

OHIO

House

of

Representatives

JOURNAL

TUESDAY, DECEMBER 9, 2003

ONE HUNDRED TWENTY-THIRD DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, December 9, 2003 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Eric Pickerill of the Vineyard Church of Columbus in Westerville, 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:

Meribah Mansfield received HR 154, presented by Representative Reidelbach - 21st district.

Doug Lowery received HR 138, presented by Representatives Wolpert - 23rd district and G. Smith - 24th district.

Lauren Kelsey received HR 161, presented by Representative C. Evans - 87th district.

The Napoleon High School girls cross country team received HR 160, presented by Representative Hoops - 75th district.

Bonnie Holland, Chuck Gibson, Lisa Fuller, Phyllis Winfield, Linda Roberts, Fred Mitchell, Martin Jenkins, Matt Mansfield, and Doug Evans, guests of Representatives Reidelbach - 21st district and Hughes - 22nd district.

Tara (wife) and Natalie (daughter), guests of Representative Raussen - 28th district.

Britni Strickland and Jeffery Lookabangh, guests of Representative Latta - 6th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 345-Representatives S. Smith, Allen, Miller, DeWine, Key, Strahorn, Price, Hughes, Brown, Gilb, Young, Gibbs, S. Patton, Kearns, Cirelli, Hollister, Distel, Barrett, Chandler, Harwood, Hartnett, Aslanides, Perry.

To amend section 109.77 and to enact sections 109.745 and 109.746 of the Revised Code to require the Ohio Peace Officers Training Commission to establish guidelines regarding training of peace officers in the handling of missing children and guidelines for a child recovery plan, to require all law enforcement agencies in Ohio to adopt those training guidelines and establish guidelines consistent with the Commission's child recovery plan, to require

certain peace officers to have that training, to amend the version of section 109.77 of the Revised Code that is scheduled to take effect on January 1, 2004, to continue the provisions of this act on and after that effective date, and to declare an emergency.

H. B. No. 346-Representative Young.

To amend sections 5739.02, 5739.025, and 5739.10 of the Revised Code to repeal the temporary sales tax increase.

H. B. No. 347-Representatives Willamowski, Fessler, McGregor, Carano, S. Patton, Brinkman, Redfern, Webster, Kearns, Price, Seitz, Allen, Strahorn, Otterman.

To amend section 3702.76 of the Revised Code to require the Director of Health to designate state correctional institutions as health resource shortage areas for the purposes of the Physician Loan Repayment Program.

H. B. No. 348-Representatives Willamowski, Setzer, Hartnett, Seitz, Mason, Harwood, Skindell, Hughes, Olman, T. Patton.

To amend section 2303.23 of the Revised Code to require clerks of courts of common pleas to provide the Department of Insurance and Supreme Court with certain information regarding tort actions and to create the Commission on Responsible Legal Reform.

H. B. No. 349-Representatives Key, Price, Kearns, McGregor, Williams, Barrett, Beatty, S. Smith.

To amend section 4709.13 and to enact sections 4709.051 and 4713.071 of the Revised Code to eliminate a felony conviction as grounds for taking adverse action relating to a barber license and to prohibit the Barber Board or the Cosmetology Board interpreting a felony conviction as grounds for taking an adverse action against a person regulated under the Barber Law or the Cosmetology Law.

H. B. No. 350-Representatives Gibbs, Wagner, Setzer, Seitz, Husted, Williams, Hollister, Young, C. Evans, Webster, Hagan, Martin, Aslanides, McGregor, Collier, Allen, Raussen, Faber, Schaffer, Seaver.

To enact section 2305.36 of the Revised Code to provide immunity from civil damages for food manufacturers, sellers, and trade associations for claims resulting from a person's obesity or weight gain or any health condition related to obesity, weight gain, or cumulative consumption.

Said bills were considered the first time.

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

Representative Harwood submitted the following report:

The standing committee on Juvenile and Family Law to which was referred **Sub. H. B. No. 272**-Representative Seitz, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: SAME-SEX MARRIAGE - AGAINST STATE POLICY

TODD BOOK
LINDA REIDELBACH
BRYAN C. WILLIAMS
MIKE GILB
JOHN R. WILLAMOWSKI

JOHN WIDOWFIELD
SANDRA STABILE HARWOOD
KATHLEEN WALCHER
NANCY P. HOLLISTER

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

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

H.R. No. 137 - Representative Redfern

IN MEMORY OF ANTHONY J. CELEBREZZE, JR.

