

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, MARCH 4, 2009

EIGHTEENTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, March 4, 2009, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Tyrone Yates-33rd district, 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:

Monique Menefee, a guest of Speaker Budish-8th district.

Former State Senator Dan Brady, a guest of Representative Foley-14th district.

Mackenzie Keys, Laura Nash, Marcia Ballinger, Cindy Kushner, and John Keys, guests of Representative Koziura-56th district.

Charles Finklea and Sarah Hackemoeller, guests of Representative Hottinger-71st district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 58-Representative McGregor.

To amend section 124.341 and to enact section 117.103 of the Revised Code to require the Auditor of State to establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices or officials.

H. B. No. 59-Representative Stibelton.

Cosponsors: Representatives Zehringer, Stautberg, Dodd, Balderson, Blessing, Okey, Amstutz, Winburn.

To enact section 3313.538 of the Revised Code to prohibit disqualification of certain students who live with legal or temporary custodians or with guardians from interscholastic athletics solely because their parents do not reside in the state.

H. B. No. 60-Representative Pillich.

Cosponsors: Representatives Harris, Foley, Hagan, Weddington, Chandler, Yates, Phillips, Patten, Yuko, Luckie.

To amend sections 3302.07, 3313.814, 3314.03, and 3326.11 and to enact section 3313.816 of the Revised Code to establish nutritional standards for food and beverages sold in vending machines in public schools.

H. B. No. 61-Representatives Hottinger, Grossman.

Cosponsors: Representatives Adams, J., Huffman, Boose, Jordan, Uecker, Coley, Hackett, Stebelton, Bubp, Sears.

To amend sections 5731.02, 5731.21, and 5731.48 and to enact sections 5731.55 and 5731.56 of the Revised Code to reduce the estate tax by increasing the credit amount, to authorize townships and municipal corporations, or electors thereof by initiative, to exempt from the estate tax any estate property located in the township or municipal corporation, and to distribute all estate tax revenue originating in a township or municipal corporation that does not exempt property from the tax to the township or municipal corporation.

H. B. No. 62-Representative Pryor.

Cosponsors: Representatives Book, Dodd, Domenick, Fende, Garrison, Letson, Luckie, Murray, Newcomb, Pillich, Slesnick, Ujvagi, Winburn, Yuko.

To enact section 5903.101 of the Revised Code to require relevant military experience to be considered by state licensing boards and agencies and by private state contractors and to provide a waiver of a licensure or certification fee if a veteran is within six months of separation from active military duty.

Said bills were considered the first time.

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

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

H.B. No. 40 - Representative Letson, et al

TO REQUIRE CERTAIN EMPLOYERS TO ALLOW A PARENT TO EXERCISE COURT-ORDERED PARENTING TIME WITHOUT TERMINATING EMPLOYMENT, REDUCING PAY, OR TAKING OTHER SIMILAR ACTION AGAINST THE PARENT.

To the committee on Judiciary

H.B. No. 41 - Representative Gerberry, et al

TO REQUIRE THAT A PORTION OF LOTTERY PROFITS BE DISTRIBUTED ANNUALLY ON A PER PUPIL BASIS TO PUBLIC AND CHARTERED NONPUBLIC SCHOOLS.

To the committee on Education

H.B. No. 42 - Representative Evans, et al

TO ESTABLISH REQUIREMENTS AND PROCEDURES FOR THE REMOVAL OF BEAVER DAMS AND BEAVERS AS ORDERED BY BOARDS OF TOWNSHIP TRUSTEES.

To the committee on Agriculture and Natural Resources

H.B. No. 43 - Representative Evans, et al

TO ELIMINATE DUPLICATIVE FEES FOR INSPECTIONS OF THE FACILITY LAYOUT AND EQUIPMENT OF RELOCATED FOOD SERVICE OPERATIONS.

