

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, JUNE 19, 2007

**SIXTY-THIRD DAY**

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, June 19, 2007, 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Rabbi Michael Oyler of Star in the East in Canton, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

The Greenville High School softball team received H.R. No. 63, presented by Representative Zehringer-77th district.

Neal Eikenberry received H.R. No. 23, presented by Representative Fessler-79th district.

Heather Knight, a guest of Representative Schneider-35th district.

Tim and Sherri Neiderkorn, Dean, Matt, and Mike Rae Ferguson, guests of Representative Fende-62nd district.

Andrew and Sabrina Daufel, Roger Bardsley, guests of Representative McGregor, R.- 72nd district.

Sharon Zehringer, Helen Lefevre, Mary Barmen, Ruthetta Ranly, Elaine Ramer, and Elaine Brunswick, guests of Representative Zehringer-77th district.

Bob Robinson and Tina Chalmers, guests of Representatives Zehringer-77th district and Fessler-79th district.

Debbie Newcomb and Dan Claypool, guests of Representative Distel-99th district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 268**-Representative Beatty.

Cosponsors: Representatives Brown, Dodd, Letson, Lundy, Otterman, Setzer, Skindell, Stewart, D., Szollosi, Ujvagi.

To amend sections 1739.05 and 1751.01 and to enact section 3923.80 of the Revised Code to prohibit insurers, public employee benefit plans, and multiple employer welfare arrangements from excluding coverage for routine patient care administered as part of a cancer clinical trial.

**H. B. No. 269**-Representative Driehaus.

Cosponsors: Representatives DeGeeter, Dodd, Garrison, Hagan, R., Harwood, Healy, Letson, Lundy, McGregor, J., Otterman, Skindell, Strahorn, Ujvagi.

To enact sections 5703.95, 5703.951, 5703.952, 5703.953, 5703.954, 5703.955, 5703.956, and 5703.957 of the Revised Code to provide for an appraisal of the effectiveness of tax expenditures and for their expiration after appraisal if not renewed.

**H. B. No. 270**-Representative Schneider.

Cosponsors: Representatives Adams, Latta, Fessler, McGregor, J., Setzer, Webster, Collier.

To amend sections 145.01, 145.191, 145.38, 145.384, 145.473, 145.58, 742.26, 3307.35, and 3309.341 of the Revised Code to provide that a member of the Public Employees Retirement System, Ohio Police and Fire Pension Fund, State Teachers Retirement System, or School Employees Retirement System who retires and then returns to public employment in the same position will not receive a pension while earning a salary for that employment.

Said bills were considered the first time.

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

Representative DeGeeter submitted the following report:

The standing committee on Criminal Justice to which was referred **Sub. S. B. No. 97**-Senator Stivers, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: MODIFIES PENALTIES FOR VIOLATIONS OF THE SORN  
LAW

Representative Latta moved to amend the title as follows:

Add the names: "Representatives Latta, Jones, Bulp, Blessing, Hughes."

ROBERT E. LATTA  
SHANNON JONES  
DANNY R. BULP  
JOHN WIDOWFIELD  
LOUIS W. BLESSING  
MATTHEW H. BARRETT  
STEPHEN DYER  
WILLIAM J. SEITZ  
TIMOTHY J. DEGEETER  
DALE MALLORY  
JOSH MANDEL

ANTHONY CORE  
JOHN J. WHITE  
KENNY YUKO  
TOM BRINKMAN  
JIM HUGHES  
JON M. PETERSON  
TRACY HEARD  
TYRONE K. YATES  
VERNON SYKES  
LINDA S. BOLON  
SANDRA WILLIAMS

The report was agreed to.

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

Representative DeGeeter submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 213**-Representatives Combs, Wagner, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FOSTER CAREGIVER BACKGROUND CHECKS

Representative Latta moved to amend the title as follows:

Add the name: "Hughes."

STEPHEN DYER  
JOHN J. WHITE  
DANNY R. BUBP  
TOM BRINKMAN  
TIMOTHY J. DEGEETER  
MATTHEW H. BARRETT  
VERNON SYKES  
LINDA S. BOLON  
WILLIAM J. SEITZ  
ANTHONY CORE  
SANDRA WILLIAMS

ROBERT E. LATTA  
SHANNON JONES  
LOUIS W. BLESSING  
TYRONE K. YATES  
JON M. PETERSON  
JOHN WIDOWFIELD  
DALE MALLORY  
JIM HUGHES  
JOSH MANDEL  
KENNY YUKO

The following member voted "NO"

TRACY HEARD

The report was agreed to.

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

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

**H.B. No. 263 - Representative J. Stewart**

TO ADOPT THE PAWPAW AS THE STATE NATIVE FRUIT.

To the committee on State Government and Elections

**H.B. No. 264 - Representative Wachtmann, et al**

TO PROVIDE A CRIMINAL DEFENDANT WHO PROPERLY ESTABLISHES THE AFFIRMATIVE DEFENSE OF SELF-DEFENSE OR DEFENSE OF ANOTHER WITH IMMUNITY FROM CIVIL LIABILITY FOR DAMAGES RELATED TO THE ACTS OF SELF-DEFENSE OR DEFENSE OF ANOTHER AND TO CREATE A REBUTTABLE PRESUMPTION THAT A CRIMINAL DEFENDANT WHO RAISES THE

AFFIRMATIVE DEFENSE OF SELF-DEFENSE OR DEFENSE OF ANOTHER ACTED PROPERLY IF THE DEFENDANT OR THE PERSON DEFENDED BY THE ACCUSED WAS SUFFERING OR WAS ABOUT TO SUFFER A FELONY OFFENSE OF VIOLENCE OR A FORCIBLE TRESPASS UPON THE HOME OF THE DEFENDANT OR OF THE PERSON DEFENDED BY THE ACCUSED.

