

OHIO

House

of

Representatives

JOURNAL

FRIDAY, DECEMBER 17, 2004

TWO HUNDRED FORTY-EIGHTH DAY
Hall of the House of Representatives, Columbus, Ohio
Friday, December 17, 2004 at 1:15 o'clock p.m.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 98**-Representative Willamowski, et al., were taken up for consideration.

Sub. H. B. No. 98-Representatives Willamowski, Hughes, Gibbs, Allen, Otterman, J. Stewart, Schneider, Schmidt, Reidelbach, Buehrer, Cates, Clancy, Core, Distel, Domenick, Fessler, Flowers, Hagan, Harwood, Hollister, Key, Latta, McGregor, Niehaus, Price, Seitz. -Senators Wachtmann, Blessing, Spada.

To amend sections 145.323, 145.46, 145.92, 742.3711, 742.3716, 742.3717, 3105.80, 3105.82, 3307.60, 3307.67, 3307.87, 3309.374, 3309.46, 3309.92, 5505.162, and 5505.174 of the Revised Code to make changes to the optional benefit plans for retirants and the cost-of-living increase in the state retirement systems.

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

The yeas and nays were taken and resulted - yeas 86, nays 2, as follows:

Those who voted in the affirmative were: Representatives

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

Yates

Householder-86.

Representatives Harwood and Perry voted in the negative-2.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 260**-Representative Daniels, et al., were taken up for consideration.

Sub. H. B. No. 260-Representatives Daniels, McGregor, Seitz, J. Stewart, Core, Webster, Gilb, Kilbane, Aslanides, Collier, Combs, Flowers, Hoops, Peterson, Schaffer, Schmidt, Slaby, Taylor, Wolpert. -Senators Carey, White.

To amend sections 5703.47, 5719.041, 5731.23, and 5739.026 of the Revised Code to reduce the rate at which interest accrues on estate tax and personal property tax overpayments and to permit counties to levy a sales and use tax specifically for providing emergency medical services.

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

Representative Daniels moved that the Senate amendments to **Sub. H. B. No. 260**-Representative Daniels, et al., be informally passed and retain their place on the calendar.

The motion was agreed to.

The Senate amendments to **Am. Sub. H. B. No. 303**-Representative Oelslager, et al., were taken up for consideration.

Am. Sub. H. B. No. 303-Representatives Oelslager, DeGeeter, C. Evans, Kearns, McGregor, Skindell. -Senators Dann, Mumper.

To amend section 149.43, to enact sections 2710.01 to 2710.10, and to repeal section 2317.023 of the Revised Code to adopt the Uniform Mediation Act.

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

The yeas and nays were taken and resulted - yeas 88, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Buehrer	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Key	Kilbane	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	Skindell	Smith G.	Smith S.
Stewart D.	Stewart J.	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
White	Widener	Widowfield	Willamowski
Wilson	Wolpert	Yates	Householder-88.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 362**-Representative Hoops, et al., were taken up for consideration.

Sub. H. B. No. 362-Representatives Hoops, Allen, Calvert, C. Evans, D. Evans, Flowers, Hartnett, Jerse, Martin, Miller, T. Patton, Peterson, Schmidt, Strahorn, Aslanides, Barrett, Brown, Callender, Chandler, Cirelli, Collier, DeBose, Domenick, Gilb, Hollister, McGregor, Niehaus, Olman, Otterman, Price, Schlichter, Seaver, Seitz, Slaby, D. Stewart, J. Stewart, Walcher.
-Senators Amstutz, Blessing, Harris.

To amend sections 718.01, 718.02, 3318.05, 3318.052, 3318.08, 3318.44, 3770.07, 3770.10, 3770.12, 5705.192, 5705.21, 5733.04, 5733.42, and 5747.01 and to enact section 3770.121 of the Revised Code to permit school district permanent improvements levies imposed for a limited period of time to be renewed for a continuing period of time; to allow certain single member limited liability companies to elect to be separate taxpayers from their single members for purposes of municipal income taxation; to require under the municipal income tax law that a business add-back tax exempt stock options in the apportionment of its net profit among municipal corporations; to create an amnesty period for re-filing applications for exemption of real property that were dismissed due to case law; to change references regarding federal income tax law in the corporation franchise tax and income tax laws; to require the State Lottery Commission to allow a lottery prize winner who is being paid the prize award in installments to transfer, subject to certain restrictions, all or portions of the prize winner's outstanding prize award and to make other changes in the Lottery Law and the Lottery Prize Award Transfer Law; and to make changes to the distribution of the job training tax credit.

