

OHIO

House

of

Representatives

JOURNAL

TUESDAY, OCTOBER 6, 2009

EIGHTY-NINTH DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, October 6, 2009, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Danny Bulp-88th district, followed by the Pledge of Allegiance to the Flag.

The journal of the previous legislative day was read and approved.

The following guests of the House of Representatives were recognized by Speaker Budish prior to the commencement of business:

Kim Fender received H. R. 142, presented by Representative Mallory-32nd district.

Nandini Srinivasan received H. R. 141, presented by Representative Martin-70th district.

Ellen Aiello received H. R. 154, presented by Speaker Budish-8th district.

Members of the Mt. Eaton and Paint Township Historical Society, Tom Peters, David Zokoe, and Marcelin Namsene, guests of Representative Amstutz-3rd district.

Jack and Cicily McRae, Chuck Chandler, husband of Representative Chandler-68th district.

Raghavan and Suman Srinivasan, guests of Representative Martin-70th district.

Jane Getteman, a guest of Representative Wachtmann-75th district.

Archie Spangler, a guest of Representative Evans-87th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 294-Representative Bacon.

Cosponsors: Representatives Combs, Derickson, Domenick, Evans, Gardner, Garland, Lehner, Murray, Ruhl, Stebelton, Wagner.

To amend section 4301.99 of the Revised Code to authorize community service or, in certain circumstances, a driver's license suspension as an additional penalty for selling or furnishing beer or liquor to, or buying beer or liquor for, an underage person.

H. B. No. 295-Representative Williams, S.

To enact section 3937.183 of the Revised Code to require motor vehicle insurance policies to cover loose items inside the vehicle that are damaged or stolen.

H. B. No. 296-Representative Williams, S.

To amend sections 153.013 and 5525.26 and to enact section 3318.101 of the Revised Code to require contractors for certain municipally-administered construction projects and for certain state-assisted classroom facilities projects to comply with certain municipal ordinances regarding the use of local residents and businesses to perform the work.

H. B. No. 297-Representative Williams, S.

To amend sections 153.013 and 5525.26 and to enact section 3318.101 of the Revised Code to require contractors for certain municipally-administered construction projects and for certain state-assisted classroom facilities projects to comply with certain municipal ordinances regarding the use of local residents and businesses to perform the work.

H. B. No. 298-Representative Weddington.

Cosponsors: Representatives Domenick, Williams, S.

To create the Special Task Force on non-General Revenue Funds.

H. B. No. 299-Representative Weddington.

Cosponsors: Representatives Yates, Domenick, Williams, S.

To enact sections 107.33 and 135.25 of the Revised Code to require public depositories to submit annual reports of minority business loans and investments.

H. B. No. 300-Representatives Dyer, Hottinger.

Cosponsors: Representatives Heard, Combs, Luckie, Murray, Williams, B., Okey, Fende, Brown.

To amend sections 3901.021, 3905.04, 3905.041, 3905.05, 3905.06, 3905.061, 3905.07, 3905.071, 3905.12, 3905.14, 3905.16, 3905.20, 3905.30, 3905.35, 3905.36, 3905.40, 3905.41, 3905.481, 3905.483, 3905.484, 3905.841, 3905.85, 3905.86, 3905.862, 3905.87, 3905.88, 3905.89, 3905.932, and 3960.03, to enact section 3905.051, and to repeal sections 3905.10 and 3905.482 of the Revised Code to make changes to the law governing the licensure and regulation of insurance agents and certain insurance-related taxes.

H. B. No. 301-Representative Foley.

Cosponsors: Representatives Celeste, Skindell, Hagan, Stewart, Letson, Murray, Harris, Pryor, Yuko, Domenick, Ujvagi, Yates, Harwood, Winburn, Williams, S.

To amend section 4928.61 and to enact section 4928.622 of the Revised Code to replace the current Advanced Energy Fund revenue rider on retail electric distribution service rates with a new rider that will terminate on January 1, 2025 and to permit aerospace institutes to receive Advanced Energy Fund money for advanced energy projects and economic development.

