

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, APRIL 29, 2009

THIRTY-NINTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, April 29, 2009, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Tom Letson-64th 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:

The Oak Hill High School boys basketball team received H. R. 50, presented by Representative Evans-87th district.

The Mount Vernon Nazarene University women's basketball team received H. R. 45, presented by Representative Ruhl-90th district.

Charles Wilkes II, Amber Seizmore, Christina Martindale and India Brown the Gates Millennium Scholars, guests of Representative Luckie-39th district.

Members of the Latino Serving Community, guests of Representative Harris-19th district. Tom Ongaro, a guest of Representative Stewart-25th district.

Ramona Reys, a guest of Representative Weddington-27th district.

Ben, Torie, Laurel, and Addie Utterback, guests of Representative Snitchler-50th district.

Members of the Butler County women's republican club, guests of Representatives Coley-55th district and Derickson-53rd district.

Becky Sarchet, Jackie Bradley, LeAnn Rollands, Amanda Schroeder, guests of Representative Hite-76th district. Nathan Mawharter a guest of Representative Murray-80th district.

Scott and Sumner Hobart, guests of Representative Bulp-88th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 156-Representative Harris.

Cosponsors: Representatives Weddington, Garland, Hagan, Evans, Williams, S., Boyd, Grossman, Carney, Luckie, Williams, B., Letson, Heard, Domenick, Skindell.

To enact section 5.2265 of the Revised Code to designate April 30 as "Dia De Los Ninos" or "Children's Day."

H. B. No. 157-Representative Sayre.

Cosponsors: Representatives Garland, Slesnick, Gardner, Zehringer, Murray, Evans, Bolon, Harris, Ruhl, Skindell, Letson, Fende, Snitchler, Hagan, Ujvagi, Okey, Domenick, Yuko, Newcomb, Dodd, Heard, Luckie, Harwood, Derickson.

To amend section 4501.21 and to enact section 4503.499 of the Revised Code to create "Special Olympics" license plates.

H. B. No. 158-Representative Domenick.

Cosponsors: Representatives Adams, J., Dodd, Fende, Letson, Murray, Okey.

To amend section 2923.125 of the Revised Code to require a sheriff to waive the license fee for a license to carry a concealed handgun for an instructor of a firearms course, class, or program.

H. B. No. 159-Representatives Skindell, Hagan.

Cosponsors: Representatives Foley, Weddington, Williams, S., Boyd, Yuko, Harwood, Koziura, Harris, Letson, Domenick, Brown, Ujvagi, Mallory, Luckie, DeBose.

To enact sections 3922.01 to 3922.15, 3922.21 to 3922.28, 3922.31, 3922.32, and 3922.33 of the Revised Code to establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

H. B. No. 160-Representative Koziura.

Cosponsors: Representatives Boyd, Brown, Chandler, DeGeeter, Dodd, Fende, Foley, Hagan, Harris, Luckie, Lundy, McGregor, Murray, Okey, Pryor, Skindell, Slesnick, Snitchler, Ujvagi, Weddington, Williams, B., Yuko.

To enact section 101.533 of the Revised Code to require that an appropriations bill for education agencies be enacted separately from and prior to any other operating appropriations bills.

H. B. No. 161-Representative Koziura.

Cosponsors: Representatives Boose, Boyd, Brown, DeGeeter, Dodd, Domenick, Hagan, Harwood, Letson, Murray, Phillips, Pryor, Skindell, Ujvagi, Williams, B., Yuko.

To enact section 3345.46 of the Revised Code to require state universities to guarantee that a full-time undergraduate student with a declared major field of study can complete the coursework for that program of study in a specified time period.

H. B. No. 162-Representatives DeGeeter, Dodd.

Cosponsors: Representatives Book, Pryor, Bulp, Combs, Zehringer, Okey, Pillich, Letson, Huffman, Yuko, Boyd, Harris, Luckie, Sayre, Blair.

To amend section 4511.21 of the Revised Code to increase the speed limit for passenger vehicles and commercial buses from 65 to 70 miles per hour on certain interstate freeways.

H. B. No. 163-Representative Miller.

Cosponsors: Representatives Williams, S., Boyd, Book, Chandler.

To amend sections 3701.131 and 3701.501 of the Revised Code to establish five Ohio Sickle Cell Anemia Comprehensive Treatment Centers.

H. B. No. 164-Representative Miller.

Cosponsors: Representatives Luckie, Pryor.

To amend sections 109.57, 109.71, 109.77, 145.01, 145.33, 2921.51, 2935.01, 2935.03, 2935.031, and 2935.24 and to enact section 3313.175 of the Revised Code to authorize a board of education of a school district or governing board of an educational service center to employ public high school law enforcement officers, to provide that public high school law enforcement officers are members of the Ohio Public Employees Retirement System, to prohibit the impersonation of a public high school law enforcement officer, and to specify the powers of arrest and citation of public high school law enforcement officers.

H. B. No. 165-Representative Ujvagi.

Cosponsors: Representatives Weddington, Evans, Pryor, Chandler, Harris, Williams, B., Okey, Yuko, Dodd, Hagan, Heard, Skindell, Domenick, Letson, Williams, S., Boyd, Winburn.

To enact sections 3301.60, 3301.61, 3301.62, 3301.63, and 3301.64 of the Revised Code to ratify the Interstate Compact on Educational Opportunity for Military Children and to establish the State Council on Educational Opportunity for Military Children and other offices to implement the state's participation in the compact.

Said bills were considered the first time.

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

Representative Hottinger submitted the following report:

The standing committee on Insurance to which was referred **H. B. No. 81**-Representatives Boyd, Gardner, et al., having had the same under

consideration, recommends its re-referral to the committee on Rules and Reference.

RE: HEALTH INSURANCE COVER DIABETES

ROSS MCGREGOR

DAN DODD

JOHN ADAMS

ROBERT HACKETT

SANDRA STABILE HARWOOD

MARK SCHNEIDER

KRIS JORDAN

TOM LETSON

JAY HOTTINGER

LYNN R. WACHTMANN

JOHN PATRICK CARNEY

JOSEPH KOZIURA

DEBBIE PHILLIPS

The report was agreed to.

The bill was ordered to be engrossed and rereferred to the committee on Rules and Reference.

MOTIONS AND RESOLUTIONS

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Wednesday, April 29, 2009, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Adams, J. moved that minority party members asking leave to be absent or absent the week of Wednesday, April 29, 2009, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

H. B. No. 26-Representative Williams, B.

Cosponsors: Representatives Newcomb, Harris, Foley, Fende, Celeste, Okey, Brown, Murray, Yuko, Skindell, Boyd, DeBose, Hagan, Stebelton, Luckie, Weddington.

To amend sections 3314.03, 3319.088, 3319.41, and 3326.11 of the Revised Code to prohibit corporal punishment in all public and chartered nonpublic schools, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Williams, B. moved that **H. B. No. 26**-Representative Williams, B., et al., be rereferred to the committee on Rules and Reference.

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

The motion was agreed to without objection.

On motion of Representative Szollosi, the House recessed.

The House met pursuant to recess.

Sub. H. B. No. 1-Representative Sykes.

Cosponsors: Representatives Chandler, Brown, Bolon.

To amend sections 9.06, 9.314, 107.21, 109.572, 109.73, 109.742, 109.744, 109.751, 109.761, 109.77, 109.802, 109.803, 118.05, 120.04, 120.08, 120.52, 120.53, 121.04, 121.07, 121.08, 121.083, 121.084, 121.13, 121.31, 121.37, 121.40, 121.401, 121.402, 122.05, 122.051, 122.075, 122.151, 122.17, 122.171, 122.40, 122.603, 122.71, 122.751, 122.76, 122.89, 123.01, 123.152, 124.03, 124.04, 124.07, 124.11, 124.134, 124.14, 124.15, 124.152, 124.18, 124.181, 124.183, 124.22, 124.23, 124.27, 124.321, 124.324, 124.325, 124.34, 124.381, 124.382, 124.385, 124.386, 124.392, 124.81, 125.081, 125.22, 125.831, 126.05, 126.21, 126.35, 127.16, 131.33, 133.06, 135.03, 135.06, 135.08, 135.32, 141.04, 145.012, 145.298, 148.02, 148.04, 149.43, 150.01, 150.02, 150.03, 150.04, 150.05, 150.07, 152.09, 152.10, 152.12, 152.15, 152.33, 156.01, 156.02, 156.03, 156.04, 166.07, 169.08, 173.08, 173.35, 173.392, 173.40, 173.401, 173.42, 173.43, 173.50, 173.99, 174.02, 174.03, 174.06, 176.05, 307.626, 307.629, 307.79, 311.17, 319.301, 319.302, 319.54, 321.24, 323.156, 323.78, 329.03, 329.042, 329.06, 340.033, 343.01, 504.21, 718.04, 721.15, 901.20, 901.32, 901.43, 903.082, 903.11, 903.25, 905.32, 905.33, 905.331, 905.36, 905.50, 905.51, 905.52, 905.56, 907.13, 907.14, 907.30, 907.31, 915.24, 918.08, 918.28, 921.02, 921.06, 921.09, 921.11, 921.13, 921.16, 921.22, 921.27, 921.29, 923.44, 923.46, 927.51, 927.52, 927.53, 927.56, 927.69, 927.70, 927.701, 927.71, 942.01, 942.02, 942.06, 942.13, 943.01, 943.02, 943.04, 943.05, 943.06, 943.07, 943.13, 943.14, 943.16, 953.21, 953.22, 953.23, 955.201, 1321.20, 1321.51, 1321.52, 1321.53, 1321.54, 1321.55, 1321.551, 1321.57, 1321.59, 1321.60, 1321.99, 1322.01, 1322.02, 1322.03, 1322.031, 1322.04, 1322.041, 1322.05, 1322.051, 1322.052, 1322.06, 1322.061, 1322.062, 1322.063, 1322.064, 1322.07, 1322.071, 1322.072, 1322.074, 1322.075, 1322.08, 1322.081, 1322.09, 1322.10, 1322.11, 1327.46, 1327.50, 1327.51, 1327.511, 1327.52, 1327.54, 1327.57, 1327.58, 1327.60, 1327.62, 1327.70, 1327.99, 1332.24, 1332.25, 1343.011, 1345.01, 1345.05, 1345.09, 1347.08, 1349.31, 1349.43, 1501.01, 1501.05, 1501.07, 1501.30, 1502.12, 1506.01, 1507.01, 1511.01, 1511.02, 1511.021, 1511.022, 1511.03, 1511.04, 1511.05, 1511.06, 1511.07, 1511.071, 1511.08, 1514.08, 1514.13, 1515.08, 1515.14, 1515.183, 1517.02, 1517.10, 1517.11, 1517.14, 1517.16, 1517.17, 1517.18, 1519.03, 1520.02, 1520.03, 1521.03, 1521.031, 1521.04, 1521.05, 1521.06, 1521.061, 1521.062, 1521.063, 1521.064, 1521.07, 1521.10, 1521.11, 1521.12, 1521.13, 1521.14, 1521.15, 1521.16, 1521.18, 1521.19, 1523.01, 1523.02, 1523.03, 1523.04, 1523.05, 1523.06, 1523.07, 1523.08, 1523.09, 1523.10, 1523.11, 1523.12, 1523.13, 1523.14, 1523.15, 1523.16, 1523.17, 1523.18, 1523.19, 1523.20, 1531.01, 1533.10, 1533.11, 1541.03, 1547.01, 1547.51, 1547.52, 1547.531, 1547.54, 1547.542, 1547.73, 1547.99, 1548.10, 1707.17, 1707.18, 1707.37, 1710.01, 1710.02, 1710.03, 1710.04, 1710.06, 1710.10, 1710.13, 1724.04, 1739.05, 1751.03, 1751.04, 1751.05, 1751.14, 1751.15, 1751.16, 1751.19,

1751.32, 1751.321, 1751.34, 1751.35, 1751.36, 1751.45, 1751.46, 1751.48, 1751.831, 1751.84, 1751.85, 1753.09, 1901.26, 1901.31, 1907.24, 2101.01, 2151.011, 2301.02, 2301.03, 2303.201, 2317.422, 2503.17, 2903.13, 2903.21, 2903.211, 2903.22, 2903.33, 2911.21, 2913.46, 2921.13, 2937.22, 2949.091, 2949.111, 2949.17, 2981.13, 3105.87, 3119.01, 3121.037, 3121.0311, 3121.19, 3121.20, 3121.898, 3123.952, 3125.25, 3301.07, 3301.073, 3301.079, 3301.0710, 3301.0711, 3301.0714, 3301.0715, 3301.0716, 3301.12, 3301.16, 3301.42, 3301.55, 3301.68, 3302.01, 3302.02, 3302.021, 3302.03, 3302.031, 3302.05, 3302.07, 3304.231, 3307.31, 3307.64, 3309.41, 3309.48, 3309.51, 3310.03, 3310.08, 3310.09, 3310.11, 3310.14, 3310.41, 3311.06, 3311.19, 3311.21, 3311.29, 3311.52, 3311.76, 3313.174, 3313.41, 3313.48, 3313.481, 3313.482, 3313.483, 3313.53, 3313.532, 3313.533, 3313.536, 3313.55, 3313.60, 3313.603, 3313.605, 3313.607, 3313.608, 3313.61, 3313.611, 3313.612, 3313.614, 3313.615, 3313.62, 3313.64, 3313.642, 3313.6410, 3313.65, 3313.671, 3313.673, 3313.68, 3313.713, 3313.843, 3313.976, 3313.978, 3313.98, 3313.981, 3314.012, 3314.015, 3314.016, 3314.02, 3314.021, 3314.024, 3314.03, 3314.051, 3314.08, 3314.083, 3314.084, 3314.087, 3314.091, 3314.10, 3314.19, 3314.21, 3314.25, 3314.26, 3314.35, 3314.36, 3315.17, 3315.37, 3316.041, 3316.06, 3316.20, 3317.01, 3317.011, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.025, 3317.0210, 3317.0211, 3317.0216, 3317.03, 3317.031, 3317.04, 3317.05, 3317.051, 3317.053, 3317.061, 3317.063, 3317.08, 3317.081, 3317.082, 3317.12, 3317.16, 3317.18, 3317.20, 3317.201, 3318.011, 3318.051, 3318.061, 3318.08, 3318.36, 3318.38, 3318.44, 3319.073, 3319.08, 3319.081, 3319.088, 3319.11, 3319.151, 3319.16, 3319.17, 3319.172, 3319.22, 3319.221, 3319.233, 3319.234, 3319.235, 3319.24, 3319.25, 3319.26, 3319.261, 3319.28, 3319.291, 3319.303, 3319.36, 3319.41, 3319.51, 3319.56, 3319.57, 3319.60, 3319.61, 3319.63, 3321.01, 3321.05, 3323.05, 3323.091, 3323.14, 3323.142, 3324.05, 3325.08, 3326.11, 3326.14, 3326.21, 3326.23, 3326.31, 3326.32, 3326.33, 3326.34, 3326.36, 3326.37, 3326.38, 3326.51, 3327.02, 3327.04, 3327.05, 3329.16, 3333.04, 3333.122, 3333.123, 3333.16, 3333.28, 3333.35, 3333.38, 3333.61, 3333.62, 3333.66, 3333.73, 3333.83, 3334.01, 3334.02, 3334.03, 3334.04, 3334.06, 3334.07, 3334.08, 3334.09, 3334.10, 3334.11, 3334.12, 3334.16, 3334.17, 3334.18, 3334.19, 3334.20, 3334.21, 3345.011, 3345.12, 3345.32, 3345.61, 3345.62, 3345.63, 3345.64, 3345.65, 3345.66, 3349.242, 3365.01, 3365.04, 3365.041, 3365.07, 3365.08, 3365.09, 3365.10, 3501.17, 3701.024, 3701.045, 3701.07, 3701.344, 3701.71, 3701.72, 3701.78, 3701.84, 3702.51, 3702.52, 3702.524, 3702.525, 3702.53, 3702.532, 3702.54, 3702.544, 3702.55, 3702.57, 3702.59, 3702.60, 3702.61, 3702.87, 3702.89, 3702.90, 3702.91, 3702.92, 3702.93, 3702.94, 3703.01, 3703.03, 3703.04, 3703.05, 3703.06, 3703.07, 3703.08, 3703.10, 3703.21, 3703.99, 3704.14, 3704.144, 3705.24, 3706.04, 3706.25, 3709.09, 3710.01, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.12, 3710.13, 3712.01, 3712.03, 3713.01, 3713.02, 3713.03, 3713.04, 3713.05, 3713.06, 3713.07, 3713.08, 3713.09, 3713.10, 3714.07, 3714.073, 3717.07, 3717.23, 3717.25, 3717.43, 3717.45, 3718.03, 3718.06, 3721.01, 3721.02, 3721.071,

