

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**WEDNESDAY, DECEMBER 8, 2010**

TWO HUNDRED TWENTY-SEVENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, December 8, 2010, 1:30 p.m.**

The House met pursuant to adjournment.

Prayer was offered by Raymond Pryor-85th 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 Minster High School girls cross country team received H. R. 432, presented by Representative J. Adams-78th district.

Tammy Berger received H. R. 433, presented by Representative Zehringer-77th district.

Joe Hintz, a guest of Representative Boose-58th district.

Mary Beth Berger, a guest of Representative Zehringer-77th district.

**CONSIDERATION OF SENATE AMENDMENTS**

The Senate amendments to **Am. H. J. R. No. 2**-Representatives Sayre, Ruhl, et al., were taken up for consideration.

**Am. H. J. R. No. 2**-Representatives Sayre, Ruhl.

Cosponsors: Representatives Adams, J., Adams, R., Amstutz, Bacon, Balderson, Batchelder, Blair, Boose, Brown, Bubp, Burke, Carney, Coley, Combs, Daniels, DeBose, Derickson, Dodd, Domenick, Dyer, Evans, Goodwin, Grossman, Hackett, Hall, Heard, Hite, Hottinger, Huffman, Jones, Jordan, Lehner, Letson, Luckie, Maag, Mandel, Martin, McClain, McGregor, Mecklenborg, Morgan, Murray, Newcomb, Oelslager, Okey, Phillips, Pryor, Slesnick, Snitchler, Stautberg, Stebelton, Szollosi, Uecker, Wachtmann, Wagner, Weddington, Yuko, Zehringer. Senators Buehrer, Carey, Gibbs, Gillmor, Grendell, Hughes, Schaffer, Strahorn, Wilson, Morano, Seitz, Patton, Faber, Niehaus, Harris, Cates.

Proposing to enact Section 1 of Article XIV of the Constitution of the State of Ohio to create the Ohio Livestock Care Standards Board.

The question being, "Shall the Senate amendments be concurred in?"

Representative Ruhl moved that the Senate amendments to **Am. H. J. R. No. 2**-Representatives Sayre, Ruhl, et al., be informally passed and that they be taken up for consideration on: Thursday, December 30, 2010.

The motion was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

**Sub. H. B. No. 495** -Representatives Book, Dodd

Cosponsors: Representatives Gerberry, Mallory, Belcher, Williams, B., Daniels, Adams, J., Grossman, Hite, Jordan, Stebelton, Bacon, Bolon, Boose, Carney, Combs, DeGeeter, Derickson, Domenick, Driehaus, Dyer, Evans, Foley, Garland, Garrison, Hackett, Hall, Harris, Harwood, Hottinger, Letson, McClain, McGregor, Moran, Morgan, Newcomb, Oelslager, Patten, Phillips, Pillich, Pryor, Wagner, Weddington, Winburn, Yuko, Zehringer Senator Wilson

To amend section 5701.11 of the Revised Code to expressly incorporate changes in the Internal Revenue Code since October 16, 2009, into Ohio law; to suspend the operation of sections 101.82, 101.83, 101.84, 101.85, 101.86, and 101.87 of the Revised Code and Section 6 of Am. Sub. H.B. 516 of the 125th General Assembly to postpone operation of the sunset review law until July 1, 2011; and to declare an emergency.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

Pursuant to Joint Rule 16, Representative Szollosi moved that the Senate amendments to **Sub. H. B. No. 495**-Representatives Book, Dodd, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 495**-Representatives Book, Dodd, et al., were taken up for consideration.

**Sub. H. B. No. 495**-Representatives Book, Dodd.

Cosponsors: Representatives Gerberry, Mallory, Belcher, Williams, B., Daniels, Adams, J., Grossman, Hite, Jordan, Stebelton, Bacon, Bolon, Boose, Carney, Combs, DeGeeter, Derickson, Domenick, Driehaus, Dyer, Evans, Foley, Garland, Garrison, Hackett, Hall, Harris, Harwood, Hottinger, Letson, McClain, McGregor, Moran, Morgan, Newcomb, Oelslager, Patten, Phillips, Pillich, Pryor, Wagner, Weddington, Winburn, Yuko, Zehringer. Senator Wilson.

To amend section 5701.11 of the Revised Code to expressly incorporate changes in the Internal Revenue Code since October 16, 2009, into Ohio law; to suspend the operation of sections 101.82, 101.83, 101.84, 101.85, 101.86, and 101.87 of the Revised Code and Section 6 of Am. Sub. H.B. 516 of the 125th General Assembly to postpone operation of the sunset review law until July 1, 2011; and to declare an emergency.