To the committee on Criminal Justice

**H.B. No. 265 - Representative Fende, et al**

TO INCREASE THE PENALTIES FOR CERTAIN OFFENSES WHEN A JUDGE OR MAGISTRATE IS THE VICTIM, TO PROHIBIT A PERSON FROM THREATENING A JUDGE OR MAGISTRATE, AND TO MAKE THE KILLING OF A JUDGE OR MAGISTRATE AN AGGRAVATING CIRCUMSTANCE FOR THE IMPOSITION OF THE DEATH PENALTY FOR AGGRAVATED MURDER.

To the committee on Criminal Justice

JON A. HUSTED  
LARRY L. FLOWERS  
JOYCE BEATTY  
CHRIS REDFERN

KEVIN DEWINE  
ARLENE J. SETZER  
JOSEPH KOZIURA

Representative DeWine moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

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

### MOTIONS AND RESOLUTIONS

Representative Seitz moved that majority party members asking leave to be absent or absent the week of Tuesday, June 19, 2007, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Driehaus moved that minority party members asking leave to be absent or absent the week of Tuesday, June 19, 2007, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

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. 67**-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 person travel allowance for mileage as provided by section 101.27 of the Revised Code:

Name	District	Round Trip Mileage
Allan R. Sayre	96	242.8

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Bubp	Budish	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gerberry	Gibbs
Goodwin	Goyal	Hagan J.	Hagan R.
Harwood	Healy	Heard	Hite
Hottinger	Huffman	Hughes	Jones
Koziura	Latta	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Raussen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Seitz	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Wagoner
Webster	White	Widener	Widowfield
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-99.

The resolution was adopted.

**BILLS FOR THIRD CONSIDERATION****H. B. No. 87**-Representative Wachtmann.

Cosponsors: Representatives Aslanides, Bubp, Combs, Domenick, Fessler, Miller, Ujvagi, Widowfield.

To enact section 5533.811 of the Revised Code to designate a bridge on State Route 108 over the Maumee River as the "Henry County Veterans Bridge", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Bubp	Budish	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gerberry	Gibbs
Goodwin	Goyal	Hagan J.	Hagan R.
Harwood	Healy	Heard	Hite
Hottinger	Huffman	Hughes	Jones
Koziura	Latta	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Seitz	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Wagoner
Webster	White	Widener	Widowfield
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-99.

The bill passed.

Representative Wachtmann moved to amend the title as follows:

Add the names: "Adams, Bacon, Batchelder, Blessing, Book, Chandler, Coley, Daniels, Dyer, Evans, Goodwin, Hite, Huffman, Hughes, Latta, Letson, Mallory, Mandel, Otterman, Sayre, Schneider, Seitz, Setzer, Skindell, Uecker, Wagoner, Yates, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 195-Representative Core.**

Cosponsors: Representatives McGregor, J., Evans, Bubp, Combs, Adams, Stebelton, Fende, Hughes.

To amend sections 2925.01, 2925.03, 2925.11, and 2925.22 of the Revised Code to provide that the prescription-related exemption from the drug possession offenses applies only when the controlled substance is obtained pursuant to a lawful prescription, to modify the penalty for "deception to obtain a dangerous drug" and "possession of drugs" under specified circumstances, and to modify an element of the trafficking in drugs offenses, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Bubp	Budish	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gerberry	Gibbs
Goodwin	Goyal	Hagan J.	Hagan R.
Harwood	Healy	Heard	Hite
Hottinger	Huffman	Hughes	Jones
Koziura	Latta	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Rausen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Seitz	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szolloosi	Uecker
Ujvagi	Wachtmann	Wagner	Wagoner
Webster	White	Widener	Widowfield
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-99.

The bill passed.

Representative Core moved to amend the title as follows:

Add the names: "Aslanides, Batchelder, Collier, Daniels, DeBose,



Domenick, Dyer, Fessler, Flowers, Gibbs, Jones, Latta, Mandel, McGregor, R., Oelslager, Patton, Schneider, Stewart, J., Uecker, Wachtmann, Wagoner, Webster, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 233-Representative Reinhard.**

Cosponsors: Representatives Bubp, Collier, DeWine, Evans, Fende, Goodwin, Goyal, Huffman, Latta, McGregor, J., Schlichter, Seitz, Setzer, Webster, Zehringer, Wolpert, Hagan, J., Hagan, R., Reinhard, Schindel, Wagner, Heard, Williams, B., DeBose, Chandler, Lundy, Celeste, Stebelton, Otterman, Mallory.

To create the Ohio Agriculture to Chemicals, Polymers, and Advanced Materials Task Force, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Bubp	Budish	Carmichael
Celeste	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Distel	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Fessler	Flowers
Foley	Garrison	Gerberry	Gibbs
Goodwin	Goyal	Hagan J.	Hagan R.
Harwood	Healy	Heard	Hite
Hottinger	Huffman	Hughes	Jones
Koziura	Latta	Letson	Luckie
Lundy	Mallory	Mandel	McGregor J.
McGregor R.	Miller	Oelslager	Okey
Otterman	Patton	Peterson	Raussen
Redfern	Reinhard	Sayre	Schindel
Schlichter	Schneider	Seitz	Setzer
Skindell	Stebelton	Stewart D.	Stewart J.
Strahorn	Sykes	Szolloosi	Uecker
Ujvagi	Wachtmann	Wagner	Wagoner
Webster	White	Widener	Widowfield
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-99.

