

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, JANUARY 27, 2010

ONE HUNDRED THIRTY-FOURTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, January 27, 2010, 1:30 p.m.**

The House met pursuant to adjournment.

Prayer was offered by Pastor Rick Hartley of the Mount Tabor Community Church in Chillicothe, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

Terry J. Collins received H. R. 206, presented by Representative Yates-33rd district.

Decon Alan Cox, a guest of Representative Pryor-85th district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 421**-Representatives Stebelton, Goyal.

Cosponsors: Representatives Dodd, Domenick, Driehaus, Goodwin, Grossman, Huffman, Letson, Lundy, Mecklenborg, Okey, Patten, Weddington, Yuko, Zehringer, McGregor.

To amend sections 2915.01, 2915.09, and 2915.091 of the Revised Code to allow the distribution of a free instant bingo ticket as a prize or promotional item, to modify the definition of "instant bingo," to eliminate a requirement relating to sales from a deal of instant bingo tickets, to increase from two to three the number of bingo sessions that a charitable organization may conduct in any seven-day period, to increase the aggregate prize limit distributed at a bingo session from \$3,500 to \$6,000, to authorize up to three charitable organizations to conduct bingo sessions at the same leased location in any calendar week, and to permit landlords to lease bingo equipment to a charitable organization.

**H. B. No. 422**-Representative Combs.

Cosponsors: Representatives Ujvagi, Mecklenborg, Grossman, Gardner, Harwood, Fende, Derickson, Evans, Adams, R., Yuko, Zehringer, Letson, Blessing, Domenick.

To enact section 5533.791 of the Revised Code to designate a portion of State Route 4 within the municipal corporation of Fairfield only as the "Lance Corporal Taylor Prazynski Memorial Highway."

**H. B. No. 423**-Representative Williams, S.

To amend sections 3333.122, 3333.20, and 6301.02 and to enact section 3333.91 of the Revised Code to create the Industry Sector Strategy Training Program, to require the awarding of academic credit to individuals who complete the program, and to require the Department of Job and Family Services to streamline core services provided under the federal Workforce Investment Act.

**H. B. No. 424**-Representative Williams, S.

To amend sections 3333.122 and 3333.20 and to enact section 3333.164 of the Revised Code to qualify students in non-credit community college programs for Ohio College Opportunity Grants and to require the awarding of academic credit for community colleges' career certification programs.

**H. B. No. 425**-Representative Heard.

Cosponsors: Representatives Winburn, Stewart, Yuko, Okey, Domenick, Slesnick, Weddington, Ujvagi, Williams, B., Murray, Hagan, Brown.

To amend sections 4513.60, 4901.01, 4903.01, 4905.01, 4905.03, 4907.01, 4909.01, 4921.01, 4921.02, 4921.36, 4921.99, 4923.01, 4923.02, 4923.03, 4923.04, and 4923.05; to enact sections 4921.45, 4921.46, 4921.47, 4921.48, 4921.49, 4921.50, 4921.51, 4921.52, 4921.53, 4921.54, and 4921.55; and to repeal sections 4921.30, 4923.06, and 4923.07 of the Revised Code to grant the Public Utilities Commission exclusive regulatory jurisdiction over all common and contract carrier towing companies and preempt local regulation, authorize the commission to establish a new certification program for common and contract carrier towing companies and a registration system for towed vehicle storage companies, authorize certain commission regulation of vehicle storage companies, revise law governing private tow-away zones, and make conforming changes in motor transportation company public utility law.

**H. B. No. 426**-Representatives Skindell, Stewart.

To amend sections 1509.01 to 1509.05, 1509.06, 1509.061, 1509.07, 1509.071, 1509.072, 1509.08, 1509.09 to 1509.15, 1509.17, 1509.18, 1509.20 to 1509.22, 1509.221, 1509.222, 1509.223, 1509.224, 1509.225, 1509.23, 1509.24, 1509.26, 1509.30, 1509.31 to 1509.33, 1509.35, 1509.36, 1509.38, 1509.99, 1565.07, 1565.13, 1571.05, and 5749.06, to enact sections 1509.051, 1509.062, 1509.073, 1509.074, 1509.075, 1509.076, 1509.081, 1509.19, 1509.191, 1509.34, and 1509.50, and to repeal sections 1509.226, 1509.25, 1509.27, 1509.29, 1509.40, and 1509.41 of the Revised Code to revise the Oil and Gas Law.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following joint resolution in which the concurrence of the House is requested:

**Am. S. J. R. No. 8** -Senators Goodman, Hughes

To amend Section 6 of Article XV of the Constitution of the State of Ohio to change the authorized location of the casino in central Ohio from Columbus to a designated site in Franklin County.

Attest:

Vincent L. Keeran,  
Clerk.

