

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, MAY 21, 2008

ONE HUNDRED SEVENTY-SEVENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, May 21, 2008, 1:30 p.m.**

The House met pursuant to adjournment.

Prayer was offered by Reverend Charles W. Savage of the Freedom Baptist Temple in Xenia, 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:

The Brecksville-Broadview Heights gymnastics team received H. R. 203, presented by Representative Mandel-17th district.

Tim, Jayne, Cassandra, and Sabrina Neal, guests of Representative Carmichael-3rd district.

Christian Landreth, a guest of Representative Celeste-24th district.

Members of the Ukrainian delegation on family preservation, guests of Representative Ujvagi-47th district.

Sarah Miller, a guest of Representative Oelslager-51st district.

Christopher and Monica Uecker, son and daughter-in-law of Representative Uecker-66th district.

#### INTRODUCTION OF BILLS

The following bill was introduced:

**H. B. No. 573**-Representative Gerberry.

To enact section 5.2239 of the Revised Code to designate November as "Epilepsy Awareness Month."

Said bill was considered the first time.

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

Representative Williams, B. submitted the following report:

The standing committee on Education to which was referred **H. B. No. 428**-Representative Setzer, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: SCHOOL EMPLOYEE MISCONDUCT - REPORTING OF AND DISCIPLINING FOR

Representative Setzer moved to amend the title as follows:

Add the names: "Evans, Stebelton, Williams, B.."

ARLENE J. SETZER	SHAWN N. WEBSTER
JEFF WAGNER	THOM COLLIER
THOMAS F. PATTON	JENNIFER GARRISON
BRIAN G. WILLIAMS	CLYDE EVANS
JENNIFER BRADY	RON GERBERRY
TED CELESTE	TRACY HEARD
MARK D. OKEY	CLAYTON LUCKIE
MATT LUNDY	STEPHEN DYER
GERALD L. STEBELTON	STEVE REINHARD
JON M. PETERSON	JOHN SCHLICHTER
JOHN WIDOWFIELD	JOHN ADAMS

The report was agreed to.

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

Representative Bolon submitted the following report:

The standing committee on Finance and Appropriations to which was referred **H. B. No. 554**-Representative Hottinger, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ECONOMIC STIMULUS

Representative Hottinger moved to amend the title as follows:

Add the names: "Peterson, Skindell, Bacon, Boyd, Brown, Budish, Evans, Flowers, Gardner, Jones, McGregor, R., Redfern, Schlichter, Sears, Yates."

JAY HOTTINGER	JON M. PETERSON
MICHAEL J. SKINDELL	KEVIN BACON
LINDA S. BOLON	BARBARA BOYD
EDNA BROWN	ARMOND BUDISH
KATHLEEN CHANDLER	BILL COLEY
ANTHONY CORE	KEVIN DEWINE
STEVE L. DRIEHAUS	CLYDE EVANS
LARRY L. FLOWERS	JENNIFER GARRISON
RANDY GARDNER	ROBERT F. HAGAN
CLIFF HITE	SHANNON JONES
ROSS MCGREGOR	ROBERT MECKLENBORG
THOMAS F. PATTON	CHRIS REDFERN
JOHN SCHLICHTER	BARBARA R. SEARS
DAN STEWART	JIMMY STEWART
FRED STRAHORN	PETER S. UJVAGI
TYRONE K. YATES	

The report was agreed to.

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

Representative Yuko submitted the following report:

The standing committee on Commerce and Labor to which was referred **S. B. No. 237**-Senator Schaffer, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: EXTENDED STAY HOTELS ALLOW GUESTS LONGER STAYS

Representative Brinkman moved to amend the title as follows:

Add the names: "Representatives Hughes, Yuko, Szollosi, Slesnick."

MATT SZOLLOSI  
JOHN ADAMS  
COURTNEY COMBS  
THOM COLLIER  
JOSEPH W. UECKER  
TOM BRINKMAN

KENNY YUKO  
JENNIFER BRADY  
JIM HUGHES  
STEPHEN SLESNICK  
W. SCOTT OELSLAGER  
DAN STEWART

The report was agreed to.

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

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

**H.B. No. 563 - Representative Stibelton**

TO CODIFY FEDERAL RESTRICTIONS ON LOCAL ZONING OF THE ANTENNA STRUCTURES OF AMATEUR RADIO STATIONS AND PLACE THE BURDEN OF PROOF FOR COMPLIANCE ON THE ZONING AUTHORITY.

To the committee on Local and Municipal Government and Urban Revitalization

**H.B. No. 564 - Representative Stibelton, Huffman**

TO INCREASE CERTAIN FEES CHARGED BY THE PROBATE COURT.

To the committee on Judiciary

**H.B. No. 565 - Representative Yates**

TO REQUIRE BOARDS OF HEALTH TO ADOPT VERMIN CONTROL POLICIES UNDER WHICH BEDBUG INFESTATIONS ARE TREATED TO THE SAME EXTENT AS OTHER INFESTATIONS.

To the committee on Health

**H.B. No. 566 - Representative Yates**

TO REMOVE PROVISIONS REGARDING THE STATEWIDE EFFECT

OF STATE FIREARMS LAWS AND THE CONCEALED CARRY  
LICENSING LAW.