To the committee on Local Government and Public Administration

H.B. No. 44 - Representatives Hagan and Huffman, et al

TO ELIMINATE THE FINANCIAL RESPONSIBILITY RANDOM VERIFICATION PROGRAM OF THE BUREAU OF MOTOR VEHICLES.

To the committee on Insurance

H.B. No. 45 - Representative Ujvagi, et al

TO REQUIRE THE HEADLIGHTS OF A VEHICLE TO BE LIGHTED WHEN ITS WINDSHIELD WIPERS ARE IN USE.

To the committee on Transportation and Infrastructure

H.B. No. 46 - Representative Ujvagi, et al

TO PERMIT PERSONS WHO QUIT WORK TO ACCOMPANY THE PERSON'S SPOUSE ON A MILITARY TRANSFER TO BE ELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS.

To the committee on Veterans Affairs

H.B. No. 47 - Representative Ujvagi, et al

TO REQUIRE THE REGISTRAR OF MOTOR VEHICLES AND DEPUTY REGISTRARS TO INQUIRE ABOUT AN INDIVIDUAL'S VETERAN STATUS, AND, IF GIVEN PERMISSION, TO FORWARD THE VETERAN'S PERSONAL INFORMATION TO THE DIRECTOR OF VETERANS SERVICES.

To the committee on Veterans Affairs

H.B. No. 48 - Representative Ujvagi, et al

TO PROVIDE TWO WEEKS OF LEAVE FOR ANY EMPLOYEE WHO IS THE SPOUSE OR PARENT OF A MEMBER OF THE UNIFORMED SERVICES WHO IS CALLED TO ACTIVE DUTY OR IS INJURED, WOUNDED, OR HOSPITALIZED WHILE SERVING IN A COMBAT ZONE.

To the committee on Veterans Affairs

H.B. No. 49 - Representative Ujvagi, et al

TO AUTHORIZE A BOARD OF COUNTY COMMISSIONERS OR A BOARD OF TRUSTEES OF A REGIONAL WATER AND SEWER DISTRICT TO OFFER DISCOUNTS ON WATER AND SEWER RATES TO PERSONS SIXTY-FIVE YEARS OF AGE OR OLDER.

To the committee on Local Government and Public Administration

H.B. No. 50 - Representative Domenick, et al

TO REQUIRE A MOTOR VEHICLE CERTIFICATE OF REGISTRATION TO HAVE A SUPPLEMENTAL PORTION THAT CONTAINS ALL THE INFORMATION CONTAINED IN THE MAIN PORTION OF THE CERTIFICATE EXCEPT FOR THE ADDRESS OF THE PERSON TO WHOM THE CERTIFICATE IS ISSUED.

To the committee on Insurance

H.B. No. 51 - Representative Miller, et al

TO CREATE THE TRIPLE NEGATIVE BREAST CANCER COMMISSION.

To the committee on Health

H.B. No. 52 - Representatives Okey and Stelbelton, et al

TO CREATE THE OHIO BEEKEEPERS TASK FORCE.

To the committee on Agriculture and Natural Resources

T. TODD BOOK
BARBARA BOYD
MATT LUNDY
JOHN ADAMS
KRIS JORDAN

JOSEPH KOZIURA
TIMOTHY J. DEGEETER
LOUIS W. BLESSING
WILLIAM G. BATCHELDER

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 contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

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

H.R. No. 22 - Representative Sears

Honoring Beatrice Thaman on being named one of Ohio's top two youth volunteers.

/s/ TODD BOOK
Todd Book, Chair

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

The motion was agreed to.

Representative Blessing reported for the Rules and Reference Committee recommending that the following House Resolution be read and approved:

H.R. No. 23 –Representative Huffman, Speaker Budish, Representatives Batchelder, Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Blair, Blessing, Bolon, Book, Boose, Boyd, Brown, Bubp, Burke, Carney, Celeste, Chandler, Coley, Combs, Daniels, DeBose, DeGeeter, Derickson, Dodd, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, Hall, Harris, Harwood, Heard, Hite, Hottinger, Jones, Jordan, Koziura, Lehner, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Mecklenborg, Miller, 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

In memory of Staff Sergeant Jason E. Burkholder.