Representative Szollosi moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended, and that **Am. S. J. R. No. 8**-Senators Goodman, Hughes, be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

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

The yeas and nays were taken and resulted - yeas 84, nays 13, as follows:

Those who voted in the affirmative were: Representatives

|             |             |             |            |
|-------------|-------------|-------------|------------|
| Adams R.    | Bacon       | Baker       | Balderson  |
| Batchelder  | Belcher     | Blair       | Blessing   |
| Bolon       | Book        | Boose       | Brown      |
| Bubp        | Carney      | Celeste     | Chandler   |
| Coley       | Combs       | DeBose      | DeGeeter   |
| Derickson   | Dodd        | Domenick    | Driehaus   |
| Dyer        | Evans       | Fende       | Foley      |
| Gardner     | Garland     | Garrison    | Gerberry   |
| Goodwin     | Goyal       | Grossman    | Hackett    |
| Hagan       | Hall        | Harris      | Harwood    |
| Heard       | Hite        | Hottinger   | Koziura    |
| Lehner      | Letson      | Luckie      | Lundy      |
| Mallory     | Mandel      | McClain     | McGregor   |
| Mecklenborg | Moran       | Morgan      | Murray     |
| Newcomb     | Oelslager   | Okey        | Otterman   |
| Patten      | Phillips    | Pillich     | Pryor      |
| Sayre       | Schneider   | Sears       | Skindell   |
| Slesnick    | Stautberg   | Stebelton   | Stewart    |
| Sykes       | Szollosi    | Uecker      | Ujvagi     |
| Weddington  | Williams B. | Williams S. | Winburn    |
| Yates       | Yuko        | Zehringer   | Budish-84. |

Those who voted in the negative were: Representatives

|          |         |           |            |
|----------|---------|-----------|------------|
| Adams J. | Amstutz | Beck      | Burke      |
| Daniels  | Huffman | Jordan    | Maag       |
| Martin   | Ruhl    | Snitchler | Wachtmann  |
|          |         |           | Wagner-13. |

The motion was agreed to.

**Am. S. J. R. No. 8-Senators** Goodman, Hughes.

To amend Section 6 of Article XV of the Constitution of the State of Ohio to change the authorized location of the casino in central Ohio from Columbus to a designated site in Franklin County.

Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each house concurring herein, that there shall be submitted to the electors of the state, in the manner prescribed by law at the special election to be held on May 4, 2010, a proposal to amend Section 6 of Article XV of the Constitution of the State of Ohio to read as follows:

**ARTICLE XV**

**Section 6.** Except as otherwise provided in this section, lotteries, and the sale of lottery tickets, for any purpose whatever, shall forever be prohibited in this State.

(A) The General Assembly may authorize an agency of the state to conduct lotteries, to sell rights to participate therein, and to award prizes by chance to participants, provided that the entire net proceeds of any such lottery are paid into a fund of the state treasury that shall consist solely of such proceeds and shall be used solely for the support of elementary, secondary, vocational, and special education programs as determined in appropriations made by the General Assembly.

(B) The General Assembly may authorize and regulate the operation of bingo to be conducted by charitable organizations for charitable purposes.

(C)(1) Casino gaming shall be authorized at four casino facilities (a single casino at a designated location within each of the cities of Cincinnati, Cleveland, Columbus and Toledo, and within Franklin County) to create new funding for cities, counties, public school districts, law enforcement, the horse racing industry and job training for Ohio's workforce.

(2) A thirty-three percent tax shall be levied and collected by the state on all gross casino revenue received by each casino operator of these four casino facilities. In addition, casino operators, their operations, their owners, and their property shall be subject to all customary non-discriminatory fees, taxes, and other charges that are applied to, levied against, or otherwise imposed generally

upon other Ohio businesses, their gross or net revenues, their operations, their owners, and their property. Except as otherwise provided in section 6(C), no other casino gaming-related state or local fees, taxes, or other charges (however measured, calculated, or otherwise derived) may be, directly or indirectly, applied to, levied against, or otherwise imposed upon gross casino revenue, casino operators, their operations, their owners, or their property.

(3) The proceeds of the tax on gross casino revenue collected by the state shall be distributed as follows:

(a) Fifty-one percent of the tax on gross casino revenue shall be distributed among all eighty-eight counties in proportion to such counties' respective populations at the time of such distribution. If a county's most populated city, as of the 2000 United States census bureau census, had a population greater than 80,000, then fifty percent of that county's distribution will go to said city.

(b) Thirty-four percent of the tax on gross casino revenue shall be distributed among all eighty-eight counties in proportion to such counties' respective public school district student populations at the time of such distribution. Each such distribution received by a county shall be distributed among all public school districts located (in whole or in part) within such county in proportion to each school district's respective student population who are residents of such county at the time of such distribution to the school districts. Each public school district shall determine how its distributions are appropriated, but all distributions shall only be used to support primary and secondary education.

(c) Five percent of the tax on gross casino revenue shall be distributed to the host city where the casino facility that generated such gross casino revenue is located.

