

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, FEBRUARY 17, 2010

ONE HUNDRED FORTY-FOURTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, February 17, 2010, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Peter Ray of the Bethel Lutheran Church in Grove City, 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:

Elisabeth Trisler received H. R. 155, presented by Representative J. Adams-78th district.

Charmece Martin, a guest of Representative S. Williams-11th district.

Brynna Boose, daughter of Representative Boose-58th district.

Students from Bryan High School, guests of Representative Goodwin-74th district.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 452-Representatives Bolon, Hite.

Cosponsors: Representatives Derickson, Domenick, Evans, Hackett, Letson, Mallory, Pryor, Ruhl, Sayre, Wagner, Williams, B., Yuko, Zehringer.

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 Ohio Disaster Response Readiness and Preparedness Fund through their income tax returns.

Said bill was considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Am. Sub. H. B. No. 27**-Representative Gerberry, et al., were taken up for consideration.

Am. Sub. H. B. No. 27-Representative Gerberry.

Cosponsors: Representatives Hagan, Okey, Bolon, Carney, Domenick, Foley, Yuko, Combs, Balderson, McClain, Ruhl, Zehringer, Adams, R., Amstutz, Baker, Batchelder, Beck, Belcher, Blair, Blessing, Book, Boose, Bulp, Burke, Chandler, Coley, Daniels, DeBose, DeGeeter, Derickson, Dodd, Dolan, Driehaus, Dyer, Fende, Gardner, Garland, Garrison, Goodwin, Goyal,

Grossman, Hackett, Hall, Harwood, Heard, Hite, Hottinger, Huffman, Jordan, Lehner, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McGregor, Mecklenborg, Moran, Morgan, Newcomb, Oelslager, Phillips, Pillich, Pryor, Sayre, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stewart, Szollosi, Uecker, Ujvagi, Wachtmann, Weddington, Williams, B., Williams, S., Yates. Senators Patton, Schaffer, Gibbs, Turner, Fedor, Wilson, Buehrer, Cafaro, Faber, Grendell, Harris, Hughes, Miller, D., Schiavoni, Strahorn, Widener, Schuring, Gillmor, Kearney, Miller, R., Smith, Stewart, Sawyer, Cates.

To amend sections 4501.21, 4503.571, and 5533.52 and to enact sections 4501.14, 4503.498, 4503.499, 4503.505, 4503.701, 4503.89, 4503.94, 5533.093, 5533.333, 5533.334, 5533.335, 5533.372, 5533.606, 5533.607, 5533.621, 5533.644, 5533.685, 5533.785, 5533.872, 5533.881, 5533.93, 5533.931, 5533.95, and 5533.96 of the Revised Code to create certain special license plates and to designate certain memorial highways and a memorial bridge.

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

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 | Beck |
| Belcher | Blair | Blessing | Bolon |
| Book | Boose | Brown | Bubp |
| Burke | Celeste | Chandler | Coley |
| Combs | Daniels | DeGeeter | Derickson |
| Dodd | Domenick | Driehaus | Dyer |
| Evans | Fende | Foley | Gardner |
| Garland | Garrison | Gerberry | Goodwin |
| Goyal | Grossman | Hackett | Hall |
| Harris | Harwood | Heard | Hite |
| Hollington | 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 |
| Sykes | Szollosi | Uecker | Ujvagi |
| Wachtmann | Wagner | Weddington | Williams B. |
| Williams S. | Winburn | Yuko | Zehringer |
| | | | Budish-93. |

The Senate amendments were concurred in.

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

Representative Blair submitted the following report:

The standing committee on Local Government/Public Administration to which was referred **H. B. No. 356**-Representative Mallory, et al., having had the same under consideration, reports it back and recommends its passage.

RE: OLYMPIC STYLE BOXING ELIGIBLE FOR LOCAL GRANTS

KATHLEEN CHANDLER
KENNY YUKO
TIMOTHY DERICKSON
TERRY BOOSE

W. CARLTON WEDDINGTON
MARGARET RUHL
NAN BAKER
TERRY BLAIR

The report was agreed to.

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

Representative Hottinger submitted the following report:

The standing committee on Insurance to which was referred **H. B. No. 384**-Representative Bolon, et al., having had the same under consideration, reports it back and recommends its passage.

RE: USE FEDERAL COMPENDIA FOR OFF LABEL DRUG USAGE

DAN DODD
JAY HOTTINGER
DAVID DANIELS
ROBERT HACKETT
TRACY HEARD
ROSS MCGREGOR
LYNN R. WACHTMANN

TOM LETSON
JOHN ADAMS
STEPHEN DYER
SANDRA STABILE HARWOOD
KRIS JORDAN
DEBBIE PHILLIPS
RICHARD R. HOLLINGTON

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Wednesday, February 17, 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, February 17, 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

Sub. S. B. No. 131-Senators Gillmor, Cafaro.

Cosponsors: Senators Widener, Grendell, Schuring, Gibbs, Carey, Faber, Morano, Fedor, Goodman, Harris, Hughes, Kearney, Miller, D., Miller, R., Niehaus, Patton, Sawyer, Schaffer, Seitz, Smith, Stewart, Wagoner, Schiavoni. Representatives Okey, Sayre.

