

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MARCH 11, 2008

ONE HUNDRED FORTY-SIXTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, March 11, 2008, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Greg Robbins of the Heath Church of Christ in Heath, Ohio.

The Pledge of Allegiance to the Flag was led by Rubie Saunders Miller of Girl Scout Troop #103.

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:

Members of the Girl Scouts Seal of Ohio Council received H.R. No. 146 presented by Representative Heard-26th district.

Eighth grade students from North Middle School, guests of Representative Huffman-4th district.

Jennifer Jusko, a guest of Representative S. Williams-11th district.

Tara Bohlar, a guest of Representative DeGeeter-15th district.

Reverend Janet Sheppard, Ruby and Jacqueline Saunders, guests of Representative Heard-26th district.

Students from Anthony Wayne High School, guests of Representative Sears-46th district.

Dr. Steve Steel and Kriztine Schwarzkopf, guests of Representative Ujvagi-47th district.

Jason Strong, a guest of Representative Combs-54th district.

Terry Bolden and Karen Wood, guests of Representative Chandler-68th district.

Kim Roblin, a guest of Representative Goyal-73rd district.

Members of the Piqua Area Chamber of Commerce, guests of Representative Fessler-79th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 500-Representative Hughes.

Cosponsors: Representatives Flowers, Yuko, Letson, Stebelton.

To enact sections 3739.01 to 3739.18 and 3739.99 of the Revised Code to establish reduced ignition propensity standards for cigarettes, to authorize the State Fire Marshal to monitor and the Attorney General and the State Fire Marshal to enforce such standards, and to establish penalties for violations.

H. B. No. 501-Representatives Okey, Stebelton.

Cosponsors: Representatives DeGeeter, Sayre, Brown, Brady, Luckie, Setzer, Williams, B., Yuko, Yates, Hite, Dodd, Budish, Skindell, Evans, McGregor, J., Dyer, Szollosi, Foley, Bolon.

To create the Ohio Beekeepers Task Force.

H. B. No. 502-Representatives Stewart, D., Peterson.

Cosponsors: Representatives Skindell, Beatty, Redfern, Foley, Celeste, Koziura, Brady, Budish, Ujvagi, Yates, Chandler, Hagan, R., Brown, Szollosi, Yuko.

To amend sections 9.03, 124.93, 125.111, 153.59, 153.591, 176.04, 176.06, 340.12, 511.03, 717.01, 1501.012, 1751.18, 2915.08, 2927.03, 3113.36, 3301.53, 3304.14, 3304.50, 3313.481, 3314.06, 3332.09, 3721.13, 3905.55, 4111.17, 4112.01, 4112.02, 4112.021, 4112.04, 4112.05, 4112.08, 4117.19, 4735.16, 4735.55, 4757.07, 4758.16, 4765.18, 5104.09, 5107.26, 5111.31, 5119.61, 5123.351, 5126.07, 5515.08, and 5709.832 of the Revised Code to prohibit discrimination on the basis of sexual orientation.

H. B. No. 503-Representatives Peterson, Letson.

Cosponsors: Representatives Evans, Bacon, Boyd, Yuko, Stebelton, Hagan, R., Williams, B., Beatty, Raussen, Huffman, Fende, Mecklenborg, Heard, Celeste, Brown, Strahorn.

To amend sections 4732.10 and 5122.01 of the Revised Code regarding the experience and training requirements necessary for admission to examination for a psychologist license.

Said bills were considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 160**-Representative Bulp, et al., were taken up for consideration.

Sub. H. B. No. 160-Representative Bulp.

Cosponsors: Representatives Latta, Seitz, Book, Adams, Batchelder, Blessing, Brown, Budish, Chandler, Coley, Combs, Daniels, DeBose, Domenick, Fende, Gibbs, Harwood, Hite, Huffman, Hughes, Letson, Luckie, Otterman, Raussen, Schindel, Schneider, Stebelton, Wagoner, Zehringer. Senators Goodman, Seitz, Kearney, Harris, Schaffer, Spada.

To amend sections 319.20, 1705.02, 5713.08, 5715.27, and 5815.36 and to enact section 5701.14 of the Revised Code to clarify and modify the law relating to disclaimers under the Ohio Trust Code, to provide that a limited liability company may be a nonprofit entity, and to make changes regarding certain tax exemptions.

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

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	DeBose	DeGeeter	DeWine
Distel	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Fessler	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	McGregor J.
McGregor R.	Mecklenborg	Miller	Okey
Otterman J.	Patton	Peterson	Raussen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 181**-Representative Setzer, et al., were taken up for consideration.

Sub. H. B. No. 181-Representative Setzer.