To the committee on Criminal Justice

**H.B. No. 567 - Representative Yates**

TO REQUIRE THAT CERTAIN HEARINGS OF THE LIQUOR CONTROL  
COMMISSION BE HELD IN THE COUNTY SEAT OF THE COUNTY  
WHERE THE PREMISES THAT IS THE SUBJECT OF THE HEARING IS  
LOCATED.

To the committee on State Government and Elections

**H.B. No. 568 - Representative Yates**

TO PROHIBIT THE OWNING, KEEPING, OR HARBORING OF PIT  
BULL DOGS BEGINNING NINETY DAYS AFTER THE EFFECTIVE  
DATE OF THE ACT AND TO REQUIRE SPECIFIED OFFICERS TO  
SEIZE ALL PIT BULL DOGS AFTER THAT DATE.

To the committee on State Government and Elections

**H.B. No. 569 - Representative Yates**

TO PROHIBIT GENERALLY THE OPERATION OF A SOUND DEVICE  
OR SYSTEM OF DEVICES IN OR ON A MOTOR VEHICLE IF THE  
SOUND IS CLEARLY AUDIBLE TO A PERSON WHO POSSESSES  
NORMAL HEARING AT A DISTANCE GREATER THAN 75 FEET  
FROM ANY PART OF THE MOTOR VEHICLE.

To the committee on Infrastructure, Homeland Security and Veterans Affairs

**H.B. No. 570 - Representative Yates**

TO PROVIDE AN AFFIRMATIVE DEFENSE TO CERTAIN OFFENSES  
INVOLVING A HYPODERMIC OR SYRINGE THAT THE PERSON IS 18  
YEARS OF AGE OR OLDER AND POSSESSES OR OTHERWISE  
OBTAINS THE HYPODERMIC OR SYRINGE FOR THE PURPOSE OF  
HAVING A CLEAN NEEDLE TO AVOID HIV EXPOSURE AND TO  
PERMIT AN AUTHORIZED PERSON TO SELL OR FURNISH A  
HYPODERMIC WITHOUT A PRESCRIPTION TO A PERSON WHO IS 18  
YEARS OF AGE OR OLDER AND WHO WISHES TO OBTAIN IT FOR  
THAT PURPOSE.

To the committee on Criminal Justice

**H.B. No. 571 - Representative Yates**

TO RESTORE THE CERTIFICATE OF NEED PROGRAM FOR THE  
CONSTRUCTION OF NEW HOSPITALS AND THE CONDUCT OF  
OTHER HEALTH-RELATED ACTIVITIES.

To the committee on Finance and Appropriations

**H.B. No. 572 - Representative Yates**

TO CREATE THE CENTER FOR TOBACCO USE PREVENTION IN THE  
DEPARTMENT OF HEALTH TO EXERCISE DUTIES OF THE FORMER  
TOBACCO USE PREVENTION AND CONTROL FOUNDATION THAT  
WERE TRANSFERRED TO THE DEPARTMENT, AND TO FUND THE  
CENTER'S OPERATIONS WITH AN INCREASED RATE OF TAX ON

**NONCIGARETTE TOBACCO PRODUCTS.**

To the committee on Finance and Appropriations

**H.J.R. No. 6 - Representative Yates**

PROPOSING TO AMEND SECTION 1 OF ARTICLE V OF THE CONSTITUTION OF OHIO TO PERMIT INDIVIDUALS WHO OTHERWISE MEET THE QUALIFICATIONS OF AN ELECTOR TO REGISTER TO VOTE ON THE DAY OF AN ELECTION.

To the committee on State Government and Elections

**H.J.R. No. 7 - Representative Yates**

PROPOSING TO AMEND SECTION 2 OF ARTICLE II AND SECTION 9 OF ARTICLE V AND TO REPEAL SECTION 8 OF ARTICLE V OF THE OHIO CONSTITUTION TO ELIMINATE THE TERM LIMITS AND RESTRICTIONS ON RETURNING TO OFFICE THAT APPLY TO MEMBERS OF THE GENERAL ASSEMBLY AND TO MEMBERS OF CONGRESS.

To the committee on State Government and Elections

JON A. HUSTED  
LARRY L. FLOWERS  
JOSEPH KOZIURA

KEVIN DEWINE  
LARRY L. WOLPERT  
CHRIS REDFERN

Representative DeWine 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 House Joint Resolutions 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 House Joint Resolutions 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 Concurrent Resolution be introduced and referred to the following committee for consideration:

**H. Con. R. No. 45 – Representative Yates**

TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO END THE BAN ON FEDERAL FUNDING OF SYRINGE EXCHANGE PROGRAMS AND TO SUPPORT SUCH PROGRAMS AS PART OF THE COMPREHENSIVE STRATEGY TO PREVENT THE SPREAD OF THE HUMAN IMMUNODEFICIENCY VIRUS AND OTHER BLOOD-BORNE INFECTIONS.

To the committee on Health

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

Representative DeWine 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.

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

**H.R. No. 203 – Representative Mandel**  
HONORING THE BRECKSVILLE-BROADVIEW HEIGHTS  
GYMNASTICS TEAM AS THE 2008 STATE CHAMPION.

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

Representative DeWine 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.