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

The yeas and nays were taken and resulted - yeas 86, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown

Buehrer	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	Domenick	Driehaus
Evans C.	Evans D.	Faber	Flowers
Gibbs	Gilb	Grendell	Hagan
Hartnett	Harwood	Hollister	Hoops
Hughes	Husted	Jerse	Key
Kilbane	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	Skindell
Smith G.	Smith S.	Stewart D.	Stewart J.
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Yates			Householder-86.

Representative Fessler voted in the negative-1.

The Senate amendments were concurred in.

The Senate amendments to **Am. Sub. H. B. No. 375**-Representative Kilbane, et al., were taken up for consideration.

Am. Sub. H. B. No. 375-Representatives Kilbane, Willamowski, Collier, Kearns, McGregor, Hollister, C. Evans, Clancy, Strahorn, S. Smith, Widener, Key, Hartnett, Ujvagi, Fessler, Harwood, Setzer, Webster, Aslanides, Barrett, Book, Carano, Carmichael, Cates, Chandler, Daniels, DeGeeter, Distel, Domenick, Driehaus, Faber, Flowers, Gibbs, Gilb, Grendell, Hagan, Hoops, Hughes, Jerse, Koziura, Latta, Martin, Niehaus, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Price, Redfern, Reidelbach, Schaffer, Schlichter, Schmidt, Schneider, Skindell, Slaby, G. Smith, D. Stewart, Taylor, Trakas, Walcher, Widowfield, Wolpert, Woodard, Young. -Senators Schuring, Zurz, Austria, Spada, Carey.

To amend sections 103.73, 103.74, 2930.16, 2967.03, 2967.12, and 5149.101 and to enact sections 103.75, 103.76, 103.77, 103.78, and 103.79 of the Revised Code to require the Parole Board, at the request of the victim of a specified offense or certain other persons, to hold a full board hearing, to permit the victim of such an offense, the victim's representative, and the victim's immediate family and the prisoner's counsel or another designated person to testify at that hearing, and to permit the Correctional Institution Inspection Committee to inspect Department of Youth Services facilities.

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

The yeas and nays were taken and resulted - yeas 88, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Buehrer	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Key	Kilbane	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	Kindell	Smith G.	Smith S.
Stewart D.	Stewart J.	Sykes	Taylor
Trakas	Ujvagi	Wagner	Walcher
White	Widener	Widowfield	Willamowski
Wilson	Wolpert	Yates	Householder-88.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 401**-Representative Raga, et al., were taken up for consideration.

Sub. H. B. No. 401-Representatives Raga, Latta, D. Evans, Aslanides, Beatty, Book, Brown, Buehrer, Carano, Carmichael, Cirelli, Daniels, DeBose, DeGeeter, Distel, Domenick, Driehaus, C. Evans, Flowers, Gibbs, Hagan, Hartnett, Harwood, Hollister, Hoops, Hughes, Martin, Miller, Olman, Otterman, T. Patton, Perry, Price, Reidelbach, Schaffer, Schmidt, Seaver, Slaby, G. Smith, Webster, Willamowski, Wilson, Wolpert. -Senator Austria.

To amend sections 1315.39, 1315.40, and 2913.11 of the Revised Code to increase the authorized amount of a check-cashing loan from \$500 to \$800, to modify the fee for such a loan if it is \$500 or more, to expand the offense of passing bad checks to apply to electronic transactions, to include in the offense a provision regarding stop payment orders on checks, and to include in the offense a provision regarding aggregation of checks issued within 180 days for purposes of determining an offender's penalty.

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

The yeas and nays were taken and resulted - yeas 60, nays 27, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Book	Brinkman	Buehrer	Calvert

Carano	Carmichael	Cates	Clancy
Collier	Combs	Core	Daniels
DeWine	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hoops	Husted
Kilbane	Latta	Martin	Niehaus
Oelslager	Olman	Patton S.	Patton T.
Perry	Peterson	Raga	Rausen
Redfern	Reinhard	Schaffer	Schlichter
Schmidt	Schneider	Seaver	Seitz
Setzer	Smith G.	Stewart J.	Taylor
Trakas	Wagner	Walcher	White
Widener	Widowfield	Willamowski	Wolpert-60.

