

OHIO

House

of

Representatives

JOURNAL

TUESDAY, DECEMBER 1, 2009

ONE HUNDRED ELEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, December 1, 2009, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Ted Celeste-24th 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:

Dr. E. Gordon Gee received H. R. 181, presented by Speaker Budish-8th district and Representative Garland-20th district.

Ed Beczynski, a guest of Representative Sears-46th district.

Stacy Laskin and Anthony Seskes, guests of Representative Sykes-44th district.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 384-Representative Bolon.

Cosponsors: Representatives Balderson, Boyd, Chandler, Daniels, Derickson, Dolan, Domenick, Evans, Fende, Garland, Hackett, Hagan, Harris, Harwood, Heard, Letson, Lundy, Newcomb, Pillich, Sears, Ujvagi, Weddington.

To amend sections 1751.66 and 3923.60 of the Revised Code to use the compendia adopted by the United States Department of Health and Human Services to determine whether an insurer may exclude coverage for off-label drug usage.

Said bill was considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Wagner submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 363**-Representatives Okey, Newcomb, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REVISE CONCENTRATED ANIMAL FEEDING FACILITIES
LAW

JOHN DOMENICK
JEFF WAGNER
TROY BALDERSON
TERRY BOOSE
DAN DODD
JENNIFER GARRISON
DENNIS MURRAY
MARK D. OKEY
MARGARET RUHL
JAMES ZEHRINGER

ALLAN R. SAYRE
RICHARD ADAMS
LINDA S. BOLON
TIMOTHY DERICKSON
MATTHEW J. DOLAN
DAVE HALL
DEBORAH NEWCOMB
RAYMOND PRYOR
W. CARLTON WEDDINGTON

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. 367 - Representative Yates

TO REQUIRE THE OHIO ARTS COUNCIL TO RECEIVE ONE PER CENT OF BIENNIAL GENERAL REVENUE FUND APPROPRIATIONS.
To the committee on Finance and Appropriations

H.B. No. 368 - Representative Yates

TO CREATE THE OHIO TREE FUND TO BE USED TO REFOREST LAND THAT IS OWNED BY THE STATE.
To the committee on Agriculture and Natural Resources

H.B. No. 369 - Representative Luckie, et al

TO REQUIRE THAT A PERSON WHO REGISTERS UNDER THE SEX OFFENDER REGISTRATION AND NOTIFICATION LAW AND WHO DOES NOT HAVE A FIXED RESIDENCE ADDRESS BE MONITORED BY AN ACTIVE GLOBAL POSITIONING SYSTEM DEVICE UNTIL THE PERSON ACQUIRES A FIXED RESIDENCE ADDRESS.
To the committee on Criminal Justice

H.B. No. 370 - Representative Garrison, et al

TO LIFT THE MORATORIUM ON INTERNET- OR COMPUTER-BASED COMMUNITY SCHOOLS, TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT BY RULE ITS RECOMMENDED STANDARDS FOR THOSE SCHOOLS AND OTHER ELECTRONIC EDUCATIONAL COURSES, TO PERMIT THE DEPARTMENT OF EDUCATION AND THE CHANCELLOR OF THE BOARD OF REGENTS TO ESTABLISH A LONGITUDINAL STUDENT DATA SYSTEM AND TO DECLARE AN EMERGENCY.
To the committee on Education

H.B. No. 371 - Representatives Pillich and Belcher, et al

TO ESTABLISH THE CATEGORY OF A CHILD IN NEED OF PROTECTIVE SERVICES AND TO GENERALLY REPLACE THE TERMS "ABUSED CHILD," "NEGLECTED CHILD "AND" DEPENDENT CHILD" AS THEY APPLY TO CIVIL LAW WITH THE TERM "CHILD IN NEED OF PROTECTIVE SERVICES."