3721.23, 3721.50, 3721.51, 3721.53, 3721.55, 3721.56, 3722.01, 3722.011, 3722.02, 3722.021, 3722.04, 3722.041, 3722.05, 3722.06, 3722.08, 3722.09, 3722.10, 3722.13, 3722.14, 3722.15, 3722.16, 3722.17, 3722.18, 3722.99, 3727.02, 3729.07, 3733.02, 3733.04, 3733.25, 3733.43, 3734.05, 3734.28, 3734.281, 3734.53, 3734.57, 3734.573, 3734.82, 3734.901, 3734.9010, 3737.71, 3743.04, 3743.25, 3745.015, 3745.11, 3748.01, 3748.04, 3748.07, 3748.12, 3748.13, 3749.04, 3770.05, 3773.35, 3773.36, 3773.43, 3773.45, 3773.53, 3781.03, 3781.10, 3781.102, 3781.11, 3781.12, 3781.19, 3783.05, 3791.02, 3791.04, 3791.05, 3791.07, 3793.02, 3793.04, 3901.38, 3901.383, 3901.3812, 3901.3814, 3923.021, 3923.022, 3923.122, 3923.24, 3923.57, 3923.58, 3923.581, 3923.66, 3923.67, 3923.68, 3923.75, 3923.76, 3923.77, 3924.01, 3924.06, 3924.09, 3924.10, 3929.43, 3929.67, 3953.23, 3953.231, 4104.01, 4104.02, 4104.06, 4104.07, 4104.08, 4104.09, 4104.10, 4104.101, 4104.12, 4104.15, 4104.16, 4104.17, 4104.18, 4104.19, 4104.21, 4104.33, 4104.42, 4104.43, 4104.44, 4104.48, 4105.01, 4105.02, 4105.03, 4105.04, 4105.05, 4105.06, 4105.09, 4105.11, 4105.12, 4105.13, 4105.15, 4105.16, 4105.17, 4105.191, 4105.20, 4105.21, 4112.01, 4112.04, 4112.051, 4112.052, 4117.01, 4117.02, 4117.07, 4117.12, 4117.24, 4121.125, 4123.442, 4141.08, 4141.11, 4141.162, 4169.02, 4169.03, 4169.04, 4171.04, 4301.333, 4301.334, 4301.351, 4301.354, 4301.355, 4301.356, 4301.361, 4301.364, 4301.365, 4301.366, 4301.43, 4303.182, 4303.331, 4501.06, 4501.24, 4503.068, 4503.10, 4503.103, 4503.19, 4503.191, 4503.235, 4503.40, 4503.42, 4503.44, 4505.01, 4505.06, 4505.062, 4505.09, 4505.111, 4505.181, 4505.20, 4507.03, 4507.24, 4507.45, 4509.101, 4510.22, 4511.191, 4511.81, 4513.021, 4513.03, 4513.04, 4513.05, 4513.06, 4513.07, 4513.071, 4513.09, 4513.11, 4513.111, 4513.12, 4513.13, 4513.14, 4513.15, 4513.16, 4513.17, 4513.171, 4513.18, 4513.19, 4513.21, 4513.22, 4513.23, 4513.24, 4513.242, 4513.28, 4513.60, 4513.65, 4513.99, 4517.01, 4517.02, 4517.03, 4517.30, 4517.33, 4517.43, 4519.02, 4519.03, 4519.04, 4519.44, 4519.59, 4549.10, 4549.12, 4705.09, 4705.10, 4709.12, 4713.28, 4713.32, 4713.63, 4713.64, 4731.10, 4731.26, 4731.38, 4733.10, 4734.25, 4735.06, 4735.09, 4735.12, 4735.13, 4735.15, 4740.03, 4740.11, 4740.14, 4741.41, 4741.44, 4741.45, 4741.46, 4755.06, 4755.12, 4757.10, 4757.31, 4757.36, 4763.01, 4763.03, 4763.04, 4763.05, 4763.07, 4763.09, 4763.11, 4763.13, 4763.14, 4763.17, 4766.09, 4767.05, 4767.07, 4767.08, 4781.01, 4781.02, 4781.04, 4781.05, 4781.06, 4781.07, 4905.06, 4919.79, 4923.12, 4923.20, 4928.01, 5101.11, 5101.16, 5101.162, 5101.26, 5101.33, 5101.34, 5101.47, 5101.50, 5101.5212, 5101.54, 5101.541, 5101.544, 5101.571, 5101.573, 5101.60, 5101.61, 5101.83, 5101.84, 5104.01, 5104.041, 5104.051, 5104.30, 5104.32, 5104.341, 5104.35, 5104.38, 5104.39, 5104.42, 5107.05, 5107.16, 5107.17, 5107.58, 5111.01, 5111.015, 5111.028, 5111.032, 5111.033, 5111.034, 5111.06, 5111.176, 5111.222, 5111.231, 5111.232, 5111.24, 5111.25, 5111.261, 5111.65, 5111.651, 5111.688, 5111.705, 5111.85, 5111.851, 5111.874, 5111.875, 5111.89, 5111.891, 5111.894, 5111.971, 5112.30, 5112.31, 5112.37, 5112.371, 5115.03, 5119.16, 5119.61, 5120.032, 5120.033, 5120.09, 5120.135, 5122.31, 5123.049, 5123.0412, 5123.0413, 5126.044, 5126.05, 5126.054, 5126.055, 5126.0512,

5126.19, 5126.24, 5139.43, 5501.04, 5502.01, 5502.12, 5502.14, 5502.15, 5505.15, 5701.11, 5703.05, 5703.37, 5703.80, 5705.214, 5705.29, 5705.341, 5705.37, 5709.62, 5709.63, 5709.632, 5711.33, 5715.02, 5715.251, 5715.26, 5717.03, 5717.04, 5725.18, 5725.98, 5727.84, 5728.12, 5729.03, 5729.98, 5733.01, 5733.04, 5733.98, 5735.142, 5739.01, 5739.02, 5739.03, 5739.033, 5739.09, 5739.131, 5743.15, 5743.61, 5747.01, 5747.113, 5747.13, 5747.16, 5747.98, 5748.02, 5748.03, 5749.02, 5749.12, 5751.01, 5751.011, 5751.012, 5751.013, 5751.03, 5751.04, 5751.05, 5751.051, 5751.06, 5751.08, 5751.09, 5751.20, 5751.21, 5911.10, 5913.051, 5913.09, 6103.01, 6103.02, 6109.21, 6111.044, 6117.01, 6117.02, and 6119.011; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 173.43 (173.422), 1517.14 (1547.81), 1517.16 (1547.82), 1517.17 (1547.83), 1517.18 (1547.84), 3313.174 (3313.82), 3319.233 (3333.049), 3334.03 (3334.031), 3701.71 (3727.05), 3701.72 (3727.051), 3727.04 (3727.053), 3727.05 (3727.04), 5101.5110 (5101.5111), 5111.019 (5111.0120), and 5111.688 (5111.689); to enact new sections 173.43, 3301.0712, 3319.222, 3334.03, 5101.5110, and 5111.688 and sections 9.317, 111.26, 111.27, 117.54, 121.16, 121.375, 122.042, 122.12, 122.121, 122.85, 123.154, 124.821, 124.822, 124.86, 125.20, 125.24, 148.05, 149.308, 150.021, 150.051, 153.013, 173.28, 173.402, 173.403, 173.421, 173.423, 173.424, 173.425, 173.431, 173.432, 173.433, 173.434, 173.501, 173.70, 311.32, 737.39, 901.041, 901.91, 927.54, 943.031, 1321.521, 1321.531, 1321.532, 1321.533, 1321.534, 1321.535, 1321.536, 1321.552, 1321.591, 1321.592, 1321.593, 1321.594, 1321.595, 1322.022, 1322.023, 1322.024, 1322.065, 1327.501, 1327.71, 1513.021, 1547.02, 1547.85, 1547.86, 1547.87, 1751.68, 2315.50, 3119.371, 3301.122, 3301.80, 3301.81, 3301.82, 3301.83, 3301.90, 3306.01, 3306.011, 3306.012, 3306.02, 3306.03, 3306.031, 3306.04, 3306.05, 3306.051, 3306.052, 3306.06, 3306.07, 3306.08, 3306.09, 3306.091, 3306.10, 3306.11, 3306.12, 3306.13, 3306.14, 3306.15, 3306.16, 3306.17, 3306.18, 3306.19, 3306.191, 3306.192, 3306.21, 3306.22, 3306.25, 3306.29, 3306.291, 3306.292, 3306.30, 3306.31, 3306.32, 3306.321, 3306.33, 3306.34, 3306.35, 3306.40, 3306.50, 3306.51, 3306.52, 3306.53, 3306.54, 3306.55, 3306.56, 3306.57, 3310.15, 3311.0510, 3313.485, 3313.821, 3313.822, 3314.028, 3314.031, 3314.052, 3314.075, 3314.102, 3314.191, 3314.192, 3314.39, 3314.42, 3314.43, 3314.44, 3317.018, 3318.312, 3319.223, 3319.611, 3319.612, 3319.70, 3319.71, 3321.041, 3333.048, 3333.39, 3333.391, 3333.392, 3333.90, 3333.91, 3334.032, 3334.111, 3345.36, 3353.09, 3353.20, 3354.24, 3365.12, 3375.79, 3701.0211, 3701.136, 3701.611, 3702.592, 3702.593, 3706.35, 3709.092, 3710.141, 3715.041, 3721.511, 3721.512, 3721.513, 3722.022, 3727.052, 3734.282, 3793.21, 3903.77, 3923.241, 3923.84, 3923.90, 3923.91, 4113.11, 4113.81, 4113.82, 4113.83, 4113.84, 4113.85, 4113.86, 4123.446, 4501.243, 4501.29, 4503.563, 4582.71, 4781.16, 4781.17, 4781.18, 4781.19, 4781.20, 4781.21, 4781.22, 4781.23, 4781.24, 4781.25, 4781.99, 4919.80, 5101.073, 5101.504, 5101.5210, 5101.542, 5111.0121, 5111.236, 5111.861, 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889, 5111.8810, 5111.8811, 5112.372, 5112.40, 5112.41,

5112.42, 5112.43, 5112.44, 5112.45, 5112.451, 5112.46, 5112.47, 5112.48, 5119.613, 5119.621, 5119.622, 5155.38, 5505.152, 5705.219, 5705.2110, 5725.33, 5729.16, 5733.58, 5733.59, 5739.051, 5747.66, 5751.014, 5911.11, 5919.20, 5919.36, and 6119.091; to repeal sections 173.71, 173.72, 173.721, 173.722, 173.723, 173.724, 173.73, 173.731, 173.732, 173.74, 173.741, 173.742, 173.75, 173.751, 173.752, 173.753, 173.76, 173.77, 173.771, 173.772, 173.773, 173.78, 173.79, 173.791, 173.80, 173.801, 173.802, 173.803, 173.81, 173.811, 173.812, 173.813, 173.814, 173.815, 173.82, 173.83, 173.831, 173.832, 173.833, 173.84, 173.85, 173.86, 173.861, 173.87, 173.871, 173.872, 173.873, 173.874, 173.875, 173.876, 173.88, 173.89, 173.891, 173.892, 173.90, 173.91, 905.38, 905.381, 905.66, 907.16, 927.74, 1504.01, 1504.02, 1504.03, 1504.04, 1517.15, 1521.02, 1711.58, 3301.0712, 3301.0718, 3301.43, 3302.032, 3314.026, 3314.085, 3314.13, 3317.10, 3319.0810, 3319.222, 3319.23, 3319.302, 3319.304, 3333.27, 3701.73, 3701.77, 3701.771, 3701.772, 3702.511, 3702.523, 3702.527, 3702.528, 3702.529, 3702.542, 3704.143, 3724.01, 3724.02, 3724.021, 3724.03, 3724.04, 3724.05, 3724.06, 3724.07, 3724.08, 3724.09, 3724.10, 3724.11, 3724.12, 3724.13, 3724.99, 4517.052, 4517.27, 4735.22, 4735.23, 5101.072, 5111.083, 5111.178, 5145.32, and 5923.141 of the Revised Code; to amend Sections 205.10, 321.10, 325.20, and 327.10 of Am. Sub. H.B. 2 of the 128th General Assembly; to amend Section 269.60.60 of H.B. 119 of the 127th General Assembly and to amend Section 269.60.60 of H.B. 119 of the 127th General Assembly to codify the Section as section 3314.38 of the Revised Code; to amend Section 6 of H.B. 364 of the 124th General Assembly and to amend Section 6 of H.B. 364 of the 124th General Assembly to codify the Section as section 3314.027 of the Revised Code; to amend Section 309.10 of Am. Sub. H.B. 2 of the 128th General Assembly; to amend Section 317.10 of Am. Sub. H.B. 2 of the 128th General Assembly; to amend Sections 103.80.80, 103.80.90, and 301.10.50 of H.B. 496 of the 127th General Assembly; to amend Section 11 of Am. Sub. H.B. 554 of the 127th General Assembly; to amend Sections 233.40.30, 233.50.80, and 701.20 of H.B. 562 of the 127th General Assembly; to amend Section 831.06 of H.B. 530 of the 126th General Assembly; to amend Section 4 of H.B. 516 of the 125th General Assembly, as subsequently amended; to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended; to repeal Section 325.05 of Am. Sub. H.B. 2 of the 128th General Assembly; to amend the version of section 2949.111 of the Revised Code that is scheduled to take effect January 1, 2010, to continue the provisions of this act on and after that effective date; to amend the version of section 5739.033 of the Revised Code that is scheduled to take effect January 1, 2010, to continue the provisions of this act on and after that effective date; to amend sections 5104.01 and 5104.38 of the Revised Code, effective July 1, 2011, to revive the law as it existed prior to this act; to repeal sections 5112.40, 5112.41, 5112.42, 5112.43, 5112.44, 5112.45, 5112.451, 5112.46, 5112.47, and 5112.48 of the Revised Code, effective October 1, 2011; to make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to

provide authorization and conditions for the operation of state programs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Garrison moved to amend as follows:

In line 400, delete "1533.11,"

In line 28535, strike through "under"

In line 28536, strike through "eighteen years"; after "of" insert "any"

In line 28537, delete ". but shall obtain a deer or wild turkey permit as required"

In line 28538, delete "in section 1533.11 of the Revised Code"

In line 28540, delete ". but shall obtain a deer or wild turkey"

In line 28541, delete "permit as required in section 1533.11 of the Revised Code"

Delete lines 28633 through 28689

In line 110423, delete "1533.11,"

In line 59 of the title, delete "1533.11,"

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

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	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
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	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.
Zehringer

Winburn

Yates

Yuko
Budish-98.

The motion was agreed to and the bill so amended.

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

Representative Moran moved to amend as follows:

Delete lines 101054 through 101066

In line 101067, delete " (5)" and insert " (4)"

In line 101076, delete " (6)" and insert " (5)"

In line 101087, delete " (7)" and insert " (6)"

In line 101088, delete " . or long-term debt security issued by."

In line 101103, delete " (7)" and insert " (6)"

In line 101618, delete " (E)" and insert " (D)"

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

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	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
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	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
Zehringer			Budish-98.

The motion was agreed to and the bill so amended.

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

Representative Yates moved to amend as follows:

In line 475, after "4112.04," insert "4112.05,"

Between lines 79632 and 79633, insert:

"Sec. 4112.05. (A) The commission, as provided in this section, shall prevent any person from engaging in unlawful discriminatory practices, provided that, before instituting the formal hearing authorized by division (B) of this section, it shall attempt, by informal methods of conference, conciliation, and persuasion, to induce compliance with this chapter.

(B)(1) Any person may file a charge with the commission alleging that another person has engaged or is engaging in an unlawful discriminatory practice. In the case of a charge alleging an unlawful discriminatory practice described in division (A), (B), (C), (D), (E), (F), (G), (I), or (J) of section 4112.02 or in section 4112.021 or 4112.022 of the Revised Code, the charge shall be in writing and under oath and shall be filed with the commission within six months after the alleged unlawful discriminatory practice was committed. In the case of a charge alleging an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code, the charge shall be in writing and under oath and shall be filed with the commission within one year after the alleged unlawful discriminatory practice was committed.

(2) Upon receiving a charge, the commission may initiate a preliminary investigation to determine whether it is probable that an unlawful discriminatory practice has been or is being engaged in. The commission also may conduct, upon its own initiative and independent of the filing of any charges, a preliminary investigation relating to any of the unlawful discriminatory practices described in division (A), (B), (C), (D), (E), (F), (I), or (J) of section 4112.02 or in section 4112.021 or 4112.022 of the Revised Code. Prior to a notification of a complainant under division (B)(4) of this section or prior to the commencement of informal methods of conference, conciliation, and persuasion under that division, the members of the commission and the officers and employees of the commission shall not make public in any manner and shall retain as confidential all information that was obtained as a result of or that otherwise pertains to a preliminary investigation other than one described in division (B)(3) of this section.

(3)(a) Unless it is impracticable to do so and subject to its authority under division (B)(3)(d) of this section, the commission shall complete a preliminary investigation of a charge filed pursuant to division (B)(1) of this section that alleges an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code, and shall take one of the following actions, within one hundred days after the filing of the charge:

(i) Notify the complainant and the respondent that it is not probable that

an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code has been or is being engaged in and that the commission will not issue a complaint in the matter;

(ii) Initiate a complaint and schedule it for informal methods of conference, conciliation, and persuasion;

(iii) Initiate a complaint and refer it to the attorney general with a recommendation to seek a temporary or permanent injunction or a temporary restraining order. If this action is taken, the attorney general shall apply, as expeditiously as possible after receipt of the complaint, to the court of common pleas of the county in which the unlawful discriminatory practice allegedly occurred for the appropriate injunction or order, and the court shall hear and determine the application as expeditiously as possible.

(b) If it is not practicable to comply with the requirements of division (B)(3)(a) of this section within the one-hundred-day period described in that division, the commission shall notify the complainant and the respondent in writing of the reasons for the noncompliance.

(c) Prior to the issuance of a complaint under division (B)(3)(a)(ii) or (iii) of this section or prior to a notification of the complainant and the respondent under division (B)(3)(a)(i) of this section, the members of the commission and the officers and employees of the commission shall not make public in any manner and shall retain as confidential all information that was obtained as a result of or that otherwise pertains to a preliminary investigation of a charge filed pursuant to division (B)(1) of this section that alleges an unlawful discriminatory practice described in division (H) of section 4112.05 of the Revised Code.