Cosponsors: Representatives Stebelton, Evans, Healy, Combs, Yuko, Harwood, Huffman, Collier, Webster, Brown, Patton, Williams, B., Lundy,

Dyer, Heard, Barrett, Boyd, Budish, Chandler, DeBose, Distel, Domenick, Driehaus, Fende, Flowers, Foley, Garrison, Gibbs, Hagan, J., Hagan, R., Hite, Letson, Luckie, Mallory, Miller, Oelslager, Okey, Otterman, Schindel, Schlichter, Schneider, Strahorn, Szollosi, Uecker, Wagoner, Williams, S., Zehringer. Senators Grendell, Cates, Harris, Mumper, Niehaus, Padgett, Seitz, Spada, Stivers, Fedor, Sawyer, Jacobson.

To amend sections 2151.417, 2151.424, 2901.30, 2949.092, 3313.672, 4511.181, and 4511.191 and to enact sections 120.08, 2949.094, and 5502.68 of the Revised Code to revise the law with respect to law enforcement cooperation and schools' record keeping duties in missing children investigations; to require a court to impose an additional court cost of ten dollars for a moving violation to provide funds for certain costs of drug task forces, certain costs of alcohol monitoring provided to indigent offenders, and certain indigent defense costs; to create the Drug Law Enforcement Fund to be administered by the Division of Criminal Justice Services of the Department of Public Safety for the provision of funds for drug task forces; to create the Indigent Defense Support Fund to be administered by the State Public Defender for the provision of the funds for indigent defense; to provide the funds for the costs of alcohol monitoring provided to indigent defendants out of the Indigent Drivers Alcohol Treatment Fund; to require the court to consider in-state and out-of-state placement options in review hearings for permanency plans for children not to be returned to parents; to require in any such review hearing the court or a court-appointed citizens board to consult in an age-appropriate manner with the child about any proposed permanency plan; to specify that, in certain reviews or hearings regarding foster care placement of a child, custody of a child with a relative other than a parent, or adoption of a child, the foster caregiver, relative, or prospective adoptive parent has the right to present evidence; and to declare an emergency.

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

The yeas and nays were taken and resulted - yeas 40, nays 54, as follows:

Those who voted in the affirmative were: Representatives

Bolon	Brown	Budish	Carmichael
Celeste	Chandler	Combs	DeBose
DeWine	Distel	Dodd	Domenick
Driehaus	Dyer	Foley	Garrison
Goodwin	Hagan J.	Huffman	Jones
Luckie	McGregor J.	McGregor R.	Okey
Patton	Peterson	Sayre	Schlichter
Schneider	Skindell	Stebelton	Stewart J.
Strahorn	Szollosi	Uecker	Webster
White	Widener	Yates	Yuko-40.

Those who voted in the negative were: Representatives

Adams	Aslanides	Bacon	Barrett
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Batchelder	Beatty	Blessing	Book
Boyd	Brady	Brinkman	Coley
Collier	Core	DeGeeter	Dolan
Evans	Fende	Fessler	Flowers
Gardner	Gerberry	Gibbs	Goyal
Hagan R.	Harwood	Heard	Hite
Hottinger	Hughes	Koziura	Letson
Lundy	Mallory	Mecklenborg	Miller
Otterman J.	Raussen	Redfern	Reinhard
Schindel	Sears	Setzer	Stewart D.
Sykes	Ujvagi	Wachtmann	Wagner
Widowfield	Williams B.	Williams S.	Wolpert
Zehringer			Husted-54.

Not having received a constitutional majority, the emergency clause failed of passage.

The Senate amendments were not concurred in.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 87-Senator Carey.

Cosponsors: Senators Miller, D., Mumper, Padgett, Clancy, Boccieri, Schaffer, Schuler, Mason, Cafaro, Austria, Fedor, Gardner, Goodman, Grendell, Harris, Niehaus, Roberts, Sawyer, Spada, Stivers. Representatives Daniels, Hite, Stewart, D., Brown, Carmichael, Collier, Domenick, Flowers, Lundy, Schneider, Sykes.

To amend sections 2901.30 and 2901.42 and to enact section 5502.522 of the Revised Code to create the statewide emergency alert program to aid in the identification and location of missing individuals who have a mental impairment or are sixty-five years of age or older and to establish activation criteria for the implementation of the program and to make changes in the Missing Persons Law relating to missing persons between the ages of 18 and 21 and missing children under age 18, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	DeBose	DeGeeter	DeWine
Distel	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Fessler	Flowers	Foley	Gardner

Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	McGregor J.
McGregor R.	Mecklenborg	Miller	Okey
Otterman J.	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

The bill passed.

