

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

WEDNESDAY, MAY 12, 2010

ONE HUNDRED SEVENTY-SIXTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, May 12, 2010, 1:30 p.m.**

The House met pursuant to adjournment.

Prayer was offered by Representative Margaret Ruhl-90th 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 Lima Central Catholic High School boys basketball team received H. R. 262, presented by Representative Huffman-4th district.

The University of Dayton men's basketball team received H. R. 278, presented by Representative Luckie-39th district.

The Jefferson Township High School boys basketball team received H. R. 279, presented by Representative Luckie-39th district.

The Dunbar High School boys basketball team received H. R. 280, presented by Representative Luckie-39th district.

Gwen and Keegan Fillinger, Chester and Cole Duncan, Frank, Jackie, and Hanna Piper, guests of Representative Stebelton-5th district.

Schylbea Hopkins, Deborah Hill and members of the Alpha Kappa Alpha Sorority, guests of Speaker Budish-8th district.

Nickie Antonio, a guest of Representative Skindell-13th district.

Jim Cameron, a guest of Representative Fende-62nd district.

Stu and Jacob Bennett, guests of Representative Schneider-63rd district.

Jim Snellson, a guest of Representative Letson-64th district.

Members of the Leadership Medina County Class, guests of Representative Batchelder-69th district and Hall-97th district.

Jayashree Lyer, Rose and Lillian Ahmad, guests of Representative Martin-70th district.

Aaron Price, a guest of Representative Goyal-73rd district.

Naiel Jabareen, a guest of Representative Daniels-86th district.

**INTRODUCTION OF BILLS**

The following bill was introduced:

**H. B. No. 509**-Representatives Murray, Foley.

Cosponsors: Representatives Sears, Pillich, Hagan, Walter, Harris, Heard, Williams, B., Domenick, Skindell, Winburn, Fende, Gerberry, Harwood.

To enact section 2927.121 of the Revised Code to create the offense of intimidation of a homeless person.

Said bill was considered the first time.

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

Representative Uecker submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 55**-Representatives Williams, B., Combs, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: CRUELTY TO ANIMALS; PROTECTION OF COMPANION ANIMALS

Representative DeGeeter moved to amend as follows:

In line 42, after " Code" insert "if the offender is not already undergoing counseling pursuant to division (E)(4) of this section"

The motion was agreed to and the bill so amended.

Representative DeGeeter moved to amend as follows:

In line 1522, delete "shall" and insert "may"

The motion was agreed to and the bill so amended.

MARK SCHNEIDER  
BILL COLEY  
CONNIE PILLICH  
DANNY R. BUBP  
TIMOTHY J. DEGEETER  
ROBIN BELCHER

NANCY GARLAND  
W. SCOTT OELSLAGER  
JOSEPH W. UECKER  
LINDA S. BOLON  
KEVIN BACON

The report was agreed to.

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

Representative Blair submitted the following report:

The standing committee on Local Government/Public Administration to which was referred **H. B. No. 403**-Representative DeGeeter, et al., having had the same under consideration, reports it back with the following amendment

and recommends its passage when so amended.

RE: COMMUNITY EMERGENCY RESPONSE TEAMS

Representative Yuko moved to amend as follows:

In line 11, after "and" insert "may"

In line 13, delete "unit"

In line 18, delete "unit"

In line 19, delete "unit"

In line 20, delete "city" and insert "municipal corporation"

In line 23, delete "educate" and insert "educates"

In line 25, after "and" insert "who"

The motion was agreed to and the bill so amended.

KATHLEEN CHANDLER  
JOHN DOMENICK  
STEPHEN SLESNICK  
TERRY BLAIR  
TERRY BOOSE  
MARGARET RUHL

W. CARLTON WEDDINGTON  
CLAYTON LUCKIE  
KENNY YUKO  
NAN BAKER  
TIMOTHY DERICKSON

The report was agreed to.

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

### MOTIONS AND RESOLUTIONS

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Wednesday, May 12, 2010, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Grossman moved that minority party members asking leave to be absent or absent the week of Wednesday, May 12, 2010, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Representative Szollosi moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

**H. R. No. 264**-Speaker Budish, Representative Batchelder.

Relative to travel allowance.

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

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

<b>Member's Name</b>	<b>District Number</b>	<b>Round Trip Mileage</b>
Joe Walter	47	288

The yeas and nays were taken and resulted - yeas 98, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeBose
DeGeeter	Derickson	Dodd	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Grossman
Hackett	Hagan	Hall	Harris
Harwood	Heard	Hite	Hollington
Hottinger	Huffman	Jordan	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	Mandel	Martin
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

The resolution was adopted.

**BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 329**-Representative Williams, S.

Cosponsors: Representatives Domenick, Slesnick, Schneider, Driehaus, DeBose, DeGeeter, Goyal, Heard, Phillips, Pryor.

