seitz	Setzer	Sferra
Skindell	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
Webster	White	Widener	Widowfield
Williamowski	Williams	Wilson	Wolpert
Woodard	Yates	Young	Householder-92.

The Senate amendments were concurred in.

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:

Sub. H. B. No. 127 - Representatives Jolivette, Young, Price, S. Patton, Hartnett, Seitz, Widowfield, Olman, Hagan, Carano, Hollister, Koziura, Hughes, Niehaus, McGregor, Collier, Latta, Taylor, Schaffer, Ujvagi, Kilbane, Allen, Aslanides, Barrett, Beatty, Brown, Chandler, Cirelli, Daniels, DeBose, DePiero, Distel, Driehaus, Flowers, Gilb, Hoops, Key, Miller, T. Patton, Perry, Raussen, Reidelbach, Schlichter, Schmidt, Setzer, Sferra, G. Smith, S. Smith, D. Stewart, Wagner, Webster, Wilson, Wolpert. Senators Spada, Amstutz, Austria, Carey, Harris.

To amend sections 321.45, 323.152, 323.25, 718.01, 4503.065, 5705.19, 5709.61, 5709.62, 5709.63, 5709.631, 5709.633, 5709.85, 5709.883, 5721.25, 5722.01, 5722.02, 5733.05, 5733.33, 5735.01, 5747.01, and 5747.03 and to enact sections 5722.21 and 5747.013 of the Revised Code and to amend Sections 3.18 and 89.07 of Am. Sub. H.B. 95 of the 125th General Assembly to permit counties, municipal corporations, and townships to acquire tax-delinquent land for redevelopment free from liens for the unpaid taxes, to revise municipal taxation of S corporation income, to change the inflation adjustment rounding for homestead exemption tax reductions, to revise the method of computing the sales factor and situsing property to this state under the corporation franchise tax law, to clarify that the sales tax does not apply to public transit buses that seat 10 or fewer persons, to permit persons operating such buses with that seating capacity to apply for motor fuel tax refunds, to extend from 2005 to 2015 the tax credit on the purchase of new manufacturing machinery and equipment, to revise the land reutilization program, to update enterprise zone city and population eligibility criteria, to revise the requirements for redeeming delinquent land after a foreclosure proceeding has been instituted, to permit excess General Revenue Fund moneys to be used to support economic development projects, to require that interest earned on the School District Income Tax Fund be credited to the fund, to make changes to the law regarding the prepayment of real property or manufactured or mobile home taxes, to revise the manner in which the homestead exemption is adjusted for inflation, to limit the Tax Commissioner's authority to enforce certain components of enterprise zone agreements, to revise the information that is required to be in an enterprise zone agreement, to authorize tax incentive review councils to request information from owners of property exempted under urban renewal and community urban redevelopment projects, community reinvestment area programs, enterprise zone agreements, or tax increment financing ordinances or resolutions, to permit subdivisions to specify that revenue from a property tax levied for various police purposes may also be used to pay for police department buildings, to revise the method for computing the property, payroll, and sales factors used in calculating a trust's modified Ohio taxable income, to delay the effective date of new sales tax situsing provisions, to change the recipients of earmarked appropriations to the Air Force Institute of Technology, and to make an appropriation.

As a substitute bill, in which the concurrence of the House is requested:

Attest:

Matthew T. Schuler,
Clerk.

Representative Cates moved that Joint Rule No. 16, be suspended and that the Senate amendments to **Sub. H. B. No. 127**-Representative Jolivette, et al., be taken up for immediate consideration.

The motion was agreed to.

The Senate amendments to **Sub. H. B. No. 127**-Representative Jolivette, et al., were taken up for consideration.

Sub. H. B. No. 127-Representatives Jolivette, Young, Price, S. Patton, Hartnett, Seitz, Widowfield, Olman, Hagan, Carano, Hollister, Koziura, Hughes, Niehaus, McGregor, Collier, Latta, Taylor, Schaffer, Ujvagi, Kilbane, Allen, Aslanides, Barrett, Beatty, Brown, Chandler, Cirelli, Daniels, DeBose, DePiero, Distel, Driehaus, Flowers, Gilb, Hoops, Key, Miller, T. Patton, Perry, Raussen, Reidelbach, Schlichter, Schmidt, Setzer, Sferra, G. Smith, S. Smith, D. Stewart, Wagner, Webster, Wilson, Wolpert. -Senators Spada, Amstutz, Austria, Carey, Harris.