(d) Notwithstanding the types of action described in divisions (B)(3)(a)(ii) and (iii) of this section, prior to the issuance of a complaint or the referral of a complaint to the attorney general and prior to endeavoring to eliminate an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code by informal methods of conference, conciliation, and persuasion, the commission may seek a temporary or permanent injunction or a temporary restraining order in the court of common pleas of the county in which the unlawful discriminatory practice allegedly occurred.

(4) If the commission determines after a preliminary investigation other than one described in division (B)(3) of this section that it is not probable that an unlawful discriminatory practice has been or is being engaged in, it shall notify any complainant under division (B)(1) of this section that it has so determined and that it will not issue a complaint in the matter. If the commission determines after a preliminary investigation other than the one described in division (B)(3) of this section that it is probable that an unlawful discriminatory practice has been or is being engaged in, it shall endeavor to eliminate the practice by informal methods of conference, conciliation, and persuasion.

(5) Nothing said or done during informal methods of conference,

conciliation, and persuasion under this section shall be disclosed by any member of the commission or its staff or be used as evidence in any subsequent hearing or other proceeding. If, after a preliminary investigation and the use of informal methods of conference, conciliation, and persuasion under this section, the commission is satisfied that any unlawful discriminatory practice will be eliminated, it may treat the charge involved as being conciliated and enter that disposition on the records of the commission. If the commission fails to effect the elimination of an unlawful discriminatory practice by informal methods of conference, conciliation, and persuasion under this section and to obtain voluntary compliance with this chapter, the commission shall issue and cause to be served upon any person, including the respondent against whom a complainant has filed a charge pursuant to division (B)(1) of this section, a complaint stating the charges involved and containing a notice of an opportunity for a hearing before the commission, a member of the commission, or a hearing examiner at a place that is stated in the notice and that is located within the county in which the alleged unlawful discriminatory practice has occurred or is occurring or in which the respondent resides or transacts business. The hearing shall be held not less than thirty days after the service of the complaint upon the complainant, the aggrieved persons other than the complainant on whose behalf the complaint is issued, and the respondent, unless the complainant, an aggrieved person, or the respondent elects to proceed under division (A)(2) of section 4112.051 of the Revised Code when that division is applicable. If a complaint pertains to an alleged unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code, the complaint shall notify the complainant, an aggrieved person, and the respondent of the right of the complainant, an aggrieved person, or the respondent to elect to proceed with the administrative hearing process under this section or to proceed under division (A)(2) of section 4112.051 of the Revised Code.

(6) The attorney general shall represent the commission at any hearing held pursuant to division (B)(5) of this section and shall present the evidence in support of the complaint.

(7) Any complaint issued pursuant to division (B)(5) of this section after the filing of a charge under division (B)(1) of this section shall be so issued within one year after the complainant filed the charge with respect to an alleged unlawful discriminatory practice.

(C) Any complaint issued pursuant to division (B) of this section may be amended by the commission, a member of the commission, or the hearing examiner conducting a hearing under division (B) of this section, at any time prior to or during the hearing. The respondent has the right to file an answer or an amended answer to the original and amended complaints and to appear at the hearing in person, by attorney, or otherwise to examine and cross-examine witnesses and present evidence.

(D) The complainant and any aggrieved person shall be a party to a hearing under division (B) of this section held in relation to a violation of

division (H) of section 4112.02 of the Revised Code and may appear at the hearing in person, by attorney, or otherwise to examine and cross-examine witnesses and present evidence.

(E) In a hearing under division (B) of this section held in relation to a violation of this chapter, other than a violation of division (H) of section 4112.02 of the Revised Code, the complainant shall be a party to the hearing, and any person who is an indispensable party to a complete determination or settlement of a question involved in the hearing shall be joined. Any person who has or claims an interest in the subject of the hearing and in obtaining or preventing relief against the unlawful discriminatory practices complained of may be permitted, in the discretion of the person or persons conducting the hearing, to appear for the presentation of oral or written arguments.

~~(E)~~ (F) In any hearing under division (B) of this section, the commission, a member of the commission, or the hearing examiner shall not be bound by the Rules of Evidence but, in ascertaining the practices followed by the respondent, shall take into account all reliable, probative, and substantial statistical or other evidence produced at the hearing that may tend to prove the existence of a predetermined pattern of employment or membership, provided that nothing contained in this section shall be construed to authorize or require any person to observe the proportion that persons of any race, color, religion, sex, military status, familial status, national origin, disability, age, or ancestry bear to the total population or in accordance with any criterion other than the individual qualifications of the applicant.

~~(F)~~ (G) The testimony taken at a hearing under division (B) of this section shall be under oath and shall be reduced to writing and filed with the commission. Thereafter, in its discretion, the commission, upon the service of a notice upon the complainant and the respondent that indicates an opportunity to be present, may take further testimony or hear argument.

~~(G)~~ (H)(1) If, upon all reliable, probative, and substantial evidence presented at a hearing under division (B) of this section, the commission determines that the respondent has engaged in, or is engaging in, any unlawful discriminatory practice, whether against the complainant or others, the commission shall state its findings of fact and conclusions of law and shall issue and, subject to the provisions of Chapter 119. of the Revised Code, cause to be served on the respondent an order requiring the respondent to cease and desist from the unlawful discriminatory practice, requiring the respondent to take any further affirmative or other action that will effectuate the purposes of this chapter, including, but not limited to, hiring, reinstatement, or upgrading of employees with or without back pay, or admission or restoration to union membership, and requiring the respondent to report to the commission the manner of compliance. If the commission directs payment of back pay, it shall make allowance for interim earnings. If it finds a violation of division (H) of section 4112.02 of the Revised Code, the commission additionally shall require the respondent to pay actual damages and reasonable attorney's fees, and may award to the complainant punitive damages as follows:

(a) If division ~~(G)~~ (H)(1)(b) or (c) of this section does not apply, punitive damages in an amount not to exceed ten thousand dollars;

(b) If division ~~(G)~~ (H)(1)(c) of this section does not apply and if the respondent has been determined by a final order of the commission or by a final judgment of a court to have committed one violation of division (H) of section 4112.02 of the Revised Code during the five-year period immediately preceding the date on which a complaint was issued pursuant to division (B) of this section, punitive damages in an amount not to exceed twenty-five thousand dollars;

(c) If the respondent has been determined by a final order of the commission or by a final judgment of a court to have committed two or more violations of division (H) of section 4112.02 of the Revised Code during the seven-year period immediately preceding the date on which a complaint was issued pursuant to division (B) of this section, punitive damages in an amount not to exceed fifty thousand dollars.

(2) Upon the submission of reports of compliance, the commission may issue a declaratory order stating that the respondent has ceased to engage in particular unlawful discriminatory practices.

~~(H)~~ (I) If the commission finds that no probable cause exists for crediting charges of unlawful discriminatory practices or if, upon all the evidence presented at a hearing under division (B) of this section on a charge, the commission finds that a respondent has not engaged in any unlawful discriminatory practice against the complainant or others, it shall state its findings of fact and shall issue and cause to be served on the complainant an order dismissing the complaint as to the respondent. A copy of the order shall be delivered in all cases to the attorney general and any other public officers whom the commission considers proper.

~~(H)~~ (J) Until the time period for appeal set forth in division (H) of section 4112.06 of the Revised Code expires, the commission, subject to the provisions of Chapter 119. of the Revised Code, at any time, upon reasonable notice, and in the manner it considers proper, may modify or set aside, in whole or in part, any finding or order made by it under this section."

In line 110498, after "4112.04," insert "4112.05,"

In line 162 of the title, after "4112.04," insert "4112.05,"

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

The yeas and nays were taken and resulted - yeas 54, nays 44, as follows:

Those who voted in the affirmative were: Representatives

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
Miller	Moran	Murray	Newcomb
Oelslager	Okey	Otterman	Patten
Phillips	Pillich	Pryor	Sayre
Schneider	Skindell	Slesnick	Stewart
Sykes	Szollosi	Ujvagi	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko			Budish-54.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Ruhl
Sears	Snitchler	Stautberg	Stebelton
Uecker	Wachtmann	Wagner	Zehringer-44.

The motion was agreed to and the bill so amended.

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

Representative Heard moved to amend as follows:

In line 118391, delete "\$10,000,000" and insert "\$9,000,000"

Between lines 118399 and 118400, insert:

"Of the foregoing appropriation item 600535, Early Care and Education, up to \$1,000,000 in each fiscal year shall be provided to the Ohio Alliance of Boys and Girls Clubs to provide after-school programs that protect at-risk children and enable youth to become responsible adults. The Ohio Alliance of Boys and Girls Clubs shall provide nutritional meals, snacks, and educational, youth development, and career development services to TANF-eligible children participating in programs and activities operated by eligible Boys and Girls Clubs."

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

The yeas and nays were taken and resulted - yeas 84, nays 14, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Blair	Blessing	Bolon
Book	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Daniels	DeBose	DeGeeter	Derickson
Dodd	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner

Garland	Garrison	Gerberry	Goyal
Grossman	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Koziura	Lehner
Letson	Luckie	Lundy	Mallory
Mandel	McClain	McGregor	Mecklenborg
Miller	Moran	Murray	Newcomb
Oelslager	Okey	Otterman	Patten
Phillips	Pillich	Pryor	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Ujvagi	Weddington	Williams B.	Williams S.
Winburn	Yates	Yuko	Budish-84.

Those who voted in the negative were: Representatives

Adams J.	Batchelder	Boose	Coley
Dolan	Goodwin	Jones	Jordan
Maag	Martin	Morgan	Wachtmann
Wagner			Zehringer-14.

The motion was agreed to and the bill so amended.

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

Representative Fende moved to amend as follows:

In line 119960, delete "\$49,000,000 \$50,000,000" and insert "\$46,500,000 \$47,500,000"

In line 120008, subtract \$2,500,000 from each fiscal year

In line 120036, subtract \$2,500,000 from each fiscal year

In line 121520, delete "\$403,600,000 \$404,900,000" and insert "\$406,100,000 \$407,400,000"

In line 121528, add \$2,500,000 to each fiscal year

In line 121529, add \$2,500,000 to each fiscal year

In line 121551, delete "\$2,500,000" and insert "\$5,000,000"

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

The yeas and nays were taken and resulted - yeas 92, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Baker	Balderson
Batchelder	Blair	Blessing	Bolon
Book	Boose	Boyd	Brown
Bubp	Burke	Carney	Celeste
Chandler	Coley	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	Koziura	Lehner	Letson
Luckie	Lundy	Maag	Mallory
Mandel	Martin	McClain	McGregor
Mecklenborg	Miller	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-92.

Representatives Adams J., Bacon, Huffman, Jones, Jordan, and Ruhl voted in the negative-6.

The motion was agreed to and the bill so amended.

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

Representative Garrison moved to amend as follows:

In line 40132, after "(S)" insert "Potential value" of a school district means the recognized valuation of a school district plus the tax exempt value of the district.

(T)"

In line 40135, delete "(T)" and insert "(U)"

In line 40138, delete "(U)" and insert "(V)"

In line 40140, delete "(V)" and insert "(W)"

In line 40144, delete "(W)" and insert "(X)"

In line 40147, delete "(X)" and insert "(Y)"

In line 40149, delete "(Y)" and insert "(Z)"

In line 40153, delete "(Z)" and insert "(AA)"

In line 40156, delete "(AA)" and insert "(BB)"

In line 40160, delete "(BB)" and insert "(CC)"

In line 40166, delete "(CC)" and insert "(DD)"

In line 40172, delete "(DD)" and insert "(EE)"

In line 40178, delete "(EE)" and insert "(FF)"

Between lines 40181 and 40182, insert:

" (GG) "Tax exempt value" of a school district means the amount certified for a school district under division (A)(4) of section 3317.021 of the Revised Code."

In line 40182, delete " (FF)" and insert " (HH)"

Between lines 41431 and 41432, insert:

" (3)(a) For each school district for which the tax exempt value of the district equals or exceeds twenty-five per cent of the potential value of the district, the department shall calculate the difference between the district's tax exempt value and twenty-five per cent of the district's potential value.

(b) For each school district to which division (B)(3)(a) of this section applies, the department shall adjust the total taxable value used in the calculation under division (B)(1) of this section or the recognized valuation used in the calculation under division (B)(2) of this section by subtracting from it the amount calculated under division (B)(3)(a) of this section."

In line 51141, reinsert "The"; delete " For fiscal years prior to fiscal year 2010, the"

Delete lines 51151 through 51153

In line 114114, delete "\$8,210,500 \$8,210,500" and insert "\$7,810,500 \$7,010,500"

In line 114139, delete "\$4,896,132,136 \$4,787,753,026" and insert "\$4,896,532,136 \$4,788,953,026"

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

The yeas and nays were taken and resulted - yeas 96, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Bolon	Book	Boyd
Brown	Bubp	Burke	Carney
Celeste	Chandler	Coley	Daniels
DeBose	DeGeeter	Derickson	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner
Garland	Garrison	Gerberry	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
Newcomb	Oelslager	Okey	Otterman
Patten	Phillips	Pillich	Pryor
Ruhl	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg

Stebelton	Stewart	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-96.

Representatives Boose and Goodwin voted in the negative-2.

The motion was agreed to and the bill so amended.

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

Representative Harris moved to amend as follows:

In line 119085, after the period insert "At least \$1,000,000 in each fiscal year shall be used to provide behavioral health treatment services for children under the age of seven and their families."

In line 119092, before the period insert ", except that the amount earmarked for children under the age of seven shall be distributed to the local boards based on community-need as determined by the Director of Mental Health"

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

The yeas and nays were taken and resulted - yeas 96, nays 2, 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
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	McClain	McGregor
Mecklenborg	Miller	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Ruhl	Sayre	Schneider
Sears	Skindell	Slesnick	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-96.

Representatives Martin and Snitchler voted in the negative-2.

The motion was agreed to and the bill so amended.

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

Representative Boyd moved to amend as follows:

In line 112079, after the period insert "In implementing the expansion, the Director may not decrease to less than eight hundred eighty the number of PACE Program slots that are made available to eligible residents of Cuyahoga and Hamilton counties and the parts of Butler, Clermont, and Warren counties in which the PACE Program is being operated on the effective date of this section."

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

The yeas and nays were taken and resulted - yeas 94, nays 4, 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
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	McClain	McGregor
Mecklenborg	Miller	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stewart	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
Zehringer			Budish-94.

Representatives Martin, Ruhl, Stebelton, and Wagner voted in the negative-4.

The motion was agreed to and the bill so amended.

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

Representative Miller moved to amend as follows:

In line 117056, delete "URBAN"; after "DISEASE" insert "AND CANCER"

In line 117058, delete "Urban"; after "Disease" insert "and Cancer"

In line 117065, delete "urban"

In line 117069, after "anemia" insert ";

(d) Triple negative breast cancer"

In line 117070, delete "Director or the Director's designee shall" and insert "Governor shall designate from among the Commission members an individual to"

In line 117071, delete "and" and insert "who"

In line 117074, delete "and"; after "anemia" insert ", and triple negative breast cancer"; delete "urban"

In line 117080, delete "and"; after "anemia" insert ", and triple negative breast cancer"; delete "urban"

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

The yeas and nays were taken and resulted - yeas 94, nays 4, 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
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	Koziura	Lehner	Letson
Luckie	Lundy	Maag	Mallory
Mandel	McClain	McGregor	Mecklenborg
Miller	Moran	Morgan	Murray
Newcomb	Oelsluger	Okey	Otterman
Patten	Phillips	Pillich	Pryor
Ruhl	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stewart	Sykes	Szollosi	Uecker
Ujvagi	Wagner	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
Zehringer			Budish-94.

Representatives Jordan, Martin, Stebelton, and Wachtmann voted in the negative-4.

The motion was agreed to and the bill so amended.

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

Representative Blessing moved to amend as follows:

Between lines 121783 and 121784, insert:

"**Section** _____. Notwithstanding the eligibility restriction described in

division (A)(2) of section 3318.37 of the Revised Code, in fiscal year 2010, the Ohio School Facilities Commission may approve a project under the Exceptional Needs School Facilities Assistance Program established under that section for any school district that meets the following conditions:

(A) The district initially applied for the Exceptional Needs Program in fiscal year 2008.

(B) The district's position on the rankings certified under section 3318.011 of the Revised Code for fiscal year 2009 is higher than three hundred sixty."

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

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	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
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	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
Zehringer			Budish-98.

The motion was agreed to and the bill so amended.

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

Representative Sykes moved to amend as follows:

In line 62610, delete " community"

Move lines 68382 through 68393 to between lines 68491 and 68492

In line 110556, delete "Sections" and insert "That sections"

In line 112445, delete "STATE BOARD OF EXAMINERS OF"; after "ARCHITECTS" insert "BOARD"

In line 116837, delete "4405XX" and insert "440515"

In line 118985, delete "MH" and insert "Mental Health"

In line 119478, delete "Service" and insert "Services"

Move line 119556 to between lines 119554 and 119555

In line 120006, delete "SSI" and insert "State Share of Instruction"

In line 120035, delete "7011" and insert "011"

In line 121823, delete the second "\$1,790,512" and insert "\$1,765,512"

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

The motion was agreed to without objection.

