

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, MARCH 22, 2006

ONE HUNDRED FIFTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, March 22, 2006 at 1:30 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Father Harry Cavahaugh of the St. John Catholic Rectory in Maria Stein, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

Boy scout troop 61 and girl scout troop 56, guests of Representative Carmichael-3rd district.

Phyllis McNabb and Gloria Butler, guests of Representative D. Stewart-25th district.

Kathy O'Brien, a guest of Representative Schneider-35th district.

Marcus O. Jenkins, a guest of Representative Allen-39th district.

Capt. Clayton Dunkan, a guest of Representative Raga-67th district.

Shirley Saxton, a guest of Representative Fessler-79th district.

Diane Smith, Kathleen Sierwalt, Elizabeth Gabel, guests of Representative Wagner-81st district.

Members of the Hopewell Jobs for Ohio Grads, guests of Representatives Daniels-86th district, Schlichter-85th district and Bulp-88th district.

Members of the Perry County STAND Team, guests of Representative Hood-91st district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 543-Representative Peterson.

To amend section 1901.08 of the Revised Code to add one judge to the Delaware Municipal Court.

H. B. No. 544-Representatives Gibbs, Gilb, McGregor, J., Reidelbach, Martin, Wagner, Willamowski, Seitz, Latta, Collier, Hartnett, Cassell, Fessler, Chandler, Wagoner, Aslanides, Reinhard, Flowers, Distel, Taylor, Calvert, Kilbane, Coley, Hagan.

To amend sections 5703.70, 5739.031, 5739.033, 5739.034, 5739.035, 5739.24, and 5741.05, to enact section 5739.036, and to repeal section 5739.123 of the Revised Code to eliminate destination-based sourcing for in-state vendors, to permit remote sellers to choose to source a sale made to an in-state consumer under the destination-based sourcing requirements or pay a uniform tax on that sale, and to eliminate the temporary compensation plan for assisting vendors that comply with such sourcing requirements.

H. B. No. 545-Representatives Hughes, Latta, Evans, D., Cassell, Willamowski, McGregor, J., Driehaus, Perry, DeGeeter, Blasdel, Fessler, Combs, Flowers.

To amend section 2907.07 of the Revised Code to increase the penalty for importuning and require a mandatory one-year prison term for the offense.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative DeGeeter submitted the following report:

The standing committee on Criminal Justice to which was referred **Sub. S. B. No. 8**-Senator Austria, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PROHIBIT VEHICLE/VESSEL OPERATION IF ON DRUGS

Representative Latta moved to amend the title as follows:

Add the names: "Representatives Latta, Hughes."

- | | |
|---------------------|---------------------|
| DANNY R. BUBP | ROBERT E. LATTA |
| DAVID R. EVANS | MIKE GILB |
| JIM HUGHES | WILLIAM J. SEITZ |
| TIMOTHY J. DEGEETER | LANCE T. MASON |
| KENNY YUKO | JOHN R. WILLAMOWSKI |
| JEANINE PERRY | JOSEPH W. UECKER |
| STEPHEN BUEHRER | |

The following members voted "NO"

- | | |
|----------------------|-----------------|
| WILLIAM J. HEALY | ANNIE L. KEY |
| SALLY CONWAY KILBANE | TYRONE K. YATES |

The report was agreed to.

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

Representative Healy reported for the Rules and Reference Committee

recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

H.B. No. 492 - Representative Wolpert, et al

TO PERMIT TOWNSHIPS, COUNTIES, AND COMBINATIONS OF CERTAIN POLITICAL SUBDIVISIONS TO ESTABLISH TRANSFER OF DEVELOPMENT RIGHTS PROGRAMS.

To the committee on Local and Municipal Government and Urban Revitalization

H.B. No. 514 - Representative Yates

TO EXPAND THE CONSUMER SALES PRACTICES ACT TO INCLUDE TRANSACTIONS INVOLVING DEALERS IN INTANGIBLES AND THEIR CUSTOMERS AND TRANSACTIONS INVOLVING MORTGAGE BROKERS AND THEIR CLIENTS.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 523 - Representative Widener, et al

TO DESIGNATE JUNE 12 AS "RONALD REAGAN DAY."

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 535 - Representative J. McGregor, et al

TO DESIGNATE APRIL 29 OF EACH YEAR "HERITAGE AND FREEDOM FLAG OF THE FORMER REPUBLIC OF VIETNAM DAY."

To the committee on State Government

H.B. No. 536 - Representative Faber, et al

TO EXEMPT THE OHIO INSURANCE GUARANTY ASSOCIATION FROM BEING OBLIGATED TO PAY MORE THAN A SINGLE THREE HUNDRED THOUSAND DOLLAR CLAIM FOR INJURY OR DEATH TO ANY ONE PERSON AND A CLAIM OF AN INSURED WHOSE NET WORTH EXCEEDS FIFTY MILLION DOLLARS.

To the committee on Insurance

H.B. No. 537 - Representatives G. Smith and R. McGregor

TO REQUIRE THAT A PERSON CONVICTED OF RAPE WHEN THE VICTIM IS LESS THAN 13 OR WHEN THE PERSON PURPOSELY COMPELS THE VICTIM TO SUBMIT BY FORCE OR THREAT OF FORCE BE SENTENCED TO AN INDEFINITE PRISON TERM OF 25 YEARS TO LIFE, TO REQUIRE THAT A PERSON CONVICTED OF GROSS SEXUAL IMPOSITION WHEN THE VICTIM IS LESS THAN 13 BE SENTENCED TO AN INDEFINITE PRISON TERM OF 15 OR 25 YEARS TO LIFE, TO REQUIRE THAT A PERSON SO SENTENCED SERVE THAT TERM UNDER THE SEXUALLY VIOLENT PREDATOR LAW AS IF A SEXUALLY VIOLENT PREDATOR AND AUTOMATICALLY IS CLASSIFIED A SEXUAL PREDATOR FOR THE SORN LAW, AND TO PERMIT THE COURT TO SUBJECT A PERSON SO SENTENCED TO SUPERVISION WITH AN ACTIVE GLOBAL

POSITIONING SYSTEM DEVICE IF RELEASED FROM A STATE CORRECTIONAL INSTITUTION.

To the committee on Criminal Justice

H.B. No. 538 - Representative Wolpert

TO REQUIRE A COURT TO IMPOSE A PRISON TERM PRESCRIBED FOR A FELONY OF THE THIRD DEGREE ON A PERSON WHO IS CONVICTED OF OR PLEADS GUILTY TO SEXUAL BATTERY IF THE VICTIM IS LESS THAN THIRTEEN YEARS OF AGE.

To the committee on Criminal Justice

H.B. No. 539 - Representative Latta, et al

TO GENERALLY IMPOSE A MANDATORY MINIMUM PRISON TERM UPON AN OFFENDER WHO COMMITS A SPECIFIED SEX OFFENSE WHEN THE OFFENDER IS THE VICTIM'S TEACHER.

To the committee on Criminal Justice

Sub. S.B. No. 213 - Senator Clancy, et al

TO PERMIT A LICENSED PROFESSIONAL CLINICAL COUNSELOR TO TAKE CERTAIN PERSONS INTO CUSTODY AND TRANSPORT THOSE PERSONS TO A HOSPITAL.

To the committee on Health

Sub. S.B. No. 269 - Senator Amstutz, et al

TO EXEMPT FROM THE USE TAX ITEMS HELD BY A PERSON, BUT NOT FOR THAT PERSON'S OWN USE, AND DONATED TO A CHARITABLE ORGANIZATION, OR TO THE STATE OR ITS POLITICAL SUBDIVISIONS FOR EXCLUSIVELY PUBLIC PURPOSES.

To the committee on Ways and Means

JON A. HUSTED
CHARLES E. CALVERT
ANTHONY CORE
LARRY L. FLOWERS
JOHN SCHLICHTER
GEOFFREY C. SMITH
KENNETH A. CARANO
JOSEPH KOZIURA

CHARLES R. BLASDEL
JIM CARMICHAEL
KEVIN DEWINE
TOM RAGA
ARLENE J. SETZER
LARRY L. WOLPERT
TIMOTHY J. DEGEETER
ROBERT J. OTTERMAN

Representative Blasdel moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills and Senate 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 and Senate Bills were considered a second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H.R. No. 167 - Representative G. Smith

HONORING THE UPPER ARLINGTON HIGH SCHOOL GIRLS WATER POLO TEAM AS THE 2006 STATE CHAMPION.

Add the name: Flowers

H.R. No. 168 - Speaker Husted

AUTHORIZING THE USE OF THE HALL OF THE HOUSE FOR THE OHIO YOUTH IN GOVERNMENT PROGRAM TO CONDUCT ITS MODEL LEGISLATURE, APRIL 6, 7, 8, 2006.

