

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
WEDNESDAY, MARCH 24, 2010

ONE HUNDRED SIXTY-FIRST DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, March 24, 2010, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Scott Patterson of the Dover Congregational Church in Westlake, 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:

Alex Andrews received H. R. 234, presented by Representative Fende-62nd district.

Roger Baker and David Toogen, guests of Representative Amstutz-3rd district.

Mauricha Marcussen and Sharon Montgomery, guests of Representative Garland-20th district.

Marie, Thomas, Kristine, and "Eragon" Severyn, guests of Representatives Bacon-21st district and Blair-38th district.

Joe and Joan Henke, a guest of Representative Driehaus-31st district.

Carolyn Sherman, a guest of Representative Reece-33rd district.

Dr. James Renick, a guest of Representative Winburn-40th district.

Rose Papalardo and Andrea and Scott Andrews, guests of Representative Fende-62nd district.

Melvin Liddle, Marie Economus, and Tommy Shay, guests of Representative Letson-64th district.

Linda Walker and Nikki Goeser, guests of Representative Bubp-88th district.

Students from Washington Elementary School, guests of Representative Garrison-93rd district.

Fourth grade students from Northside Christian School, guests of Representatives Stebelton-5th district, Harris-19th district, and Jordan-2nd district.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 473-Representative Pillich.

Cosponsors: Representatives Harris, Murray, Williams, B.

To amend sections 2151.022, 2152.02, and 2907.323 and to enact section 2907.324 of the Revised Code to prohibit a minor, by use of a telecommunications device, from knowingly receiving, exchanging, sending, posting, or possessing a photograph, video, or other material that shows a minor in a state of nudity and to define a state of nudity for purposes of this prohibition, to limit the offense of "illegal use of a minor in a nudity-oriented material or performance" to acts committed by persons 18 years of age or older, and to prohibit a minor from committing by means other than a telecommunications device delinquent acts that would be the offense of "illegal use of a minor in a nudity-oriented material or performance" if committed by an adult.

Said bill was considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Bacon submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 431**-Representatives Okey, Huffman, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: CONSOLIDATING COST AND FEE REFERENCES

Representative Harwood moved to amend the title as follows:

Add the names: "Harwood, Coley."

Representative Coley moved to amend as follows:

In line 8, delete "and"; after "2746.08" insert ", and 2746.09"

After line 288, insert:

Sec. 2746.09. In addition to any other applicable fees or costs set forth in this chapter, a court shall tax as costs or otherwise require the payment of the following fees, costs, or expenses:

(A) The costs and expenses of a receiver allowed by the court under section 323.49 of the Revised Code in a proceeding brought by a county treasurer to be appointed receiver for the purposes of collecting taxes and assessments charged upon real estate;

(B) The expenses of a referee or receiver allowed by the court under section 1334.08 of the Revised Code in an action brought by the attorney general

pursuant to that section for a violation of the business opportunity plans act;

(C) The expenses of a referee or receiver allowed by the court under section 1345.07 of the Revised Code in an action brought by the attorney general pursuant to that section for a violation of the consumer sales practices act;

(D) The expenses of a master or receiver allowed by the court under section 5311.27 of the Revised Code in an action brought by the attorney general pursuant to that section for a violation of the condominium act;

(E) Fees to which a receiver appointed under section 2715.20 or 2735.01 of the Revised Code may be entitled;

(F) Fees allowed to a receiver under any applicable rule of court."

In line 2 of the title, delete "and"; after "2746.08" insert ", and 2746.09"

The motion was agreed to and the bill so amended.

SANDRA STABILE HARWOOD	MARK SCHNEIDER
KEVIN BACON	LOUIS W. BLESSING
BARBARA BOYD	DANNY R. BUBP
TED CELESTE	BILL COLEY
MARK D. OKEY	MICHAEL J. SKINDELL

The report was agreed to.

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

Representative Bacon submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 438**-Representatives Letson, Stautberg, et al., having had the same under consideration, reports it back and recommends its passage.

RE: ELIMINATE LIABILITY FOR PROBATE AND JUVENILE JUDGES

Representative Harwood moved to amend the title as follows:

Add the name: "Coley."

SANDRA STABILE HARWOOD	MARK SCHNEIDER
KEVIN BACON	LOUIS W. BLESSING
BARBARA BOYD	DANNY R. BUBP
TED CELESTE	BILL COLEY
MARK D. OKEY	MICHAEL J. SKINDELL

The report was agreed to.

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

Representative Amstutz submitted the following report:

The standing committee on Finance and Appropriations to which was referred **Sub. S. B. No. 155**-Senators Carey, Miller, D., et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FEDERAL TAX CHANGES - DECOUPLE OHIO FROM - DISABILITY MEDICAL ASSISTANCE CONTINUATION

Representative Sykes moved to amend the title as follows:

Add the names: "Representatives Sykes, Bolon, Boyd, Celeste, Chandler, Brown, Dyer, Fende, Luckie, Driehaus, Garrison, Garland, Goodwin."

- | | |
|---------------------|-----------------------|
| VERNON SYKES | LINDA S. BOLON |
| RON AMSTUTZ | BARBARA BOYD |
| EDNA BROWN | DAVE BURKE |
| JOHN PATRICK CARNEY | TED CELESTE |
| KATHLEEN CHANDLER | RICHARD ADAMS |
| DENISE DRIEHAUS | STEPHEN DYER |
| LORRAINE M. FENDE | JENNIFER GARRISON |
| RANDY GARDNER | BRUCE W. GOODWIN |
| JAY P. GOYAL | CHERYL GROSSMAN |
| DAVE HALL | CLAYTON LUCKIE |
| RON MAAG | JEFFREY MCCLAIN |
| ROSS MCGREGOR | ROBERT MECKLENBORG |
| SETH MORGAN | BARBARA R. SEARS |
| MICHAEL J. SKINDELL | STEPHEN SLESNICK |
| NANCY GARLAND | RICHARD R. HOLLINGTON |
| TRACY HEARD | |

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 be considered for the second time and referred to the following committees for consideration:

H.B. No. 468 - Representative Garrison
TO DESIGNATE THE BRICKSTREET BBQ CONTEST HELD IN MARIETTA AS THE STATE BARBEQUE CHAMPIONSHIP.
To the committee on State Government

H.B. No. 469 - Representative Phillips, et al
TO ALLOW A NONREFUNDABLE CREDIT AGAINST THE PERSONAL INCOME TAX FOR HOME ENERGY AUDITS.
To the committee on Alternative Energy

- | | |
|--------------|---------------------|
| T. TODD BOOK | JOSEPH KOZIURA |
| BARBARA BOYD | TIMOTHY J. DEGEETER |
| MATT LUNDY | LOUIS W. BLESSING |

JOHN ADAMS

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 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 Resolutions be read by title only and approved:

H.R. No. 245 - Representative DeGeeter

Honoring Ronda Hartman Fergus for outstanding service to the Public Utilities Commission of Ohio.

H.R. No. 246 - Representative Wachtmann

Honoring the Napoleon High School girls 200-yard freestyle relay team on winning the 2010 Division II State Championship.

H.R. No. 247 - Representative Wachtmann

Honoring Samantha Zuch on winning two 2010 Division II State Swimming titles.

H.R. No. 248 - Representative Weddington

Honoring the Columbus Crew as the winner of the 2009 Supporters' Shield.
Add the name: Grossman

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

H.R. No. 249 - Representative Williams, B., Speaker Budish, Representatives Batchelder, Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Boyd, 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, 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, Reece, Ruhl, Sayre, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Wachtmann, Wagner, Weddington, Williams, S., Winburn, Yuko, Zehringer

In memory of Gunnery Sergeant Robert Gilbert.

/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 Goyal moved that majority party members asking leave to be absent or absent the week of Wednesday, March 24, 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, March 24, 2010, be excused, so long as a written request is on file in the minority leadership offices.

