

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, MAY 9, 2006

ONE HUNDRED SEVENTY-SECOND DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, May 9, 2006 at 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Reverend Abi Flemister of the Trinity Episcopal Church in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

The Ohio State University football team received H.R. No. 148, presented by Representative G. Smith-24th district.

Students from the Pointview Elementary School, guests of Representative Flowers-19th district.

Katherin Teldmer, a guest of Representative Hughes-22nd district.

Shannon Faulk, a guest of Representative Yates-33rd district.

Joel Ershen, a guest of Representative Schneider-35th district.

Paul Fries, a guest of Representative Allen-39th district.

Ms. Patty Sautters and students from the St. Louis School, guests of Representative Hagan-50th district.

Bill K. Willis, a guest of Representatives Oelslager-51st district, Heally-52nd district and Hagan-50th district.

Sarah Bauer, Gary Wiggins, Nicole White, Josh Sherbourne, and Monica Bellavia, guests of Representative Law-64th district.

Students from the Johnstown-Monroe High School, guests of Representative D. Evans-71st district.

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

Celina Teenage Republican Club, guests of Representative Faber-77th district.

Emily Garrison, daughter, Representative Garrison-93rd district.

Mary Alice Frank, a guest of Representative Dolan-98th district.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 577**-Representative Smith, G..

To amend sections 5747.01, 5747.02, 5747.05, 5747.08, and 5747.98 and to

repeal section 5747.055 of the Revised Code to exempt from the personal income tax any unearned income of an individual who is age sixty-five or older.

**H. B. No. 578**-Representative Patton, T..

To amend sections 5747.01 and 5747.055 of the Revised Code to authorize an income tax deduction for retirement income of up to \$25,000 for individual filers and \$35,000 for joint filers.

**H. B. No. 579**-Representatives Coley, Uecker, Combs, Schneider, Seitz, Faber, Evans, D., Fende, McGregor, J., Hartnett, Cassell, Yuko, Allen, Mason.

To amend section 2501.012 of the Revised Code to add one additional judge to the Twelfth District Court of Appeals to be elected at the 2008 general election.

**H. B. No. 580**-Representative White.

To amend sections 3109.13, 3109.15, 3109.17, 3109.171, 3109.172, and 3109.18; to enact new section 3109.16 and section 3109.161; and to repeal section 3109.16 of the Revised Code regarding the Children's Trust Fund Board.

**H. B. No. 581**-Representatives Stewart, D., Allen, Barrett, Beatty, Bocchieri, Book, Carano, Cassell, Distel, Domenick, Driehaus, Harwood, Healy, Patton, S., Skindell, Strahorn, Sykes, Woodard, Yuko.

To amend section 125.01 and to enact sections 125.78, 125.781, 125.782, 125.783, 125.784, 125.785, 125.786, 125.787, 125.788, 125.789, 125.7810, and 125.99 of the Revised Code to establish requirements governing state privatization contracts.

**H. B. No. 582**-Representatives Stewart, D., Skindell, Woodard, Perry.

To enact sections 1751.661, 3923.602, and 3923.611 of the Revised Code to require certain sickness and accident insurance policies, public employee benefit plans, and health insuring corporation policies, contracts, and agreements to provide coverage for prescription contraceptive drugs and devices and outpatient services related to the provision of such drugs and devices.

**H. B. No. 583**-Representatives Peterson, Seitz, Yates, Stewart, J., Fende, Skindell, Collier, Brown, Carano, Cassell.

To amend sections 3734.13, 3745.01, and 3745.08 and to enact sections

3734.61 to 3734.65 of the Revised Code to prohibit the purchase of mercury or mercury-added measuring devices by schools, to prohibit the sale and distribution of mercury-containing thermometers, mercury-added novelties, and mercury-containing thermostats, to establish certain exceptions from the prohibitions, and to establish other requirements concerning mercury and certain mercury-containing products.

Said bills were considered the first time.

The following joint resolution was introduced:

**H. J. R. No. 13**-Representative DeWine.

Proposing to amend Sections 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, and 15 of Article XI, to amend, for the purpose of adopting new Section numbers as indicated in parentheses, Sections 5 (4), 6 (5), 7 (6), 8 (7), 10 (8), 11 (9), 12 (11), 13 (12), and 15 (13) of Article XI, to enact new Section 10 of Article XI, and to repeal Sections 4, 9, and 14 of Article XI of the Constitution of Ohio to revise the apportionment process for General Assembly and Congressional districts.