Add the names: Flowers, Carmichael, Schlichter, Setzer, G. Smith, Carano, Otterman

H.R. No. 169 - Representatives G. Smith, Hughes, Reidelbach

HONORING THE OHIO STATE UNIVERSITY MEN'S BASKETBALL TEAM ON WINNING THE BIG TEN CONFERENCE.

Add the names: Calvert, Carmichael, Core, Flowers, Carano, Otterman

H.R. No. 170 - Representatives Widener, Schlichter

HONORING ZACH NELSON AS A 2006 DIVISION III STATE WRESTLING CHAMPION.

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Blasdel 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 Carmichael moved that majority party members asking leave to be absent or absent the week of Tuesday, March 21, 2006, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Driehaus moved that minority party members asking leave to be absent or absent the week of Tuesday, March 21, 2006, 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. 80-Representatives Smith, G., Flowers, Hartnett, Calvert, Hagan, Stewart, D., Distel, Yuko, Cassell, Collier, Combs.

To enact sections 153.03 and 153.031 of the Revised Code to prohibit a state agency from awarding a public improvement contract unless its terms require the contractors and subcontractors to participate in a specified drug-free workplace program, 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	Blessing	Bocchieri	Book
Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Cassell
Chandler	Coley	Collier	Combs
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Dolan	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fende	Fessler	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hoops	Hughes
Key	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor J.
McGregor R.	Mitchell	Oelslager	Otterman
Patton S.	Patton T.	Perry	Peterson
Raga	Rausen	Redfern	Reed
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seitz	Setzer
Skindell	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Uecker	Ujvagi	Wagner
Wagoner	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Woodard	Yates	Yuko	Husted-96.

The bill passed.

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

Add the names: "Allen, Aslanides, Barrett, Blessing, Chandler, Daniels, DeBose, Domenick, Evans, C., Fende, Garrison, Hughes, Key, McGregor, J., Otterman, Patton, T., Schaffer, Schneider, Setzer, Skindell, Stewart, J., Strahorn, Uecker, Williams."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blasdel, the House recessed.

The House met pursuant to recess.

Sub. H. B. No. 530-Representatives Calvert, Coley.

To amend sections 9.41, 9.901, 101.543, 107.40, 109.57, 109.572, 113.09, 113.11, 113.12, 117.45, 117.46, 117.47, 117.48, 120.36, 120.52, 120.521, 120.53, 121.37, 122.17, 122.171, 122.72, 122.73, 122.74, 122.90, 124.09, 124.11, 124.137, 124.138, 124.139, 124.14, 124.151, 124.152, 124.18, 124.181, 124.182, 124.321, 124.327, 124.382, 124.384, 124.387, 124.389, 124.391, 124.82, 124.821, 124.822, 124.823, 124.84, 125.21, 126.07, 126.21, 126.22, 131.01, 131.02, 131.33, 133.01, 133.04, 133.06, 133.12, 133.18, 141.08, 141.10, 145.70, 173.14, 173.39, 173.391, 173.41, 184.20, 319.301, 340.021, 742.57, 901.23, 927.39, 927.40, 927.41, 927.42, 955.011, 955.16, 955.43, 1309.102, 1309.520, 1309.521, 1317.07, 1321.02, 1333.11, 1523.02, 1901.31, 1901.311, 1901.32, 1901.33, 2151.357, 2305.2341, 2503.20, 2913.01, 2913.02, 2921.321, 2923.46, 2925.44, 2933.43, 3109.14, 3301.0714, 3302.021, 3307.32, 3309.68, 3310.03, 3310.06, 3313.29, 3313.372, 3313.61, 3313.64, 3313.6410, 3313.813, 3314.02, 3314.03, 3314.08, 3314.26, 3314.35, 3314.36, 3315.01, 3317.01, 3317.015, 3317.02, 3317.021, 3317.022, 3317.024, 3317.029, 3317.0216, 3317.03, 3317.051, 3317.053, 3317.06, 3317.07, 3317.082, 3317.11, 3317.19, 3318.052, 3318.37, 3319.17, 3323.091, 3323.13, 3323.20, 3345.05, 3353.02, 3354.10, 3355.07, 3357.10, 3358.06, 3365.02, 3375.121, 3381.15, 3381.17, 3517.152, 3701.041, 3701.341, 3701.65, 3705.242, 3734.57, 3735.67, 3745.114, 3905.43, 4109.01, 4109.02, 4109.06, 4117.01, 4303.29, 4731.22, 4731.281, 4781.04, 4905.79, 5111.061, 5111.081, 5111.11, 5111.20, 5111.222, 5111.231, 5111.244, 5111.27, 5111.31, 5111.88, 5111.882, 5111.889, 5111.8811, 5111.8812, 5112.08, 5112.18, 5112.31, 5115.04, 5119.16, 5123.0413, 5123.196, 5123.36, 5139.50, 5505.27, 5531.10, 5577.99, 5703.21, 5703.57, 5705.03, 5705.091, 5705.19, 5705.195, 5705.34, 5709.08, 5709.081, 5709.40, 5709.42, 5709.43, 5709.73, 5709.74, 5709.75, 5709.78, 5709.79, 5709.80, 5711.01, 5725.221, 5727.06, 5727.85, 5729.05, 5733.01, 5733.352, 5733.56, 5733.98, 5735.27, 5739.01, 5739.011, 5739.026, 5739.211, 5741.031, 5743.025, 5743.03, 5743.04, 5743.05, 5743.08, 5743.081, 5743.12, 5743.13, 5743.15, 5743.33, 5743.34, 5743.35, 5745.01, 5747.01, 5747.012, 5747.05, 5747.056, 5747.11, 5747.331, 5748.01, 5748.02, 5751.01, 5751.011, 5751.032, 5751.04, 5751.05, 5751.051, 5751.10, 5751.20, 5751.21, 5751.22, 5751.53, and 6121.02; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 117.45 (126.35), 117.46 (126.36), 117.47 (126.37), 117.48 (126.38), 173.41 (173.394), 5111.081 (5111.942), 5111.082 (5111.081), 5111.083 (5111.082), 5111.084 (5111.083), and 5111.085 (5111.084); to enact new sections 3325.12, 3365.11, and 5111.18 and sections 131.022, 173.27, 307.761, 333.01, 333.02, 333.03, 333.04, 333.05, 333.06, 333.07, 3310.11, 3310.12, 3314.18, 3323.143, 3701.046, 3701.79, 4303.207, 4503.105, 5111.8813, 5111.8814, 5111.8815, 5111.8816, 5111.8817, 5111.941, 5111.943, 5112.311, 5123.37, 5123.371, 5123.372, 5123.373, 5123.374, 5123.375, 5502.261,

5531.101, 5701.11, 5705.211, 5725.222, 5725.98, 5729.101, 5729.102, 5729.98, 5743.021, 5743.321, 5748.011, and 5919.19; and to repeal sections 3325.12, 3325.17, 3365.11, 4732.04, and 5111.18 of the Revised Code; to amend Section 3 of Sub. H.B. 11 of the 126th General Assembly; to amend Sections 203.09, 203.12, 203.12.12, 203.45, 203.51, 203.54, 203.66, 203.69, 203.84, 203.87, 203.99.01, 203.99.48, 206.03, 206.09.12, 206.09.15, 206.09.21, 206.09.27, 206.09.36, 206.09.39, 206.09.42, 206.09.66, 206.09.84, 206.16, 206.48, 206.66, 206.66.22, 206.66.23, 206.66.36, 206.66.64, 206.66.66, 206.66.84, 206.66.85, 206.66.91, 206.67.15, 206.67.21, 206.99, 209.04, 209.06.06, 209.06.09, 209.09.06, 209.09.18, 209.15, 209.18, 209.18.09, 209.24, 209.30, 209.33, 209.36, 209.45, 209.63, 209.63.42, 209.64.60, 209.75, 209.81, 209.90.06, 212.03, 212.24, 212.27, 212.30, 212.33, 315.03, 557.12, and 612.36.03 of Am. Sub. H.B. 66 of the 126th General Assembly; to amend Sections 23 and 23.01 of Am. Sub. S.B. 189 of the 125th General Assembly; to amend Sections 19.01, 20.01, 23.12, and 23.45 of Am. Sub. H.B. 16 of the 126th General Assembly, as subsequently amended; to amend Sections 203.06.06 and 203.06.24 of Am. Sub. H.B. 68 of the 126th General Assembly, as subsequently amended; to amend Section 22 of Am. Sub. S.B. 189 of the 125th General Assembly, as subsequently amended; and to repeal Sections 315.03 and 557.09.09 of Am. Sub. H.B. 66 of the 126th General Assembly to make capital reappropriations for the biennium ending June 30, 2008, to make certain supplemental and capital appropriations and to provide authorization and conditions for the operation of state programs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Calvert moved to amend as follows:

Delete lines 34169 through 34174

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

The motion was agreed to without objection.