The bill passed.

Representative Reinhard moved to amend the title as follows:

Add the names: "Adams, Aslanides, Bacon, Batchelder, Blessing, Bolon, Brown, Budish, Carmichael, Core, Daniels, Dodd, Domenick, Dyer, Flowers, Garrison, Gibbs, Harwood, Healy, Hite, Hughes, Koziura, Letson, Luckie, Mandel, Miller, Oelslager, Okey, Patton, Sayre, Schneider, Uecker, Ujvagi, Wachtmann, Wagoner, Widener."

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:

**Am. Sub. H. B. No. 119** -Representative Dolan

Cosponsors: Representatives Peterson, McGregor, R., Hottinger, Bacon, Evans, Hite, Budish, Strahorn, Yates, Chandler, Stewart, D., Boyd, Hagan, R., Skindell, Brown, Bolon, Adams, Aslanides, Barrett, Beatty, Blessing, Bubp, Celeste, Collier, Combs, DeBose, DeGeeter, Domenick, Fende, Flowers, Gibbs, Goodwin, Goyal, Hagan, J., Harwood, Healy, Heard, Jones, Koziura, Letson, Luckie, Mallory, Miller, Otterman, Patton, Redfern, Schindel, Schlichter, Setzer, Szollosi, Uecker, Ujvagi, Wagoner, White, Williams, B., Williams, S., Zehringer Senators Carey, Niehaus, Clancy, Miller, D., Roberts, Padgett, Austria, Bocchieri, Cates, Goodman, Harris, Jacobson, Miller, R., Spada, Stivers, Mumper, Faber, Wilson, Mason, Fedor, Smith, Sawyer, Schaffer, Cafaro, Amstutz, Grendell, Gardner

To amend sections 9.30, 9.821, 9.822, 9.823, 9.83, 107.12, 107.40, 109.57, 109.572, 109.93, 111.18, 117.11, 119.07, 120.33, 121.48, 122.17, 122.171, 122.602, 122.652, 124.152, 125.01, 125.02, 125.021, 125.022, 125.023, 125.04, 125.041, 125.05, 125.06, 125.07, 125.071, 125.072, 125.073, 125.08, 125.081, 125.082, 125.09, 125.10, 125.11, 125.15, 125.18, 125.25, 125.30, 125.45, 125.93, 125.96, 125.97, 125.98, 126.03, 126.07, 126.08, 126.21, 126.22, 127.16, 131.44, 133.01, 133.081, 149.311, 151.08, 151.40, 156.02, 164.03, 164.08, 164.09, 166.08, 167.04, 173.04, 173.35, 173.85, 173.86, 174.03, 174.06, 183.01, 183.021, 183.17, 183.33, 183.34, 183.35, 305.31, 307.672, 307.695, 307.98, 307.981, 308.04, 317.08, 319.202, 319.54, 322.01, 323.131, 323.151, 323.152, 323.153, 323.154, 325.31, 329.04, 329.05, 329.14, 333.02, 333.04, 340.03, 505.37, 505.376, 505.705, 517.08, 519.12, 711.001, 711.05, 711.10, 711.131, 718.051, 718.13, 901.171, 1306.20, 1306.21, 1347.06, 1503.05, 1504.02, 1506.01, 1506.99, 1513.08, 1513.18, 1514.081, 1514.40, 1521.01, 1521.20, 1521.21, 1521.22, 1521.23, 1521.24, 1521.25, 1521.26, 1521.27, 1521.28, 1521.29, 1521.99, 1531.06, 1531.35, 1555.08, 1557.03, 2113.041, 2117.061, 2117.25, 2151.362, 2305.2341, 2913.40, 2921.42, 2927.023, 2935.03, 3109.04, 3109.041, 3119.022, 3119.023,