Said joint resolution was considered the first time.

#### CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 245**-Representative Reinhard, et al., were taken up for consideration.

**Sub. H. B. No. 245**-Representatives Reinhard, Aslanides, Barrett, Buehrer, Core, Faber, Hagan, Hughes, Kearns, Latta, McGregor, Schlichter, Seaver, Seitz, Setzer, Ujvagi, Wagner, Webster, Widowfield, Willamowski, Fende, Perry, Key, Law, Sayre, Bulp, Uecker, Hoops, Blessing, Boccieri, Book, Calvert, Carano, Carmichael, Cassell, Chandler, Collier, Combs, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Evans, C., Evans, D., Flowers, Garrison, Gibbs, Gilb, Hartnett, Harwood, Healy, Martin, Mason, Miller, Oelslager, Otterman, Patton, S., Patton, T., Peterson, Raussen, Reidelbach, Schaffer, Schneider, Skindell, Smith, G., Stewart, D., Stewart, J., Taylor, Trakas, Wagoner, White, Widener, Williams, Wolpert, Yates, Yuko. -Senators Schuler, Spada, Roberts, Fingerhut, Zurz, Dann, Amstutz, Carey, Clancy, Coughlin, Fedor, Grendell, Kearney, Mumper, Niehaus, Padgett, Wachtmann, Harris, Armbruster.

To amend sections 122.075, 125.831, 125.832, and 4511.101, to enact sections 122.861, 125.834, 125.836, 125.837, 125.838, and 5735.40 of the Revised Code and to amend Section 203.99.45 of Am. Sub. H.B. 66 of the 126th General Assembly and to amend Section 203.99 of Am. Sub. H.B. 66 of the 126th General Assembly as amended by Am. Sub. S.B. 236 of the 126th General Assembly to create diesel emissions reduction grant and revolving

loan programs, to revise the alternative fuel transportation grant program, to establish certain requirements related to the use of alternative fuels, and to make an appropriation.

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

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	Hood	Hoops
Hughes	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor J.	McGregor R.	Mitchell	Oelslager
Otterman	Patton T.	Perry	Peterson
Raga	Rausen	Redfern	Reed
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seaver	Seitz
Setzer	Skindell	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Wagoner	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Woodard	Yates	Yuko	Husted-96.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 279**-Representative Hughes, et al., were taken up for consideration.

**Sub. H. B. No. 279**-Representatives Hughes, Seitz, Coley, Willamowski, Core, Mason, Barrett, Beatty, Blessing, Book, Brown, Bubp, Calvert, Carano, Cassell, DeBose, DeGeeter, Distel, Dolan, Domenick, Driehaus, Evans, C., Evans, D., Faber, Fende, Flowers, Garrison, Gibbs, Gilb, Hartnett, Healy, Hoops, Law, Martin, McGregor, J., McGregor, R., Miller, Otterman, Patton, T., Perry, Reidelbach, Sayre, Schaffer, Setzer, Stewart, D., Uecker, Williams, Yates, Yuko. -Senators Fingerhut, Gardner, Goodman, Harris, Padgett, Schuler, Kearney, Stivers, Armbruster.

To enact sections 317.082 and 2923.201 of the Revised Code to prohibit a person from changing, altering, removing, or obliterating the name of the

manufacturer, model, manufacturer's serial number, or any other mark of identification on a firearm, to prohibit a person from possessing a firearm knowing or having reasonable cause to believe any such mark of identification on the firearm has been changed, altered, removed, or obliterated, to prohibit the inclusion of an individual's Social Security number on documents submitted for recording in the office of the county recorder, and to create an affirmative defense to associated civil liability of a good faith effort to comply with the noninclusion requirement.

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

05/09/06

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 the Senate amendments to **Sub. H. B. No. 279** -Representative Hughes, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,  
/s/ CHRIS WIDENER  
CHRIS WIDENER  
State Representative  
84th House District

The request was granted.

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

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	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	Hood	Hoops
Hughes	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor J.	McGregor R.	Mitchell	Oelslager
Otterman	Patton T.	Perry	Peterson

Raga	Rausen	Redfern	Reed
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seaver	Seitz
Setzer	Skindell	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Wagoner	Webster	White	Widowfield
Williamowski	Williams	Wolpert	Woodard
Yates	Yuko		Husted-95.