Add the names: "Speaker Householder Representatives Cates, Allen, Beatty, Calvert, Carano, Carmichael, Clancy, Flowers, Hughes, Jerse, Otterman, T. Patton, Peterson, Schlichter, Trakas, Walcher, Wilson"

/s/ LARRY HOUSEHOLDER

Larry Householder, Chair

Representative Cates moved that the Rules and Reference Committee Report on resolutions be agreed to and the the resolution contained therein be brought up for immediate adoption, read in full, and spread upon the pages of the journal.

The motion was agreed to.

Representative Redfern moved to amend the title as follows:

Add the names: Skindell, Fessler, Sferra, Miller, Cirelli, Perry, Key, Price, Chandler, Hoops, Reidelbach, Book, Distel, McGregor, Setzer, Oelslager, S. Smith, Seitz, C. Evans, Hollister, Hartnett, Harwood, Schaffer, Gilb, Schmidt, Sykes, Seaver, Strahorn, Brown, Barrett, Boccieri, DeBose, Domenick,

Driehaus, Koziura, Mason, S. Patton, D. Stewart, Ujvagi, Woodard, Yates, DeGeeter

The motion was agreed to and the title so amended.
The title as amended was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 137-Representatives Redfern, Householder, Cates, Allen, Beatty, Calvert, Carano, Carmichael, Clancy, Flowers, Hughes, Jerse, Otterman, T. Patton, Peterson, Schlichter, Trakas, Walcher, Wilson, Skindell, Fessler, Sferra, Miller, Cirelli, Perry, Key, Price, Chandler, Hoops, Reidelbach, Book, Distel, McGregor, Setzer, Oelslager, S. Smith, Seitz, C. Evans, Hollister, Hartnett, Harwood, Schaffer, Gilb, Schmidt, Sykes, Seaver, Strahorn, Brown, Barrett, Boccieri, DeBose, Domenick, Driehaus, Koziura, Mason, S. Patton, D. Stewart, Ujvagi, Woodard, Yates, DeGeeter.

In memory of Anthony J. Celebrezze, Jr.

WHEREAS, The members of the House of Representatives of the 125th General Assembly of Ohio were deeply saddened to learn of the death of Anthony J. Celebrezze, Jr., and wish to extend our heartfelt condolences to his family and friends; and

WHEREAS, Although there are no words to ease the sadness now felt, surely there is solace in the remembrance of having been touched by such an outstanding person. Known and respected throughout Ohio for his honesty and initiative as a former state senator, secretary of state, and attorney general, and chief law-enforcement officer, Anthony Celebrezze was revered as a devoted family man, giving his love and support to his wife, Louisa, and his five children, Anthony, Charles, David, Catherine, and Maria. The warmth of his personality made a lasting impression on everyone around him, and his compassion and conviction will long remain in the hearts and minds of all who knew him; and

WHEREAS, Anthony Celebrezze worked diligently to improve the quality of life in our society. Graduating from the Cleveland-Marshall College of Law in 1973 and holding public office for sixteen years until 1990, he set an example of service and achievement upon which he built a foundation of consumer and environmental advocacy for our state that continues to enrich Ohio residents to this day. In addition, he established a law practice in Columbus and was most recently associated with Kegler, Brown, Hill & Ritter, and he enthusiastically raced miniature replicas of old cars as a member of the Legends racing crew and attended St. Catherine Church; and

WHEREAS, Anthony Celebrezze brought dignity and determination to his work, and he earned the esteem and admiration of his colleagues and associates, as well as of the community he so capably served. Giving generously of his energy and abilities in all of his endeavors, including serving as a member of the Cleveland-Marshall Law School National Advisory Council, The Ohio State

University Moritz College of Law National Committee, and the Republic Engineered Steels, Inc., and Rotary Club of Columbus boards. Also an ombudsman for Employer Support of the Guard and Reserve, he displayed exceptional concern and insight in his efforts to better the world around him; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 125th General Assembly of Ohio, in adopting this Resolution, extend our condolences to the family and friends of Anthony J. Celebrezze, Jr., and hope that the love they feel for him will be an enduring source of strength in their sorrow; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of Anthony J. Celebrezze, Jr.

The resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 243-Representatives Raussen, Buehrer, Hollister, Reidelbach, S. Patton, Barrett, McGregor, Kearns, Willamowski, Gibbs, Fessler.