Representative Flowers moved to amend the title as follows:

Add the names: "Bacon, Batchelder, Blessing, Bolon, Boyd, Brady, Chandler, DeGeeter, Dyer, Evans, Fende, Gerberry, Gibbs, Goyal, Hagan, R., Harwood, Hughes, Letson, Luckie, Mallory, McGregor, J., Mecklenborg, Patton, Peterson, Schindel, Schlichter, Setzer, Szollosi, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 209-Senator Carey.

Cosponsors: Senators Cates, Kearney, Gardner, Faber, Miller, D., Roberts, Goodman, Harris, Padgett, Stivers. Representatives Hottinger, Skindell, Bacon, Bolon, Boyd, Brown, Budish, Chandler, Driehaus, Flowers, Garrison, Hite, Jones, Patton, Schlichter, Sears, Stewart, D., Strahorn.

To amend sections 1531.01, 1533.01, 2923.16, 4511.19, 4519.02, and 4519.09 and to enact sections 120.08 and 1533.103 of the Revised Code to direct that a specified amount of OVI fines be credited to the State Public Defender for county indigent criminal defense reimbursement, to establish registration reciprocity for all-purpose and other special vehicles, to require the Chief of the Division of Wildlife in the Department of Natural Resources to issue electric-powered all-purpose vehicle permits to allow mobility impaired persons to hunt in public wildlife areas using electric-powered all-purpose vehicles, and to make an appropriation, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	DeBose	DeGeeter	DeWine
Distel	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Fessler	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	McGregor J.
McGregor R.	Mecklenborg	Miller	Okey
Otterman J.	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

The bill passed.

Representative Hottinger moved to amend the title as follows:

Add the names: "Beatty, Collier, Distel, Dodd, Dyer, Evans, Fende, Fessler, Gibbs, Goyal, Hagan, J., Hagan, R., Harwood, Hughes, Koziura, Letson, McGregor, J., Okey, Otterman, J., Schindel, Setzer, Stebelton, Stewart, J., Szollosi, Uecker, Wachtmann, Yates, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 150-Representative McGregor, J.

Cosponsors: Representatives Adams, Peterson, Luckie, Skindell, Collier, Yuko.

To enact sections 4173.01, 4173.02, and 4173.03 of the Revised Code as a "good Samaritan law" to encourage retail establishments to allow customers with eligible medical conditions to use the retail establishment's restrooms that are not usually available to the public and to limit the liability of an establishment that allows such access, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	DeBose	DeGeeter	DeWine
Distel	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Fessler	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	McGregor J.
McGregor R.	Mecklenborg	Miller	Okey
Otterman J.	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

The bill passed.

Representative McGregor, J. moved to amend the title as follows:

Add the names: "Budish, Chandler, Coley, Combs, DeGeeter, Domenick, Dyer, Evans, Flowers, Gardner, Gibbs, Sayre, Schindel, Setzer, Williams, B.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 285-Representative McGregor, R.

Cosponsors: Representatives Widener, Wagner, McGregor, J., Fessler, Combs, Setzer, Flowers, Oelslager, Zehringer, Adams, Webster, Wachtmann, Huffman, Evans, Collier, Reinhard, Uecker, Daniels, Gibbs, Wagoner, Batchelder, Brinkman, Hite, Stewart, D., Book, Brown, Carmichael, Domenick, Lundy, Schneider.

To enact section 119.14 of the Revised Code to waive fines or penalties for paperwork violations that are first-time offenses committed by small businesses, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	DeBose	DeGeeter	DeWine
Distel	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Fessler	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	McGregor J.
McGregor R.	Mecklenborg	Miller	Okey
Otterman J.	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

The bill passed.

Representative McGregor, R. moved to amend the title as follows:

Add the names: "Aslanides, Bacon, Blessing, Bolon, Boyd, Budish, Celeste, Chandler, Coley, DeBose, Dodd, Dolan, Dyer, Gardner, Garrison, Goodwin, Goyal, Hagan, J., Harwood, Hottinger, Hughes, Jones, Luckie, Mecklenborg, Okey, Patton, Rausen, Schindel, Schlichter, Sears, Stebelton, Stewart, J., White, Williams, S., Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 374-Representative Coley.

Cosponsors: Representatives McGregor, J., Wagoner, Huffman, Combs, Stebelton, Hughes.

To amend sections 1701.04, 1701.24, 1701.55, 1701.58, 1701.591, 1701.69, 1701.70, and 1701.76 of the Revised Code to allow the original articles of incorporation to eliminate cumulative voting in the election of directors, to remove restrictions for certain corporations regarding the elimination of

cumulative voting, to exclude from the existing procedures for the sale of all or substantially all of the assets of a corporation the sale of those assets to the corporation's wholly owned subsidiaries, to permit the articles or certain regulations of a corporation to provide for uncertificated shares, and to authorize the directors to amend the articles with respect to series of shares, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	DeBose	DeGeeter	DeWine
Distel	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Fessler	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	McGregor J.
McGregor R.	Mecklenborg	Miller	Okey
Otterman J.	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

The bill passed.