H. B. No. 302-Representative Martin.

Cosponsor: Representative Wachtmann.

To prohibit spending American Recovery and Reinvestment Act of 2009 funds on signs that identify the source of specific project funding.

H. B. No. 303-Representative Dyer.

Cosponsors: Representatives Letson, Koziura, Murray, Boyd, Luckie.

To enact section 1905.06 of the Revised Code to authorize the Attorney General to dissolve a mayor's court that is operating in violation of statutory population, training, or registration requirements.

H. B. No. 304-Representative Burke.

Cosponsors: Representatives Adams, J., Blair, Boose, Grossman, Huffman, Ruhl, Sears, Stebelton.

To enact sections 2917.51 and 2933.81 of the Revised Code to prohibit the use of a tracking device to determine the location or movement of a person without the person's consent subject to specified exceptions, to provide for the issuance of a search warrant to a law enforcement officer or prosecutor authorizing the installation, use, and removal of a tracking device subject to specified conditions, and to provide for the installation and use of a tracking device by an investigative officer or law enforcement officer without a search warrant in specified emergency situations and subject to specified conditions.

H. B. No. 305-Representative Newcomb.

Cosponsors: Representatives Murray, Weddington, Sears, Hagan, Williams, B., Boyd, Letson, Belcher, Fende, Yuko, Lehner, Domenick, Brown, Harris, Derickson, Stewart, Luckie, Harwood.

To enact section 3301.41 of the Revised Code to require the Department of Education to waive fees for certain Ohio residents taking the GED test.

H. B. No. 306-Representative Dolan.

Cosponsors: Representatives Grossman, Boose, Ujvagi, Blair, Lehner, Balderson, Phillips.

To amend sections 2303.201 and 2323.06 and to enact sections 2303.24 and 2308.01 to 2308.05 of the Revised Code to require courts to establish and operate programs of mandatory foreclosure mediation in non-tax foreclosure actions on occupied residential properties, to require courts to adopt rules to establish filing fees to cover the costs of the mediation, to set minimal qualifications that the court must adopt by rule for the mediators it appoints, and to establish procedures for the operation of foreclosure mediation programs.

Said bills were considered the first time.

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

Representative Wachtmann submitted the following report:

The standing committee on Health to which was referred **H. B. No. 206**-Representatives Boyd, Oelslager, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ADVANCED PRACTICE NURSE AUTHORITY TO PRESCRIBE SCHEDULE II SUBSTANCES.

BARBARA BOYD
TROY BALDERSON
RANDY GARDNER
MATT HUFFMAN
DEBORAH NEWCOMB
KENNY YUKO

LYNN R. WACHTMANN
EDNA BROWN
BRUCE W. GOODWIN
ROBERT MECKLENBORG
W. SCOTT OELSLAGER

The following members voted "NO"

JOHN PATRICK CARNEY
COURTNEY COMBS

DAVE BURKE

The report was agreed to.

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

Representative Batchelder reported for the Rules and Reference Committee recommending that the following House Bills, Senate Bills and Senate Joint Resolution be considered for the second time and referred to the following committees for consideration.

H.B. No. 210 - Representatives Morgan and Boose, et al

TO DECREASE BY 5% THE SALARIES OF GENERAL ASSEMBLY MEMBERS AND OF THE STATEWIDE ELECTED EXECUTIVE OFFICERS UNTIL CERTAIN INCREASES OCCUR IN THE GROSS DOMESTIC PRODUCT OF OHIO.

To the committee on State Government

H.B. No. 277 - Representatives Snitchler and Jordan, et al

TO AUTHORIZE A \$2,400 INCOME TAX WITHHOLDING CREDIT FOR AN EMPLOYER THAT HIRES AND EMPLOYS A PREVIOUSLY UNEMPLOYED INDIVIDUAL.

To the committee on Ways and Means

H.B. No. 278 - Representative Batchelder, et al

TO PROHIBIT A COUNTY ELECTED OFFICER AND THE CAMPAIGN COMMITTEE OF SUCH AN OFFICER FROM ACCEPTING A POLITICAL CONTRIBUTION FROM ANY EMPLOYEE OF THE COUNTY.