/s/ TODD BOOK

Todd Book, Chair

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

The motion was agreed to.

Representative Szollosi 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. 24-Speaker Budish, Representative Batchelder.

Relative to travel allowance.

WHEREAS, Section 101.27 of the Revised Code provides that each member receive a travel reimbursement based upon the mileage from and to the member's place of residence, by the most direct highway route of public travel to and from the seat of government; therefore be it

RESOLVED, That the Clerk or Deputy Clerk of the House of Representatives is hereby authorized to pay the following members travel allowance based upon their round trip mileage as set opposite their names and district numbers:

| Member's Name | District Number | Round Trip Mileage |
|-----------------|-----------------|--------------------|
| Tyrone K. Yates | 33 | 208 |
| Jim Zehringer | 77 | 240 |

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 | Blair |
| Blessing | Bolon | Book | Boose |
| Boyd | Brown | Bubp | Burke |
| Carney | Celeste | Chandler | Coley |
| Combs | Daniels | DeBose | DeGeeter |
| Derickson | Dodd | Dolan | Domenick |
| Driehaus | Dyer | Evans | Fende |
| Foley | Gardner | Garland | Garrison |
| Gerberry | 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 | Morgan | Murray | Oelslager |
| Okey | Otterman | Patten | Phillips |
| Pillich | Pryor | Ruhl | Sayre |
| Schneider | Sears | Skindell | Snitchler |
| Stautberg | Stebelton | Stewart | Sykes |
| Szollosi | Uecker | Ujvagi | Wachtmann |
| Wagner | Weddington | Williams B. | Williams S. |
| Winburn | Yates | Yuko | Zehringer |
| | | | Budish-97. |

The resolution was adopted.

Message from the Senate

Mr. Speaker:

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

S. C. R. No. 3 -Senators Niehaus, Faber, Wagoner, Seitz, Wilson, Patton, Cafaro, Gibbs, Miller, R., Smith

To adopt Joint Rules of the Senate and House of Representatives for the

128th General Assembly.

Attest:

Vincent L. Keeran,
Clerk.

Representative Szollosi moved that the following concurrent 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:

S. C. R. No. 3-Senator Niehaus.

Cosponsors: Senators Faber, Wagoner, Seitz, Wilson, Patton, Cafaro, Gibbs, Miller, R., Smith.

To adopt Joint Rules of the Senate and House of Representatives for the 128th General Assembly.

RESOLVED: That the following are the Joint Rules of the Senate and House of Representatives for the 128th General Assembly:

JOINT RULES
JOINT SESSIONS

Rule 1. (Convention: place and procedure.) Whenever the two branches of the General Assembly convene for any purpose required by the Constitution or laws of the state, such convention shall be held in the Hall of the House of Representatives, unless otherwise ordered by a joint resolution of the two branches, and the President of the Senate shall preside. During all such conventions each branch shall be held to be in session as a separate branch of the General Assembly and to be governed by its own rules; and except in voting on questions unique to the convention, where each member is entitled to a separate vote, shall act as such and no question shall be considered as carried otherwise than by the concurrent action of both branches; provided, that either branch may, by a vote of a majority of all its members, dissolve from such convention by withdrawing therefrom; and such convention may, by the concurrent vote of the two branches, take a recess or adjourn to a time certain, but such recess or adjournment of the convention shall not be held to be an adjournment or recess of either branch nor to prevent either from proceeding with its usual business during such recess or adjournment of the convention.

Rule 2. (Voting in convention.) In voting on all questions unique to a convention, a majority of the votes cast shall be necessary to a choice.

