

OHIO

House

of

Representatives

JOURNAL

SECOND CORRECTED VERSION
WEDNESDAY, JULY 1, 2009

SIXTY-SECOND DAY

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

The House met pursuant to adjournment.

Prayer was offered by Representative Matt Huffman-4th 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:

Pauline Phillips, daughter of Representative Phillips-92nd district.

Jacob Foskuhl, a guest of Representative S. Williams-11th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 247-Representative Moran.

Cosponsors: Representatives Garland, Hagan, Williams, B., Yuko, Pryor, Chandler, Letson, Okey.

To amend section 4141.30 of the Revised Code to include any child that an individual claiming benefits has been granted custody of by court order in the calculation of dependents for the purpose of determining unemployment benefits.

H. B. No. 248-Representative Garrison.

Cosponsors: Representatives Fende, Pryor, Phillips, Harris, Williams, B., Brown, Yuko, Slesnick, Hackett.

To amend sections 2929.02, 2929.14, 2941.148, 2971.03, 2971.07, and 5120.61 of the Revised Code to provide a prison term of 20 years to life for a person convicted of murder when the victim is less than 13 years of age and the offender is not subject to sentencing under the Sexually Violent Predator Sentencing Law.

Said bills were 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 Commerce and Labor to which was referred **H. B. No. 71**-Representatives Hagan, Batchelder, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: CONTRACT CARRIES TRANSPORTING RAILROAD EMPLOYEES-REQUIREMENTS FOR

Representative Yuko moved to amend the title as follows:

Add the name: "Brown."

Representative Yuko moved to amend as follows:

In line 18, delete "commercial"

The motion was agreed to and the bill so amended.

Representative Hagan moved to amend as follows:

In line 71, delete "and" and insert "or"

In line 74, after "and" insert "not less than"

The motion was agreed to and the bill so amended.

KENNY YUKO
EDNA BROWN
MARK SCHNEIDER

MATT PATTEN
ROBERT F. HAGAN
DAN STEWART

The following members voted "NO"

JOSEPH W. UECKER
TERRY BLAIR
JAMES ZEHRINGER

JOHN ADAMS
LYNN R. WACHTMANN

The report was agreed to.

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

Representative Stebelton submitted the following report:

The standing committee on Civil and Commercial Law to which was referred **H. B. No. 185**-Representatives DeGeeter, Book, et al., having had the same under consideration, reports it back and recommends its passage.

RE: MATERIAL AMENDMENTS-HEALTH CARE CONTRACTS

DENNIS MURRAY
T. TODD BOOK
SANDRA STABILE HARWOOD
MICHAEL J. SKINDELL
GERALD L. STEBELTON

W. SCOTT OELSLAGER
MIKE FOLEY
MATT HUFFMAN
PETER STAUTBERG
TYRONE K. YATES

The following members voted "NO"

BILL COLEY

ROBERT MECKLENBORG

The report was agreed to.

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

Representative Blessing submitted the following report:

The standing committee on Rules and Reference to which was referred **H. B. No. 245**-Representative Sykes, having had the same under consideration, reports it back and recommends its passage.

RE: OPERATION APPROPRIATIONS BEGINNING JULY 8, 2009,
AND ENDING JULY 14, 2009

T. TODD BOOK

JOSEPH KOZIURA

MATT LUNDY

BARBARA BOYD

TIMOTHY J. DEGEETER

WILLIAM G. BATCHELDER

KRIS JORDAN

JOHN ADAMS

LOUIS W. BLESSING

The report was agreed to.

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

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

H.B. No. 243 - Representatives Letson and Burke, et al

TO SPECIFY THAT THE OFFENSE OF INTIMIDATION OF AN ATTORNEY, VICTIM, OR WITNESS IN A CRIMINAL CASE ALSO APPLIES TO DELINQUENCY CASES AND TO ANY ATTEMPT TO INFLUENCE, INTIMIDATE, OR HINDER A WITNESS TO A CRIMINAL OR DELINQUENT ACT IN THE DISCHARGE OF THE DUTY OF A WITNESS, AND TO PROHIBIT ANY ATTEMPT TO INFLUENCE, INTIMIDATE, OR HINDER A VICTIM, WITNESS, OR ATTORNEY THROUGH ANY ACT OF UNLAWFUL CONDUCT.

To the committee on Criminal Justice

H.B. No. 244 - Representative Harwood, et al

TO PERMIT A COURT TO MODIFY A DIVISION OF PROPERTY IN A DIVORCE DECREE OR DECREE OF DISSOLUTION OF MARRIAGE UPON THE EXPRESS WRITTEN CONSENT OR AGREEMENT OF BOTH SPOUSES.