To the committee on Election and Ethics

H.B. No. 279 - Representative Foley

WITH RESPECT TO STAFF MEMBER TO CHILD RATIOS AND MAXIMUM GROUP SIZES WHEN MONTESSORI PRESCHOOLS COMBINE PRESCHOOL-AGED CHILDREN AND KINDERGARTNERS.

To the committee on Education

H.B. No. 280 - Representatives Stautberg and Driehaus

TO TEMPORARILY AUTHORIZE A SPECIAL ELECTION ON DECEMBER 8, 2009, EXCLUSIVELY FOR THE PURPOSE OF ALLOWING CERTAIN MUNICIPAL CORPORATION PROPERTY TAX LEVIES TO APPEAR ON THE BALLOT, TO REPEAL SECTION 1 OF THIS ACT EFFECTIVE DECEMBER 9, 2009, AND TO DECLARE AN EMERGENCY.

To the committee Election and Ethics

H.B. No. 281 - Representative Yuko, et al

TO PERMIT ADDITIONAL HEALTH CARE PROFESSIONALS WHO PROVIDE MENTAL HEALTH SERVICES TO TAKE CERTAIN PERSONS INTO CUSTODY AND TRANSPORT THOSE PERSONS TO A HOSPITAL.

To the committee on Judiciary

H.B. No. 282 - Representative Snitchler, et al

TO TRANSFER THE RESPONSIBILITY OF MAINTAINING A STATE AWARDS WEB SITE FROM THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO THE OFFICE OF BUDGET AND MANAGEMENT, TO ALTER AND EXPAND THE INFORMATION TO BE INCLUDED ON THE WEB SITE, AND TO REPEAL THE ATTORNEY GENERAL'S RESPONSIBILITY TO MONITOR STATE AWARD COMPLIANCE.

To the committee on State Government

H.B. No. 283 - Representative S. Williams, et al

TO REQUIRE THE DIRECTOR OF DEVELOPMENT TO ADMINISTER A GRANT PROGRAM TO PROVIDE FUNDING TO SPECIFIED ENTITIES TO PROVIDE TRAINING FOR EMPLOYEES IN THE FIELDS OF BIOTECHNOLOGY AND BIOSCIENCE OR ANY OTHER FIELD IN WHICH CRITICAL DEMANDS EXIST FOR CERTAIN SKILLS.

To the committee on Economic Development

H.B. No. 284 - Representative Hagan

TO INCREASE THE MARGINAL INCOME TAX RATE APPLICABLE TO INCOME IN EXCESS OF \$200,000 TO ITS PRE-2005 RATE.

To the committee on Ways and Means

H.B. No. 285 - Representative Bacon, et al

TO PROVIDE A THREE-DAY PERIOD IN AUGUST AND IN DECEMBER EACH YEAR DURING WHICH SALES OF CLOTHING, FOOTWEAR, SCHOOL SUPPLIES, PERSONAL COMPUTERS AND COMPUTER-RELATED ITEMS, AND SPORTING EQUIPMENT ARE EXEMPT FROM SALES AND USE TAXES.

To the committee on Ways and Means

H.B. No. 286 - Representative Fende, et al

TO EXEMPT FROM REAL PROPERTY TAXATION HOME IMPROVEMENTS GREATER THAN \$5,000 FOR FIVE YEARS.

To the committee on Ways and Means

H.B. No. 287 - Representatives Burke and Sears, et al

TO REQUIRE THE MEDICAID PROGRAM TO COVER, SUBJECT TO FEDERAL APPROVAL, ALL HEALTH BENEFITS ESTABLISHED AS MANDATED HEALTH BENEFITS UNDER THE STATE'S INSURANCE LAWS AND TO PRECLUDE APPLICATION OF ADDITIONAL MANDATED HEALTH BENEFITS UNDER THOSE LAWS UNTIL THE MEDICAID PROGRAM COVERS THE HEALTH BENEFITS.

