

OHIO

House

of

Representatives

JOURNAL

TUESDAY, JANUARY 6, 2009

SECOND DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, January 6, 2009, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Michael DeBose-12th district, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

MOTIONS AND RESOLUTIONS

Representative Szollosi offered the following resolution and requested that it be read by title only and spread upon the pages of the journal:

H. R. No. 7-Representative Szollosi.

Relative to attendance at conferences and meetings.

WHEREAS, During the 128th General Assembly (2009-2010), important conferences and meetings of national or statewide interest may be called, especially of interest to the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives of the 128th General Assembly, that, if in the judgment of the Speaker, any conferences or meetings, either national or state, are deemed to be of sufficient importance to warrant attendance of members or officers of the House, the Speaker shall designate members or officers to attend; and be it further

RESOLVED, That all expenses incurred incident thereto of any member or officer so designated by the Speaker shall be paid out of appropriate funds of the House.

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

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Dyer	Fende	Foley	Gardner
Garland	Garrison	Goodwin	Goyal
Grossman	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Jones	Jordan
Koziura	Lehner	Letson	Luckie

Lundy	Maag	Mallory	Mandel
Martin	McClain	McGregor	Mecklenborg
Miller	Moran	Murray	Newcomb
Oelslager	Okey	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Williams B.	Williams S.
Winburn	Yates	Yuko	Zehringer
			Budish-93.

The resolution was adopted.

Representative Szollosi offered the following resolution and requested that it be read by title only and spread upon the pages of the journal:

H. R. No. 8-Representative Szollosi.

Relative to certain letters to be signed by the Speaker of the House on behalf of the House and sent to persons or groups in lieu of any resolutions on the subject.

BE IT RESOLVED, By the members of the House of Representatives of the 128th General Assembly, that upon the request of any member, the Speaker of the House of Representatives may, at the Speaker's discretion, sign letters of commendation, congratulations, or condolence to persons or organizations named in the request on behalf of the House and in its name, and arrange for transmittal therefor to such persons or organizations as may be designated in the request.

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

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Dyer	Fende	Foley	Gardner
Garland	Garrison	Goodwin	Goyal
Grossman	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Jones	Jordan
Koziura	Lehner	Letson	Luckie
Lundy	Maag	Mallory	Mandel
Martin	McClain	McGregor	Mecklenborg

Miller	Moran	Murray	Newcomb
Oelslager	Okey	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Williams B.	Williams S.
Winburn	Yates	Yuko	Zehringer
			Budish-93.

The resolution was adopted.

Representative Szollosi offered the following resolution and requested that it be read by title only and spread upon the pages of the journal:

H. R. No. 9-Representative Szollosi.

Relative to the appointment and salaries of the officials and employees of the House of Representatives.

BE IT RESOLVED, By the members of the House of Representatives of the 128th General Assembly, that in addition to those officers previously elected by resolution of the House, the Speaker is hereby authorized to appoint such additional staff as may be required for the purpose of facilitating the work of the House of Representatives and to fill any vacancies in positions as officers or employees; and be it further

RESOLVED, That the officers and employees of the House of Representatives be compensated as determined by the Clerk or Deputy Clerk, with the approval of the Speaker; and be it further

RESOLVED, That pay increases shall be made only upon recommendation of the Clerk or Deputy Clerk, with approval of the Speaker; and be it further

RESOLVED, That the Clerk or Deputy Clerk shall each have the direct supervision and management of those officers and employees who by reason of their duties fall within the specific area of responsibility of the Clerk or Deputy Clerk. Pursuant to the approval of the Speaker, the Clerk or Deputy Clerk may discharge any officer or employee under their respective supervision if the officer or employee is not satisfactorily performing his duties; and be it further

RESOLVED, That this resolution shall govern all actions taken by the 128th General Assembly and that all of the foregoing salaries be paid from the appropriate funds of the House of Representatives.

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

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Dyer	Fende	Foley	Gardner
Garland	Garrison	Goodwin	Goyal
Grossman	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Jones	Jordan
Koziura	Lehner	Letson	Luckie
Lundy	Maag	Mallory	Mandel
Martin	McClain	McGregor	Mecklenborg
Miller	Moran	Murray	Newcomb
Oelslager	Okey	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Williams B.	Williams S.
Winburn	Yates	Yuko	Zehringer
			Budish-93.

The resolution was adopted.

Representative Szollosi offered the following resolution and requested that it be read by title only and spread upon the pages of the journal:

H. R. No. 10-Representative Szollosi.

Relative to the appointment of a special committee on Rules.

BE IT RESOLVED, By the members of the House of Representatives of the 128th General Assembly, that the Speaker shall appoint a committee of eight members to prepare the rules for the conduct of business of the House and to confer with a like committee from the Senate to prepare joint rules and to report at the earliest date practicable; and be it further

RESOLVED, That in the interim all questions on procedure shall be determined on the basis of the rules of the House of Representatives adopted by the House during the 127th General Assembly.