Representative Coley moved to amend the title as follows:

Add the names: "Bacon, Barrett, Beatty, Blessing, Boyd, Budish, Celeste, DeBose, Dolan, Domenick, Driehaus, Dyer, Evans, Flowers, Gardner, Gibbs, Goyal, Harwood, Jones, Letson, Luckie, McGregor, R., Mecklenborg, Rausen, Sayre, Schindel, Schneider, Sears, Setzer, Szollosi, Webster, White, Williams, S., Wolpert, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 381-Representative Webster.

Cosponsors: Representatives Hottinger, Bacon, Bolon, Boyd, Budish, Chandler, Coley, Flowers, Hite, Jones, Mecklenborg, Patton, Sears, Strahorn.

To amend Sections 375.10 and 375.20.40 of Am. Sub. H.B. 119 of the 127th General Assembly, to amend Section 235.10.40 of Am. Sub. H.B. 699 of the 126th General Assembly, and to repeal Section 375.20.80 of Am. Sub. H.B. 119 of the 127th General Assembly to increase the funds available for the Ohio Research Scholars Program and to permit a nonpublic four-year Ohio university to submit a proposal for the Ohio Research Scholars Program if the proposal is to be implemented in collaboration with a state college or university, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Webster moved to amend as follows:

In line 12, after "Sections" insert "263.10, 263.20.90, and"; delete "and 375.20.40"

Between lines 14 and 15, insert:

"Sec. 263.10. DEV DEPARTMENT OF DEVELOPMENT**General Revenue Fund**

GRF 195-401	Thomas Edison Program	\$	19,404,838	\$	17,978,483
GRF 195-404	Small Business Development	\$	1,740,722	\$	1,792,944
GRF 195-405	Minority Business Development Division	\$	1,580,291	\$	1,627,700
GRF 195-407	Travel and Tourism	\$	1,800,000	\$	1,800,000
GRF 195-410	Defense Conversion Assistance	\$	5,000,000	\$	0
GRF 195-412	Rapid Outreach Grants	\$	10,750,000	\$	10,000,000
GRF 195-415	Economic Development Division and Regional Offices	\$	5,894,975	\$	6,071,824
GRF 195-416	Governor's Office of Appalachia	\$	4,746,043	\$	4,746,043
GRF 195-422	Third Frontier Action Fund	\$	18,790,000	\$	16,790,000
GRF 195-426	Clean Ohio Implementation	\$	300,000	\$	309,000
GRF 195-432	International Trade	\$	4,650,501	\$	4,650,501
GRF 195-434	Investment in Training Grants	\$	12,227,500	\$	12,594,325
GRF 195-436	Labor/Management Cooperation	\$	836,225	\$	836,225
GRF 195-497	CDBG Operating Match	\$	1,072,184	\$	1,072,184
GRF 195-498	State Match Energy	\$	96,820	\$	96,820
GRF 195-501	Appalachian Local Development Districts	\$	391,482	\$	391,482
GRF 195-502	Appalachian Regional Commission Dues	\$	254,208	\$	254,208
GRF 195-507	Travel and Tourism Grants	\$	1,130,000	\$	1,115,000
GRF 195-516	Shovel Ready Sites	\$	1,000,000	\$	1,000,000
GRF 195-520	Ohio Main Street Program	\$	750,000	\$	250,000
GRF 195-521	Discover Ohio!	\$	7,182,845	\$	8,182,845
GRF 195-905	Third Frontier Research & Development General Obligation Debt Service	\$	14,349,500	\$	24,523,400

GRF	195-912	Job Ready Site Development General Obligation Debt Service	\$	4,359,400	\$	8,232,500
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TOTAL GRF	General Revenue Fund		\$	118,307,534	\$	124,315,484
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General Services Fund Group

135	195-684	Supportive Services	\$	11,699,404	\$	11,321,444
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5AD	195-667	Investment in Training Expansion	\$	2,000,000	\$	0
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5AD	195-668	Workforce Guarantee Program	\$	1,000,000	\$	0
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5AD	195-677	Economic Development Contingency	\$	5,000,000	\$	24,400,000
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5W5	195-690	Travel and Tourism Cooperative Projects	\$	350,000	\$	350,000
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5W6	195-691	International Trade Cooperative Projects	\$	300,000	\$	300,000
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685	195-636	Direct Cost Recovery Expenditures	\$	800,000	\$	800,000
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TOTAL GSF	General Services Fund Group		\$	21,149,404	\$	37,171,444
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Federal Special Revenue Fund Group