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. 244 - Representative Murray, Speaker Budish, Representatives Batchelder, Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Boyd, Brown, Bulp, 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, Hollington, Hottinger, Huffman, Jordan, Koziura, Lehner, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Mecklenborg, Moran, Morgan, Newcomb, Oelslager, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Reece, Ruhl, Sayre, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Wachtmann, Wagner, Weddington, Williams, B., Williams, S., Winburn, Yuko, Zehringer

In memory of the Honorable Frederick H. Deering.

/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 brought up for immediate adoption, read in full, 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. 244—Representative Murray.

Cosponsors: Speaker Budish, Representatives Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Batchelder, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Boyd, 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, Hollington, Hottinger, Huffman, 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, Reece, Ruhl, Sayre, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Wachtmann, Wagner, Walter, Weddington, Williams, B., Williams, S., Winburn, Yuko, Zehringer.

In memory of the Honorable Frederick H. Deering.

WHEREAS, The members of the House of Representatives of the 128th General Assembly of Ohio were deeply saddened to learn of the death of the Honorable Fred H. Deering and extend our heartfelt condolences to his family and friends; and

WHEREAS, Fred Deering left an indelible impression on the people whose lives he touched, and he will be remembered as a spirited individual who contributed immeasurably to the world around him. Among his endeavors, he established Deering Farms and 7 Limers, Inc., and served twenty years as a member of the Ohio House of Representatives, where he was instrumental in the passage of eighty bills and amendments that became state law, including several agriculture and pesticide laws, and he was also a member of the Perkins School Board for nine years, a vocational agriculture instructor, a farmer, and a commissioner for Erie MetroParks for thirteen years. In addition, he was involved with such noteworthy organizations as the Ohio Farmers Union, the Men's Garden Club of Erie County, the Erie County Democratic Party, Habitat for Humanity, Friends of Erie MetroParks, and St. John's United Church of Christ; and

WHEREAS, Fred Deering's regard for improving the quality of life in

our society was clearly evident in his personal sacrifices of time and effort to his family, friends, and community. Giving generously of his energy and abilities in all of his endeavors, he displayed exceptional concern and insight, and his absence will be keenly felt; and

WHEREAS, A devoted husband, a loving father to his four children, Daryl, Diane, Steve, and Brian, and four stepchildren, John, Trisha, Ron, and the late Cindy, and the proud grandfather of numerous grandchildren and great-grandchildren, Fred Deering always used his talents to the benefit of others, and the laurels of his life stand as a tribute not only to him but also to those he left behind. Although the void his death has created can never be filled, the legacy of care and commitment he established will surely live on. The world is a richer place for him having been in it, and he will be sorely missed; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 128th General Assembly of Ohio, in adopting this Resolution, express a profound sense of loss and sincere regret at the death of the Honorable Fred H. Deering and, in so doing, pay tribute to the memory of a truly unique individual; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of the Honorable Fred H. Deering.

The resolution was adopted.

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. 250-Speaker Budish.

Relative to the election of Joe Walter to fill the vacancy in the membership of the House of Representatives created by the resignation of Peter Ujvagi of the 47th House District.

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

WHEREAS, Peter Ujvagi of the 47th House District has resigned as a member of the House of Representatives of the 128th General Assembly effective March 17th, 2010, thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Democratic party that Joe Walter, Democrat, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 47th House District, is hereby elected, effective March 24th, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 47th House District, to fill the vacancy created by the unexpired portion of the term of said Peter Ujvagi, ending on December 31, 2010; and be it further

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

The yeas and nays were taken and resulted - yeas 51, nays 0, as follows:

Those who voted in the affirmative were: Representatives

- | | | | |
|-----------|----------|------------|-------------|
| Belcher | Bolon | Book | Boyd |
| Brown | Carney | Celeste | Chandler |
| DeBose | DeGeeter | Dodd | Domenick |
| Driehaus | Dyer | Fende | Foley |
| Garland | Garrison | Gerberry | Goyal |
| Hagan | Harris | Harwood | Heard |
| Koziura | Letson | Luckie | Lundy |
| Mallory | Moran | Murray | Newcomb |
| Okey | Otterman | Patten | Phillips |
| Pillich | Pryor | Reece | Sayre |
| Schneider | Skindell | Slesnick | Stewart |
| Sykes | Szollosi | Weddington | Williams B. |
| Winburn | Yuko | | Budish-51. |

The resolution was adopted.

Mr. Walter was escorted to the bar of the House by Representatives Szollosi, Brown, Murray, Phillips, Dyer, Hite, Gardner, Watchmann, and Goodwin, took the oath of office administered by The Honorable Armond Budish, Speaker of the Ohio House of Representatives, and entered upon the discharge of his duties.

State of Ohio
County of Franklin

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

/s/ JOE WALTER

Joe Walter

Sworn to and subscribed before me this 24th day of March, 2010.

/s/ ARMOND BUDISH

Armond Budish

Speaker

Ohio House of Representatives

BILLS FOR THIRD CONSIDERATION**Sub. S. B. No. 85**-Senator Stewart.

Cosponsors: Senators Seitz, Wagoner, Fedor, Harris, Hughes, Husted, Kearney, Miller, D., Morano, Patton, Sawyer, Smith, Turner, Wilson. Representatives Gerberry, Lundy, Belcher, Williams, B., Daniels, Hite, Stebelton.

To enact sections 9.29, 735.054, 6101.161, 6103.101, 6115.201, and 6119.101 of the Revised Code to authorize certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of a water storage tank through a professional service contract under specified conditions, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 98, 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	Boyd	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
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	Reece
Ruhl	Sayre	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker

Wachtmann
Williams B.
Zehringer

Wagner
Williams S.

Walter
Winburn

Weddington
Yuko
Budish-98.

Representative Schneider voted in the negative-1.

The bill passed.

Representative Gerberry moved to amend the title as follows:

Add the names: "Bacon, Balderson, Blair, Bolon, Book, Boose, Brown, Bubp, Carney, Chandler, Coley, Combs, DeBose, Derickson, Domenick, Dyer, Evans, Gardner, Garland, Garrison, Grossman, Hackett, Hagan, Harris, Heard, Letson, Luckie, Mallory, Mandel, McClain, Moran, Murray, Patten, Phillips, Ruhl, Sayre, Snitchler, Stewart, Weddington, Winburn, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 147-Senator Hughes.

Cosponsors: Senators Faber, Fedor, Goodman, Grendell, Miller, R., Wilson, Carey, Wagoner, Stewart, Buehrer, Cates, Gibbs, Jones, Miller, D., Morano, Patton, Schaffer, Schiavoni, Smith, Turner, Harris, Strahorn.

To amend section 4717.27 of the Revised Code to give the right of disposal to the United States Secretary of Veterans Affairs regarding unclaimed cremated remains of persons who are entitled to be buried in a national cemetery, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 99, 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	Boyd	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
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	Reece
Ruhl	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Wachtmann	Wagner	Walter
Weddington	Williams B.	Williams S.	Winburn
Yuko	Zehringer		Budish-99.

The bill passed.

Representative Pryor moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Batchelder, Beck, Belcher, Blair, Blessing, Bolon, Boose, Boyd, Brown, Bubb, Burke, Carney, Celeste, Chandler, Coley, Combs, Daniels, DeBose, Derickson, Dodd, Domenick, Driehaus, Dyer, Evans, Fende, Gardner, Garland, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hagan, Hall, Harris, Harwood, Hite, Hottinger, Huffman, Jordan, Koziura, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Mecklenborg, Morgan, Murray, Oelslager, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Reece, Ruhl, Sayre, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Szollosi, Uecker, Wachtmann, Walter, Weddington, Williams, B., Winburn, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 165-Senator Niehaus.

Cosponsors: Senators Gibbs, Stewart, Carey, Harris, Seitz, Hughes, Schaffer, Wilson, Cates, Wagoner, Coughlin. Representatives Domenick, Boose, Hite, Balderson.