Those who voted in the negative were: Representatives

Bocchieri	Brown	Chandler	Cirelli
DeBose	DeGeeter	Domenick	Driehaus
Hartnett	Harwood	Hollister	Hughes
Jerse	Key	Mason	McGregor
Miller	Otterman	Price	Reidelbach
Skindell	Smith S.	Stewart D.	Sykes
Ujvagi	Wilson		Yates-27.

The Senate amendments were concurred in.

Representative Raga moved to amend the title as follows:

Remove the names: "Book, Brown, Cirelli, Driehaus, Hartnett, Harwood, Miller, Otterman, Price, Wilson."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The Senate amendments to **Sub. H. B. No. 425**-Representative J. Stewart, et al., were taken up for consideration.

Sub. H. B. No. 425-Representatives J. Stewart, Aslanides, Hollister, Schaffer, Seitz, Skindell, Cirelli, Domenick, Niehaus, Blasdel, Carano, Collier, Daniels, DeBose, C. Evans, D. Evans, Gibbs, Otterman, Slaby, D. Stewart, Wilson, Wolpert. -Senators Mumper, Carey.

To amend sections 3901.211, 3905.40, 3905.401, 3929.302, 3929.50, 3929.51, 3929.52, 3929.56, 3929.58, 3929.59, 3951.01, 3951.05, 3951.06, and 5733.39, to enact new section 3951.09 and section 3905.901, and to repeal section 3951.09 of the Revised Code to remove current limits on mine subsidence coverage, to increase the cap on the amount of reinsurance coverage that the mine subsidence underwriting association may offer, to end the annual distribution of excess moneys in the mine subsidence insurance fund to policyholders, to permit a representative to be elected to the mine insurance governing board without a meeting of the members, to specify the Ohio counties in which mine subsidence insurance must be offered in

connection with property and homeowners insurance, to extend the tax credit for using Ohio coal to generate electricity and reduce the per-ton credit amount, to clarify the Department of Insurance's authority to impose annual valuation fees, to permit the Superintendent of Insurance to waive the examination requirement for public insurance adjusters licensed in another state and to license nonresident lending institutions and their employees as public insurance adjusters, to provide for a summary of information on medical claims reported by attorneys, to calculate direct written premiums of bail bond insurers, and to restrict the amount of homeowners insurance coverage that can be required by lenders.

12/17/04

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. 425** - Representative J. Stewart, et al., because it might be construed that I have an interest in the legislation.

/s/ KEVIN DEWINE
State Representative Kevin DeWine
70th House District

The request was granted.

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

The yeas and nays were taken and resulted - yeas 86, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Buehrer	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	Domenick	Driehaus
Evans C.	Evans D.	Faber	Fessler
Flowers	Gibbs	Gilb	Grendell
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Key	Kilbane	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

Skindell	Smith G.	Smith S.	Stewart D.
Stewart J.	Sykes	Taylor	Trakas
Ujvagi	Wagner	Walcher	White
Widener	Widowfield	Willamowski	Wilson
Wolpert			Yates-86.

The Senate amendments were concurred in.

The Senate amendments to **Am. H. B. No. 493**-Representative Hoops, et al., were taken up for consideration.

Am. H. B. No. 493-Representatives Hoops, Husted, J. Stewart, Aslanides, C. Evans, T. Patton, Willamowski, Latta, Seitz, Raga, Schaffer, Flowers, Setzer, G. Smith, Kearns, McGregor, Hughes, Schmidt, Ujvagi, D. Evans, Combs, Faber, Widener, Taylor, Schlichter, Slaby, Widowfield, Wolpert, Carmichael, Collier, Hartnett, Skindell, Carano, S. Patton, Miller, Seaver, Perry, Cirelli, Chandler, Otterman, Beatty, Brown, D. Stewart, Key, Mason, Allen, Barrett, Calvert, Clancy, Daniels, DeBose, DeGeeter, Domenick, Gibbs, Gilb, Harwood, Martin, Niehaus, Olman, Price, Reidelbach, S. Smith, Strahorn, Walcher, Wilson. -Senators Coughlin, Robert Gardner, Randy Gardner.