(d) Three percent of the tax on gross casino revenue shall be distributed to fund the Ohio casino control commission.

(e) Three percent of the tax on gross casino revenue shall be distributed to an Ohio state racing commission fund to support purses, breeding programs, and operations at all existing commercial horse racetracks permitted as of January 1, 2009. However, no funding under this division shall be distributed to operations of an Ohio commercial horse racetrack if an owner or operator of the racetrack holds a majority interest in an Ohio casino facility or in an Ohio casino license.

(f) Two percent of the tax on gross casino revenue shall be distributed to a state law enforcement training fund to enhance public safety by providing additional training opportunities to the law enforcement community.

(g) Two percent of the tax on gross casino revenue shall be distributed to a state problem gambling and addictions fund which shall be used for the treatment of problem gambling and substance abuse, and related research.

Tax collection, and distributions to public school districts and local governments, under sections 6(C)(2) and (3), are intended to supplement, not supplant, any funding obligations of the state. Accordingly, all such distributions shall be disregarded for purposes of determining whether funding obligations imposed by other sections of this Constitution are met.

(4) There is hereby created the Ohio casino control commission which shall license and regulate casino operators, management companies retained by such casino operators, key employees of such casino operators and such management companies, gaming-related vendors, and all gaming authorized by section 6(C), to ensure the integrity of casino gaming.

Said commission shall determine all voting issues by majority vote and shall consist of seven members appointed by the governor with the advice and consent of the senate. Each member of the commission must be a resident of Ohio. At least one member of the commission must be experienced in law enforcement and criminal investigation. At least one member of the commission must be a certified public accountant experienced in accounting and auditing. At least one member of the commission must be an attorney admitted to the practice of law in Ohio. At least one member of the commission must be a resident of a county where one of the casino facilities is located. Not more than four members may be affiliated with the same political party. No commission member may have any affiliation with an Ohio casino operator or facility.

Said commission shall require each initial licensed casino operator of each of the four casino facilities to pay an upfront license fee of fifty million dollars (\$50,000,000) per casino facility for the benefit of the state, for a total of two hundred million dollars (\$200,000,000). The upfront license fee shall be used to fund state economic development programs which support regional job training efforts to equip Ohio's workforce with additional skills to grow the economy.

To carry out the tax provisions of section 6(C), and in addition to any other enforcement powers provided under Ohio law, the tax commissioner of the State and the Ohio casino control commission, or any person employed by the tax commissioner or said commission for that purpose, upon demand, may inspect books, accounts, records, and memoranda of any person subject to such provisions, and may examine under oath any officer, agent, or employee of that person.

(5) Each initial licensed casino operator of each of the four casino facilities shall make an initial investment of at least two hundred fifty million dollars (\$250,000,000) for the development of each casino facility for a total minimum investment of one billion dollars (\$1,000,000,000) statewide. A casino operator: (a) may not hold a majority interest in more than two of the four licenses allocated to the casino facilities at any one time; and (b) may not hold a majority interest in more than two of the four casino facilities at any one time.

(6) Casino gaming authorized in section 6(C) shall be conducted only by

licensed casino operators of the four casino facilities or by licensed management companies retained by such casino operators. At the discretion of each licensed casino operator of a casino facility: (a) casino gaming may be conducted twenty-four hours each day; and (b) a maximum of five thousand slot machines may be operated at such casino facility.

(7) Each of the four casino facilities shall be subject to all applicable state laws and local ordinances related to health and building codes, or any related requirements and provisions. Notwithstanding the foregoing, no local zoning, land use laws, subdivision regulations or similar provisions shall prohibit the development or operation of the four casino facilities set forth herein, provided that no casino facility shall be located in a district zoned exclusively residential as of January 1, 2009.

(8) Notwithstanding any provision of the Constitution, statutes of Ohio, or a local charter and ordinance, only one casino facility shall be operated in each of the cities of Cleveland, ~~Columbus~~, Cincinnati, and Toledo, and in Franklin County.

(9) For purposes of this section 6(C), the following definitions shall be applied:

"Casino facility" means all or any part of any one or more of the following properties (together with all improvements situated thereon) in Cleveland, Cincinnati, ~~Columbus~~ and Toledo, and Franklin County:

(a) Cleveland:

Being an approximate 61 acre area in Cuyahoga County, Ohio, as identified by the Cuyahoga County Auditor, as of 02/27/09, as tax parcel numbers 004-28-001, 004-29-004A, 004-29-005, 004-29-008, 004-29-009, 004-29-010, 004-29-012, 004-29-013, 004-29-014, 004-29-020, 004-29-018, 004-29-017, 004-29-016, 004-29-021, 004-29-025, 004-29-027, 004-29-026, 004-28-008, 004-28-004, 004-28-003, 004-28-002, 004-28-010, 004-29-001, 004-29-007 and 004-04-017 and all lands and air rights lying within and/or above the public rights of way adjacent to such parcels.

