

OHIO

House

of

Representatives

JOURNAL

THURSDAY, MAY 29, 2008

ONE HUNDRED EIGHTY-SECOND DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, May 29, 2008, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Cliff Hite-76th district, 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:

VeeDa Rucker received H. R. 211, presented by Representative Luckie-39th district.

The Meigs Elementary School archery team received H. R. 209, presented by Representative J. Stewart-92nd district.

Judge and Mrs. Tommy Thompson, guests of Representative Hughes-22nd district.

Joanne Hickerson, Casey Mathes, and Christina Hagan, daughter of Representative J. Hagan-50th district.

Whitney Scott and Chris Madden, guests of Representative J. Stewart-92nd district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 580-Representative Adams.

To amend section 4759.02 and to enact sections 4783.01 to 4783.06 of the Revised Code regarding the provision of complementary or alternative health care services.

H. B. No. 581-Representatives Szollosi, Patton.

Cosponsors: Representatives Boyd, Yuko, Slesnick, Harwood, Newcomb, Williams, B., Mallory, Flowers, Brown, Yates.

To amend sections 4740.01, 4740.02, 4740.04, and 4740.12 of the Revised Code to require thermal system insulation and firestop contractors to obtain a license from the Ohio construction industry licensing board.

H. B. No. 582-Representative Peterson.
Cosponsor: Representative Schindel.

To amend section 3729.05 of the Revised Code to exempt specified persons who operate a fair and hold a license issued under the Vehicle Parks Law from complying with the requirements of that license during the time period when the preparation for, operation of, and dismantling of the fair occurs.

H. B. No. 583-Representative Schindel.
Cosponsors: Representatives Harwood, Chandler, Patton, Stebelton.

To amend section 1509.06 and to enact section 1509.073 of the Revised Code to establish certain notification and noise requirements for the drilling of an oil or gas well and to authorize the Chief of the Division of Mineral Resources Management in the Department of Natural Resources to deny a permit for the drilling of an oil or gas well based on past violations of the Oil and Gas Law by the permit applicant.

H. B. No. 584-Representative Schindel.

To amend section 1509.06 and to enact sections 1509.062, 1509.063, and 1509.073 of the Revised Code to allow the applicable board of township trustees or legislative authority of a municipal corporation where an existing or proposed oil or gas well is or is to be located to submit written comments specifically describing safety issues regarding the well to the Chief of the Division of Mineral Resources Management in the Department of Natural Resources, to require the Chief to review any such comments before determining whether to issue a permit for the well, to establish certain notification and noise requirements for the drilling of an oil or gas well, and to establish other permit requirements.

Said bills were considered the first time.

REPORTS OF CONFERENCE COMMITTEES

Representative Stivers submitted the following report:

The Committee of Conference to which the matters of difference between the two houses were referred on Senate Bill 171, Senator Stivers, having had the same under consideration, recommends to the respective houses as follows:

The bill As Passed by the House with the following amendment:

In line 388, after the underlined period insert "Consistent with the power of municipal corporations to exercise their rights under Article XVIII, Section 3 of the Ohio Constitution and recognizing the need for uniform commercial practices across this state, by analogy to *Am. Financial Servs. Assn et al. v. Cleveland*, 112 Ohio St. 3d 170, 2006-Ohio-6043, citing *Canton v. State*, 95

Ohio St. 3d 149, 2002-Ohio-2005, syllabus, no municipal corporation or other political subdivision shall enact or enforce a regulation or ordinance applicable to a scrap metal dealer requiring a scrap metal dealer to individually identify and retain any scrap metal purchased or received, a practice otherwise known as "tag and hold."

Managers on the Part of the
Senate

Managers on the Part of the
House of Representatives

/s/ SENATOR STEVE STIVERS
SENATOR STEVE STIVERS

/s/ REPRESENTATIVE DAN STEWART
REPRESENTATIVE DAN STEWART

/s/ SENATOR KEITH FABER
SENATOR KEITH FABER

/s/ REPRESENTATIVE JIM CARMICHAEL
REPRESENTATIVE JIM
CARMICHAEL

SENATOR DALE MILLER

/s/ REPRESENTATIVE DAVID DANIELS
REPRESENTATIVE DAVID DANIELS

The question being, "Shall the report of the committee of Conference be agreed to?"

05-29-08

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 **Am. 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 93, 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	Heydinger
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	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Stebelton	Stewart D.
Stewart J.	Strahorn	Sykes	Szollosi
Uecker	Ujvagi	Wagner	Webster
White	Widener	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-93.

Representatives Goodwin and Wachtmann voted in the negative-2.

The report of the committee of Conference was agreed to.

Representative Setzer submitted the following report:

The Committee of Conference to which the matters of difference between the two houses were referred on Am. House Bill 181, Representative Setzer, et.al., having had the same under consideration, recommends to the respective houses as follows:

The bill As Passed by the House of Representatives.

Managers on the Part of the
House of Representatives

Managers on the Part of the
Senate

<u>/S/ REPRESENTATIVE ARLENE J. SETZER</u> REPRESENTATIVE ARLENE J. SETZER	<u>SENATOR TIMOTHY J. GRENDALL</u> SENATOR TIMOTHY J. GRENDALL
<u>/S/ REPRESENTATIVE LARRY L. FLOWERS</u> REPRESENTATIVE LARRY L. FLOWERS	<u>SENATOR JOHN A. CAREY, JR.</u> SENATOR JOHN A. CAREY, JR.
<u>/S/ REPRESENTATIVE VERNON SYKES</u> REPRESENTATIVE VERNON SYKES	<u>/S/ SENATOR LANCE T. MASON</u> SENATOR LANCE T. MASON

The question being, "Shall the report of the committee of Conference be agreed to?"

The yeas and nays were taken and resulted - yeas 95, 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	Flowers
Foley	Gardner	Garrison	Gerberry
Gibbs	Goodwin	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Heydinger
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	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

The report of the committee of Conference was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Koziura submitted the following report:

The standing committee on Rules and Reference to which was referred **Sub. S. J. R. No. 8**-Senator Grendell, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: CA - AFFIRM PROPERTY INTERESTS GROUND AND SURFACE WATER

JON A. HUSTED
LARRY L. FLOWERS

KEVIN DEWINE
LARRY L. WOLPERT

The following members voted "NO"

CHRIS REDFERN
JOYCE BEATTY

JOSEPH KOZIURA

The report was agreed to.

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

Representative Williams, B. submitted the following report:

The standing committee on Education to which was referred **Sub. S. B. No. 57**-Senator Coughlin, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: SPECIAL EDUCATION - SCHOLARSHIPS/FUNDING WEIGHTS

Representative Setzer moved to amend the title as follows:

Add the names: "Representatives Setzer, Peterson, Schlichter, Webster."

ARLENE J. SETZER	JOHN WIDOWFIELD
JOHN SCHLICHTER	THOMAS F. PATTON
JON M. PETERSON	THOM COLLIER
JEFF WAGNER	SHAWN N. WEBSTER
JOHN ADAMS	STEVE REINHARD
CLYDE EVANS	GERALD L. STEBELTON

The following members voted "NO"

TED CELESTE	BRIAN G. WILLIAMS
JENNIFER BRADY	VERNON SYKES
STEPHEN DYER	MARK D. OKEY
RON GERBERRY	MATT LUNDY
CLAYTON LUCKIE	TRACY HEARD
JENNIFER GARRISON	

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 **Am. Sub. S. B. No. 334**-Senator Faber, et al., having had the same under consideration, reports it back and recommends its passage.

RE: PROHIBIT WORKERS COMP BENEFITS RECEIVING BENEFITS FROM OTHER STATE

Representative Brinkman moved to amend the title as follows:

Add the names: "Representatives Yuko, Uecker, Combs, Slesnick, Stewart, D., Adams, Collier, Hughes."

KENNY YUKO	STEPHEN SLESNICK
DAN STEWART	COURTNEY COMBS
JENNIFER BRADY	TOM BRINKMAN
JOSEPH W. UECKER	THOM COLLIER
JIM HUGHES	JOHN ADAMS
W. SCOTT OELSLAGER	MATT SZOLLOSI

The report was agreed to.

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

Representative Book submitted the following report:

The standing committee on Civil and Commercial Law to which was referred **H. B. No. 537**-Representative Oelslager, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: CIVIL ACTION PERMIT RETIRED JUDGE TO PRESIDE OVER JURY TRIAL

Representative Oelslager moved to amend as follows:

In line 73, after "(e)" insert "Indicates that, if the action or any specific issue or question in the action is to be tried and determined by a jury presided over by the retired judge and the action is settled by the parties before the jurors are sworn, the parties will pay the fees of the jurors;

(f)"

In line 129, after the underlined period insert "If the action is settled by the parties before the jurors are sworn, the parties shall pay the fees of the jurors."

The motion was agreed to and the bill so amended.

DAN DODD
MATT HUFFMAN
BILL COLEY
MIKE FOLEY
JIM HUGHES
ROBERT MECKLENBORG

T. TODD BOOK
GERALD L. STEBELTON
SANDRA STABILE HARWOOD
W. SCOTT OELSLAGER
ANTHONY CORE
TIMOTHY J. DEGEETER

The report was agreed to.

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

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. 212-Speaker Husted, Representative Beatty.

Relative to travel allowance.

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay the following named persons travel allowance for mileage as provided by section 101.27 of the Revised Code:

Name	District	Mileage
Tom Heydinger	58	198
Deborah Newcomb	99	424
Sandra Williams	11	319

The yeas and nays were taken and resulted - yeas 96, 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
Heydinger	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	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Webster	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

The resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Sub. S. J. R. No. 8-Senator Grendell.

Cosponsors: Senators Harris, Wagoner, Niehaus, Spada, Jacobson, Seitz, Faber, Mumper, Padgett, Schuler, Cates, Carey, Schaffer, Amstutz, Austria, Cafaro, Buehrer, Fedor, Miller, R., Smith, Mason.