To the committee on Civil and Commercial Law

H.B. No. 372 - Representatives Amstutz and Yuko, et al

TO REQUIRE A SECURED PARTY TO CONVEY A PHYSICAL CERTIFICATE OF TITLE TO THE OWNER OF A WATERCRAFT, OUTBOARD MOTOR, MOTOR VEHICLE, OFF-HIGHWAY MOTORCYCLE, OR ALL-PURPOSE VEHICLE UPON DISCHARGE OF ALL SECURITY INTERESTS.

To the committee on Transportation and Infrastructure

H.B. No. 374 - Representative Fende, et al

TO ADOPT THE OHIO BROOK TROUT AS THE STATE FISH.

To the committee on State Government

H.B. No. 375 - Representative Yates

TO REQUIRE CERTAIN PUBLIC UTILITIES TO PROVIDE BILLING AND COLLECTION SERVICES TO CUSTOMERS AT NO CHARGE.

To the committee on Public Utilities

H.B. No. 376 - Representatives Bolon and Wagner, et al

TO INCREASE THE PENALTIES FOR THE BLOCKING OF A HIGHWAY RAILROAD GRADE CROSSING BY A TRAIN.

To the committee on Transportation and Infrastructure

H.B. No. 377 - Representative Garrison, et al

TO PROHIBIT PERSONS WHO HAVE BEEN CONVICTED OF OR PLEADED GUILTY TO AN OFFENSE INVOLVING IDENTITY THEFT, FORGERY, OR FRAUD FROM WITNESSING OR CIRCULATING ELECTION PETITIONS, TO REQUIRE THE CIRCULATOR STATEMENT ON ELECTION PETITIONS TO BE NOTARIZED, TO REQUIRE ENTITIES THAT PROVIDE COMPENSATION TO CIRCULATORS OF INITIATIVE PETITIONS TO BE LICENSED, TO REQUIRE SUCH AN ENTITY'S LICENSE TO BE REVOKED IF IT AUTHORIZES OR KNOWINGLY PERMITS VIOLATIONS OF THE LAW GOVERNING ELECTION PETITIONS, TO REQUIRE CIRCULATORS OF INITIATIVE PETITIONS TO REGISTER WITH THE SECRETARY OF STATE, AND TO PROVIDE FOR PUBLIC INPUT IN THE DETERMINATION OF BALLOT TITLES.

To the committee on Elections and Ethics

H.B. No. 378 - Representative Yates

TO ELIMINATE AUTHORITY OF MUNICIPAL CORPORATIONS TO EXEMPT STOCK OPTIONS AND NONQUALIFIED DEFERRED COMPENSATION FROM MUNICIPAL INCOME TAXATION.

To the committee on Ways and Means

H.B. No. 379 - Representatives Carney and Mecklenborg, et al
TO MAKE CHANGES TO THE LAW GOVERNING CORPORATIONS
INCLUDING DISSENTING SHAREHOLDERS AND THE DISSOLUTION
OF A CORPORATION.

To the committee on Civil and Commercial Law

H.B. No. 380 - Representative Coley, et al
TO INCREASE THE PENALTY FOR A FIRST OFFENSE OF SEXUAL
IMPOSITION TO A MISDEMEANOR OF THE FIRST DEGREE IN
SPECIFIED CIRCUMSTANCES.

To the committee on Criminal Justice

H.B. No. 381 - Representative S. Williams
TO CREATE THE WORKFORCE DEVELOPMENT INTERMEDIARY
COMMITTEE.

To the committee on Commerce and Labor

MATT LUNDY	JOSEPH KOZIURA
SANDRA WILLIAMS	JAY P. GOYAL
W. CARLTON WEDDINGTON	LOUIS W. BLESSING

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

The motion was agreed to without objection.