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

Representative Burke moved to amend as follows:

In line 561, delete "5112.40, 5112.41, 5112.42,"

Delete line 562

Delete lines 96871 through 97061

Delete lines 111312 through 111314

In line 125078, delete "5112.40, 5112.41, 5112.42, 5112.43,"

In line 125079, delete "5112.44, 5112.45, 5112.451, 5112.46, 5112.47, 5112.48,"

Delete lines 125098 through 125100

In line 117343, delete "\$3,208,537,567 \$2,429,425,188" and insert "\$2,287,387,725 \$1,629,066,194"

In line 117354, subtract \$921,149,841 from fiscal year 2010 and \$800,358,994 from fiscal year 2011

Delete line 117374

In line 117382, subtract \$338,505,284 from fiscal year 2010 and \$370,861,816 from fiscal year 2011

In line 117392, subtract \$1,259,655,125 from fiscal year 2010 and \$1,171,220,810 from fiscal year 2011

In line 278 of the title, delete "5112.40, 5112.41, 5112.42,"

Delete line 279 of the title

In line 280 of the title, delete "5112.47, 5112.48,"

In line 344 of the title, delete "to repeal sections 5112.40, 5112.41,"

Delete lines 345 and 346 of the title

In line 347 of the title, delete "effective October 1, 2011;"

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

Representative Garrison 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 53, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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
Miller	Moran	Murray	Newcomb
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
			Budish-53.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Oelslager
Ruhl	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-45.

The motion to amend was laid on the table.

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

Representative Bubp moved to amend as follows:

In line 388, delete "1332.24,"

In line 451, delete "3705.24,"

In line 536, delete "1513.021,"

Delete lines 23993 through 24126

In line 24212, delete "or an assessment under section 1332.24 of the Revised Code"

Delete lines 25603 through 25651

Delete lines 65166 through 65290

In line 66797, reinsert "2005" and delete "2009"

In line 66802, reinsert "twelve" and delete "one dollar"; reinsert "one-half" and delete "twenty-five"

In line 66803, reinsert "twenty-five" and delete "two dollars and fifty"

In line 110411, delete "1332.24,"

In line 110474, delete "3705.24,"

Delete lines 124119 through 124128

In line 125074, delete "3705.24,"

In line 43 of the title, delete "1332.24,"

In line 129 of the title, delete "3705.24,"

In line 245 of the title, delete "1513.021,"

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

Representative Garrison 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 53, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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
Miller	Moran	Murray	Newcomb
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko Budish-53.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair

Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Oelslager
Ruhl	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-45.

The motion to amend was laid on the table.

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

Representative Adams, J. moved to amend as follows:

In line 359, after "120.53," insert "121.02, 121.03, "; after "121.04," insert "121.05, 121.06, 121.07, "; after "121.084," insert "121.11, 121.13, 121.15, 121.17,"

In line 528, after "111.27," insert "117.103, "; after "117.54," insert "121.041, 121.042, 121.043, 121.044, 121.045, 121.046, 121.047, 121.048, 121.049, 121.0410,"

Between lines 2542 and 2543, insert:

" **Sec. 117.103.** The auditor of state shall conduct performance audits to facilitate the effective and efficient operation of the departments established under section 121.02, and their divisions established under section 121.04 and 121.041 to 121.049, of the Revised Code."

Between lines 3104 and 3105, insert:

"**Sec. 121.02.** (A) The following administrative departments and their respective executive directors are hereby created:

(A) (1) The office of ~~budget~~ finance and ~~management~~ operations, which shall be administered by the executive director of ~~budget~~ finance and ~~management~~ operations;

(~~B~~) (2) The department of ~~commerce~~ business, which shall be administered by the executive director of ~~commerce~~ business;

(~~C~~) The department of ~~administrative services~~, which shall be administered by the ~~director~~ of ~~administrative services~~;

(~~D~~) (3) The department of transportation and infrastructure, which shall be administered by the executive director of transportation and infrastructure;

(~~E~~) The department of ~~agriculture~~, which shall be administered by the ~~director~~ of ~~agriculture~~;

(~~F~~) (4) The department of ~~natural resources~~ resource protection, which shall be administered by the executive director of ~~natural resources~~ resource

protection;

(G) (5) The department of public health, which shall be administered by the executive director of public health;

(H) (6) The department of ~~job and family services~~ human resource development, which shall be administered by the executive director of ~~job and family services~~ human resource development;

(I) ~~Until July 1, 1997, the department of liquor control, which shall be administered by the director of liquor control;~~

(J) (7) The department of public safety, which shall be administered by the executive director of public safety;

(K) ~~The department of mental health, which shall be administered by the director of mental health;~~

(L) ~~The department of mental retardation and developmental disabilities, which shall be administered by the director of mental retardation and developmental disabilities;~~

(M) ~~The department of insurance, which shall be administered by the superintendent of insurance as director thereof;~~

(N) (8) The department of development, which shall be administered by the executive director of development;

(O) ~~The department of youth services, which shall be administered by the director of youth services;~~

(P) (9) The department of community and institutional rehabilitation ~~and correction~~, which shall be administered by the executive director of community and institutional rehabilitation ~~and correction~~;

(Q) ~~The environmental protection agency, which shall be administered by the director of environmental protection;~~

(R) ~~The department of aging, which shall be administered by the director of aging;~~

(S) (10) The department of ~~alcohol and drug addiction services~~ education, which shall be administered by the executive director of ~~alcohol and drug addiction services~~;

(T) (11) The department of veterans services, which shall be administered by the executive director of veterans services.

(B) The executive director of each department shall exercise the powers and perform the duties vested by law in ~~such~~ that department.

Sec. 121.03. The following administrative department heads shall be appointed by the governor, with the advice and consent of the senate, ~~and~~ shall hold their offices during the term of the appointing governor, and are subject to removal at the pleasure of the governor.

- (A) The executive director of ~~budget finance and management operations~~;
- (B) The executive director of ~~commerce~~ business;
- (C) The executive director of transportation and infrastructure;
- (D) ~~The director of agriculture~~;
- (E) The executive director of ~~job and family services~~ human resource development;
- (F) ~~Until July 1, 1997, the director of liquor control~~;
- (G) (E) The executive director of public safety;
- (H) ~~The superintendent of insurance~~;
- (I) (F) The executive director of development;
- (J) ~~The tax commissioner~~;
- (K) ~~The director of administrative services~~;
- (L) (G) The executive director of ~~natural resources~~ resource protection;
- (M) ~~The director of mental health~~;
- (N) ~~The director of mental retardation and developmental disabilities~~;
- (O) (H) The executive director of public health;
- (P) ~~The director of youth services~~;
- (Q) (I) The executive director of community and institutional rehabilitation and correction;
- (R) ~~The director of environmental protection~~;
- (S) ~~The director of aging~~;
- (T) ~~The director of alcohol and drug addiction services~~;
- (U) ~~The administrator of workers' compensation who meets the qualifications required under division (A) of section 4121.121 of the Revised Code~~;
- (V) (J) The executive director of veterans services who meets the qualifications required under section 5902.01 of the Revised Code."

Between lines 3150 and 3151, insert:

" **Sec. 121.041.** The department of education consists of the following divisions, with each headed by the chief of that division:

(A) A division of primary and secondary education responsible for all of the following:

(1) Curriculum and assessment;

(2) Teacher development, and student, family, and community programs;

(3) Nonpublic and alternative schools;

(4) Policy and accountability; and

(5) Coordination of lifelong learning.

(B) A division of higher education for four-year colleges and universities responsible for all of the following:

(1) Curriculum and assessment;

(2) Professor development, and student, family, and community programs;

(3) Policy and higher education development;

(4) Investigations and school compliance; and

(5) The higher education-Ohio business compact as it relates to four-year colleges and universities.

(C) A division of higher education for two-year colleges responsible for all of the following:

(1) Curriculum and assessment;

(2) Professor development, and student, family, and community programs;

(3) Policy and higher education development;

(4) Investigations and school compliance;

(5) The higher education-Ohio business compact as it relates to two-year colleges; and

(6) Adult education.

(D) A division of education finance responsible for all of the following:

(1) Public school and higher education finance and fiscal planning;

(2) Student financial assistance programs;

(3) The Ohio tuition trust authority; and

(4) Federal programs and grant management.

(E) A division of education technology responsible for all of the following:

(1) Educational telecommunications programming and facility management;

(2) Network operations; and

(3) Technology applications.

(F) A division of cultural resources responsible for all of the following:

(1) The state library of Ohio and the archives of the Ohio historical society;

(2) The state historic preservation office;

(3) Historical site and facility maintenance; and

(4) Arts programs and grants.

Sec. 121.042. The department of public safety consists of the following divisions, with each headed by the chief of that division:

(A) A division of uniformed services responsible for all of the following:

(1) The state highway patrol;

(2) The office of the state fire marshal;

(3) Executive security;

(4) Training programs for the uniformed services;

(5) The multi-agency radio communications system; and

(6) Hazardous materials programs.

(B) A division of public safety services responsible for all of the following:

(1) The bureau of motor vehicles;

(2) Certification and continuing education of emergency medical service professionals;

(3) Fire and liquor control research laboratories;

(4) Crash repair investigation;

(5) Criminal justice services;

(6) Youth safety programs;

(7) The Ohio emergency management agency;

(8) Security guard and private investigator licensing; and

(9) Policy and technology.

(C) A division of homeland security and emergency management responsible for all of the following:

(1) The Ohio national guard;

(2) Homeland security;

(3) Capitol square, as defined in section 105.41 of the Revised Code, and other building security;

(4) Aircraft security;

(5) Disaster response planning;

(6) First responder oversight and protection;

(7) Terrorist awareness and prevention;

(8) Family and innovative readiness training; and

(9) Agriculture resource and public water protection.

(D) A division of grants and disbursements responsible for both of the following:

(1) Homeland security and criminal justice services grant management;
and

(2) Administration of all safety-related disbursements.

(E) A division of prevention and enforcement responsible for all of the following:

(1) Enforcement and investigation of violations of liquor control, tobacco, insurance, and food stamp fraud laws;

(2) A vice unit;

(3) Criminal activity prevention; and

(4) Drug force task management.

Sec. 121.043. The department of public health consists of the following divisions, with each headed by the chief of that division:

(A) A division of health and well-being responsible for all of the following:

(1) Family and community health services and programs;

(2) Disease prevention;

(3) State employee health services;

(4) Minority health affairs;

(5) Alcohol and drug addiction treatment and rehabilitation services;

(6) Addiction prevention and intervention services;

(7) State-operated hospital services;

(8) Mental health inpatient services;

(9) Health support services; and

(10) Health policy and accountability.

(B) A division of community care support services responsible for all of

the following:

(1) Local mental health and mental retardation and developmental disabilities programs;

(2) Support for mental retardation and developmental disabilities developmental centers; and

(3) Elder community care, including PASSPORT.

(C) A division of medicaid services responsible for all of the following:

(1) Medicaid disbursements;

(2) Medicaid provider services;

(3) Medicaid revenue administration;

(4) Medicaid fraud, waste, and abuse prevention; and

(5) Federal-state matching.

(D) A division of medical professional and state healthcare system regulation responsible for certification, licensing, investigations, inspections, enforcement, adjudications, continuing education, training, and examinations relating to all of the following bodies or facilities:

(1) Ohio medical transportation board;

(2) Ohio board of dietetics;

(3) State medical board;

(4) Board of nursing;

(5) Ohio optical dispensers board;

(6) State board of optometry;

(7) State board of pharmacy;

(8) State board of psychology;

(9) Chemical dependency professionals board;

(10) Counselor, social worker, and marriage and family therapist counselors board;

(11) Ohio occupational therapy, physical therapy, and athletic trainers board;

(12) State board of orthotics, prosthetics, and pedorthics;

(13) State veterinary medical licensing board;

(14) State chiropractic board;

(15) State dental board;

(16) Board of speech-language pathology and audiology;

(17) Hearing aid dealers and fitters licensing board;

(18) Board of examiners of nursing home administrators;

(19) Ohio respiratory care board; and

(20) Public health facilities, addiction treatment facilities, and mental health facilities.

Sec. 121.044. The department of transportation and infrastructure consists of the following divisions, with each headed by the chief of that division:

(A) A division of system maintenance responsible for all activities related to the general maintenance and upkeep of the state's transportation system, and materials management.

(B) A division of system regulation responsible for all transportation system regulatory activities.

(C) A division of system design and construction responsible for all of the following:

(1) Roadway and traffic, geotechnical, and structural engineering;

(2) System design and construction;

(3) Transportation planning and research;

(4) Local transportation improvement programs;

(5) Service procurement; and

(6) Contract administration.

(D) A division of public transportation responsible for all of the following:

(1) State transit authorities;

(2) Rail transportation and the Ohio rail development commission;

(3) Aviation activities; and

(4) Turnpike activities.

(E) A division of infrastructure financing and revenue distribution responsible for all of the following:

(1) Financing of state building improvements and acquisitions;

(2) Financing of public improvements relating to water and sewer construction, transportation systems, primary and secondary education, higher education, and underground storage facilities;

(3) Other infrastructure revenue distribution.

Sec. 121.045. The department of finance and operations consists of the following divisions, with each headed by the chief of that division:

(A) A general services division responsible for all of the following:

(1) Procurement services;

(2) Fleet and mail services;

(3) Risk management services;

(4) Contract compliance; and

(5) Telecommunications.

(B) A human resources division responsible for all of the following relating to state employees:

(1) Classification and compensation;

(2) Benefits administration, including benefits for members of the Ohio national guard;

(3) Professional development and training;

(4) Equal opportunity services;

(5) Quality service programs;

(6) Collective bargaining management;

(7) The state personnel board of review; and

(8) The state employment relations board.

(C) A facilities and maintenance division responsible for all of the following:

(1) State property and facility maintenance;

(2) Real estate leasing;

(3) Building operations permitting;

(4) Architecture and engineering services; and

(5) The operation of capitol square, the Ohio expositions center, and the Ohio state fair.

(D) An information technology division responsible for all of the following:

(1) Enterprise network security;

(2) Ohio data networks;

(3) Veterans' affairs records systems;

(4) A state technology program; and

(5) The Ohio business gateway, as defined in section 718.051 of the Revised Code.

(E) A division of financial operations responsible for all of the following:

(1) Accounting operations and processing;

(2) Budget analysis;

(3) Economic forecasting and revenue estimation;

(4) A statewide cost allocation plan;

(5) Financial planning;

(6) State debt issuance and debt service management; and

(7) The state controlling board.

(F) A division of revenue administration responsible for all of the following:

(1) Tax collection, administration, and processing;

(2) Tax policy development;

(3) Revenue distribution, including property tax relief distribution;

(4) Unemployment tax administration;

(5) The state lottery commission;

(6) The board of tax appeals; and

(7) Unclaimed funds.

Sec. 121.046. The department of human resource development consists of the following divisions, with each headed by the chief of that division:

(A) An employment services division responsible for all of the following:

(1) All state and federal employee training programs;

(2) Workforce development programs;

(3) Job placement services;

(4) Employer services;

(5) Labor market projections;

(6) Unemployment compensation programs;

(7) Worker safety programs; and

(8) Wage and hour compliance.

(B) A rehabilitation services division responsible for all of the following:

(1) Vocational rehabilitation programs;

(2) Job placement programs for the mentally retarded and developmentally disabled;

(3) Services for the visually impaired;

(4) Disabled employee training programs;

(5) Compliance and assistance programs under the federal Americans with Disabilities Act; and

(6) Other disability determination and assistance programs.

(C) A children and family services division responsible for all of the following:

(1) Child services programs, including adoption, child care, child support, foster care, healthy-start, healthy families, child protection services, kinship, and child care service provider programs;

(2) Housing services;

(3) Family services, including family violence prevention;

(4) Elder rights programs, including counseling on legal rights and end-of-life decisions; and

(5) Children first and family first programs.

(D) A human rights division responsible for all of the following bodies:

(1) Commission on African-American males;

(2) Commission on Hispanic-Latino affairs;

(3) Ohio civil rights commission;

(4) Legal rights service commission; and

(5) Ohio ethics commission.

Sec. 121.047. The department of community and institutional rehabilitation consists of the following divisions, with each headed by the chief of that division:

(A) A division of corrections officer administration responsible for all of the following:

(1) Adult correction and youth correction officers;

(2) Wardens;

(3) Employee relations and labor relations programs;

(4) Equal employment opportunity compliance programs;

(5) Training and assessment;

(6) Classification;

(7) Professional education;

(8) Security threat groups; and

(9) Special tactics and response teams.

(B) A division of correctional support services responsible for all of the following:

(1) Health, safety, and religious services;

(2) Correctional health care and a corrections medical center;

(3) Recovery and psychiatric treatment services;

(4) Food and library services;

(5) An office of mental health forensic services;

(6) The Ohio penal industries program and the agriculture program related to it;

(7) Records management;

(8) Business operations; and

(9) Youth and continuing education programs.

(C) A division of correctional facilities maintenance responsible for facilities construction, activation, and maintenance activities.

(D) A division of parole and community services responsible for all of the following:

(1) Adult detention services;

(2) A bureau of community sanctions;

(3) An office of victim services;

(4) Offender re-entry programs;

(5) Quality and community partnerships;

(6) A best practices institute;

(7) Interstate compact investigations;

(8) Offender supervision special services;

(9) Youth volunteer programs;

(10) Alcohol and drug addiction alternative treatment programs; and

(11) Therapeutic community programs.