3AE	195-643	Workforce Development Initiatives	\$	5,839,900	\$	5,860,000
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3BJ	195-685	TANF Heating Assistance	\$	45,000,000	\$	15,000,000
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3K8	195-613	Community Development Block Grant	\$	65,000,000	\$	65,000,000
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3K9	195-611	Home Energy Assistance Block Grant	\$	110,000,000	\$	110,000,000
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3K9	195-614	HEAP Weatherization	\$	22,000,000	\$	22,000,000
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3L0	195-612	Community Services Block Grant	\$	25,235,000	\$	25,235,000
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3V1	195-601	HOME Program	\$	40,000,000	\$	40,000,000
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308	195-602	Appalachian Regional Commission	\$	475,000	\$	475,000
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308	195-603	Housing and Urban Development	\$	6,000,000	\$	6,000,000
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308	195-605	Federal Projects	\$	27,000,000	\$	27,000,000
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308	195-609	Small Business Administration	\$	4,296,381	\$	4,396,381
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308	195-618	Energy Federal Grants	\$	3,400,000	\$	3,400,000
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335	195-610	Energy Conservation and Emerging Technology	\$	2,200,000	\$	2,200,000
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TOTAL FED	Federal Special Revenue Fund Group		\$	356,446,281	\$	326,566,381
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State Special Revenue Fund Group

4F2	195-639	State Special Projects	\$	518,393	\$	518,393
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4F2	195-676	Marketing Initiatives	\$	5,000,000	\$	1,000,000
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4S0	195-630	Tax Incentive Programs	\$	650,800	\$	650,800
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4W1	195-646	Minority Business Enterprise Loan	\$	2,580,597	\$	2,580,597
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444	195-607	Water and Sewer Commission Loans	\$	523,775	\$	523,775
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450	195-624	Minority Business Bonding Program Administration	\$	53,967	\$	53,967
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451	195-625	Economic Development Financing Operating	\$	3,233,311	\$	3,233,311
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5AR	195-674	Industrial Site Improvements	\$	4,500,000	\$	4,500,000
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5CG	195-679	Alternative Fuel Transportation	\$	1,500,000	\$	1,000,000
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5DU 195-689	Energy Projects	\$	840,000	\$	840,000
5M4 195-659	Low Income Energy Assistance	\$	245,000,000	\$	245,000,000
5M5 195-660	Advanced Energy Programs	\$	17,000,000	\$	17,000,000
5X1 195-651	Exempt Facility Inspection	\$	25,000	\$	25,000
611 195-631	Water and Sewer Administration	\$	15,713	\$	15,713
617 195-654	Volume Cap Administration	\$	200,000	\$	200,000
646 195-638	Low- and Moderate- Income Housing Trust Fund	\$	53,000,000	\$	53,000,000
TOTAL SSR State Special Revenue Fund Group		\$	334,641,556	\$	330,141,556
Facilities Establishment Fund Group					
009 195-664	Innovation Ohio	\$	50,000,000	\$	50,000,000
010 195-665	Research and Development	\$	50,000,000	\$	50,000,000
037 195-615	Facilities Establishment	\$	110,000,000	\$	110,000,000
4Z6 195-647	Rural Industrial Park Loan	\$	3,000,000	\$	3,000,000
5D2 195-650	Urban Redevelopment Loans	\$	5,475,000	\$	5,475,000
5S8 195-627	Rural Development Initiative	\$	3,000,000	\$	3,000,000
5S9 195-628	Capital Access Loan Program	\$	3,000,000	\$	3,000,000
TOTAL 037 Facilities Establishment Fund Group		\$	224,475,000	\$	224,475,000
Clean Ohio Revitalization Fund					
003 195-663	Clean Ohio Operating	\$	625,000	\$	550,000
TOTAL 003 Clean Ohio Revitalization Fund		\$	625,000	\$	550,000
Third Frontier Research & Development Fund Group					
011 195-686	Third Frontier Operating	\$	1,932,056	\$	1,932,056
011 195-687	Third Frontier Research & Development Projects	\$	94,000,000 <u>88,000,000</u>	\$	72,000,000 <u>66,000,000</u>
014 195-692	Research & Development Taxable Bond Projects	\$	28,000,000	\$	28,000,000
TOTAL 011 Third Frontier Research & Development Fund Group		\$	123,932,056 <u>117,932,056</u>	\$	101,932,056 <u>95,932,056</u>
Job Ready Site Development Fund Group					
012 195-688	Job Ready Site Operating	\$	1,246,155	\$	1,246,155
TOTAL 012 Job Ready Site Development Fund Group		\$	1,246,155	\$	1,246,155
TOTAL ALL BUDGET FUND GROUPS		\$	1,180,822,986 <u>1,174,822,986</u>	\$	1,146,398,076 <u>1,140,398,076</u>

Sec. 263.20.90. CLEAN OHIO OPERATING EXPENSES

The foregoing appropriation item 195-663, Clean Ohio Operating, shall be used by the Department of Development in administering sections 122.65 to 122.658 of the Revised Code.