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Blessing reported for the Rules and Reference Committee recommending that the following House Resolutions and House Concurrent Resolution be introduced and referred to the following committee for consideration:

H.R. No. 173 - Representatives Wachtmann, Huffman, Adams, Uecker, Evans, Wagner, Blair, Sears, Martin
TO URGE THE SUPREME COURT OF THE UNITED STATES TO FIND
IN SALAZAR V. BUONO THAT THE LATIN CROSS OF THE MOJAVE
DESERT VETERANS MEMORIAL IN THE FEDERALLY OWNED
MOJAVE NATIONAL PRESERVE DOES NOT VIOLATE THE
ESTABLISHMENT CLAUSE OF THE FIRST AMENDMENT OF THE
UNITED STATES CONSTITUTION.

To the committee on Judiciary

H.R. No. 182 - Representatives Mallory TO URGE THE ADMINISTRATOR OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO GRANT AN EMERGENCY EXEMPTION FOR THE USE OF THE INSECTICIDE PROPOXUR TO CONTROL BEDBUGS IN OHIO.

To the committee on Environment and Brownfield Development

H.C.R. No. 33 - Representatives Hagan, Letson, Harris, Pryor, Skindell, Domenick, Yuko, Harwood, Boyd, Gerberry, Murray, Blair, Foley, B. Williams, Lehner, Lundy, Stewart, Martin

TO URGE THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE TREASURY, THE HEAD OF THE PRESIDENT'S AUTO TASK FORCE, THE PRESIDENT OF GENERAL MOTORS, AND THE PRESIDENT OF THE DELPHI CORPORATION TO TREAT ALL OF THE GENERAL MOTORS-DELPHI RETIREES FAIRLY AND EQUITABLY AND PROVIDE FOR THE FULL EARNED PENSIONS AND OTHER POST EMPLOYMENT BENEFITS IN THE SAME MANNER FOR ALL GROUPS.

To the committee on Aging and Disability Services

/s/ JOE KOZIURA

Joe Koziura, 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 Blessing reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

H.R. No. 175 - Representatives Heard, Harris, Garland, Weddington

Recognizing national Computer Science Education Week.

H.R. No. 176 - Representative Bacon

Honoring My Linh Li and Kim My Li as the 2009 Division II State Champions in girls doubles tennis.

H.R. No. 177 - Representative Bacon

Honoring the St. Francis DeSales High School boys soccer team on winning the 2009 Division II State Championship.

H.R. No. 178 - Representative Bacon

Honoring the Thomas Worthington High School girls water polo team as the 2009 State Champion.

H.R. No. 179 - Representative Mandel

Honoring Henry L. Meyer III as a recipient of the 2009 Humanitarian Award from the American Red Cross of Greater Cleveland.

H.R. No. 180 - Representative Huffman

Honoring Charles D. Moeller as the 2009 Entrepreneur of the year from Ohio.

H.R. No. 181 - Speaker Budish, Representative Garland

Honoring Dr. E. Gordon Gee as Time magazine's Best College President.

Add the name: Weddington

/s/ JOE KOZIURA
Joe Koziura, Chair

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

The motion was agreed to.

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

H.R. No. 174 - Representatives Blessing, Coley, Combs, Driehaus, Maag, Mallory, Mecklenborg, Pillich, Stautberg, Uecker

In memory of Erich Kunzel.

Add the name: S. Williams

/s/ JOE KOZIURA
Joe Koziura, Chair

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

The motion was agreed to.

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Tuesday, December 1, 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, December 1, 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

Sub. H. B. No. 108-Representatives Domenick, Blessing.
Cosponsors: Representatives Harris, Newcomb, Luckie, Chandler, Yuko.

To amend sections 959.161 and 959.99 and to enact section 959.151 of the Revised Code to revise the law governing cockfighting, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Domenick moved to amend as follows:

In line 13, delete "reasonable" and insert "probable"

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 R.	Amstutz	Bacon	Baker
Batchelder	Beck	Belcher	Blair
Blessing	Bolon	Boose	Boyd
Brown	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	Harris	Harwood	Heard
Hite	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	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Ujvagi	Wachtmann	Wagner	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko			Budish-94.

Representatives Adams J., Balderson, Hall, and Zehringer voted in the negative-4.