JOINT SELECT COMMITTEES

Rule 3. (Joint select committees: creation.) The President may initiate creation of a joint select committee of the Senate and House for the purpose of considering a Senate bill or a Senate joint or concurrent resolution. The Speaker may initiate creation of a joint select committee of the Senate and House for the purpose of considering a House bill or a House joint or concurrent resolution. A bill or joint or concurrent resolution shall not be referred to a joint select committee if its main feature is the appropriation of money or a proposal to alter or modify the state's existing tax structure.

To initiate creation of a joint select committee, the President shall cause to be read before the Senate or the Speaker shall cause to be read before the House a message creating the joint select committee. After the message is read, it shall lie over one calendar day before it is voted upon. If the message is approved, it shall be transmitted to the second house. Upon receipt, the President or Speaker shall cause the message to be read before the second house. After the message is read in the second house, it shall lie over one calendar day before it is voted upon. If the message is approved in the second house, the joint select committee thereupon is created as specified in the message. The second house shall notify the first of its disposition of the message. The message shall be spread in full upon the Senate and House Journals.

The message is not amendable and shall be voted upon as a whole. Either house, by vote of a majority of the members elected thereto, may suspend the requirement that the message lie over one calendar day before it is voted upon in that house.

The message shall be provided to each member of the Senate and House at the time it is read therein.

The message shall specify the name of the joint select committee, the equal number of members the joint select committee is to have from each house, the number of members of the majority party and the number of members of the minority party the joint select committee is to have from each house, the purpose the joint select committee is to fulfill, and any special rules with respect to submission of its report. The bill or joint or concurrent resolution shall be attached to the message.

Reading of the message in the first house constitutes second consideration of the bill in that house; the reading of the message and second consideration of the bill shall be recorded in the journal of the first house. Reading of the message in the second house constitutes first consideration of the bill in that house; the reading of the message and first consideration of the bill shall be recorded in the journal of the second house.

Rule 4. (Joint select committees: members and officers.) A joint select committee shall have an equal number of members from the Senate and House. The President shall appoint, and may remove and replace, the Senate members of a joint select committee. The Senate Minority Leader, in a manner to be determined by the Senate Minority Caucus, may recommend Senate minority

party members for a joint select committee. The Speaker shall appoint, and may remove and replace, the House members of a joint select committee. The House Minority Leader, in a manner to be determined by the House Minority Caucus, may recommend House minority party members for a joint select committee. The President and Speaker shall appoint members from their respective houses as necessary to fill vacancies on a joint select committee. The appointment or removal of a member of a joint select committee shall be entered upon the journal of the house from which the member is appointed.

If a joint select committee is created to consider a Senate bill or joint or concurrent resolution referred by the Senate, the first-named Senate member is chairman and the first-named House member is vice-chairman of the joint select committee. If a joint select committee is created to consider a House bill or joint or concurrent resolution referred by the House, the first-named House member is chairman and the first-named Senate member is vice-chairman of the joint select committee.

In the absence of the chairman of a joint select committee, the vice-chairman of the joint select committee has the duties and authority of the chairman.

Rule 5. (Joint select committees: consideration and report by.) A joint select committee shall study and conduct hearings with respect to, and may amend or substitute, the bill or joint or concurrent resolution. The joint select committee may report the bill or joint or concurrent resolution. Bills or joint or concurrent resolutions that are reported shall be filed in sextuplicate with the clerk of the house where the bill or joint or concurrent resolution originated. The original bill or joint or concurrent resolution shall accompany the report. The joint select committee shall indicate in the report the members who voted "yes" and "no" on the report.

The report shall be presented to the house where the bill or joint or concurrent resolution originated and shall be spread upon the journal.

If a bill reported by a joint select committee passes the house of origin, its subsequent introduction in the second house constitutes second consideration of the bill in that house. The introduction and second consideration of the bill shall be recorded in the journal of the second house.

A bill or joint or concurrent resolution reported by a joint select committee is not required to be referred to a Senate or House standing or select committee or subcommittee.

