

OHIO

House

of

Representatives

JOURNAL

TUESDAY, OCTOBER 9, 2007

NINETY-EIGHTH DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, October 9, 2007, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Larry Flowers-19th district, 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 Geauga County Metzenbaum Blue Streaks softball team received H.R. 87, presented by Representative Dolan-98th district.

Alexandra Pawlyszyn, a guest of Representative Fessler-79th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 345-Representatives Hite, Yates.

Cosponsors: Representatives Evans, Foley, Williams, B., Combs, Yuko, Seitz, DeGeeter, Harwood, Bacon, Huffman, Letson, Fende, Latta, Uecker, Celeste, Sayre, Skindell.

To amend sections 1517.11, 1531.26, 5101.98, and 5747.113 and to enact section 5502.23 of the Revised Code to allow taxpayers to make contributions to the American Red Cross Disaster Response Fund through their income tax returns.

H. B. No. 346-Representative Hughes.

Cosponsors: Representatives Hagan, R., DeGeeter, Yuko, Strahorn, Flowers, Peterson, Setzer, Oelslager, Williams, S., Fende, Skindell.

To enact sections 3727.50 to 3727.57 of the Revised Code regarding hospital staffing guidelines for registered nurses.

H. B. No. 347-Representative Setzer.

Cosponsors: Representatives McGregor, J., Webster, Huffman, Combs, Fessler, Chandler.

To amend section 3319.25; to amend for the purpose of adopting a new section number as indicated in parentheses, section 3319.25 (3319.259); and to enact new section 3319.25 and sections 3319.251 to 3319.258 of the Revised Code and to amend Section 269.10.30 of Am. Sub. H.B. 119 of the 127th General Assembly to replace the Praxis III assessment as a condition for a

professional educator license with assessment systems developed by school districts, community schools, STEM schools, and chartered nonpublic schools.

H. B. No. 348-Representative Peterson.

To amend sections 109.57, 109.572, 3317.022, 3317.03, and 5727.84 and to enact sections 3310.51 to 3310.63 and 3323.052 of the Revised Code to create the Special Education Scholarship Pilot Program and to amend the version of section 109.57 of the Revised Code that is scheduled to take effect January 1, 2008, to continue the provisions of this act on and after that effective date.

Said bills were considered the first time.

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

Representative Stewart, D. submitted the following report:

The standing committee on State Government and Elections to which was referred **H. B. No. 177**-Representative Blessing, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: SAME PERSON NOT MORE THAN TWO HORSE RACING
PERMITS FOR RACE TRACKS

DAVID DANIELS
KEVIN DEWINE
ARLENE J. SETZER
THOM COLLIER
LARRY L. FLOWERS
STEVE L. DRIEHAUS

CLIFF HITE
JIM CARMICHAEL
STEVE REINHARD
JIM MCGREGOR
EDNA BROWN
DAN STEWART

The following members voted "NO"

MICHAEL J. SKINDELL
VERNON SYKES
T. TODD BOOK

JOHN DOMENICK
MATT LUNDY

The report was agreed to.

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

Representative Barrett submitted the following report:

The standing committee on Civil and Commercial Law to which was referred **H. B. No. 125**-Representative Huffman, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: HEALTH PROVIDERS THIRD PARTY STANDARDIZATION

Representative Oelslager moved to amend the title as follows:

Add the names: "Hughes, Core, Dodd."

MATTHEW H. BARRETT
MATT HUFFMAN
JIM HUGHES
WILLIAM J. SEITZ
DAN DODD
MIKE FOLEY

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

The following member voted "NO"

BILL COLEY

The report was agreed to.

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

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 214-Representatives Wagner, Combs.

Cosponsors: Representatives Seitz, McGregor, J., Stebelton, Brown.

To amend sections 2151.152, 2151.23, 2151.39, 3313.64, 5103.031, 5103.032, 5103.035, 5103.0312, 5103.0313, 5103.16, 5103.391, 5126.04, 5153.122, and 5153.123 and to enact sections 5103.23, 5103.231, 5103.232, 5103.233, 5103.234, 5103.235, 5103.236, and 5103.237 of the Revised Code relative to training for foster caregivers, department of job and family services authority to begin the child placement level of care pilot program and petition Congress for expanded usage of Title IV-E funding, the Interstate Compact on the Placement of Children, and the coordination of the provision of services for foster children with mental retardation or developmental disabilities , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Wagner moved that **Sub. H. B. No. 214**-Representatives Wagner, Combs, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

H. B. No. 13-Representative Fessler.

Cosponsors: Representatives Stebelton, Wachtmann, Brinkman, Adams, Harwood, Bub, Domenick, Healy, Mallory, Miller, Sayre.