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 79, nays 19, as follows:

Those who voted in the affirmative were: Representatives

Bacon	Baker	Batchelder	Beck
Belcher	Blair	Blessing	Bolon
Boyd	Brown	Carney	Celeste
Chandler	Combs	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick

Driehaus	Dyer	Fende	Foley
Gardner	Garland	Garrison	Gerberry
Goodwin	Goyal	Grossman	Hackett
Hagan	Harris	Harwood	Heard
Hite	Hottinger	Koziura	Lehner
Letson	Luckie	Lundy	Mallory
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Ujvagi	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko		Budish-79.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Balderson
Boose	Bubp	Burke	Coley
Daniels	Evans	Hall	Huffman
Jordan	Maag	Mandel	Martin
Uecker	Wachtmann		Zehringer-19.

The bill passed.

Representative Domenick moved to amend the title as follows:

Add the names: "Bacon, Bolon, Brown, DeBose, Dodd, Dyer, Foley, Garland, Gerberry, Grossman, Hackett, Hagan, Heard, Letson, Mallory, Pillich, Stewart, Williams, B., Winburn, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 191-Representative Celeste.

Cosponsors: Representatives Murray, Hagan, Fende, Harris, Boyd, Okey, Chandler, Domenick, Heard, Brown.

To amend sections 2743.51, 2903.06, 2929.01, 2935.03, 4503.234, 4510.17, 4510.41, 4511.181, and 4511.251 and to enact section 4511.253 of the Revised Code to increase the penalties for street racing and to create the offense of "street racing manslaughter, 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 7, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Beck	Belcher

Blair	Blessing	Bolon	Boose
Boyd	Brown	Burke	Carney
Celeste	Chandler	Coley	Combs
Daniels	DeBose	DeGeeter	Derickson
Dodd	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner
Garland	Garrison	Gerberry	Goodwin
Goyal	Grossman	Hackett	Hagan
Hall	Harris	Harwood	Heard
Hite	Hottinger	Huffman	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	Mandel	McClain
McGregor	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	Wagner	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko	Zehringer		Budish-91.

Representatives Adams J., Bubb, Dolan, Jordan, Martin, Mecklenborg, and Wachtmann voted in the negative-7.

The bill passed.

Representative Celeste moved to amend the title as follows:

Add the names: "Bacon, Belcher, Bolon, Driehaus, Dyer, Foley, Garland, Grossman, Letson, Luckie, Lundy, Newcomb, Oelslager, Phillips, Pillich, Pryor, Snitchler, Stewart, Szollosi, Weddington, Williams, B., Winburn, Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 244-Representative Harwood.

Cosponsors: Representatives Harris, Yuko, Murray, Huffman, Phillips, Stebelton, Letson.

To amend sections 3105.171, 3105.63, and 3105.65 of the Revised Code 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, 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 J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Belcher	Blair	Blessing	Bolon
Boose	Boyd	Brown	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	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	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 bill passed.

Representative Harwood moved to amend the title as follows:

Add the names: "Bacon, Beck, Belcher, Blessing, Bolon, Boyd, Brown, Bubp, Carney, Celeste, Chandler, Coley, Combs, DeBose, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Garland, Garrison, Grossman, Hackett, Hagan, Hottinger, Lehner, Luckie, Mallory, Mandel, McClain, Moran, Newcomb, Oelslager, Patten, Pillich, Pryor, Snitchler, Stewart, Szollosi, Uecker, Weddington, Williams, B., Winburn, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. 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, 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 J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Belcher	Blair	Blessing	Bolon
Boose	Boyd	Brown	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
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	Ruhl	Sayre	Schneider
Sears	Skindell	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Sykes
Szollosi	Uecker	Ujvagi	Wachtmann
Wagner	Weddington	Williams B.	Williams S.
Winburn	Yates	Yuko	Zehring Budish-97.

Representative Bubp voted in the negative-1.

The bill passed.