### **BILLS FOR THIRD CONSIDERATION**

**Sub. S. B. No. 150**-Senator Roberts.

Cosponsors: Senators Fedor, Boccieri, Miller, D., Kearney, Schuler, Austria, Cafaro, Cates, Clancy, Faber, Gardner, Grendell, Harris, Mason, Morano, Niehaus, Padgett, Sawyer, Schuring, Spada, Stivers, Wilson, Carey.  
Representatives Daniels, Hite, Stewart, D., Domenick, Flowers.

To amend sections 4301.10, 4301.12, 4301.16, 4301.20, 4301.30, 4301.355, 4301.432, 4301.47, 4301.58, 4301.62, 4301.639, 4303.03, 4303.05, 4303.071, 4303.181, 4303.182, 4303.184, 4303.232, 4303.233, 4303.25, 4303.27, 4303.271, 4303.29, 4303.30, 4303.33, 4303.333, 4399.12, and 5703.21 and to enact sections 4301.404, 4301.441, 4301.81, and 4303.234 of the Revised Code to modify, and also to clarify and correct, the law pertaining to liquor control and alcoholic beverage taxes, 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 3, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book

Boyd	Brady	Brown	Budish
Carmichael	Celeste	Chandler	Coley
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	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	Mandel	McGregor J.	McGregor R.
Mecklenborg	Miller	Newcomb	Oelslager
Okey	Otterman J.	Patton	Peterson
Rausen	Redfern	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wagner
Webster	White	Widener	Widowfield
Williams B.	Williams S.	Wolpert	Yuko
Zehringer			Husted-94.

Representatives Brinkman, Wachtmann, and Yates voted in the negative-3.

The bill passed.

Representative Daniels moved to amend the title as follows:

Add the names: "Boyd, Evans, Garrison, Hughes, Patton, Sayre, Williams, S., Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 171**-Senator Stivers.

Cosponsors: Senators Jacobson, Schuring, Schuler, Mumper, Amstutz, Buehrer, Harris, Schaffer, Wagoner, Padgett, Goodman, Faber.

Representatives Daniels, Hite, Domenick, Flowers, Carmichael.

To amend sections 1333.99, 4737.01, 4737.04, and 4737.99 and to enact sections 1333.71, 4737.041, 4737.042, 4737.043, and 4737.044 of the Revised Code to make certain changes to the laws regulating secondhand dealers and scrap metal dealers, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

05/21/08

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. S. B. No. 171**-Senator Stivers, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ STEPHEN SLESNICK  
STEPHEN SLESNICK  
State Representative  
52nd House District

The request was granted.

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

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	Fessler
Flowers	Foley	Gardner	Garrison
Gerberry	Gibbs	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Hite
Hottinger	Huffman	Hughes	Jones
Koziura	Letson	Luckie	Lundy
Mallory	Mandel	McGregor J.	McGregor R.
Mecklenborg	Miller	Newcomb	Oelslager
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	Wagner	Webster
White	Widener	Widowfield	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

Representatives Goodwin and Wachtmann voted in the negative-2.

The bill passed.

Representative Daniels moved to amend the title as follows:

Add the names: "Boyd, Chandler, Collier, DeBose, DeGeeter, Dodd, Dyer, Evans, Fende, Garrison, Hagan, J., Hagan, R., Hottinger, Koziura, Letson, Luckie, Mallory, McGregor, J., Oelslager, Okey, Sayre, Stewart, J., Szollosi, Ujvagi, Williams, B., Williams, S., Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 289**-Senator Spada.

Cosponsors: Senators Harris, Stivers, Grendell, Schuler, Schuring, Seitz, Padgett, Fedor, Niehaus, Austria, Mumper, Cates, Sawyer, Wilson, Kearney, Boccieri, Cafaro, Carey, Faber, Goodman, Miller, D., Roberts, Schaffer, Miller, R., Smith, Morano. Representatives Hite, Book, Collier, Domenick, Flowers, Lundy, Reinhard, Schneider.

To amend sections 121.02, 121.03, 2311.07, 2311.08, 2743.03, 3313.616, 3319.13, 4112.01, 5901.02, 5901.021, 5901.07, 5901.09, 5902.01, 5902.02, 5902.03, 5902.04, 5902.06, 5902.07, 5902.08, 5902.15, 5903.02, 5903.99, 5904.01, 5907.01, 5907.02, 5907.022, 5907.023, 5907.03, 5907.04, 5907.11, 5907.12, 5907.13, 5907.141, 5910.02, and 5923.05, to enact sections 2743.091 and 5902.09, and to repeal sections 124.29, 5902.05, and 5903.01 of the Revised Code to create a Department of Veterans Services and a Director of Veterans Services, to create duties for the department and the director, to transfer the duties of the Governor's Office of Veterans Affairs to the department, to place the Ohio Veterans' Home Agency and the Ohio War Orphans Scholarship Board under the department, to establish specified employment rights for private sector employees in the uniformed services, to permit certain aggrieved persons to file a claim against the person's employer in a state court, to require the clerk of the court to give the action priority on the court's dockets, and to prohibit the court from requiring a plaintiff to pay court costs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Garrison moved to amend as follows:

In line 32, after "2793.091" insert ", 5533.871,"

Between lines 510 and 511, insert:

" **Sec. 5533.871.** The road known as state route number six hundred sixty, located within Guernsey county, shall be known as the "Major James W. Reed Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 8 of the title, after "2743.091" insert ", 5533.871,"

In line 23 of the title, delete "and"

In line 24 of the title, after "costs" delete the period and insert ", and to designate State Route 660 in Guernsey County as the "Major James W. Reed Memorial Highway.""