3119.05, 3119.27, 3119.29, 3119.30, 3119.32, 3125.12, 3301.011, 3301.07,  
3301.0711, 3301.0714, 3301.0718, 3301.12, 3301.311, 3301.53, 3302.03,  
3302.10, 3310.41, 3311.24, 3311.51, 3311.521, 3313.532, 3313.603,  
3313.615, 3313.64, 3313.646, 3313.66, 3313.661, 3313.841, 3313.843,  
3313.97, 3313.974, 3313.977, 3313.978, 3313.98, 3313.983, 3314.015,  
3314.02, 3314.06, 3314.061, 3314.074, 3314.08, 3314.083, 3317.01,  
3317.012, 3317.013, 3317.014, 3317.015, 3317.016, 3317.017, 3317.02,  
3317.021, 3317.022, 3317.023, 3317.024, 3317.025, 3317.026, 3317.027,  
3317.028, 3317.029, 3317.0216, 3317.0217, 3317.03, 3317.031, 3317.032,  
3317.04, 3317.05, 3317.051, 3317.052, 3317.06, 3317.063, 3317.07, 3317.08,  
3317.15, 3317.16, 3317.19, 3317.20, 3317.201, 3318.01, 3318.011, 3318.023,  
3318.12, 3318.15, 3318.26, 3318.36, 3319.55, 3321.03, 3323.011, 3323.02,  
3323.03, 3323.031, 3323.04, 3323.05, 3323.051, 3323.07, 3323.09, 3323.091,  
3323.12, 3323.13, 3323.14, 3323.141, 3323.142, 3323.143, 3323.15, 3323.17,  
3323.18, 3323.20, 3323.30, 3325.011, 3325.02, 3327.01, 3327.05, 3327.16,  
3333.04, 3333.122, 3333.36, 3333.38, 3345.05, 3345.32, 3353.02, 3353.03,  
3354.10, 3355.01, 3357.01, 3357.10, 3358.06, 3365.01, 3381.04, 3501.01,  
3501.05, 3501.11, 3501.17, 3501.31, 3505.062, 3505.063, 3505.23, 3513.21,  
3517.106, 3517.11, 3599.17, 3599.19, 3599.37, 3701.74, 3701.741, 3702.52,  
3702.5211, 3702.5212, 3702.5213, 3702.57, 3702.68, 3704.03, 3705.24,  
3706.01, 3706.03, 3706.041, 3706.05, 3706.07, 3718.03, 3721.51, 3721.541,  
3721.56, 3727.391, 3734.57, 3735.672, 3743.17, 3743.19, 3743.25, 3743.75,  
3745.04, 3745.11, 3767.41, 3769.087, 3770.03, 3770.06, 3905.36, 3923.281,  
4112.12, 4112.13, 4141.09, 4301.20, 4301.24, 4301.43, 4303.03, 4503.06,  
4503.061, 4503.064, 4503.065, 4503.066, 4503.067, 4503.10, 4503.102,  
4503.35, 4505.06, 4511.101, 4513.241, 4513.263, 4513.35, 4715.251,  
4717.07, 4723.32, 4723.621, 4723.63, 4723.64, 4723.65, 4723.66, 4731.053,  
4731.142, 4731.22, 4735.10, 4735.141, 4736.01, 4743.05, 4753.02, 4753.05,  
4753.11, 4755.03, 4766.05, 4775.08, 4921.40, 5101.141, 5101.16, 5101.162,  
5101.21, 5101.211, 5101.212, 5101.213, 5101.24, 5101.242, 5101.244,  
5101.27, 5101.51, 5101.571, 5101.572, 5101.58, 5101.59, 5101.802, 5101.98,  
5104.04, 5104.30, 5107.02, 5107.03, 5107.05, 5107.10, 5107.12, 5107.14,  
5107.16, 5107.17, 5107.18, 5107.281, 5107.30, 5107.36, 5107.41, 5107.42,  
5107.70, 5111.01, 5111.011, 5111.013, 5111.014, 5111.016, 5111.019,  
5111.0111, 5111.0112, 5111.023, 5111.03, 5111.06, 5111.084, 5111.10,  
5111.101, 5111.11, 5111.112, 5111.113, 5111.163, 5111.17, 5111.172,  
5111.20, 5111.851, 5111.871, 5111.872, 5111.8814, 5111.89, 5111.891,  
5111.915, 5111.95, 5111.96, 5112.341, 5115.12, 5119.611, 5123.01,  
5123.012, 5123.043, 5123.045, 5123.046, 5123.047, 5123.048, 5123.049,  
5123.0411, 5123.051, 5123.19, 5123.196, 5123.198, 5123.20, 5123.211,  
5123.38, 5123.41, 5123.51, 5123.60, 5123.602, 5123.99, 5126.038, 5126.04,  
5126.041, 5126.042, 5126.046, 5126.05, 5126.054, 5126.055, 5126.056,  
5126.057, 5126.06, 5126.12, 5126.15, 5126.18, 5126.19, 5126.25, 5126.40,  
5126.42, 5126.43, 5126.45, 5126.47, 5139.43, 5323.01, 5323.02, 5323.99,  
5528.54, 5531.10, 5537.04, 5537.16, 5537.99, 5703.57, 5703.80, 5705.01,  
5705.214, 5705.25, 5705.29, 5705.44, 5709.68, 5711.01, 5713.011, 5725.24,