The Senate amendments were concurred in.

The Senate amendments to **Am. Sub. H. B. No. 385**-Representative Brinkman, et al., were taken up for consideration.

**Am. Sub. H. B. No. 385**-Representatives Brinkman, Seitz, Law, Schaffer, Webster, Wolpert, Domenick, Fende, Chandler, Daniels, McGregor, J., Combs, Barrett, Blessing, Calvert, Carano, Cassell, Coley, Collier, Distel, Evans, C., Flowers, Hartnett, Martin, McGregor, R., Patton, T., Perry, Raga, Reidelbach, Sayre, Taylor, Uecker, Wagner, Yuko. -Senators Niehaus, Schuring, Kearney, Grendell, Padgett, Roberts, Schuler, Clancy.

To amend sections 148.04, 148.06, 305.11, 504.11, 505.172, 505.375, 505.391, 505.94, 515.01, 5705.10, 5705.35, 5705.36, 5747.51, and 5747.62 and to enact sections 504.021 and 5705.132 of the Revised Code to make changes in various laws pertaining to townships, to permit written distribution of records, in lieu of reading the previous proceedings' record, at a session of the board of county commissioners, and to permit townships and municipal corporations to directly form fire and ambulance districts.

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

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	Hood	Hoops
Hughes	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor J.	McGregor R.	Mitchell	Oelslager
Otterman	Patton T.	Perry	Peterson

Raga	Rausen	Redfern	Reed
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seaver	Seitz
Setzer	Skindell	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Wagoner	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Woodard	Yates	Yuko	Husted-96.

The Senate amendments were concurred in.

### MOTIONS AND RESOLUTIONS

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

**H.R. No. 195 - Representative Coley, Speaker Husted, Representatives Beatty, Allen, Aslanides, Barrett, Blasdel, Blessing, Boccieri, Book, Brinkman, Brown, Bupp, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Martin, Mason, J. McGregor, R. McGregor, Miller, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Rausen, Redfern, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Walcher, Webster, White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko**

IN MEMORY OF SERGEANT FIRST CLASS GREGORY S. ROGERS.

/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 resolution contained therein be approved.

The motion was agreed to without objection.

### BILLS FOR THIRD CONSIDERATION

**S. B. No. 268**-Senators Stivers, Schuler, Mumper, Amstutz, Armbruster, Austria, Clancy, Goodman, Hottinger, Prentiss, Spada, Kearney, Harris.  
-Representatives Smith, G., Daniels, Evans, D., Faber, Hughes, Koziura, Patton, T., Perry, Setzer, Wolpert.



To amend section 3901.48 and to enact section 3915.16 of the Revised Code to adopt the Interstate Insurance Product Regulation Compact, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Bocchieri	Book
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
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 T.	Perry
Peterson	Raga	Rausen	Redfern
Reed	Reidelbach	Reinhard	Sayre
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Skindell	Smith G.
Smith S.	Stewart D.	Stewart J.	Strahorn
Sykes	Taylor	Trakas	Ujvagi
Wagner	Wagoner	Webster	White
Widener	Widowfield	Willamowski	Williams
Wolpert	Woodard	Yates	Yuko
			Husted-93.

Representatives Brinkman, Fessler, and Hood voted in the negative-3.

The bill passed.

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

Add the names: "Aslanides, Barrett, Chandler, Domenick, Driehaus, Evans, C., Flowers, McGregor, J., Seitz."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. Sub. S. B. No. 269**-Senators Amstutz, Austria, Clancy, Gardner, Grendell, Jacobson, Jordan, Padgett, Schuler, Wachtmann, Zurz, Spada, Roberts, Fingerhut, Dann, Armbruster, Carey, Goodman, Harris, Kearney, Schuring. -Representatives Seitz, Latta, Gilb, Schaffer, Gibbs, Strahorn, Collier, Hagan, Kilbane.