To amend sections 1509.01, 1509.02, 1509.03, 1509.04, 1509.05, 1509.06, 1509.07, 1509.071, 1509.072, 1509.10, 1509.11, 1509.12, 1509.13, 1509.14, 1509.17, 1509.18, 1509.20, 1509.21, 1509.22, 1509.221, 1509.222, 1509.225, 1509.226, 1509.23, 1509.24, 1509.27, 1509.31, 1509.35, 1509.36, 1565.07, 1565.13, 1571.05, 5703.052, 5703.21, 5749.01, 5749.03, 5749.06, 5749.07, 5749.08, 5749.10, 5749.12, 5749.13, 5749.14, 5749.15, and 5749.17 and to enact sections 1509.021, 1509.041, 1509.062, 1509.073, 1509.181, 1509.19, 1509.34, 1509.50, 1509.60, 1509.61, 1571.18, and 4929.041 of the Revised Code to revise the Oil and Gas Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Skindell moved to amend as follows:

- In line 258, delete " one" and insert " three"; delete " fifty"
- In line 262, delete " one" and insert " three"; delete " fifty"
- In line 269, after " well" insert " or a tank battery of a well"
- In line 270, delete " one" and insert " three"; delete " fifty"
- In line 274, after " well" insert " or tank battery of a well"
- In line 275, delete " one" and insert " three"; delete " fifty"
- In line 278, after " well" insert " or a tank battery of a well"
- In line 330, delete " one" and insert " three"; delete " fifty"
- In line 336, delete " one" and insert " three"; delete " fifty"
- In line 348, delete " one" and insert " three"; delete " fifty"
- In line 354, delete " seventy-five" and insert " one hundred fifty"
- In line 359, delete " seventy-five" and insert " one hundred fifty"
- In line 370, delete " seventy-five" and insert " one hundred fifty"

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

Representative Moran moved to amend the amendment as follows:

Delete lines 6 through 31 of the amendment and insert:

- "In line 269, after " well" insert " or a tank battery of a well"
- In line 270, delete " one" and insert " two"; delete " fifty"
- In line 274, after " well" insert " or tank battery of a well"
- In line 275, delete " one" and insert " two"; delete " fifty"
- In line 278, after " well" insert " or a tank battery of a well"

In line 282, after the underlined period insert " In addition, the surface location of a new well or a tank battery of a well shall not be within three hundred feet from an occupied dwelling that is not in the drilling unit."

- In line 284, delete " two" and insert " three"
- In line 290, delete " two" and insert " three"
- In line 305, delete " one" and insert " three"
- In line 308, delete " one" and insert " two"; delete " fifty"
- In line 313, delete " one" and insert " two"; delete " fifty"
- In line 328, delete " seventy-five" and insert " two hundred"
- In line 330, delete " one" and insert " two"; delete " fifty"

In line 336, delete " one" and insert " two"; delete " fifty"

In line 351, delete " one" and insert " three"

In line 354, delete " seventy-five" and insert " two hundred"

In line 359, delete " seventy-five" and insert " two hundred"

In line 370, delete " seventy-five" and insert " two hundred"

In line 374, after " within" insert " two hundred feet from"

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

Representative Heard moved that the motion to amend the amendment be laid on the table.

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

03/24/2010

The Honorable Armond Budish, Speaker
The Ohio House of Representatives
Columbus, Ohio

Speaker Budish,

Pursuant to House Rule No. 57(b), I respectfully request that I be excused from voting on **Sub. S. B. No. 165**-Senator Niehaus, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ TED CELESTE
TED CELESTE
State Representative
24th House District

The request was granted.

The yeas and nays were taken and resulted - yeas 73, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Balderson	Batchelder	Beck	Blair
Blessing	Bolon	Book	Boose
Brown	Bubp	Carney	Chandler
Coley	Combs	Daniels	DeBose
Derickson	Dodd	Domenick	Driehaus

Evans	Garland	Garrison	Goodwin
Goyal	Grossman	Hackett	Hall
Heard	Hite	Hottinger	Huffman
Jordan	Koziura	Lehner	Letson
Luckie	Lundy	Maag	Mallory
Mandel	Martin	McClain	McGregor
Mecklenborg	Morgan	Murray	Oelslager
Otterman	Phillips	Pillich	Reece
Ruhl	Sayre	Sears	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Wagner
Walter	Weddington	Winburn	Zehringer
			Budish-73.

Those who voted in the negative were: Representatives

Baker	Belcher	Boyd	Burke
DeGeeter	Dyer	Fende	Foley
Gardner	Gerberry	Hagan	Harris
Harwood	Hollington	Moran	Newcomb
Okey	Patten	Pryor	Schneider
Skindell	Wachtmann	Williams B.	Williams S.
			Yuko-25.

The motion to amend the amendment was laid on the table.

The question recurring, "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 75, nays 23, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Balderson	Batchelder	Beck	Blair
Blessing	Bolon	Book	Boose
Brown	Bubp	Carney	Chandler
Coley	Combs	Daniels	DeBose
Derickson	Dodd	Domenick	Driehaus
Evans	Gardner	Garland	Garrison
Goodwin	Goyal	Grossman	Hackett
Hall	Heard	Hite	Hottinger
Huffman	Jordan	Koziura	Lehner
Letson	Luckie	Lundy	Maag
Mallory	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Murray
Oelslager	Okey	Otterman	Phillips
Pillich	Reece	Ruhl	Sayre
Sears	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Wagner	Walter	Weddington
Winburn	Zehringer		Budish-75.

Those who voted in the negative were: Representatives

Baker	Belcher	Boyd	Burke
DeGeeter	Dyer	Fende	Foley
Gerberry	Hagan	Harris	Harwood
Hollington	Moran	Newcomb	Patten
Pryor	Schneider	Skindell	Wachtmann
Williams B.	Williams S.		Yuko-23.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	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	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
Reece	Ruhl	Sayre	Schneider
Sears	Skindell	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Sykes
Szollosi	Uecker	Wachtmann	Wagner
Walter	Weddington	Williams B.	Winburn
Yuko	Zehringer		Budish-95.

Representatives Baker, Pryor, and Williams S. voted in the negative-3.

The bill passed.

Representative Domenick moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Amstutz, Batchelder, Beck, Bubp, Carney, Chandler, Coley, Combs, Daniels, DeBose, Derickson, Evans, Gardner, Garland, Garrison, Gerberry, Grossman, Hall, Hottinger, Huffman, Koziura, Letson, Luckie, Martin, McClain, Phillips, Ruhl, Sayre, Snitchler, Stebelton, Szollosi, Uecker, Walter, Weddington, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 155-Senators Carey, Miller, D.

Cosponsors: Senators Buehrer, Cafaro, Fedor, Gibbs, Goodman, Harris, Hughes, Kearney, Morano, Niehaus, Schaffer, Schiavoni, Strahorn, Widener, Gillmor, Turner, Sawyer, Smith, Miller, R. Representatives Sykes, Bolon, Boyd, Celeste, Chandler, Brown, Dyer, Fende, Luckie, Driehaus, Garrison, Garland, Goodwin.

To amend sections 117.13, 1515.14, 3306.052, 3734.901, 4141.301, 4582.06, 4582.48, and 5747.08 of the Revised Code and to amend Sections 281.20, 343.40, and 371.50.90 of Am. Sub. H.B. 1 of the 128th General Assembly to require that the costs of all biennial audits of state agencies be charged to the state agency being audited, to alter the allocation of the proceeds of the existing fee on the sale of new tires in order to provide funding for the Soil and Water Conservation District Assistance Fund, to increase the maximum amount of the annual soil and water conservation district subsidy, to permit individual taxpayers to direct the state to transmit an income tax refund directly to certain accounts, to allow the use of the state on and off triggers for state extended unemployment benefits using the total unemployment rate and the payment of high-unemployment period benefits if the benefits are federally funded, to modify the computation of payments for career-technical education for certain school districts for fiscal years 2010 and 2011, to modify the effective date of certain changes to the Uniform Public Securities Law made in Am. Sub. H.B. 1 of the 128th General Assembly, to establish that the final maturity for a port authority revenue bond must not be later than 45 years after the issuance of the bond rather than 40 years, to make changes to the eTech Ohio clearinghouse, to transfer the Louvee Theater Project from Rio Grande Community College to Ohio University, to redirect certain capital appropriations, to modify appropriation intent language, and to declare an emergency, was taken up for consideration the third time.

The question being, "Shall the emergency clause stand as part of the bill?"