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 48, nays 49, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Carmichael	Coley	Collier
Combs	Core	Daniels	DeWine
Dolan	Evans	Flowers	Gardner
Gibbs	Goodwin	Hagan J.	Hite
Hottinger	Huffman	Hughes	Jones
Mandel	McGregor R.	Mecklenborg	Oelslager
Patton	Peterson	Rausen	Reinhard
Schindel	Schlichter	Schneider	Sears
Setzer	Stebelton	Uecker	Wachtmann
Wagner	Webster	White	Widener
Widowfield	Wolpert	Zehringer	Husted-48.

Those who voted in the negative were: Representatives

Beatty	Bolon	Book	Boyd
Brady	Brinkman	Brown	Budish
Celeste	Chandler	DeBose	DeGeeter
Dodd	Domenick	Driehaus	Dyer
Fende	Fessler	Foley	Garrison
Gerberry	Goyal	Hagan R.	Harwood
Heard	Koziura	Letson	Luckie
Lundy	Mallory	McGregor J.	Miller
Newcomb	Okey	Otterman J.	Redfern
Sayre	Skindell	Slesnick	Stewart D.
Stewart J.	Strahorn	Sykes	Szollosi
Ujvagi	Williams B.	Williams S.	Yates
			Yuko-49.

The motion to amend was not laid on the table.

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

The yeas and nays were taken and resulted - yeas 72, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Adams	Batchelder	Beatty	Blessing
Bolon	Book	Boyd	Brady
Brinkman	Brown	Budish	Carmichael
Celeste	Chandler	DeBose	DeGeeter

Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	Fessler
Flowers	Foley	Gardner	Garrison
Gerberry	Gibbs	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Hite
Jones	Koziura	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Miller	Newcomb	Oelslager
Okey	Otterman J.	Peterson	Redfern
Reinhard	Sayre	Skindell	Slesnick
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
White	Widowfield	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer-72.

Those who voted in the negative were: Representatives

Aslanides	Bacon	Coley	Collier
Combs	Core	Daniels	DeWine
Goodwin	Hottinger	Huffman	Hughes
Mecklenborg	Patton	Rausen	Schindel
Schlichter	Schneider	Sears	Setzer
Stebelson	Wagner	Webster	Widener
			Husted-25.

The motion was agreed to and the bill so amended.

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

Representative Ujvagi moved to amend as follows:

In line 1131, after " (D)" delete the balance of the line

Delete line 1132

In line 1133, delete everything before the underlined period and insert "In any action or proceeding to enforce a provision of this section, the court shall require the defendant to pay the court costs if the plaintiff is the prevailing party in the action or proceeding. If the plaintiff is not the prevailing party, the court may use its discretion in allocating court costs among the parties to the action"

In line 1139, after " state" insert " or the defendant"

In line 19 of the title, delete "certain" and insert "a person"

In line 20 of the title, delete "persons" and insert "under the federal "Uniformed Services Employment and Reemployment Rights Act""

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

The yeas and nays were taken and resulted - yeas 96, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
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Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
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	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Newcomb
Oelslager	Okey	Otterman J.	Patton
Peterson	Raussen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Widowfield	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

Representative Stebelton voted in the negative-1.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
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	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Newcomb
Oelslager	Okey	Otterman J.	Patton
Peterson	Raussen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
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-97.

The bill passed.

Representative Schlichter moved to amend the title as follows:

Add the names: "Aslanides, Bacon, Beatty, Blessing, Bolon, Boyd, Brady, Brown, Budish, Celeste, Chandler, Combs, DeBose, DeGeeter, Dodd, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garrison, Gerberry, Gibbs, Goyal, Hagan, J., Hagan, R., Harwood, Hottinger, Hughes, Koziura, Letson, Luckie, McGregor, J., Mecklenborg, Newcomb, Oelslager, Otterman, J., Patton, Raussen, Redfern, Sayre, Schindel, Schlichter, Setzer, Skindell, Slesnick, Stewart, D., Stewart, J., Szollosi, Uecker, Ujvagi, Widener, Widowfield, Williams, B., Yates, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. J. R. No. 5**-Representative Sears.

Cosponsors: Representatives Hottinger, Peterson, Skindell, Bacon, Bolon, Boyd, Brown, Budish, Chandler, Core, Driehaus, Evans, Flowers, Garrison, Gardner, Hagan, R., Hite, Jones, McGregor, R., Mecklenborg, Patton, Redfern, Schlichter, Stewart, D., Strahorn, Yates.

Proposing to enact Section 2q of Article VIII of the Constitution of the State of Ohio to authorize the issuance of general and other obligations of the state to pay the costs relating to environmental and related conservation, preservation, and revitalization purposes, was taken up for consideration the third time.

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

Representative Sears moved to amend the title as follows:

Add the names: "Adams, Aslanides, Beatty, Blessing, Brady, Brinkman, Celeste, Collier, Combs, DeBose, DeGeeter, Dodd, Dolan, Domenick, Dyer, Fende, Foley, Gibbs, Goyal, Hagan, J., Harwood, Heard, Hughes, Letson, Luckie, Lundy, Mallory, McGregor, J., Newcomb, Oelslager, Raussen, Sayre, Schindel, Schneider, Setzer, Szollosi, Ujvagi, White, Williams, B., Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question recurring, "Shall the joint resolution be adopted?"