THIRD FRONTIER OPERATING

The foregoing appropriation item 195-686, Third Frontier Operating, shall be used for operating expenses incurred by the Department of Development in administering sections 184.10 to 184.20 of the Revised Code.

THIRD FRONTIER RESEARCH & DEVELOPMENT PROJECTS AND RESEARCH & DEVELOPMENT TAXABLE BOND PROJECTS

The foregoing appropriation items 195-687, Third Frontier Research &

Development Projects, and 195-692, Research & Development Taxable Bond Projects, shall be used by the Department of Development to fund selected projects. These projects are designated as costs of research and development projects to which the proceeds of the Third Frontier Research and Development Fund (Fund 011) and the Research & Development Taxable Bond Project Fund (Fund 014) are to be applied.

Of the foregoing appropriation items 195-687, Third Frontier Research and Development Projects, and 195-692, Research & Development Taxable Bond Projects, up to \$8,600,000 in fiscal year 2008, shall be used by the Office of Information Technology, in partnership with the Ohio Supercomputer Center's OSCnet, to acquire the equipment and services necessary to migrate state agencies' network to the existing OSCnet network backbone. This state network shall be known as the NextGen Network.

Notwithstanding sections 184.10 to 184.20 of the Revised Code, up to \$20,000,000 in fiscal year 2009 from the total of the amounts in appropriation items 195-687, Third Frontier Research & Development Projects, and 195-692, Research & Development Taxable Bond Projects, and up to \$12,000,000 in each fiscal year from appropriation item 195-687, Third Frontier Research & Development Projects, shall be used to fund the Ohio Research Scholars Program in the Board of Regents pursuant to sections 3333.60 to 3333.70 of the Revised Code.

~~Notwithstanding sections 184.10 to 184.20 of the Revised Code, at the direction of the Director of Budget and Management up to \$18,000,000 in each fiscal year from appropriation item 195-687, Third Frontier Research & Development Projects, and appropriation item 195-692, Research & Development Taxable Bond Projects, shall be used to fund the Research Incentive Program in the Board of Regents.~~

On or before June 30, 2008, any unencumbered balances of the foregoing appropriation items 195-687, Third Frontier Research & Development Projects, and 195-692, Research & Development Taxable Bond Projects, for fiscal year 2008 are hereby appropriated for the same purposes for fiscal year 2009.

AUTHORITY TO ISSUE AND SELL ORIGINAL OBLIGATIONS

The Ohio Public Facilities Commission, upon request of the Department of Development, is hereby authorized to issue and sell, in accordance with Section 2p of Article VIII, Ohio Constitution, and particularly sections 151.01 and 151.10 of the Revised Code, original obligations of the State of Ohio in an aggregate amount not to exceed \$150,000,000. The authorized obligations shall be issued and sold from time to time and in amounts necessary to ensure sufficient moneys to the credit of the Third Frontier Research & Development Fund (Fund 011) to pay costs of research and development projects.

JOB READY SITE OPERATING

The foregoing appropriation item 195-688, Job Ready Site Operating,

shall be used for operating expenses incurred by the Department of Development in administering sections 122.085 to 122.0820 of the Revised Code. Operating expenses include, but are not limited to, certain expenses of the District Public Works Integrating Committees, audit and accountability activities, and costs associated with formal certifications verifying that site infrastructure is in place and is functional."

In line 29, reinsert the first "17,186,194"; reinsert the second "17,186,194"

In line 29a, delete " 5,186,194 5,186,194"

In line 34, reinsert "30,000,000"; delete " 13,000,000" and insert " 1,000,000"

Delete line 34a

Between lines 111 and 112, insert:

" Third Frontier Research & Development Fund Group

011	<u>235-634</u>	<u>Research Incentive Third</u>	\$	<u>6,000,000</u>	\$	<u>6,000,000</u>
		<u>Frontier Fund</u>				
<u>TOTAL 011 Third Frontier Research &</u>			\$	<u>6,000,000</u>	\$	<u>6,000,000</u>
<u>Development Fund Group</u>						

In line 112, strike through "\$2,797,445,876 \$2,885,851,143" and insert " \$2,803,445,876 \$2,891,851,143"

Delete lines 114 through 259

In line 260, after "Sections" insert "263.10, 263.20.90, and"; delete "and 375.20.40"

In line 1 of the title, after "Sections" insert "263.10, 263.20.90, and"; delete "and 375.20.40"

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?"