Being an approximate 8.66 acre area in Cuyahoga County, Ohio, being that parcel identified by the Cuyahoga County Auditor, as of 02/27/09, as tax parcel number 101-21-002 and all lands and air rights lying within and/or above the public rights of way adjacent to such parcel.

Being an approximate 2.56 acre area in Cuyahoga County, Ohio, being that parcel identified by the Cuyahoga County Auditor, as of 02/27/09, as tax parcel number 101-21-002 and all lands and air rights lying within and/or above the public rights of way adjacent to such parcel.

Being an approximate 7.91 acre area in Cuyahoga County, Ohio, being that parcel identified by the Cuyahoga County Auditor, as of 02/27/09, as tax parcel number 101-23-050A and all lands and air rights lying within and/or above the public rights of way adjacent to such parcel.



All air rights above the parcel located in Cuyahoga County, Ohio identified by the Cuyahoga County Auditor, as of 02/27/09, as tax parcel number 101-22-003.

Being an approximate 1.55 acre area in Cuyahoga County, Ohio, as identified by the Cuyahoga County Auditor, as of 02/27/09, as tax parcel numbers 122-18-010, 122-18-011 and 122-18-012 and all lands and air rights lying within and/or above the public rights of way adjacent to such parcels.

Being an approximate 1.83 acre area in Cuyahoga County, Ohio, as identified by the Cuyahoga County Auditor, as of 02/27/09, as tax parcel numbers 101-30-002 and 101-30-003 and all lands and air rights lying within and/or above the public rights of way adjacent to such parcels.

Consisting of floors one through four, mezzanine, basement, sub-basement, Parcel No. 36-2, Item III, Parcels First and Second, Item V, Parcel A, and Item VI, Parcel One of the Higbee Building in Cuyahoga County, Ohio, as identified by the Cuyahoga County Auditor, as of 2/29/09, as tax parcel numbers 101-23-002 and 101-23-050F and all lands and air rights lying within and/or above the public rights of way adjacent to such parcels.

(b) ~~Columbus~~ Franklin County:

Being an approximate ~~18.312~~ 113.794 acre area in ~~the City of Columbus,~~ Franklin County, Ohio, as identified by the Franklin County Auditor, as of ~~03/05/09~~ 01/19/10, as tax parcel numbers ~~010-005518-80, 010-005518-90, 010-020215-80, 010-020215-90, 010-008443-80 and 010-008443-90~~ number 140-003620-00.

(c) Cincinnati:

Being an approximate 20.4 acre area in Hamilton County, Ohio, being identified by the Hamilton County Auditor, as of 02/27/09, as tax parcel numbers 074-0002-0009-00, 074-0001-0001-00, 074-0001-0002-00, 074-0001-0003-00, 074-0001-0004-00, 074-0001-0006-00, 074-0001-0008-00, 074-0001-0014-00, 074-0001-0016-00, 074-0001-0031-00, 074-0001-0039-00, 074-0001-0041-00, 074-0001-0042-00, 074-0001-0043-00, 074-0002-0001-00, 074-0004-0001-00, 074-0004-0002-00, 074-0004-0003-00 and 074-0005-0003-00.

(d) Toledo:

Being an approximate 44.24 acre area in the City of Toledo, Lucas County, Ohio, as identified by the Lucas County Auditor, as of 03/05/09, as tax parcel numbers 18-76138 and 18-76515.

"Casino gaming" means any type of slot machine or table game wagering, using money, casino credit, or any representative of value, authorized in any of the states of Indiana, Michigan, Pennsylvania and West Virginia as of January 1, 2009, and shall include slot machine and table game wagering subsequently authorized by, but shall not be limited by subsequent restrictions

placed on such wagering in, such states. Notwithstanding the aforementioned definition, "casino gaming" does not include bingo, as authorized in article XV, section 6 of the Ohio Constitution and conducted as of January 1, 2009, or horse racing where the pari-mutuel system of wagering is conducted, as authorized under the laws of Ohio as of January 1, 2009.

"Casino operator" means any person, trust, corporation, partnership, limited partnership, association, limited liability company or other business enterprise that directly holds an ownership or leasehold interest in a casino facility. "Casino operator" does not include an agency of the state, any political subdivision of the state, or any person, trust, corporation, partnership, limited partnership, association, limited liability company or other business enterprise that may have an interest in a casino facility, but who is legally or contractually restricted from conducting casino gaming.

"Gross casino revenue" means the total amount of money exchanged for the purchase of chips, tokens, tickets, electronic cards, or similar objects by casino patrons, less winnings paid to wagerers.

"Majority interest" in a license or in a casino facility (as the case may be) means beneficial ownership of more than fifty percent (50%) of the total fair market value of such license or casino facility (as the case may be). For purposes of the foregoing, whether a majority interest is held in a license or in a casino facility (as the case may be) shall be determined in accordance with the rules for constructive ownership of stock provided in Treas. Reg. § 1.409A-3(i)(5)(iii) as in effect on January 1, 2009.