To the committee on Health

H.B. No. 288 - Representative Harwood, et al

TO MAKE CHANGES IN LAWS REGULATING PAWNBROKERS AND PRECIOUS METAL DEALERS TO REVISE ITEM INFORMATION FURNISHED TO LOCAL LAW ENFORCEMENT AGENCIES AND, UNDER THE PRECIOUS METAL DEALER LAW, SPECIFY WHICH LOCAL LAW ENFORCEMENT AGENCIES ARE TO RECEIVE ITEM INFORMATION; TO RESTRICT THE TYPE OF PROPERTY RECEIVED OR PURCHASED; TO REQUIRE SPECIFIED PROOF OF IDENTITY OF PERSONS PLEDGING, REDEEMING, OR FROM WHOM PROPERTY IS PURCHASED; TO INCREASE PROPERTY RETAINING PERIODS, INCLUDING THE PERIOD AN ITEM MUST BE RETAINED IF THERE IS PROBABLE CAUSE THAT IT IS STOLEN PROPERTY; AND TO MODIFY PROCEDURES AND AUTHORIZED CIVIL ACTIONS IN

CONNECTION WITH RETURNING PLEDGED OR PURCHASED PROPERTY TO ITS TRUE OWNER.

To the committee on Civil and Commercial Law

H.B. No. 289 - Representatives DeGeeter and Coley, et al

TO PROHIBIT CONDOMINIUM ASSOCIATIONS, NEIGHBORHOOD ASSOCIATIONS, AND LANDLORDS FROM RESTRICTING THE DISPLAY OF BLUE STAR BANNERS, GOLD STAR BANNERS, AND OTHER SERVICE FLAGS, AND TO PROHIBIT LANDLORDS FROM RESTRICTING THE DISPLAY OF THE UNITED STATES FLAG.

To the committee on Veterans Affairs

H.B. No. 290 - Representatives Bulp and Pryor, et al

TO INCLUDE JUNIOR ROTC AS A PERMITTED ELECTIVE WITHIN THE OHIO CORE CURRICULUM AND TO PERMIT SCHOOLS TO EXCUSE JUNIOR ROTC STUDENTS FROM HIGH SCHOOL PHYSICAL EDUCATION.

To the committee on Education

H.B. No. 291 - Representatives Jordan and Carney, et al

TO EXEMPT SPECIFIED ENTITIES THAT OPERATE A FAIR AND HOLD A LICENSE ISSUED UNDER THE VEHICLE PARKS LAW FROM COMPLYING WITH THE REQUIREMENTS OF THAT LICENSE DURING THE TIME PERIOD WHEN THE PREPARATION FOR, OPERATION OF, AND DISMANTLING OF THE FAIR OCCURS.

To the committee on Agriculture and Natural Resources

H.B. No. 292 - Representatives Letson and Oelslager, et al

TO PROHIBIT TRANSFER FEE COVENANTS IN CERTAIN REAL ESTATE TRANSACTIONS.

To the committee on Civil and Commercial Law

H.B. No. 293 - Representative Yates, et al

REGARDING ASSISTANCE FOR PREGNANCY PREVENTION.

To the committee on Health

Am. S.B. No. 51 - Senator Morano, et al

TO DESIGNATE THE LAST WEEK OF MAY AS "OHIO TURFGRASS WEEK."

To the committee on Agriculture and Natural Resources

S.B. No. 96 - Senator Hughes, et al

TO DESIGNATE MAY AS "ALS AWARENESS MONTH."

To the committee on Health

Am. Sub. S.B. No. 131 - Senators Gillmor and Cafaro, et al

TO REQUIRE THAT THE DIRECTOR OF ADMINISTRATIVE SERVICES ESTABLISH A PROGRAM THAT ENSURES THAT SUPPLIES COMPOSED OF BIOBASED PRODUCTS ARE PURCHASED BY THE DEPARTMENT OF ADMINISTRATIVE SERVICES, OTHER STATE AGENCIES, AND STATE INSTITUTIONS OF HIGHER EDUCATION.

To the committee on Agriculture and Natural Resources

Sub. S.J.R. No. 5 - Senator Husted, et al

TO REVISE THE REDISTRICTING PROCESS FOR GENERAL ASSEMBLY AND CONGRESSIONAL DISTRICTS.