The yeas and nays were taken and resulted - yeas 95, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	Flowers
Foley	Gardner	Garrison	Gerberry
Gibbs	Goodwin	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Hite
Hottinger	Hughes	Jones	Koziura
Letson	Luckie	Lundy	Mallory
Mandel	McGregor J.	McGregor R.	Mecklenborg
Miller	Newcomb	Oelslager	Okey
Otterman J.	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Slesnick	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-95.

Representatives Fessler and Huffman voted in the negative-2.

The joint resolution was adopted.

**Sub. H. B. No. 74**-Representative Schlichter.

Cosponsors: Representatives McGregor, J., Bacon, Wagoner, Setzer, Fende, Dodd, Combs, Adams, Collier.

To amend section 2907.08 of the Revised Code to make spying or eavesdropping upon a minor in a state of nudity for the purpose of sexual gratification or arousal a felony of the fourth degree under all circumstances, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
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	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Newcomb
Oelslager	Okey	Otterman J.	Patton
Peterson	Raussen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
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-97.

The bill passed.

Representative Schlichter moved to amend the title as follows:

Add the names: "Aslanides, Batchelder, Boyd, Daniels, DeBose, Domenick, Dyer, Evans, Flowers, Gibbs, Goyal, Hagan, J., Harwood, Heard, Hughes, Luckie, Mandel, Patton, Schindel, Szollosi, Williams, B.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 111**-Representative Collier.

Cosponsors: Representatives Patton, McGregor, J.

To amend section 2151.03 of the Revised Code to expand the definition of neglected child to include a child whose parent, guardian, or custodian knowingly allows certain sexually oriented offenders or child-victim offenders to reside in the same residence as that child, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Stebelton moved to amend as follows:

In line 34, after "Code" delete the balance of the line

In line 35, delete "juvenile"

In line 38, delete ", and who is not a juvenile"

In line 42, delete ", and"

In line 43, delete "who is not a juvenile."

In line 53, after "(B)" insert "A child is not a neglected child under division (A)(8) of this section if either of the following applies to the person living in the same residence as the child:

(1) The person is under eighteen years of age.

(2) The person is eighteen years of age or older, resides in the same residence as the person's parent, guardian, or legal custodian, and is enrolled in high school.

(C)"

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

The yeas and nays were taken and resulted - yeas 88, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
DeBose	DeGeeter	DeWine	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Koziura	Letson	Luckie	Lundy
Mallory	McGregor J.	McGregor R.	Mecklenborg
Miller	Newcomb	Oelslager	Okey
Otterman J.	Peterson	Redfern	Reinhard
Sayre	Schindel	Schlichter	Sears
Setzer	Skindell	Slesnick	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-88.

Those who voted in the negative were: Representatives

Daniels	Fessler	Flowers	Hughes
Jones	Mandel	Patton	Raussen
			Schneider-9.

The motion was agreed to and the bill so amended.

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

Representative Skindell moved to amend as follows:

In line 7, delete "section" and insert "sections"; after "2151.03" insert "and 2717.01"

Between lines 68 and 69, insert:

"**Sec. 2717.01.** (A) A person desiring a change of name may file an application in the probate court of the county in which the person resides. The application shall set forth that the applicant has been a bona fide resident of that county for at least one year prior to the filing of the application, the cause for which the change of name is sought, and the requested new name. The application shall require the applicant to state whether the applicant has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for identity fraud or has a duty to comply with section 2950.04 or 2950.041 of the Revised Code because the applicant was convicted of, pleaded guilty to, or was adjudicated a delinquent child for having committed a sexually oriented offense or a child-victim oriented offense.

Notice of the application shall be given once by publication in a newspaper of general circulation in the county at least thirty days before the hearing on the application. The notice shall set forth the court in which the application was filed, the case number, and the date and time of the hearing.

~~Upon~~ Except as provided by division (C) of this section, upon proof that proper notice was given and that the facts set forth in the application show reasonable and proper cause for changing the name of the applicant, the court may order the change of name.

(B) An application for change of name may be made on behalf of a minor by either of the minor's parents, a legal guardian, or a guardian ad litem. When application is made on behalf of a minor, in addition to the notice and proof required pursuant to division (A) of this section, the consent of both living, legal parents of the minor shall be filed, or notice of the hearing shall be given to the parent or parents not consenting by certified mail, return receipt requested. If there is no known father of the minor, the notice shall be given to the person who the mother of the minor alleges to be the father. If no father is so alleged, or if either parent or the address of either parent is unknown, notice pursuant to division (A) of this section shall be sufficient as to the father or parent.

Any additional notice required by this division may be waived in writing by any person entitled to the notice.

(C)(1) The court shall not order a change of name under division (A) of this section if the person applying for a change of name or for whom the application for a change of name is made has pleaded guilty to, been convicted of, or been adjudicated a delinquent child for a sexually oriented offense or a child-victim oriented offense and has a duty to comply with section 2950.04 or 2950.041 of the Revised Code as a result of the guilty plea, conviction, or adjudication unless the guilty plea, conviction, or adjudication has been reversed on appeal.