Rule 6. (Joint select committees: quorum; voting.) A majority of the Senate members and a majority of the House members of a joint select committee is a quorum. Each member of a joint select committee has one vote. A joint select committee may not take any action unless the action is agreed to by a majority of its members on the part of the Senate and by a majority of its members on the part of the House. However, except for reporting a bill or joint or concurrent resolution with a recommendation that it be indefinitely postponed

or passed or adopted, a joint select committee, by vote of a majority of its members on the part of the Senate and a majority of its members on the part of the House, may choose to take any action upon agreement, not of separate majorities, but of a majority of all the members of the whole joint select committee.

A proxy vote in a joint select committee is invalid. A member of a joint select committee who is present shall vote unless excused by the joint select committee. A member of a joint select committee is not entitled to vote except while actually present in a meeting of the joint select committee, unless the member has first actually been present in the meeting, and the vote is continued for members who, before the vote, were actually present in, but at the time of the vote are absent from, the meeting. Continuation of a vote may not extend later than midnight of the day on which the vote was continued.

Rule 7. (Joint select committees: subpoena power; power to administer oaths.) The chairman of a joint select committee, when authorized by the joint select committee and by the President and Speaker, may issue subpoenas and subpoenas duces tecum in aid of the joint select committee's consideration of a bill or joint or concurrent resolution that has been referred to the joint select committee. Subpoenas may require witnesses in any part of the state to appear before the joint select committee at a time and place designated in the subpoena to testify. Subpoenas duces tecum may require witnesses or other persons in any part of the state to produce books, papers, records, and other tangible evidence before the joint select committee at a time and place designated in the subpoena duces tecum. A subpoena or subpoena duces tecum shall be issued, served, and returned, and have consequences, as provided in sections 101.41 to 101.45 of the Revised Code.

The chairman of a joint select committee may administer oaths to witnesses appearing before the joint select committee.

Rule 8. (Joint select committees: open meetings.) All meetings of a joint select committee shall be open to the public unless closed in accordance with Ohio Constitution, Article II, Section 13.

The chairman of a joint select committee, not later than two days before a meeting of the joint select committee, shall give due notice of the meeting. The notice shall identify the joint select committee, identify the chairman, state the time and place at which the meeting will be held, and set forth an agenda showing the bill or joint or concurrent resolution that will be considered at the meeting. If an emergency requires consideration of a bill or joint or concurrent resolution at a meeting, and two days' advance notice of the meeting therefore is impractical, the chairman may schedule an emergency meeting of the joint select committee by giving twenty-four hours' advance notice of the emergency meeting to the news media that have requested such notification and the bill or joint or concurrent resolution then may be considered at the emergency meeting as the emergency requires.

A joint select committee shall not meet during a session of the Senate or House, except by special leave of that house.

Rule 9. (Joint select committees: records.) The chairman of a joint select committee shall maintain a record of evidence that is presented before, or obtained by, the joint select committee.

The joint select committee shall keep minutes of its proceedings and at each meeting except the first shall approve the minutes taken at the previous meeting, or, if the minutes require correction, shall correct and approve the minutes. The joint select committee shall maintain a record of its approved minutes, and promptly after approval shall file a copy of its minutes with the Clerk of the Senate and Clerk of the House.

When a joint select committee concludes its work, or upon sine die adjournment of the house of which the joint select committee's chairman is a member, the chairman shall deliver all the joint select committee's records to the Clerk of the Senate if the chairman is a member of the Senate or to the Clerk of the House if the chairman is a member of the House.

VETOES

Rule 10. (Question when bill is vetoed.) When under Ohio Constitution, Article II, Section 16, a message is transmitted to the house of origin by the Governor, expressing disapproval of any bill or item of an appropriation bill that has been passed by the General Assembly, the house of origin may reconsider and repass the bill or item. If the house of origin repasses the bill or item, it shall send the bill or item, together with the message of the Governor expressing disapproval, to the other house, which then may reconsider and repass the bill or item. A vetoed bill or item shall be repassed by not fewer than three-fifths of the members elected to each house, and in no case by a fewer number of votes than was constitutionally required upon its original passage. The question upon reconsidering a vetoed bill in either house shall be presented as follows: "Shall the bill (or item or items of an appropriation bill) be passed notwithstanding the objections of the Governor?" The vote shall be taken in either house by calling the yeas and nays and shall be recorded in the journal.