To amend sections 321.45, 323.152, 323.25, 718.01, 4503.065, 5705.19, 5709.61, 5709.62, 5709.63, 5709.631, 5709.633, 5709.85, 5709.883, 5721.25, 5722.01, 5722.02, 5733.05, 5733.33, 5735.01, 5747.01, and 5747.03 and to enact sections 5722.21 and 5747.013 of the Revised Code and to amend Sections 3.18 and 89.07 of Am. Sub. H.B. 95 of the 125th General Assembly to permit counties, municipal corporations, and townships to acquire tax-delinquent land for redevelopment free from liens for the unpaid taxes, to revise municipal taxation of S corporation income, to change the inflation adjustment rounding for homestead exemption tax reductions, to revise the method of computing the sales factor and situsing property to this state under the corporation franchise tax law, to clarify that the sales tax does not apply to public transit buses that seat 10 or fewer persons, to permit persons operating such buses with that seating capacity to apply for motor fuel tax refunds, to extend from 2005 to 2015 the tax credit on the purchase of new manufacturing machinery and equipment, to revise the land reutilization program, to update enterprise zone city and population eligibility criteria, to revise the requirements for redeeming delinquent land after a foreclosure proceeding has been instituted, to permit excess General Revenue Fund moneys to be used to support economic development projects, to require that interest earned on the School District Income Tax Fund be credited to the fund, to make changes to the law regarding the prepayment of real property or manufactured or mobile home taxes, to revise the manner in which the homestead exemption is adjusted for inflation, to limit the Tax Commissioner's authority to enforce certain components of enterprise zone agreements, to revise the information that is required to be in an enterprise zone agreement, to authorize tax incentive review councils to request information from owners of property exempted under urban renewal and community urban redevelopment projects, community reinvestment area programs, enterprise zone agreements, or tax increment financing ordinances or resolutions, to permit subdivisions to specify that revenue from a property tax levied for various police purposes may also be used to pay for police department buildings, to revise the method for computing the property, payroll, and sales factors used in calculating a trust's modified Ohio taxable income, to delay the effective date of new sales tax situsing provisions, to change the recipients of earmarked appropriations to

the Air Force Institute of Technology, and to make an appropriation.

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

Representative Sykes moved that Sub. H.B. No. 127 be rereferred to the committee on Ways and Means.

The motion was ruled out of order.

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

On motion of Representative Cates, the House recessed.

The House met pursuant to recess.

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

The yeas and nays were taken and resulted - yeas 54, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Blasdel	Book	Buehrer	Callender
Calvert	Carmichael	Cates	Clancy
Collier	Core	Daniels	DeWine
Evans C.	Evans D.	Flowers	Gibbs
Grendell	Hagan	Hoops	Hughes
Husted	Jolivette	Kearns	Kilbane
Latta	Martin	Niehaus	Oelslager
Olman	Patton T.	Peterson	Raga
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Setzer	Smith G.
Stewart J.	Trakas	Wagner	Walcher
Webster	White	Widener	Widowfield
Williamowski	Williams	Wilson	Wolpert
Young			Householder-54.

Those who voted in the negative were: Representatives

Allen	Beatty	Brinkman	Brown
Carano	Chandler	Cirelli	DeBose
Distel	Domenick	Faber	Fessler
Gilb	Hartnett	Harwood	Key
Koziura	Mason	McGregor	Miller
Patton S.	Perry	Price	Raussens
Redfern	Reidelbach	Seitz	Sferra
Skindell	Smith S.	Stewart D.	Strahorn
Sykes	Taylor	Ujvagi	Woodard
			Yates-37.

The Senate amendments were concurred in.

Representative Jolivette moved to amend the title as follows: Remove: "Allen, Beatty, Brown, Carano, Chandler, Cirelli, DeBose, Hartnett, Key, Koziura, Miller, S. Patton, Perry, Price, Reidelbach, Sferra, S. Smith, D. Stewart, Taylor, Ujvagi."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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:

Sub. H. B. No. 179 - Representatives Wolpert, McGregor, DeWine, C. Evans, Carano, Schmidt, Flowers, Aslanides, D. Evans, Gibbs, Allen, Seitz, Beatty, Harwood, Book, Schlichter, Willamowski, Grendell, Latta, Barrett, Boccieri, Buehrer, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Daniels, DeBose, Domenick, Gilb, Hagan, Hoops, Hughes, Jerse, Jolivette, Kearns, Key, Koziura, Niehaus, Olman, Price, Reidelbach, Schaffer, Schneider, Seaver, G. Smith, S. Smith, D. Stewart, J. Stewart, Taylor, Ujvagi, Wagner, Walcher, Widener, Williams, Wilson, Woodard, Young.
Senators Austria, Amstutz, Carey, Randy Gardner, Robert Gardner, Harris, Schuring, Mumper, Spada.