To amend section 4503.102 of the Revised Code to prohibit the inclusion of Social Security numbers on motor vehicle registration renewal notices, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

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

The bill passed.

Representative Fessler moved to amend the title as follows:

Add the names: "Bacon, Barrett, Batchelder, Blessing, Bolon, Book, Boyd, Brown, Chandler, Collier, Daniels, DeBose, DeGeeter, Dyer, Evans, Fende, Flowers, Foley, Garrison, Gibbs, Goodwin, Hagan, J., Hagan, R., Hite, Hottinger, Huffman, Hughes, Koziura, Latta, Letson, Lundy, Oelslager, Okey, Otterman, Patton, Raussen, Schindel, Schneider, Setzer, Skindell, Stewart, D., Stewart, J., Uecker, Wagoner, Williams, B., Wolpert, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 71-Representative White.

Cosponsors: Representatives McGregor, J., Setzer, Brown, Hagan, J., Seitz, Wagoner, Wolpert, Aslanides, Distel.

To amend sections 955.28 and 959.16, to enact new section 959.132 and section 959.161, and to repeal section 959.132 of the Revised Code to provide for the seizure, impoundment, and disposition of roosters involved in cockfighting and dogs involved in dogfighting; to revise requirements and procedures governing the seizure, impoundment, and disposition of companion animals that are the subject of abuse or neglect; and to clarify that the authority conferred upon a person to kill an attacking dog does not include the authority to kill a police dog , 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	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	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.	Healy
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Latta
Letson	Luckie	Lundy	Mallory
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	Wachtmann	Wagner	Wagoner
Webster	White	Widener	Widowfield
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: "Batchelder, Blessing, Boyd, Chandler, Coley, Domenick, Evans, Flowers, Foley, Hagan, R., Hite, Hottinger, Hughes, Letson, Luckie,

Mallory, Otterman, Schneider, Stebelton, Stewart, D., Webster, Williams, S., Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative DeWine, the House recessed.

The House met pursuant to recess.

Sub. H. B. No. 125-Representative Huffman.

Cosponsors: Representatives DeGeeter, Seitz, McGregor, J., Schneider, Latta, Adams, Gibbs, Setzer, Oelslager, Uecker, McGregor, R., Stewart, J., Stebelton, Fessler, Barrett, Wagoner, Celeste, Reinhard, Widener, Blessing, Book, Carmichael, Lundy, Hughes, Core, Dodd.

To amend sections 1751.13, 1753.01, 1753.07, 1753.09, and 5111.17, to enact sections 3963.01 to 3963.10, and to repeal sections 1753.03, 1753.04, 1753.05, and 1753.08 of the Revised Code to establish certain uniform contract provisions between health care providers and contracting entities, to establish standardized credentialing, to require contracting entities to provide to health care providers specified information concerning enrollees, to require the Department of Job and Family Services to allow managed care plans to use providers to render care, and to create a Joint Legislative Study Commission on Most Favored Nation Clauses in Health Care Contracts , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative DeWine moved that **Sub. H. B. No. 125**-Representative Huffman, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

Sub. H. B. No. 166-Representative Schindel.

Cosponsors: Representatives Adams, Bulp, Combs, DeWine, Flowers, Gibbs, Seitz, Stebelton, Widener, Zehringer.

To amend section 124.341 and to enact sections 126.40 to 126.43 of the Revised Code to create an Office of Internal Auditing within the Office of Budget and Management, to establish the State Audit Committee, and to prescribe their respective and interrelated functions , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Batchelder moved to amend as follows:

Between lines 101 and 102, insert:

" The director of budget and management shall assess a charge against each state agency for which the office of internal auditing conducts internal auditing programs under sections 126.40 to 126.43 of the Revised Code so that the total amount of these charges is sufficient to cover the costs of the operation of the office of internal auditing."

In line 120, delete "the director"

In line 121, delete "of budget and management" and insert "one member appointed by the governor"

In line 123, after the period, insert "Not more than two of the four public members appointed by the speaker of the house of representatives and the president of the senate shall belong to or be affiliated with the same political party. The member appointed by the governor shall be a person who is external to the management structure associated with the preparation of financial statements of state government and shall have the program and management expertise required to perform the duties of the committee's chairperson."