Representative Szollosi moved that **Sub. S. B. No. 155**-Senators Carey, Miller, D., et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

Sub. H. B. No. 377-Representative Garrison.

Cosponsors: Representatives Okey, Murray, Harris, Domenick, Williams, B., Phillips, Pryor, Goyal, Luckie, Newcomb, Pillich, Slesnick, Dyer, Book, Fende, Yuko, Brown, Chandler, Yates, Winburn, Bolon, Stewart.

To amend sections 2961.01, 2967.16, 3501.38, 3519.01, 3519.05, and 3519.21 and to enact sections 3519.011, 3519.012, and 3519.013 of the Revised Code to prohibit persons who have been convicted of or pleaded guilty to an offense involving identity theft, forgery, or fraud from witnessing

or circulating election petitions, to require entities that provide compensation to circulators of initiative or referendum petitions to be licensed, to require such an entity's license to be revoked if it authorizes or knowingly permits violations of the law governing election petitions, to require circulators of initiative or referendum petitions to register with the secretary of state, to provide for public input in the determination of ballot titles, and to require the title of an initiative or referendum petition to be submitted to the Attorney General for review, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Garrison moved to amend as follows:

In line 387, after the underlined period insert " The rule shall provide an expedited process for licensing a petition entity that is seeking to circulate a referendum petition."

In line 418, delete " or"

In line 421, after " Code" insert " ; or"

(f) Misrepresentation of the contents, purpose, or effect of the petition for the purpose of persuading a person to sign or refrain from signing the petition"

In line 435, delete " knowingly permitted" and insert " knew or should have known of"

In line 441, delete " knowingly permitted" and insert " knew or should have known of"

In line 447, delete " permitting" and insert " knowledge"

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

The yeas and nays were taken and resulted - yeas 75, nays 24, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Baker	Balderson	Batchelder
Belcher	Blessing	Bolon	Book
Boyd	Brown	Carney	Celeste
Chandler	Combs	DeBose	DeGeeter
Dodd	Domenick	Driehaus	Dyer
Fende	Foley	Gardner	Garland
Garrison	Gerberry	Goyal	Hagan
Harris	Harwood	Heard	Hollington
Huffman	Koziura	Lehner	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	Mecklenborg
Moran	Morgan	Murray	Newcomb
Oelslager	Okey	Otterman	Patten
Phillips	Pillich	Pryor	Reece
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Wagner

Walter
Winburn

Weddington
Yuko

Williams B.

Williams S.
Budish-75.

Those who voted in the negative were: Representatives

Adams J.
Blair
Coley
Goodwin
Hite
Ruhl

Adams R.
Boose
Daniels
Grossman
Hottinger
Uecker

Bacon
Bubp
Derickson
Hackett
Jordan
Wachtmann

Beck
Burke
Evans
Hall
Mandel
Zehringer-24.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 54, nays 45, as follows:

Those who voted in the affirmative were: Representatives

Belcher
Brown
DeBose
Driehaus
Garland
Hagan
Koziura
Mallory
Oelslager
Phillips
Sayre
Stewart
Weddington
Yuko

Bolon
Carney
DeGeeter
Dyer
Garrison
Harris
Letson
Moran
Okey
Pillich
Schneider
Sykes
Williams B.

Book
Celeste
Dodd
Fende
Gerberry
Harwood
Luckie
Murray
Otterman
Pryor
Skindell
Szollosi
Williams S.

Boyd
Chandler
Domenick
Foley
Goyal
Heard
Lundy
Newcomb
Patten
Reece
Slesnick
Walter
Winburn
Budish-54.

Those who voted in the negative were: Representatives

Adams J.
Baker
Blair
Burke
Derickson
Grossman
Hollington
Lehner
McClain
Ruhl
Stebelton

Adams R.
Balderson
Blessing
Coley
Evans
Hackett
Hottinger
Maag
McGregor
Sears
Uecker

Amstutz
Batchelder
Boose
Combs
Gardner
Hall
Huffman
Mandel
Mecklenborg
Snitchler
Wachtmann

Bacon
Beck
Bubp
Daniels
Goodwin
Hite
Jordan
Martin
Morgan
Stautberg
Wagner
Zehringer-45.

The bill passed.

Representative Garrison moved to amend the title as follows:

Add the names: "DeBose, Foley, Garland, Harwood, Heard, Koziura, Letson, Lundy, Reece, Szollosi, Walter, Weddington."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 398-Representatives Newcomb, Lehner.

Cosponsors: Representatives Harwood, Derickson, Domenick, Grossman, Garland, Hagan, Evans, Snitchler, Phillips, Williams, B., Dyer, Fende, Wachtmann, Ruhl, Hackett, Letson, Stebelton, Harris, Bulp, Hottinger, Stautberg, Pillich, Murray, Driehaus, Brown, McClain, Weddington, Mallory, Goyal, Baker, Blessing, Dolan, Yuko, Okey, Foley.

To amend sections 173.401, 173.501, 3702.51, 3702.59, 5111.65, 5111.651, 5111.68, 5111.681, 5111.685, 5111.686, 5111.688, 5111.874, 5111.875, and 5111.894; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5111.688 (5111.689); and to enact new section 5111.688 and section 173.404 of the Revised Code; and to amend Section 209.20 of Am. Sub. H.B. 1 of the 128th General Assembly to revise the waiting list provisions of the PASSPORT, PACE, and Assisted Living programs, to revise the law governing the collection of long-term care facilities' Medicaid debts, and to revise the law governing the reasons for denying a Certificate of Need application, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Hackett moved to amend as follows:

After line 1464, insert:

"Section 6. (A) As used in this section, "population" means that shown by the 2000 regular federal census.

(B) Until December 31, 2010, the Director of Health shall accept, for review under section 3702.52 of the Revised Code, certificate of need applications for an increase in beds in an existing nursing home if all of the following conditions are met:

(1) The proposed increase is attributable solely to a relocation of beds registered under section 3701.07 of the Revised Code as long-term care beds from an existing hospital located in a county with a population of at least forty thousand persons and not more than forty-five thousand persons to an existing nursing home located in a county that has a population of at least one million persons and not more than one million one hundred thousand persons and is contiguous to the county from which the beds are to be relocated.

(2) Not more than fifteen beds are proposed for relocation.

(3) After the proposed relocation, there will be existing long-term care beds, as defined in section 3702.51 of the Revised Code, remaining in the county from which the beds are relocated.

(4) The beds are proposed to be licensed as nursing home beds under Chapter 3721. of the Revised Code.

(C) In reviewing a certificate of need application accepted under this section, the Director shall not deny the application on the grounds that the existing hospital from which the beds are to be relocated is not providing services in all or part of the long-term care beds at the hospital or has not provided services in all or part of those long-term care beds for at least three hundred sixty-five days within the twenty-four months immediately preceding the date the certificate of need application is filed with the Director, as otherwise required by a rule adopted under section 3702.57 of the Revised Code."

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

The yeas and nays were taken and resulted - yeas 99, 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	Boyd	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
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	Reece
Ruhl	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Wachtmann	Wagner	Walter
Weddington	Williams B.	Williams S.	Winburn
Yuko	Zehringer		Budish-99.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 99, 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	Boyd	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
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	Reece
Ruhl	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Wachtmann	Wagner	Walter
Weddington	Williams B.	Williams S.	Winburn
Yuko	Zehringer		Budish-99.

The bill passed.

Representative Newcomb moved to amend the title as follows:

Add the names: "Adams, R., Amstutz, Bacon, Balderson, Batchelder, Beck, Belcher, Boose, Boyd, Burke, Carney, Celeste, Chandler, Combs, Daniels, DeBose, DeGeeter, Gardner, Gerberry, Goodwin, Hall, Heard, Hite, Koziura, Luckie, Lundy, Maag, Martin, Mecklenborg, Moran, Morgan, Oelslager, Otterman, Patten, Pryor, Reece, Sayre, Sears, Skindell, Slesnick, Stewart, Szollosi, Uecker, Walter, Winburn, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 415-Representatives DeBose, Garland.