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

The yeas and nays were taken and resulted - yeas 92, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Beck	Belcher
Blair	Bolon	Book	Boose
Brown	Bubp	Burke	Carney
Celeste	Chandler	Coley	Combs
Daniels	DeBose	DeGeeter	Derickson
Dodd	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Garland
Gerberry	Goodwin	Grossman	Hackett
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	O'Farrell	Oelslager	Okey
Otterman	Phillips	Pillich	Pryor
Reece	Ruhl	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Wachtmann	Wagner	Walter
Weddington	Williams B.	Williams S.	Winburn
Woodford	Yuko	Zehringer	Budish-92.

Representatives Batchelder and Gardner voted in the negative-2.

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

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Belcher	Blair	Bolon	Book
Boose	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Domenick	Driehaus

Dyer	Evans	Fende	Foley
Gardner	Garland	Gerberry	Goodwin
Grossman	Hackett	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	O'Farrell
Oelslager	Okey	Otterman	Phillips
Pillich	Pryor	Reece	Ruhl
Schneider	Sears	Skindell	Slesnick
Snitchler	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Wachtmann
Wagner	Walter	Weddington	Williams B.
Williams S.	Winburn	Woodford	Yuko
Zehringer			Budish-94.

The Senate amendments were concurred in.

#### 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 **Sub. S. B. No. 235**-Senators Fedor, Grendell, et al., having had the same under consideration, reports it back and recommends its passage.

RE: TRAFFICKING IN PERSONS - A CRIME

TIMOTHY J. DEGEETER	CONNIE PILLICH
BILL COLEY	KEVIN BACON
ROBIN BELCHER	LINDA S. BOLON
DANNY R. BUBP	NANCY GARLAND
MARK SCHNEIDER	W. SCOTT OELSLAGER
JOSEPH W. UECKER	

The report was agreed to.

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

Representative Uecker submitted the following report:

The standing committee on Commerce and Labor to which was referred **Am. H. B. No. 523**-Representatives Phillips, Driehaus, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: UNIFORM DEFINITION OF EMPLOYEE - SPECIFIED LABOR LAWS

Representative Murray moved to amend as follows:

In line 2090, after " rules" insert " in accordance with Chapter 119. of the Revised Code"

In line 2091, after the underlined period delete the balance of the line

Delete line 2092

The motion was agreed to and the bill so amended.

EDNA BROWN  
DAN STEWART  
DENNIS MURRAY

MARK SCHNEIDER  
ROBERT F. HAGAN  
KENNY YUKO

The following members voted "NO"

JOHN ADAMS  
JOSEPH W. UECKER

TERRY BLAIR  
JAMES ZEHRINGER

The report was agreed to.

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

Representative Mecklenborg submitted the following report:

The standing committee on Elections and Ethics to which was referred **Am. Sub. S. J. R. No. 5**-Senator Husted, et al., having had the same under consideration, reports it back with the following amendment and recommends its adoption when so amended.

RE: GENERAL ASSEMBLY - U.S. HOUSE REVISE  
REDISTRICTING PROCESS

Representative Okey moved to amend as follows:

In line 15, delete "4, 2010" and insert "3, 2011"

In line 55, delete the first " March" and insert " June"; delete the second " March" and insert " June"

In line 61, delete " May" and insert " July"

In line 372, delete "on January"

In line 373, delete "1, 2011," and insert "immediately"

The motion was agreed to and the bill so amended.

DAN STEWART  
T. TODD BOOK  
RON GERBERRY  
DALE MALLORY

MARK D. OKEY  
EDNA BROWN  
TED CELESTE

The following members voted "NO"

RICHARD ADAMS	DAVID DANIELS
ROBERT HACKETT	JARROD MARTIN
ROBERT MECKLENBORG	SETH MORGAN

The report was agreed to.

The joint resolution 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. 389**-Representative Huffman, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: COUNTIES PAYROLL DIRECT DEPOSIT INCREASE CREDIT TO RESERVE BALANCE ACCOUNTS

KATHLEEN CHANDLER	JOHN DOMENICK
CLAYTON LUCKIE	KENNY YUKO
TERRY BLAIR	NAN BAKER
TERRY BOOSE	TIMOTHY DERICKSON
MARGARET RUHL	LINDA S. BOLON

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. 459**-Representative Dyer, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: INTEREST TO SPECIAL FUNDS

Representative Yuko moved to amend as follows:

In line 42, delete "county treasurer" and insert "township fiscal officer"

The motion was agreed to and the bill so amended.