To amend sections 2913.02, 2935.041, 3745.71, and 3745.72 and to enact section 2913.07 of the Revised Code to permit a suspension of the driver's licenses of offenders convicted of theft by reason of causing a motor vehicle to leave the premises of a retail gasoline establishment without full payment for gasoline dispensed into the motor vehicle's fuel tank or another container; to declare that those sections in the Revised Code that regulate theft of gasoline in certain circumstances are general laws; to prohibit motion picture piracy; to authorize the detention of individuals suspected of motion picture piracy; and to extend from January 1, 2004, to January 1, 2009, the time by which environmental audits must be completed in order to be within the scope of certain privileges and immunities that apply to such audits.

As a substitute bill, in which the concurrence of the House is requested:

Attest:

Matthew T. Schuler,
Clerk.

Representative Cates moved that Joint Rule No. 16, be suspended and that the Senate amendments to **Sub. H. B. No. 179**-Representative Wolpert, et al., be taken up for immediate consideration.

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

The yeas and nays were taken and resulted - yeas 59, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Blasdel	Buehrer	Callender	Calvert
Carmichael	Cates	Clancy	Collier
Core	Daniels	DeWine	Evans C.
Evans D.	Faber	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Hoops	Hughes	Husted	Jolivette
Kearns	Kilbane	Latta	Martin
Niehaus	Oelsluger	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	Williams	Wilson
Wolpert	Young		Householder-59.

Those who voted in the negative were: Representatives

Allen	Beatty	Book	Brinkman
Brown	Carano	Chandler	Cirelli
DeBose	Distel	Domenick	Fessler
Harwood	Key	Koziura	Mason
McGregor	Miller	Patton S.	Perry
Price	Redfern	Seaver	Sferra
Skindell	Smith S.	Stewart D.	Strahorn
Sykes	Ujvagi	Woodard	Yates-32.

The motion was agreed to.

The Senate amendments to **Sub. H. B. No. 179**-Representative Wolpert, et al., were taken up for consideration.

Sub. H. B. No. 179-Representatives Wolpert, McGregor, DeWine, C. Evans, Carano, Schmidt, Flowers, Aslanides, D. Evans, Gibbs, Allen, Seitz, Beatty, Harwood, Book, Schlichter, Willamowski, Grendell, Latta, Barrett, Boccieri, Buehrer, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Daniels, DeBose, Domenick, Gilb, Hagan, Hoops, Hughes, Jerse, Jolivette, Kearns, Key, Koziura, Niehaus, Olman, Price, Reidelbach, Schaffer, Schneider, Seaver, G. Smith, S. Smith, D. Stewart, J. Stewart, Taylor, Ujvagi, Wagner, Walcher, Widener, Williams, Wilson, Woodard, Young. -Senators Austria, Amstutz, Carey, Randy Gardner, Robert Gardner, Harris, Schuring, Mumper, Spada.

To amend sections 2913.02, 2935.041, 3745.71, and 3745.72 and to enact section 2913.07 of the Revised Code to permit a suspension of the driver's licenses of offenders convicted of theft by reason of causing a motor vehicle to leave the premises of a retail gasoline establishment without full payment for gasoline dispensed into the motor vehicle's fuel tank or another container; to declare that those sections in the Revised Code that regulate theft of gasoline in certain circumstances are general laws; to prohibit motion picture piracy; to authorize the detention of individuals suspected of motion picture piracy; and

to extend from January 1, 2004, to January 1, 2009, the time by which environmental audits must be completed in order to be within the scope of certain privileges and immunities that apply to such audits.

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

The yeas and nays were taken and resulted - yeas 66, nays 23, as follows:

Those who voted in the affirmative were: Representatives

Beatty	Blasdel	Book	Buehrer
Callender	Calvert	Carano	Carmichael
Cates	Clancy	Collier	Core
Daniels	DeWine	Distel	Evans C.
Evans D.	Faber	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Hoops	Hughes	Husted	Jolivette
Kearns	Kilbane	Koziura	Latta
Martin	Niehaus	Oelslager	Olman
Patton T.	Perry	Peterson	Price
Raga	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Sferra	Smith G.	Stewart J.
Taylor	Trakas	Wagner	Walcher
Webster	White	Widener	Widowfield
Williamowski	Williams	Wilson	Wolpert
Young			Householder-66.