Cosponsors: Representatives Ujvagi, Domenick, Williams, B., Pillich, Celeste, Boyd.

To enact section 4511.204 of the Revised Code to prohibit driving a vehicle while writing, sending, or reading a text-based communication on an

electronic wireless communications device, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 86, nays 12, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Belcher	Blessing
Bolon	Book	Boose	Boyd
Brown	Bubp	Burke	Carney
Celeste	Chandler	Coley	Combs
Daniels	DeBose	DeGeeter	Derickson
Dodd	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner
Garland	Garrison	Gerberry	Goyal
Grossman	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hollington	Hottinger	Koziura	Lehner
Letson	Luckie	Lundy	Mallory
Mandel	McClain	McGregor	Mecklenborg
Moran	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Reece	Ruhl
Sayre	Schneider	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Wagner	Walter
Weddington	Williams B.	Winburn	Yuko
Zehringer			Budish-86.

Those who voted in the negative were: Representatives

Adams J.	Beck	Blair	Goodwin
Huffman	Jordan	Maag	Martin
Morgan	Sears	Uecker	Wachtmann-12.

The bill passed.

Representative Garland moved to amend the title as follows:

Add the names: "Bacon, Bolon, Brown, Carney, Chandler, Combs, Dodd, Evans, Fende, Garrison, Goyal, Grossman, Hagan, Harris, Heard, Koziura, Lehner, Letson, Luckie, Mallory, Newcomb, Oelslager, Phillips, Pryor, Stebelton, Stewart, Szollosi, Walter, Weddington, Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. Sub. H. B. No. 48 -Representative Ujvagi

Cosponsors: Representatives Phillips, Murray, Pryor, Harris, Dodd, Lundy, Book, Letson, Fende, Yuko, Skindell, Goyal, Pillich, Williams, S., Belcher, Boyd, Brown, Carney, Celeste, Chandler, Daniels, Driehaus, Dyer, Foley, Garland, Garrison, Hagan, Harwood, Heard, Koziura, Luckie, Mallory, Newcomb, Okey, Otterman, Patten, Sayre, Schneider, Stewart, Szollosi, Weddington, Williams, B., Winburn Senators Fedor, Hughes, Cafaro, Faber, Grendell, Harris, Husted, Jones, Kearney, Miller, D., Miller, R., Morano, Niehaus, Patton, Sawyer, Schaffer, Schiavoni, Schuring, Smith, Strahorn, Turner, Wilson, Widener, Wagoner

To amend sections 3.02, 133.06, 133.18, 302.03, 302.09, 303.11, 303.12, 303.25, 305.02, 305.31, 306.32, 306.321, 306.70, 306.71, 307.676, 307.677, 307.695, 307.697, 307.791, 307.94, 307.95, 322.02, 322.021, 324.02, 324.021, 345.03, 351.26, 503.02, 503.161, 503.24, 503.41, 504.01, 504.03, 505.13, 505.14, 511.01, 511.22, 511.27, 511.28, 511.33, 511.34, 513.06, 513.13, 513.18, 517.05, 519.11, 519.12, 519.25, 705.01, 707.21, 709.29, 709.39, 709.45, 709.462, 709.48, 709.50, 715.69, 715.691, 715.70, 715.71, 715.77, 718.01, 718.09, 718.10, 731.03, 731.28, 731.29, 733.09, 733.261, 733.262, 733.31, 733.48, 749.021, 755.01, 757.02, 759.25, 1515.28, 1545.21, 1545.36, 1711.30, 1901.07, 1901.10, 1901.31, 1907.13, 2101.43, 2301.02, 3311.053, 3311.059, 3311.21, 3311.213, 3311.22, 3311.231, 3311.25, 3311.26, 3311.37, 3311.38, 3311.50, 3311.73, 3316.08, 3318.06, 3318.061, 3318.361, 3354.12, 3355.02, 3355.09, 3357.02, 3357.11, 3375.19, 3375.201, 3375.211, 3375.212, 3501.02, 3501.05, 3501.11, 3501.39, 3503.19, 3505.01, 3505.10, 3505.32, 3506.02, 3509.01, 3509.03, 3509.04, 3509.05, 3511.01, 3511.02, 3511.03, 3511.04, 3511.05, 3511.06, 3511.08, 3511.09, 3511.10, 3511.11, 3511.12, 3511.13, 3513.01, 3513.02, 3513.041, 3513.05, 3513.052, 3513.121, 3513.122, 3513.151, 3513.251, 3513.253, 3513.254, 3513.255, 3513.256, 3513.257, 3513.259, 3513.263, 3513.30, 3513.31, 3513.311, 3513.312, 3519.08, 3519.16, 3709.051, 3709.071, 3709.29, 3767.05, 3769.27, 4117.10, 4301.33, 4301.331, 4301.332, 4301.333, 4301.334, 4301.356, 4301.421, 4301.424, 4303.29, 4305.14, 4504.021, 4504.15, 4504.16, 4504.21, 4928.20, 4929.26, 4931.51, 4931.52, 4931.53, 4951.44, 4955.05, 5705.19, 5705.191, 5705.195, 5705.199, 5705.20, 5705.21, 5705.211, 5705.212, 5705.213, 5705.217, 5705.218, 5705.219, 5705.2111, 5705.22, 5705.221, 5705.222, 5705.23, 5705.24, 5705.25, 5705.251, 5705.261, 5705.27, 5705.71, 5739.021, 5739.022, 5739.026, 5743.021, 5743.024, 5743.026, 5747.01, 5748.02, 5748.04, 5748.08, 6105.18, 6105.20, 6119.31, and 6119.32, and to enact sections 3501.012, 3503.191, 3511.021, 3511.14, 5906.01, 5906.02, 5906.03,

and 5906.99, and to repeal section 3509.022 of the Revised Code and to amend Section 409.10 of Am. Sub. H.B. 1 of the 128th General Assembly to provide up to two weeks of leave for any employee who is the spouse, parent, or a person who has or had legal custody of a member of the uniformed services who is called to active duty or is injured, wounded, or hospitalized while serving on active duty, to revise the election calendar, to revise the law governing absent voter's ballots for uniformed services and overseas voters to comply with federal law, and to make Persian Gulf, Afghanistan, and Iraq Conflicts veterans' bonuses tax deductible and to make an appropriation.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 74, after "3501.05," insert "3501.11,"

In line 9332, after the underlined period insert "The secretary of state may delegate to the boards of elections responsibilities for the implementation of that act, including responsibilities arising from amendments to that act made by the "Military and Overseas Voter Empowerment Act," Subtitle H of the National Defense Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, 123 Stat. 3190."

Between lines 9382 and 9383, insert:

"**Sec. 3501.11.** Each board of elections shall exercise by a majority vote all powers granted to the board by Title XXXV of the Revised Code, shall perform all the duties imposed by law, and shall do all of the following:

- (A) Establish, define, provide, rearrange, and combine election precincts;
- (B) Fix and provide the places for registration and for holding primaries and elections;
- (C) Provide for the purchase, preservation, and maintenance of booths, ballot boxes, books, maps, flags, blanks, cards of instructions, and other forms, papers, and equipment used in registration, nominations, and elections;
- (D) Appoint and remove its director, deputy director, and employees and all registrars, judges, and other officers of elections, fill vacancies, and designate the ward or district and precinct in which each shall serve;
- (E) Make and issue rules and instructions, not inconsistent with law or the rules, directives, or advisories issued by the secretary of state, as it considers necessary for the guidance of election officers and voters;
- (F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;
- (G) Provide for the issuance of all notices, advertisements, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised

Code;

(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;

(I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling this duty, each board of a county that uses voting machines, marking devices, or automatic tabulating equipment shall conduct a full vote of the board during a public session of the board on the allocation and distribution of voting machines, marking devices, and automatic tabulating equipment for each precinct in the county.