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

Representative Wagoner moved to amend as follows:

In line 34168, delete "area" and insert "City"; delete "downtown"

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

The motion was agreed to without objection.

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

Representative Skindell moved to amend as follows:

In line 31744, after "(aa)" insert "Proceeds received from the sale or purchase of food for human consumption off the premises where sold;

(bb) Proceeds received from any wholesale sale or wholesale purchase of food for human consumption, including nonalcoholic beverages, its ingredients,

or its packaging:

(cc) Proceeds received from any sale or purchase of such items sold to or purchased by a manufacturer, processor, packager, distributor, or reseller of food for human consumption, including nonalcoholic beverages, or its ingredients, for use in its trade or business;

(dd) Proceeds received in any retail transaction, on any packaging that contains food for human consumption, including nonalcoholic beverages, on or off the premises where sold.

(ee)"

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

Representative Flowers 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 58, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hoops
Hughes	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Oelslager
Patton T.	Peterson	Raga	Rausen
Reed	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagner	Wagoner	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-58.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brown	Carano	Cassell
Chandler	DeBose	DeGeeter	Distel
Domenick	Driehaus	Fende	Garrison
Hartnett	Harwood	Healy	Key
Koziura	Mason	Mitchell	Otterman
Patton S.	Perry	Redfern	Sayre
Skindell	Smith S.	Stewart D.	Strahorn
Sykes	Ujvagi	Williams	Woodard
Yates			Yuko-38.

The motion to amend was laid on the table.

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

Representative Seitz moved to amend as follows:

In line 38326, strike through "\$3,751,848,959" and insert "\$3,741,848,959"

In line 38326a, delete "3,776,796,152" and insert "3,786,796,152"

In line 38327, strike through "\$5,612,109,788" and insert "\$5,597,010,257"

In line 38327a, delete "5,703,068,944" and insert "5,718,168,475"

In line 38328, strike through "\$9,363,958,747" and insert "\$9,338,859,216"

In line 38328a, delete "9,479,865,096" and insert "9,504,964,627"

In line 38334, delete "\$0 \$10,000,000" and insert "\$10,000,000 \$0"

In line 38337a, delete "5,724,674,830 5,814,611,844" and insert "5,709,575,299 5,829,711,375"

In line 38338a, delete "10,525,925,124 10,842,941,835" and insert "10,510,825,593 10,858,041,366"

In line 38413a, delete "17,097,346,328 17,443,185,664" and insert "17,082,246,797 17,458,285,195"

Between lines 40406 and 40407, insert:

"The unencumbered balance of appropriation item 600-529, Capital Compensation Program, at the end of fiscal year 2006 is hereby appropriated to fiscal year 2007 for use under the same appropriation item."

In line 42011, after "items" delete the balance of the line

In line 42012, delete "Program, and"

In line 42013, after "Rebate-State" delete the balance of the line; delete "create" and insert "creates"; delete "items" and insert "item"

In line 42014, delete everything before "600-639"

Delete lines 40407 through 41018 and insert:

"Section 606.18.06. FISCAL YEARS 2006 AND 2007 PAYMENTS TO CERTAIN NURSING FACILITIES AND ICFs/MR

(A) As used in this section:

"Capital costs," "cost of ownership," and "renovation" have the same meanings as in section 5111.20 of the Revised Code as that section existed on June 30, 2005.

"Change of operator" has the same meaning as in section 5111.65 of the Revised Code.

"ICF/MR" means an intermediate care facility for the mentally retarded.

"Inpatient days," "intermediate care facility for the mentally retarded," "Medicaid day," and "nursing facility" have the same meanings as in section 5111.20 of the Revised Code.

"Reviewable activity" has the same meaning as in section 3702.51 of the Revised Code.

(B) The following qualify for per diem payments under this section:

(1) A nursing facility to which both of the following apply:

(a) Both of the following occurred during fiscal year 2006 or 2007:

(i) The facility obtained certification as a nursing facility from the Director of Health.

(ii) The facility began participating in the Medicaid program.

(b) An application for a certificate of need for the nursing facility was filed with the Director of Health before June 15, 2005.

(2) An ICF/MR to which both of the following apply:

(a) Both of the following occurred during fiscal year 2006 or 2007:

(i) The facility obtained certification as an intermediate care facility for the mentally retarded from the Director of Health.

(ii) The facility began participating in the Medicaid program.

(b) At least one of the following occurred before June 30, 2005:

(i) Any materials or equipment for the facility were delivered.

(ii) Preparations for the physical site of the facility, including, if applicable, excavation, began.

(iii) Actual work on the facility began.

(3) A nursing facility to which all of the following apply:

(a) The nursing facility does not qualify for a payment pursuant to division (B)(1) of this section.

(b) The nursing facility, before June 30, 2007, completes a capital project for which a certificate of need was filed with the Director of Health before June 15, 2005, and for which at least one of the following occurred before July 1, 2005, or, if the capital project is undertaken to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the capital project were delivered;

(ii) Preparations for the physical site of the capital project, including, if applicable, excavation, began;

(iii) Actual work on the capital project began.

(c) The costs of the capital project are not fully reflected in the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The nursing facility files a three-month projected capital cost report with the Director of Job and Family Services not later than sixty days after the later of the effective date of this section or the date the capital project is completed.

(4) An ICF/MR to which all of the following apply:

(a) The ICF/MR does not qualify for a payment pursuant to division (B)(2) of this section.

(b) The ICF/MR, before June 30, 2007, completes a capital project for which at least one of the following occurred before July 1, 2005:

(i) Any materials or equipment for the capital project were delivered.

(ii) Preparations for the physical site of the capital project, including, if applicable, excavation, began.

(iii) Actual work on the capital project began.

(c) The costs of the capital project are not fully reflected in the capital costs portion of the ICF/MR's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The ICF/MR files a three-month projected capital cost report with the Director of Job and Family Services not later than sixty days after the later of the effective date of this section or the date the capital project is completed.

(5) A nursing facility that, before June 30, 2007, completes an activity to which all of the following apply:

(a) A request was filed with the Director of Health before July 1, 2005, for a determination of whether the activity is a reviewable activity and the Director determined that the activity is not a reviewable activity.

(b) At least one of the following occurred before July 1, 2005, or, if the nursing facility undertakes the activity to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the activity were delivered.

(ii) Preparations for the physical site of the activity, including, if applicable, excavation, began.

(iii) Actual work on the activity began.

(c) The costs of the activity are not fully reflected in the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The nursing facility files a three-month projected capital cost report with the Director of Job and Family Services not later than sixty days after the later of the effective date of this section or the date the activity is completed.

(6) A nursing facility or ICF/MR that, before June 30, 2007, completes a renovation to which all of the following apply:

(a) The Director of Job and Family Services approved the renovation before July 1, 2005.

(b) At least one of the following occurred before July 1, 2005, or, if the facility undertakes the renovation to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the renovation were delivered.

(ii) Preparations for the physical site of the renovation, including, if applicable, excavation, began.

(iii) Actual work on the renovation began.

(c) The costs of the renovation are not fully reflected in the capital costs portion of the facility's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The facility files a three-month projected capital cost report with the Director of Job and Family Services not later than sixty days after the later of the effective date of this section or the date the renovation is completed.

(C) If a nursing facility qualifies for per diem payments pursuant to division (B)(1) of this section for fiscal year 2006, the nursing facility's per diem payments under this section for fiscal year 2006 shall equal the difference between the capital costs portion of nursing facility's Medicaid reimbursement per diem rate determined under Section 206.66.22 of Am. Sub. H.B. 66 of the 126th General Assembly, as amended by this act, and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was eighty per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(D) If a nursing facility qualifies for per diem payments pursuant to division (B)(1) of this section for fiscal year 2007, the nursing facility's per diem payments under this section for fiscal year 2007 shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 206.66.23 of Am. Sub. H.B. 66 of the 126th General Assembly, as amended by this act, and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was eighty per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(E) If an ICF/MR qualifies for per diem payments pursuant to division (B)(2) of this section, the ICF/MR's per diem payments under this section shall equal the difference between the capital costs portion of the ICF/MR's Medicaid reimbursement per diem rate determined under Section 206.66.25 of Am. Sub. H.B. 66 of the 126th General Assembly and the lesser of the following:

(1) The ICF/MR's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the ICF/MR is expected to have during the period covered by the projected capital cost report or the number of inpatient days the ICF/MR would have during that period if the ICF/MR's occupancy rate was eighty per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for ICFs/MR.