Sec. 121.048. The department of business consists of the following divisions, with each headed by the chief of that division:

(A) A division of licensing responsible for licensing, enforcement,

adjudication, investigations, continuing education, and examinations relating to all of the following bodies:

- (1) Accountancy board;
- (2) Ohio athletic commission;
- (3) State board of examiners of architects;
- (4) Barber board;
- (5) State board of cosmetology;
- (6) Board of embalmers and funeral directors;
- (7) State board of registration for professional engineers and surveyors;
- (8) Liquor control commission;
- (9) Board of motor vehicle collision repair registration; and
- (10) State racing commission.

(B) A division of financial institutions and securities coordination responsible for both of the following:

- (1) Chartering, licensing, and regulating financial institutions; and
- (2) Licensing and regulation relating to securities.

(C) A division of building and real estate coordination responsible for all of the following:

(1) Licenses, permits, and inspections relating to building and real estate, including amusement rides;

- (2) Compliance with building codes; and
- (3) The state board of building appeals.

(D) A division of insurance responsible for all of the following:

- (1) Consumer services;
- (2) Financial regulation services;
- (3) Life and health insurance and property and casualty insurance;
- (4) Liquidation of insurance companies;
- (5) Licensing of insurance agents;
- (6) Regulation and enforcement of insurance laws; and
- (7) Strategic planning and market forecasting.

Sec. 121.049. The department of resource protection consists of the following divisions, with each headed by the chief of that division:

(A) A division of land responsible for all of the following:

(1) Mineral resources management;

(2) Parks and recreation;

(3) Off-road trails;

(4) Forestry;

(5) Natural areas and preserves;

(6) Wildlife;

(7) Farmland preservation;

(8) Specialty crop support;

(9) County agricultural societies and awards; and

(10) The plant industry.

(B) A waste and water division responsible for all of the following:

(1) Shoreline preservation;

(2) Coastal management;

(3) Submerged lands;

(4) Hazardous waste management and cleanup;

(5) Solid waste management;

(6) The Ohio Lake Erie commission; and

(7) The burr oak water plant.

(C) A resource quality assurance division responsible for all of the following:

(1) Licensing and permitting;

(2) Inspection and investigation;

(3) Enforcement and adjudication;

(4) Food and drug safety;

(5) Consumer analytical laboratories;

(6) Emergency and remedial response activities;

(7) Utility radiological safety;

(8) Engineering activities;

(9) Wildlife and watercraft officers;

(10) The Ohio air quality development authority;

(11) The Ohio water development authority; and

(12) The environmental review appeals commission.

(D) A division of public awareness responsible for all of the following:

(1) Resource conservation activities;

(2) Science advisory programs;

(3) Recycling and litter prevention programs;

(4) Pollution prevention programs;

(5) Natural resources publications;

(6) Resource information services;

(7) Geologic information services; and

(8) Clean Ohio operating programs.

(E) A division of grants and disbursements responsible for administering and disbursing federal and state environmental and agricultural grants.

Sec. 121.0410. The department of development consists of the following divisions, with each headed by the chief of that division:

(A) A division of small business development;

(B) A division of job ready sites;

(C) A division of film, travel, and tourism;

(D) A division of international trade; and

(E) A division of grants and disbursements.

Sec. 121.05. ~~Except as otherwise provided in this section, in each department, there~~ (A) There shall be an assistant executive director for each department who is designated by the executive director of that department. ~~In the department of health, there shall be two assistant directors, each of whom shall be designated by the director of health. In the department of transportation, there shall be an assistant director for business management, an assistant director for field operations, and an assistant director for transportation policy, each of whom shall be designated by the director of transportation. In the department of insurance, the deputy superintendent of insurance shall be the assistant director. In the department of administrative services, there shall be two assistant directors, each of whom shall be designated by the director of administrative services. In the department of commerce, there shall be two assistant directors, each of whom shall be designated by the director of commerce. In the department of job and family services, there may be up to two assistant directors, each of whom shall be designated by the director of job and family services. In each department with an assistant director, the~~ The assistant executive director shall act as executive director in the absence or disability of the executive director and also shall act as executive director when the position of executive director is vacant ; ~~except that in the department of transportation, the~~

~~department of health, the department of commerce, the department of administrative services, and the department of job and family services, the director shall designate which assistant director shall act as director in the director's absence. In each department without an assistant director, the director shall designate a deputy director to act as director in the absence or disability of the director.~~

~~A (B) An executive director may designate any of the executive director's assistant executive directors or a deputy executive director to serve in the executive director's place as a member of any board, committee, authority, or commission of which the executive director is, by law, a member. The designee, when present, shall be counted in determining whether a quorum is present at any meeting. The designee may vote and participate in all proceedings and actions of the board, committee, authority, or commission, provided that the designee shall not execute or cause a facsimile of the designee's signature to be placed on any obligation, or execute any trust agreement or indenture. The designation shall be in writing, executed by the designating executive director, filed with the secretary of the board, committee, authority, or commission, and shall be in effect until withdrawn or superseded by a new designation.~~

~~Sec. 121.06. The officers mentioned in sections 121.04 , 121.041 to 121.049, and 121.05 of the Revised Code shall be appointed by the executive director of the department in which their offices or divisions are respectively created ; and shall hold office during the pleasure of such the executive director.~~

~~Sec. 121.07. (A) Except as otherwise provided in this division, the The officers mentioned in sections 121.04 , 121.041 to 121.049, and 121.05 of the Revised Code and the offices and divisions they administer shall be under the direction, supervision, and control of the executive directors of their respective departments, and those officers shall perform such the duties as the their respective executive directors prescribe. In performing or exercising any of the examination or regulatory functions, powers, or duties vested by Title XI, Chapters 1733. and 1761., and sections 1315.01 to 1315.18 of the Revised Code in the superintendent of financial institutions, the superintendent of financial institutions and the division of financial institutions are independent of and are not subject to the control of the department or the director of commerce.~~

~~(B) With the approval of the governor, the The executive director of each department shall establish divisions within the department, and distribute the work of the department among such the divisions . Each officer created by section 121.04 of the Revised Code shall be the head of such a division.~~

~~With the approval of the governor, the director of each department may consolidate any two or more of the offices created in the department by section 121.04 of the Revised Code, or reduce the number of or create new divisions therein.~~

~~The listed in sections 121.04 and 121.041 to 121.049 of the Revised Code in accordance with those sections and any other applicable provision of law. The executive director of each department may prescribe rules for the~~

government of the department, the conduct of its employees, the performance of its business, and the custody, use, and preservation of the records, papers, books, documents, and property pertaining ~~thereto~~ to the department."

Between lines 3397 and 3398, insert:

"**Sec. 121.11.** (A) Each officer whose executive director position or whose office or division is created by sections 121.02, 121.04, 121.041 to 121.049, and 121.05 of the Revised Code, before entering upon the officer's duties ~~of office~~, shall take and subscribe an oath of office as provided by law and give bond, conditioned according to law, with security to be approved by the governor in the penal sum, not less than ten thousand dollars, fixed by the governor. The department of ~~administrative services~~ finance and operations may procure from any duly authorized corporate surety a blanket bond covering the officers described in those sections and any other officers the governor designates. The bond and oath of the officers described in those sections shall be filed in the office of the secretary of state.

(B) The executive director of each department, with the approval of the governor, may require any ~~chief of a division, or any~~ officer or employee in the executive director's department ; to give bond in the amount the governor prescribes. The bond or bonds may, in the discretion of the executive director, be individual, schedule, or blanket bonds.

(C) The premium on any bond required or authorized by this section may be paid from the state treasury.

Sec. 121.13. The executive director of each department ~~may~~, with the approval of the governor, may establish and appoint advisory boards to aid in the conduct of the work of ~~his~~ the executive director's department or any division ~~thereof~~ of the department. ~~Such~~ The advisory boards shall exercise no administrative function, and their members shall receive no compensation ; but may receive their actual and necessary expenses.

Sec. 121.15. The executive director of each department ~~shall~~, with the approval of the governor, shall maintain a central office at a location in the state that the executive director finds necessary for the efficient performance of the department. The central office of a department shall not be relocated from Columbus to another location in this state until the executive director of the department has conducted a cost-benefit analysis of the relocation and provided a copy of the analysis to the governor, the speaker of the house of representatives, and the president of the senate and the relocation has been approved by an act of the general assembly.

The executive director of each department ~~may~~, with the approval of the governor, may establish and maintain, at places other than the location of the central office, branch offices for the conduct of any one or more functions of the department.

No relocation of departments or employees of departments from one location in this state to another shall be carried out that will result in an increase

in the total number of employees of all departments or an increase in the total number of employees in any department that is relocated. This section does not prevent a department from increasing the number of its employees to meet the demands of its workload or for any other reason arising from circumstances unrelated to the department's relocation.

Sec. 121.17. Under the direction of the governor, the executive directors of departments shall devise a practical and working basis for ~~co-operation~~ cooperation and ~~co-ordination~~ coordination of work and for the elimination of duplication and overlapping functions. They shall ~~co-operate~~ cooperate with each other in the employment of services and the use of quarters and equipment. The executive director of any department may empower or require an employee of another department, subject to the consent of the superior officer of the employee, to perform any duty ~~which he~~ that the executive director might require of ~~his~~ the director's own subordinates."

In line 110382, after "120.53," insert "121.02, 121.03,"; after "121.04," insert "121.05, 121.06, 121.07,"

In line 110383, after "121.084," insert "121.11, 121.13, 121.15, 121.17,"

Between lines 124050 and 124051, insert:

"Section 701. ____. Before January 1, 2011, the General Assembly shall enact legislation as is necessary completely to implement the state governmental reorganizing intent of the amendment by this act to sections 121.02, 121.03, 121.05, 121.06, 121.07, 121.11, 121.13, 121.15, and 121.17 and the enactment by this act of sections 117.103, 121.041, 121.042, 121.043, 121.044, 121.045, 121.046, 121.047, 121.048, 121.049, and 121.0410 of the Revised Code."

Between lines 125011 and 125012, insert:

"The amendment of sections 121.02, 121.03, 121.05, 121.06, 121.07, 121.11, 121.13, 121.15, and 121.17 and the enactment of sections 117.103, 121.041, 121.042, 121.043, 121.044, 121.045, 121.046, 121.047, 121.048, 121.049, and 121.0410 of the Revised Code take effect on January 1, 2011."

In line 4 of the title, after "120.53," insert "121.02, 121.03,"; after "121.04," insert "121.05, 121.06, 121.07,"

In line 5 of the title, after "121.084," insert "121.11, 121.13, 121.15, 121.17,"

In line 234 of the title, after "111.26," insert "117.103,"; after "117.54," insert "121.041, 121.042, 121.043, 121.044, 121.045, 121.046, 121.047, 121.048, 121.049, 121.0410,"

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

Representative Garrison 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 58, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Bolon	Book	Boyd	Brown
Carney	Celeste	Chandler	DeBose
DeGeeter	Dodd	Dolan	Domenick
Driehaus	Dyer	Fende	Foley
Gardner	Garland	Garrison	Gerberry
Goyal	Hagan	Harris	Harwood
Heard	Hottinger	Koziura	Letson
Luckie	Lundy	Mallory	McGregor
Miller	Moran	Murray	Newcomb
Oelslager	Okey	Otterman	Patten
Phillips	Pillich	Pryor	Sayre
Schneider	Skindell	Slesnick	Stewart
Sykes	Szollosi	Ujvagi	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko			Budish-58.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Evans
Goodwin	Grossman	Hackett	Hall
Hite	Huffman	Jones	Jordan
Lehner	Maag	Mandel	Martin
McClain	Mecklenborg	Morgan	Ruhl
Sears	Snitchler	Stautberg	Stebelton
Uecker	Wachtmann	Wagner	Zehringer-40.

The motion to amend was laid on the table.

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

Representative Amstutz moved to amend as follows:

In line 94013, after "(B)" strike through the balance of the line

In line 94014, strike through "program, the" and insert " The"; strike through "may" and insert " shall not"

In line 94017, after "program" insert " , unless the department is authorized by a statute of this state to provide the medical assistance"

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

Representative Garrison 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 53, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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
Miller	Moran	Murray	Newcomb
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
			Budish-53.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Oelslager
Ruhl	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-45.

The motion to amend was laid on the table.

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

Representative Sears moved to amend as follows:

In line 502, after "5111.06," insert "5111.083, 5111.16,"

In line 558, after "5111.0121," insert "5111.035, 5111.092, 5111.093, 5111.141, 5111.142, 5111.165,"

Between lines 94702 and 94703, insert:

" **Sec. 5111.035.** (A) Each medicaid provider selected by the department of job and family services shall give bond with surety to the department, in the amount the department determines and to the satisfaction of the department, for the faithful adherence by the provider to the requirements of section 5111.03 of the Revised Code.

(B) The department shall determine which providers are subject to division (A) of this section, but shall subject any provider who has been

investigated for any criminal offense of fraud, as set forth in Chapter 2913. of the Revised Code, to the bond requirement. The department shall set the amount of the bond at a level that reflects, as determined by the director of job and family services, the level of risk of fraud by the provider."

Between lines 94819 and 94820, insert:

"**Sec. 5111.083.** (A) As used in this section, "licensed health professional authorized to prescribe drugs" has the same meaning as in section 4729.01 of the Revised Code.

(B) The director of job and family services ~~may~~ shall establish an e-prescribing system for the medicaid program under which a medicaid provider who is a licensed health professional authorized to prescribe drugs shall use an electronic system to prescribe a drug for a medicaid recipient when required to do so by division (C) of this section. The e-prescribing system shall eliminate the need for such medicaid providers to make prescriptions for medicaid recipients by handwriting or telephone. The e-prescribing system also shall provide such medicaid providers with an up-to-date, clinically relevant drug information database and a system of electronically monitoring medicaid recipients' medical history, drug regimen compliance, and fraud and abuse.

(C) ~~If the director establishes~~ In establishing an e-prescribing system under division (B) of this section, the director shall do all of the following:

(1) Require that a medicaid provider who is a licensed health professional authorized to prescribe drugs use the e-prescribing system during a fiscal year if the medicaid provider was one of the ten medicaid providers who, during the calendar year that precedes that fiscal year, issued the most prescriptions for medicaid recipients receiving hospital services;

(2) Before the beginning of each fiscal year, determine the ten medicaid providers that issued the most prescriptions for medicaid recipients receiving hospital services during the calendar year that precedes the upcoming fiscal year and notify those medicaid providers that they must use the e-prescribing system for the upcoming fiscal year;

(3) Seek the most federal financial participation available for the development and implementation of the e-prescribing system.

Sec. 5111.092. (A) Not later than January 1, 2010, and each year thereafter, the department of job and family services shall prepare a report on the department's efforts to minimize fraud, waste, and abuse in the medicaid program. In preparing the report, the department shall collaborate with other medicaid program fraud, waste, and abuse personnel from all of the following:

(1) The medicaid fraud control unit of the office of the attorney general;

(2) The fraud and investigative audit group of the auditor of state;

(3) State agencies with which the department contracts under section 5111.91 of the Revised Code to administer one or more components of the

medicaid program or one or more aspects of a component:

(4) County departments of job and family services.

(B) Each report shall include at least both of the following with regard to minimizing fraud, waste, and abuse in the medicaid program:

(1) Goals and objectives that are mutually agreed upon by the department and the entities with which it collaborates under division (A) of this section:

(2) Performance measures for monitoring all state and local activities.

(C) Each report shall be made available on the department's web site. Copies of the report shall be made available to the public on request.

Sec. 5111.093. (A) As used in this section, "local medicaid administrative agency" means all of the following:

(1) A county department of job and family services;

(2) A county board of mental retardation and developmental disabilities;

(3) A board of alcohol, drug addiction, and mental health services;

(4) A PASSPORT administrative agency;

(5) A board of education of a city, local, or exempted village school district;

(6) The governing authority of a community school established under Chapter 3314. of the Revised Code.

(B) Each local medicaid administrative agency shall report annually to the department of job and family services and office of budget and management all of the following information regarding the previous calendar year:

(1) The total amount of local government funds the local medicaid administrative agency expended for the medicaid program;

(2) The portion of the total reported under division (B)(1) of this section that represents funds raised by local property tax levies;

(3) The local medicaid administrative agency's total administrative costs for the medicaid program;

(4) The local medicaid administrative agency's administrative costs for the medicaid program for which the agency receives no federal financial participation;

(5) The total amount of state funds provided to the local medicaid administrative agency for the medicaid program.

Sec. 5111.141. The department of job and family services shall conduct a review of case management services provided under the fee-for-service component of the medicaid program. In conducting the review, the department shall identify which groups of medicaid recipients not participating in the care

management system established under section 5111.16 of the Revised Code or enrolled in a medicaid waiver component as defined in section 5111.85 of the Revised Code do not receive case management services and which groups of such medicaid recipients receive case management services as part of two or more components of the medicaid program or from two or more providers.

After completing the review, the department shall implement a case management component of the medicaid program. The department shall model the case management component on the former enhanced care management program that the department created as part of the care management system established under section 5111.16 of the Revised Code. The department shall make adjustments as are necessary to fit the groups the case management component is to serve. At a minimum, the case management component shall serve medicaid recipients who are members of the groups identified in the review conducted under this section and have been diagnosed by a physician as having any of the following medical conditions:

(A) A high-risk pregnancy;

(B) Diabetes;

(C) Asthma;

(D) Lung disease;

(E) Congestive heart failure;

(F) Coronary artery disease;

(G) Hypertension;

(H) Hyperlipidemia;

(I) Testing positive for infection with the human immunodeficiency virus;

(J) Acquired immunodeficiency syndrome;

(K) Chronic obstructive pulmonary disease.