BILLS

Rule 11. (Form of bills introduced.) Bills introduced in either house shall be printed, shall bear the name of the author, and must in all respects, as to form, comply with the laws and the rules of both houses of the General Assembly.

Rule 12. (Content of title of bills.) Bills shall have noted in their titles a distinct reference to the subject or matter to which they relate and also, if they propose the amendment or repeal of any law, to the section proposed to be amended or repealed.

Rule 13. (Printing of bills and resolutions.) Bills and joint and concurrent resolutions, unless otherwise ordered by the house in which they are introduced or offered, shall be printed and available for distribution upon first consideration.

Rule 14. (Drafting of bills.) Bills shall be submitted for introduction with all material double-spaced. The Legislative Service Commission shall determine the size of the paper on which bills shall be printed and the manner in which all new language and punctuation to be amended or enacted into the Revised Code and all language and punctuation to be eliminated from an existing section of the Revised Code shall be formatted.

CONCURRENCE

Rule 15. (When notice of action on bills or resolutions shall be given to the other house.) When a bill or joint or concurrent resolution has been passed or adopted in either house, notice shall be forthwith given to the other house. When a bill or joint or concurrent resolution that has been passed or adopted in one house is rejected or lost in the other, or postponed indefinitely, notice thereof shall forthwith be given to the other house.

Rule 16. (Procedure when a bill or resolution is amended by the other house.) When a bill or joint or concurrent resolution has passed or been adopted in one house, and been amended, passed or adopted, and returned by the other, it shall lie over one calendar day, unless otherwise ordered by a majority of the members elected to the house to which it was returned. The amendment shall be printed in the journal of the house to which it was returned. The bill or joint or concurrent resolution shall be placed on the calendar. The calendar shall show on what page of the journal the amendment has been printed.

When taken up, the question shall be on the concurrence in the amendment of the other house and no motions shall be in order except (1) a motion to informally pass or (2) if the rules of the member's house authorize such a motion, a motion of a member to add or remove the member's name from the bill or joint or concurrent resolution. The same number of votes shall be required to concur in the amendment as was required to pass or adopt the bill or joint or concurrent resolution in the house in which it originated; if the question be upon concurrence in an amendment to a bill which has passed the other house as an emergency measure, then a vote shall be taken first, upon the emergency features of the bill and second, upon concurrence in the amendment. The same number of votes shall be required on each vote as was required to pass the bill as an emergency measure. If such house refuses to concur in the amendment to the bill or joint or concurrent resolution, or if the house refuses to agree to the emergency features of the bill, notice shall be forthwith sent to the other house where the proceedings shall be either:

First, to insist upon its amendment and ask for a committee of conference;

Second, to recede from its amendment, which has the effect of passing the bill or adopting the joint or concurrent resolution in the form in which it passed or was adopted by the house in which it originated; or

Third, to adhere to its amendment, which precludes a committee of conference.

COMMITTEE OF CONFERENCE

Rule 17. (Membership of committee; acceptance of report.) All committees of conference are joint committees that shall consist of three members of the Senate and three members of the House of Representatives unless committee membership is otherwise specially ordered by both houses.

If a committee of conference has under consideration a House bill or joint or concurrent resolution, the first-named House member shall be chair of the committee. If the committee has a Senate bill or joint or concurrent resolution under consideration, the first-named Senate member shall be chair.

A question in a committee of conference shall be decided by at least a majority of the members on the part of the Senate and a majority of the members on the part of the House. However, except for the question of agreeing to the committee's report, the committee, by vote of a majority of its members on the part of the Senate and a majority of its members on the part of the House, may choose to decide a question, not by separate majorities, but by a majority of all the members of the whole committee.