(2) The court shall not order a change of name under division (A) of this section if the person applying for a change of name or for whom the application for a change of name is made has pleaded guilty to, been convicted of, or been adjudicated a delinquent child for committing an act that if committed by an

adult would be a violation of section 2913.49 of the Revised Code unless the guilty plea, conviction, or adjudication has been reversed on appeal.

(3) As used in this division, "sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code."

In line 69, delete "section" and insert "sections"; after "2151.03" insert "and 2717.01"

In line 70, delete "is" and insert "are"

In line 1 of the title, delete "section" and insert "sections"; after "2151.03" insert "and 2717.01"

In line 6 of the title, after "child" insert ", and to prohibit a court from ordering a statutory change of name for a person who has committed identity fraud or who must register under the SORN Law for having committed a sexually oriented offense or child-victim oriented offense"

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

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
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	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Newcomb
Oelslager	Okey	Otterman J.	Patton
Peterson	Rausen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
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-97.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
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	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Newcomb
Oelslager	Okey	Otterman J.	Patton
Peterson	Rausen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
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-97.

The bill passed.

Representative Collier moved to amend the title as follows:

Add the names: "Aslanides, Bacon, Boyd, DeBose, Domenick, Evans, Flowers, Hagan, J., Heard, Hughes, Letson, Luckie, Schindel, Setzer, Skindell, Williams, S., Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 428**-Representative Setzer.

Cosponsors: Representatives Evans, Stebelton, Williams, B.

To amend sections 109.57, 2953.33, 3313.31, 3314.03, 3314.19, 3319.01, 3319.20, 3319.291, 3319.302, 3319.304, 3319.31, 3319.311, 3319.313, 3319.314, 3319.39, 3319.391, 3319.52, 3319.99, 3326.11, 3326.23, 3327.10, 5126.253, 5126.254, 5126.99, and 5153.176 and to enact sections 3314.101, 3314.40, 3314.401, 3314.402, 3314.403, 3314.41, 3314.99, 3319.292, 3319.316, 3319.317, 3319.392, 3319.40, 3326.081, 3326.24, 3326.241,

3326.242, 3326.243, 3326.25, 3326.99, and 5153.99 of the Revised Code regarding the reporting of and discipline for school employee misconduct, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 97, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
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	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Newcomb
Oelslager	Okey	Otterman J.	Patton
Peterson	Rausen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
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-97.

The bill passed.

Representative Setzer moved to amend the title as follows:

Add the names: "Adams, Bacon, Boyd, Brown, Budish, Celeste, Coley, Collier, Combs, DeBose, DeGeeter, Domenick, Fende, Flowers, Goyal, Hagan, J., Hagan, R., Heard, Hite, Hughes, Jones, Luckie, Mandel, McGregor, J., Newcomb, Patton, Sayre, Schlichter, Slesnick, Strahorn, Sykes, Webster, White, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 554**-Representative Hottinger.

Cosponsors: Representatives Peterson, Skindell, Bacon, Boyd, Brown, Budish, Evans, Flowers, Gardner, Jones, McGregor, R., Redfern, Schlichter, Sears, Yates.

To amend sections 149.311, 151.01, 166.01, 166.02, 166.08, 166.11, 184.02, 1555.03, 3333.38, 3345.32, 4511.101, 5725.151, 5733.47, 5747.76, and 5747.98 and to enact sections 151.071, 164.28, 166.25, 166.26, 166.30, 184.23 to 184.26, 184.30 to 184.37, 3333.71 to 3333.80, and 5537.141 of the Revised Code to establish the Ohio Bioproducts Development Program and Ohio Biomedical Development Program to be administered by the Third Frontier Commission, to establish the Third Frontier Economic Stimulus Advisory Board, to expand the economic development programs administered by the Department of Development to include transportation logistics and distribution infrastructure projects, to provide additional money for capital improvement projects of local subdivisions and for highway capital improvement projects, to modify the authority of the Ohio Coal Development Office to provide for coal research and development projects administered by the Third Frontier Commission, to provide for advanced energy projects administered by the Third Frontier Commission, to establish the Choose Ohio First Co-op/Internship Program, to extend the historical building rehabilitation tax credit, limit credit amounts, require regional distributive balance and economic effects to be considered, and to make an appropriation, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Goodwin moved to amend as follows:

In line 35, after "3333.80," insert "5537.011,"

Between lines 2841 and 2842, insert:

**" Sec. 5537.011. As used in this chapter, "project" or "turnpike project" includes the road known as interstate route seventy, running in an easterly and westerly direction, extending across Ohio from the West Virginia border in Belmont county to the Indiana border in Preble county."**

After line 3360, insert:

**"Section 24.** Immediately upon the effective date of this section, the Ohio Turnpike Commission shall initiate and implement all steps necessary to convert to a toll road the entire Ohio portion of the road known as Interstate Route 70, from the West Virginia border in Belmont County to the Indiana border in Preble County. The Commission shall enter into any required negotiations with the federal government and may make and enter into any contracts or agreements necessary or incidental to the performance of this duty. The Commission may convert Interstate 70 to a toll road in phases and upon completing any phase of the conversion shall operate and maintain Interstate 70 as provided in Chapter

5537. of the Revised Code, including fixing, revising, charging, and collecting tolls. The Ohio Department of Transportation shall cooperate with the Commission in converting Interstate 70 to a toll road."