Proposing to enact Section 19b of Article I of the Constitution of the State of Ohio to affirm certain property interests with respect to ground water and other water on or flowing through a property owner's land so as to maintain the stability of Ohio's economy, was taken up for consideration the third time.

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

Representative Dolan moved that **Sub. S. J. R. No. 8**-Senator Grendell, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

Sub. S. B. No. 229-Senator Gardner.

Cosponsors: Senators Mumper, Spada, Wagoner, Padgett, Coughlin, Harris, Schaffer, Miller, R., Wilson. Representatives Wachtmann, Hagan, R.

To amend sections 4731.051, 4731.07, 4731.22, 4731.224, 4731.24, and 4731.25 and to enact sections 4774.01, 4774.02, 4774.03, 4774.031, 4774.04 to 4774.06, 4774.08 to 4774.11, 4774.13, 4774.131, 4774.132, 4774.14 to 4774.18, 4774.20, 4774.21, and 4774.99 of the Revised Code to regulate the practice of radiologist assistants, 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 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	Heydinger
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	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	White	Widener	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

Representatives Fessler and Webster voted in the negative-2.

The bill passed.

Representative Gardner moved to amend the title as follows:

Add the names: "Bacon, Beatty, Budish, Combs, DeBose, Evans, Flowers, Harwood, Hughes, McGregor, J., Oelslager, Patton, Schneider, Setzer, Stewart, D., Szollosi, Ujvagi, Williams, B.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 268-Senator Seitz.

Cosponsors: Senators Niehaus, Gardner, Schuler, Schuring, Cates, Fedor, Roberts, Buehrer, Harris, Kearney, Mumper, Spada, Wilson. Representatives Mallory, Newcomb, Chandler, Uecker.

To amend sections 9.48, 125.04, 307.86, 505.10, 505.37, 505.376, 511.12, 515.01, 731.14, 971.07, and 3313.46 and to enact section 307.862 of the Revised Code to allow a county contracting authority to use competitive sealed proposals instead of competitive sealed bidding when doing so would be advantageous to the county, to modify provisions concerning a county contracting authority's purchase of certain insurance policies or health care plans, to extend the current county and township joint purchasing authority to other political subdivisions and exempt county participants from competitive bidding requirements, to authorize boards of education to forgo the second newspaper publication of bid advertisement in lieu of an internet web site posting, and to change notice requirements for other local government purposes, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Combs moved to amend as follows:

In line 612, delete " (a)" and insert " (i)"

In line 614, delete " (b)" and insert " (ii)"

In line 616, delete " (c)" and insert " (iii)"

In line 618, delete " (d)" and insert " (iv)"

In line 733, delete " (a)" and insert " (1)"

In line 735, delete " (b)" and insert " (2)"

In line 737, delete " (c)" and insert " (3)"

In line 739, delete " (d)" and insert " (4)"

In line 788, delete " (a)" and insert " (1)"

In line 790, delete " (b)" and insert " (2)"

In line 792, delete " (c)" and insert " (3)"

In line 794, delete " (d)" and insert " (4)"

In line 994, delete " (a)" and insert " (A)"

In line 996, delete " (b)" and insert " (B)"

In line 998, delete " (c)" and insert " (C)"

In line 1000, delete "(d)" and insert "(D)"

In line 1059, delete "(a)" and insert "(1)"

In line 1061, delete "(b)" and insert "(2)"

In line 1063, delete "(c)" and insert "(3)"

In line 1065, delete "(d)" and insert "(4)"

In line 1110, delete "(a)" and insert "(A)"

In line 1112, delete "(b)" and insert "(B)"

In line 1114, delete "(c)" and insert "(C)"

In line 1116, delete "(d)" and insert "(D)"

In line 1146, delete "(a)" and insert "(A)"

In line 1148, delete "(b)" and insert "(B)"

In line 1150, delete "(c)" and insert "(C)"

In line 1152, delete "(d)" and insert "(D)"

In line 1184, delete "(a)" and insert "(1)"

In line 1186, delete "(b)" and insert "(2)"

In line 1188, delete "(c)" and insert "(3)"

In line 1190, delete "(d)" and insert "(4)"

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 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	Flowers
Foley	Gardner	Garrison	Gerberry
Gibbs	Goodwin	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Heydinger
Hite	Hottinger	Huffman	Hughes
Jones	Koziura	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Newcomb
Okey	Otterman J.	Patton	Peterson
Rausen	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer

Skindell	Slesnick	Stebelton	Stewart D.
Stewart J.	Strahorn	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Webster	White	Widener	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

Representatives Fessler and Oelslager voted in the negative-2.

The bill passed.

Representative Combs moved to amend the title as follows:

Add the names: "Adams, Bolon, Brinkman, Budish, Coley, Combs, Domenick, Driehaus, Flowers, Gibbs, Goyal, Hagan, J., Lundy, Mecklenborg, Schneider, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. S. B. No. 323-Senator Niehaus.

Cosponsors: Senators Wilson, Harris, Carey, Schuler, Padgett, Seitz, Spada, Mumper, Schaffer, Morano, Boccieri, Cafaro, Fedor, Goodman, Grendell, Kearney, Miller, D., Miller, R., Sawyer, Smith, Stivers, Cates, Amstutz, Faber, Mason, Wagoner, Austria. Representatives Sayre, Yates, Domenick, Gibbs.

To amend sections 1561.011, 1561.16, 1561.17, 1561.23, 1561.25, 1561.26, 1565.15, and 4131.03, and to enact sections 1561.24, 1561.261, 1567.64, and 1567.681 of the Revised Code and to amend Section 512.70 of Am. Sub. H.B. 100 of the 127th General Assembly to revise certain coal mine safety requirements, to create the Mine Safety Fund to be used for specified mine safety purposes, to allow the Administrator of the Bureau of Workers' Compensation to transfer a portion of the investment earnings of the Coal-Workers Pneumoconiosis Fund to the Mine Safety Fund, to delay the date by which the Administrator of Workers' Compensation must transition from the Micro Insurance Reserve Analysis System by one day, and to declare an emergency, was taken up for consideration the third time.

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

The yeas and nays were taken and resulted - yeas 94, nays 2, 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	Flowers	Foley

Gardner	Garrison	Gerberry	Gibbs
Goodwin	Goyal	Hagan J.	Hagan R.
Harwood	Heard	Heydinger	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	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer
Skindell	Slesnick	Stebelton	Stewart D.
Stewart J.	Strahorn	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Webster	White	Widener	Williams B.
Williams S.	Wolpert	Yates	Yuko
Zehringer			Husted-94.

Representatives Brinkman and Fessler voted in the negative-2.

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

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

The yeas and nays were taken and resulted - yeas 95, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams	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	Heydinger
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	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

Representative Aslanides voted in the negative-1.

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

Representative Aslanides moved to amend the title as follows:

Add the names: "Batchelder, Bolon, Book, Budish, Celeste, Chandler, Collier, Combs, Driehaus, Dyer, Evans, Flowers, Foley, Gardner, Garrison, Gerberry, Goyal, Hagan, J., Harwood, Hite, Hottinger, Hughes, Luckie, Lundy, McGregor, J., Mecklenborg, Oelslager, Patton, Schlichter, Schneider, Skindell, Slesnick, Stewart, D., Stewart, J., Strahorn, Szollosi, Uecker, Williams, B., Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. Sub. S. B. No. 334-Senator Faber.

Cosponsors: Senators Seitz, Spada, Coughlin, Mumper, Schaffer, Amstutz, Stivers, Buehrer, Grendell, Harris, Niehaus, Schuring, Wilson, Fedor, Padgett, Sawyer, Cates, Austria. Representatives Yuko, Uecker, Combs, Slesnick, Stewart, D., Adams, Collier, Hughes.

To amend sections 4123.01, 4123.26, 4123.29, 4123.34, 4123.51, 4123.54, 4123.82, and 4123.88 and to enact sections 4123.292 and 4123.542 to prohibit an employee from filing a claim for workers' compensation benefits in this state if the employee has received a decision on the merits of a claim filed in another state for the same injury or occupational disease, to allow an Ohio employer to obtain workers' compensation insurance for claims arising in other states through the Administrator of Workers' Compensation, if the Administrator elects to provide such insurance, or an insurance company, to make other changes to the Workers' Compensation Law regarding interstate workers' compensation claims and the surplus of the State Insurance Fund, and to allow an individual whose primary occupation is as a journalist to access specified worker's compensation records, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

05-29-08

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 **Am. Sub. S. B. No. 334**-Senator Faber, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ DAN DODD
 DAN DODD
 State Representative
 91st House District

The request was granted.

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

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Boyd	Brady	Brinkman	Brown
Budish	Carmichael	Celeste	Chandler
Coley	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Gardner	Garrison	Gerberry
Gibbs	Goodwin	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Heydinger
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	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

The bill passed.

Representative Zehringer moved to amend the title as follows:

Add the names: "Batchelder, Boyd, Brinkman, Brown, Budish, Chandler, Coley, DeBose, Dolan, Domenick, Evans, Fende, Flowers, Gardner, Gerberry, Gibbs, Goyal, Hagan, J., Harwood, Hottinger, Jones, Letson, Mallory, McGregor, J., Mecklenborg, Raussen, Sayre, Schindel, Sears, Setzer, Wachtmann, Wagner, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 415-Representatives Blessing, Domenick.

Cosponsors: Representatives Wagoner, Hughes, Barrett, Szollosi, Ujvagi, Dyer, Foley, Peterson, Lundy, Distel, Yuko, Webster.

To amend section 959.99 of the Revised Code to increase the penalty for animal fighting, including cockfighting, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, nays 1, 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	Heydinger
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	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

Representative Brinkman voted in the negative-1.

The bill passed.