To amend sections 122.17 and 122.171 of the Revised Code to provide for a six-year trial period in which taxpayers may include a limited number of a taxpayer's employees who work from home and whose rate of pay is at least four times the federal minimum wage as employees employed in the project for purposes of the job creation and retention credits if the recipient of the credit provides a specified level of capital investment, and to require the Director of Development to issue a report at the end of the six-year period, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Wagner moved to amend as follows:

In line 28, delete " four" and insert " three"

In line 358, delete " four" and insert " three"

In line 5 of the title, delete "four" and insert "three"

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 R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeBose
DeGeeter	Derickson	Dodd	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Grossman
Hackett	Hagan	Hall	Harris
Harwood	Heard	Hite	Hollington
Hottinger	Huffman	Jordan	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	Mandel	Martin
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 98, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeBose
DeGeeter	Derickson	Dodd	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Grossman
Hackett	Hagan	Hall	Harris
Harwood	Heard	Hite	Hollington
Hottinger	Huffman	Jordan	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	Mandel	Martin
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

The bill passed.

Representative Williams, S. moved to amend the title as follows:

Add the names: "Adams, R., Amstutz, Bacon, Baker, Batchelder, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Boyd, Brown, Bubp, Carney, Celeste, Chandler, Combs, Daniels, Derickson, Dodd, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Gerberry, Goodwin, Grossman, Hackett, Hall, Harris, Harwood, Hite, Hottinger, Huffman, Jordan, Lehner, Letson, Luckie, Lundy, Maag, Mallory, Martin, McClain, McGregor, Mecklenborg, Moran, Murray, Newcomb, Oelslager, Otterman, Patten, Pillich, Reece, Ruhl, Sayre, Sears, Snitchler, Stebelton, Sykes, Szollosi, Wagner, Weddington, Williams, B., Winburn, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. H. B. No. 348**-Representatives Goyal, Williams, S.

Cosponsors: Representatives Amstutz, Celeste, Harris, Letson, Garland, Chandler, Szollosi, Schneider, Phillips, Lundy, Williams, B., Murray, Burke, Sayre, Domenick, Moran, Yates, Slesnick, Yuko, Zehringer, Winburn, Stewart, Newcomb, Driehaus, DeGeeter, Heard, Pryor, Grossman, Hottinger, Snitchler.

To amend section 150.07 of the Revised Code to increase the annual and aggregate limit on the amount of tax credits the Ohio Venture Capital Authority may authorize, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 98, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeBose
DeGeeter	Derickson	Dodd	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Grossman
Hackett	Hagan	Hall	Harris
Harwood	Heard	Hite	Hollington
Hottinger	Huffman	Jordan	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	Mandel	Martin
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Reece	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
Zehringer			Budish-98.

The bill passed.

Representative Goyal moved to amend the title as follows:

Add the names: "Adams, R., Bacon, Baker, Balderson, Beck, Belcher, Blair, Bolon, Book, Boose, Boyd, Brown, Carney, Combs, Daniels, DeBose, Derickson, Dodd, Dyer, Evans, Fende, Foley, Gardner, Garrison, Gerberry,

Goodwin, Hackett, Hall, Harwood, Hite, Koziura, Lehner, Luckie, Mallory, Martin, McClain, McGregor, Oelslager, Patten, Pillich, Ruhl, Sears, Stautberg, Stebelton, Sykes, Weddington."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 3-Senator Faber.**

Cosponsors: Senators Carey, Wagoner, Buehrer, Cafaro, Cates, Coughlin, Fedor, Gibbs, Gillmor, Goodman, Hughes, Niehaus, Patton, Schaffer, Wilson, Stewart. Representatives Gerberry, Lundy, Mallory, Sayre, Belcher, Williams, B., Daniels, Adams, J., Jordan, Stebelton.

To amend sections 103.051, 103.0511, 121.24, 122.08, 122.081, and 127.18 and to enact sections 121.81, 121.811, 121.812, 121.813, 121.814, 121.815, 121.82, 122.084, and 3745.016 of the Revised Code to enact the Common Sense Regulation Act to improve state agency regulatory processes, especially as they relate to small businesses, to require state departments to develop customer service training programs, and to require the Director of Environmental Protection to provide environmental regulatory compliance assistance to small businesses, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 97, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Domenick	Driehaus
Dyer	Evans	Fende	Foley
Gardner	Garland	Garrison	Gerberry
Goodwin	Goyal	Grossman	Hackett
Hagan	Hall	Harris	Harwood
Heard	Hite	Hollington	Hottinger
Huffman	Jordan	Koziura	Lehner
Letson	Luckie	Lundy	Maag
Mallory	Mandel	Martin	McClain
McGregor	Mecklenborg	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Reece	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Wachtmann
Wagner	Walter	Weddington	Williams B.
Williams S.	Winburn	Yuko	Zehringer Budish-97.