5727.06, 5727.45, 5727.81, 5727.84, 5727.85, 5727.86, 5727.87, 5733.12, 5733.39, 5733.98, 5739.02, 5739.032, 5739.033, 5739.09, 5739.12, 5739.122, 5739.21, 5741.02, 5741.03, 5741.121, 5743.01, 5743.20, 5745.02, 5745.05, 5745.13, 5747.01, 5747.03, 5747.47, 5747.50, 5747.501, 5747.51, 5747.54, 5747.98, 5748.01, 5748.02, 5748.021, 5749.02, 5751.20, 5751.21, 5751.23, 5907.15, 6109.21, 6111.04, 6111.44, 6119.06, 6121.04, and 6131.23; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 125.18 (126.17), 125.30 (126.18), 1521.20 (1506.38), 1521.21 (1506.39), 1521.22 (1506.40), 1521.23 (1506.41), 1521.24 (1506.42), 1521.25 (1506.43), 1521.26 (1506.44), 1521.27 (1506.45), 1521.28 (1506.46), 1521.29 (1506.47), 1521.30 (1506.48), 3323.011 (3323.013), 3702.63 (3702.591), 3702.68 (3702.59), 5111.95 (5111.033), 5111.96 (5111.034), and 5126.057 (5126.0511); to enact new sections 3318.47, 3323.01, 3323.011, 3323.06, 3323.08, 3323.11, 3704.14, and 5123.16 and sections 5.2235, 109.521, 117.112, 122.051, 122.071, 122.076, 122.174, 125.011, 126.04, 126.19, 126.24, 126.40, 131.51, 167.10, 167.101, 167.102, 167.103, 167.104, 167.105, 173.351, 173.401, 183.061, 183.51, 183.52, 901.261, 1713.031, 3119.032, 3123.23, 3301.0724, 3301.162, 3303.20, 3310.51 to 3310.63, 3313.82, 3314.016, 3314.017, 3314.086, 3314.087, 3314.088, 3314.19, 3317.161, 3323.014, 3323.041, 3323.052, 3327.17, 3333.201, 3333.50, 3333.55, 3333.60, 3333.61, 3333.62, 3333.63, 3333.64, 3333.65, 3333.66, 3333.67, 3333.68, 3333.69, 3333.70, 3345.02, 3353.20, 3353.21, 3353.22, 3353.23, 3353.24, 3353.25, 3353.26, 3353.27, 3353.28, 3353.29, 3353.30, 3355.15, 3357.13, 3701.047, 3701.135, 4303.071, 4303.232, 4303.233, 4511.093, 4517.261, 4703.071, 4753.073, 4753.101, 4766.22, 4923.26, 5101.272, 5101.541, 5101.573, 5101.574, 5101.575, 5101.591, 5107.04, 5107.121, 5107.71, 5107.711, 5107.712, 5107.713, 5107.714, 5107.715, 5107.716, 5107.717, 5111.017, 5111.0120, 5111.0121, 5111.028, 5111.029, 5111.031, 5111.032, 5111.085, 5111.102, 5111.69, 5111.70, 5111.701, 5111.702, 5111.703, 5111.704, 5111.705, 5111.706, 5111.707, 5111.708, 5111.709, 5111.7010, 5111.84, 5111.894, 5123.033, 5123.0414, 5123.0415, 5123.0416, 5123.161, 5123.162, 5123.163, 5123.164, 5123.165, 5123.166, 5123.167, 5123.168, 5123.169, 5123.605, 5126.059, 5126.0510, 5126.0512, 5302.221, 5309.082, 5533.531, 5533.632, 5533.91, 5705.219, 5733.48, 5739.029, 5739.124, 5739.213, 5741.122, 5747.77, 5748.022, 5907.16, and 6111.0381; to repeal sections 103.141, 125.95, 183.02, 183.27, 183.32, 3318.47, 3318.48, 3318.49, 3323.01, 3323.06, 3323.08, 3323.11, 3333.29, 3704.14, 4911.021, 5111.161, 5123.16, 5123.182, 5123.199, 5126.035, 5126.036, 5126.053, 5126.431, 5126.44, 5126.451, 5743.331, 5747.61, 5747.62, and 5747.63 of the Revised Code; to amend Sections 203.50, 209.10, 227.10, and 555.08 of Am. Sub. H.B. 67 of the 127th General Assembly; to amend Section 252.70 of Am. Sub. H.B. 530 of the 126th General Assembly, to amend Section 235.30 of Am. Sub. H.B. 530 of the 126th General Assembly, as subsequently amended, to amend Sections 227.10, 235.10.50, 235.50.80, and 329.10 of Am. Sub. H.B. 699 of the 126th General Assembly, to amend Section 235.20.20 of Am. Sub. H.B. 699 of the 126th General

Assembly, as subsequently amended, to amend Section 203.20 of Sub. S.B. 321 of the 126th General Assembly, to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended, to repeal Section 3 of Am. Sub. H.B. 694 of the 126th General Assembly, and to repeal the version of section 3702.68 of the Revised Code that was to have taken effect July 1, 2007, to make operating appropriations for the biennium beginning July 1, 2007, and ending June 30, 2009, and to provide authorization and conditions for the operation of state programs; to suspend sections 3718.02, 3718.05, 3718.06, 3718.07, 3718.08, 3718.09, 3718.10, 3718.99, and 6111.441 of the Revised Code until July 1, 2009, and to amend sections 711.001, 711.05, 711.10, 711.131, 4736.01, 6111.04, and 6111.44 and to enact section 3718.022 of the Revised Code effective July 1, 2009; to confirm and to order implementation of sections 9.833, 9.90, 3311.19, 3313.12, 3313.202, 3313.33, 4117.03, and 4117.08 and to confirm and to order complete implementation of section 9.901 of the Revised Code as the sections result from Am. Sub. H.B. 66 of the 126th General Assembly; to repeal Section 611.03 of Am. Sub. H.B. 66 of the 126th General Assembly; and to amend sections 9.833, 9.90, 9.901, 3313.202, 3313.33, and 4117.03 of the Revised Code to make other specifications pertaining to that implementation as have become necessary; and to terminate operation of section 5101.213 of the Revised Code on July 1, 2008, by repealing the section on that date.

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

In line 23405, strike through "preschool handicapped"; after "units" insert "for preschool children with disabilities"

In line 45893, delete " 5111.019" and insert " 5111.0121"

In line 68245, delete "who provides services" and insert "under the supervision of a licensed physical therapist as required"

In line 70938, delete "of Cleveland" and insert "Case Medical Center"

In line 77069, delete the second "\$23,637,000" and insert "\$21,637,000"

Attest:

David A. Battocletti,  
Clerk.

Pursuant to Joint Rule 16, Representative DeWine moved that the Senate amendments to **Am. Sub. H. B. No. 119**-Representative Dolan, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. Sub. H. B. No. 119**-Representative Dolan,

et al., were taken up for consideration.