"Slot machines" shall include any mechanical, electrical, or other device or machine which, upon insertion of a coin, token, ticket, or similar object, or upon payment of any consideration, is available to play or operate, the play or operation of which, whether by reason of the skill of the operator or application of the element of chance, or both, makes individual prize determinations for individual participants in cash, premiums, merchandise, tokens, or any thing of value, whether the payoff is made automatically from the machine or in any other manner.

"Table game" means any game played with cards, dice, or any mechanical, electromechanical, or electronic device or machine for money, casino credit, or any representative of value.

(10) The General Assembly shall pass laws within six months of the effective date of section 6(C) to facilitate the operation of section 6(C).

(11) Each provision of section 6(C) is intended to be independent and severable, and if any provision of section 6(C) is held to be invalid, either on its face or as applied to any person or circumstance, the remaining provisions of section 6(C), and the application thereof to any person or circumstance other than those to which it is held invalid, shall not be affected thereby. In any case of a conflict between any provision of section 6(C) and any other provision contained in this Constitution, the provisions of section 6(C) shall control.

(12) Notwithstanding the provisions of section 6(C)(11), nothing in this section 6(C) (including, without limitation, the provisions of sections 6(C)(6) and 6(C)(8)) shall restrict or in any way limit lotteries authorized under section 6(A) of this article or bingo authorized under section 6(B) of this article. The provisions of this section 6(C) shall have no effect upon activities authorized under sections 6(A) and/or (6)(B) of this article.

EFFECTIVE DATE AND REPEAL

If adopted by a majority of the electors voting on this proposal, the amendment takes immediate effect, and existing Section 6 of Article XV of the Constitution of the State of Ohio is repealed from that effective date.

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

Representative Celeste moved to amend the title as follows:

Add the names: "Representatives Bacon, Book, Carney, Celeste, Combs, Garland, Grossman, Hackett, Heard, Stewart, Weddington, Williams, B., Yuko."

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 Hagan moved to amend as follows:

In line 25, strike through "four" and insert "five"

In line 27, strike through "and"; after "Toledo" insert ". and Youngstown"

In line 33, strike through "four" and insert "five"

In line 115, strike through "four" and insert "five"

In line 117, after "hundred" insert "fifty"

In line 118, strike through "\$200,000,000" and insert "\$250,000,000"

In line 130, strike through "four" and insert "five"

In line 134, after "billion" insert "two hundred fifty million"; strike through "\$1,000,000,000" and insert "\$1,250,000,000"

In line 135, strike through "four" and insert "five"

In line 137, strike through "four" and insert "five"

In line 140, strike through "four" and insert "five"

In line 146, strike through "four" and insert "five"

In line 151, strike through "four" and insert "five"

In line 157, strike through "and"; after "Toledo" insert ". and"

Youngstown"

In line 163, after "Toledo" insert " . and Youngstown"; after " and" insert " in"

In line 217, strike through the semicolon and insert an underlined colon

Between lines 230 and 231, insert:

" (e) Youngstown:

Within the boundaries of the City of Youngstown."

In line 4 of the title, after "County" insert ", and to add Youngstown to the cities in which a casino is to be located"

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

Representative Heard 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 72, nays 25, as follows:

Those who voted in the affirmative were: Representatives

|            |             |             |            |
|------------|-------------|-------------|------------|
| Adams R.   | Amstutz     | Bacon       | Baker      |
| Balderson  | Batchelder  | Beck        | Belcher    |
| Blessing   | Book        | Brown       | Carney     |
| Celeste    | Chandler    | Coley       | Daniels    |
| DeBose     | DeGeeter    | Derickson   | Dodd       |
| Domenick   | Driehaus    | Dyer        | Evans      |
| Fende      | Garland     | Garrison    | Goyal      |
| Grossman   | Hackett     | Hall        | Harris     |
| Heard      | Hite        | Hottinger   | Huffman    |
| Koziura    | Lehner      | Letson      | Luckie     |
| Lundy      | Maag        | Mallory     | Mandel     |
| Martin     | McGregor    | Moran       | Morgan     |
| Murray     | Oelslager   | Patten      | Phillips   |
| Pillich    | Pryor       | Sayre       | Schneider  |
| Skindell   | Slesnick    | Stebelton   | Stewart    |
| Sykes      | Szollosi    | Ujvagi      | Wagner     |
| Weddington | Williams B. | Williams S. | Winburn    |
| Yates      | Yuko        | Zehringer   | Budish-72. |

Those who voted in the negative were: Representatives

|          |           |           |               |
|----------|-----------|-----------|---------------|
| Adams J. | Blair     | Bolon     | Boose         |
| Bubp     | Burke     | Combs     | Foley         |
| Gardner  | Gerberry  | Goodwin   | Hagan         |
| Harwood  | Jordan    | McClain   | Mecklenborg   |
| Newcomb  | Okey      | Otterman  | Ruhl          |
| Sears    | Snitchler | Stautberg | Uecker        |
|          |           |           | Wachtmann-25. |

The motion to amend was laid on the table.