Representative Blessing moved to amend the title as follows:

Add the names: "Bacon, Batchelder, Boyd, Brown, Budish, Celeste, Chandler, Collier, Combs, DeBose, Dolan, Evans, Fende, Flowers, Gardner, Garrison, Gerberry, Goyal, Hagan, J., Harwood, Heard, Heydinger, Hottinger, Letson, Luckie, Mallory, Mandel, Mecklenborg, Newcomb, Oelslager, Patton, Schindel, Schneider, Setzer, Slesnick, Williams, S.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 435-Representatives White, DeBose.

Cosponsors: Representatives Goodwin, Jones, Mecklenborg, Uecker, Schindel, Slesnick, Boyd, Fende, Yuko, Williams, B., Letson, Strahorn, Brown, Hottinger.

To amend section 107.12 of the Revised Code to reform the Governor's Office of Faith-Based and Community Initiatives, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

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
Heydinger	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	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Webster	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

The bill passed.

Representative White moved to amend the title as follows:

Add the names: "Adams, Bacon, Batchelder, Beatty, Bolon, Brinkman, Budish, Celeste, Collier, Combs, Dodd, Dolan, Domenick, Driehaus, Dyer, Evans, Flowers, Garrison, Gerberry, Gibbs, Goyal, Hagan, J., Harwood, Heard, Hughes, Luckie, Lundy, Mallory, Mandel, McGregor, J., Patton, Sayre, Schlichter, Schneider, Stewart, D., Stewart, J., Sykes, Szollosi, Williams, S., Wolpert, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Schneider having voted on the prevailing side, moved that the vote by which **Am. S. B. No. 323**-Senator Niehaus, et al. passed be reconsidered and that the motion be taken up for immediate consideration.

This motion under House Rule 95 is properly supported by the following members who voted on the prevailing side of the question:

MICHELLE G. SCHNEIDER	THOM COLLIER
CHRIS WIDENER	JOHN P. HAGAN
JIM CARMICHAEL	

The question being, "Shall the motion to reconsider the vote by which **Am. S. B. No. 323**-Senator Niehaus, et al., passed be agreed to?"

The yeas and nays were taken and resulted - yeas 95, nays 1, 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	Heydinger
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	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

Representative Brinkman voted in the negative-1.

The motion was agreed to and the vote by which **Am. S. B. No. 323**-Senator Niehaus, et al. passed was reconsidered.

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

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

Those who voted in the affirmative were: Representatives

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
Heydinger	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	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Webster	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

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

Sub. H. B. No. 493-Representative Daniels.

Cosponsors: Representatives Ujvagi, Flowers, Goodwin, Collier, Zehringer, Strahorn, Otterman, J., Hagan, R.

To amend section 4731.22 and to enact sections 3701.86, 3701.861, 3701.862, 4731.72, 4731.721, 4731.722, and 4731.723 of the Revised Code regarding billing for anatomic pathology services, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
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	Heydinger
Hite	Hottinger	Huffman	Hughes
Jones	Koziura	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Miller	Newcomb	Oelslager
Okey	Otterman J.	Patton	Peterson
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Skindell
Slesnick	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-92.

Representatives Mecklenborg, Raussen, and Webster voted in the negative-3.

The bill passed.

Representative Daniels moved to amend the title as follows:

Add the names: "Budish, Chandler, Combs, Domenick, Evans, Gerberry, Harwood, Letson, Szollosi."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. 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, Otterman, J.

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, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, 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	DeGeeter	DeWine	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers

Foley	Gardner	Garrison	Gerberry
Gibbs	Goodwin	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Heydinger
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	Reinhard	Sayre
Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szolloosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

The bill passed.

Representative Peterson moved to amend the title as follows:

Add the names: "Budish, Combs, DeBose, DeGeeter, Domenick, Dyer, Foley, Gerberry, Harwood, Heydinger, Hughes, Luckie, Mallory, Oelslager, Patton, Schneider, Stewart, D., White, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. R. No. 137-Representative Book.

Cosponsors: Representatives DeGeeter, Beatty, Sayre, Ujvagi, Combs, Lundy, Fende, Harwood, Dodd, Domenick, Strahorn, Letson, Barrett, Budish, Distel, Sykes, Okey, Goyal, Yates, Brown, Hagan, R., Stewart, D., Luckie, Szolloosi, Williams, B., Hottinger, Gerberry, Driehaus, Dyer, Hughes, Peterson, Huffman, Coley, Webster, Carmichael, Daniels, Evans, DeWine, Stewart, J., Widener, Schlichter, Stebelton, Blessing, McGregor, J., Yuko, Adams, Batchelder, Celeste, Koziura, Rausen, Skindell.

To declare that the Portsmouth Indian Head Rock is an artifact historically associated with the City of Portsmouth, Ohio, and to call upon officials from the Commonwealth of Kentucky to abandon Kentucky's claims of ownership to this artifact and to work with the State of Ohio to effectively preserve and care for it, was taken up for consideration the third time.

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

Representative Book moved to amend the title as follows:

Add the names: "Bacon, Bolon, Boyd, Brinkman, Chandler, Collier, DeBose, Garrison, Hagan, J., Mallory, Oelslager, Schneider, Slesnick,

Williams, S., Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

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

Those who voted in the affirmative were: Representatives

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
Heydinger	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	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Webster	White
Widener	Williams B.	Williams S.	Wolpert
Yates	Yuko	Zehringer	Husted-96.

The resolution was adopted.

Representative DeWine moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **Sub. S. B. No. 183**-Senator Schaffer, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

Sub. S. B. No. 183-Senator Schaffer.

Cosponsors: Senators Coughlin, Austria, Cates, Clancy, Faber, Gardner, Grendell, Padgett, Fedor, Harris, Mason, Miller, R., Mumper, Spada, Wilson. Representatives Sears, Dyer.

To amend sections 2907.07, 2907.21, 2907.40, and 2929.13 of the Revised Code to provide mandatory minimum prison terms for persons who plead guilty to or are convicted of importuning, to modify the definition of "adult cabaret" as used in connection with the operation of a sexually oriented

business, and to apply the offense of compelling prostitution to an offender who believes the person solicited is a minor, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, 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
Heydinger	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	Reinhard
Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stebelton	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

The bill passed.

Representative White moved to amend the title as follows:

Add the names: "Adams, Bacon, Blessing, Bolon, Collier, Combs, Daniels, DeBose, Dolan, Domenick, Evans, Flowers, Gardner, Gibbs, Hagan, J., Heard, Heydinger, Hottinger, Hughes, Jones, Letson, Lundy, Mallory, Mandel, McGregor, J., Mecklenborg, Patton, Raussen, Schindel, Schlichter, Schneider, Setzer, Slesnick, Stebelton, Szollosi, Uecker, Wachtmann, Zehringer."

The motion was agreed to and the title so amended.

The title as amended 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. 30 -Representative McGregor, R.

Cosponsors: Representatives Adams, Schindel, Seitz, Fessler, Collier, Webster, Aslanides, Bubb, Domenick, Batchelder, Blessing, Carmichael, Coley, Core, Evans, Flowers, Gibbs, Hagan, J., Harwood, Hottinger, Huffman, Hughes, Mandel, Patton, Uecker, Wagoner, Widener Senators Schaffer, Amstutz, Austria, Buehrer, Harris, Mumper, Niehaus, Padgett, Schuring, Seitz, Spada, Stivers, Wagoner

To amend section 4511.81 and to enact section 4511.094 of the Revised Code, and to amend Sections 555.07 and 555.19 of Am. Sub. H.B. 67 of the 127th General Assembly, and to amend Section 555.08 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended, to require any local authority that enforces any traffic law by means of traffic law photo-monitoring devices to erect signs on every highway that is not a freeway that is part of the state highway system and that enters that local authority, informing inbound traffic that the local authority utilizes traffic law photo-monitoring devices to enforce traffic laws, to eliminate the requirement for operators of vehicles not equipped with seat belts to nonetheless use a child restraint system when transporting any kindergarten child who is required to be transported in a child restraint system, to govern the movement of steel coils by special permit, to require the Department of Transportation to conduct a study of the impact of overweight vehicles operating under a permit, and to modify the constraints imposed on the Department of Transportation regarding undertaking certain major new construction projects.

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

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative DeWine moved that the Senate amendments to **Sub. H. B. No. 30**-Representative McGregor, R., et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 30**-Representative McGregor, R., et al., were taken up for consideration.

Sub. H. B. No. 30-Representative McGregor, R.

Cosponsors: Representatives Adams, Schindel, Seitz, Fessler, Collier, Webster, Aslanides, Bubb, Domenick, Batchelder, Blessing, Carmichael, Coley, Core, Evans, Flowers, Gibbs, Hagan, J., Harwood, Hottinger, Huffman, Hughes, Mandel, Patton, Uecker, Wagoner, Widener. Senators Schaffer, Amstutz, Austria, Buehrer, Harris, Mumper, Niehaus, Padgett, Schuring, Seitz, Spada, Stivers, Wagoner.

To amend section 4511.81 and to enact section 4511.094 of the Revised Code, and to amend Sections 555.07 and 555.19 of Am. Sub. H.B. 67 of the 127th General Assembly, and to amend Section 555.08 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended, to require any local authority that enforces any traffic law by means of traffic law photo-monitoring devices to erect signs on every highway that is not a freeway that is part of the state highway system and that enters that local authority, informing inbound traffic that the local authority utilizes traffic law photo-monitoring devices to enforce traffic laws, to eliminate the requirement for operators of vehicles not equipped with seat belts to nonetheless use a child restraint system when transporting any kindergarten child who is required to be transported in a child restraint system, to govern the movement of steel coils by special permit, to require the Department of Transportation to conduct a study of the impact of overweight vehicles operating under a permit, and to modify the constraints imposed on the Department of Transportation regarding undertaking certain major new construction projects.