To the committee on Election and Ethics

T. TODD BOOK	BARBARA BOYD
TIMOTHY J. DEGEETER	MATT LUNDY
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, Senate Bills and the Senate Joint Resolution 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, Senate Bills and the Senate Joint Resolution were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Batchelder reported for the Rules and Reference Committee recommending that the following House Concurrent Resolution and Senate Concurrent Resolution be introduced and referred to the following committees for consideration:

H.C.R. No. 31 - Representative Boyd, Speaker Budish

TO DESIGNATE THE MONTH OF SEPTEMBER 2009 AS "ATHEROSCLERIOSIS AWARENESS MONTH."

To the committee on Health

S.C.R. No. 13 - Senators Grendell and Faber, Gibbs, Buehrer, Cates, Hughes, Schuler, Schuring, Carey, Goodman, Harris, Husted, Niehaus, Patton, Schaffer, Seitz, Wagoner, Widener, Jones

TO CLAIM SOVEREIGNTY OVER CERTAIN POWERS PURSUANT TO THE TENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA, TO NOTIFY CONGRESS TO LIMIT AND END CERTAIN MANDATES, AND TO INSIST THAT FEDERAL LEGISLATION CONTRAVENING THE TENTH AMENDMENT BE PROHIBITED OR REPEALED.

To the committee on State Government

/s/ TODD BOOK
Todd Book, Chair

Representative Szollosi moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolutions were introduced and referred as recommended.

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

H.R. No. 153 - Representative Hackett

Recognizing Domestic Violence Awareness month, October 2009.

H.R. No. 154 - Speaker Budish

Honoring Ellen Aiello on her retirement.

Add the names: Batchelder, Book, Lundy, DeGeeter, Boyd

H.R. No. 155 - Representative Adams, J.

Honoring Elizabeth Trisler as the 2009 National Right to Life Oratory Contest Winner.

H.R. No. 156 - Representative Mallory

Honoring the Cincinnati Museum Center on receiving a 2009 National Medal for Museum and Library Service.

Add the name: Book

/s/ TODD BOOK
Todd Book, Chair

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

The motion was agreed to.

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Tuesday, October 6, 2009, 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 Tuesday, October 6, 2009, 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. 152-Speaker Budish.

Relative to the election of Peter A. Beck to fill the vacancy in the membership of the House of Representatives created by the resignation of Shannon Jones of the 67th House District.

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

WHEREAS, Shannon Jones of the 67th House District has resigned as a member of the House of Representatives of the 128th General Assembly effective August 11, 2009, thus creating a vacancy in the House of Representatives; therefore be it

RESOLVED, By the members of the House of Representatives who are affiliated with the Republican party that Peter A. Beck, Republican, having the qualifications set forth in the Ohio Constitution and the laws of Ohio to be a member of the House of Representatives from the 67th House District, is hereby elected, effective October 6, 2009, pursuant to Section 11 of Article II, Ohio Constitution, as a member of the House of Representatives from the 67th House District, to fill the vacancy created by the unexpired portion of the term of said Shannon Jones, ending on December 31, 2010; and be it further

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

The yeas and nays were taken and resulted - yeas 43, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Blair	Blessing
Boose	Bubp	Burke	Coley
Combs	Daniels	Derickson	Dolan
Evans	Gardner	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Jordan	Lehner	Maag	Mandel
Martin	McClain	McGregor	Mecklenborg
Morgan	Oelslager	Ruhl	Sears
Snitchler	Stautberg	Stebelton	Uecker
Wachtmann	Wagner		Zehringer-43.

The resolution was adopted.

Mr. Beck was escorted to the bar of the House by Representatives Yates, Pillich, Maag, Mecklenborg, Stautberg, Bubp, Mandel, Combs, Morgan, and Blessing, took the oath of office administered by The Honorable Armond Budish, Speaker of the Ohio House of Representatives, and entered upon the discharge of his duties.

State of Ohio
County of Franklin

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

/s/ PETER A. BECK
PETER A. BECK

Sworn to and subscribed before me this 6th day of October, 2009.