Rule 18. (Procedure when the committee disagrees.) Whenever any committee of conference cannot reach agreement, another committee may be appointed; and if either of the two houses disagrees to any report of a committee of conference, such house shall forthwith notify the other house of such disagreement, and upon request of that house another committee shall be appointed.

If the disagreeing house does not make such a request, the committee of conference whose report was refused may proceed to propose another report.

Rule 19. (What the report may include.) A committee of conference appointed to consider matters of difference between the two houses upon any bill or joint or concurrent resolution may consider and include in its report any amendments pertinent to the bill or joint or concurrent resolution, provided such amendments relate exclusively to the original matters of difference between the two houses.

Rule 20. (When the report of the committee is in order; consideration.) The report of a committee of conference cannot be laid on the table, referred to a committee, or indefinitely postponed, and must be voted upon as a whole.

Conference committee reports shall lie over at least one day after conference committee approval before the House or Senate may consider them, unless otherwise ordered by a majority vote of all the members present in that house.

Rule 21. (Where the papers are to be filed.) When a committee of conference has met and come to an agreement, or where no agreement is reached, the bill or joint or concurrent resolution and papers adhering thereto shall remain in the house in which the bill or joint or concurrent resolution originated.

Rule 22. (Vote required by each house.) The yeas and nays shall be called upon agreeing to the report of the committee of conference, and except as otherwise provided in this rule, no such report shall be agreed to unless it receives the vote of a majority of the members elected to each house.

In the case of emergency bills, or bills to which an emergency clause was attached by the committee of conference, the report shall receive two votes of two-thirds of the members elected to each house. The question on the first such vote shall be: "Shall the emergency clause of the bill stand as part of the report?" The question on the second such vote shall be: "Shall the report of the committee of conference be agreed to as an emergency measure?"

In the case of joint resolutions proposing amendments to the Ohio Constitution, the report shall receive the votes of not fewer than three-fifths of the members elected to each house. The joint resolution shall be spread in full upon the journal of each house.

When the question of agreeing to the report of a committee of conference is taken up, no motions are in order except (1) a motion to informally pass or (2) if a rule of the member's house authorizes such a motion, a member's motion to add or remove the member's name from the bill or joint or concurrent resolution.

MESSAGES

Rule 23. (By and to whom delivered.) All messages sent from one house to the other shall be carried by an officer or employee of the sending house, who shall take a receipt for the same from the message clerk of the receiving house to whom the officer or employee delivers the message. The message clerk shall deliver the message without delay to the clerk of the receiving house and take a receipt therefor from the receiving clerk or one of the receiving clerk's assistants authorized by the receiving clerk to receipt for messages. The receiving clerk shall deliver each message to the presiding officer of the receiving house, who shall, in the proper order of business, and within a reasonable time, lay it before the house.

ENGROSSMENT OF BILLS AND RESOLUTIONS

Rule 24. (Manner of engrossment of bills and resolutions.) All bills and resolutions, before they are passed or adopted by either house, shall be carefully engrossed in printing, and the engrossed copy shall be carefully compared with the original bill or resolution and with the journal showing the amendments agreed to.

Rule 25. (Printing.) When the Clerk of the Senate or Clerk of the House is required to print a bill, resolution, report, or other document belonging to or in the possession of the Senate or House, the Clerk may use a method of printing as contemplated by sections 101.51 to 101.524 of the Revised Code.

Rule 26. (Manner of engrossment when bill or resolution amended by the other house.) When a bill or joint or concurrent resolution has passed or been adopted in one house, and been amended in the other, the bill or joint or concurrent resolution, as amended, shall be fully engrossed, and both returned,

with the engrossed bill or joint or concurrent resolution received from the other house, to the house in which it originated. In such engrossments, amendments shall be engrossed in printing. Whenever a bill or joint or concurrent resolution is passed or adopted in one house and sent to the other and a substitute therefor is agreed to by such house, in the communications between the houses, such substitutes shall be designated and treated as an amendment to the original bill or resolution.