To amend sections 125.04, 5513.02, and 5747.77 and to enact sections 125.091, 125.092, 125.093, 3345.691, and 3345.692 of the Revised Code to require that the Director of Administrative Services establish a program that ensures that supplies composed of biobased products are purchased by the Department of Administrative Services, other state agencies, and state institutions of higher education, and to extend the income tax credit for retail sales of alternative fuel for two additional years, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 93, nays 1, 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 | Celeste | Chandler | Combs |
| Daniels | DeGeeter | Derickson | Dodd |
| Domenick | Driehaus | Dyer | Evans |
| Fende | Foley | Gardner | Garland |
| Garrison | Gerberry | Goodwin | Goyal |
| Grossman | Hackett | Hall | Harris |
| Harwood | Heard | Hite | Hollington |
| 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 | Yuko | Zehringer |
| | | | Budish-93. |

Representative Coley voted in the negative-1.

The bill passed.

Representative Pryor moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Balderson, Beck, Belcher, Blessing, Book, Boose, Brown, Bubp, Celeste, Chandler, Combs, Daniels, DeGeeter, Derickson, Dodd, Domenick, Driehaus, Dyer, Evans, Foley, Garland, Garrison, Goodwin, Goyal, Hackett, Harris, Harwood, Heard, Hite, Koziura, Letson, Luckie, Mallory, McClain, McGregor, Newcomb, Oelslager, Patten, Phillips, Pillich, Pryor, Ruhl, Skindell, Slesnick, Snitchler, Stebelton, Stewart, Uecker, Ujvagi, Wagner, Weddington, Williams, B., Winburn, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 35-Representative Dyer.

Cosponsors: Representatives Williams, B., Hagan, Boyd, Harris, Luckie, Amstutz.

To amend sections 6115.04, 6115.05, 6115.06, 6115.08, 6115.16, 6115.21, 6115.22, 6115.33, 6115.40, 6115.43, 6115.45, 6115.46, 6115.47, and 6115.69 and to enact sections 6115.051, 6115.081, 6115.082, 6115.091, 6115.092, 6115.093, 6115.094, 6115.095, 6115.096, and 6115.321 of the Revised Code to revise the law governing sanitary districts that are organized wholly for the reduction of populations of biting arthropods, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 93, nays 1, as follows:

Those who voted in the affirmative were: Representatives

| | | | |
|-----------|------------|-------------|------------|
| Adams J. | Amstutz | Bacon | Baker |
| Balderson | Batchelder | Beck | Belcher |
| Blair | Blessing | Bolon | Book |
| Boose | Brown | Bubp | Burke |
| Celeste | Chandler | Coley | Combs |
| Daniels | DeGeeter | Derickson | Dodd |
| Domenick | Driehaus | Dyer | Evans |
| Fende | Foley | Gardner | Garland |
| Garrison | Gerberry | Goodwin | Goyal |
| Grossman | Hackett | Hall | Harris |
| Harwood | Heard | Hite | Hollington |
| 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 | Yuko | Zehringer |
| | | | Budish-93. |

Representative Adams R. voted in the negative-1.

The bill passed.

Representative Dyer moved to amend the title as follows:

Add the names: "Combs, Domenick, Dyer, Harwood, Letson, Mallory, Stewart."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 349-Representatives Weddington, Maag.

Cosponsors: Representatives Letson, Harris, Derickson, Gerberry, Stewart, Belcher, Williams, B.

To amend sections 5101.34, 5101.341, and 5101.342 of the Revised Code to revise the membership, staffing, and duties of the Ohio Commission on Fatherhood, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 71, nays 23, as follows:

Those who voted in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|------------|
| Bacon | Baker | Balderson | Batchelder |
| Belcher | Blair | Blessing | Bolon |
| Book | Brown | Celeste | Chandler |
| DeGeeter | Derickson | Dodd | Domenick |
| Driehaus | Dyer | Fende | Foley |
| Gardner | Garland | Garrison | Gerberry |
| Goyal | Grossman | Hackett | Harris |
| Harwood | Heard | Hite | Hottinger |
| Koziura | Lehner | Letson | Luckie |
| Lundy | Maag | Mallory | McClain |
| McGregor | Mecklenborg | Moran | Morgan |
| Murray | Newcomb | Oelslager | Okey |
| Otterman | Patten | Phillips | Pillich |
| Pryor | Ruhl | Sayre | Schneider |
| Skindell | Slesnick | Snitchler | Stewart |
| Sykes | Szollosi | Uecker | Ujvagi |
| Weddington | Williams B. | Williams S. | Winburn |
| Yuko | Zehringer | | Budish-71. |

Those who voted in the negative were: Representatives

| | | | |
|----------|----------|---------|-------|
| Adams J. | Adams R. | Amstutz | Beck |
| Boose | Bubp | Burke | Coley |

| | | | |
|-----------|------------|---------|------------|
| Combs | Daniels | Evans | Goodwin |
| Hall | Hollington | Huffman | Jordan |
| Mandel | Martin | Sears | Stautberg |
| Stebelton | Wachtmann | | Wagner-23. |

The bill passed.

Representative Weddington moved to amend the title as follows:

Add the names: "Blessing, Bolon, Brown, Domenick, Dyer, Foley, Goyal, Harwood, Heard, Hite, Koziura, Luckie, Lundy, Mallory, McGregor, Newcomb, Phillips, Pillich, Sayre, Skindell, Sykes, Szollosi, Ujvagi, Williams, S., Winburn, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Szollosi, the House adjourned until Thursday, February 18, 2010 at 11:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.