To amend sections 3901.043, 3901.51, and 3905.24, to enact section 3905.422, and to repeal sections 3957.01, 3957.02, 3957.03, 3957.04, 3957.05, 3957.06, 3957.07, 3957.08, 3957.09, 3957.10, 3957.11, 3957.12, 3957.13, 3957.14, 3957.15, 3957.16, 3957.17, 3957.18, 3957.19, and 3957.99 of the Revised Code to regulate the sale of home service contracts as consumer transactions rather than as the sale of insurance, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

12/09/03

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. 243, because it might be construed that I have an interest in the legislation.

Sincerely,

/s/ KEITH FABER

State Representative Keith Faber

77th House District

The request was granted.

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	Clancy
Collier	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hollister	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	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-95.

The bill passed.

Representative Raussen moved to amend the title as follows:

Add the names: "Allen, Beatty, Carano, Carmichael, Chandler, Clancy, Collier, Daniels, DeBose, DeGeeter, Domenick, Driehaus, C. Evans, Flowers, Gilb, Grendell, Hagan, Harwood, Hoops, Hughes, Jolivette, Key, Kilbane, Niehaus, Otterman, T. Patton, Price, Schlichter, Schmidt, Schneider, Seitz, S. Smith, D. Stewart, J. Stewart, Strahorn, Taylor, Ujvagi, Widener, Wolpert, Woodard, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 281-Representatives Martin, McGregor, Kearns, Seitz, Husted, Schaffer, Webster, Gibbs, Walcher, Carano, G. Smith, Olman, Wolpert, Faber, Hughes, Daniels.

To amend sections 1739.02, 1739.99, 1751.02, 1751.28, 3901.78, 3905.14, and 3999.99 and to enact sections 1739.27 and 3999.18 of the Revised Code to change the assets that are considered to be admitted assets for purposes of meeting the statutory minimum for health insuring corporations, to provide for criminal and financial penalties for persons establishing or operating unlicensed health care insurers and criminal and administrative penalties for agents selling policies of unlicensed insurers, and to amend provisions governing the issuance of certificates of compliance to insurers, 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	Clancy
Collier	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
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
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-96.

The bill passed.

Representative Martin moved to amend the title as follows:

Add the names: "Allen, Barrett, Buehrer, Calvert, Carmichael, Chandler, Collier, DeBose, DeGeeter, Distel, Domenick, C. Evans, Flowers, Gilb, Grendell, Hagan, Hartnett, Harwood, Hoops, Jolivette, Kilbane, Latta,

Niehaus, Otterman, S. Patton, Perry, Price, Reidelbach, Schlichter, Schmidt, Setzer, Sferra, D. Stewart, J. Stewart, Strahorn, Taylor, Ujvagi, Wagner, Widener, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. C. R. No. 31-Representatives Hollister, Allen, Barrett, Beatty, Clancy, Core, C. Evans, Flowers, Grendell, Hartnett, Hughes, T. Patton, Schmidt, J. Stewart, Strahorn, Ujvagi, Wilson.

To urge Congress to reauthorize abandoned mine land fee collection authority, to disperse shares of that fee without an 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, was taken up for consideration the third time.

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

Representative Hollister moved to amend the title as follows:

Add the names: "Miller, Niehaus, Peterson, Reidelbach."

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 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	Clancy
Collier	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
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
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-96.

The concurrent resolution was adopted.

Sub. S. B. No. 92-Senators Nein, Armbruster, Carey, Austria, Mumper, Roberts, White, Harris. -Representatives Schmidt, Flowers, Otterman.

To amend sections 3121.898, 3121.899, 4141.01, 4141.281, and 4141.29 of the Revised Code, and to amend Section 3 of S.B. 99 of the 124th General Assembly to modify limitations on the use of new hire reports under the Child Support Law, to change unemployment compensation eligibility requirements when unemployment is caused by a major disaster, to modify the authority of reviewing courts with respect to unemployment compensation appeals, to delay the implementation of specified unemployment compensation application requirements for a year and to declare an emergency, was taken up for consideration the third time.

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

The yeas and nays were taken and resulted - yeas 86, nays 10, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	Brown	Calvert
Carano	Carmichael	Cates	Chandler
Clancy	Collier	Core	Daniels
DeBose	DeGeeter	Distel	Domenick
Driehaus	Evans C.	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	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Ujvagi	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Williams	Wilson	Wolpert	Woodard
Yates			Householder-86.

Those who voted in the negative were: Representatives

Brinkman	Buehrer	Callender	DeWine
Faber	Fessler	Hollister	Skindell
Trakas			Young-10.

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

The question being, "Shall the bill pass as an emergency measure?"

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

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Book	Brown	Buehrer
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Clancy	Collier
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Domenick	Driehaus
Evans C.	Faber	Flowers	Gibbs
Gilb	Grendell	Hagan	Hartnett
Harwood	Hollister	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	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-94.