In line 6 of the title, after "3333.80," insert "5537.011,"

In line 15 of the title, after "projects," insert "to require the Ohio Turnpike Commission to convert Interstate 70 to a toll road,"

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

The yeas and nays were taken and resulted - yeas 5, nays 92, as follows: Representatives Brinkman, Fessler, Goodwin, Patton, and Wachtmann voted in the affirmative-5.

Those who voted in the negative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brown	Budish
Carmichael	Celeste	Chandler	Coley
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Flowers	Foley
Gardner	Garrison	Gerberry	Gibbs
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	Mandel
McGregor J.	McGregor R.	Mecklenborg	Miller
Newcomb	Oelslager	Okey	Otterman J.
Peterson	Rausen	Redfern	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wagner	Webster	White	Widener
Widowfield	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-92.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Brinkman moved to amend as follows:

In line 33, delete "184.26,"

In line 1815, delete " and 184.26"

In line 1842, delete " and 184.26"

In line 1863, delete " and"

In line 1864, delete " biomedical"

In line 1866, delete the first underlined comma and insert " and"; delete

the first " and"

In line 1901, delete " and"

In line 1902, delete " 184.26"

Delete lines 1927 through 1948

Delete lines 2156 and 2157

In line 2158, delete " (C)" and insert " (B)"

In line 2160, delete " (D)" and insert " (C)"

Delete line 3128

In line 3129, delete "\$60,000,000" and insert "\$20,000,000"

In line 3133, delete "\$110,000,000" and insert "\$70,000,000"

Delete lines 3138 through 3141

Delete lines 3163 through 3168 and renumber accordingly

In line 3347, delete "sections" and insert "section"; delete "and 184.26"

In line 3348, after "184.24," insert "and"; delete ", and 184.26"

In line 3358, delete "184.26,"

In line 5 of the title, delete "184.26" and insert "184.25"

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 85, nays 12, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Bacon	Beatty	Blessing
Bolon	Book	Boyd	Brady
Brown	Budish	Carmichael	Celeste
Chandler	Coley	Collier	Core
Daniels	DeBose	DeGeeter	DeWine
Dodd	Dolan	Driehaus	Dyer
Evans	Fende	Flowers	Foley
Gardner	Garrison	Gerberry	Gibbs
Goyal	Hagan J.	Hagan R.	Harwood
Heard	Hottinger	Hughes	Jones
Koziura	Letson	Luckie	Lundy
Mallory	McGregor J.	McGregor R.	Mecklenborg
Miller	Newcomb	Oelslager	Okey
Otterman J.	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Slesnick	Stebelton	Stewart D.
Stewart J.	Strahorn	Sykes	Szollosi
Uecker	Ujvagi	Webster	White

Widener Wolpert	Widowfield Yates	Williams B. Yuko	Williams S. Zehringer Husted-85.
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Those who voted in the negative were: Representatives

Adams Domenick Huffman	Batchelder Fessler Mandel	Brinkman Goodwin Wachtmann	Combs Hite Wagner-12.
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The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 88, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Bacon	Batchelder	Beatty
Blessing	Bolon	Book	Boyd
Brady	Brown	Budish	Carmichael
Celeste	Chandler	Coley	Collier
Core	Daniels	DeBose	DeGeeter
DeWine	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Flowers	Foley	Gardner	Garrison
Gerberry	Gibbs	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Hite
Hottinger	Hughes	Jones	Koziura
Letson	Luckie	Lundy	Mallory
McGregor J.	McGregor R.	Mecklenborg	Miller
Newcomb	Oelslager	Okey	Otterman J.
Patton	Peterson	Raussen	Redfern
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Slesnick	Stebelon	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Webster	White	Widener
Widowfield	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-88.

Those who voted in the negative were: Representatives

Adams Goodwin	Brinkman Huffman	Combs Mandel	Fessler Wachtmann Wagner-9.
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The bill passed.

Representative Hottinger moved to amend the title as follows:

Add the names: "Beatty, Bolon, Book, Brady, Celeste, Chandler, Daniels, DeBose, DeGeeter, Dodd, Dolan, Domenick, Dyer, Fende, Foley, Garrison, Gerberry, Gibbs, Goyal, Hagan, J., Hagan, R., Harwood, Heard, Hite, Hughes,

Koziura, Letson, Luckie, Lundy, Mallory, McGregor, J., Mecklenborg, Newcomb, Oelslager, Otterman, J., Patton, Sayre, Schindel, Schneider, Setzer, Slesnick, Stewart, D., Sykes, Szollosi, Uecker, Ujvagi, White, Widener, Widowfield, Williams, B., Wolpert, Yuko, Zehringer."

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. 204**-Representative Beatty.

Relative to the election of Tom Heydinger to fill the vacancy in the membership of the House of Representatives created by the resignation of Matthew Barrett of the 58th 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, Matthew Barrett of the 58th House District has resigned as a member of the House of Representatives of the 127th General Assembly effective April 28, 2008, 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 Tom Heydinger, 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 58th House District, is hereby elected, effective May 21, 2008, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 58th House District, to fill the vacancy created by the unexpired portion of the term of said Matthew Barrett, 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 yeas and nays were taken and resulted - yeas 45, nays 0, as follows:

Those who voted in the affirmative were: Representatives

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

The resolution was adopted.