In line 149, delete "director of budget and management" and insert "member of the committee appointed by the governor"

In line 251, delete everything after "(A)" and insert "It is the intent of the General Assembly in the enactment of section 126.40 of the Revised Code that the primary internal audit function of state agencies as defined in that section will be carried out by the Office of Internal Auditing of the Office of Budget and Management.

(B) Before May 1, 2008, the Director of Budget and Management, in consultation with the Director of Administrative Services and the State Audit Committee created in section 126.41 of the Revised Code, shall develop a plan to commence operations of the Office of Internal Auditing. The plan shall do all of the following:

(1) Identify those existing employees within state agencies as defined in section 126.40 of the Revised Code who perform the function of an internal auditor and who will be transferred to the Office of Internal Auditing;

(2) Establish funds and appropriation authority that is necessary for the efficient and effective operation of the Office of Internal Auditing;

(3) Provide for a method to assess charges against the various state agencies for which the Office of Internal Auditing conducts internal auditing programs under sections 126.40 to 126.43 of the Revised Code that the total amount of these charges is sufficient to cover the costs of the operation of the Office of Internal Auditing;

(4) Provide for the appropriate reduction in the appropriation authority of

the state agencies from which existing employees who perform the function of internal auditor are transferred.

(C) The Controlling Board shall approve the plan before the Office of Budget and Management implements it.

(D) Subject to the layoff and displacement provisions of Chapter 124. of the Revised Code, all state agency employees who are identified by the plan as performing duties necessary to comply with sections 126.40 to 126.43 of the Revised Code shall be transferred, upon the approval of the Controlling Board, to the Office of Internal Auditing and shall retain their positions, compensation, and associated fringe benefits."

Delete lines 252 through 276

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

The yeas and nays were taken and resulted - yeas 51, nays 45, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Batchelder
Blessing	Brinkman	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Evans	Fessler
Flowers	Gibbs	Goodwin	Hagan J.
Hite	Hottinger	Huffman	Hughes
Jones	Latta	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-51.

Those who voted in the negative 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.	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-45.

The motion was agreed to and the bill so amended.

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

Representative Bolon moved to amend as follows:

In line 8, delete the first comma and insert "and"; delete ", 126.42, and 126.43"

In line 19, delete " office" and insert " division"

In line 20, delete " auditing" and insert " control and audit oversight"

In line 79, delete " office" and insert " division"; delete " auditing" and insert " control and audit oversight"

In line 80, delete " conduct internal audits of" and insert " oversee and monitor compliance with internal control programs within each state agency and to assure that adequate internal controls exist continuously to diminish financial risks to operations of state agencies. The division shall also develop a program of internal control, risk management, and internal audit governance for state agencies and enhance the state's internal audit function. The program shall focus on all aspects of internal controls including, but not limited to, fiscal, financial reporting, payroll, human resource management, procurement, and information technology, including data security and privacy."

(C) The director of budget and management shall appoint a chief internal controller as head of the division of internal control and audit oversight. The chief internal controller shall oversee the division and work directly with internal controllers at state agencies, who shall report to the directors of their respective state agencies and the chief internal controller."

Delete lines 82 through 118

In line 120, delete everything after " of" and insert " one representative appointed by each of the following officers who is a member of that officer's staff:"

- (a) The auditor of state;
- (b) The attorney general;
- (c) The secretary of state;
- (d) The treasurer of state;
- (e) The chief justice of the supreme court;
- (f) The president of the senate;
- (g) The minority leader of the senate;
- (h) The speaker of the house of representatives; and
- (i) The minority leader of the house of representatives.

(2) The governor shall also appoint to the committee other individuals recommended by the auditor of state who are knowledgeable about governmental financial practices, including individuals from outside state

government.

(3) The director of budget and management shall be a member and serve as chair of the committee.

(B) The committee shall identify and encourage the use of effective governmental financial management, internal control, and internal auditing practices by state agencies.

(C) The committee, through its chair, shall report annually in writing to the governor and the auditor of state regarding both of the following:

(1) The committee's effectiveness in bringing about improvements in the governmental financial management, internal control, and internal auditing practices of state agencies;

(2) Any recommendations for modification to the composition of the committee or to its powers and duties."