(F) The per diem payments paid for fiscal year 2006 to a nursing facility that qualifies for the payments pursuant to division (B)(3) or (5) of this section shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 206.66.22 of Am. Sub. H.B. 66 of the 126th General Assembly, as amended by this act, and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(G) The per diem payments paid for fiscal year 2007 to a nursing facility that qualifies for the payments pursuant to division (B)(3) or (5) of this section shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 206.66.23 of Am. Sub. H.B. 66 of the 126th General Assembly, as amended by this act, and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost

report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(H) The per diem payments paid to an ICF/MR that qualifies for the payments pursuant to division (B)(4) of this section shall equal the difference between the capital costs portion of the ICF/MR's Medicaid reimbursement per diem rate determined under Section 206.66.25 of Am. Sub. H.B. 66 of the 126th General Assembly and the lesser of the following:

(1) The ICF/MR's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the ICF/MR is expected to have during the period covered by the projected capital cost report or the number of inpatient days the ICF/MR would have during that period if the ICF/MR's occupancy rate was ninety-five per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for ICFs/MR.

(I) The per diem payments paid to a nursing facility that qualifies for the payments pursuant to division (B)(6) of this section shall equal eighty-five per cent of the nursing facility's cost of ownership for the renovation as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.

(J) The per diem payments paid to an ICF/MR that qualifies for the payments pursuant to division (B)(6) of this section shall equal the ICF/MR's cost of ownership for the renovation as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the ICF/MR is expected to have during the period covered by the projected capital cost report or the number of inpatient days the ICF/MR would have during that period if the ICF/MR's occupancy rate was ninety-five per cent.

(K) All of the following apply to the per diem payments made under this section:

(1) No payment shall be made to a nursing facility or ICF/MR before the following:

(a) In the case of a nursing facility or ICF/MR that qualifies for the payments pursuant to division (B)(1) or (2) of this section, the later of January 1, 2006, or the date the nursing facility or ICF/MR begins to participate in the Medicaid program;

(b) In the case of a nursing facility or ICF/MR that qualifies for the payments pursuant to division (B)(3), (4), (5), or (6) of this section, the later of January 1, 2006, or the date the capital project, activity, or renovation is placed into service.

(2) The payments shall cease at the earlier of the following:

(a) June 30, 2007;

(b) The date that the total amount of the payments equals ten million dollars.

(3) The payments made for the last quarter that the payments are made may be reduced proportionately as necessary to avoid spending more than ten million dollars under this section.

(4) Except as provided by division (K)(5) of this section, the per diem payments shall be made quarterly by multiplying the per diem determined for a nursing facility or ICF/MR by the number of Medicaid days the facility has for the quarter the payment is made.

(5) Any per diem payments to be made to a nursing facility or ICF/MR for a quarter before May 2006 shall be made together as soon as the Director of Job and Family Services knows the number of Medicaid days the facility has during the quarter for which the payments are made.

(6) A change of operator shall not cause the payments to a nursing facility or ICF/MR to cease.

(7) The payments shall only be made to a nursing facility or ICF/MR for the quarters during fiscal years 2006 and 2007 for which the facility has a valid Medicaid provider agreement.

(8) The payments shall be in addition to a nursing facility or ICF/MR's Medicaid reimbursement per diem rate calculated under Section 206.66.22, 206.66.23, or 206.66.25 of Am. Sub. H.B. 66 of the 126th General Assembly, as, in the case of Sections 206.66.22 and 206.66.23, amended by this act.

(L) The Director of Job and Family Services shall monitor, on a quarterly basis, the per diem payments made to nursing facilities and ICFs/MR under this section to ensure that no more than a total of ten million dollars is spent under this section.

(M) The determinations that the Director of Job and Family Services makes under this section are not subject to appeal under Chapter 119. of the Revised Code.

(N) The Director of Job and Family Services may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this section. The Director's failure to adopt the rules does not affect the requirement that the per diem payments be made under this section."

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

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

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Boccieri	Book
Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Cassell
Chandler	Coley	Collier	Combs
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Dolan	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fende	Fessler	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hoops	Hughes
Key	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor J.
McGregor R.	Mitchell	Oelslager	Otterman
Patton S.	Patton T.	Perry	Peterson
Raga	Rausen	Redfern	Reed
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seitz	Setzer
Skindell	Smith G.	Smith S.	Stewart D.
Stewart J.	Strahorn	Sykes	Taylor
Trakas	Uecker	Ujvagi	Wagner
Wagoner	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Woodard	Yates	Yuko	Husted-96.

The motion was agreed to and the bill so amended.

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

Representative Hartnett moved to amend as follows:

In line 115, after "3309.68," insert "3310.01,"

Between lines 12296 and 12297, insert:

"**Sec. 3310.01.** As used in sections 3310.01 to 3310.17 of the Revised Code:

(A) "Chartered nonpublic school" means a nonpublic school that holds a valid charter issued by the state board of education under section 3301.16 of the Revised Code ~~and~~, meets the standards established for such schools in rules adopted by the state board, and has been determined by the department of education to perform comparably to or better than a public school in need of continuous improvement under section 3302.03 of the Revised Code.

(B) An "eligible student" is a student who satisfies the conditions specified in section 3310.03 of the Revised Code.

(C) "Parent" has the same meaning as in section 3313.98 of the Revised Code.

(D) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(E) "School year" has the same meaning as in section 3313.62 of the Revised Code."

In line 33223, after "3309.68," insert "3310.01,"

In line 41888, after "3301.0714," insert "3310.01,"

In line 19 of the title, after "3309.68," insert "3310.01,"

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

Representative Flowers 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 59, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Blasdel	Blessing
Brinkman	Bubp	Buehrer	Calvert
Carmichael	Coley	Collier	Combs
Core	Daniels	DeWine	Dolan
Evans C.	Evans D.	Faber	Fessler
Flowers	Gibbs	Gilb	Hagan
Hoops	Hughes	Kilbane	Latta
Law	Martin	McGregor J.	McGregor R.
Oelslager	Patton T.	Peterson	Raga
Raussen	Reed	Reidelbach	Reinhard
Schaffer	Schlichter	Schneider	Seitz
Setzer	Smith G.	Stewart J.	Taylor
Trakas	Uecker	Wagner	Wagoner
Webster	White	Widener	Widowfield
Willamowski	Wolpert		Husted-59.

Those who voted in the negative were: Representatives

Barrett	Beatty	Boccieri	Book
Brown	Carano	Cassell	Chandler
DeBose	DeGeeter	Distel	Domenick
Driehaus	Fende	Garrison	Hartnett
Harwood	Healy	Key	Koziura
Mason	Mitchell	Otterman	Patton S.
Perry	Redfern	Sayre	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Williams	Woodard	Yates
			Yuko-37.

The motion to amend was laid on the table.

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

Representative Williams moved to amend as follows:

Between lines 41799 and 41800, insert:

"Section ____. (A) There is hereby created the Joint Legislative Personal Property Tax Replacement Study Committee. The Committee shall consist of the following members of the General Assembly: the chairperson of the Senate Finance and Financial Institutions Committee, the chairperson of the House of Representatives Finance and Appropriations Committee, three members of the House of Representatives appointed by the Speaker of the House of Representatives, and three members of the Senate appointed by the President of the Senate. Not more than two members appointed by the Speaker and not more than two members appointed by the President may be of the same political party. One of the members appointed from each house shall be a member of the minority party recommended by the leader of the minority party. The appointments shall be made not later than June 30, 2006. The chairpersons of the appropriations committees shall serve as co-chairpersons of the Committee. The Department of Taxation shall cooperate with the Committee and, on request, shall provide any information and assistance that is required by the Committee to carry out its duties.

(B) The Committee shall study the effects on school districts of phasing-out the business tangible personal property tax under H.B. 66 of the 126th General Assembly, and any other matter related to that phase-out that it considers of significance. As part of the study, the Committee shall do all of the following:

(1) Estimate the total taxes lost by school districts as a result of the phase-out;

(2) Estimate the capacity of the commercial activity tax levied under Chapter 5751. of the Revised Code to replace lost tangible personal property tax revenues and to fund the General Revenue Fund;

(3) Ascertain the effects of the unreimbursed personal property tax losses on school district revenues and budgets and evaluate the effect on the ability of school districts to deliver services;

(4) Evaluate alternative revenue and state funding sources for school districts to replace unreimbursed personal property tax losses.

(C) At the call of the co-chairpersons, the Committee shall hold not less than four meetings. The co-chairpersons shall determine the time, place, and agenda for each meeting of the Committee. Not later than January 31, 2007, the Committee shall issue a report of its findings and shall make recommendations to the President of the Senate and the Speaker of the House of Representatives, at which time the Committee shall cease to exist."