SIGNING OF BILLS AND JOINT RESOLUTIONS

Rule 27. (Who shall sign bills and joint resolutions; procedure when bill vetoed by Governor.) All bills and joint resolutions that have passed or been adopted in both houses shall be first signed by the presiding officer of the House of Representatives, and then by the presiding officer of the Senate, the latter delivering the same to the Clerk of the Senate, who shall deliver each bill so passed to the Governor, taking a receipt therefor, and each joint resolution to the Secretary of State, taking a receipt therefor. When any bill is vetoed by the Governor and subsequently enacted into law over such veto, in accordance with Ohio Constitution, Article II, Section 16, the enrolled copy shall be endorsed with the record of the proceedings in each house subsequent to the veto attested by the presiding officer of the House and the presiding officer of the Senate, and the presiding officer of the second house shall file it with the Secretary of State.

GENERAL PROCEDURE

Rule 28. (Floor privileges for the news media.) Whenever the two branches of the General Assembly are convened in joint convention, representatives of the press and representatives of radio and television stations and broadcasting networks shall be granted floor privileges in the same manner provided for by the Rules of the House of Representatives.

Rule 29. (Letters and simple resolutions.) When a member of the House of Representatives and a member of the Senate jointly request on behalf of the House and Senate letters or simple resolutions conveying messages of commendation, congratulation, recognition, or condolence to persons or organizations named in such request, the Speaker of the House shall sign on behalf of the House and the President of the Senate shall sign on behalf of the Senate.

The Clerk of the Senate or Clerk of the House shall arrange for the transmittal of such message to persons or organizations designated in the request and shall keep a record of the distribution of such letters and resolutions, which record shall be open for inspection by any member of the General Assembly.

Rule 30. (Suspension of Joint Rules.) Except as otherwise explicitly provided in the Joint Rules, no joint rule may be suspended or altered except by joint resolution adopted by two-thirds vote of each house of the General Assembly.

Representative Szollosi moved to amend the title as follows:

Add the names: "Representatives Amstutz, Batchelder, Brown, Burke,

Chandler, Combs, Domenick, Dyer, Fende, Garrison, Gerberry, Goyal, Hagan, Harris, Heard, Huffman, Lehner, Letson, Luckie, Mallory, Martin, Moran, Morgan, Patten, Pillich, Pryor, Sayre, Schneider, Stewart, Szollosi, Williams, S., Winburn, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

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 | Blair |
| Blessing | Bolon | Book | Boose |
| Boyd | Brown | Bubp | Burke |
| Carney | Celeste | Chandler | Coley |
| Combs | Daniels | DeBose | DeGeeter |
| Derickson | Dodd | Dolan | Domenick |
| Driehaus | Dyer | Evans | Fende |
| Foley | Gardner | Garland | Garrison |
| Gerberry | 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 | Morgan | Murray | Oelslager |
| Okey | Otterman | Patten | Phillips |
| Pillich | Pryor | Ruhl | Sayre |
| Schneider | Sears | Skindell | Snitchler |
| Stautberg | Stebelton | Stewart | Sykes |
| Szollosi | Uecker | Ujvagi | Wachtmann |
| Wagner | Weddington | Williams B. | Williams S. |
| Winburn | Yates | Yuko | Zehringer |
| | | | Budish-97. |

The concurrent resolution was adopted.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

S. B. No. 9 -Senator Patton

Cosponsors: Senators Gillmor, Grendell, Gibbs, Wagoner, Coughlin, Schuring, Carey, Hughes

To amend section 5747.98 and to enact sections 122.85 and 5747.66 of the Revised Code to authorize income tax credits for investments in motion pictures produced in Ohio.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

On motion of Representative Szollosi, the House adjourned until Thursday, March 5, 2009 at 1:00 o'clock p.m.

Attest:

THOMAS L. SHERMAN,
Clerk.