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

The yeas and nays were taken and resulted - yeas 86, nays 10, 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	Core	Daniels
DeGeeter	DeWine	Dodd	Dolan
Domenick	Driehaus	Dyer	Evans
Fende	Flowers	Gardner	Garrison
Gerberry	Gibbs	Goodwin	Goyal
Hagan J.	Hagan R.	Harwood	Heard
Heydinger	Hottinger	Huffman	Hughes
Jones	Koziura	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Mecklenborg	Newcomb	Oelslager
Okey	Patton	Peterson	Rausen
Reinhard	Sayre	Schindel	Schlichter
Schneider	Sears	Setzer	Slesnick
Stebelton	Stewart D.	Stewart J.	Strahorn
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yuko

Zehring

Husted-86.

Those who voted in the negative were: Representatives

Combs	DeBose	Fessler	Foley
Hite	Miller	Otterman J.	Skindell
Sykes			Yates-10.

The Senate amendments were concurred in.

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:

Am. Sub. H. B. No. 350 -Representative Wolpert

Cosponsors: Representatives Batchelder, Huffman, Evans, Peterson, Fende, Flowers, Williams, S., Webster, Bubp, Combs, Brown, Adams, Bacon, Barrett, Beatty, Bolon, Book, Boyd, Brady, Celeste, Chandler, Daniels, DeBose, DeGeeter, Dolan, Domenick, Driehaus, Dyer, Foley, Garrison, Gerberry, Gibbs, Goodwin, Goyal, Hagan, J., Hagan, R., Harwood, Heard, Hite, Hughes, Jones, Letson, Luckie, Lundy, Mallory, McGregor, J., McGregor, R., Newcomb, Okey, Otterman, J., Patton, Reinhard, Sayre, Schindel, Schlichter, Schneider, Sears, Setzer, Stewart, D., Stewart, J., Strahorn, Sykes, Szollosi, Uecker, Ujvagi, Wachtmann, White, Williams, B., Yates, Yuko, Zehring
Senators Cates, Grendell, Schuler, Fedor, Roberts, Wagoner, Buehrer, Harris, Morano, Niehaus

To amend sections 3501.05, 3501.22, 3503.01, 3505.31, 3506.05, 3509.05, 3511.06, and 3511.11 and to enact section 3501.053 of the Revised Code to revise the Election Law.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 486, delete " Members" and insert " In all cases of a tie vote or a disagreement in the board, if no decision can be arrived at, the board shall submit the matter in controversy to the secretary of state, who shall summarily decide the question, and the secretary of state's decision shall be final. Each member"; after " board" insert " shall be a competent and experienced election officer or a person who is knowledgeable about the operation of voting equipment and"

In line 696, after " shall" delete the balance of the line

In line 697, delete " most current voting system standards adopted" and insert " have the most recent federal certification number issued"

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative DeWine moved that the Senate amendments to **Am. Sub. H. B. No. 350**-Representative Wolpert, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. Sub. H. B. No. 350**-Representative Wolpert, et al., were taken up for consideration.

Am. Sub. H. B. No. 350-Representative Wolpert.

Cosponsors: Representatives Batchelder, Huffman, Evans, Peterson, Fende, Flowers, Williams, S., Webster, Bupp, Combs, Brown, Adams, Bacon, Barrett, Beatty, Bolon, Book, Boyd, Brady, Celeste, Chandler, Daniels, DeBose, DeGeeter, Dolan, Domenick, Driehaus, Dyer, Foley, Garrison, Gerberry, Gibbs, Goodwin, Goyal, Hagan, J., Hagan, R., Harwood, Heard, Hite, Hughes, Jones, Letson, Luckie, Lundy, Mallory, McGregor, J., McGregor, R., Newcomb, Okey, Otterman, J., Patton, Reinhard, Sayre, Schindel, Schlichter, Schneider, Sears, Setzer, Stewart, D., Stewart, J., Strahorn, Sykes, Szollosi, Uecker, Ujvagi, Wachtmann, White, Williams, B., Yates, Yuko, Zehringer. Senators Cates, Grendell, Schuler, Fedor, Roberts, Wagoner, Buehrer, Harris, Morano, Niehaus.

To amend sections 3501.05, 3501.22, 3503.01, 3505.31, 3506.05, 3509.05, 3511.06, and 3511.11 and to enact section 3501.053 of the Revised Code to revise the Election Law.

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

The yeas and nays were taken and resulted - yeas 90, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Beatty	Blessing	Bolon	Book
Brinkman	Brown	Budish	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeWine	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Fessler	Flowers	Gardner	Garrison
Gerberry	Gibbs	Goodwin	Goyal
Hagan J.	Hagan R.	Harwood	Heard
Heydinger	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Letson
Luckie	Lundy	Mallory	Mandel
McGregor J.	McGregor R.	Mecklenborg	Miller
Newcomb	Oelsluger	Okey	Otterman J.
Patton	Peterson	Raussen	Reinhard

Sayre	Schindel	Schlichter	Schneider
Sears	Setzer	Skindell	Slesnick
Stebelton	Stewart D.	Stewart J.	Strahorn
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Webster	White
Widener	Williams B.	Wolpert	Yuko
Zehringer			Husted-90.

Representatives Boyd, Brady, DeGeeter, Foley, Williams S., and Yates voted in the negative-6.

The Senate amendments were concurred in.

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:

Am. Sub. H. B. No. 404 -Representatives Hottinger, Barrett
 Cosponsors: Representatives Koziura, Driehaus, DeBose, Fende, Celeste, Aslanides, Bacon, Batchelder, Beatty, Bolon, Boyd, Brown, Budish, Collier, DeGeeter, Dodd, Domenick, Dyer, Evans, Flowers, Foley, Garrison, Gerberry, Huffman, Hughes, Letson, Luckie, Lundy, Mallory, McGregor, J., Mecklenborg, Patton, Sayre, Schindel, Sears, Setzer, Stewart, D., Szollosi, Williams, S., Wolpert, Yates, Yuko, Zehringer Senators Amstutz, Stivers, Miller, D., Austria, Buehrer, Faber, Fedor, Goodman, Harris, Kearney, Morano, Mumper, Niehaus, Padgett, Sawyer, Schuler, Seitz, Spada, Jacobson, Mason

To amend sections 1321.72, 1321.78, 3916.01 to 3916.03, 3916.05 to 3916.07, 3916.09 to 3916.20, and 3916.99 and to enact sections 3911.021, 3916.031, 3916.171, 3916.172, and 3916.173 of the Revised Code to make changes to the law governing viatical settlements.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 311, delete " (P)(3)(b)" and insert " (O)(1)(c)"

In line 631, delete " with" and insert " within"

In line 1444, reinsert "(3)"

In line 1447, reinsert "have"

In line 1472, delete " (3)" and insert " (4)"

In line 1499, delete " (2)" and insert " (3)"

In line 1510, delete " (2)" and insert " (3)"

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative DeWine moved that the Senate amendments to **Am. Sub. H. B. No. 404**-Representatives Hottinger, Barrett, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. Sub. H. B. No. 404**-Representatives Hottinger, Barrett, et al., were taken up for consideration.

Am. Sub. H. B. No. 404-Representatives Hottinger, Barrett.

Cosponsors: Representatives Koziura, Driehaus, DeBose, Fende, Celeste, Aslanides, Bacon, Batchelder, Beatty, Bolon, Boyd, Brown, Budish, Collier, DeGeeter, Dodd, Domenick, Dyer, Evans, Flowers, Foley, Garrison, Gerberry, Huffman, Hughes, Letson, Luckie, Lundy, Mallory, McGregor, J., Mecklenborg, Patton, Sayre, Schindel, Sears, Setzer, Stewart, D., Szollosi, Williams, S., Wolpert, Yates, Yuko, Zehringer. Senators Amstutz, Stivers, Miller, D., Austria, Buehrer, Faber, Fedor, Goodman, Harris, Kearney, Morano, Mumper, Niehaus, Padgett, Sawyer, Schuler, Seitz, Spada, Jacobson, Mason.

To amend sections 1321.72, 1321.78, 3916.01 to 3916.03, 3916.05 to 3916.07, 3916.09 to 3916.20, and 3916.99 and to enact sections 3911.021, 3916.031, 3916.171, 3916.172, and 3916.173 of the Revised Code to make changes to the law governing viatical settlements.

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

The yeas and nays were taken and resulted - yeas 95, 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
Gibbs	Goodwin	Goyal	Hagan J.
Hagan R.	Harwood	Heard	Heydinger
Hite	Hottinger	Huffman	Hughes
Jones	Koziura	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Mecklenborg	Miller	Newcomb
Oelslager	Okey	Otterman J.	Patton
Peterson	Rausson	Reinhard	Sayre

Schindel	Schlichter	Schneider	Sears
Setzer	Skindell	Slesnick	Stebelton
Stewart D.	Stewart J.	Strahorn	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Webster	White	Widener
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-95.

The Senate amendments were concurred in.