To amend section 5741.02 of the Revised Code 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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Kilbane moved that **Sub. S. B. No. 269**-Senator Amstutz, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

**Sub. H. B. No. 454**-Representatives Coley, Wagoner, Hartnett, Harwood, Brown, Bubp.

To amend sections 121.07, 1101.15, 1109.15, 1109.43, 1111.02, 1111.04, 1111.06, 1111.07, 1111.08, 1121.30, 1151.14, 1151.321, 1161.18, 1161.51, 1181.25, 1315.21, 1315.99, 1733.25, 4719.01, and 4973.17; to enact new sections 1151.348, 1315.01 to 1315.11, and 1315.16 to 1315.18; to enact sections 1161.601, 1315.081, 1315.101, 1315.12, 1315.121, 1315.122, 1315.13, 1315.14, 1315.15, 1315.151, 1315.152, 1315.153, and 1315.161; to repeal sections 1151.348, 1315.01, 1315.02, 1315.03, 1315.04, 1315.05, 1315.06, 1315.07, 1315.08, 1315.09, 1315.10, 1315.11, 1315.16, 1315.17, and 1315.18; and to repeal section 1125.28 of the Revised Code, as it results from S.B. 293 of the 121st General Assembly, to authorize financial institutions to enter into debt suspension and cancellation contracts; to authorize savings banks to engage in trust business; to require savings and loan associations only engage in trust business under the Trust Company Law; to change the function, operations, and investing authority of bankers' banks; to change entities that may be financial institution qualified trustees and entities that may transfer trust company business; to authorize a savings and loan association or a savings bank board of directors to create committees to carry out certain functions of the board; to modify the Money Transmitter Law, to remove Ohio Peace Officer Training Commission certification as a criterion for serving as a financial institution police officer, to exempt financial institution police officers who are employed as police officers before April 14, 2006, from peace officer training, and to declare an emergency, was taken up for consideration the third time.

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

The yeas and nays were taken and resulted - yeas 79, nays 17, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blessing	Book	Brown	Bubp
Carano	Carmichael	Cassell	Coley
Collier	Combs	Core	DeBose
DeGeeter	DeWine	Distel	Dolan
Domenick	Driehaus	Evans C.	Evans D.

Faber	Fende	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hoops	Hughes
Key	Kilbane	Koziura	Latta
Law	Martin	McGregor J.	McGregor R.
Mitchell	Oelslager	Otterman	Patton T.
Perry	Peterson	Raga	Rausen
Redfern	Reed	Reidelbach	Sayre
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Smith G.	Stewart D.
Stewart J.	Taylor	Ujvagi	Wagner
Wagoner	White	Widener	Widowfield
Willamowski	Williams	Wolpert	Woodard
Yates	Yuko		Husted-79.

Those who voted in the negative were: Representatives

Blasdel	Bocchieri	Brinkman	Buehrer
Calvert	Chandler	Daniels	Fessler
Hood	Mason	Reinhard	Skindell
Smith S.	Strahorn	Sykes	Trakas
			Webster-17.

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

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

The yeas and nays were taken and resulted - yeas 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	Hood	Hoops
Hughes	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor J.	McGregor R.	Mitchell	Oelslager
Otterman	Patton T.	Perry	Peterson
Raga	Rausen	Redfern	Reed
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seaver	Seitz
Setzer	Skindell	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Wagoner	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Woodard	Yates	Yuko	Husted-96.

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

Representative Coley moved to amend the title as follows:

Add the names: "Allen, Aslanides, Bocchieri, Collier, DeBose, Dolan, Domenick, Evans, C., Fende, Hughes, McGregor, J., Patton, T., Reidelbach, Schneider, Seitz, Setzer, Smith, G.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. C. R. No. 30-**Representatives Peterson, Wolpert, Chandler, Yuko, Fende, Mitchell, McGregor, J., Collier, Daniels, Uecker, Bubb.

To designate the village of Sunbury, Ohio, as the home of the Ohio Fallen Heroes Memorial, was taken up for consideration the third time.

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

Representative Peterson moved to amend the title as follows:

Add the names: "Allen, Barrett, Beatty, Blessing, Bocchieri, Book, Brown, Buehrer, Calvert, Carano, Cassell, Coley, Combs, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, Evans, C., Evans, D., Faber, Fessler, Flowers, Garrison, Hagan, Hartnett, Harwood, Healy, Hoops, Hughes, Key, Kilbane, Latta, Law, Martin, Mason, McGregor, R., Otterman, Patton, T., Perry, Raussen, Redfern, Reed, Reidelbach, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, Stewart, D., Stewart, J., Strahorn, Sykes, Taylor, Ujvagi, Wagoner, Webster, Widowfield, Willamowski, Williams, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