Sec. 5111.142. (A) The department of job and family services shall implement a disease management component of the medicaid program. The disease management component shall consist of a system of coordinated health care interventions and patient communications for groups of medicaid recipients who have medical conditions for which the department determines patient self-care efforts are significant. The disease management component shall do all of the following:

(1) Support physicians, the professional relationship between patients and their medical caregivers, and patients' plans of care;

(2) Emphasize prevention of exacerbations and complications of medical conditions using evidence-based practice guidelines and patient empowerment strategies;

(3) Evaluate clinical, humanistic, and economic outcomes on an ongoing basis with the goal of improving overall health.

(B) To the extent the department considers appropriate, contracts that the department enters into with other state agencies under section 5111.91 of the Revised Code shall provide for the other state agencies to include the disease management component in the component of the medicaid program that the other state agency administers pursuant to the contract.

Sec. 5111.16. (A) As part of the medicaid program, the department of job and family services shall establish a care management system. The department shall submit, if necessary, applications to the United States department of health and human services for waivers of federal medicaid requirements that would otherwise be violated in the implementation of the system.

(B) The department shall implement the care management system in some or all counties and shall designate the medicaid recipients who are required or permitted to participate in the system. In the department's implementation of the system and designation of participants, all of the following apply:

(1) ~~In~~ Except as provided under division (B)(3) of this section, in the case of individuals who receive medicaid on the basis of being included in the category identified by the department as covered families and children, the department shall implement the care management system in all counties. All individuals included in the category shall be designated for participation, except for ~~individuals~~ individuals included in one or more of the medicaid recipient groups specified in 42 C.F.R. 438.50(d). The department shall designate the participants not later than January 1, 2006. Beginning not later than December 31, 2006, the department shall ensure that all participants are enrolled in health insuring corporations under contract with the department pursuant to section 5111.17 of the Revised Code.

(2) ~~In~~ Except as provided under division (B)(3) of this section, in the case of individuals who receive medicaid on the basis of being aged, blind, or disabled, as specified in division (A)(2) of section 5111.01 of the Revised Code, the department shall implement the care management system in all counties. All individuals included in the category shall be designated for participation, except for the individuals specified in divisions (B)(2)(a) to (e) of this section. Beginning not later than December 31, 2006, the department shall ensure that all participants are enrolled in health insuring corporations under contract with the department pursuant to section 5111.17 of the Revised Code.

In designating participants who receive medicaid on the basis of being aged, blind, or disabled, the department shall not include any of the following:

(a) Individuals who are under twenty-one years of age;

(b) Individuals who are institutionalized;

(c) Individuals who become eligible for medicaid by spending down their income or resources to a level that meets the medicaid program's financial

eligibility requirements;

(d) Individuals who are dually eligible under the medicaid program and the medicare program established under Title XVIII of the "Social Security Act," 79 Stat. 286 (1965), 42 U.S.C. 1395, as amended;

(e) Individuals to the extent that they are receiving medicaid services through a medicaid waiver component, as defined in section 5111.85 of the Revised Code.

(3) The department shall not designate an individual as a participant in the care management system under division (B)(1) or (2) of this section if the individual is designated as a participant in the alternative care models program established under section 5111.165 of the Revised Code.

(4) Alcohol, drug addiction, and mental health services covered by medicaid shall not be included in any component of the care management system when the nonfederal share of the cost of those services is provided by a board of alcohol, drug ~~addiction~~ addiction, and mental health services or a state agency other than the department of job and family services, but the recipients of those services may otherwise be designated for participation in the system.

(C) Subject to division (B) of this section, the department may do both of the following under the care management system:

(1) Require or permit participants in the system to obtain health care services from providers designated by the department;

(2) Require or permit participants in the system to obtain health care services through managed care organizations under contract with the department pursuant to section 5111.17 of the Revised Code.

(D)(1) The department shall prepare an annual report on the care management system. The report shall address the department's ability to implement the system, including all of the following components:

(a) The required designation of participants included in the category identified by the department as covered families and children;

(b) The required designation of participants included in the aged, blind, or disabled category of medicaid recipients;

~~(c) The conduct of the pilot program for chronically ill children established under section 5111.163 of the Revised Code;~~

~~(d) The use of any programs for enhanced care management.~~

(2) The department shall submit each annual report to the general assembly. The first report shall be submitted not later than October 1, 2007.

(E) The director of job and family services may adopt rules in accordance with Chapter 119. of the Revised Code to implement this section.

Sec. 5111.165. (A) Notwithstanding any conflicting provision of section

5111.16 of the Revised Code, the department of job and family services shall develop and implement an alternative care models program as part of the care management system established under that section. The purpose of the program shall be to test and evaluate multiple alternative care models for providing health care services to medicaid recipients designated under this section as participants in the program.

(B) The program shall be implemented not later than October 1, 2009, or, if by that date the department has not received any necessary federal approval to implement the program, as soon as practicable after receiving the approval.

In implementing the program, the department shall ensure that each model included in the program is operated in at least three counties selected by the department. The department may extend its operation of a model program into other counties if the department determines such an expansion is necessary to evaluate the effectiveness of the model program.

(C) The department shall periodically alter the requirements, design, or eligible participants in the program in order to test and evaluate the effectiveness of varying alternative care models for providing medicaid services, except that each model included in the program shall be in effect for a duration necessary to evaluate the effectiveness of the model.

(D) The department shall conduct an evaluation of each alternative care model included in the program. As part of the evaluation, the department shall maintain statistics on physician expenditures, hospital expenditures, preventable hospitalizations, costs for each participant, effectiveness, and health outcomes for participants.

(E) The department shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this section. The rules shall specify standards and procedures to be used in designating participants of the program."

In line 110526, after "5111.06," insert "5111.083, 5111.16,"

In line 110572, delete "5111.083,"

Between lines 118023 and 118024, insert:

"Section ____ . THIRD PARTY LIABILITY - PILOT PROGRAM

(A) As used in this section:

(1) "Medicaid program" means the medical assistance program established under Chapter 5111. of the Revised Code.

(2) "Third party" has the same meaning as in section 5101.571 of the Revised Code.

(B) Except as provided in division (C) of this section and using technology designed to identify all persons liable to pay a claim for a medical item or service, the Director of Job and Family Services shall establish and administer a pilot program for the purpose of identifying third parties that are

liable for paying all or a portion of a claim for a medical item or service provided to a Medicaid recipient before the claim is submitted to, or paid by, the Medicaid program. The Director shall determine the duration of the pilot program, except that the Director shall not specify that the program terminates less than eighteen months after it is established.

(1) In administering the pilot program, the Director shall, subject to division (B)(2) of this section, ensure that all aspects of the program comply with Ohio and federal law, including the "Health Insurance Portability and Accountability Act of 1996," Pub. L. No. 104-191, as amended, and regulations promulgated by the United States Department of Health and Human Services to implement the Act.

(2) The Director's duty to ensure compliance with the laws described in division (B)(1) of this section neither prohibits a third party from providing information to the Department of Job and Family Services or disclosing or making use of information as permitted under section 5101.572 of the Revised Code or when required by any other provision of Ohio or federal law, nor prohibits the Department from using information provided by a third party as permitted in section 5101.572 of the Revised Code or when required by any other provision of Ohio or federal law.

(C)(1) The Director may enter into a contract with any person under which the person serves as the administrator of the pilot program. Before entering into a contract for a pilot program administrator, the department shall issue a request for proposals from persons seeking to be considered. The department shall develop a process to be used in issuing the request for proposals, receiving responses to the request, and evaluating the responses on a competitive basis. In accordance with that process, the department shall select the person to be awarded the contract.

(2) The Director may delegate to the person awarded the contract any of the Director's powers or duties specified in this section. The terms of the contract shall specify the extent to which the powers or duties are delegated to the pilot program administrator.

(3) In exercising powers or performing duties delegated under the contract, the pilot program administrator is subject to the same provisions of this section that grant the powers or duties to the Director, as well as any limitations or restrictions that are applicable to or associated with those powers or duties.

(4) The terms of a contract for a pilot program administrator shall include a provision that specifies that the Director or any agent of the Director is not liable for the failure of the administrator to comply with a term of the contract, including any term that specifies the administrator's duty to ensure compliance with the laws described in division (B) of this section.

(D) Twelve months after the pilot program is established, the Director shall evaluate the program's effectiveness. As part of this evaluation, the Director shall determine both of the following:

(1) For the twelve months immediately preceding the establishment of the pilot program, all of the following:

(a) The amount of money paid for each Medicaid claim in which no third party liability was indicated by the Medicaid recipient but for which at least one third party was liable to pay all or a portion of the claim, and the amount attributable to each liable party;

(b) The portion of the amounts attributable to each liable third party, described in division (D)(1)(a) of this section, that were recovered by the Director or a person with which the Director has contracted to manage the recovery of money due from liable third parties.

(c) The portion of the amounts attributable to each liable third party, described in division (D)(1)(a) of this section, that would have been identified by the technology used by the pilot program had the technology been used in those twelve months.

(2) For the first twelve months of the pilot program, both of the following:

(a) The items described in divisions (D)(1)(a) and (b) of this section.

(b) The portion of the amounts attributable to each liable third party, described in division (D)(1)(a) of this section, that were identified by the technology used by pilot the program.

(E) Not later than three months after the evaluation required by division (D) of this section is initiated, the Director shall prepare and submit to the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate a report that summarizes the results of the Director's evaluation of the pilot program. At a minimum, the report shall summarize and compare the determinations made under division (D) of this section, conclude whether the program achieved savings for the Medicaid program, and make a recommendation as to whether the pilot program should be extended or be made permanent.

(F) The Director may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this section."

In line 200 of the title, after "5111.06," insert "5111.083,"

In line 275 of the title, after "5111.0121," insert "5111.035, 5111.092, 5111.093, 5111.141, 5111.142, 5111.165,"

In line 306 of the title, delete "5111.083, 5111.16,"

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

Representative Garrison 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 53, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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
Miller	Moran	Murray	Newcomb
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
			Budish-53.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Oelslager
Ruhl	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-45.

The motion to amend was laid on the table.

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

Representative Gardner moved to amend as follows:

In line 39928, after "**3306.012.**" insert "(A)"

Between lines 39936 and 39937, insert:

" (B) For fiscal years 2010 and 2011, on the form required by division (A) of this section, the department shall report each school district's total funding under this chapter as two separate subtotals as follows:

(1) A subtotal showing the portion of the district's total funding under this chapter paid from (a) the general revenue fund, minus the amount funded from appropriation item 200551, Foundation Funding - Federal Stimulus, and (b) the lottery profits education fund;

(2) A subtotal showing the portion of the district's total funding under this chapter paid from appropriation item 200551, Foundation Funding - Federal

Stimulus."

Between lines 115130 and 115131, insert:

"Section ____ . FOUNDATION FUNDING – FEDERAL STIMULUS

The foregoing appropriation item 200551, Foundation Funding – Federal Stimulus, shall be used to support the foundation funding formula under Chapter 3306. of the Revised Code. In each fiscal year, each payment to each school district, community school, and STEM school that is supported by appropriation items 200551, Foundation Funding – Federal Stimulus, and 200550, Foundation Funding, shall be supported by these two items in proportion to the items' total appropriations for foundation funding for each fiscal year. The Department of Education shall report the portion of each payment supported by appropriation item 200551, Foundation Funding – Federal Stimulus, separately as provided in section 3306.012 of the Revised Code."

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

Representative Garrison 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 53, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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
Miller	Moran	Murray	Newcomb
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
			Budish-53.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Oelslager
Ruhl	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-45.

The motion to amend was laid on the table.

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

Representative McGregor moved to amend as follows:

In line 537, delete "1751.68,"

In line 554, delete "3923.84,"

In line 30639, delete " 3923.84."

Delete lines 31733 through 31893

Delete lines 77428 through 77611

In line 116230, delete "\$600,263,430" and insert "\$598,643,430"

In line 116235, delete "\$1,564,746,009" and insert "\$1,563,126,009"

In line 116236, delete "\$1,660,046,009" and insert "\$1,658,426,009"

Delete lines 124966 through 124970

In line 246 of the title, delete "1751.68,"

In line 268 of the title, delete "3923.84,"

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

Representative Garrison 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 55, nays 43, as follows:

Those who voted in the affirmative were: Representatives

Bolon	Book	Boyd	Brown
Carney	Celeste	Chandler	DeBose
DeGeeter	Dodd	Domenick	Driehaus
Dyer	Fende	Foley	Gardner
Garland	Garrison	Gerberry	Goyal
Hagan	Harris	Harwood	Heard
Koziura	Letson	Luckie	Lundy
Mallory	Miller	Moran	Murray
Newcomb	Oelslager	Okey	Otterman
Patten	Phillips	Pillich	Pryor
Sayre	Schneider	Skindell	Slesnick
Stewart	Sykes	Szollosi	Ujvagi
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko		Budish-55.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Goodwin	Grossman	Hackett

Hall	Hite	Hottinger	Huffman
Jones	Jordan	Lehner	Maag
Mandel	Martin	McClain	McGregor
Mecklenborg	Morgan	Ruhl	Sears
Snitchler	Stautberg	Stebelton	Uecker
Wachtmann	Wagner		Zehringer-43.

The motion to amend was laid on the table.

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

Representative Jones moved to amend as follows:

In line 518, after "5751.21," insert "5751.22,"

Strike through lines 108577 through 108584

In line 108585, strike through "2019" and insert " 2011"; strike through "30" and insert " 0"; strike through "0" and insert " 30"

In line 108794, strike through "(B)" and insert " (C)"

Between lines 109089 and 109090, insert:

"Sec. 5751.22. (A) Not later than January 1, 2006, the tax commissioner shall compute the payments to be made to each local taxing unit for each year according to divisions (A)(1), (2), (3), and (4) of this section, and shall distribute the payments in the manner prescribed by division (C) of this section. The calculation of the fixed-sum levy loss shall cover a time period sufficient to include all fixed-sum levies for which the commissioner determined, pursuant to division (E) of section 5751.20 of the Revised Code, that a fixed-sum levy loss is to be reimbursed.

(1) Except as provided in division (A)(4) of this section, for machinery and equipment, inventory, and furniture and fixtures fixed-rate levy losses determined under division (D) of section 5751.20 of the Revised Code, payments shall be made in an amount equal to each of those losses multiplied by the following:

(a) For tax years 2006 through 2010, one hundred per cent;

(b) For tax year 2011, a fraction, the numerator of which is fourteen and the denominator of which is seventeen;

(c) For tax year 2012, a fraction, the numerator of which is eleven and the denominator of which is seventeen;

(d) For tax year 2013, a fraction, the numerator of which is nine and the denominator of which is seventeen;

(e) For tax year 2014, a fraction, the numerator of which is seven and the denominator of which is seventeen;

(f) For tax year 2015, a fraction, the numerator of which is five and the

denominator of which is seventeen;

(g) For tax year 2016, a fraction, the numerator of which is three and the denominator of which is seventeen;

(h) For tax year 2017, a fraction, the numerator of which is one and the denominator of which is seventeen;

(i) For tax years 2018 and thereafter, no fixed-rate payments shall be made.

Any qualifying levy that is a fixed-rate levy that is not applicable to a tax year after 2010 shall not qualify for any reimbursement after the tax year to which it is last applicable.

(2) Except as provided in division (A)(4) of this section, for telephone property fixed-rate levy losses determined under division (D)(4) of section 5751.20 of the Revised Code, payments shall be made in an amount equal to each of those losses multiplied by the following:

(a) For tax years 2009 through 2011, one hundred per cent;

(b) For tax year 2012, seven-eighths;

(c) For tax year 2013, six-eighths;

(d) For tax year 2014, five-eighths;

(e) For tax year 2015, four-eighths;

(f) For tax year 2016, three-eighths;

(g) For tax year 2017, two-eighths;

(h) For tax year 2018, one-eighth;

(i) For tax years 2019 and thereafter, no fixed-rate payments shall be made.

Any qualifying levy that is a fixed-rate levy that is not applicable to a tax year after 2011 shall not qualify for any reimbursement after the tax year to which it is last applicable.

(3) For fixed-sum levy losses determined under division (E) of section 5751.20 of the Revised Code, payments shall be made in the amount of one hundred per cent of the fixed-sum levy loss for payments required to be made in 2006 and thereafter.

(4) For taxes levied within the ten-mill limitation for debt purposes in tax year 2005, payments shall be made based on the schedule in division (A)(1) of this section for each of the calendar years 2006 through 2010. For each of the calendar years 2011 through 2017, the percentages for calendar year 2010 shall be used, as long as the qualifying levy continues to be used for debt purposes. If the purpose of such a qualifying levy is changed, that levy becomes subject to the payment schedules in divisions (A)(1)(a) to (h) of this section. No payments

shall be made for such levies after calendar year 2017.

(B) Beginning in 2007, by the thirty-first day of January of each year, the tax commissioner shall review the calculation originally made under division (A) of this section of the fixed-sum levy losses determined under division (E) of section 5751.20 of the Revised Code. If the commissioner determines that a fixed-sum levy that had been scheduled to be reimbursed in the current year has expired, a revised calculation for that and all subsequent years shall be made.

(C) Payments to local taxing units required to be made under division (A) of this section shall be paid from the local government tangible property tax replacement fund to the county undivided income tax fund in the proper county treasury. Beginning in May 2006, one-seventh of the amount certified under that division shall be paid by the last day of May each year, and three-sevenths shall be paid by the last day of August and October each year. Within forty-five days after receipt of such payments, the county treasurer shall distribute amounts determined under division (A) of this section to the proper local taxing unit as if they had been levied and collected as taxes, and the local taxing unit shall apportion the amounts so received among its funds in the same proportions as if those amounts had been levied and collected as taxes.