Representatives Brinkman and Fessler voted in the negative-2.

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

Representative Schneider moved to amend the title as follows:

Add the names: "Chandler, Clancy, Domenick, C. Evans, Hoops, McGregor, Niehaus, Price, Raussen, Schlichter, Seitz, J. Stewart, Ujvagi, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. Sub. S. B. No. 97-Senators Mallory, Brady, Carey, Dann, DiDonato, Fedor, Fingerhut, Goodman, Herington, Prentiss, Schuler, Stivers, Armbruster, Austria, Blessing, Miller, Nein, Schuring, Harris, Robert Gardner, White, Spada, Jacobson, Randy Gardner, Hottinger, Jordan. -Representatives Carmichael, Flowers, Cates, Buehrer, Trakas, Key.

To amend sections 153.59, 153.591, 3911.16, and 3911.17 of the Revised Code to remove the terms "colored persons" and "Negroes" from the Revised

Code and to broaden the application of the existing prohibition against discrimination in the sale and cost of life insurance to include all races, 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	Clancy
Collier	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Domenick
Driehaus	Evans C.	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
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 Harwood moved to amend the title as follows:

Add the names: "Allen, Barrett, Beatty, Book, Brown, Callender, Calvert, Carano, Chandler, Clancy, Collier, Daniels, DeBose, DeGeeter, Distel, Domenick, Driehaus, C. Evans, Faber, Fessler, Gibbs, Gilb, Grendell, Hagan, Hartnett, Harwood, Hollister, Hoops, Hughes, Husted, Jolivette, Kearns, Kilbane, Koziura, Latta, Martin, Mason, McGregor, Miller, Niehaus, Oelslager, Olman, Otterman, S. Patton, T. Patton, Perry, Peterson, Price, Raga, Rausen, Redfern, Reidelbach, Reinhard, Schaffer, Schlichter, Schmidt, Schneider, Setzer, Sferra, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Ujvagi, Walcher, Webster, White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates."

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 the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Woodard submitted the following report:

The standing committee on Finance and Appropriations to which was referred **H. B. No. 311**-Representatives Hagan, Miller, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: OHIO'S BEST RX

Representative Calvert moved to amend the title as follows:

Add the names: "Allen, Barrett, Beatty, Calvert, Clancy, Core, C. Evans, Faber, Flowers, Hartnett, Hughes, Husted, Jerse, Miller, S. Patton, T. Patton, Peterson, Raga, Schlichter, Schmidt, Strahorn, Trakas, Ujvagi, Wilson."

WILLIAM J. HARTNETT
JON M. PETERSON
TONY CORE
JEAN SCHMIDT
EDWARD JERSE
TIMOTHY J. GRENDELL
DIXIE J. ALLEN
SYLVESTER D. PATTON
CLAUDETTE J. WOODARD
JIM HUGHES
LARRY L. FLOWERS
TOM RAGA
JOHN SCHLICHTER
CHARLES A. WILSON
CLYDE EVANS
MERLE GRACE KEARNS

CHARLES CALVERT
JIMMY STEWART
CATHERINE L. BARRETT
JOYCE BEATTY
FRED STRAHORN
PATRICIA M. CLANCY
PETER UJVAGI
KEVIN DEWINE
DALE MILLER
THOMAS F. PATTON
JAMES PETER TRAKAS
JON A. HUSTED
KEITH L. FABER
JAMES M. HOOPS
SHAWN N. WEBSTER

The report was agreed to.

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

Representative Hartnett submitted the following report:

The standing committee on Education to which was referred **Sub. S. B. No.**

2-Senator Robert Gardner, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: QUALITY TEACHING - DIRECT GA

Representative Setzer moved to amend the title as follows:

Add the names: "Representatives Setzer, C. Evans, Callender, Chandler, Carano."

ARLENE J. SETZER
L. GEORGE DISTEL
BRYAN C. WILLIAMS
TYRONE K. YATES
W. SCOTT OELSLAGER
MERLE GRACE KEARNS
KATHLEEN CHANDLER
SHAWN N. WEBSTER
DERRICK SEAVER
JAMES M. HOOPS

KENNETH A. CARANO
JAMIE CALLENDER
KEVIN DEWINE
STEVE REINHARD
MICHAEL DEBOSE
MARY TAYLOR
WILLIAM J. HARTNETT
CLYDE EVANS
CLAUDETTE J. WOODARD

The following members voted "NO"

DIANA M. FESSLER

LINDA REIDELBACH

The report was agreed to.