KATHLEEN CHANDLER	LINDA S. BOLON
JOHN DOMENICK	CLAYTON LUCKIE
KENNY YUKO	TERRY BLAIR
NAN BAKER	TERRY BOOSE
TIMOTHY DERICKSON	

The following member voted "NO"

MARGARET RUHL

The report was agreed to.

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

**MOTIONS AND RESOLUTIONS**

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. 442 - Representatives Book, Celeste**

Honoring Major General Gregory L. Wayt for his service as adjutant general of the Joint Force Headquarters of the Ohio National Guard.

Add the names: DeGeeter, Lundy, O'Farrell, Blessing, Adams, Gardner, Grossman

**H.R. No. 443 - Representatives Book, Celeste**

Honoring Major General Matthew L. Kambic for his service as assistant adjutant general of the Army at the Joint Force Headquarters of the Ohio National Guard.

Add the names: DeGeeter, Lundy, O'Farrell, Blessing, Adams, Gardner, Grossman

/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 Bolon moved that majority party members asking leave to be absent or absent the week of Tuesday, December 7, 2010, 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 7, 2010, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

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



**H.R. No. 437 - Speaker Budish, Representatives Batchelder, Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, 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, O'Farrell, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Reece, Ruhl, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Wachtmann, Wagner, Walter, Weddington, Williams, B., Williams, S., Winburn, Yuko, Zehringer**

In Memory of the Honorable William Bart Saxbe.

/s/ TODD BOOK  
Todd Book, Chair

Representative Szollosi moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be brought up for immediate adoption, read in full, 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. 437**-Speaker Budish, Representatives Adams, J., 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, O'Farrell, Oelslager, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Reece, Ruhl, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Wachtmann, Wagner, Walter, Weddington, Williams, B., Williams, S., Winburn, Yates, Yuko, Zehringer.

In memory of the Honorable William Bart Saxbe.

WHEREAS, The members of the House of Representatives of the 128th General Assembly of Ohio extend our sincere condolences to the family and friends of the Honorable William Bart Saxbe on the sorrowful occasion of his death; and

WHEREAS, William Saxbe's zealous love of life and his selfless concern for the welfare of others distinguished him as an outstanding human being and as a leading citizen. Elected to the Ohio House of Representatives in 1947, where he served for three terms and held the posts of Majority Leader and Speaker, he was an Ohio attorney general, a member of the U.S. Senate, a U.S. attorney general, and an ambassador to India. He was a dedicated and devoted public servant whose exemplary career serves as an inspiration for others; and

WHEREAS, A man of exceptional concern and insight, William Saxbe also achieved a praiseworthy record of service to the community. An Ohio National Guard and U.S. Army veteran of World War II, he was an attorney in private practice after retiring from politics, and he raised cattle and was active with several corporate and legal boards. Indeed, he will long be remembered for his unwavering commitment to service; and

WHEREAS, William Saxbe's efforts on behalf of his family, his friends, his community, and the State of Ohio will certainly live beyond him. The vitality and commitment of this exceptional human being and exemplary citizen will be remembered fondly by all those who knew and loved him, including his wife, Dolly, his three children, Juli, William, and Charles, his nine grandchildren, and his three great-grandchildren; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 128th General Assembly of Ohio, in adopting this Resolution, pay tribute to the memory of a truly remarkable man, the Honorable William Bart Saxbe; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of the Honorable William Bart Saxbe.

The resolution was adopted.

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

**H.R. No. 439 - Speaker Budish, Representatives Batchelder, Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Boyd, Brown, Bulp, 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, O'Farrell, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Reece, Ruhl, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Wachtmann, Wagner, Walter, Weddington, Williams, B., Williams, S.,**

**Winburn, Yuko, Zehringer**

In memory of the Honorable Donald E. "Buz" Lukens.

/s/ TODD BOOK  
Todd Book, Chair

Representative Szollosi moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be brought up for immediate adoption, read in full, 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. 439**-Speaker Budish, Representatives Adams, J., Adams, R., Amstutz, Bacon, Baker, Balderson, Batchelder, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Boyd, Brown, Bulp, 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, O'Farrell, Oelslager, Okey, Otterman, Patten, Phillips, Pillich, Pryor, Reece, Ruhl, Schneider, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Sykes, Szollosi, Uecker, Wachtmann, Wagner, Walter, Weddington, Williams, B., Williams, S., Winburn, Yates, Yuko, Zehringer.

In memory of the Honorable Donald E. "Buzz" Lukens.