The yeas and nays were taken and resulted - yeas 93, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Combs
Core	DeBose	DeGeeter	DeWine
Distel	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Flowers	Foley	Gardner	Garrison
Gerberry	Gibbs	Goodwin	Goyal
Hagan J.	Hagan R.	Harwood	Heard
Hite	Hottinger	Huffman	Hughes

Jones	Koziura	Letson	Luckie
Lundy	Mallory	McGregor J.	McGregor R.
Mecklenborg	Miller	Okey	Otterman J.
Patton	Peterson	Rausen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Webster	White
Widener	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-93.

Representative Fessler voted in the negative-1.

The bill passed.

Representative Webster moved to amend the title as follows:

Add the names: "Batchelder, Beatty, Brady, Celeste, Combs, DeBose, DeGeeter, Distel, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Gibbs, Goyal, Hagan, R., Harwood, Heard, Hughes, Letson, Luckie, Lundy, McGregor, J., McGregor, R., Okey, Schindel, Schneider, Setzer, Stewart, D., Sykes, Szollosi, Williams, B., Williams, S., Wolpert, Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 496-Representative Hottinger.

Cosponsors: Representatives Peterson, Skindell, Boyd, Brown, Budish, Chandler, DeWine, Flowers, Jones, McGregor, R., Schlichter, Sears.

To make capital reappropriations for the biennium ending June 30, 2010, and certain capital appropriations, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 93, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
DeBose	DeGeeter	DeWine	Distel
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	Fessler
Flowers	Foley	Gardner	Garrison
Gerberry	Gibbs	Goodwin	Goyal
Hagan J.	Hagner R.	Harwood	Heard
Hite	Hottinger	Huffman	Hughes

Jones	Koziura	Letson	Luckie
Lundy	Mallory	McGregor J.	McGregor R.
Mecklenborg	Miller	Okey	Otterman J.
Patton	Peterson	Rausen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Webster	White
Widener	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-93.

Representative Brinkman voted in the negative-1.

The bill passed.

Representative Hottinger moved to amend the title as follows:

Add the names: "Bacon, Bolon, Celeste, Combs, Domenick, Dyer, Evans, Foley, Garrison, Harwood, Hughes, Luckie, McGregor, J., Miller, Stewart, D., Williams, B., Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

The motion was agreed to.

MOTIONS AND RESOLUTIONS

Representative DeWine moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

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

H. R. No. 147-Representative Beatty.

Relative to the election of Stephen Slesnick to fill the vacancy in the membership of the House of Representatives created by the resignation of William J. Healy, II of the 52nd House District.

WHEREAS, Section 11 of Article II, Ohio Constitution provides for the filling of a vacancy in the membership of the House of Representatives by election by the members of the House of Representatives who are affiliated with the same political party as the person last elected to the seat which has become vacant; and

WHEREAS, William J. Healy, II of the 52nd House District has resigned as a member of the House of Representatives of the 127th General Assembly effective December 31, 2007, thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Democrat party that Stephen Slesnick, Democrat, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 52nd House District, is hereby elected, effective March 11, 2008, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 52nd House District, to fill the vacancy created by the unexpired portion of the term of said William J. Healy, II, ending on December 31, 2008; and be it further

RESOLVED, That a copy of this resolution be spread upon the pages of the Journal of the House of Representatives together with the yeas and nays of the members of the House of Representatives affiliated with the Democrat party voting on the resolution, and that the Clerk of the House of Representatives shall certify the resolution and vote on its adoption to the Secretary of State.

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

The yeas and nays were taken and resulted - yeas 45, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Barrett	Beatty	Bolon	Book
Boyd	Brady	Brown	Budish
Celeste	Chandler	DeBose	DeGeeter
Distel	Dodd	Domenick	Driehaus
Dyer	Fende	Foley	Garrison
Gerberry	Goyal	Hagan R.	Harwood
Heard	Koziura	Letson	Luckie
Lundy	Mallory	Miller	Okey
Otterman J.	Redfern	Sayre	Skindell
Stewart D.	Strahorn	Sykes	Szollosi
Ujvagi	Williams B.	Williams S.	Yates
			Yuko-45.

The resolution was adopted.

Mr. Slesnick was escorted to the bar of the House by Representatives Beatty, Foley, Driehaus, Strahorn, Dyer, Chandler, and Hite, took the oath of office administered by The Honorable Jon A. Husted, Speaker of the Ohio House of Representatives, and entered upon the discharge of his duties.

State of Ohio
County of Franklin

I, Stephen Slesnick, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and faithfully to discharge and perform all duties incumbent upon me as a member of the Ohio House of Representatives, according to the best of my ability and understanding; and this I do as I shall answer unto God.