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

The yeas and nays were taken and resulted - yeas 71, nays 26, as follows:

Those who voted in the affirmative were: Representatives

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Adams R.    | Bacon       | Baker     | Batchelder  |
| Belcher     | Blessing    | Book      | Boose       |
| Brown       | Carney      | Celeste   | Chandler    |
| Coley       | Combs       | DeBose    | DeGeeter    |
| Derickson   | Dodd        | Domenick  | Driehaus    |
| Dyer        | Evans       | Fende     | Foley       |
| Gardner     | Garland     | Garrison  | Goodwin     |
| Goyal       | Grossman    | Hackett   | Harris      |
| Heard       | Hite        | Hottinger | Koziura     |
| Letson      | Luckie      | Lundy     | Mallory     |
| Mandel      | McClain     | McGregor  | Mecklenborg |
| Moran       | Murray      | Oelslager | Patten      |
| Phillips    | Pillich     | Pryor     | Sayre       |
| Schneider   | Sears       | Skindell  | Slesnick    |
| Stautberg   | Stebelton   | Stewart   | Sykes       |
| Szollosi    | Uecker      | Ujvagi    | Weddington  |
| Williams B. | Williams S. | Winburn   | Yates       |
| Yuko        | Zehringer   |           | Budish-71.  |

Those who voted in the negative were: Representatives

|           |          |           |            |
|-----------|----------|-----------|------------|
| Adams J.  | Amstutz  | Balderson | Beck       |
| Blair     | Bolon    | Bubp      | Burke      |
| Daniels   | Gerberry | Hagan     | Hall       |
| Harwood   | Huffman  | Jordan    | Lehner     |
| Maag      | Martin   | Morgan    | Newcomb    |
| Okey      | Otterman | Ruhl      | Snitchler  |
| Wachtmann |          |           | Wagner-26. |

The joint resolution was adopted.

**CONSIDERATION OF SENATE AMENDMENTS**

The Senate amendments to **Sub. H. J. R. No. 12**-Representatives Williams, S., Goyal, et al., were taken up for consideration.

**Sub. H. J. R. No. 12**-Representatives Williams, S., Goyal.

Cosponsors: Representatives Belcher, Bolon, Book, Boyd, Brown, Speaker Budish, Representatives Carney, Celeste, Chandler, DeBose, DeGeeter, Dodd, Domenick, Driehaus, Dyer, Fende, Foley, Garland, Garrison, Gerberry, Hagan, Harris, Harwood, Heard, Koziura, Letson, Luckie, Lundy, Mallory, Moran, Murray, Newcomb, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Sayre, Schneider, Skindell, Slesnick, Stewart, Sykes, Szollosi, Ujvagi, Weddington, Williams, B., Winburn, Yates, Yuko, Amstutz, Grossman, Hottinger, Martin, Snitchler, Batchelder, Blessing, Combs, Derickson, Dolan, Hackett, McGregor, Mecklenborg, Oelslager, Stautberg. Senators Niehaus, Grendell, Harris, Seitz, Patton, Wagoner, Gillmor, Hughes.

Proposing to amend Section 2p of Article VIII of the Constitution of the State of Ohio to permit the issuance of additional general obligation bonds to fund research and development and public infrastructure capital improvements.

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

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

Those who voted in the affirmative were: Representatives

|           |           |          |               |
|-----------|-----------|----------|---------------|
| Adams R.  | Bacon     | Baker    | Balderson     |
| Beck      | Blair     | Blessing | Boose         |
| Bubp      | Coley     | Combs    | Derickson     |
| Gardner   | Goodwin   | Grossman | Hackett       |
| Hite      | Maag      | McClain  | Ruhl          |
| Stautberg | Stebelton | Stewart  | Uecker        |
|           |           |          | Zehringer-25. |

Those who voted in the negative were: Representatives

|          |            |             |             |
|----------|------------|-------------|-------------|
| Adams J. | Amstutz    | Batchelder  | Belcher     |
| Bolon    | Book       | Brown       | Burke       |
| Carney   | Celeste    | Chandler    | Daniels     |
| DeBose   | DeGeeter   | Dodd        | Domenick    |
| Driehaus | Dyer       | Evans       | Fende       |
| Foley    | Garland    | Garrison    | Gerberry    |
| Goyal    | Hagan      | Hall        | Harris      |
| Harwood  | Heard      | Hottinger   | Huffman     |
| Jordan   | Koziura    | Lehner      | Letson      |
| Luckie   | Lundy      | Mallory     | Mandel      |
| Martin   | McGregor   | Mecklenborg | Moran       |
| Morgan   | Murray     | Newcomb     | Oelslager   |
| Okey     | Otterman   | Patten      | Phillips    |
| Pillich  | Pryor      | Sayre       | Schneider   |
| Sears    | Skindell   | Slesnick    | Snitchler   |
| Sykes    | Szollosi   | Ujvagi      | Wachtmann   |
| Wagner   | Weddington | Williams B. | Williams S. |
| Winburn  | Yates      | Yuko        | Budish-72.  |

The Senate amendments were not concurred in.