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

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 311-Representatives Hagan, Miller, Allen, Barrett, Beatty, Calvert, Clancy, Core, C. Evans, Faber, Flowers, Hartnett, Hughes, Husted, Jerse, S. Patton, T. Patton, Peterson, Raga, Schlichter, Schmidt, Strahorn, Trakas, Ujvagi, Wilson.

To amend sections 127.16 and 2921.13 and to enact sections 5110.01, 5110.02, 5110.03, 5110.05, 5110.07 to 5110.19, 5110.21, 5110.22, 5110.23, 5110.25, 5110.26, 5110.27, 5110.28, 5110.29, 5110.32, 5110.33, 5110.35, 5110.351, 5110.352, 5110.353, 5110.354, 5110.36 to 5110.40, 5110.45 to 5110.51, 5110.55 to 5110.59, and 5110.99 of the Revised Code to create the Ohio's Best Rx Program and to make an appropriation, 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 1, as follows:

Those who voted in the affirmative were: Representatives

Allen

Aslanides

Barrett

Beatty

Blasdel	Book	Brown	Buehrer
Callender	Calvert	Carano	Carmichael
Cates	Chandler	Clancy	Collier
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Domenick	Driehaus
Evans C.	Faber	Fessler	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Jolivette
Kearns	Key	Kilbane	Koziura
Latta	Martin	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	White	Widener
Widowfield	Willamowski	Williams	Wilson
Wolpert	Woodard	Yates	Young
			Householder-93.

Representative Brinkman voted in the negative-1.

The bill passed.

Representative Hagan moved to amend the title as follows:

Add the names: "Aslanides, Book, Brown, Callender, Carano, Carmichael, Chandler, Collier, Daniels, DeBose, DeGeeter, Distel, Domenick, Driehaus, Gilb, Grendell, Harwood, Hollister, Jolivette, Key, Kilbane, Koziura, Latta, Martin, McGregor, Niehaus, Oelslager, Olman, Otterman, Perry, Price, Rausen, Redfern, Reinhard, Schaffer, Schneider, Seaver, Sferra, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Sykes, Taylor, Wagner, Walcher, White, Widowfield, Woodard, Yates, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 2-Senators Robert Gardner, Prentiss, Mumper, Goodman, Harris, Spada, Carnes, Blessing, Armbruster, Miller, Roberts, Stivers, Zurz, Dann, Hagan, Brady. -Representatives Setzer, C. Evans, Callender, Chandler, Carano.

To amend sections 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3302.04, 3307.01, 3313.28, 3313.53, 3313.713, 3318.031, 3319.09, 3319.11, 3319.111, 3319.22, 3319.225, 3319.227, 3319.23, 3319.26, 3319.283, 3319.29, 3319.291, 3319.31, 3319.311, 3319.36, 3319.39, 3319.51, and 3333.38; to enact sections 3314.034, 3319.074, 3319.075, 3319.112, 3319.25, 3319.261, 3319.27, 3319.303, 3319.56, 3319.57, 3319.60, 3319.61, 3319.62, 3319.65, 3333.161, and 3333.36; to repeal sections 3301.801 and

3319.28 of the Revised Code; to amend Section 12 of Sub. H.B. 364 of the 124th General Assembly and to amend Section 12 of Sub. H.B. 364 of the 124th General Assembly for the purpose of changing its number to section 3314.021 of the Revised Code; to amend Sections 11, 12, 13, and 14 of Am. Sub. H.B. 3 of the 125th General Assembly; and to amend Sections 41.03, 41.05, 41.10, 41.19, 41.33, 146, and 152 of Am. Sub. H.B. 95 of the 125th General Assembly to implement recommendations of the Governor's Commission on Teaching Success, to revise the laws with respect to the teaching profession, academic standards, and other education policies and programs, and to extend to November 26, 2004, the deadline for the Ohio Autism Task Force report, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Setzer moved that **Sub. S. B. No. 2**-Senator Robert Gardner, et al. , be informally passed and retain its place on the calendar.

The motion was agreed to.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on December 9, 2003, signed the following:

S.C.R. No. 8 - Senator Mumper - et al.,
Am. Sub. S.B. No. 53 - Senator Goodman - et al.,
Sub. H.B. No. 49 - Representative Hughes - et al.,
Sub. H.B. No. 54 - Representative Collier - et al.

On motion of Representative Cates, the House adjourned until Wednesday, December 10, 2003 at 1:30 o'clock p.m.

Attest:

LAURA P. CLEMENS,
Clerk.