(J) Investigate irregularities, nonperformance of duties, or violations of Title XXXV of the Revised Code by election officers and other persons; administer oaths, issue subpoenas, summon witnesses, and compel the production of books, papers, records, and other evidence in connection with any such investigation; and report the facts to the prosecuting attorney or the secretary of state;

(K) Review, examine, and certify the sufficiency and validity of petitions and nomination papers, and, after certification, return to the secretary of state all petitions and nomination papers that the secretary of state forwarded to the board;

(L) Receive the returns of elections, canvass the returns, make abstracts of them, and transmit those abstracts to the proper authorities;

(M) Issue certificates of election on forms to be prescribed by the secretary of state;

(N) Make an annual report to the secretary of state, on the form prescribed by the secretary of state, containing a statement of the number of voters registered, elections held, votes cast, appropriations received, expenditures made, and other data required by the secretary of state;

(O) Prepare and submit to the proper appropriating officer a budget estimating the cost of elections for the ensuing fiscal year;

(P) Perform other duties as prescribed by law or the rules, directives, or advisories of the secretary of state;

(Q) Investigate and determine the residence qualifications of electors;

(R) Administer oaths in matters pertaining to the administration of the election laws;

(S) Prepare and submit to the secretary of state, whenever the secretary of state requires, a report containing the names and residence addresses of all incumbent county, municipal, township, and board of education officials serving in their respective counties;

(T) Establish and maintain a voter registration database of all qualified

electors in the county who offer to register;

(U) Maintain voter registration records, make reports concerning voter registration as required by the secretary of state, and remove ineligible electors from voter registration lists in accordance with law and directives of the secretary of state;

(V) Give approval to ballot language for any local question or issue and transmit the language to the secretary of state for the secretary of state's final approval;

(W) Prepare and cause the following notice to be displayed in a prominent location in every polling place:

"NOTICE

Ohio law prohibits any person from voting or attempting to vote more than once at the same election.

Violators are guilty of a felony of the fourth degree and shall be imprisoned and additionally may be fined in accordance with law."

(X) In all cases of a tie vote or a disagreement in the board, if no decision can be arrived at, the director or chairperson shall submit the matter in controversy, not later than fourteen days after the tie vote or the disagreement, to the secretary of state, who shall summarily decide the question, and the secretary of state's decision shall be final.

(Y) Assist each designated agency, deputy registrar of motor vehicles, public high school and vocational school, public library, and office of a county treasurer in the implementation of a program for registering voters at all voter registration locations as prescribed by the secretary of state. Under this program, each board of elections shall direct to the appropriate board of elections any voter registration applications for persons residing outside the county where the board is located within five days after receiving the applications.

(Z) On any day on which an elector may vote in person at the office of the board or at another site designated by the board, consider the board or other designated site a polling place for that day. All requirements or prohibitions of law that apply to a polling place shall apply to the office of the board or other designated site on that day.

(AA) Perform any duties with respect to voter registration and voting by uniformed services and overseas voters that are delegated to the board by law or by the rules, directives, or advisories of the secretary of state."

In line 9479, after " state" insert " or to the board of elections of the county in which the person's voting residence is located"

In line 9490, after " state" insert " or to the board of elections of the county in which the person's voting residence is located"

In line 9575, after " state" insert " or the board of elections of the county

in which the person's voting residence is located"

In line 9585, after " information" insert " that is confidential under state or federal law that is"

In line 9884, after " all" insert " other"; after the first " voters" delete the balance of the line

In line 9885, delete " uniformed services voters,"

In line 9886, delete " other than in person"

In line 9887, delete " twenty-eighth" and insert " thirty-fifth"; delete " any" and insert " the"

In line 9888, delete all before the underlined period

Delete lines 9889 through 9893

In line 10224, after " state" insert " or to the board of elections of the county in which the person's voting residence is located"

In line 10357, delete " request" and insert " apply by electronic means to the office of the secretary of state or to the board of elections of the county in which the person's voting residence is located for"

In line 10358, after " ballot" delete the balance of the line

In line 10359, delete all before the underlined period

In line 10369, after " transmitted" insert " by the board of elections of the county in which the person's voting residence is located"

In line 10382, after " state" insert " , in coordination with the boards of elections,"

In line 10383, delete " to allow such a person to" and insert " by which an absent uniformed services voter or overseas voter may"

In line 10394, delete " such" and insert " any"

In line 10401, after " information" insert " that is confidential under state or federal law that is"

In line 10403, after " about" insert " the votes cast on"

In line 19468, after "3501.05," insert "3501.11,"

In line 21 of the title, after "3501.05," insert "3501.11,"

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative Szollosi moved that the Senate amendments to **Am. Sub. H. B. No. 48**-Representative Ujvagi, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. Sub. H. B. No. 48**-Representative Ujvagi, et al., were taken up for consideration.

Am. Sub. H. B. No. 48-Representative Ujvagi.

Cosponsors: Representatives Phillips, Murray, Pryor, Harris, Dodd, Lundy, Book, Letson, Fende, Yuko, Skindell, Goyal, Pillich, Williams, S., Belcher, Boyd, Brown, Carney, Celeste, Chandler, Daniels, Driehaus, Dyer, Foley, Garland, Garrison, Hagan, Harwood, Heard, Koziura, Luckie, Mallory, Newcomb, Okey, Otterman, Patten, Sayre, Schneider, Stewart, Szollosi, Weddington, Williams, B., Winburn. Senators Fedor, Hughes, Cafaro, Faber, Grendell, Harris, Husted, Jones, Kearney, Miller, D., Miller, R., Morano, Niehaus, Patton, Sawyer, Schaffer, Schiavoni, Schuring, Smith, Strahorn, Turner, Wilson, Widener, Wagoner.

To amend sections 3.02, 133.06, 133.18, 302.03, 302.09, 303.11, 303.12, 303.25, 305.02, 305.31, 306.32, 306.321, 306.70, 306.71, 307.676, 307.677, 307.695, 307.697, 307.791, 307.94, 307.95, 322.02, 322.021, 324.02, 324.021, 345.03, 351.26, 503.02, 503.161, 503.24, 503.41, 504.01, 504.03, 505.13, 505.14, 511.01, 511.22, 511.27, 511.28, 511.33, 511.34, 513.06, 513.13, 513.18, 517.05, 519.11, 519.12, 519.25, 705.01, 707.21, 709.29, 709.39, 709.45, 709.462, 709.48, 709.50, 715.69, 715.691, 715.70, 715.71, 715.77, 718.01, 718.09, 718.10, 731.03, 731.28, 731.29, 733.09, 733.261, 733.262, 733.31, 733.48, 749.021, 755.01, 757.02, 759.25, 1515.28, 1545.21, 1545.36, 1711.30, 1901.07, 1901.10, 1901.31, 1907.13, 2101.43, 2301.02, 3311.053, 3311.059, 3311.21, 3311.213, 3311.22, 3311.231, 3311.25, 3311.26, 3311.37, 3311.38, 3311.50, 3311.73, 3316.08, 3318.06, 3318.061, 3318.361, 3354.12, 3355.02, 3355.09, 3357.02, 3357.11, 3375.19, 3375.201, 3375.211, 3375.212, 3501.02, 3501.05, 3501.11, 3501.39, 3503.19, 3505.01, 3505.10, 3505.32, 3506.02, 3509.01, 3509.03, 3509.04, 3509.05, 3511.01, 3511.02, 3511.03, 3511.04, 3511.05, 3511.06, 3511.08, 3511.09, 3511.10, 3511.11, 3511.12, 3511.13, 3513.01, 3513.02, 3513.041, 3513.05, 3513.052, 3513.121, 3513.122, 3513.151, 3513.251, 3513.253, 3513.254, 3513.255, 3513.256, 3513.257, 3513.259, 3513.263, 3513.30, 3513.31, 3513.311, 3513.312, 3519.08, 3519.16, 3709.051, 3709.071, 3709.29, 3767.05, 3769.27, 4117.10, 4301.33, 4301.331, 4301.332, 4301.333, 4301.334, 4301.356, 4301.421, 4301.424, 4303.29, 4305.14, 4504.021, 4504.15, 4504.16, 4504.21, 4928.20, 4929.26, 4931.51, 4931.52, 4931.53, 4951.44, 4955.05, 5705.19, 5705.191, 5705.195, 5705.199, 5705.20, 5705.21, 5705.211, 5705.212, 5705.213, 5705.217, 5705.218, 5705.219, 5705.2111, 5705.22, 5705.221, 5705.222, 5705.23, 5705.24, 5705.25, 5705.251, 5705.261, 5705.27, 5705.71, 5739.021, 5739.022, 5739.026, 5743.021, 5743.024, 5743.026, 5747.01, 5748.02, 5748.04, 5748.08, 6105.18, 6105.20, 6119.31, and 6119.32, and to enact

sections 3501.012, 3503.191, 3511.021, 3511.14, 5906.01, 5906.02, 5906.03, and 5906.99, and to repeal section 3509.022 of the Revised Code and to amend Section 409.10 of Am. Sub. H.B. 1 of the 128th General Assembly to provide up to two weeks of leave for any employee who is the spouse, parent, or a person who has or had legal custody of a member of the uniformed services who is called to active duty or is injured, wounded, or hospitalized while serving on active duty, to revise the election calendar, to revise the law governing absent voter's ballots for uniformed services and overseas voters to comply with federal law, and to make Persian Gulf, Afghanistan, and Iraq Conflicts veterans' bonuses tax deductible and to make an appropriation.