To amend sections 3119.89, 3119.90, 3119.94, 3121.38, 3301.0711, 3302.01, 3302.03, 3302.04, 3313.614, 3317.012, and 3319.55, to enact sections 5.2229, 3121.373, 3121.382, 3302.09, and 3319.63 of the Revised Code, and to repeal Section 7 of Am. Sub. S.B. 1 of the 124th General Assembly to designate the fourth week of September as "Parent's Week," to increase the penalties against and permit electronic transfers from the bank account of an employer who willfully fails to withhold the amount required under a support order, to make changes to the laws governing the impoundment of child support, to change the criteria for imposing sanctions on school districts under the No Child Left Behind Act, to make other changes to comply with that Act, to make teachers employed by chartered nonpublic schools eligible for stipends for holding valid certificates or licenses issued by the National Board for Professional Teaching Standards, to require the Department of Education to pay those stipends to qualified nonpublic school teachers for the 2003-2004 school year, to allow specified students to substitute passage of the Ohio Graduation Test in a particular subject for passage of the ninth grade proficiency test in that subject to satisfy diploma requirements, and to require school districts to grant professional leave to their employees who are members of the Educator Standards Board.

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

The yeas and nays were taken and resulted - yeas 84, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Bocieri
Book	Brown	Buehrer	Calvert
Carano	Carmichael	Cates	Chandler
Cirelli	Clancy	Collier	Combs
Core	Daniels	DeBose	DeGeeter
DeWine	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hartnett
Harwood	Hollister	Hoops	Hughes
Husted	Jerse	Key	Kilbane
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	Skindell	Smith G.
Smith S.	Stewart D.	Stewart J.	Sykes
Taylor	Ujvagi	Wagner	Walcher
White	Widener	Widowfield	Willamowski
Wilson	Wolpert	Yates	Householder-84.

Representatives Brinkman, Grendell, and Trakas voted in the negative-3.

The Senate amendments were concurred in.

MOTIONS AND RESOLUTIONS

Representative Trakas moved that majority party members asking leave to be absent or absent the week of Tuesday, December 14, 2004, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Miller moved that minority party members asking leave to be absent or absent the week of Tuesday, December 14, 2004, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 277-Senators Spada, White, Harris, Wachtmann, Armbruster, Goodman, Mumper, Austria, Stivers, Amstutz, Carey, Fingerhut, Prentiss, Padgett, Miller, Mallory, Fedor, Jordan, Schuler, Schuring.

-Representatives Wolpert, Daniels, Collier, Combs, C. Evans, Walcher, Wagner, McGregor, DeGeeter, Skindell, Cirelli, Domenick, Schlichter.

To enact section 5904.01 of the Revised Code to create the Ohio Veterans Hall of Fame to recognize the post-military achievements of outstanding veterans, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 87, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Bocchieri	Book	Brinkman	Brown
Buehrer	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hollister	Hoops	Hughes	Husted
Jerse	Key	Kilbane	Latta
Martin	Mason	McGregor	Miller
Niehaus	Oelslager	Olman	Otterman
Patton S.	Patton T.	Perry	Peterson
Price	Raga	Raussen	Redfern
Reinhard	Schaffer	Schlichter	Schmidt
Schneider	Seaver	Seitz	Setzer
Skindell	Smith G.	Smith S.	Stewart D.
Stewart J.	Sykes	Taylor	Trakas
Ujvagi	Wagner	Walcher	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Yates		Householder-87.

The bill passed.

Representative Wolpert moved to amend the title as follows:

Add the names: "Aslanides, Barrett, Beatty, Bocchieri, Book, Brown, Buehrer, Calvert, Carano, Carmichael, Chandler, Clancy, Core, DeBose, Driehaus, D. Evans, Faber, Fessler, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Harwood, Hoops, Hughes, Key, Kilbane, Latta, Martin, Miller, Niehaus, Oelslager, Olman, Otterman, S. Patton, Perry, Price, Redfern, Reidelbach, Reinhard, Schaffer, Schmidt, Schneider, Seaver, Seitz, Setzer, G. Smith, D. Stewart, J. Stewart, Taylor, Trakas, Ujvagi, White, Widener, Widowfield, Willamowski."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. C. R. No. 26-Representatives Hagan, Olman, Daniels, Hartnett, Martin, Mason, Miller, G. Smith, Strahorn, Schneider. -Senators Blessing, Schuler, Spada, Brady, Dann, Fedor, Fingerhut, Harris, Zurz, Prentiss, Padgett, DiDonato, Robert Gardner, Mallory.