**Am. Sub. H. B. No. 119**-Representative Dolan.

Cosponsors: Representatives Peterson, McGregor, R., Hottinger, Bacon, Evans, Hite, Budish, Strahorn, Yates, Chandler, Stewart, D., Boyd, Hagan, R., Skindell, Brown, Bolon, Adams, Aslanides, Barrett, Beatty, Blessing, Bulp, Celeste, Collier, Combs, DeBose, DeGeeter, Domenick, Fende, Flowers, Gibbs, Goodwin, Goyal, Hagan, J., Harwood, Healy, Heard, Jones, Koziura, Letson, Luckie, Mallory, Miller, Otterman, Patton, Redfern, Schindel, Schlichter, Setzer, Szollosi, Uecker, Ujvagi, Wagoner, White, Williams, B., Williams, S., Zehringer. Senators Carey, Niehaus, Clancy, Miller, D., Roberts, Padgett, Austria, Bocchieri, Cates, Goodman, Harris, Jacobson, Miller, R., Spada, Stivers, Mumper, Faber, Wilson, Mason, Fedor, Smith, Sawyer, Schaffer, Cafaro, Amstutz, Grendell, Gardner.

To amend sections 9.30, 9.821, 9.822, 9.823, 9.83, 107.12, 107.40, 109.57, 109.572, 109.93, 111.18, 117.11, 119.07, 120.33, 121.48, 122.17, 122.171, 122.602, 122.652, 124.152, 125.01, 125.02, 125.021, 125.022, 125.023, 125.04, 125.041, 125.05, 125.06, 125.07, 125.071, 125.072, 125.073, 125.08, 125.081, 125.082, 125.09, 125.10, 125.11, 125.15, 125.18, 125.25, 125.30, 125.45, 125.93, 125.96, 125.97, 125.98, 126.03, 126.07, 126.08, 126.21, 126.22, 127.16, 131.44, 133.01, 133.081, 149.311, 151.08, 151.40, 156.02, 164.03, 164.08, 164.09, 166.08, 167.04, 173.04, 173.35, 173.85, 173.86, 174.03, 174.06, 183.01, 183.021, 183.17, 183.33, 183.34, 183.35, 305.31, 307.672, 307.695, 307.98, 307.981, 308.04, 317.08, 319.202, 319.54, 322.01, 323.131, 323.151, 323.152, 323.153, 323.154, 325.31, 329.04, 329.05, 329.14, 333.02, 333.04, 340.03, 505.37, 505.376, 505.705, 517.08, 519.12, 711.001, 711.05, 711.10, 711.131, 718.051, 718.13, 901.171, 1306.20, 1306.21, 1347.06, 1503.05, 1504.02, 1506.01, 1506.99, 1513.08, 1513.18, 1514.081, 1514.40, 1521.01, 1521.20, 1521.21, 1521.22, 1521.23, 1521.24, 1521.25, 1521.26, 1521.27, 1521.28, 1521.29, 1521.99, 1531.06, 1531.35, 1555.08, 1557.03, 2113.041, 2117.061, 2117.25, 2151.362, 2305.2341, 2913.40, 2921.42, 2927.023, 2935.03, 3109.04, 3109.041, 3119.022, 3119.023, 3119.05, 3119.27, 3119.29, 3119.30, 3119.32, 3125.12, 3301.011, 3301.07, 3301.0711, 3301.0714, 3301.0718, 3301.12, 3301.311, 3301.53, 3302.03, 3302.10, 3310.41, 3311.24, 3311.51, 3311.521, 3313.532, 3313.603, 3313.615, 3313.64, 3313.646, 3313.66, 3313.661, 3313.841, 3313.843, 3313.97, 3313.974, 3313.977, 3313.978, 3313.98, 3313.983, 3314.015, 3314.02, 3314.06, 3314.061, 3314.074, 3314.08, 3314.083, 3317.01, 3317.012, 3317.013, 3317.014, 3317.015, 3317.016, 3317.017, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.025, 3317.026, 3317.027, 3317.028, 3317.029, 3317.0216, 3317.0217, 3317.03, 3317.031, 3317.032, 3317.04, 3317.05, 3317.051, 3317.052, 3317.06, 3317.063, 3317.07, 3317.08, 3317.15, 3317.16, 3317.19, 3317.20, 3317.201, 3318.01, 3318.011, 3318.023, 3318.12, 3318.15, 3318.26, 3318.36, 3319.55, 3321.03, 3323.011, 3323.02, 3323.03, 3323.031, 3323.04, 3323.05, 3323.051, 3323.07, 3323.09, 3323.091, 3323.12, 3323.13, 3323.14, 3323.141, 3323.142, 3323.143, 3323.15, 3323.17,