In line 41949, after "757.18," insert " _____,"

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

Representative Flowers 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 58, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hoops
Hughes	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Oelslager
Patton T.	Peterson	Raga	Rausen
Reed	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagner	Wagoner	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-58.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brown	Carano	Cassell
Chandler	DeBose	DeGeeter	Distel
Domenick	Driehaus	Fende	Garrison
Hartnett	Harwood	Healy	Key
Koziura	Mason	Mitchell	Otterman
Perry	Redfern	Sayre	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Williams	Woodard	Yates
			Yuko-37.

The motion to amend was laid on the table.

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

Representative Ujvagi moved to amend as follows:

In line 120, after "3323.20," insert "3333.26,"

Between lines 18059 and 18060 insert:

"Sec. 3333.26. (A) Any citizen of this state who has resided within the state for one year and who was in the active service of the United States as a soldier, sailor, nurse, or marine between April 6, 1917, and November 11, 1918, and who has been honorably discharged from such service, shall be admitted to any school, college, or university that receives state funds in support thereof, without being required to pay any tuition or matriculation fee, but is not relieved from the payment of laboratory or similar fees.

(B)(1) As used in this division:

(a) "Volunteer firefighter" has the meaning given in division (B)(1) of section 146.01 of the Revised Code;

(b) "Public service officer" means an Ohio firefighter, volunteer firefighter, police officer, member of the highway patrol, employee designated to exercise the powers of police officers pursuant to section 1545.13 of the Revised Code, or other peace officer as defined by division (B) of section 2935.01 of the Revised Code, or a person holding any equivalent position in another state;

(c) "Qualified former spouse" means the former spouse of a public service officer, or of a member of the armed services of the United States, who is the custodial parent of a minor child of that marriage pursuant to an order allocating the parental rights and responsibilities for care of the child issued pursuant to section 3109.04 of the Revised Code.

(d) "Operation enduring freedom" means that period of conflict which began October 7, 2001, and ends on a date declared by the president of the United States or the congress.

(e) "Operation Iraqi freedom" means that period of conflict which began March 20, 2003, and ends on a date declared by the president of the United States or the congress.

(f) "Combat zone" means an area which the president of the United States by executive order designates, for purposes of 26 U.S.C. 112, as an area in which armed forces of the United States are or have engaged in combat.

(2) Any resident of this state who is under twenty-six years of age, or under thirty years of age if the resident has been honorably discharged from the armed services of the United States, and who is the child of a public service officer killed in the line of duty or of a member of the armed services of the United States killed in the line of duty during operation enduring freedom or operation Iraqi freedom, and who is admitted to any state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college, shall not be required to pay any tuition or any student fee for up to four academic years of education, which shall be at the undergraduate level.

A child of a member of the armed services of the United States killed in the line of duty during operation enduring freedom or operation Iraqi freedom is eligible for a waiver of tuition and student fees under this division only if the student is not eligible for a war orphans scholarship authorized by Chapter 5910. of the Revised Code. In any year in which the war orphans scholarship board reduces the percentage of tuition covered by a war orphans scholarship below one hundred per cent pursuant to division (A) of section 5910.04 of the Revised Code, the waiver of tuition and student fees under this division for a child of a member of the armed services of the United States killed in the line of duty during operation enduring freedom or operation Iraqi freedom shall be reduced by the same percentage.

(3) Any resident of this state who is the spouse or qualified former spouse of a public service officer killed in the line of duty or of a member of the armed services of the United States killed in the line of duty while serving in a

combat zone after May 7, 1975, and who is admitted to any state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college, shall not be required to pay any tuition or any student fee for up to four academic years of education, which shall be at the undergraduate level.

(C) Any institution that is not subject to division (B) of this section and that holds a valid certificate of registration issued under Chapter 3332., a valid certificate issued under Chapter 4709., or a valid license issued under Chapter 4713. of the Revised Code, or that is nonprofit and has a certificate of authorization issued under section 1713.02 of the Revised Code or that is a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code that reduces tuition and student fees of a student who is eligible to attend an institution of higher education under the provisions of division (B) of this section by an amount indicated by the Ohio board of regents shall be eligible to receive a grant in that amount from the board. Each institution that enrolls students under division (B) of this section shall report to the board, by the first day of July of each year, the number of students who were so enrolled and the average amount of all such tuition and fees waived during the preceding year. The board shall determine the average amount of all such tuition and fees waived during the preceding year. The average amount of tuition and fees waived under division (B) of this section during the preceding year shall be the amount of grants that participating institutions shall receive under this division during the current year, but no grant under this division shall exceed the tuition and student fees due and payable by the student prior to the reduction referred to in this division. Such grants shall be made for four years of undergraduate education of an eligible student."

In line 33228, after "3323.20," insert "3333.26,"

In line 27 of the title, after "3323.20," insert "3333.26,"

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

Representative Flowers 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 58, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hoops
Hughes	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Oelslager
Patton T.	Peterson	Raga	Rausen
Reed	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas

Uecker
White
Wolpert

Wagner
Widener

Wagoner
Widowfield

Webster
Willamowski
Husted-58.

Those who voted in the negative were: Representatives

Allen
Book
Chandler
Domenick
Hartnett
Koziura
Perry
Smith S.
Ujvagi

Barrett
Brown
DeBose
Driehaus
Harwood
Mason
Redfern
Stewart D.
Williams

Beatty
Carano
DeGeeter
Fende
Healy
Mitchell
Sayre
Strahorn
Woodard

Bocchieri
Cassell
Distel
Garrison
Key
Otterman
Skindell
Sykes
Yates
Yuko-37.

The motion to amend was laid on the table.

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

Representative Stewart, D. moved to amend as follows:

In line 146, after "4503.105," insert "5101.822,"

Between lines 21540 and 21541, insert:

"Sec. 5101.822. For each fiscal year, the general assembly shall make an appropriation under which a portion of the federal moneys available from the temporary assistance to needy families block grant are to be used for the home energy assistance program. Not less than fifteen per cent of the portion that is to be used for the home energy assistance program shall be used to provide low-cost residential weatherization or other energy-related home repair for low-income households in the same manner as funds are used for that purpose under section 5117.21 of the Revised Code."

Between lines 41018 and 41019 insert:

"Section _____. HOME ENERGY ASSISTANCE

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), \$25,000,000 in fiscal year 2007 shall be used by the Department of Job and Family Services to provide low-cost residential weatherization or other energy-related home repair for low-income households in the same manner as funds are used for that purpose under section 5117.21 of the Revised Code."

In line 41907, after "515.06," insert "_____,"

In line 61 of the title, after "4503.105," insert "5101.822,"

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

Representative Flowers 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 58, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hoops
Hughes	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Oelslager
Patton T.	Peterson	Raga	Rausen
Reed	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagner	Wagoner	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-58.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocieri
Book	Brown	Carano	Cassell
Chandler	DeBose	DeGeeter	Distel
Domenick	Driehaus	Fende	Garrison
Hartnett	Harwood	Healy	Key
Koziura	Mason	Mitchell	Otterman
Perry	Redfern	Sayre	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Williams	Woodard	Yates
			Yuko-37.

The motion to amend was laid on the table.

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

Representative Strahorn moved to amend as follows:

Between lines 36836 and 36837, insert:

"Section ____. OBJECT CODE 13 REDUCTIONS

The Director of Budget and Management shall reduce General Revenue Fund Object Code 13 expenditures by \$1,030,036 in fiscal year 2006 and \$1,634,608 in fiscal year 2007 without disrupting essential services of the state. No Object Code 13 reductions shall be made for the Department of Education, the Department of Mental Health, the Department of Mental Retardation and Developmental Disabilities, the Department of Rehabilitation and Correction, the Board of Regents, or the Department of Youth Services. This reduction shall be used to restore funding in GRF appropriation items 235-514, Central State Supplement, and 235-520, Shawnee State Supplement."

General Studies FTE student enrollments at Central State University and Shawnee State University, and for the following universities and their regional campuses: the Ohio State University, Ohio University, Kent State University, Bowling Green State University, Miami University, the University of Cincinnati, the University of Akron, and Wright State University.

CENTRAL STATE SUPPLEMENT

~~Of the~~The foregoing appropriation item ~~235-418, Access Challenge,~~ \$10,172,626 in fiscal year 2006 and \$9,663,995 in fiscal year 2007~~235-514,~~ Central State Supplement, shall be used by Central State University to keep undergraduate fees below the statewide average, consistent with its mission of service to many first-generation college students from groups historically underrepresented in higher education and from families with limited incomes."