/s/ ARMOND BUDISH
Armond Budish
Speaker
Ohio House of Representatives

BILLS FOR THIRD CONSIDERATION

Am. H. B. No. 28-Representative Gerberry.
Cosponsors: Representatives Dyer, Harwood, Harris, Murray, Yuko, Bolon, Williams, S., Letson.

To amend section 311.01 of the Revised Code to change the education and experience requirements necessary for eligibility to be a candidate for the office of sheriff, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 94, 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	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Grossman
Hackett	Hagan	Hall	Harris

Harwood	Heard	Hite	Hottinger
Jordan	Koziura	Lehner	Letson
Luckie	Lundy	Maag	Mallory
Mandel	Martin	McClain	McGregor
Mecklenborg	Moran	Morgan	Murray
Newcomb	Oelslager	Okey	Patten
Phillips	Pillich	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-94.

Representative Pryor voted in the negative-1.

The bill passed.

Representative Gerberry moved to amend the title as follows:

Add the names: "Batchelder, Belcher, Blessing, Boose, Boyd, Bubp, Chandler, Combs, Daniels, DeBose, Derickson, Evans, Fende, Garland, Goyal, Hagan, Lehner, Luckie, Maag, Mallory, McClain, Mecklenborg, Newcomb, Phillips, Ruhl, Skindell, Szollosi, Uecker, Weddington, Williams, B., Winburn, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 38-Representative Brown.

Cosponsors: Representatives Williams, B., Ujvagi, Weddington, Batchelder, Gardner, Boyd, Sykes, Williams, S., Yates, Winburn, DeBose, Luckie, Miller, Mallory, Heard, Letson, Fende, Hagan, Carney, Foley, Yuko.

To amend sections 4501.21 and 5533.52 and to enact sections 4501.14, 4501.243, 4503.498, 4503.499, 4503.505, 4503.563, 4503.701, 4503.94, 5533.093, 5533.333, 5533.372, 5533.872, 5533.93, 5533.95, and 5533.96 of the Revised Code to create certain special license plates and to designate certain memorial freeways, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Szollosi moved that **Sub. H. B. No. 38**-Representative Brown, et al., be rereferred to the committee on Transportation and Infrastructure.

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

The motion was agreed to without objection.

Sub. H. B. No. 103-Representatives Fende, Harwood.

Cosponsors: Representatives Zehringer, Murray, Huffman, Ujvagi, Uecker, Evans, Letson, Chandler, Okey, Luckie, Williams, S., Yuko, Domenick, Slesnick.

To amend sections 149.43, 2903.01, 2903.11, 2903.12, 2903.13, 2903.21, and 2929.04 and to enact section 2903.23 of the Revised Code to provide that residential and familial information of a probation officer is not a public record, to increase the penalties for certain offenses when a judge or magistrate is the victim, to prohibit a person from threatening a judge or magistrate, and to make the killing of a judge or magistrate an aggravating circumstance for the imposition of the death penalty for aggravated murder, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 91, nays 4, 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	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Grossman
Hackett	Hall	Harris	Harwood
Heard	Hite	Hottinger	Jordan
Koziura	Lehner	Letson	Luckie
Lundy	Maag	Mallory	Mandel
Martin	McClain	McGregor	Mecklenborg
Moran	Morgan	Murray	Newcomb
Oelslager	Okey	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yuko	Zehringer		Budish-91.

Representatives Hagan, Skindell, Sykes, and Yates voted in the negative-4.

The bill passed.

Representative Fende moved to amend the title as follows:

Add the names: "Adams, R., Bacon, Batchelder, Blessing, Bolon, Boyd, Bubp, Celeste, Combs, Daniels, DeBose, DeGeeter, Dyer, Garland, Garrison, Goyal, Grossman, Hackett, Harris, Heard, Hite, Lundy, Mallory, Mecklenborg, Sayre, Szollosi, Weddington, Williams, B., Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Snitchler, the House adjourned until Wednesday, October 7, 2009 at 9:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Deputy Clerk.