/s/ STEPHEN SLESNICK
Stephen Slesnick

Sworn to and subscribed before me this 11th day of March, 2008.

/s/ JON A. HUSTED
Jon A. Husted
Speaker
Ohio House of Representatives

On motion of Representative DeWine, the House recessed.

The House met pursuant to recess.

Representative Huffman 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 Koziura reported for the Rules and Reference Committee recommending that the following House Bills be considered for the second time and referred to the following committees for consideration:

H.B. No. 493 - Representative Daniels, et al

REGARDING BILLING FOR ANATOMIC PATHOLOGY SERVICES.

To the committee on Health

H.B. No. 494 - Representative Dyer, et al

TO REVISE THE LAW GOVERNING SANITARY DISTRICTS THAT ARE ORGANIZED WHOLLY FOR THE REDUCTION OF POPULATIONS OF BITING ARTHROPODS.

To the committee on State Government and Elections

H.B. No. 495 - Representative Fessler, et al

TO PROHIBIT STATE INSTITUTIONS OF HIGHER EDUCATION FROM REQUIRING A STUDENT TO PURCHASE THE INSTITUTION'S HEALTH INSURANCE PLAN.

To the committee on Insurance

H.B. No. 497 - Representative Stibelton

TO DESIGNATE THE FIRST SATURDAY FOLLOWING THE FIRST MONDAY IN SEPTEMBER AS "LITHOPOLIS HONEYFEST DAY."

To the committee on State Government and Elections

H.B. No. 498 - Representative Fessler, et al

TO GRANT ANNUAL MILITARY LEAVE OF UP TO 408 HOURS TO FIREFIGHTERS AND THOSE OTHER PUBLIC EMPLOYEES WHO DO NOT WORK A TRADITIONAL WORKWEEK OF 40 HOURS AND TO ENTITLE FIREFIGHTERS AND THESE PUBLIC EMPLOYEES TO USE SUCH LEAVE TO COVER AN ENTIRE WORK SHIFT ANY PART OF WHICH WAS USED TO PERFORM MILITARY SERVICE.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

H.B. No. 499 - Representative Oelslager, et al

TO MODIFY THE OHIO TRUST CODE.

To the committee on Civil and Commercial Law

JON A. HUSTED
LARRY L. FLOWERS
JOYCE BEATTY

KEVIN DEWINE
LARRY L. WOLPERT
JOSEPH KOZIURA

Representative Huffman 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 contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

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

H.R. No. 146 - Representative Heard

RECOGNIZING NATIONAL GIRL SCOUT WEEK IN OHIO, MARCH 9-15, 2008.

H.R. No. 148 - Representatives Heard, Bacon, Beatty, Celeste, Flowers, Hughes, McGregor, J., Stewart, D., Wolpert

HONORING THE OHIO STATE UNIVERSITY FOOTBALL TEAM AS THE 2007 BIG TEN CONFERENCE CHAMPION.

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

Representative Huffman 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.

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. 125 -Representative Huffman

Cosponsors: Representatives DeGeeter, Seitz, McGregor, J., Schneider, Latta, Adams, Gibbs, Setzer, Oelslager, Uecker, McGregor, R., Stewart, J., Stebelton, Fessler, Barrett, Wagoner, Celeste, Reinhard, Widener, Blessing, Book, Carmichael, Lundy, Hughes, Core, Dodd, Batchelder, Boyd, Budish, Chandler, Collier, Distel, Driehaus, Dyer, Evans, Flowers, Goyal, Hagan, J., Healy, Koziura, Letson, Luckie, Otterman, Patton, Yuko Senators Goodman, Seitz, Bocchieri, Cafaro, Carey, Coughlin, Faber, Harris, Kearney, Miller, D., Miller, R., Morano, Mumper, Niehaus, Roberts, Spada, Fedor

To amend sections 1751.13, 1753.01, 1753.07, 1753.09, 2317.54, 3701.741, 3702.51, and 5111.17, to enact sections 3721.042, 3963.01 to 3963.11, and to repeal sections 1753.03, 1753.04, 1753.05, and 1753.08 of the Revised Code to establish certain uniform contract provisions between health care providers and contracting entities, to establish standardized credentialing, to require the Department of Job and Family Services to allow managed care plans to use providers to render care, to modify the fees for electronic copies of certain medical records and allow an authorized person to obtain one copy of a patient's medical record without charge, to exempt a nursing home that is a converted county or district home from administrative rules regarding the toilet rooms and dining and recreation areas of nursing homes if certain other requirements are met, to create a Joint Legislative Study Commission on Most Favored Nation Clauses in Health Care Contracts, and to create an Advisory Committee on Eligibility and Real Time Claim Adjudication.

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

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

On motion of Representative Huffman, the House adjourned until Wednesday, March 12, 2008 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.