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

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Dyer	Fende	Foley	Gardner
Garland	Garrison	Goodwin	Goyal
Grossman	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Jones	Jordan
Koziura	Lehner	Letson	Luckie
Lundy	Maag	Mallory	Mandel
Martin	McClain	McGregor	Mecklenborg
Miller	Moran	Murray	Newcomb
Oelslager	Okey	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Williams B.	Williams S.
Winburn	Yates	Yuko	Zehringer
			Budish-93.

The resolution was adopted.

Representative Szollosi offered the following resolution and requested that it be read by title only and spread upon the pages of the journal:

H. C. R. No. 4-Representative Szollosi.

Authorizing a joint convention of the Ohio General Assembly for the purpose of receiving a message from the Governor and calling for a committee to wait upon the Governor in anticipation of his State of the State Address.

WHEREAS, The members of the 128th General Assembly of Ohio, by adoption of this Resolution, call for a joint session of the legislature, to be held in the House Chambers of the Ohio Statehouse, January 28, 2009 at 12:00 o'clock p.m.; and

WHEREAS, The Ohio General Assembly annually convenes a joint session of the House and Senate for the purpose of receiving a message from the Governor as to the State of the State; and

WHEREAS, The members of the 128th General Assembly of Ohio, by adoption of the Resolution, call for a committee of nine on the part of the House of Representatives and eight on the part of the Senate to be appointed to wait

upon the Governor in anticipation of his State of the State Address, January 28, 2009 at 12:00 o'clock p.m.; and

WHEREAS, It is a tradition of courtesy for the Ohio General Assembly to appoint a committee to wait upon the Governor; therefore be it

RESOLVED, That we, the members of the 128th General Assembly of Ohio, in adopting this Resolution, authorize a joint convention of the legislature to be held in the House Chambers of the Ohio Statehouse, Columbus, January 28, 2009 at 12:00 o'clock p.m., for the purpose of welcoming the Governor, the Honorable Ted Strickland, and receiving his message on the State of the State; and be it further

RESOLVED, That we, the members of the 128th General Assembly of Ohio, in adopting this Resolution, call for a committee of nine on the part of the House of Representatives and eight on the part of the Senate to be appointed to wait upon the Governor; and be it further

RESOLVED, That the rules and customs of the House shall be observed during the use of the House Chambers; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit duly authenticated copies of this Resolution to Governor Ted Strickland and to the news media of Ohio.

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

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Dyer	Fende	Foley	Gardner
Garland	Garrison	Goodwin	Goyal
Grossman	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Jones	Jordan
Koziura	Lehner	Letson	Luckie
Lundy	Maag	Mallory	Mandel
Martin	McClain	McGregor	Mecklenborg
Miller	Moran	Murray	Newcomb
Oelslager	Okey	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Williams B.	Williams S.
Winburn	Yates	Yuko	Zehringer
			Budish-93.

The concurrent resolution was adopted.

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Monday, January 5, 2009, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Adams, J. moved that minority party members asking leave to be absent or absent the week of Monday, January 5, 2009, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Message from the Speaker

Pursuant to House Resolution No. 10, the Speaker hereby appoints the following members to a special committee on Rules:

Representatives Szollosi, Garrison, Heard, Goyal, Sayre, Blessing, John Adams, and Jordan.

Message from the Speaker

Pursuant to Ohio Revised Code section 127.12, the Speaker hereby appoints the following members to the Controlling Board:

Representatives Sykes, Luckie, and Jordan.

On motion of Representative Szollosi, the House adjourned until Thursday, January 8, 2009 at 11:00 o'clock a.m.

The hour having arrived for the meeting of the two houses in joint convention, the members of the Senate preceded by the president, clerk and sergeant-at-arms thereof, appeared within the bar of the House.

The President of the Senate called the joint convention to order.

Senator Niehaus and Representative Szollosi announced a quorum of each house, respectively, was present.

The President of the Senate, in presence of the two houses, then proceeded to open and announce the returns of the votes cast at the election held in the State of Ohio on the first Tuesday after the first Monday in November, 2008 for the office of attorney general.

January 6, 2009

The Honorable Jennifer Brunner
Secretary of State
180 East Broad Street, 15th Floor
Columbus, Ohio 43215

Dear Secretary Brunner:

Pursuant to Section 3505.34 of the Revised Code, the President of the Senate in the presence of a majority of the members of both houses of the General Assembly has canvassed the abstracts of the votes cast for the office of attorney general as contained in Form No. 2 sent to him from each county and declares the following candidate elected for the aforementioned office:

Attorney General:

Richard Cordray
Total Vote: 2,885,354

Mike Crites
Total Vote: 1,953,908

Robert M. Owens
Total Vote: 245,611

Sincerely,

/s/ BILL HARRIS
Bill Harris, President
Ohio Senate

On a motion of Senator Niehaus the joint convention was dissolved.

Attest:

THOMAS L. SHERMAN,
Clerk.