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

03/24/2010

The Honorable Armond Budish, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Budish,

Pursuant to House Rule No. 57(b), I respectfully request that I be excused from voting on the Senate amendments to **Am. Sub. H. B. No. 48**-Representative Ujvagi, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ DANNY R. BUBP
DANNY R. BUBP
State Representative
88th House District

The request was granted.

03/24/2010

The Honorable Armond Budish, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Budish,

Pursuant to House Rule No. 57(b), I respectfully request that I be excused

from voting on the Senate amendments to **Am. Sub. H. B. No. 48**-Representative Ujvagi, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ JOSH MANDEL
JOSH MANDEL
State Representative
17th House District

The request was granted.

The yeas and nays were taken and resulted - yeas 96, 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 | Boyd | Brown |
| Burke | Carney | Celeste | Chandler |
| Coley | Combs | Daniels | DeBose |
| DeGeeter | Derickson | Dodd | Domenick |
| Driehaus | Dyer | Evans | Fende |
| Foley | Gardner | Garland | Garrison |
| Gerberry | Goodwin | Goyal | Grossman |
| Hagan | Hall | Harris | Harwood |
| Heard | Hite | Hollington | Hottinger |
| Huffman | Jordan | Koziura | Lehner |
| Letson | Luckie | Lundy | Maag |
| Mallory | Martin | McClain | McGregor |
| Mecklenborg | Moran | Morgan | Murray |
| Newcomb | Oelslager | Okey | Otterman |
| Patten | Phillips | Pillich | Pryor |
| Reece | Ruhl | Sayre | Schneider |
| Sears | Skindell | Slesnick | Snitchler |
| Stautberg | Stebelton | Stewart | Sykes |
| Szollosi | Uecker | Wachtmann | Wagner |
| Walter | Weddington | Williams B. | Williams S. |
| Winburn | Yuko | Zehringer | Budish-96. |

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 102 -Representative Book

Cosponsors: Representatives Dodd, Williams, B., Harris, Yuko, Adams, J., Wagner, Gardner, Harwood, Huffman, Mecklenborg, Lehner, Okey, DeGeeter, Oelslager, Derickson, Jordan, Wachtmann, Amstutz, Domenick, Garrison, Boyd, Burke, Combs, Goodwin, Slesnick, Winburn, Letson, Carney, Balderson, Newcomb, Hagan, Adams, R., Bacon, Batchelder, Belcher, Blair, Blessing, Bolon, Boose, Brown, Bubp, Celeste, Chandler, Coley, Daniels, DeBose, Dolan, Driehaus, Dyer, Evans, Fende, Foley, Garland, Gerberry, Goyal, Grossman, Hackett, Hall, Heard, Hite, Hottinger, Jones, Koziura, Luckie, Lundy, Maag, Mandel, Martin, McClain, McGregor, Moran, Morgan, Murray, Otterman, Patten, Phillips, Pillich, Ruhl, Sayre, Sears, Skindell, Snitchler, Stautberg, Stewart, Sykes, Szollosi, Uecker, Ujvagi, Weddington, Zehringer Senators Gillmor, Buehrer, Schuring, Morano, Miller, R., Smith, Coughlin, Faber, Fedor, Gibbs, Goodman, Husted, Jones, Miller, D., Niehaus, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Stewart, Strahorn, Turner, Wagoner, Wilson, Harris, Hughes, Widener

To enact sections 2108.61 to 2108.63 of the Revised Code regarding umbilical cord blood donations.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative Szollosi moved that the Senate amendments to **Sub. H. B. No. 102**-Representative Book, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 102**-Representative Book, et al., were taken up for consideration.

Sub. H. B. No. 102-Representative Book.

Cosponsors: Representatives Dodd, Williams, B., Harris, Yuko, Adams, J., Wagner, Gardner, Harwood, Huffman, Mecklenborg, Lehner, Okey, DeGeeter, Oelslager, Derickson, Jordan, Wachtmann, Amstutz, Domenick, Garrison, Boyd, Burke, Combs, Goodwin, Slesnick, Winburn, Letson, Carney, Balderson, Newcomb, Hagan, Adams, R., Bacon, Batchelder, Belcher, Blair, Blessing, Bolon, Boose, Brown, Bubp, Celeste, Chandler, Coley, Daniels, DeBose, Dolan, Driehaus, Dyer, Evans, Fende, Foley, Garland, Gerberry, Goyal, Grossman, Hackett, Hall, Heard, Hite, Hottinger, Jones, Koziura, Luckie, Lundy, Maag, Mandel, Martin, McClain, McGregor, Moran, Morgan, Murray, Otterman, Patten, Phillips, Pillich, Ruhl, Sayre, Sears, Skindell, Snitchler, Stautberg, Stewart, Sykes, Szollosi, Uecker, Ujvagi, Weddington,

Zehringer. Senators Gillmor, Buehrer, Schuring, Morano, Miller, R., Smith, Coughlin, Faber, Fedor, Gibbs, Goodman, Husted, Jones, Miller, D., Niehaus, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Stewart, Strahorn, Turner, Wagoner, Wilson, Harris, Hughes, Widener.

To enact sections 2108.61 to 2108.63 of the Revised Code regarding umbilical cord blood donations.

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

The yeas and nays were taken and resulted - yeas 98, 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	Boyd	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	Hagan	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	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 313 -Representatives Ujvagi, Winburn
Cosponsors: Representatives Domenick, Patten, Murray, Hagan, Driehaus, Williams, B., Foley, Skindell, Williams, S., Letson, Stewart, Lehner, Yuko,

Bacon, Belcher, Blair, Bolon, Boose, Boyd, Brown, Carney, Celeste, Chandler, Combs, DeBose, DeGeeter, Dyer, Fende, Garland, Garrison, Gerberry, Goyal, Grossman, Hackett, Harris, Heard, Koziura, Luckie, Mallory, Mecklenborg, Moran, Newcomb, Pillich, Szollosi, Weddington, Yates Senators Miller, D., Schuring, Strahorn, Cafaro, Fedor, Harris, Kearney, Miller, R., Morano, Sawyer, Schiavoni, Smith, Turner, Wilson, Gibbs, Wagoner

To amend sections 1.62, 135.35, 323.78, 349.01, 349.03, 349.04, 349.06, 349.14, 1724.02, 1724.03, 1724.04, 1724.05, 5705.19, and 5722.22 and to enact section 321.343 of the Revised Code to authorize a county with a population greater than 60,000 to organize a county land reutilization corporation, to authorize a county treasurer of a county with such a corporation to utilize the alternative redemption period in actions to foreclose abandoned lands, to immunize a county land reutilization corporation from liability for breach of a common law duty in connection with a parcel of land, to make other changes regarding county land reutilization corporations, to specify that county levies for Ohio state university extension services may be levied in excess of the ten-mill limitation, to authorize levies in excess of the ten-mill limitation for expenses of soil and water conservation districts, and to modify the New Community Authority Law.

As a substitute bill, in which the concurrence of the House is requested.