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

Representative Zehringer submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 397**-Representatives Domenick, Balderson, et al., having had the same under consideration, reports it back and recommends its passage.

RE: OHIO COAL MINERS WEEK

JOHN DOMENICK  
JAMES ZEHRINGER  
TROY BALDERSON  
TERRY BOOSE  
DAN DODD  
DAVE HALL  
DEBORAH NEWCOMB  
RAYMOND PRYOR  
JEFF WAGNER

ALLAN R. SAYRE  
RICHARD ADAMS  
LINDA S. BOLON  
TIMOTHY DERICKSON  
JENNIFER GARRISON  
DENNIS MURRAY  
MARK D. OKEY  
MARGARET RUHL  
W. CARLTON WEDDINGTON

The report was agreed to.

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

Representative Blessing reported for the Rules and Reference Committee recommending that the following House Bills and House Joint Resolution be considered for the second time and referred to the following committees for consideration.

**H.B. No. 416 - Representative Snitchler, et al**

TO WAIVE THE FEES CHARGED FOR BIRTH RECORDS, STATE IDENTIFICATION CARDS, TEMPORARY INSTRUCTION PERMITS, DRIVER'S LICENSES, MOTORCYCLE OPERATOR'S ENDORSEMENTS, AND MOTORIZED BICYCLE LICENSES ISSUED TO INDIVIDUALS WHO ARE UNDER AGE TWENTY-TWO AND, BECAUSE OF AGE, NO LONGER QUALIFY FOR FOSTER CARE MAINTENANCE PAYMENTS.

To the committee on State Government

**H.B. No. 417 - Representative Driehaus, et al**

TO REVISE THE APPEAL PROCEDURES FOR THE REFUSAL TO ISSUE, RENEW, OR TRANSFER A RETAIL LIQUOR PERMIT AND TO REQUIRE PERMIT HOLDERS THAT VIOLATE THE LAWS GOVERNING LIQUOR CONTROL TO FILE THE NAMES AND ADDRESSES OF THEIR EMPLOYEES WITH THE DIVISION OF LIQUOR CONTROL.

To the committee on State Government

**H.B. No. 418 - Representative Boose, et al**

TO ADOPT THE BUCKEYE CANDY AS THE OFFICIAL CONFECTION OF THE STATE.

To the committee on State Government

**H.J.R. No. 13 - Representatives Domenick, Ruhl**

PROPOSING TO AMEND SECTIONS 1B, 1C, AND 1G OF ARTICLE II AND SECTION 1 OF ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF OHIO TO REQUIRE SIXTY-SEVEN PER CENT OF THE ELECTORS VOTING ON AN INITIATIVE OR REFERENDUM TO VOTE IN FAVOR OF THE ISSUE IN ORDER FOR THE ISSUE TO BE APPROVED.

To the committee on Elections and Ethics

T. TODD BOOK  
BARBARA BOYD  
MATT LUNDY  
JOHN ADAMS

JOSEPH KOZIURA  
TIMOTHY J. DEGEETER  
LOUIS W. BLESSING  
CHERYL GROSSMAN

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

The motion was agreed to without objection.

The report was agreed to.

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

### MOTIONS AND RESOLUTIONS

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

**H.R. No. 207 – Representative Grossman**

Honoring the Hilliard Davidson High School football team as the 2009 Division I State Champion.

**H.R. No. 208 – Representative Ruhl**

Honoring Diana K. Ready as a 2009 World Senior Olympic Games Champion.

**H.R. No. 209 – Representatives Weddington, Bacon, Carney, Celeste, Garland, Grossman, Harris, Heard, Stewart**

Honoring The Ohio State University football team as the 2009 Big Ten Conference and 2010 Rose Bowl champion.  
Add the name: Book

**H.R. No. 210 – Representative Pillich**

Honoring the Winton Woods High School football team on winning the 2009 Division II State Championship.  
Add the name: Blessing

**H.R. No. 211 – Representative Sears**

Honoring Meredith Wagner as the 2009 Division I State Girls Cross Country Champion.

**H.R. No. 212 – Representative Fende**

Honoring Erieside Church on the Boulevard on its Seventy-fifth Anniversary.



**H.R. No. 213 – Representative Baker**

Honoring the Magnificat High School girls tennis team on winning the 2009 Ohio Tennis Coaches’ Association Division I State Championship.