WHEREAS, The members of the House of Representatives of the 128th General Assembly of Ohio were deeply saddened to learn of the death of the Honorable Donald E. "Buz" Lukens and extend our heartfelt condolences to his family and friends; and

WHEREAS, Buz Lukens left an indelible impression on the people whose lives he touched, and he will be remembered as a truly spirited individual. A veteran of the U.S. Air Force, he served as a member of the U.S. House of Representatives for four years and the Ohio Senate for sixteen years before being re-elected to Congress in 1986 and 1988; and

WHEREAS, Buz Lukens' regard for improving the quality of life in our society was clearly evident in his personal sacrifices of time and effort to his family, friends, and community. Giving freely of his energy and abilities in all of his endeavors, he taught English as a second language and volunteered for the American Red Cross, and his absence will be keenly felt; and

WHEREAS, In numerous roles, Buz Lukens used his talents to the benefit of others, and the laurels of his life stand as a tribute not only to him but

also to those he left behind. Although the void his death has created can never be filled, the legacy he established will surely live on; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 128th General Assembly of Ohio, in adopting this Resolution, express sincere regret at the death of the Honorable Donald E. "Buz" Lukens and, in so doing, pay tribute to the memory of this unique individual; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of the Honorable Donald E. "Buz" Lukens.

The resolution was adopted.

Representative Bubp moved that the motion to discharge **S. B. No. 239**-Senators Jones, Schaffer, et al., from the committee on Public Safety and Homeland Security be agreed to.

The question being, "Shall the motion to discharge **S. B. No. 239**-Senators Jones, Schaffer, et al., from the committee on Public Safety and Homeland Security be agreed to?"

The yeas and nays were taken and resulted - yeas 57, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Blair	Blessing	Bolon	Boose
Bubp	Burke	Coley	Combs
Daniels	DeBose	Derickson	Dodd
Domenick	Dyer	Evans	Fende
Gardner	Gerberry	Goodwin	Grossman
Hackett	Hall	Hite	Hottinger
Huffman	Jordan	Lehner	Maag
Mandel	Martin	McClain	McGregor
Mecklenborg	Morgan	Newcomb	O'Farrell
Oelslager	Okey	Phillips	Ruhl
Schneider	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-57.

Those who voted in the negative were: Representatives

Belcher	Book	Brown	Carney
Celeste	Chandler	DeGeeter	Driehaus
Foley	Garland	Hagan	Harris
Harwood	Heard	Hollington	Koziura
Letson	Luckie	Lundy	Mallory
Moran	Murray	Otterman	Pillich
Pryor	Reece	Skindell	Slesnick
Stewart	Sykes	Szollosi	Walter
Weddington	Williams B.	Williams S.	Winburn
Woodford	Yuko		Budish-39.

The motion was agreed to.

Representative Bubp moved that the motion to discharge **S. B. No. 247**-Senator Wilson, et al., from the committee on Public Safety and Homeland Security be agreed to.

The question being, "Shall the motion to discharge **S. B. No. 247**-Senator Wilson, et al., from the committee on Public Safety and Homeland Security be agreed to?"

The yeas and nays were taken and resulted - yeas 57, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Blair	Blessing	Bolon	Boose
Bubp	Burke	Coley	Combs
Daniels	Derickson	Dodd	Domenick
Dyer	Evans	Fende	Gardner
Gerberry	Goodwin	Grossman	Hackett
Hall	Hite	Hottinger	Huffman
Jordan	Lehner	Maag	Mandel
Martin	McClain	McGregor	Mecklenborg
Morgan	Newcomb	O'Farrell	Oelslager
Okey	Phillips	Pillich	Ruhl
Schneider	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-57.

Those who voted in the negative were: Representatives

Belcher	Book	Brown	Carney
Celeste	Chandler	DeBose	DeGeeter
Driehaus	Foley	Garland	Hagan
Harris	Harwood	Heard	Hollington
Koziura	Letson	Luckie	Lundy
Mallory	Moran	Murray	Otterman
Pryor	Reece	Skindell	Slesnick
Stewart	Sykes	Szollosi	Walter
Weddington	Williams B.	Williams S.	Winburn
Woodford	Yuko		Budish-39.

The motion was agreed to.

**BILLS FOR THIRD CONSIDERATION**

**Am. S. B. No. 51**-Senator Morano.

Cosponsors: Senators Sawyer, Miller, D., Turner, Kearney, Smith, Fedor, Hughes, Schuler, Goodman, Schuring, Gibbs, Wilson, Cafaro, Carey, Gillmor, Harris, Miller, R., Patton, Schaffer, Wagoner, Jones, Schiavoni.