Attest: Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative Szollosi moved that the Senate amendments to **Sub. H. B. No. 313**-Representatives Ujvagi, Winburn, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 313**-Representatives Ujvagi, Winburn, et al., were taken up for consideration.

Sub. H. B. No. 313-Representatives Ujvagi, Winburn.

Cosponsors: Representatives Domenick, Patten, Murray, Hagan, Driehaus, Williams, B., Foley, Skindell, Williams, S., Letson, Stewart, Lehner, Yuko, Bacon, Belcher, Blair, Bolon, Boose, Boyd, Brown, Carney, Celeste, Chandler, Combs, DeBose, DeGeeter, Dyer, Fende, Garland, Garrison, Gerberry, Goyal, Grossman, Hackett, Harris, Heard, Koziura, Luckie, Mallory, Mecklenborg, Moran, Newcomb, Pillich, Szollosi, Weddington, Yates. Senators Miller, D., Schuring, Strahorn, Cafaro, Fedor, Harris, Kearney, Miller, R., Morano, Sawyer, Schiavoni, Smith, Turner, Wilson, Gibbs, Wagoner.

To amend sections 1.62, 135.35, 323.78, 349.01, 349.03, 349.04, 349.06, 349.14, 1724.02, 1724.03, 1724.04, 1724.05, 5705.19, and 5722.22 and to enact section 321.343 of the Revised Code to authorize a county with a population greater than 60,000 to organize a county land reutilization corporation, to authorize a county treasurer of a county with such a corporation to utilize the alternative redemption period in actions to foreclose abandoned lands, to immunize a county land reutilization corporation from liability for breach of a common law duty in connection with a parcel of land, to make other changes regarding county land reutilization corporations, to specify that county levies for Ohio state university extension services may be levied in excess of the ten-mill limitation, to authorize levies in excess of the ten-mill limitation for expenses of soil and water conservation districts, and to modify the New Community Authority Law.

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

The yeas and nays were taken and resulted - yeas 98, 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 | Boyd | 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 | Hagan | 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 | Reece | Ruhl |
| Sayre | Schneider | Sears | Skindell |
| Slesnick | Snitchler | Stautberg | Stebelton |
| Stewart | Sykes | Szollosi | Uecker |
| Wachtmann | Wagner | Walter | Weddington |
| Williams B. | Williams S. | Winburn | Yuko |
| Zehringer | | | Budish-98. |

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 414-Representatives Sayre, Bolon

Cosponsors: Representatives Boose, Hite, Ruhl, Derickson, Pryor, Weddington, Domenick, Zehringer, Wagner, Adams, R., Balderson, Book, Bupp, Carney, Coley, Combs, Daniels, DeBose, Dyer, Evans, Garland, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hall, Hottinger, Luckie, Lundy, McClain, Murray, Newcomb, Snitchler, Uecker, Williams, B., Winburn, Yuko. Senators Morano, Buehrer, Gibbs, Harris, Husted, Jones, Niehaus, Patton, Schaffer, Seitz, Strahorn, Wagoner, Widener, Wilson, Hughes, Faber, Kearney

To amend section 102.02 and to enact sections 904.01 to 904.09 of the Revised Code to establish requirements and responsibilities of the Ohio Livestock Care Standards Board and the Director of Agriculture in administering and enforcing the rules adopted by the Board that govern the care and well-being of livestock in this state, and to declare an emergency.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative Szollosi moved that the Senate amendments to **Sub. H. B. No. 414**-Representatives Sayre, Bolon, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 414**-Representatives Sayre, Bolon, et al., were taken up for consideration.

Sub. H. B. No. 414-Representatives Sayre, Bolon.

Cosponsors: Representatives Boose, Hite, Ruhl, Derickson, Pryor, Weddington, Domenick, Zehringer, Wagner, Adams, R., Balderson, Book, Bupp, Carney, Coley, Combs, Daniels, DeBose, Dyer, Evans, Garland, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hall, Hottinger, Luckie, Lundy, McClain, Murray, Newcomb, Snitchler, Uecker, Williams, B., Winburn, Yuko. Senators Morano, Buehrer, Gibbs, Harris, Husted, Jones, Niehaus, Patton, Schaffer, Seitz, Strahorn, Wagoner, Widener, Wilson, Hughes, Faber, Kearney.

To amend section 102.02 and to enact sections 904.01 to 904.09 of the Revised Code to establish requirements and responsibilities of the Ohio

Livestock Care Standards Board and the Director of Agriculture in administering and enforcing the rules adopted by the Board that govern the care and well-being of livestock in this state, and to declare an emergency.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted - yeas 98, 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	Boyd	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	Hagan	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	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

Having received a constitutional majority, the emergency clause stood as part of the bill.

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

The yeas and nays were taken and resulted - yeas 98, 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	Boyd	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	Hagan	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	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

The Senate amendments were concurred in.

On motion of Representative Szollosi, the House recessed.

The House met pursuant to recess.

Sub. S. B. No. 155-Senators Carey, Miller, D.

Cosponsors: Senators Buehrer, Cafaro, Fedor, Gibbs, Goodman, Harris, Hughes, Kearney, Morano, Niehaus, Schaffer, Schiavoni, Strahorn, Widener, Gillmor, Turner, Sawyer, Smith, Miller, R. Representatives Sykes, Bolon, Boyd, Celeste, Chandler, Brown, Dyer, Fende, Luckie, Driehaus, Garrison, Garland, Goodwin.

To amend sections 117.13, 1515.14, 3306.052, 3734.901, 4141.301, 4582.06, 4582.48, and 5747.08 of the Revised Code and to amend Sections 281.20, 343.40, and 371.50.90 of Am. Sub. H.B. 1 of the 128th General Assembly to require that the costs of all biennial audits of state agencies be charged to the state agency being audited, to alter the allocation of the proceeds of the existing fee on the sale of new tires in order to provide funding for the Soil and Water Conservation District Assistance Fund, to increase the maximum amount of the annual soil and water conservation district subsidy, to permit individual taxpayers to direct the state to transmit an income tax refund directly to certain accounts, to allow the use of the state on and off triggers for state extended unemployment benefits using the total unemployment rate and the payment of high-unemployment period benefits if the benefits are federally funded, to modify the computation of payments for career-technical education for certain school districts for fiscal years 2010 and 2011, to modify the effective date of certain changes to the Uniform Public Securities Law made in Am. Sub. H.B. 1 of the 128th General Assembly, to establish that the final maturity for a port authority revenue bond must not be later than 45 years after the issuance of the bond rather than 40 years, to make changes to the eTech Ohio clearinghouse, to transfer the Louvee Theater

Project from Rio Grande Community College to Ohio University, to redirect certain capital appropriations, to modify appropriation intent language, and to declare an emergency, was taken up for consideration the third time.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted - yeas 98, 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	Boyd	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	Hagan	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	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

Having received a constitutional majority, the emergency clause stood as part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 98, 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	Boyd	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	Hagan	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	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

Having received the required constitutional majority, the bill passed as an emergency measure.

Representative Carney moved to amend the title as follows:

Add the names: "Balderson, Book, Boose, Bubp, Carney, Coley, Combs, Derickson, Dodd, Domenick, Evans, Foley, Gardner, Gerberry, Hagan, Harris, Harwood, Hite, Hottinger, Letson, Mallory, McClain, Murray, Newcomb, Oelslager, Patten, Phillips, Pillich, Pryor, Slesnick, Szollosi, Uecker, Walter, Williams, B., Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Sub. S. B. No. 77 -Senator Goodman - et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 462 -Representative Sykes

Cosponsors: Representatives Chandler, Domenick, Driehaus, Dyer, Foley, Garland, Harris, Koziura, Letson, Stewart, Szollosi, Williams, B., Winburn, Yuko Senators Carey, Miller, D., Sawyer, Smith, Fedor, Harris, Kearney, Wilson, Turner

To make capital reappropriations for the biennium ending June 30, 2012, and certain capital appropriations.

Attest:

Vincent L. Keeran,
Clerk.

On motion of Representative Szollosi, the House adjourned until Thursday, March 25, 2010 at 9:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.