Those who voted in the negative were: Representatives

Allen	Brinkman	Brown	Chandler
Cirelli	DeBose	Domenick	Fessler
Harwood	Key	Mason	McGregor
Miller	Patton S.	Raussen	Reidelbach
Skindell	Smith S.	Stewart D.	Sykes
Ujvagi	Woodard		Yates-23.

The Senate amendments were concurred in.

Representative Wolpert moved to amend the title as follows: Remove: "Allen, Chandler, Cirelli, S. Smith, D. Stewart, Woodard."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

S. C. R. No. 20 - Senator Austria.

To proclaim November 19, 2003, George Rogers Clark Day.

Attest:

Matthew T. Schuler,
Clerk.

S. C. R. No. 20-Senator Austria.

To proclaim November 19, 2003, George Rogers Clark Day.

Representative Kearns moved to amend the title as follows:

Add the names: "Allen, Aslanides, Barrett, Beatty, Blasdel, Book, Brown, Buehrer, Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Core, Daniels, DeBose, DeWine, Distel, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fessler, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Hollister, Hoops, Hughes, Husted, Jerse, Jolivette, Kearns, Key, Latta, Martin, Mason, McGregor, Niehaus, Oelslager, Olman, T. Patton, Perry, Peterson, Raga, Raussen, Reidelbach, Reinhard, Schaffer, Schlichter, Schmidt, Seaver, Seitz, Setzer, Sferra, Skindell, G. Smith, S. Smith, J. Stewart, Sykes, Taylor, Trakas, Wagner, Walcher, Webster, White, Widener, Widowfield, Willamowski, Williams, Wilson, Wolpert, Woodard, Yates, Young."

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 89, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Book
Brinkman	Brown	Buehrer	Callender
Calvert	Carano	Carmichael	Cates
Chandler	Cirelli	Clancy	Collier
Core	Daniels	DeBose	DeWine
Distel	Domenick	C. Evans	D. Evans
Faber	Fessler	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hoops	Hughes	Husted
Jolivette	Kearns	Key	Kilbane
Koziura	Latta	Martin	Mason
McGregor	Miller	Niehaus	Oelslager
Olman	S. Patton	T. Patton	Perry
Peterson	Price	Raga	Raussen
Reidelbach	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz

Setzer	Sferra	Skindell	G. Smith
S. Smith	D. Stewart	J. Stewart	Sykes
Taylor	Trakas	Ujvagi	Wagner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Williams	Wilson
Wolpert	Woodard	Yates	Young
			Householder-89.

The concurrent resolution was adopted.

Message from the Senate

Mr. Speaker:

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

S. B. No. 73 - Senators Dann, Miller, Schuler, Fingerhut, Carey, Schuring, Stivers, Spada, Austria, Harris, Zurz, Nein, Mumper, Blessing, Wachtmann, Goodman, Randy Gardner, Prentiss, Mallory, White, DiDonato, Robert Gardner.

To enact section 4503.541 of the Revised Code to create a special motorcycle license plate for retired and honorably discharged veterans.

Attest:

Matthew T. Schuler,
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

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

Sub. S. B. No. 81 - Senators Fedor, Fingerhut, Dann, Miller, Robert Gardner, Randy Gardner, Prentiss, Austria, Blessing, Brady, DiDonato, Hagan, Harris, Zurz, Mallory, Mumper, Nein, Roberts, Spada, Wachtmann.

To amend section 3301.0718 of the Revised Code to require the State Board of Education to adopt standards and model curricula for physical education for grades kindergarten through twelve and to remove the requirement that the standards and model curricula for physical education are subject to approval by concurrent resolution by both houses of the General Assembly.

Attest:

Matthew T. Schuler,
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

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

Sub. S. B. No. 133 - Senators Wachtmann, Schuring, Austria, Amstutz, Stivers, Harris, Spada, Coughlin, Armbruster, Jordan, Randy Gardner, Jacobson, Carnes, Robert Gardner, Miller, Mumper, Nein, White, Schuler.

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.

Attest:

Matthew T. Schuler,
Clerk.

Said bill was considered the first time.

MESSAGE FROM THE SPEAKER

Pursuant to Section 59.29, Am. Sub. H.B. No. 95, 125th General Assembly,

the Speaker hereby makes the following changes to the Ohio Commission to Reform Medicaid:

Remove Paul Begala, appoint John Begala

On motion of Representative Cates, the House adjourned until Tuesday, November 18, 2003 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.