Delete lines 121 through 248

Delete lines 251 through 276

In line 2 of the title, delete "to 126.43" and insert "and 126.41"; delete "an Office" and insert "a Division"

In line 3 of the title, delete "Auditing" and insert "Control and Audit Oversight"

In line 5 of the title, delete the second "and"

In line 6 of the title, delete "interrelated"

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

Representative Flowers moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 51, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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

Those who voted in the negative 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.	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-45.

The motion to amend was laid on the table.

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

The yeas and nays were taken and resulted - yeas 51, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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

Those who voted in the negative 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.	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-45.

The bill passed.

Representative Schindel moved to amend the title as follows:

Add the names: "Aslanides, Bacon, Batchelder, Blessing, Coley, Collier, Daniels, Dolan, Evans, Fessler, Hagan, J., Hite, Hottinger, Huffman, Hughes, McGregor, R., Patton, Schneider, Setzer, Uecker, Wachtmann, Wagner, Wagoner, Widowfield."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 125-Representative Huffman.

Cosponsors: Representatives DeGeeter, Seitz, McGregor, J., Schneider, Latta, Adams, Gibbs, Setzer, Oelslager, Uecker, McGregor, R., Stewart, J., Stebelton, Fessler, Barrett, Wagoner, Celeste, Reinhard, Widener, Blessing, Book, Carmichael, Lundy, Hughes, Core, Dodd.

To amend sections 1751.13, 1753.01, 1753.07, 1753.09, and 5111.17, to enact sections 3963.01 to 3963.10, and to repeal sections 1753.03, 1753.04, 1753.05, and 1753.08 of the Revised Code to establish certain uniform contract provisions between health care providers and contracting entities, to establish standardized credentialing, to require contracting entities to provide to health care providers specified information concerning enrollees, to require the Department of Job and Family Services to allow managed care plans to use providers to render care, and to create a Joint Legislative Study Commission on Most Favored Nation Clauses in Health Care Contracts , was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Flowers moved to amend as follows:

In line 448, delete " the contracting entity's"

In line 451, delete " contracting entity's"

In line 479, delete " by the contracting entity"

In line 486, delete " to a contracting entity"

In line 496, delete " as established by a contracting"

In line 497, delete " entity and"

In line 680, delete " contracting entity also shall state the"

In line 682, after " service" insert " also shall be stated"; delete " A contracting entity may satisfy this" and insert " This"

In line 683, after " requirement" insert " may be satisfied"

In line 701, delete " used by"

In line 702, delete " the contracting entity"

In line 703, delete " used by the"

In line 704, delete " contracting entity"

In line 934, delete " Each contracting entity shall, upon" and insert " Upon"

In line 936, delete " and"

In line 937, after the underlined comma insert " or the enrollee's social security number, each contracting entity shall"

In line 955, after " entity" insert " that maintains enrollee information in the ordinary course of business"

In line 957, after " portal" insert " and shall maintain the flexibility to determine the manner described in division (A)(1) of this section by which the participating provider shall accesses the information specified in that division"; after the underlined period insert " The information required by division (A)(1) of this section shall include a statement to the effect that the information made available is not necessarily the final indication of the eligibility status of the enrollee due to changes that may have occurred prior to or after that date of which the contracting entity is unaware, and that the information was obtained from sources that the contracting entity reasonably believes to be accurate. Any information specified in division (A)(1) of this section that is provided in good faith by the contracting entity shall not be used in any enforcement action under this chapter."

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

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	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	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.	Healy
Heard	Hite	Hottinger	Huffman
Hughes	Jones	Koziura	Latta
Letson	Luckie	Lundy	Mallory
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-96.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 91, nays 5, as follows:

Those who voted in the affirmative were: Representatives

Adams	Aslanides	Bacon	Barrett
Batchelder	Beatty	Blessing	Bolon
Book	Boyd	Brady	Brinkman
Brown	Budish	Carmichael	Celeste
Chandler	Collier	Combs	Core
Daniels	DeBose	DeGeeter	DeWine
Distel	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Flowers	Foley	Garrison	Gerberry
Gibbs	Goodwin	Goyal	Hagan J.
Hagan R.	Healy	Heard	Hite
Hottinger	Huffman	Hughes	Jones
Koziura	Letson	Luckie	Lundy
Mallory	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	Wagner
Wagoner	White	Widener	Widowfield
Williams B.	Williams S.	Wolpert	Yates
Yuko	Zehringer		Husted-91.

Representatives Coley, Fessler, Latta, Wachtmann, and Webster voted in the negative-5.

The bill passed.