3323.18, 3323.20, 3323.30, 3325.011, 3325.02, 3327.01, 3327.05, 3327.16, 3333.04, 3333.122, 3333.36, 3333.38, 3345.05, 3345.32, 3353.02, 3353.03, 3354.10, 3355.01, 3357.01, 3357.10, 3358.06, 3365.01, 3381.04, 3501.01, 3501.05, 3501.11, 3501.17, 3501.31, 3505.062, 3505.063, 3505.23, 3513.21, 3517.106, 3517.11, 3599.17, 3599.19, 3599.37, 3701.74, 3701.741, 3702.52, 3702.5211, 3702.5212, 3702.5213, 3702.57, 3702.68, 3704.03, 3705.24, 3706.01, 3706.03, 3706.041, 3706.05, 3706.07, 3718.03, 3721.51, 3721.541, 3721.56, 3727.391, 3734.57, 3735.672, 3743.17, 3743.19, 3743.25, 3743.75, 3745.04, 3745.11, 3767.41, 3769.087, 3770.03, 3770.06, 3905.36, 3923.281, 4112.12, 4112.13, 4141.09, 4301.20, 4301.24, 4301.43, 4303.03, 4503.06, 4503.061, 4503.064, 4503.065, 4503.066, 4503.067, 4503.10, 4503.102, 4503.35, 4505.06, 4511.101, 4513.241, 4513.263, 4513.35, 4715.251, 4717.07, 4723.32, 4723.621, 4723.63, 4723.64, 4723.65, 4723.66, 4731.053, 4731.142, 4731.22, 4735.10, 4735.141, 4736.01, 4743.05, 4753.02, 4753.05, 4753.11, 4755.03, 4766.05, 4775.08, 4921.40, 5101.141, 5101.16, 5101.162, 5101.21, 5101.211, 5101.212, 5101.213, 5101.24, 5101.242, 5101.244, 5101.27, 5101.51, 5101.571, 5101.572, 5101.58, 5101.59, 5101.802, 5101.98, 5104.04, 5104.30, 5107.02, 5107.03, 5107.05, 5107.10, 5107.12, 5107.14, 5107.16, 5107.17, 5107.18, 5107.281, 5107.30, 5107.36, 5107.41, 5107.42, 5107.70, 5111.01, 5111.011, 5111.013, 5111.014, 5111.016, 5111.019, 5111.0111, 5111.0112, 5111.023, 5111.03, 5111.06, 5111.084, 5111.10, 5111.101, 5111.11, 5111.112, 5111.113, 5111.163, 5111.17, 5111.172, 5111.20, 5111.851, 5111.871, 5111.872, 5111.8814, 5111.89, 5111.891, 5111.915, 5111.95, 5111.96, 5112.341, 5115.12, 5119.611, 5123.01, 5123.012, 5123.043, 5123.045, 5123.046, 5123.047, 5123.048, 5123.049, 5123.0411, 5123.051, 5123.19, 5123.196, 5123.198, 5123.20, 5123.211, 5123.38, 5123.41, 5123.51, 5123.60, 5123.602, 5123.99, 5126.038, 5126.04, 5126.041, 5126.042, 5126.046, 5126.05, 5126.054, 5126.055, 5126.056, 5126.057, 5126.06, 5126.12, 5126.15, 5126.18, 5126.19, 5126.25, 5126.40, 5126.42, 5126.43, 5126.45, 5126.47, 5139.43, 5323.01, 5323.02, 5323.99, 5528.54, 5531.10, 5537.04, 5537.16, 5537.99, 5703.57, 5703.80, 5705.01, 5705.214, 5705.25, 5705.29, 5705.44, 5709.68, 5711.01, 5713.011, 5725.24, 5727.06, 5727.45, 5727.81, 5727.84, 5727.85, 5727.86, 5727.87, 5733.12, 5733.39, 5733.98, 5739.02, 5739.032, 5739.033, 5739.09, 5739.12, 5739.122, 5739.21, 5741.02, 5741.03, 5741.121, 5743.01, 5743.20, 5745.02, 5745.05, 5745.13, 5747.01, 5747.03, 5747.47, 5747.50, 5747.501, 5747.51, 5747.54, 5747.98, 5748.01, 5748.02, 5748.021, 5749.02, 5751.20, 5751.21, 5751.23, 5907.15, 6109.21, 6111.04, 6111.44, 6119.06, 6121.04, and 6131.23; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 125.18 (126.17), 125.30 (126.18), 1521.20 (1506.38), 1521.21 (1506.39), 1521.22 (1506.40), 1521.23 (1506.41), 1521.24 (1506.42), 1521.25 (1506.43), 1521.26 (1506.44), 1521.27 (1506.45), 1521.28 (1506.46), 1521.29 (1506.47), 1521.30 (1506.48), 3323.011 (3323.013), 3702.63 (3702.591), 3702.68 (3702.59), 5111.95 (5111.033), 5111.96 (5111.034), and 5126.057 (5126.0511); to enact new sections 3318.47, 3323.01, 3323.011, 3323.06, 3323.08, 3323.11, 3704.14, and 5123.16 and sections 5.2235,