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:

Am. Sub. H. B. No. 562 -Representative Hottinger

Cosponsors: Representatives Peterson, Skindell, Bacon, Bolon, Boyd, Brown, Budish, Chandler, Evans, Flowers, Garrison, Hagan, R., Hite, Jones, McGregor, R., Patton, Redfern, Schlichter, Stewart, D., Stewart, J., Strahorn, Yates, Adams, Book, Brady, Collier, Combs, Dolan, Domenick, Dyer, Gerberry, Goyal, Hagan, J., Harwood, Hughes, Koziura, Mallory, McGregor, J., Schindel, Setzer, Szollosi, Ujvagi, Webster, White, Widowfield, Beatty, Celeste, Coley, Fende, Heard, Letson, Luckie, Newcomb, Sykes, Williams, B. Senators Carey, Cafaro, Wilson, Kearney, Boccieri, Coughlin, Fedor, Goodman, Grendell, Harris, Morano, Mumper, Niehaus, Padgett, Roberts, Seitz, Spada, Stivers, Mason, Schaffer, Miller, D., Miller, R., Austria, Schuring

To amend sections 9.231, 9.24, 9.835, 105.41, 113.061, 113.40, 117.13, 117.38, 120.08, 121.31, 122.171, 125.02, 125.021, 125.022, 125.04, 125.041, 125.05, 125.06, 125.07, 125.18, 125.25, 127.16, 133.08, 135.61, 135.63, 135.65, 135.66, 145.47, 149.30, 156.02, 165.01, 165.03, 303.12, 303.211, 306.43, 307.697, 317.32, 319.301, 321.261, 340.02, 340.021, 351.26, 519.12, 519.211, 715.73, 715.74, 901.42, 1332.04, 1346.03, 1561.011, 1561.16, 1561.17, 1561.23, 1561.25, 1561.26, 1565.15, 1751.01, 1751.04, 1751.05, 1751.11, 1751.111, 1751.12, 1751.13, 1751.15, 1751.16, 1751.17, 1751.18, 1751.20, 1751.31, 1751.34, 1751.53, 1751.60, 1751.89, 2743.49, 2744.05, 2903.12, 2903.213, 2903.214, 2915.101, 2919.26, 2921.13, 2923.11, 2949.092, 3111.04, 3113.06, 3113.31, 3119.023, 3119.54, 3301.0714, 3311.21, 3311.24, 3313.842, 3313.978, 3314.016, 3314.02, 3314.03, 3314.05, 3316.03, 3316.041, 3316.06, 3316.08, 3317.023, 3317.11, 3317.20, 3318.01, 3318.03, 3318.032, 3318.04, 3319.291, 3323.30, 3323.31, 3323.32, 3323.33, 3333.04, 3333.044, 3333.045, 3333.122, 3335.05, 3341.03, 3343.08, 3344.02, 3345.34, 3350.10, 3352.02, 3353.02, 3353.20, 3353.21, 3353.22, 3353.26, 3353.27, 3353.28, 3353.29, 3354.16, 3355.12, 3356.02, 3357.16, 3359.02,

3361.02, 3364.02, 3501.17, 3702.71, 3702.72, 3702.73, 3702.74, 3702.75, 3702.78, 3702.79, 3702.81, 3702.85, 3702.86, 3702.91, 3702.93, 3702.95, 3703.01, 3734.821, 3735.67, 3743.02, 3743.04, 3743.15, 3743.17, 3743.19, 3743.25, 3743.40, 3743.44, 3743.45, 3743.54, 3743.56, 3743.65, 3743.70, 3743.99, 3901.3814, 3905.40, 3923.281, 3923.443, 3961.04, 4112.12, 4117.14, 4117.15, 4123.26, 4123.32, 4123.37, 4123.54, 4131.03, 4141.31, 4141.312, 4301.355, 4301.421, 4301.424, 4301.62, 4303.182, 4510.10, 4511.01, 4511.101, 4511.181, 4511.191, 4731.65, 4731.71, 4735.01, 4735.02, 4735.10, 4735.13, 4735.14, 4735.141, 4752.04, 4752.05, 4752.06, 4752.07, 4752.11, 4752.12, 4752.13, 4906.13, 4906.98, 4928.142, 4928.20, 4981.14, 5101.26, 5101.5211, 5101.5212, 5101.5213, 5101.5214, 5101.5215, 5101.571, 5101.572, 5101.58, 5101.80, 5104.02, 5111.032, 5111.084, 5111.091, 5111.31, 5111.94, 5111.941, 5112.31, 5112.37, 5123.0412, 5123.196, 5123.36, 5513.01, 5525.01, 5703.19, 5703.21, 5703.57, 5705.194, 5705.214, 5705.29, 5709.121, 5721.30, 5721.31, 5721.32, 5721.33, 5721.34, 5721.35, 5721.36, 5721.37, 5721.38, 5721.39, 5721.40, 5721.41, 5721.42, 5721.43, 5727.84, 5727.85, 5739.01, 5739.02, 5739.029, 5739.09, 5739.12, 5739.122, 5739.124, 5739.21, 5741.04, 5741.12, 5741.121, 5741.122, 5743.021, 5743.024, 5743.321, 5743.323, 5745.05, 5747.01, 5747.02, 5748.022, 5751.20, 5751.21, 6101.53, 6101.55, 6117.01, 6117.011, 6117.012, 6117.04, 6117.05, 6117.06, 6117.25, 6117.251, 6117.28, 6117.30, 6117.34, 6117.38, 6117.41, 6117.42, 6117.43, 6117.44, 6117.45, and 6117.49; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3323.31 (3323.33), 3323.32 (3323.34), 3323.33 (3323.35), 3353.20 (3333.81), 3353.21 (3333.82), 3353.22 (3333.83), 3353.26 (3333.85), 3353.27 (3333.86), 3353.28 (3333.87), and 3353.29 (3333.88); to enact new sections 3323.31 and 3323.32 and sections 107.19, 125.051, 133.52, 135.101, 135.102, 135.103, 135.104, 135.105, 135.106, 303.213, 519.213, 713.081, 1561.24, 1561.261, 1567.64, 1567.681, 2907.10, 2943.033, 2949.094, 3107.018, 3310.42, 3314.37, 3314.40, 3318.033, 3318.034, 3326.45, 3326.51, 3333.58, 3333.84, 3365.15, 3925.101, 4303.041, 4735.142, 4905.84, 4906.20, 5101.143, 5104.041, 5111.0210, 5111.71, 5111.711, 5111.712, 5111.713, 5111.714, 5111.715, 5111.874, 5111.875, 5111.876, 5111.877, 5111.878, 5111.879, 5111.8710, 5112.371, 5123.0417, 5501.09, 5502.68, 5533.94, 5703.82, 5705.199, 5721.371, 5721.381, 5747.082, 5749.17, 6121.045, and 6123.042; to repeal sections 124.821, 3314.086, 3317.161, 3353.23, 3353.24, 3353.25, 3353.30, 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889, 5111.8810, 5111.8811, 5111.8812, 5111.8813, 5111.8814, 5111.8815, 5111.8816, 5111.8817, 5112.311, and 5739.213 of the Revised Code; to amend Sections 315.10 and 555.19 of Am. Sub. H.B. 67 of the 127th General Assembly, to amend Sections 203.10 and 203.50 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended, to amend Sections 201.10 and 512.70 of Am. Sub. H.B. 100 of the 127th General Assembly, to amend Sections 207.20.50, 207.20.70, 207.30.10, 207.30.20, 207.30.30, 219.10, 235.10, 261.10, 263.10, 263.20.10, 263.20.80, 263.30.10, 269.30.30, 269.30.70, 269.40.50, 269.50.30, 275.10, 293.10,

299.10, 307.10, 309.10, 309.30.13, 309.30.30, 309.30.40, 309.30.41, 309.30.42, 309.40.33, 337.30, 337.30.43, 337.40, 337.40.15, 369.10, 375.10, 379.10, 393.10, 405.10, 407.10, 512.03, 512.35, and 518.03 of Am. Sub. H.B. 119 of the 127th General Assembly, to amend Section 249.10 of Am. Sub. H.B. 119 of the 127th General Assembly, as subsequently amended, to amend Sections 101.10, 103.80.50, 201.30, 201.50, 301.20.20, 301.20.80, 401.11, and 401.71 of H.B. 496 of the 127th General Assembly; to repeal Section 5 of Am. Sub. H.B. 24 of the 127th General Assembly and to repeal Section 375.80.10 of Am. Sub. H.B. 119 of the 127th General Assembly to make capital and other appropriations and to provide authorization and conditions for the operation of state programs.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 142, after "4131.03," insert "4141.31, 4141.312,"

In line 148, after "5101.80," insert "5104.02,"

Between lines 17347 and 17348, insert:

"Sec. 4141.31. (A) Benefits otherwise payable for any week shall be reduced by the amount of remuneration or other payments a claimant receives with respect to such week as follows:

(1) Remuneration in lieu of notice;

(2) Compensation for wage loss under division (B) of section 4123.56 of the Revised Code or a similar provision under the workers' compensation law of any state or the United States;

(3) Payments in the form of retirement, or pension allowances as provided under section 4141.312 of the Revised Code;

(4) ~~Remuneration~~ Except as otherwise provided in division (D) of this section, remuneration in the form of separation or termination pay paid to an employee at the time of the employee's separation from employment;

(5) Vacation pay or allowance payable under the terms of a labor-management contract or agreement, or other contract of hire, which payments are allocated to designated weeks.

If payments under this division are paid with respect to a month then the amount of remuneration deemed to be received with respect to any week during such month shall be computed by multiplying such monthly amount by twelve and dividing the product by fifty-two. If there is no designation of the period with respect to which payments to an individual are made under this section then an amount equal to such individual's normal weekly wage shall be attributed to and deemed paid with respect to the first and each succeeding week following the individual's separation or termination from the employment of the employer

making the payment until such amount so paid is exhausted.

If benefits for any week, when reduced as provided in this division, result in an amount not a multiple of one dollar, such benefits shall be rounded to the next lower multiple of one dollar.

Any payment allocated by the employer or the director of job and family services to weeks under division (A)(1), (4), or (5) of this section shall be deemed to be remuneration for the purposes of establishing a qualifying week and a benefit year under divisions (O)(1) and (R) of section 4141.01 of the Revised Code.

(B) Benefits payable for any week shall not be reduced by the amount of remuneration a claimant receives with respect to such week in the form of drill or reserve pay received by a member of the Ohio national guard or the armed forces reserve for attendance at a regularly scheduled drill or meeting.

(C) No benefits shall be paid for any week with respect to which or a part of which an individual has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States, provided the disqualifications shall not apply if the appropriate agency of such other state or of the United States finally determines that an individual is not entitled to such unemployment benefits. A law of the United States providing any payment of any type and in any amounts for periods of unemployment due to lack of work shall be considered an unemployment compensation law of the United States.