In line 40397, after "209.63," insert "209.63.30,"

In line 41901, after "209.63," insert "209.63.30,"

In line 81 of the title, after "209.63," insert "209.63.30,"

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

Representative Flowers 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 58, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hoops
Hughes	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Oelslager
Patton T.	Peterson	Raga	Rausen
Reed	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagner	Wagoner	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-58.

Those who voted in the negative were: Representatives

Allen	Beatty	Boccieri	Book
Brown	Carano	Cassell	Chandler
DeBose	DeGeeter	Distel	Domenick
Driehaus	Fende	Garrison	Hartnett
Harwood	Healy	Key	Koziura
Mason	Mitchell	Otterman	Patton S.
Perry	Redfern	Sayre	Skindell

Smith S.
Ujvagi

Stewart D.
Williams

Strahorn
Woodard

Sykes
Yates
Yuko-37.

The motion to amend was laid on the table.

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

Representative Beatty moved to amend as follows:

In line 113, after "2151.357," insert "2301.02,"

Between lines 9862 and 9863, insert:

"Sec. 2301.02. The number of judges of the court of common pleas for each county, the time for the next election of the judges in the several counties, and the beginning of their terms shall be as follows:

(A) In Adams, Ashland, Fayette, and Pike counties, one judge, elected in 1956, term to begin February 9, 1957;

In Brown, Crawford, Defiance, Highland, Holmes, Morgan, Ottawa, and Union counties, one judge, to be elected in 1954, term to begin February 9, 1955;

In Auglaize county, one judge, to be elected in 1956, term to begin January 9, 1957;

In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin, Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and Wyandot counties, one judge, to be elected in 1956, term to begin January 1, 1957;

In Morrow county, two judges, one to be elected in 1956, term to begin January 1, 1957, and one to be elected in 2006, term to begin January 1, 2007;

In Logan county, two judges, one to be elected in 1956, term to begin January 1, 1957, and one to be elected in 2004, term to begin January 2, 2005;

In Carroll, Champaign, Clinton, Hocking, Meigs, Pickaway, Preble, Shelby, Van Wert, and Williams counties, one judge, to be elected in 1952, term to begin January 1, 1953;

In Harrison and Noble counties, one judge, to be elected in 1954, term to begin April 18, 1955;

In Henry county, two judges, one to be elected in 1956, term to begin May 9, 1957, and one to be elected in 2004, term to begin January 1, 2005;

In Putnam county, one judge, to be elected in 1956, term to begin May 9, 1957;

In Huron county, one judge, to be elected in 1952, term to begin May 14, 1953;

In Perry county, one judge, to be elected in 1954, term to begin July 6,

1956;

In Sandusky county, two judges, one to be elected in 1954, term to begin February 10, 1955, and one to be elected in 1978, term to begin January 1, 1979;

(B) In Allen county, three judges, one to be elected in 1956, term to begin February 9, 1957, the second to be elected in 1958, term to begin January 1, 1959, and the third to be elected in 1992, term to begin January 1, 1993;

In Ashtabula county, three judges, one to be elected in 1954, term to begin February 9, 1955, one to be elected in 1960, term to begin January 1, 1961, and one to be elected in 1978, term to begin January 2, 1979;

In Athens county, two judges, one to be elected in 1954, term to begin February 9, 1955, and one to be elected in 1990, term to begin July 1, 1991;

In Erie county, four judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1970, term to begin January 2, 1971, the third to be elected in 2004, term to begin January 2, 2005, and the fourth to be elected in 2008, term to begin February 9, 2009;

In Fairfield county, three judges, one to be elected in 1954, term to begin February 9, 1955, the second to be elected in 1970, term to begin January 1, 1971, and the third to be elected in 1994, term to begin January 2, 1995;

In Geauga county, two judges, one to be elected in 1956, term to begin January 1, 1957, and the second to be elected in 1976, term to begin January 6, 1977;

In Greene county, four judges, one to be elected in 1956, term to begin February 9, 1957, the second to be elected in 1960, term to begin January 1, 1961, the third to be elected in 1978, term to begin January 2, 1979, and the fourth to be elected in 1994, term to begin January 1, 1995;

In Hancock county, two judges, one to be elected in 1952, term to begin January 1, 1953, and the second to be elected in 1978, term to begin January 1, 1979;

In Lawrence county, two judges, one to be elected in 1954, term to begin February 9, 1955, and the second to be elected in 1976, term to begin January 1, 1977;

In Marion county, three judges, one to be elected in 1952, term to begin January 1, 1953, the second to be elected in 1976, term to begin January 2, 1977, and the third to be elected in 1998, term to begin February 9, 1999;

In Medina county, three judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1966, term to begin January 1, 1967, and the third to be elected in 1994, term to begin January 1, 1995;

In Miami county, two judges, one to be elected in 1954, term to begin February 9, 1955, and one to be elected in 1970, term to begin on January 1, 1971;

In Muskingum county, three judges, one to be elected in 1968, term to begin August 9, 1969, one to be elected in 1978, term to begin January 1, 1979, and one to be elected in 2002, term to begin January 2, 2003;

In Portage county, three judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1960, term to begin January 1, 1961, and the third to be elected in 1986, term to begin January 2, 1987;

In Ross county, two judges, one to be elected in 1956, term to begin February 9, 1957, and the second to be elected in 1976, term to begin January 1, 1977;

In Scioto county, three judges, one to be elected in 1954, term to begin February 10, 1955, the second to be elected in 1960, term to begin January 1, 1961, and the third to be elected in 1994, term to begin January 2, 1995;

In Seneca county, two judges, one to be elected in 1956, term to begin January 1, 1957, and the second to be elected in 1986, term to begin January 2, 1987;

In Warren county, four judges, one to be elected in 1954, term to begin February 9, 1955, the second to be elected in 1970, term to begin January 1, 1971, the third to be elected in 1986, term to begin January 1, 1987, and the fourth to be elected in 2004, term to begin January 2, 2005;

In Washington county, two judges, one to be elected in 1952, term to begin January 1, 1953, and one to be elected in 1986, term to begin January 1, 1987;

In Wood county, three judges, one to be elected in 1968, term beginning January 1, 1969, the second to be elected in 1970, term to begin January 2, 1971, and the third to be elected in 1990, term to begin January 1, 1991;

In Belmont and Jefferson counties, two judges, to be elected in 1954, terms to begin January 1, 1955, and February 9, 1955, respectively;

In Clark county, four judges, one to be elected in 1952, term to begin January 1, 1953, the second to be elected in 1956, term to begin January 2, 1957, the third to be elected in 1986, term to begin January 3, 1987, and the fourth to be elected in 1994, term to begin January 2, 1995.

In Clermont county, five judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1964, term to begin January 1, 1965, the third to be elected in 1982, term to begin January 2, 1983, the fourth to be elected in 1986, term to begin January 2, 1987; and the fifth to be elected in 2006, term to begin January 3, 2007;

In Columbiana county, two judges, one to be elected in 1952, term to begin January 1, 1953, and the second to be elected in 1956, term to begin January 1, 1957;

In Delaware county, two judges, one to be elected in 1990, term to begin

February 9, 1991, the second to be elected in 1994, term to begin January 1, 1995;

In Lake county, six judges, one to be elected in 1958, term to begin January 1, 1959, the second to be elected in 1960, term to begin January 2, 1961, the third to be elected in 1964, term to begin January 3, 1965, the fourth and fifth to be elected in 1978, terms to begin January 4, 1979, and January 5, 1979, respectively, and the sixth to be elected in 2000, term to begin January 6, 2001;

In Licking county, four judges, one to be elected in 1954, term to begin February 9, 1955, one to be elected in 1964, term to begin January 1, 1965, one to be elected in 1990, term to begin January 1, 1991, and one to be elected in 2004, term to begin January 1, 2005;

In Lorain county, ten judges, two to be elected in 1952, terms to begin January 1, 1953, and January 2, 1953, respectively, one to be elected in 1958, term to begin January 3, 1959, one to be elected in 1968, term to begin January 1, 1969, two to be elected in 1988, terms to begin January 4, 1989, and January 5, 1989, respectively, two to be elected in 1998, terms to begin January 2, 1999, and January 3, 1999, respectively; one to be elected in 2006, term to begin January 6, 2007; and one to be elected in 2008, term to begin February 9, 2009, as described in division (C)(1)(c) of section 2301.03 of the Revised Code;