Mr. Heydinger was escorted to the bar of the House by Representatives Beatty, Koziura, Gerberry, Brown, Lundy, Sayre and Mandel, 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, Tom Heydinger, 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/ TOM HEYDINGER

Tom Heydinger

Sworn to and subscribed before me this 21st day of May, 2008.

/s/ JON A. HUSTED

Jon A. Husted

Speaker

Ohio House of Representatives

## Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following concurrent resolution:

**H. C. R. No. 36** -Representative Mecklenborg

Cosponsors: Representatives McGregor, R., McGregor, J., Flowers, Evans, Stebelton, Raussen, Schneider, Blessing, Mallory, Hughes, Daniels, Brown, Domenick, Lundy, Book, Bacon, Chandler, Coley, Combs, Dolan, Driehaus, Fessler, Gardner, Garrison, Goodwin, Hottinger, Jones, Luckie, Oelslager, Otterman, J., Uecker, Wachtmann, Webster, Yates, Zehringer Senators Coughlin, Padgett, Schaffer, Miller, D., Buehrer, Amstutz, Austria, Boccieri, Carey, Cates, Faber, Fedor, Goodman, Harris, Kearney, Morano, Mumper, Niehaus, Sawyer, Schuler, Seitz, Smith, Spada, Stivers, Wagoner, Miller, R., Wilson

To urge the Congress of the United States to renew the exemption for the sternwheel river steamboat Delta Queen from the 1966 Safety at Sea Act.

Attest:

Vincent L. Keeran,  
Clerk.

## 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. 248** -Representative Blessing

Cosponsors: Representatives Adams, Bacon, Boyd, Combs, Domenick, Dyer, Evans, Flowers, Hughes, Mallory, McGregor, J., Oelslager, Patton, Webster Senator Seitz

To enact section 1349.55 of the Revised Code to set forth requirements governing non-recourse civil litigation advance contracts.

Attest:

Vincent L. Keeran,  
Clerk.

## 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. 405** -Representative Bacon

Cosponsors: Representatives Setzer, Zehringer, Hughes, McGregor, J., Wagoner, Fessler, Evans, Boyd, Schindel, Uecker, Mecklenborg, DeBose, Fende, Webster, Batchelder, Bolon, Brady, Brown, Budish, Celeste, Chandler, Collier, Domenick, Dyer, Flowers, Hite, Jones, Koziura, Letson, Mallory, Patton, Peterson, Sayre, Schlichter, Stewart, D., Ujvagi, Wachtmann, Yuko  
Senators Wagoner, Coughlin, Fedor, Harris, Miller, D., Morano, Niehaus, Roberts, Sawyer, Seitz, Spada, Mason

To amend sections 5126.042 and 5126.055 of the Revised Code to eliminate the requirement that each county board of mental retardation and developmental disabilities maintain a service substitution list and long-term service planning registry and revise the law governing county boards' waiting lists.

Attest:

Vincent L. Keeran,  
Clerk.

## Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is requested:

**Sub. S. B. No. 129** -Senator Schuler

Cosponsors: Senators Gardner, Spada, Goodman, Seitz, Buehrer, Schuring, Fedor, Austria, Cates, Grendell, Harris, Kearney, Mason, Niehaus, Padgett, Sawyer, Schaffer, Smith, Stivers, Wilson, Wagoner

To enact section 4513.66 of the Revised Code to permit local law enforcement agencies and fire departments to remove motor vehicles from the roadway after a motor vehicle accident and to provide immunity to local law enforcement agencies and fire personnel for the removal of damaged or inoperable vehicles from roadways.

**Sub. S. B. No. 222** -Senator Cates

Cosponsors: Senators Padgett, Cafaro, Mumper, Goodman, Smith, Schaffer, Buehrer, Grendell, Kearney, Sawyer, Spada, Wagoner, Harris, Stivers

To amend section 109.73 and to enact section 1731.65 of the Revised Code to require the Peace Officer Training Commission to develop recommendations for advanced in-service training of peace officers in conducting law enforcement activities in a higher education setting and to provide qualified immunity to an officer or employee of a private college or university who reports a potential safety risk at the college or university.

**S. B. No. 309** -Senator Seitz

Cosponsors: Senators Faber, Buehrer, Coughlin, Goodman, Grendell, Harris, Mumper, Niehaus, Schaffer, Spada, Stivers

To enact section 1.472 of the Revised Code to require that statutes enacted that create a private right of action contain express language providing for that right.

Attest:

Vincent L. Keeran,  
Clerk.

Said bills were considered the first time.

Message from the Speaker

Pursuant to House Rules 13, 28 and 30, the Speaker hereby removes Representative Jones from the Public Utilities committee.

Message from the Speaker

The Speaker of the House of Representatives, on May 21, 2008, signed the following:

**Sub. H. B. No. 331** - Representative Wagoner - et al.

**Sub. H. B. No. 545** - Representative Widener - et al.

On motion of Representative DeWine, the House adjourned until Thursday, May 22, 2008 at 1:00 o'clock p.m.

Attest:

LAURA P. CLEMENS,  
Clerk.