(D) ~~Notwithstanding any other provision in this chapter, benefits otherwise~~ Benefits payable for any week shall not be reduced by payments that were made the amount of military severance, disability, or separation pay paid to an individual on or after August 1, 1991, pursuant to "The National Defense Authorization Act for Fiscal Years 1992 and 1993," Public Law 102-190, 105 Stat. 1394, 1396, 10 U.S.C.A. 1174a, 1175, in the form of voluntary separation incentive payments and special separation pay who is a former member of the armed forces of the United States.

Sec. 4141.312. (A) Except as otherwise specified in division (B) of this section, the amount of benefits payable to a claimant for any week with respect to which the claimant is receiving a governmental or other pension, retirement or retired pay, annuity or any other similar periodic payment which is based on the previous work of the individual, shall be reduced by an amount equal to the amount of the pension, retirement or retired pay, annuity or other payment which is reasonably attributable to that week, except that the requirements for this division shall apply to any pension, retirement or retired pay, annuity, or other similar periodic payment only if both of the following apply:

(1) The payment is under a plan maintained or contributed to by a base period employer or chargeable employer.

(2) In the case of a payment under a plan not made under the "Social

Security Act," 42 U.S.C. 401 et seq., or the "Railroad Retirement Act of 1974," 45 U.S.C. 231 et seq., or the corresponding provisions of prior law, services performed for such employer by the individual after the beginning of the base period, or remuneration for such services, affect eligibility for, or increase the amount of, such pension, retirement or retired pay, annuity, or similar payment.

~~(B) The amount of any disability pension, allowance, or payment paid to former members of the armed forces of the United States which is based on the nature and extent of the disability rather than a prior period of employment or service, shall not reduce or be deducted from the weekly benefits payable.~~

~~(C)~~ If a claimant has made a contribution to social security pursuant to the "Social Security Act," 42 U.S.C. 401 et seq., and that claimant is receiving a retirement payment pursuant to that act, the claimant's weekly benefit shall not be reduced by the amount of that retirement payment because the claimant contributed to social security."

In line 20069, after the comma insert " not more than"

In line 20070, after the first comma insert " not more than"; after "and" insert " not more than"

Between lines 20995 and 20996, insert:

"Sec. 5104.02. (A) The director of job and family services is responsible for the licensing of child day-care centers and type A family day-care homes. Each entity operating a head start program shall meet the criteria for, and be licensed as, a child day-care center. The director is responsible for the enforcement of this chapter and of rules promulgated pursuant to this chapter.

No person, firm, organization, institution, or agency shall operate, establish, manage, conduct, or maintain a child day-care center or type A family day-care home without a license issued under section 5104.03 of the Revised Code. The current license shall be posted in a conspicuous place in the center or type A home that is accessible to parents, custodians, or guardians and employees of the center or type A home at all times when the center or type A home is in operation.

(B) A person, firm, institution, organization, or agency operating any of the following programs is exempt from the requirements of this chapter:

(1) A program of child care that operates for two or less consecutive weeks;

(2) Child care in places of worship during religious activities during which children are cared for while at least one parent, guardian, or custodian of each child is participating in such activities and is readily available;

(3) Religious activities which do not provide child care;

(4) Supervised training, instruction, or activities of children in specific areas, including, but not limited to: art; drama; dance; music; gymnastics,

swimming, or another athletic skill or sport; computers; or an educational subject conducted on an organized or periodic basis no more than one day a week and for no more than six hours duration;

(5) Programs in which the director determines that at least one parent, custodian, or guardian of each child is on the premises of the facility offering child care and is readily accessible at all times, except that child care provided on the premises at which a parent, custodian, or guardian is employed more than two and one-half hours a day shall be licensed in accordance with division (A) of this section;

(6)(a) Programs that provide child care funded and regulated or operated and regulated by state departments other than the department of job and family services or the state board of education when the director of job and family services has determined that the rules governing the program are equivalent to or exceed the rules promulgated pursuant to this chapter.

Notwithstanding any exemption from regulation under this chapter, each state department shall submit to the director of job and family services a copy of the rules that govern programs that provide child care and are regulated or operated and regulated by the department. Annually, each state department shall submit to the director a report for each such program it regulates or operates and regulates that includes the following information:

(i) The site location of the program;

(ii) The maximum number of infants, toddlers, preschool children, or school children served by the program at one time;

(iii) The number of adults providing child care for the number of infants, toddlers, preschool children, or school children;

(iv) Any changes in the rules made subsequent to the time when the rules were initially submitted to the director.

The director shall maintain a record of the child care information submitted by other state departments and shall provide this information upon request to the general assembly or the public.

(b) Child care programs conducted by boards of education or by chartered nonpublic schools that are conducted in school buildings and that provide child care to school children only shall be exempt from meeting or exceeding rules promulgated pursuant to this chapter.

(7) Any preschool program or school child program, except a head start program, that is subject to licensure by the department of education under sections 3301.52 to 3301.59 of the Revised Code.

(8) Any program providing child care that meets all of the following requirements and, on October 20, 1987, was being operated by a nonpublic school that holds a charter issued by the state board of education for kindergarten only:

(a) The nonpublic school has given the notice to the state board and the director of job and family services required by Section 4 of Substitute House Bill No. 253 of the 117th general assembly;

(b) The nonpublic school continues to be chartered by the state board for kindergarten, or receives and continues to hold a charter from the state board for kindergarten through grade five;

(c) The program is conducted in a school building;

(d) The program is operated in accordance with rules promulgated by the state board under sections 3301.52 to 3301.57 of the Revised Code.

(9) A youth development program operated outside of school hours by a community-based center to which all of the following apply:

(a) The children enrolled in the program are under nineteen years of age and enrolled in or eligible to be enrolled in a grade of kindergarten or above.

(b) The program provides informal child care and at least two of the following supervised activities: educational, recreational, culturally enriching, social, and personal development activities.

(c) ~~The state board of education has approved the program's~~ program is eligible for participation in the child and adult care food program as an outside-school-hours care center pursuant to standards established under section 3313.813 of the Revised Code.

(d) The community-based center operating the program is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3)."

In line 29595, delete " (1)"; delete " thirtieth day of June" and insert " thirty-first day of August"; delete " fiscal"

In line 29598, delete " , and adjust" and insert " for the previous fiscal year and recalculate the"

In line 29599, delete everything after " section" and insert " in the preceding fiscal year using the offset calculated under this division. If the payments calculated under this division differ from the payments made under division (C) of this section in the preceding fiscal year, the difference shall either be paid to a school district or recaptured from a school district through an adjustment at the same times during the current fiscal year that the payments under division (C) of this section are made. In August and October of the current fiscal year, the amount of each adjustment shall be three-sevenths of the amount calculated under this division. In May of the current fiscal year, the adjustment shall be one-seventh of the amount calculated under this division."

Delete lines 29600 through 29609

In line 29628, reinsert "May 31" and delete " June 30"

In line 29639, reinsert "May 31" and delete " June 30"

In line 29650, reinsert "May 31" and delete " June 30"

In line 29661, reinsert "May 31" and delete " June 30"

In line 29675, reinsert "May 31" and delete " June 30"

In line 29682, reinsert "May"

In line 29683, reinsert "31" and delete " June 30"

In line 29687, reinsert "May"

In line 29688, reinsert "31" and delete " June 30"

In line 29692, reinsert "May"

In line 29693, reinsert "31" and delete " June 30"

In line 29697, reinsert "May"

In line 29698, reinsert "31" and delete " June 30"

In line 29702, reinsert "May"

In line 29703, reinsert "31" and delete " June 30"

In line 29707, reinsert "May"

In line 29708, reinsert "31" and delete " June 30"

In line 30955, after "4131.03," insert "4141.31, 4141.312,"

In line 30961, after "5101.80," insert "5104.02,"

Between lines 37198 and 37199, insert:

"Section 733.12. The education offset recalculations made under section 5751.21 of the Revised Code for October 31, 2007, shall be calculated as if the amendments by this act of section 5727.85 of the Revised Code were effective at that time. Any school district that becomes eligible for payment in calendar year 2008 because of the recalculation shall receive its first-half payment along with its second-half payment in August 2008."

In line 37608, after "4131.03," insert "4141.31, 4141.312,"

In line 37614, after "5101.80," insert "5104.02,"

In line 36 of the title, after "4131.03," insert "4141.31, 4141.312,"

In line 44 of the title, after "5101.80," insert "5104.02,"

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative DeWine moved that the Senate amendments to **Am. Sub. H. B. No. 562**-Representative Hottinger, et

al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. Sub. H. B. No. 562**-Representative Hottinger, et al., were taken up for consideration.

Am. Sub. H. B. No. 562-Representative Hottinger.

Cosponsors: Representatives Peterson, Skindell, Bacon, Bolon, Boyd, Brown, Budish, Chandler, Evans, Flowers, Garrison, Hagan, R., Hite, Jones, McGregor, R., Patton, Redfern, Schlichter, Stewart, D., Stewart, J., Strahorn, Yates, Adams, Book, Brady, Collier, Combs, Dolan, Domenick, Dyer, Gerberry, Goyal, Hagan, J., Harwood, Hughes, Koziura, Mallory, McGregor, J., Schindel, Setzer, Szollosi, Ujvagi, Webster, White, Widowfield, Beatty, Celeste, Coley, Fende, Heard, Letson, Luckie, Newcomb, Sykes, Williams, B. Senators Carey, Cafaro, Wilson, Kearney, Boccieri, Coughlin, Fedor, Goodman, Grendell, Harris, Morano, Mumper, Niehaus, Padgett, Roberts, Seitz, Spada, Stivers, Mason, Schaffer, Miller, D., Miller, R., Austria, Schuring.