(D) For each of the fiscal years 2006 through 2019, if the total amount in the local government tangible property tax replacement fund is insufficient to make all payments under division (C) of this section at the times the payments are to be made, the director of budget and management shall transfer from the general revenue fund to the local government tangible property tax replacement fund the difference between the total amount to be paid and the amount in the local government tangible property tax replacement fund. ~~For each fiscal year after 2019, at the time payments under division (A)(2) of this section are to be made, the director of budget and management shall transfer from the general revenue fund to the local government property tax replacement fund the amount necessary to make such payments.~~

(E) On the fifteenth day of June of each year from 2006 through ~~2018~~ 2011, the director of budget and management may transfer any balance in the local government tangible property tax replacement fund to the general revenue fund. At the end of each fiscal year beginning with fiscal year 2012 and ending with fiscal year 2018, any balance in the local government tangible property tax replacement fund shall remain in the fund to be used in future fiscal years for local government purposes. In each fiscal year beginning with fiscal year 2019, all amounts credited to the local government tangible property tax replacement fund shall be appropriated for local government purposes. As used in this division, "local government purposes" means providing monetary assistance to local taxing units including, but not limited to, supplementing payments from the local government fund and continuing the payments provided in divisions (A) and (C) of this section.

(F) If all or a part of the territories of two or more local taxing units are merged, or unincorporated territory of a township is annexed by a municipal

corporation, the tax commissioner shall adjust the payments made under this section to each of the local taxing units in proportion to the tax value loss apportioned to the merged or annexed territory, or as otherwise provided by a written agreement between the legislative authorities of the local taxing units certified to the commissioner not later than the first day of June of the calendar year in which the payment is to be made."

In line 110541, after "5751.21," insert "5751.22,"

In line 221 of the title, after "5751.21," insert "5751.22,"

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

Representative Garrison 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 53, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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
Miller	Moran	Murray	Newcomb
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
			Budish-53.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Oelslager
Ruhl	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-45.

The motion to amend was laid on the table.

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

Representative Morgan moved to amend as follows:

Delete lines 357 through 125220, and insert:

"Section 1. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained.

Section 2. There is hereby appropriated for the period July 1, 2009, through September 30, 2009, to each agency, board, commission, department, office, authority, or other organization for which an appropriation was made by the 127th General Assembly, out of money in the state treasury to the credit of the respective funds of the state from which appropriations were made for the 2009 fiscal year, for each specific item for which an appropriation was made by the 127th General Assembly, an amount equal to one-fourth of each item's effective appropriation for the 2009 fiscal year, taking into account Controlling Board actions, executive budget reductions, and transfers of pay bill money, except that:

(A) All sums appropriated for personal services, maintenance, and equipment shall be deemed to have been appropriated for operating expenses.

(B) No money is appropriated for programs or agencies that were terminated by action of law, other than the expiration of an appropriation item, prior to June 30, 2009.

(C) No money shall be spent by any state agency for any program that is new or to the extent it has been expanded other than by operation of law.

(D) No money is appropriated for any purpose for which appropriations are made elsewhere in this act.

(E) No money is appropriated for capital purposes other than by reappropriation of unexpended balances of existing appropriations.

(F) No money is appropriated for purposes that have full fiscal year 2010 appropriations by another act of the General Assembly.

The Director of Budget and Management shall make any determinations necessary to decide which provision applies from this section.

During the period covered by this act, no state agency shall spend money for an earmark from fiscal year 2009 that was not included in both Am. Sub. H.B. 1 of the 128th General Assembly as passed by the House of Representatives and Am. Sub. H.B. 1 of the 128th General Assembly as passed by the Senate.

In addition to the restrictions in the preceding paragraph, expenditures during the period covered by this act under any earmark for fiscal year 2009 shall not exceed one-fourth of the effective earmark for fiscal year 2009 after all budget reductions and shall also not exceed the total of expenditures made

during the months of July, August, and September 2008.

Section 3. ADJUSTMENT TO LOCAL GOVERNMENT DISTRIBUTIONS

(A) Notwithstanding section 131.51 of the Revised Code, for each month in the period beginning July 1, 2009, and ending June 30, 2010, the amount of tax revenue otherwise required to be credited to the Local Government Fund and the Public Library Fund under that section shall instead be credited as prescribed by divisions (A)(1) and (2) of this section.

(1) The dollar amount credited to the Local Government Fund in each month shall equal the amount credited to that fund in the corresponding month of 2008 under section 131.51 of the Revised Code.

(2) The dollar amount credited to the Public Library Fund in each month shall equal the amount credited to that fund in the corresponding month of 2008 under section 131.51 of the Revised Code.

(B) Notwithstanding sections 5747.50 to 5747.51 of the Revised Code, the total amount credited each month to the Local Government Fund under division (A)(1) of this section shall be distributed on or before the tenth day of the immediately succeeding month as prescribed in divisions (B)(1) and (2) of this section:

(1) Each county Undivided Local Government Fund shall receive a distribution from the Local Government Fund that is based on its proportionate share of the total amount received by it from the Local Government Fund in the same month of the preceding year.

(2) Each municipal corporation receiving a direct distribution from the Local Government Fund shall receive a distribution that is based on its proportionate share of the total amount received by it from the Local Government Fund in the same month of the preceding year.

(C) Notwithstanding sections 5747.46 and 5747.47 of the Revised Code, the total amount credited each month to the Public Library Fund under division (A)(2) of this section shall be distributed on or before the tenth day of the immediately succeeding month to each county's Public Library Fund in an amount equal to its proportionate share of the amount distributed to it from the Public Library Fund in the same month of the preceding year.

Section 4. There is hereby appropriated for the FY2010-FY2011 biennium, out of money in the state treasury to the credit of the General Revenue Fund, the following sums:

		Appropriations
CEB CONTROLLING BOARD		
General Revenue Fund		
GRF 911401	Emergency Purposes/Contingencies	\$ 20,000,000
GRF 911412	OBM-Uneven Cash Distribution	\$ 250,000,000
TOTAL GRF General Revenue Fund		\$ 270,000,000

obligations issued pursuant to Chapter 154. of the Revised Code.

There is hereby appropriated, out of money in the state treasury to the credit of the General Revenue Fund, to the Department of Mental Retardation and Developmental Disabilities, \$21,626,800 for the period beginning July 1, 2009, and ending June 30, 2010, and \$22,360,300 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 320415, Lease-Rental Payments, pursuant to leases and agreements made under section 154.20 of the Revised Code. These appropriations are the source of funds pledged for bond service charges on obligations issued pursuant to Chapter 154. of the Revised Code.

There is hereby appropriated, out of money in the state treasury to the credit of the General Revenue Fund to the Ohio Board of Regents, \$124,461,100 for the period beginning July 1, 2009, and ending June 30, 2010, and \$107,897,100 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 235401, Lease Rental Payments, pursuant to leases and agreements made under section 154.21 of the Revised Code. These appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 154. of the Revised Code.

There is hereby appropriated, out of money in the state treasury to the credit of the General Revenue Fund to the Ohio Board of Regents, \$85,317,700 for the period beginning July 1, 2009, and ending June 30, 2010, and \$89,480,300 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 235909, Higher Education General Obligation Debt Service, which shall be used to pay all debt service and related financing costs at the times they are required to be made for obligations issued during the period from July 1, 2009, to June 30, 2011, under sections 151.01 and 151.04 of the Revised Code.

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Natural Resources, \$21,247,400 for the period beginning July 1, 2009, and ending June 30, 2010, and \$21,556,500 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 725413, OPFC Lease Rental Payments, which shall be used to meet all payments at the times they are required to be made during the period from July 1, 2009, to June 30, 2011, by the Department of Natural Resources pursuant to leases and agreements made under section 154.22 of the Revised Code.

There is hereby appropriated, out of money in the state treasury to the credit of the General Revenue Fund to the Department of Natural Resources, \$26,334,400 for the period beginning July 1, 2009, and ending June 30, 2010, and \$26,549,400 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 725903, Natural Resources General Obligation Debt Service, which shall be used to pay all debt service and related financing costs during the period from July 1, 2009, to June 30, 2011, on obligations issued under sections 151.01 and 151.05 of the Revised Code.

There is hereby appropriated, out of money in the state treasury to the credit of the General Revenue Fund to the Public Works Commission, \$20,711,100 for the period beginning July 1, 2009, and ending June 30, 2010, and \$25,684,900 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 150904, Conservation General Obligation Debt Service, which shall be used to pay all debt service and related financing costs at the times they are required to be made for obligations issued under sections 151.01 and 151.09 of the Revised Code.

There is hereby appropriated, out of money in the state treasury to the credit of the General Revenue Fund to the Public Works Commission, \$148,331,900 for the period beginning July 1, 2009, and ending June 30, 2010, and \$163,443,500 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 150907, State Capital Improvements General Obligation Debt Service, which shall be used to pay all debt service and related financing costs at the times they are required to be made for obligations issued under sections 151.01 and 151.08 of the Revised Code.

There is hereby appropriated, out of money in the state treasury to the credit of the General Revenue Fund to the School Facilities Commission, \$192,559,200 for the period beginning July 1, 2009, and ending June 30, 2010, and \$165,510,500 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 230908, Common Schools General Obligation Debt Service, which shall be used to pay all debt service and related financing costs at the times they are required to be made for obligations issued during the period from July 1, 2009, to June 30, 2011 under sections 151.01 and 151.03 of the Revised Code.

There is hereby appropriated, out of money in the state treasury to the credit of the General Revenue Fund to the Air Quality Development Authority, \$9,968,400 for the period beginning July 1, 2009, and ending June 30, 2010, and \$10,947,000 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 898901, Coal Research and Development General Obligation Debt Service, which shall be used to pay all debt service and related financing costs at the times they are required to be made during the period from July 1, 2009, to June 30, 2011, for obligations issued under sections 151.01 and 151.07 of the Revised Code.

Section 6. There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Youth Services, \$23,460,900 for the period beginning July 1, 2009, and ending June 30, 2010, and \$26,043,900 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 470412, Lease Rental Payments, which shall be used for payments to the Ohio Building Authority for the period from July 1, 2009, to June 30, 2011, under the leases and agreements for facilities made under Chapter 152. of the Revised Code, which are the source of funds pledged for bond service charges on related obligations issued pursuant to Chapter 152. of the Revised Code.

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Rehabilitation and Correction, \$101,578,100 for the period beginning July 1, 2009, and ending June 30, 2010, and \$98,080,200 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 501406, Lease Rental Payments. This appropriation shall be used to meet all payments during the period from July 1, 2009, to June 30, 2011, under the primary leases and agreements for those buildings made under Chapter 152. of the Revised Code, which are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 152. of the Revised Code.

Section 7. OHIO BUILDING AUTHORITY

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Administrative Services, \$102,635,400 for the period beginning July 1, 2009, and ending June 30, 2010, and \$97,712,600 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 100447, OBA - Building Rent Payments, which shall be used to meet all payments at the times they are required to be made during the period from July 1, 2009, to June 30, 2011, by the Department of Administrative Services to the Ohio Building Authority pursuant to leases and agreements under Chapter 152. of the Revised Code. These appropriations are the source of funds pledged for bond service charges on obligations issued pursuant to Chapter 152. of the Revised Code.

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Administrative Services, \$25,603,000 for the period beginning July 1, 2009, and ending June 30, 2010, and \$25,603,000 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 100448, OBA - Building Operating Payments, which shall be used to meet all payments at the times that they are required to be made during the period from July 1, 2009, to June 30, 2011, by the Department of Administrative Services to the Ohio Building Authority pursuant to leases and agreements under Chapter 152. of the Revised Code, but limited to the aggregate amount of \$51,206,000.

The payments to the Ohio Building Authority are for the purpose of paying the expenses of agencies that occupy space in the various state facilities. The Department of Administrative Services may enter into leases and agreements with the Ohio Building Authority providing for the payment of these expenses. The Ohio Building Authority shall report to the Department of Administrative Services and the Office of Budget and Management not later than five months after the start of a fiscal year the actual expenses incurred by the Ohio Building Authority in operating the facilities and any balances remaining from payments and rentals received in the prior fiscal year. The Department of Administrative Services shall reduce subsequent payments by the amount of the balance reported to it by the Ohio Building Authority.

Section 8. DAS - BUILDING OPERATING PAYMENTS

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Administrative Services, \$3,271,384 for the period beginning July 1, 2009, and ending June 30, 2010, and \$3,271,384 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 100449, DAS - Building Operating Payments, which shall be used to pay the rent expenses of veterans organizations pursuant to section 123.024 of the Revised Code in fiscal years 2010 and 2011.

Appropriation item 100449, DAS - Building Operating Payments, may be used to provide funding for the cost of property appraisals or building studies that the Department of Administrative Services may be required to obtain for property that is being sold by the state or property under consideration to be renovated or purchased by the state.

Notwithstanding section 125.28 of the Revised Code, the remaining portion of the appropriation may be used to pay the operating expenses of state facilities maintained by the Department of Administrative Services that are not billed to building tenants. These expenses may include, but are not limited to, the costs for vacant space and space undergoing renovation, and the rent expenses of tenants that are relocated due to building renovations. These payments shall be processed by the Department of Administrative Services through intrastate transfer vouchers and placed in the Building Management Fund (Fund 1320).

Section 9. ECONOMIC DEVELOPMENT DEBT SERVICE

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Commerce, \$40,565,100 for the period beginning July 1, 2009, and ending June 30, 2010, and \$52,142,800 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 800633, Development Assistance Debt Service, which shall be used to meet all payments at the times they are required to be made during the period from July 1, 2009, to June 30, 2011, for bond service charges on obligations issued under Chapter 166. of the Revised Code. If it is determined that additional amounts are necessary for this purpose, such amounts are hereby appropriated, subject to the limitations set forth in section 166.11 of the Revised Code. An appropriation for this purpose is not required, but is made in this form and in this act for record purposes only.

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Commerce, \$15,632,800 for the period beginning July 1, 2009, and ending June 30, 2010, and \$20,359,000 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 800636, Revitalization Debt Service, which shall be used to pay debt service and related financing costs under sections 151.01 and 151.40 of the Revised Code during the period from July 1, 2009, to June 30, 2011. If it is determined that additional amounts are necessary for this purpose, such amounts are hereby appropriated. The General Assembly acknowledges the priority of the pledge of a portion of receipts from that source to obligations issued and to be issued under Chapter 166. of the Revised Code.

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Development, \$20,948,300 for the period beginning July 1, 2009, and ending June 30, 2010, and \$29,011,600 for the period beginning July 1, 2010, and ending June 30, 2011, for appropriation item 195905, Third Frontier Research & Development General Obligation Debt Service, which shall be used to pay all debt service and related financing costs during the period from July 1, 2009, to June 30, 2011, on obligations issued for research and development purposes under sections 151.01 and 151.10 of the Revised Code.

There is hereby appropriated out of money in the state treasury to the credit of the General Revenue Fund to the Department of Development, \$5,685,400 for the period beginning July 1, 2009, and ending June 30, 2010, and \$10,601,900 for the period beginning July 1, 2010, and ending June 30, 2011, for the foregoing appropriation item 195912, Job Ready Site Development General Obligation Debt Service, which shall be used to pay all debt service and related financing costs during the period from July 1, 2009, to June 30, 2011, on obligations issued for job ready site development purposes under sections 151.01 and 151.11 of the Revised Code.

Section 10. The appropriations contained in this section are hereby appropriated for the FY 2010-FY 2011 biennium out of money in the state treasury to the credit of the Debt Service Fund Group. The amounts in the first column are for fiscal year 2010, and the amounts in the second column are for fiscal year 2011.

Appropriations

CSF COMMISSIONERS OF THE SINKING FUND

Debt Service Fund Group

7070 155905	Third Frontier Research and Development Bond Retirement Fund	\$	20,948,300	\$	29,011,600
7072 155902	Highway Capital Improvement Bond Retirement Fund	\$	202,074,000	\$	203,434,200
7073 155903	Natural Resources Bond Retirement Fund	\$	26,334,400	\$	26,549,400
7074 155904	Conservation Projects Bond Service Fund	\$	20,711,100	\$	25,684,900
7076 155906	Coal Research and Development Bond Retirement Fund	\$	9,968,400	\$	10,947,000
7077 155907	State Capital Improvement Bond Retirement Fund	\$	148,331,900	\$	163,443,500
7078 155908	Common Schools Bond Retirement Fund	\$	192,559,200	\$	165,510,500
7079 155909	Higher Education Bond Retirement Fund	\$	85,317,700	\$	89,480,300
7090 155912	Job Ready Site Development Bond Retirement Fund	\$	5,685,400	\$	10,601,900
TOTAL DSF Debt Service Fund Group		\$	711,930,400	\$	724,663,300
TOTAL ALL BUDGET FUND GROUPS		\$	711,930,400	\$	724,663,300

ADDITIONAL APPROPRIATIONS

Appropriation items in this section are for the purpose of paying debt service and financing costs on bonds or notes of the state issued under the Ohio Constitution and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are appropriated.

Section 11. All items in this section are hereby appropriated out of money in the state treasury to the credit of the following designated revenue distribution funds during the fiscal year ending June 30, 2010, for the purposes of administering and distributing such funds in accordance with law. If it is determined that additional appropriations are necessary, such amounts are hereby appropriated.