Representative Huffman moved to amend the title as follows:

Add the names: "Batchelder, Boyd, Budish, Chandler, Collier, Distel, Driehaus, Dyer, Evans, Flowers, Goyal, Hagan, J., Healy, Koziura, Letson, Luckie, Otterman, Patton, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

Pursuant to Section 263.30.30 of Am. Sub. H. B. No. 119, 127th General Assembly, the Speaker hereby appoints the following public members to the Commission on the Future of Health Care Education and Physician Retention in NW Ohio:

Alan Brass and Jack Bartell
(Representing health care providers)

Vicki English and Dr. Francis Rogalski
(Representing health care professionals)

Mark V'Soske
(Representing Ohio business and labor organizations)

Mark Snyder
(Representing health care consumers)

Barbara Sears
(Representing state and local government).

Message from the Speaker

Pursuant to Section 263.30.30 of Am. Sub. H. B. No. 119, 127th General Assembly, the Speaker hereby appoints the following members to the Commission on the Future of Health Care Education and Physician Retention in NW Ohio:

Representatives Wagoner and Ujvagi.

Message from the Speaker

Pursuant to Section 755.03 (A) of Am. Sub. H.B. No. 67, 127th General Assembly, the President of the Senate and the Speaker of the House of Representatives jointly appoint the following public member to the Ohio Transportation Task Force:

William Nicolozakes
(Representing the Ohio Coal Association)

Message from the Speaker

Speaker Jon Husted
Ohio House of Representatives
77 South High Street, 14th Floor
Columbus, Ohio 43215

Dear Speaker:

This letter is to inform you of my resignation from the Ohio House of Representatives effective on October 9, 2007 in order to stand for appointment

to the Ohio Senate Eighth District seat being vacated by Senator Clancy.

I look forward to continuing the people's work in the Senate, and also to my continued opportunity to work with you in the Ohio legislature.

I thank you for your many kindnesses over the years, and I thank the people of the 30th House District for having reposed their confidence in me during my four terms here in the House.

Sincerely,

/s/ WILLIAM J. SEITZ

William J. Seitz
State Representative
30th House District

Message from the Speaker

The Honorable William J. Seitz
Ohio House of Representatives
77 South High Street
Columbus, Ohio 43215-6111

Dear Representative Seitz:

This is to acknowledge receipt and acceptance of your letter of resignation from the Ohio House of Representatives, effective October 9, 2007.

You have served your constituents well over the years and I'm confident you will continue to do so as a member of the Ohio Senate.

Sincerely,

/s/ JON A. HUSTED

Jon A. Husted
Speaker
Ohio House of Representatives

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

The motion was agreed to.

MOTIONS AND RESOLUTIONS

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

The motion was agreed to.

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

H. R. No. 89-Speaker Husted.

Relative to the election of Robert Mecklenborg to fill the vacancy in the membership of the House of Representatives created by the resignation of William J. Seitz of the 30th House District.

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

WHEREAS, William J. Seitz of the 30th House District has resigned as a member of the House of Representatives of the 127th General Assembly effective October 9, 2007, thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Republican party that Robert Mecklenborg, Republican, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 30th House District, is hereby elected, effective October 9, 2007, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 30th House District, to fill the vacancy created by the unexpired portion of the term of said William J. Seitz, ending on December 31, 2008; and be it further

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

The yeas and nays were taken and resulted - yeas 46, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams	Bacon	Batchelder	Blessing
Brinkman	Carmichael	Coley	Combs
Core	Daniels	DeWine	Dolan
Evans	Fessler	Flowers	Gibbs
Goodwin	Hagan J.	Hite	Hottinger
Huffman	Hughes	Jones	Latta
McGregor J.	McGregor R.	Oelslager	Patton
Peterson	Raussen	Reinhard	Schindel
Schneider	Setzer	Stebelton	Stewart J.
Uecker	Wachtmann	Wagner	Wagoner
Webster	Widener	Widowfield	Wolpert
Zehringer			Husted-46.

The resolution was adopted.

Mr. Mecklenborg was escorted to the bar of the House by Representatives DeWine, Flowers, Carmichael, and Schneider, took the oath of office administered by the Honorable Jon A. Husted, Speaker of the Ohio House of Representatives, and entered upon the discharge of his duties.

State of Ohio
Conty of Franklin

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

/s/ ROBERT MECKLENBORG
Robert Mecklenborg

Sworn to and subscribed before me this 9th day of October, 2007.

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

On motion of Representative DeWine, the House adjourned until Wednesday, October 10, 2007 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.