To amend sections 9.231, 9.24, 9.835, 105.41, 113.061, 113.40, 117.13, 117.38, 120.08, 121.31, 122.171, 125.02, 125.021, 125.022, 125.04, 125.041, 125.05, 125.06, 125.07, 125.18, 125.25, 127.16, 133.08, 135.61, 135.63, 135.65, 135.66, 145.47, 149.30, 156.02, 165.01, 165.03, 303.12, 303.211, 306.43, 307.697, 317.32, 319.301, 321.261, 340.02, 340.021, 351.26, 519.12, 519.211, 715.73, 715.74, 901.42, 1332.04, 1346.03, 1561.011, 1561.16, 1561.17, 1561.23, 1561.25, 1561.26, 1565.15, 1751.01, 1751.04, 1751.05, 1751.11, 1751.111, 1751.12, 1751.13, 1751.15, 1751.16, 1751.17, 1751.18, 1751.20, 1751.31, 1751.34, 1751.53, 1751.60, 1751.89, 2743.49, 2744.05, 2903.12, 2903.213, 2903.214, 2915.101, 2919.26, 2921.13, 2923.11, 2949.092, 3111.04, 3113.06, 3113.31, 3119.023, 3119.54, 3301.0714, 3311.21, 3311.24, 3313.842, 3313.978, 3314.016, 3314.02, 3314.03, 3314.05, 3316.03, 3316.041, 3316.06, 3316.08, 3317.023, 3317.11, 3317.20, 3318.01, 3318.03, 3318.032, 3318.04, 3319.291, 3323.30, 3323.31, 3323.32, 3323.33, 3333.04, 3333.044, 3333.045, 3333.122, 3335.05, 3341.03, 3343.08, 3344.02, 3345.34, 3350.10, 3352.02, 3353.02, 3353.20, 3353.21, 3353.22, 3353.26, 3353.27, 3353.28, 3353.29, 3354.16, 3355.12, 3356.02, 3357.16, 3359.02, 3361.02, 3364.02, 3501.17, 3702.71, 3702.72, 3702.73, 3702.74, 3702.75, 3702.78, 3702.79, 3702.81, 3702.85, 3702.86, 3702.91, 3702.93, 3702.95, 3703.01, 3734.821, 3735.67, 3743.02, 3743.04, 3743.15, 3743.17, 3743.19, 3743.25, 3743.40, 3743.44, 3743.45, 3743.54, 3743.56, 3743.65, 3743.70, 3743.99, 3901.3814, 3905.40, 3923.281, 3923.443, 3961.04, 4112.12, 4117.14, 4117.15, 4123.26, 4123.32, 4123.37, 4123.54, 4131.03, 4141.31, 4141.312, 4301.355, 4301.421, 4301.424, 4301.62, 4303.182, 4510.10, 4511.01, 4511.101, 4511.181, 4511.191, 4731.65, 4731.71, 4735.01, 4735.02, 4735.10, 4735.13, 4735.14, 4735.141, 4752.04, 4752.05, 4752.06, 4752.07, 4752.11, 4752.12, 4752.13, 4906.13, 4906.98, 4928.142, 4928.20, 4981.14, 5101.26, 5101.5211, 5101.5212, 5101.5213, 5101.5214, 5101.5215, 5101.571, 5101.572, 5101.58, 5101.80, 5104.02, 5111.032, 5111.084, 5111.091,

5111.31, 5111.94, 5111.941, 5112.31, 5112.37, 5123.0412, 5123.196, 5123.36, 5513.01, 5525.01, 5703.19, 5703.21, 5703.57, 5705.194, 5705.214, 5705.29, 5709.121, 5721.30, 5721.31, 5721.32, 5721.33, 5721.34, 5721.35, 5721.36, 5721.37, 5721.38, 5721.39, 5721.40, 5721.41, 5721.42, 5721.43, 5727.84, 5727.85, 5739.01, 5739.02, 5739.029, 5739.09, 5739.12, 5739.122, 5739.124, 5739.21, 5741.04, 5741.12, 5741.121, 5741.122, 5743.021, 5743.024, 5743.321, 5743.323, 5745.05, 5747.01, 5747.02, 5748.022, 5751.20, 5751.21, 6101.53, 6101.55, 6117.01, 6117.011, 6117.012, 6117.04, 6117.05, 6117.06, 6117.25, 6117.251, 6117.28, 6117.30, 6117.34, 6117.38, 6117.41, 6117.42, 6117.43, 6117.44, 6117.45, and 6117.49; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3323.31 (3323.33), 3323.32 (3323.34), 3323.33 (3323.35), 3353.20 (3333.81), 3353.21 (3333.82), 3353.22 (3333.83), 3353.26 (3333.85), 3353.27 (3333.86), 3353.28 (3333.87), and 3353.29 (3333.88); to enact new sections 3323.31 and 3323.32 and sections 107.19, 125.051, 133.52, 135.101, 135.102, 135.103, 135.104, 135.105, 135.106, 303.213, 519.213, 713.081, 1561.24, 1561.261, 1567.64, 1567.681, 2907.10, 2943.033, 2949.094, 3107.018, 3310.42, 3314.37, 3314.40, 3318.033, 3318.034, 3326.45, 3326.51, 3333.58, 3333.84, 3365.15, 3925.101, 4303.041, 4735.142, 4905.84, 4906.20, 5101.143, 5104.041, 5111.0210, 5111.71, 5111.711, 5111.712, 5111.713, 5111.714, 5111.715, 5111.874, 5111.875, 5111.876, 5111.877, 5111.878, 5111.879, 5111.8710, 5112.371, 5123.0417, 5501.09, 5502.68, 5533.94, 5703.82, 5705.199, 5721.371, 5721.381, 5747.082, 5749.17, 6121.045, and 6123.042; to repeal sections 124.821, 3314.086, 3317.161, 3353.23, 3353.24, 3353.25, 3353.30, 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889, 5111.8810, 5111.8811, 5111.8812, 5111.8813, 5111.8814, 5111.8815, 5111.8816, 5111.8817, 5112.311, and 5739.213 of the Revised Code; to amend Sections 315.10 and 555.19 of Am. Sub. H.B. 67 of the 127th General Assembly, to amend Sections 203.10 and 203.50 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended, to amend Sections 201.10 and 512.70 of Am. Sub. H.B. 100 of the 127th General Assembly, to amend Sections 207.20.50, 207.20.70, 207.30.10, 207.30.20, 207.30.30, 219.10, 235.10, 261.10, 263.10, 263.20.10, 263.20.80, 263.30.10, 269.30.30, 269.30.70, 269.40.50, 269.50.30, 275.10, 293.10, 299.10, 307.10, 309.10, 309.30.13, 309.30.30, 309.30.40, 309.30.41, 309.30.42, 309.40.33, 337.30, 337.30.43, 337.40, 337.40.15, 369.10, 375.10, 379.10, 393.10, 405.10, 407.10, 512.03, 512.35, and 518.03 of Am. Sub. H.B. 119 of the 127th General Assembly, to amend Section 249.10 of Am. Sub. H.B. 119 of the 127th General Assembly, as subsequently amended, to amend Sections 101.10, 103.80.50, 201.30, 201.50, 301.20.20, 301.20.80, 401.11, and 401.71 of H.B. 496 of the 127th General Assembly; to repeal Section 5 of Am. Sub. H.B. 24 of the 127th General Assembly and to repeal Section 375.80.10 of Am. Sub. H.B. 119 of the 127th General Assembly to make capital and other appropriations and to provide authorization and conditions for the operation of state programs.

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

The yeas and nays were taken and resulted - yeas 45, nays 51, 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
Fessler	Foley	Garrison	Gerberry
Goyal	Hagan R.	Harwood	Heard
Heydinger	Koziura	Letson	Luckie
Lundy	Mallory	Newcomb	Okey
Otterman J.	Sayre	Skindell	Slesnick
Stewart D.	Strahorn	Sykes	Szolloosi
Ujvagi	Williams B.	Williams S.	Yates
			Yuko-45.

Those who voted in the negative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Evans	Flowers
Gardner	Gibbs	Goodwin	Hagan J.
Hite	Hottinger	Huffman	Hughes
Jones	Mandel	McGregor J.	McGregor R.
Mecklenborg	Miller	Oelslager	Patton
Peterson	Raussen	Reinhard	Schindel
Schlichter	Schneider	Sears	Setzer
Stebelton	Stewart J.	Uecker	Wachtmann
Wagner	Webster	White	Widener
Wolpert	Zehringer		Husted-51.

The Senate amendments were not concurred in.

On motion of Representative DeWine, the House recessed.

The House met pursuant to recess.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has agreed to the report of the Committee of Conference on matters of difference between the two houses on:

Am. Sub. S. B. No. 171 -Senator Stivers - et al.

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 House amendments to:

Sub. S. B. No. 175 -Senator Coughlin - et al.

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 House amendments to:

Am. Sub. S. B. No. 271 -Senator Mumper - et al.

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 bill in which the concurrence of the House is requested:

Sub. S. B. No. 278 -Senator Coughlin

Cosponsors: Senators Stivers, Mumper, Spada, Miller, D., Morano, Kearney, Boccieri, Fedor, Harris, Jacobson, Mason, Roberts, Sawyer, Cafaro

To enact sections 1751.69, 3923.651, and 5111.0210 of the Revised Code to require certain health care policies, contracts, agreements, and plans, as well as the state's Medicaid program, to provide benefits for colorectal examinations and laboratory tests for cancer.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

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 joint resolution:

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, 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 Senators Carey, Cafaro, Sawyer, Wagoner, Fedor, Goodman, Grendell, Harris, Kearney, Morano, Niehaus, Padgett, Roberts, Schaffer, Seitz, Stivers, Spada, Boccieri, Miller, R., Wilson, Smith, Mason, Miller, D., Schuring

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.

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. 428 -Representative Setzer

Cosponsors: Representatives Evans, Stebelton, Williams, B., 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 Senators Jacobson, Padgett, Cates, Niehaus, Mumper, Roberts, Morano, Sawyer, Harris, Schaffer

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.