Appropriations

REVENUE DISTRIBUTION FUNDS

Volunteer Firefighters' Dependents Fund

7085	800985	Volunteer Firemen's Dependents Fund	\$	300,000
TOTAL 085 Volunteer Firefighters' Dependents Fund				\$ 300,000
Agency Fund Group				
4P80	001698	Cash Management Improvement Fund	\$	3,100,000
6080	001699	Investment Earnings	\$	250,000,000
7062	110962	Resort Area Excise Tax	\$	1,000,000
7063	110963	Permissive Tax Distribution	\$	1,849,000,000
7067	110967	School District Income Tax	\$	350,000,000
TOTAL AGY Agency Fund Group				\$ 2,453,100,000

Holding Account Redistribution

R045	110617	International Fuel Tax Distribution	\$	50,000,000
TOTAL 090 Holding Account Redistribution Fund				\$ 50,000,000
Revenue Distribution Fund Group				
7049	038900	Indigent Drivers Alcohol Treatment	\$	1,832,000
7050	762900	International Registration Plan Distribution	\$	30,000,000
7051	762901	Auto Registration Distribution	\$	539,000,000
7054	110954	Local Government Property Tax Replacement - Utility	\$	95,125,000
7060	110960	Gasoline Excise Tax Fund	\$	375,000,000
7065	110965	Public Library Fund	\$	401,100,000
7066	800966	Undivided Liquor Permits	\$	13,500,000
7068	110968	State and Local Government Highway Distribution	\$	242,500,000
7069	110969	Local Government Fund	\$	673,700,000
7081	110981	Local Government Property Tax Replacement-Business	\$	366,800,000
7082	110982	Horse Racing Tax	\$	130,000
7083	700900	Ohio Fairs Fund	\$	2,325,000
TOTAL RDF Revenue Distribution Fund Group				\$ 2,741,012,000
TOTAL ALL BUDGET FUND GROUPS				\$ 5,244,412,000

ADDITIONAL APPROPRIATIONS

Appropriation items in this section shall be used for the purpose of administering and distributing the designated revenue distribution funds according to the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

**GENERAL REVENUE FUND TRANSFERS TO LOCAL
GOVERNMENT TANGIBLE PROPERTY TAX REPLACEMENT FUND
(FUND 7081)**

Notwithstanding any provision of law to the contrary, in fiscal year 2010, the Director of Budget and Management may transfer from the General Revenue Fund to the Local Government Tangible Property Tax Replacement Fund (Fund 7081) in the Revenue Distribution Fund, those amounts necessary to reimburse local taxing units under section 5751.22 of the Revised Code. Also, in fiscal year 2010, the Director of Budget and Management may make temporary transfers from the General Revenue Fund to ensure sufficient balances in the Local Government Tangible Property Tax Replacement Fund (Fund 7081) and to replenish the General Revenue Fund for such transfers.

**Section 12. EXPENDITURES AND APPROPRIATION INCREASES
APPROVED BY THE CONTROLLING BOARD**

Any money that the Controlling Board approves for expenditure and any increase in appropriations that the Controlling Board approves pursuant to section 127.14, 131.35, or 131.39 of the Revised Code or any other provision of law is appropriated for the period ending June 30, 2011.

Section 13. PERSONAL SERVICE EXPENSES

Unless otherwise prohibited by law, any appropriation from which personal service expenses are paid shall bear the employer's share of public employees' retirement, workers' compensation, disabled workers' relief, and all group insurance programs; the costs of centralized accounting, centralized payroll processing, and related personnel reports and services; the cost of the Office of Collective Bargaining; the cost of the Personnel Board of Review; the cost of the Employee Assistance Program; the cost of the affirmative action and equal employment opportunity programs administered by the Department of Administrative Services; the costs of interagency information management infrastructure; and the cost of administering the state employee merit system as required by section 124.07 of the Revised Code. These costs shall be determined in conformity with the appropriate sections of law and paid in accordance with procedures specified by the Office of Budget and Management. Expenditures from appropriation item 070601, Public Audit Expense - Local Government, may be exempted from the requirements of this section.

Section 14. REISSUANCE OF VOIDED WARRANTS

In order to provide funds for the reissuance of voided warrants pursuant to section 117.47 of the Revised Code, there is appropriated, out of money in the state treasury from the fund credited as provided in section 117.47 of the Revised Code, that amount sufficient to pay such warrants when approved by the Office of Budget and Management.

Section 15. INCOME TAX DISTRIBUTION TO COUNTIES

There are hereby appropriated out of money in the state treasury to the

credit of the General Revenue Fund, amounts sufficient to make any payment required by division (B)(2) of section 5747.03 of the Revised Code.

Section 16. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST THE STATE

Except as otherwise provided in this section, an appropriation in this act or any other act may be used for the purpose of satisfying judgments, settlements, or administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state. This authorization does not apply to appropriations to be applied to or used for payment of guarantees by or on behalf of the state, or for payments under lease agreements relating to, or debt service on, bonds, notes, or other obligations of the state. Notwithstanding any other statute to the contrary, this authorization includes appropriations from funds into which proceeds of direct obligations of the state are deposited only to the extent that the judgment, settlement, or administrative award is for, or represents, capital costs for which the appropriation may otherwise be used and is consistent with the purpose for which any related obligations were issued or entered into. Nothing contained in this section is intended to subject the state to suit in any forum in which it is not otherwise subject to suit, and is not intended to waive or compromise any defense or right available to the state in any suit against it.

Section 17. CAPITAL PROJECT SETTLEMENTS

This section specifies an additional and supplemental procedure to provide for payments of judgments and settlements if the Director of Budget and Management determines, pursuant to division (C)(4) of section 2743.19 of the Revised Code, that sufficient unencumbered moneys do not exist in the particular appropriation to pay the amount of a final judgment rendered against the state or a state agency, including the settlement of a claim approved by a court, in an action upon and arising out of a contractual obligation for the construction or improvement of a capital facility if the costs under the contract were payable in whole or in part from a state capital projects appropriation. In such a case, the director may either proceed pursuant to division (C)(4) of section 2743.19 of the Revised Code or apply to the Controlling Board to increase an appropriation or create an appropriation out of unencumbered money in the state treasury to the credit of the capital projects fund from which the initial state appropriation was made. The Controlling Board may approve or disapprove the application as submitted or modified. The amount of an increase in appropriation or new appropriation specified in an application approved by the Controlling Board is hereby appropriated from the applicable capital projects fund and made available for the payment of the judgment or settlement.

If the director does not make the application authorized by this section or the Controlling Board disapproves the application, and the director does not make application under division (C)(4) of section 2743.19 of the Revised Code, the director shall for the purpose of making that payment make a request to the General Assembly as provided for in division (C)(5) of that section.

Section 18. GENERAL OBLIGATION DEBT SERVICE PAYMENTS

Certain appropriations are in this act for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state issued pursuant to the Ohio Constitution and acts of the General Assembly. If it is determined that additional amounts are necessary for this purpose, such amounts are appropriated.

Section 19. LEASE PAYMENTS TO OPFC, OBA, AND TREASURER OF STATE

Certain appropriations are in this act for the purpose of making lease rental payments pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority or the Treasurer of State or, previously, by the Ohio Public Facilities Commission, pursuant to the Ohio Constitution and acts of the General Assembly. If it is determined that additional amounts are necessary for this purpose, such amounts are hereby appropriated.

Section 20. AUTHORIZATION FOR TREASURER OF STATE AND OBM TO EFFECTUATE CERTAIN DEBT SERVICE PAYMENTS

The Office of Budget and Management shall process payments from general obligation and lease rental payment appropriation items during the period from July 1, 2009, to June 30, 2011, relating to bonds or notes issued under Sections 2i, 2k, 2l, 2m, 2n, 2o, 2p, 2q, and 15 of Article VIII, Ohio Constitution, and Chapters 151. and 154. of the Revised Code. Payments shall be made upon certification by the Treasurer of State, Officer of the Sinking Fund, of the dates and amounts due on those dates.

Section 21. AUTHORIZATION FOR OHIO BUILDING AUTHORITY AND OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS

The Office of Budget and Management shall process payments from lease rental payment appropriation items during the period from July 1, 2009, to June 30, 2011, pursuant to the lease agreements entered into relating to bonds or notes issued under Section 2i of Article VIII, Ohio Constitution, and Chapter 152. of the Revised Code. Payments shall be made upon certification by the Ohio Building Authority of the dates and the amounts due on those dates.

Section 22. STATE AND LOCAL REBATE AUTHORIZATION

There is hereby appropriated, from those funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations, amounts computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations pursuant to section 148(f) of the Internal Revenue Code.

Rebate payments shall be approved and vouchered by the Office of Budget and Management.

Section 23. APPROPRIATIONS RELATED TO CASH TRANSFERS AND REESTABLISHMENT OF ENCUMBRANCES

Any cash transferred by the Director of Budget and Management as provided by section 126.15 of the Revised Code is appropriated. Any amounts necessary to reestablish appropriations or encumbrances as provided in section 126.15 of the Revised Code are hereby appropriated.

Section 24. FEDERAL CASH MANAGEMENT IMPROVEMENT ACT

Pursuant to the plan for compliance with the Federal Cash Management Improvement Act required by section 131.36 of the Revised Code, the Director of Budget and Management may cancel and reestablish all or parts of encumbrances in like amounts within the funds identified by the plan. The amounts necessary to reestablish all or parts of encumbrances are hereby appropriated.

Section 25. STATEWIDE INDIRECT COST RECOVERY

Whenever the Director of Budget and Management determines that an appropriation made to a state agency from a fund of the state is insufficient to provide for the recovery of statewide indirect costs pursuant to section 126.12 of the Revised Code, the amount required for such purpose is appropriated from the available receipts of such fund.

Section 26. GRF TRANSFERS ON BEHALF OF THE STATEWIDE INDIRECT COST ALLOCATION PLAN

The total transfers made from the General Revenue Fund by the Director of Budget and Management under this section shall not exceed the amounts transferred into the General Revenue Fund pursuant to section 126.12 of the Revised Code.

The director of an agency may certify to the Director of Budget and Management the amount of expenses not allowed to be included in the Statewide Indirect Cost Allocation plan under federal regulations, from any fund included in the Statewide Indirect Cost Allocation plan, prepared as required by section 126.12 of the Revised Code.

Upon determining that no alternative source of funding is available to pay for such expenses, the Director of Budget and Management may transfer from the General Revenue Fund into the fund for which the certification is made, up to the amount of the certification. The director of the agency receiving such funds shall include, as part of the next budget submission prepared pursuant to section 126.02 of the Revised Code, a request for funding for such activities from an alternative source such that further federal disallowances would not be required.

Section 27. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES OF OPERATING APPROPRIATIONS

An unexpended balance of an operating appropriation or reappropriation that a state agency lawfully encumbered prior to the close of a fiscal year is reappropriated on the first day of July of the following fiscal year from the fund from which it was originally appropriated or reappropriated for the following period and shall remain available only for the purpose of discharging the encumbrance:

(A) For an encumbrance for personal services, maintenance, equipment, or items for resale, other than an encumbrance for an item of special order manufacture not available on term contract or in the open market or for reclamation of land or oil and gas wells for a period of not more than five months from the end of the fiscal year;

(B) For an encumbrance for an item of special order manufacture not available on term contract or in the open market, for a period of not more than five months from the end of the fiscal year or, with the written approval of the Director of Budget and Management, for a period of not more than twelve months from the end of the fiscal year;

(C) For an encumbrance for reclamation of land or oil and gas wells, for a period ending when the encumbered appropriation is expended or for a period of two years, whichever is less;

(D) For an encumbrance for any other expense, for such period as the director approves, provided such period does not exceed two years.

Any operating appropriations for which unexpended balances are reappropriated beyond a five-month period from the end of the fiscal year by division (B) of this section shall be reported to the Controlling Board by the Director of Budget and Management by the thirty-first day of December of each year. The report on each such item shall include the item, the cost of the item, and the name of the vendor. This report to the board shall be updated on a quarterly basis for encumbrances remaining open.

Upon the expiration of the reappropriation period set out in division (A), (B), (C), or (D) of this section, a reappropriation made by this section lapses, and the Director of Budget and Management shall cancel the encumbrance of the unexpended reappropriation not later than the end of the weekend following the expiration of the reappropriation period.

Notwithstanding the preceding paragraph, with the approval of the Director of Budget and Management, an unexpended balance of an encumbrance that was reappropriated on the first day of July by this section for a period specified in division (C) or (D) of this section and that remains encumbered at the close of the fiscal biennium is hereby reappropriated on the first day of July of the following fiscal biennium from the fund from which it was originally appropriated or reappropriated for the applicable period specified in division (C) or (D) of this section and shall remain available only for the purpose of discharging the encumbrance.

The Director of Budget and Management may correct accounting errors committed by the staff of the Office of Budget and Management, such as reestablishing encumbrances or appropriations canceled in error, during the cancellation of operating encumbrances in November and of nonoperating encumbrances in December.

If the Controlling Board approved a purchase, that approval remains in effect as long as the appropriation used to make that purchase remains encumbered.

Section 28. FEDERAL GOVERNMENT INTEREST REQUIREMENTS

Notwithstanding any provision of law to the contrary, on or before the first day of September of each fiscal year, the Director of Budget and Management, in order to reduce the payment of adjustments to the federal government, as determined by the plan prepared pursuant to division (A) of section 126.12 of the Revised Code, may designate such funds as the director considers necessary to retain their own interest earnings.

Section 29. HOMESTEAD EXEMPTION, PROPERTY TAX ROLLBACK, AND TANGIBLE TAX EXEMPTION

Appropriation item 110901, Property Tax Allocation - Taxation, and appropriation item 200901, Property Tax Allocation - Education, are hereby appropriated to pay for the state's costs incurred because of the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. The Tax Commissioner, in cooperation with the Department of Education, shall distribute these funds directly to the appropriate local taxing districts, notwithstanding the provisions in sections 321.24 and 323.156 of the Revised Code, which provide for payment of the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback by the Tax Commissioner to the appropriate county treasurer and the subsequent redistribution of these funds to the appropriate local taxing districts by the county auditor.

Upon receipt of these amounts, each local taxing district shall distribute the amount among the proper funds as if it had been paid as real property taxes. Payments for the costs of administration shall continue to be paid to the county treasurer and county auditor as provided for in sections 319.54, 321.26, and 323.156 of the Revised Code.

Any sums, in addition to the amounts specifically appropriated in appropriation items 110901, Property Tax Allocation - Taxation, and appropriation item 200901, Property Tax Exemption - Education for the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback payments, which are determined to be necessary for these purposes, are hereby appropriated.

Section 30. INDEPENDENT SECTIONS

The sections of this act, and every part of such sections, are hereby

declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void and ineffective shall not affect any other section or parts of sections of this act.

Section 31. ADDITIONAL APPROPRIATIONS

Appropriation items in Sections 5, 6, 7, 9, and 10 of this act are for the purpose of paying debt service and financing costs on bonds or notes of the state issued under the Ohio Constitution and acts of the General Assembly. If it is determined that additional amounts are necessary, such amounts are hereby appropriated.

Section 32. Except as otherwise specifically provided in this act, the uncodified sections of law contained in this act, and the items of law of which the uncodified sections of law contained in this act are composed, are not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the uncodified sections of law contained in this act, and the items of law of which the uncodified sections contained in this act are composed, go into immediate effect when this act becomes law."

Delete lines 1 through 351 of the title, and insert:

"To make operating appropriations for the period beginning July 1, 2009, and ending September 30, 2009, to make certain non-General Revenue Fund appropriations for fiscal year 2010, and to make debt service appropriations for the FY 2010-FY 2011 biennium."

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

Representative Garrison 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 59, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Bolon	Book	Boyd
Brown	Carney	Celeste	Chandler
DeBose	DeGeeter	Dodd	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Hagan
Harris	Harwood	Heard	Koziura
Letson	Luckie	Lundy	Mallory
Mecklenborg	Miller	Moran	Murray
Newcomb	Oelslager	Okey	Otterman
Patten	Phillips	Pillich	Pryor
Sayre	Schneider	Skindell	Slesnick
Stewart	Sykes	Szollosi	Ujvagi
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko		Budish-59.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Bacon	Baker
Balderson	Batchelder	Blair	Blessing
Boose	Bubp	Burke	Coley
Daniels	Derickson	Dolan	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Morgan	Ruhl	Sears
Snitchler	Stautberg	Stebelton	Uecker
Wachtmann	Wagner		Zehringer-39.

The motion to amend was laid on the table.

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

The yeas and nays were taken and resulted - yeas 53, nays 45, as follows:

Those who voted in the affirmative were: Representatives

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
Miller	Moran	Murray	Newcomb
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
			Budish-53.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jones	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Oelslager
Ruhl	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-45.

The bill passed.

Representative Sykes moved to amend the title as follows:

Add the names: "Book, Celeste, DeBose, DeGeeter, Domenick, Dyer, Hagan, Harris, Harwood, Heard, Koziura, Letson, Luckie, Mallory, Pryor, Stewart, Szollosi, Ujvagi, Weddington, Williams, B., Williams, S., Winburn, Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 63-Representatives Letson, Fende.

Cosponsors: Representatives Yuko, Slesnick, Stewart, Schneider, Sayre, Goyal, Foley, Harris, Harwood, Pillich, Hagan, Winburn, Skindell, Williams, S., Patten, Garland, Bolon, Mallory.

To amend section 3101.08 and to enact section 101.261 of the Revised Code to permit members of the General Assembly to perform civil marriage ceremonies in Ohio, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Letson moved that **H. B. No. 63**-Representatives Letson, Fende, et al., be rereferred to the committee on Rules and Reference.

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

The motion was agreed to without objection.

On motion of Representative Szollosi, the House adjourned until Thursday, April 30, 2009 at 11:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.