To memorialize the United States Congress to provide for a national entity to establish and enforce mandatory, national electric transmission reliability

standards and to ensure federal oversight of that entity and federal authority to require transmission owner participation in a regional transmission organization, was taken up for consideration the third time.

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

Representative Hagan moved to amend the title as follows:

Add the names: "Aslanides, Barrett, Beatty, Boccieri, Buehrer, Chandler, Cirelli, DeBose, Domenick, Driehaus, C. Evans, Gilb, Niehaus, Oelslager, Otterman, T. Patton, Perry, Peterson, Price, Raga, Reidelbach, Schmidt, Seitz, Setzer, S. Smith, D. Stewart, Willamowski."

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 86, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Buehrer	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Hagan	Hartnett	Harwood	Hollister
Hoops	Hughes	Husted	Jerse
Key	Kilbane	Latta	Martin
Mason	Miller	Niehaus	Oelslager
Olman	Otterman	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.
Sykes	Taylor	Trakas	Ujvagi
Wagner	Walcher	White	Widener
Widowfield	Willamowski	Wilson	Wolpert
Yates			Householder-86.

Representatives Grendell and McGregor voted in the negative-2.

The concurrent resolution was adopted.

S. C. R. No. 33-Representatives Cirelli, Barrett, Price, G. Smith, Slaby, Reidelbach, S. Smith, Hoops, Martin. -Senators Stivers, Randy Gardner, Armbruster, Goodman, Harris, Amstutz, Miller, Padgett, Hagan, Fedor.

To create the Task Force for Preserving Adult Vision, was taken up for consideration the third time.

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

Representative G. Smith moved to amend the title as follows:

Add the names: "Beatty, Boccieri, Book, Brown, Buehrer, Carmichael, Chandler, DeBose, Domenick, Driehaus, C. Evans, D. Evans, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Harwood, Hollister, Hughes, Kilbane, Latta, Mason, McGregor, Miller, Niehaus, Otterman, T. Patton, Perry, Reinhard, Schmidt, Skindell, D. Stewart, Taylor, Walcher, Wolpert."

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 87, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Blasdel
Boccieri	Book	Brinkman	Brown
Buehrer	Calvert	Carano	Carmichael
Cates	Chandler	Cirelli	Clancy
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Grendell	Hagan	Hartnett	Harwood
Hoops	Hughes	Husted	Jerse
Key	Kilbane	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
Skindell	Smith G.	Smith S.	Stewart D.
Stewart J.	Sykes	Taylor	Trakas
Ujvagi	Wagner	Walcher	White
Widener	Widowfield	Willamowski	Wilson
Wolpert	Yates		Householder-87.

The concurrent resolution was adopted.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on December 10, 2004, signed the following:

H. C. R. No. 36 - Representative Schaffer - et al.,

S. B. No. 160 - Senator Wachtmann - Representative Gilb - et al.,

Sub. S. B. No. 185 - Senator Jordan - et al.,

Sub. H. B. No. 255 - Representative Setzer - et al.,

Am. Sub. H. B. No. 256 - Representative Setzer - et al.,
Sub. H. B. No. 331 - Representative Schmidt - et al.,
Am. Sub. H. B. No. 361 - Representative Flowers - et al.,
H. B. No. 367 - Representative Distel - et al.,
Sub. H. B. No. 377 - Representative Raga - et al.,
Sub. H. B. No. 411 - Representative Seitz - et al.,
Sub. H. B. No. 414 - Representative Core - et al.,
Am. Sub. H. B. No. 449 - Representative Seitz - et al.,
Am. Sub. H. B. No. 454 - Representative White - et al.,
Am. H. B. No. 498 - Representative Faber - et al.

Pursuant to Article II, Section 10 of the Constitution of the State of Ohio, the following protest was filed:

December 17, 2004

Please receive this statement as a protest of the manually recorded vote for Senate Bill 156. The vote was recorded in the affirmative vs. the opposition. Please note that the day of the vote was unusual...

The Minority Caucus was excused by the Speaker to caucus during Session and House votes were taken. Therefore, thirty plus members were casting their voice votes and it is my belief that my voice vote was inadvertently recorded in the affirmative rather than in the opposition.

I request that this protest be recorded in the official House Journal.

/s/ JOYCE BEATTY

State Representative Joyce Beatty
27th House District

On motion of Representative Cates, the House adjourned until Tuesday, December 21, 2004 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.