To the committee on Judiciary

H.B. No. 246 - Representatives Yuko and Stewart, et al

TO PROVIDE THAT A FIREFIGHTER, POLICE OFFICER, OR PUBLIC EMERGENCY MEDICAL SERVICES WORKER WHO IS DISABLED AS A RESULT OF SPECIFIED TYPES OF CANCER OR CERTAIN CONTAGIOUS OR INFECTIOUS DISEASES IS PRESUMED FOR PURPOSES OF THE LAWS GOVERNING WORKERS' COMPENSATION AND THE OHIO POLICE AND FIRE PENSION FUND TO HAVE INCURRED THE DISEASE WHILE PERFORMING OFFICIAL DUTIES AS A FIREFIGHTER, POLICE OFFICER, OR PUBLIC EMERGENCY MEDICAL SERVICES WORKER.

To the committee on Aging and Disability Services

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

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

Representative Szollosi moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Tuesday, June 30, 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 Tuesday, June 30, 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

S. B. No. 57-Senator Gibbs.

Cosponsors: Senators Schaffer, Wagoner, Schuring, Schuler, Sawyer, Buehrer, Seitz, Hughes, Carey, Fedor, Goodman, Harris, Morano, Patton, Turner, Wilson, Miller, D., Strahorn, Miller, R., Smith, Faber, Niehaus, Cafaro.
Representatives Gerberry, Lundy, Sayre, Stewart, Williams, B., Daniels,

Adams, J., Grossman, Hall, Hite, Stebelton.

To amend section 2108.31 of the Revised Code to permit persons who are sixteen to donate blood with parental consent, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Szollosi moved that **S. B. No. 57**-Senator Gibbs, et al., be informally passed and retain its place on the calendar.

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

The yeas and nays were taken and resulted - yeas 51, nays 44, as follows:

Those who voted in the affirmative were: Representatives

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

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blair
Blessing	Boose	Bubp	Burke
Coley	Combs	Daniels	Derickson
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-44.

The motion was agreed to.

Representative Szollosi moved that House Rule No. 65, pertaining to bills with an appropriation clause being referred to the Committee on Finance and Appropriations, be suspended and that **H. B. No. 245**-Representative Sykes, be taken up for immediate consideration.

The motion was agreed to without objection.

H. B. No. 245-Representative Sykes.

To make operating appropriations for the period beginning July 8, 2009, and ending July 14, 2009, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 84, nays 11, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Baker
Balderson	Batchelder	Belcher	Blair
Blessing	Bolon	Book	Boyd
Brown	Bubp	Carney	Celeste
Chandler	Coley	Combs	Daniels
DeBose	DeGeeter	Derickson	Dodd
Domenick	Driehaus	Dyer	Evans
Fende	Foley	Gardner	Garland
Garrison	Gagberry	Goyal	Grossman
Hackett	Hagan	Hall	Harris
Harwood	Heard	Hite	Hottinger
Huffman	Jones	Jordan	Koziura
Letson	Luckie	Lundy	Maag
Mallory	Mandel	McGregor	Mecklenborg
Moran	Murray	Newcomb	Oelsluger
Patten	Phillips	Pillich	Pryor
Sayre	Schneider	Sears	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Ujvagi
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-84.

Those who voted in the negative were: Representatives

Bacon	Boose	Burke	Goodwin
Lehner	Martin	McClain	Morgan
Ruhl	Wachtmann		Wagner-11.

The bill passed.

Representative Sykes moved to amend the title as follows:

Add the names: "Brown, Chandler, DeBose, Domenick, Letson, Luckie, Pryor, Williams, B., Winburn, Yates."

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 agreed to the report of the Committee of Conference on matters of difference between the two houses on:

Am. Sub. H. B. No. 15 -Representative Sykes - et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

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

S. C. R. No. 15 -Senator Widener

Cosponsors: Senators Husted, Carey, Faber, Seitz, Stewart, Patton, Schaffer, Gibbs, Schuring, Buehrer, Coughlin, Cates, Goodman, Grendell, Harris, Hughes, Niehaus, Wilson, Wagoner

To urge the Congress of the United States to refuse to enact cap and trade legislation that would negatively impact Americans through the elimination of jobs and by increasing the costs of goods and services and instead enact legislation that encourages states to establish and develop their own renewable energy portfolio standards.

Attest:

Vincent L. Keeran,
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

On motion of Representative Szollosi, the House recessed.

The House met pursuant to recess.

Clerk's Notation

This is to acknowledge receipt from the office of the Governor, on June 30, 2009, a statement of reasons for the veto of items in **Am. Sub. H. B. 15**-Representative Sykes, et al.

On motion of Representative Boyd, the House adjourned until Thursday, July 2, 2009 at 1:30 p.m.

Attest:

THOMAS L. SHERMAN,
Clerk.