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. 499 -Representative Oelslager

Cosponsors: Representatives McGregor, J., Hughes, Combs, Barrett, Huffman, Mecklenborg, Coley, DeGeeter, Dyer, Harwood, Letson, Luckie
Senators Goodman, Harris, Seitz

To amend sections 2109.01, 5801.01, 5801.02, 5801.06, 5801.10, 5803.02, 5803.03, 5804.02, 5804.11, 5804.13, 5804.14, 5804.17, 5805.01, 5805.03, 5806.01, 5806.02, 5806.03, 5806.04, 5808.13, 5808.14, 5808.16, 5810.05, 5810.11, 5810.13, and 5815.35, to enact section 5801.11, and to repeal section 2109.022 of the Revised Code to modify the Ohio Trust Code and the Fiduciary Law.

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:

Am. 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, 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, Zehring Senators Carey, Cafaro, Sawyer, Wilson, Kearney, Fedor, Harris, Niehaus, Padgett, Roberts, Schaffer, Seitz, Spada, Miller, R., Morano, Bocchieri, Smith, Mumper, Mason, Schuring

To amend sections 149.311, 166.01, 166.02, 166.08, 166.11, 184.02, 1555.03, 3333.38, 3345.32, 3706.01, 5725.151, 5733.47, 5747.76, and 5747.98; to enact sections 164.28, 166.25, 166.26, 166.27, 166.30, 184.174, 184.23, 184.231, 184.24 to 184.26, 184.37, 3333.71 to 3333.81, and 3706.25 to 3706.30 of the Revised Code; and to amend Section 229.10 of Am. Sub. H.B. 67 of the 127th General Assembly, to establish the Ohio Bioproducts Development Program and Ohio Biomedical Development Program to be administered by the Third Frontier Commission, to establish advisory boards to the Third Frontier Commission, 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, to modify the authority of the Ohio Coal Development Office, to provide for advanced energy projects administered by the Ohio Air Quality Development Authority, to establish the Choose Ohio First Co-op/Internship Program, to extend the historical building rehabilitation tax credit, limit credit amounts, and require regional distributive balance and economic effects to be considered, to modify the definition of an air quality facility, to create minority outreach requirements for loan and grant programs established under this bill, and to make an appropriation.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 184, after " who" insert " , as of March 21, 2008, had"

In line 185, delete " before March 21, 2008," and insert " that met the criteria described in divisions (C)(1), (2), and (3) of this section."

In line 187, delete everything after " certificate" and insert an underlined period

Delete line 188

In line 189, delete " this section."

In line 1447, after " 184.26." insert " (A)"

Between lines 1468 and 1469, insert:

" (B)(1) As used in this section:

(a) "Human blastocyst" means an early stage human embryo that is five to seven days after conception. A blastocyst has an outer layer of cells known as a trophoblast, and an interior group of cells that is the inner cell mass.

(b) "Human cloning" means the creation of a human zygote, human blastocyst, or human embryo by any means other than the fertilization of a human egg by a human sperm.

(c) "Human embryo" means an organism of the species homo sapiens during the earliest stages of development from one cell up to eight weeks.

(d) "Human zygote" means a one-cell human embryo.

(2) Money received by an entity pursuant to the Ohio biomedical development program shall not be used, directly or indirectly, to pay costs of, or otherwise support any activities involving, human cloning."

In line 2187, delete " 184.30" and insert " 3706.25"

In line 2771, after "of" insert "those"

In line 2772, delete "as prescribed" and insert "described"

In line 2778, delete "as prescribed in"

In line 2779, delete "that section" and insert "subject to the requirements of division (D)(1) of section 149.311 of the Revised Code as amended by this act, and of sections 5725.151, 5733.47, 5747.76, and 5747.98 of the Revised Code"

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative DeWine moved that the Senate amendments to **Am. Sub. H. B. No. 554**-Representative Hottinger, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. Sub. H. B. No. 554**-Representative Hottinger, et al., were taken up for consideration.

Am. 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, 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, Zehring. Senators Carey, Cafaro, Sawyer, Wilson, Kearney, Fedor, Harris, Niehaus, Padgett, Roberts, Schaffer, Seitz, Spada, Miller, R., Morano, Bocchieri, Smith, Mumper, Mason, Schuring.

To amend sections 149.311, 166.01, 166.02, 166.08, 166.11, 184.02, 1555.03, 3333.38, 3345.32, 3706.01, 5725.151, 5733.47, 5747.76, and 5747.98; to enact sections 164.28, 166.25, 166.26, 166.27, 166.30, 184.174, 184.23, 184.231, 184.24 to 184.26, 184.37, 3333.71 to 3333.81, and 3706.25 to 3706.30 of the Revised Code; and to amend Section 229.10 of Am. Sub. H.B. 67 of the 127th General Assembly, to establish the Ohio Bioproducts Development Program and Ohio Biomedical Development Program to be administered by the Third Frontier Commission, to establish advisory boards to the Third Frontier Commission, 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, to modify the authority of the Ohio Coal Development Office, to provide for advanced energy projects administered by the Ohio Air Quality Development Authority, to establish the Choose Ohio First Co-op/Internship Program, to extend the historical building rehabilitation tax credit, limit credit amounts, and require regional distributive balance and economic effects to be considered, to modify the definition of an air quality facility, to create minority outreach requirements for loan and grant programs established under this bill, and to make an appropriation.

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

The yeas and nays were taken and resulted - yeas 89, nays 5, 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
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Dodd	Dolan
Domenick	Driehaus	Dyer	Evans
Fende	Flowers	Foley	Gardner
Garrison	Gerberry	Gibbs	Goodwin
Goyal	Hagan J.	Harwood	Heard
Heydinger	Hite	Hottinger	Hughes
Jones	Koziura	Letson	Luckie
Lundy	Mallory	McGregor J.	McGregor R.
Mecklenborg	Miller	Newcomb	Oelslager
Okey	Otterman J.	Patton	Peterson
Raussen	Reinhard	Sayre	Schindel
Schlichter	Schneider	Sears	Setzer

Skindell	Slesnick	Stebelton	Stewart D.
Stewart J.	Strahorn	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Webster
White	Widener	Williams B.	Williams S.
Wolpert	Yates	Yuko	Zehringer
			Husted-89.

Representatives Adams, Brinkman, Huffman, Mandel, and Wagner voted in the negative-5.

The Senate amendments were concurred in.

Sub. S. J. R. No. 8-Senator Grendell.

Cosponsors: Senators Harris, Wagoner, Niehaus, Spada, Jacobson, Seitz, Faber, Mumper, Padgett, Schuler, Cates, Carey, Schaffer, Amstutz, Austria, Cafaro, Buehrer, Fedor, Miller, R., Smith, Mason.

Proposing to enact Section 19b of Article I of the Constitution of the State of Ohio to affirm certain property interests with respect to ground water and other water on or flowing through a property owner's land so as to maintain the stability of Ohio's economy, was taken up for consideration the third time.

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

Representative Dolan moved to amend the title as follows:

Add the names: "Adams, Aslanides, Bacon, Batchelder, Blessing, Coley, Collier, Combs, Core, Daniels, Dolan, Domenick, Evans, Flowers, Gardner, Gibbs, Hagan, J., Hottinger, Huffman, Hughes, Jones, McGregor, J., McGregor, R., Mecklenborg, Oelslager, Patton, Peterson, Reinhard, Schindel, Schlichter, Sears, Setzer, Stebelton, Stewart, J., Uecker, Wachtmann, Webster."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

Representative Skindell moved that **Sub. S. J. R. No. 8-Senator Grendell, et al.**, be rereferred to the committee on Rules and Reference.

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

The yeas and nays were taken and resulted - yeas 43, nays 52, 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
Harwood	Heard	Heydinger	Letson
Luckie	Lundy	Mallory	Miller

Newcomb	Okey	Otterman J.	Sayre
Skindell	Slesnick	Stewart D.	Strahorn
Sykes	Szollosi	Ujvagi	Williams B.
Williams S.	Yates		Yuko-43.

Those who voted in the negative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Evans	Fessler
Flowers	Gardner	Gibbs	Goodwin
Hagan J.	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Mandel
McGregor J.	McGregor R.	Mecklenborg	Oelslager
Patton	Peterson	Raussen	Reinhard
Schindel	Schlichter	Schneider	Sears
Setzer	Stebelton	Stewart J.	Uecker
Wachtmann	Wagner	Webster	White
Widener	Wolpert	Zehringer	Husted-52.

The motion was not agreed to.

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

The yeas and nays were taken and resulted - yeas 58, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Bolon	Brady	Brinkman
Carmichael	Coley	Collier	Combs
Core	Daniels	DeWine	Dodd
Dolan	Evans	Fende	Fessler
Flowers	Gardner	Gibbs	Goodwin
Hagan J.	Hite	Hottinger	Huffman
Hughes	Jones	Lundy	Mandel
McGregor J.	McGregor R.	Mecklenborg	Newcomb
Oelslager	Okey	Patton	Peterson
Raussen	Reinhard	Schindel	Schlichter
Schneider	Sears	Setzer	Stebelton
Stewart J.	Uecker	Wachtmann	Wagner
Webster	White	Widener	Wolpert
Zehringer			Husted-58.

Those who voted in the negative were: Representatives

Beatty	Book	Boyd	Brown
Budish	Celeste	Chandler	DeBose
DeGeeter	Domenick	Driehaus	Dyer
Foley	Garrison	Gerberry	Goyal
Harwood	Heard	Heydinger	Koziura
Letson	Luckie	Mallory	Miller
Otterman J.	Sayre	Skindell	Slesnick
Stewart D.	Strahorn	Sykes	Szollosi

Ujvagi

Williams B.

Williams S.

Yates
Yuko-37.

The joint resolution was not adopted.

On motion of Representative DeWine, the House adjourned until Tuesday, June 3, 2008 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.