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

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Bocchieri	Book
Brinkman	Brown	Bubb	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	Hood	Hoops
Hughes	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor J.	McGregor R.	Mitchell	Oelslager

Otterman	Patton T.	Perry	Peterson
Raga	Raussen	Redfern	Reed
Reidelbach	Reinhard	Sayre	Schaffer
Schlichter	Schneider	Seaver	Seitz
Setzer	Skindell	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Sykes
Taylor	Trakas	Ujvagi	Wagner
Wagoner	Webster	White	Widener
Widowfield	Willamowski	Williams	Wolpert
Woodard	Yates	Yuko	Husted-96.

The concurrent resolution was adopted.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

**Sub. H. B. No. 390** - Representatives Taylor, Brinkman, Brown, Gibbs, Gilb, Hood, Kilbane, Trakas, Hagan, Blessing, Schaffer, Latta, Aslanides, Bulp, Carano, Cassell, Collier, Core, Domenick, Evans, C., Faber, Garrison, Hartnett, Key, Raussen, Reidelbach, Reinhard, Schneider, Seitz, Uecker, Widowfield, Willamowski, Yuko Senators Spada, Zurz, Fingerhut, Dann, Amstutz, Austria, Armbruster, Carey, Clancy, Coughlin, Grendell, Mumper, Niehaus, Padgett, Schuler, Schuring, Wachtmann, Miller, R., Miller, D., Roberts

To amend sections 109.082, 131.02, 2329.07, 5703.06, 5735.03, and 5749.02, to enact sections 131.022, 2305.26, and 5703.58, and to repeal section 5733.18 of the Revised Code to place a time limit on the collection of certain finalized but outstanding tax liabilities, to restore and lengthen a prior statute of limitation on certain statutory liens, to restore a former requirement that the state must periodically take affirmative action to keep alive judgment liens in the state's favor, and to provide "innocent spouse relief" from joint and several liability for income taxes under a compromise of claim.

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

Attest:

David A. Battocletti,  
Clerk.

The Senate amendments were laid over under the Rule.

On motion of Representative Blasdel, the House recessed.

The House met pursuant to recess.

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

The motion was agreed to.

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

Representative Healy reported for the Rules and Reference Committee recommending that the following House Bill and House Joint Resolution be considered for the second time and referred to the following committees for consideration:

**H.B. No. 575 - Representative T. Patton**

TO CREATE A TAX CREDIT FOR INDIVIDUALS WHO INVEST IN STATE-CERTIFIED MOTION PICTURES.

To the committee on Ways and Means

**H.J.R. No. 13 - Representative DeWine**

TO REVISE THE APPORTIONMENT PROCESS FOR GENERAL ASSEMBLY AND CONGRESSIONAL DISTRICTS.

To the committee on Rules and Reference

JON A. HUSTED  
CHARLES E. CALVERT  
ANTHONY CORE  
LARRY L. FLOWERS  
JOHN SCHLICHTER  
GEOFFREY C. SMITH  
TIMOTHY J. DEGEETER  
JOSEPH KOZIURA  
CHRIS REDFERN

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

Representative Schlichter moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of the House Bill and House Joint Resolution 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 Bill and House Joint Resolution 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 Senate Concurrent Resolution be introduced and referred to the following committee for consideration:

**S. Con. R. No. 26 - Senator Armbruster, Clancy, Dann, Fingerhut, Gardner, Grendell, Goodman, Hottinger, Jordan, Kearney, Miller, D., Miller, R., Mumper, Padgett, Roberts, Schuler, Spada, Wachtmann, Wilson, Schuring, Hagan, Amstutz, Austria, Carey, Cates, Coughlin, Fedor, Harris, Jacobson, Niehaus, Prentiss, Stivers, Zurz**  
TO DESIGNATE 2006 AS THE YEAR OF THE HISTORIC NATIONAL ROAD.

To the committee on Transportation, Public Safety and Homeland Security  
Add the name: Setzer

/s/ JON A. HUSTED  
Jon A. Husted, Chair

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

The motion was agreed to.

Said resolution was introduced and referred as recommended.

On motion of Representative Schlichter, the House adjourned until Wednesday, May 10, 2006 at 1:30 o'clock p.m.

Attest:

LAURA P. CLEMENS,  
Clerk.