Add the name: Lundy

/s/ TODD BOOK  
Todd Book, Chair

Representative Szollosi moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Wednesday, January 27, 2010, 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 Wednesday, January 27, 2010, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

**BILLS FOR THIRD CONSIDERATION**

**H. B. No. 330-Representative Patten.**

Cosponsors: Representatives Chandler, DeGeeter, Domenick, Evans, Fende, Foley, Garland, Harris, Letson, Okey, Phillips, Pryor, Skindell, Weddington, Williams, B., Yuko, Hagan, Mallory, Bolon, Combs, Balderson, McClain, Ruhl.

To amend section 5513.01 of the Revised Code to authorize the director of transportation to include school districts in purchase contracts for machinery, materials, supplies, and other articles, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

- |          |           |            |          |
|----------|-----------|------------|----------|
| Adams J. | Adams R.  | Amstutz    | Bacon    |
| Baker    | Balderson | Batchelder | Beck     |
| Belcher  | Blair     | Blessing   | Bolon    |
| Book     | Boose     | Brown      | Bubp     |
| Burke    | Carney    | Celeste    | Chandler |
| Coley    | Combs     | Daniels    | DeBose   |
| DeGeeter | Derickson | Dodd       | Domenick |
| Driehaus | Dyer      | Evans      | Fende    |
| Foley    | Gardner   | Garland    | Garrison |

|           |             |             |             |
|-----------|-------------|-------------|-------------|
| Gerberry  | Goodwin     | Goyal       | Grossman    |
| Hackett   | Hagan       | Hall        | Harris      |
| Harwood   | Heard       | Hite        | Hottinger   |
| Huffman   | Jordan      | Koziura     | Lehner      |
| Letson    | Luckie      | Lundy       | Maag        |
| Mallory   | Mandel      | Martin      | McClain     |
| McGregor  | Mecklenborg | Moran       | Morgan      |
| Murray    | Newcomb     | Oelslager   | Okey        |
| Otterman  | Patten      | Phillips    | Pillich     |
| Pryor     | Ruhl        | Sayre       | Schneider   |
| Sears     | Skindell    | Slesnick    | Snitchler   |
| Stautberg | Stebelton   | Stewart     | Sykes       |
| Szollosi  | Uecker      | Ujvagi      | Wachtmann   |
| Wagner    | Weddington  | Williams B. | Williams S. |
| Winburn   | Yates       | Yuko        | Zehringer   |
|           |             |             | Budish-97.  |

The bill passed.

Representative Patten moved to amend the title as follows:

Add the names: "Adams, R., Bacon, Baker, Batchelder, Belcher, Boose, Brown, Bupp, Burke, Carney, Celeste, Coley, Daniels, DeBose, Derickson, Dodd, Driehaus, Dyer, Gardner, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hall, Harwood, Hite, Hottinger, Huffman, Jordan, Koziura, Luckie, Lundy, Maag, Mandel, Martin, McGregor, Mecklenborg, Moran, Morgan, Murray, Newcomb, Pillich, Sayre, Slesnick, Snitchler, Stewart, Szollosi, Uecker, Ujvagi, Wagner, Winburn, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

#### Message from the Speaker

January 26, 2010

The Honorable Armond Budish  
Speaker of the House  
Ohio House of Representatives  
77 S. High St., 14th Floor  
Columbus, OH 43215

Dear Speaker Budish:

I wish to announce my official resignation as State Representative for the 33rd District effective January 28, 2010. I will take my new position as Judge in the Hamilton County Municipal Court effective Friday, January 29, 2010.

I want to thank you personally for the quality of your leadership and your warm friendship. I want to thank each Member of the House for their collegiality and mutual leadership work. I resign with a heavy heart of the loss of working with each of you and Governor Strickland's administration.

I look forward to my continued service in Ohio government and would like to keep an open ear and an extended hand for any help I can be to this body in the future.

With esteem and best wishes,

/s/ TYRONE K. YATES

Tyrone K. Yates

House of Representatives

Message from the Speaker

January 27, 2010

The Honorable Tyrone K. Yates

33rd District

Ohio House of Representatives

77 South High Street

Columbus, Ohio 43215-6111

Dear Representative Yates:

This is to acknowledge receipt and acceptance of your letter of resignation, effective Thursday, January 28, 2010.

You have served your constituents and the state of Ohio well over the years and I am confident you will continue to do so as a Hamilton County Municipal Court judge.

Sincerely,

/s/ ARMOND BUDISH

Armond Budish

Speaker

Ohio House of Representatives

Message from the Speaker

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on **Sub. H. B. No. 5**-Representatives Okey, Dodd - et al.

Representatives Okey, Dodd, and Mecklenborg.

Message from the Speaker

Pursuant to S. B. No. 277, 126th General Assembly, the Speaker hereby makes the following change to the National Statuary Collection Study Committee:

Remove Representatives Yates; appoint Representative Pillich.

On motion of Representative Szollosi, the House adjourned until Thursday, January 28, 2010 at 11:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,  
Clerk.