Representative Dyer moved to amend the title as follows:

Add the names: "Batchelder, Boyd, Carney, Chandler, DeBose, Dodd, Domenick, Evans, Garland, Hackett, Harris, Harwood, Letson, Mecklenborg, Sayre, Snitchler, Stewart, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 363-Representatives Okey, Newcomb.

Cosponsors: Representatives Evans, Adams, J., Harwood, Yuko.

To amend sections 903.01, 903.02, 903.03, 903.04, 903.05, 903.06, 903.07, 903.08, 903.081, 903.082, 903.09, 903.10, 903.15, 903.16, 903.17, and 6111.03 of the Revised Code, and to amend Section 640.24 of Am. Sub. H.B. 1 of the 128th General Assembly and Sections 120.01 and 120.02 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by Am. Sub. H.B. 1 of the 128th General Assembly, to revise the Concentrated Animal Feeding Facilities Law, to specify that certain provisions amended by this act do not become operative until the Administrator of the United States Environmental Protection Agency approves the National Pollutant Discharge Elimination System program submitted by the Director of Agriculture, to extend from January 1, 2010, to July 1, 2010, the termination date of the suspension of statutes and temporary law governing sewage treatment systems that were enacted by Am. Sub. H.B. 119 of the 127th General Assembly and subsequently amended and reenacted by Am. Sub. H.B. 1 of the 128th General Assembly, and to declare an emergency, was taken up for consideration the third time.

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

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

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Bacon	Baker
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Boose
Boyd	Brown	Burke	Carney
Celeste	Chandler	Coley	Combs
Daniels	DeBose	DeGeeter	Derickson
Dodd	Dolan	Domenick	Driehaus
Dyer	Evans	Fende	Foley
Garland	Garrison	Gerberry	Goodwin
Goyal	Grossman	Hackett	Hagan
Hall	Harris	Harwood	Heard
Hite	Hottinger	Huffman	Jordan
Koziura	Lehner	Letson	Luckie
Lundy	Maag	Mallory	Mandel
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Slesnick	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Ujvagi	Wachtmann	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-92.

Representatives Adams J., Bub, Gardner, Martin, Skindell, and Snitchler voted in the negative-6.

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

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

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

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Belcher	Blair	Blessing	Bolon
Boose	Boyd	Brown	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Gardner	Garland	Garrison	Gerberry
Goodwin	Goyal	Grossman	Hackett
Hagan	Hall	Harris	Harwood
Heard	Hite	Hottinger	Huffman
Jordan	Lehner	Letson	Luckie
Lundy	Maag	Mallory	Mandel
Martin	McClain	McGregor	Mecklenborg
Moran	Morgan	Murray	Newcomb
Oelslager	Okey	Otterman	Patten
Phillips	Pillich	Pryor	Ruhl
Sayre	Schneider	Sears	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Wachtmann
Wagner	Weddington	Williams B.	Williams S.
Winburn	Yuko	Zehringer	Budish-92.

Representatives Bulp, Foley, Koziura, Skindell, Ujvagi, and Yates voted in the negative-6.

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

Representative Okey moved to amend the title as follows:

Add the names: "Amstutz, Bacon, Blessing, Bolon, Boose, Coley, Combs, Daniels, Derickson, Dyer, Garland, Grossman, Hackett, Heard, Letson, Luckie, McClain, Oelslager, Ruhl, Snitchler, Weddington, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the committee on Rules and Reference:

Remove Representatives Goyal and S. Williams; appoint Representatives Boyd and DeGeeter.

On motion of Representative Szollosi, the House recessed.
The House met pursuant to recess.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following change to the committee on Rules and Reference:

Remove Representative Weddington; appoint Representative Book.

Message from the Speaker

Pursuant to House Rules 13, 28, 30, the Speaker hereby makes the following change to the standing committee on Local Government and Public Administration:

Remove Representative Luckie; appoint Representative Heard.

On motion of Representative Boyd, the House adjourned until Thursday, December 3, 2009 at 9:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.