109.521, 117.112, 122.051, 122.071, 122.076, 122.174, 125.011, 126.04, 126.19, 126.24, 126.40, 131.51, 167.10, 167.101, 167.102, 167.103, 167.104, 167.105, 173.351, 173.401, 183.061, 183.51, 183.52, 901.261, 1713.031, 3119.032, 3123.23, 3301.0724, 3301.162, 3303.20, 3310.51 to 3310.63, 3313.82, 3314.016, 3314.017, 3314.086, 3314.087, 3314.088, 3314.19, 3317.161, 3323.014, 3323.041, 3323.052, 3327.17, 3333.201, 3333.50, 3333.55, 3333.60, 3333.61, 3333.62, 3333.63, 3333.64, 3333.65, 3333.66, 3333.67, 3333.68, 3333.69, 3333.70, 3345.02, 3353.20, 3353.21, 3353.22, 3353.23, 3353.24, 3353.25, 3353.26, 3353.27, 3353.28, 3353.29, 3353.30, 3355.15, 3357.13, 3701.047, 3701.135, 4303.071, 4303.232, 4303.233, 4511.093, 4517.261, 4703.071, 4753.073, 4753.101, 4766.22, 4923.26, 5101.272, 5101.541, 5101.573, 5101.574, 5101.575, 5101.591, 5107.04, 5107.121, 5107.71, 5107.711, 5107.712, 5107.713, 5107.714, 5107.715, 5107.716, 5107.717, 5111.017, 5111.0120, 5111.0121, 5111.028, 5111.029, 5111.031, 5111.032, 5111.085, 5111.102, 5111.69, 5111.70, 5111.701, 5111.702, 5111.703, 5111.704, 5111.705, 5111.706, 5111.707, 5111.708, 5111.709, 5111.7010, 5111.84, 5111.894, 5123.033, 5123.0414, 5123.0415, 5123.0416, 5123.161, 5123.162, 5123.163, 5123.164, 5123.165, 5123.166, 5123.167, 5123.168, 5123.169, 5123.605, 5126.059, 5126.0510, 5126.0512, 5302.221, 5309.082, 5533.531, 5533.632, 5533.91, 5705.219, 5733.48, 5739.029, 5739.124, 5739.213, 5741.122, 5747.77, 5748.022, 5907.16, and 6111.0381; to repeal sections 103.141, 125.95, 183.02, 183.27, 183.32, 3318.47, 3318.48, 3318.49, 3323.01, 3323.06, 3323.08, 3323.11, 3333.29, 3704.14, 4911.021, 5111.161, 5123.16, 5123.182, 5123.199, 5126.035, 5126.036, 5126.053, 5126.431, 5126.44, 5126.451, 5743.331, 5747.61, 5747.62, and 5747.63 of the Revised Code; to amend Sections 203.50, 209.10, 227.10, and 555.08 of Am. Sub. H.B. 67 of the 127th General Assembly; to amend Section 252.70 of Am. Sub. H.B. 530 of the 126th General Assembly, to amend Section 235.30 of Am. Sub. H.B. 530 of the 126th General Assembly, as subsequently amended, to amend Sections 227.10, 235.10.50, 235.50.80, and 329.10 of Am. Sub. H.B. 699 of the 126th General Assembly, to amend Section 235.20.20 of Am. Sub. H.B. 699 of the 126th General Assembly, as subsequently amended, to amend Section 203.20 of Sub. S.B. 321 of the 126th General Assembly, to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended, to repeal Section 3 of Am. Sub. H.B. 694 of the 126th General Assembly, and to repeal the version of section 3702.68 of the Revised Code that was to have taken effect July 1, 2007, to make operating appropriations for the biennium beginning July 1, 2007, and ending June 30, 2009, and to provide authorization and conditions for the operation of state programs; to suspend sections 3718.02, 3718.05, 3718.06, 3718.07, 3718.08, 3718.09, 3718.10, 3718.99, and 6111.441 of the Revised Code until July 1, 2009, and to amend sections 711.001, 711.05, 711.10, 711.131, 4736.01, 6111.04, and 6111.44 and to enact section 3718.022 of the Revised Code effective July 1, 2009; to confirm and to order implementation of sections 9.833, 9.90, 3311.19, 3313.12, 3313.202, 3313.33, 4117.03, and 4117.08 and to confirm and to



order complete implementation of section 9.901 of the Revised Code as the sections result from Am. Sub. H.B. 66 of the 126th General Assembly; to repeal Section 611.03 of Am. Sub. H.B. 66 of the 126th General Assembly; and to amend sections 9.833, 9.90, 9.901, 3313.202, 3313.33, and 4117.03 of the Revised Code to make other specifications pertaining to that implementation as have become necessary; and to terminate operation of section 5101.213 of the Revised Code on July 1, 2008, by repealing the section on that date.

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

The yeas and nays were taken and resulted - yeas 46, nays 53, as follows:

Those who voted in the affirmative were: Representatives

Barrett	Beatty	Bolon	Book
Boyd	Brady	Brown	Budish
Celeste	Chandler	DeBose	DeGeeter
Distel	Dodd	Domenick	Driehaus
Dyer	Fende	Foley	Garrison
Gerberry	Goyal	Hagan R.	Harwood
Healy	Heard	Koziura	Letson
Luckie	Lundy	Mallory	Miller
Okey	Otterman	Redfern	Sayre
Skindell	Stewart D.	Strahorn	Sykes
Szollosi	Ujvagi	Williams B.	Williams S.
Yates			Yuko-46.

Those who voted in the negative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Bubp	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans
Fessler	Flowers	Gibbs	Goodwin
Hagan J.	Hite	Hottinger	Huffman
Hughes	Jones	Latta	Mandel
McGregor J.	McGregor R.	Oelslager	Patton
Peterson	Rausen	Reinhard	Schindel
Schlichter	Schneider	Seitz	Setzer
Stebelton	Stewart J.	Uecker	Wachtmann
Wagner	Wagoner	Webster	White
Widener	Widowfield	Wolpert	Zehringer
			Husted-53.

The Senate amendments were not concurred in.

#### Message from the Speaker

Pursuant to House Rules 13, 28, 30, the Speaker hereby makes the following changes to House standing committees:

Education: appoint Rep. Sykes as ranking member.

Healthcare Access and Affordability: remove Rep. Carano; appoint Rep. Gerberry.

Message from the Speaker

Pursuant to Ohio Revised Code section 127.12, the Speaker hereby makes the following change to the Controlling Board:

Remove Representative Sykes and appoint Representative Celeste.

Message from the Speaker

The Speaker of the House of Representatives, on June 14, 2007, signed the following:

**S. C. R. No. 7** - Senator Austria - et al.

On motion of Representative DeWine, the House adjourned until Wednesday, June 20, 2007, 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.