Representative Burke voted in the negative-1.

The bill passed.

Representative Gerberry moved to amend the title as follows:

Add the names: "Adams, R., Bacon, Baker, Balderson, Beck, Blair, Bolon, Boose, Boyd, Brown, Carney, Chandler, Coley, Combs, DeBose, Derickson, Dodd, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garland, Garrison, Goodwin, Goyal, Hackett, Hagan, Hall, Harris, Harwood, Hite, Hottinger, Huffman, Lehner, Letson, Luckie, Martin, McClain, McGregor, Mecklenborg, Moran, Morgan, Murray, Newcomb, Oelslager, Patten, Phillips, Pillich, Pryor, Ruhl, Schneider, Skindell, Slesnick, Snitchler, Stautberg, Szollosi, Uecker, Wagner, Walter, Winburn, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. H. B. No. 486**-Representatives Lundy, Stebelton.

Cosponsors: Representatives Foley, Celeste, Skindell, Dyer, Stewart, Sykes, Harris, Murray, Driehaus, Heard, Belcher, Hagan, Garland, Letson, Yuko.

To amend sections 1315.26, 1321.13, 1321.15, 1321.57, 1321.59, 1321.99, and 4712.07 and to enact section 4712.021 of the Revised Code to establish certain consumer protections with respect to small loans to be known as the Small Loan Consumer Protection Act, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Coley moved that **Am. H. B. No. 486**-Representatives Lundy, Stebelton, et al., be rereferred to the committee on Rules and Reference.

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

The yeas and nays were taken and resulted - yeas 35, nays 63, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Bacon	Baker	Balderson
Beck	Blair	Blessing	Bubp
Burke	Coley	Combs	Daniels
Derickson	Evans	Gardner	Hackett
Hall	Hite	Hollington	Hottinger
Huffman	Jordan	Lehner	Mandel
Martin	McClain	McGregor	Mecklenborg
Ruhl	Sears	Snitchler	Stautberg
Uecker	Wachtmann		Zehringer-35.

Those who voted in the negative were: Representatives

Amstutz	Batchelder	Belcher	Bolon
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Book	Boose	Boyd	Brown
Carney	Celeste	Chandler	DeBose
DeGeeter	Dodd	Domenick	Driehaus
Dyer	Fende	Foley	Garland
Garrison	Gerberry	Goodwin	Goyal
Grossman	Hagan	Harris	Harwood
Heard	Koziura	Letson	Luckie
Lundy	Maag	Mallory	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Reece	Sayre
Schneider	Skindell	Slesnick	Stebelton
Stewart	Sykes	Szollosi	Wagner
Walter	Weddington	Williams B.	Williams S.
Winburn	Yuko		Budish-63.

The motion was not agreed to.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 61, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Amstutz	Baker	Batchelder	Belcher
Bolon	Book	Boose	Boyd
Carney	Celeste	Chandler	DeBose
DeGeeter	Dodd	Driehaus	Dyer
Fende	Foley	Garland	Garrison
Gerberry	Goyal	Grossman	Hagan
Harris	Harwood	Heard	Hottinger
Koziura	Lehner	Letson	Lundy
Maag	Moran	Morgan	Murray
Newcomb	Oelslager	Okey	Otterman
Patten	Phillips	Pillich	Pryor
Reece	Sayre	Schneider	Skindell
Snitchler	Stebelton	Stewart	Sykes
Szollosi	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Yuko
			Budish-61.

Those who voted in the negative were: Representatives

Adams R.	Bacon	Balderson	Beck
Blair	Blessing	Brown	Bubp
Burke	Coley	Combs	Daniels
Derickson	Domenick	Evans	Gardner
Goodwin	Hackett	Hall	Hite
Hollington	Huffman	Jordan	Luckie
Mallory	Mandel	Martin	McClain
McGregor	Mecklenborg	Ruhl	Sears
Slesnick	Stautberg	Uecker	Wachtmann
			Zehringer-37.

The bill passed.

Representative Lundy moved to amend the title as follows:

Add the names: "Batchelder, Boyd, Garrison, Koziura, Williams, B.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

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

**S. B. No. 166** -Senator Hughes

Cosponsors: Senators Goodman, Turner, Fedor, Schaffer, Patton, Harris, Kearney, Miller, D., Morano, Sawyer, Schiavoni, Widener

To enact section 4511.454 of the Revised Code to allow emergency personnel in public safety vehicles to report traffic law violations under certain circumstances.

Attest:

Vincent L. Keeran,  
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

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

**Am. Sub. S. B. No. 194** -Senator Kearney - et al.

Attest:

Vincent L. Keeran,  
Clerk.

On motion of Representative Szollosi, the House adjourned until Thursday, May 13, 2010 at 9:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,  
Clerk.