In Butler county, eleven judges, one to be elected in 1956, term to begin January 1, 1957; two to be elected in 1954, terms to begin January 1, 1955, and February 9, 1955, respectively; one to be elected in 1968, term to begin January 2, 1969; one to be elected in 1986, term to begin January 3, 1987; two to be elected in 1988, terms to begin January 1, 1989, and January 2, 1989, respectively; one to be elected in 1992, term to begin January 4, 1993; two to be elected in 2002, terms to begin January 2, 2003, and January 3, 2003, respectively; and one to be elected in 2006, term to begin January 3, 2007;

In Richland county, four judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1960, term to begin February 9, 1961, the third to be elected in 1968, term to begin January 2, 1969, and the fourth to be elected in 2004, term to begin January 3, 2005;

In Tuscarawas county, two judges, one to be elected in 1956, term to begin January 1, 1957, and the second to be elected in 1960, term to begin January 2, 1961;

In Wayne county, two judges, one to be elected in 1956, term beginning January 1, 1957, and one to be elected in 1968, term to begin January 2, 1969;

In Trumbull county, six judges, one to be elected in 1952, term to begin January 1, 1953, the second to be elected in 1954, term to begin January 1, 1955, the third to be elected in 1956, term to begin January 1, 1957, the fourth to be elected in 1964, term to begin January 1, 1965, the fifth to be elected in 1976, term to begin January 2, 1977, and the sixth to be elected in 1994, term to begin January 3, 1995;

(C) In Cuyahoga county, thirty-nine judges; eight to be elected in 1954, terms to begin on successive days beginning from January 1, 1955, to January 7, 1955, and February 9, 1955, respectively; eight to be elected in 1956, terms to begin on successive days beginning from January 1, 1957, to January 8, 1957; three to be elected in 1952, terms to begin from January 1, 1953, to January 3, 1953; two to be elected in 1960, terms to begin on January 8, 1961, and January 9, 1961, respectively; two to be elected in 1964, terms to begin January 4, 1965, and January 5, 1965, respectively; one to be elected in 1966, term to begin on January 10, 1967; four to be elected in 1968, terms to begin on successive days beginning from January 9, 1969, to January 12, 1969; two to be elected in 1974, terms to begin on January 18, 1975, and January 19, 1975, respectively; five to be elected in 1976, terms to begin on successive days beginning January 6, 1977, to January 10, 1977; two to be elected in 1982, terms to begin January 11, 1983, and January 12, 1983, respectively; and two to be elected in 1986, terms to begin January 13, 1987, and January 14, 1987, respectively;

In Franklin county, twenty-two judges; two to be elected in 1954, terms to begin January 1, 1955, and February 9, 1955, respectively; four to be elected in 1956, terms to begin January 1, 1957, to January 4, 1957; four to be elected in 1958, terms to begin January 1, 1959, to January 4, 1959; three to be elected in 1968, terms to begin January 5, 1969, to January 7, 1969; three to be elected in 1976, terms to begin on successive days beginning January 5, 1977, to January 7, 1977; one to be elected in 1982, term to begin January 8, 1983; one to be elected in 1986, term to begin January 9, 1987; two to be elected in 1990, terms to begin July 1, 1991, and July 2, 1991, respectively; one to be elected in 1996, term to begin January 2, 1997; and one to be elected in 2004, term to begin July 1, 2005;

In Hamilton county, twenty-one judges; eight to be elected in 1966, terms to begin January 1, 1967, January 2, 1967, and from February 9, 1967, to February 14, 1967, respectively; five to be elected in 1956, terms to begin from January 1, 1957, to January 5, 1957; one to be elected in 1964, term to begin January 1, 1965; one to be elected in 1974, term to begin January 15, 1975; one to be elected in 1980, term to begin January 16, 1981; two to be elected at large in the general election in 1982, terms to begin April 1, 1983; one to be elected in 1990, term to begin July 1, 1991; and two to be elected in 1996, terms to begin January 3, 1997, and January 4, 1997, respectively;

In Lucas county, fourteen judges; two to be elected in 1954, terms to begin January 1, 1955, and February 9, 1955, respectively; two to be elected in 1956, terms to begin January 1, 1957, and October 29, 1957, respectively; two to be elected in 1952, terms to begin January 1, 1953, and January 2, 1953, respectively; one to be elected in 1964, term to begin January 3, 1965; one to be elected in 1968, term to begin January 4, 1969; two to be elected in 1976, terms to begin January 4, 1977, and January 5, 1977, respectively; one to be elected in 1982, term to begin January 6, 1983; one to be elected in 1988, term to begin January 7, 1989; one to be elected in 1990, term to begin January 2, 1991; and one to be elected in 1992, term to begin January 2, 1993;

In Mahoning county, seven judges; three to be elected in 1954, terms to begin January 1, 1955, January 2, 1955, and February 9, 1955, respectively; one to be elected in 1956, term to begin January 1, 1957; one to be elected in 1952, term to begin January 1, 1953; one to be elected in 1968, term to begin January 2, 1969; and one to be elected in 1990, term to begin July 1, 1991;

In Montgomery county, fifteen judges; three to be elected in 1954, terms to begin January 1, 1955, January 2, 1955, and January 3, 1955, respectively; four to be elected in 1952, terms to begin January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953, respectively; one to be elected in 1964, term to begin January 3, 1965; one to be elected in 1968, term to begin January 3, 1969; three to be elected in 1976, terms to begin on successive days beginning January 4, 1977, to January 6, 1977; two to be elected in 1990, terms to begin July 1, 1991, and July 2, 1991, respectively; and one to be elected in 1992, term to begin January 1, 1993.

In Stark county, eight judges; one to be elected in 1958, term to begin on January 2, 1959; two to be elected in 1954, terms to begin on January 1, 1955, and February 9, 1955, respectively; two to be elected in 1952, terms to begin January 1, 1953, and April 16, 1953, respectively; one to be elected in 1966, term to begin on January 4, 1967; and two to be elected in 1992, terms to begin January 1, 1993, and January 2, 1993, respectively;

In Summit county, ~~eleven~~twelve judges; four to be elected in 1954, terms to begin January 1, 1955, January 2, 1955, January 3, 1955, and February 9, 1955, respectively; three to be elected in 1958, terms to begin January 1, 1959, January 2, 1959, and May 17, 1959, respectively; one to be elected in 1966, term to begin January 4, 1967; one to be elected in 1968, term to begin January 5, 1969; one to be elected in 1990, term to begin May 1, 1991; ~~and one to be elected in 1992, term to begin January 6, 1993; and one to be elected in 2008, term to begin January 5, 2009.~~

Notwithstanding the foregoing provisions, in any county having two or more judges of the court of common pleas, in which more than one-third of the judges plus one were previously elected at the same election, if the office of one of those judges so elected becomes vacant more than forty days prior to the second general election preceding the expiration of that judge's term, the office that that judge had filled shall be abolished as of the date of the next general election, and a new office of judge of the court of common pleas shall be created. The judge who is to fill that new office shall be elected for a six-year term at the next general election, and the term of that judge shall commence on the first day of the year following that general election, on which day no other judge's term begins, so that the number of judges that the county shall elect shall not be reduced.

Judges of the probate division of the court of common pleas are judges of the court of common pleas but shall be elected pursuant to sections 2101.02 and 2101.021 of the Revised Code, except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot counties in which the judge of the court of common pleas

elected pursuant to this section also shall serve as judge of the probate division, except in Lorain county in which the judges of the domestic relations division of the Lorain county court of common pleas elected pursuant to this section also shall perform the duties and functions of the judge of the probate division, and except in Morrow county in which the successors to the judge of the court of common pleas elected in 1956 pursuant to this section also shall serve as judge of the probate division."

In line 33221, after "2151.357," insert "2301.02,"

In line 17 of the title, after "2151.357," insert "2301.02,"

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

Representative Flowers 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 58, nays 33, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hoops
Hughes	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Oelslager
Patton T.	Peterson	Raga	Raussen
Reed	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagner	Wagoner	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-58.

Those who voted in the negative were: Representatives

Beatty	Bocchieri	Book	Brown
Carano	Chandler	DeBose	DeGeeter
Distel	Domenick	Driehaus	Fende
Garrison	Harwood	Healy	Key
Koziura	Mason	Mitchell	Otterman
Patton S.	Perry	Redfern	Sayre
Skindell	Smith S.	Strahorn	Sykes
Ujvagi	Williams	Woodard	Yates
			Yuko-33.

The motion to amend was laid on the table.

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

Representative Yates moved to amend as follows:

In line 29248, after the underlined period insert "The levying of a tax

under this section shall result in a reduction in the rate of tax levied in the county under section 5743.02 of the Revised Code by an amount equal to the rate of the tax levied under this section."

In line 29302, after the underlined period insert "The county treasurer shall credit distributions received from the commissioner to the county's arts enhancement fund, which each county levying a tax under this section shall create and maintain. The board of county commissioners of a county levying a tax under this section shall award moneys in the fund to projects and facilities of the qualifying regional arts and cultural district on behalf of which the tax is levied pursuant to application procedures and guidelines established by the board."

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

Representative Flowers 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 60, nays 31, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeGeeter	DeWine	Dolan
Evans C.	Evans D.	Faber	Fessler
Flowers	Gibbs	Hagan	Hoops
Hughes	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Oelslager
Patton T.	Peterson	Raga	Rausen
Redfern	Reed	Reidelbach	Reinhard
Schaffer	Schlichter	Schneider	Seitz
Setzer	Skindell	Smith G.	Stewart J.
Taylor	Trakas	Uecker	Wagner
Wagoner	Webster	White	Widener
Widowfield	Willamowski	Wolpert	Husted-60.

Those who voted in the negative were: Representatives

Boccieri	Book	Brown	Carano
Cassell	Chandler	DeBose	Distel
Domenick	Driehaus	Fende	Garrison
Hartnett	Harwood	Healy	Key
Koziura	Mason	Mitchell	Otterman
Patton S.	Perry	Sayre	Smith S.
Strahorn	Sykes	Ujvagi	Williams
Woodard	Yates		Yuko-31.

The motion to amend was laid on the table.

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

Representative Yates moved to amend as follows:

In line 124, after "4905.79," insert "5111.014,"

Between lines 21540 and 21541, insert:

"Sec. 5111.014. (A) The director of job and family services shall submit to the United States secretary of health and human services an amendment to the state medicaid plan to make an individual who meets all of the following requirements eligible for medicaid:

(1) The individual is pregnant;

(2) The individual's family income does not exceed one hundred ~~fifty~~eighty-five per cent of the federal poverty guidelines;

(3) The individual satisfies all relevant requirements established by rules adopted under division (D) of section 5111.01 of the Revised Code.

(B) If approved by the United States secretary of health and human services, the director of job and family services shall implement the medicaid plan amendment submitted under division (A) of this section as soon as possible after receipt of notice of the approval, but not sooner than January 1, 2000."

In line 33232, after "4781.13," insert "5111.014,"

In line 38326a, delete "3,776,796,152" and insert "3,783,496,152"

In line 38327a, delete "5,703,068,944" and insert "5,713,118,944"

In line 38328a, delete "9,479,865,096" and insert "9,496,615,096"

In line 38336a, delete "5,028,329,991" and insert "5,035,029,991"

In line 38337a, delete "5,814,611,844" and insert "5,824,661,844"

In line 38338a, delete "10,842,941,835" and insert "10,859,691,835"

In line 38413a, delete "17,443,185,664" and insert "17,459,935,664"

Between lines 40400 and 40401, insert:

"Section ____. MEDICAID PAYMENTS FOR PREGNANT WOMEN

Of the foregoing GRF appropriation item 600-525, Health Care/Medicaid, \$16,750,000 (\$6,700,000 state share and \$10,050,000 federal share) in fiscal year 2007 shall be used to make payments for the Medicaid services provided to pregnant women."

Between lines 41931 and 41932, insert:

"Section ____ of this act takes effect July 1, 2006."

In line 32 of the title, after "4905.79," insert "5111.014,"

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

Representative Flowers 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 58, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hoops
Hughes	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Oelslager
Patton T.	Peterson	Raga	Rausen
Reed	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagner	Wagoner	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-58.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocieri
Book	Brown	Carano	Cassell
Chandler	DeBose	DeGeeter	Distel
Domenick	Driehaus	Fende	Garrison
Hartnett	Harwood	Healy	Key
Koziura	Mason	Mitchell	Otterman
Patton S.	Perry	Redfern	Sayre
Skindell	Smith S.	Stewart D.	Strahorn
Sykes	Ujvagi	Williams	Woodard
Yates			Yuko-38.

The motion to amend was laid on the table.

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

Representative Beatty moved to amend as follows:

In line 122, delete "3701.341,"

In line 124, delete "4731.22, 4731.281,"

In line 145, delete "3701.79,"

Delete lines 18837 through 18851

Delete lines 18931 through 19065

Delete lines 20576 through 21401

In line 33230, delete "3701.341,"

In line 33232, delete "4731.22, 4731.281,"

Delete lines 42041 and 42042

In line 29 of the title, delete "3701.341,"

In line 32 of the title, delete "4731.22, 4731.281,"

In line 61 of the title, delete "3701.79,"

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

Representative Flowers 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 61, nays 35, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Brinkman
Bubp	Buehrer	Calvert	Carmichael
Cassell	Coley	Collier	Combs
Core	Daniels	DeGeeter	DeWine
Dolan	Driehaus	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hoops	Hughes
Kilbane	Latta	Law	Martin
McGregor J.	McGregor R.	Oelslager	Patton T.
Peterson	Raga	Rausen	Reed
Reidelbach	Reinhard	Schaffer	Schlichter
Schneider	Seitz	Setzer	Smith G.
Stewart J.	Taylor	Trakas	Uecker
Wagner	Wagoner	Webster	White
Widener	Widowfield	Willamowski	Wolpert
			Husted-61.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brown	Carano	Chandler
DeBose	Distel	Domenick	Fende
Garrison	Hartnett	Harwood	Healy
Key	Koziura	Mason	Mitchell
Otterman	Patton S.	Perry	Redfern
Sayre	Skindell	Smith S.	Stewart D.
Strahorn	Sykes	Ujvagi	Williams
Woodard	Yates		Yuko-35.

The motion to amend was laid on the table.

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

Representative Hartnett moved that the amendment offered by Representative Ujvagi be taken from the table.

The question being, "Shall the motion to take the amendment from the table be agreed to?"

The yeas and nays were taken and resulted - yeas 34, nays 60, as follows:

Those who voted in the affirmative were: Representatives

Barrett	Beatty	Boccieri	Book
Brown	Carano	Cassell	DeBose
DeGeeter	Distel	Domenick	Driehaus
Fende	Garrison	Hartnett	Harwood
Key	Koziura	Mason	Mitchell
Otterman	Patton S.	Perry	Redfern
Sayre	Skindell	Smith S.	Stewart D.
Strahorn	Sykes	Ujvagi	Williams
Woodard			Yates-34.

Those who voted in the negative were: Representatives

Allen	Aslanides	Blasdel	Blessing
Brinkman	Bubp	Buehrer	Calvert
Carmichael	Coley	Collier	Combs
Core	Daniels	DeWine	Dolan
Evans C.	Evans D.	Faber	Fessler
Flowers	Gibbs	Gilb	Hagan
Hoops	Hughes	Kilbane	Latta
Law	Martin	McGregor J.	McGregor R.
Oelslager	Patton T.	Peterson	Raga
Raussen	Reed	Reidelbach	Reinhard
Schaffer	Schlichter	Schneider	Seitz
Setzer	Smith G.	Stewart J.	Taylor
Trakas	Uecker	Wagner	Wagoner
Webster	White	Widener	Widowfield
Willamowski	Wolpert	Yuko	Husted-60.

The motion was not agreed to.

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

03/22/06

The Honorable Jon A. Husted, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Husted,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on **Sub. H. B. No. 530**-Representatives Calvert, Coley, because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ MARY TAYLOR
MARY TAYLOR
State Representative
43rd House District

The request was granted.

03/22/06

The Honorable Jon A. Husted, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Husted,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on **Sub. H. B. No. 530**-Representatives Calvert, Coley, because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ LANCE T. MASON
LANCE T. MASON
State Representative
8th House District

The request was granted.

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

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Boccieri	Book
Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Cassell
Chandler	Coley	Collier	Combs
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Dolan	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fende	Fessler	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hoops	Hughes
Key	Kilbane	Latta	Law
Martin	McGregor J.	McGregor R.	Mitchell
Oelslager	Otterman	Patton S.	Patton T.
Perry	Peterson	Raga	Raussen
Redfern	Reidelbach	Reinhard	Sayre
Schaffer	Schlichter	Schneider	Seitz
Setzer	Skindell	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Trakas	Uecker	Ujvagi	Wagner
Wagoner	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Woodard	Yates	Yuko	Husted-92.

Representative Koziura voted in the negative-1.

The bill passed.

Representative Calvert moved to amend the title as follows:

Add the names: "Allen, Aslanides, Collier, Combs, Dolan, Evans, C., Evans, D., Flowers, Hagan, Law, Martin, McGregor, R., Peterson, Schneider, Seitz, Setzer, Webster, White, Widowfield."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on March 21, 2006, signed the following:

Sub. H. B. No. 478 - Representative Wagoner - et al.

H. R. No. 155 - Speaker Husted - et al.

On motion of Representative Blasdel, the House adjourned until Thursday, March 23, 2006 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.