To enact section 5.2239 of the Revised Code to designate the last week of May as "Ohio Turfgrass Week, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, 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
Book	Boose	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeBose
DeGeeter	Derickson	Dodd	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Gerberry
Goodwin	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
Phillips	Pillich	Pryor	Reece
Ruhl	Schneider	Sears	Skindell
Slesnick	Snitchler	Stautberg	Stebelton
Stewart	Sykes	Szollosi	Uecker
Wachtmann	Wagner	Walter	Weddington
Williams B.	Williams S.	Winburn	Woodford
Yuko	Zehringer		Budish-95.

Representative O'Farrell voted in the negative-1.

The bill passed.

Representative Domenick moved to amend the title as follows:

Add the names: "Representatives Boose, Brown, Bubp, Burke, Celeste, Combs, DeBose, Derickson, Dodd, Dyer, Evans, Fende, Gardner, Grossman, Hackett, Hall, Harris, Hite, Letson, Luckie, Mallory, McClain, Oelslager, Pryor, Ruhl, Stautberg, Uecker, Yuko, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 235**-Senators Fedor, Grendell.

Cosponsors: Senators Cafaro, Miller, R., Schaffer, Jones, Smith, Hughes, Wagoner, Goodman, Strahorn, Sawyer, Widener, Carey, Schuring, Patton, Husted, Morano, Schiavoni, Turner, Wilson, Buehrer, Miller, D., Kearney, Stewart, Gibbs, Niehaus, Coughlin, Gillmor, Harris.

To amend sections 2901.01, 2905.01, 2905.02, 2907.21, 2923.01, 2923.31, 2929.01, and 2933.51 and to enact sections 2905.31, 2905.32, and 2905.33 of

the Revised Code to create the offenses of trafficking in persons and unlawful conduct with respect to documents; to revise the involuntary servitude-related elements of, and the penalty for, the offense of kidnapping; to increase the penalty for the offense of abduction based on involuntary servitude; to clarify an element of the offense of compelling prostitution that relates to the compelling of another to engage in specified conduct; to include abduction and trafficking in persons within the offense of conspiracy; to include trafficking in persons in the definitions of "offense of violence" and "corrupt activity" and the list of offenses that are subject to the Communications Interception Law; and to include involuntary servitude and trafficking in persons within the definition of "human trafficking, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 96, 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
Book	Boose	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeBose
DeGeeter	Derickson	Dodd	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Gerberry
Goodwin	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	O'Farrell	Oelslager	Okey
Otterman	Phillips	Pillich	Pryor
Reece	Ruhl	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Wachtmann	Wagner	Walter
Weddington	Williams B.	Williams S.	Winburn
Woodford	Yuko	Zehringer	Budish-96.

The bill passed.

Representative DeGeeter moved to amend the title as follows:

Add the names: "Representatives Adams, R., Bacon, Balderson, Batchelder, Beck, Belcher, Blair, Blessing, Bolon, Book, Boose, Brown, Bubp, Carney, Celeste, Chandler, Combs, Daniels, DeBose, DeGeeter, Derickson, Dodd,

Driehaus, Dyer, Evans, Fende, Foley, Gardner, Garland, Gerberry, Goodwin, Grossman, Hackett, Hall, Harris, Harwood, Heard, Hite, Hottinger, Koziura, Lehner, Letson, Luckie, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Mecklenborg, Murray, Newcomb, Oelslager, O'Farrell, Okey, Phillips, Pillich, Pryor, Ruhl, Sears, Skindell, Slesnick, Stautberg, Stewart, Sykes, Szollosi, Wachtmann, Walter, Weddington, Williams, B., Williams, S., Winburn, Woodford, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 301**-Representative Foley.

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

To amend sections 4928.58, 4928.61, and 4928.62 of the Revised Code to extend the imposition of the current Advanced Energy Fund revenue rider on retail electric distribution service rates by three years and to clarify how Advanced Energy Fund grant amounts are to be determined, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Heard moved to amend as follows:

In line 109, strike through "at the end of"

In line 110, delete " thirteen"; strike through "years following the starting date of competitive retail"

In line 111, strike through "electric service" and insert " on January 1, 2014,"; strike through "until" and insert " when"

In line 112, after "hundred" insert " fifteen"

In line 142, strike through "All" and insert " Except for remittances from revenues described in division (B)(1) of this section, all"

In line 143, strike through all after "until"

In line 144, strike through "the starting date of competitive retail electric service" and insert " January 1, 2011,"

In line 146, after the period insert " Remittances from revenues described in division (B)(1) of this section shall continue only until January 1, 2014, or until the advanced energy fund, including interest, reaches one hundred fifteen million dollars, whichever is first."

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



The yeas and nays were taken and resulted - yeas 52, nays 44, as follows:

Those who voted in the affirmative were: Representatives

Beck	Belcher	Blair	Bolon
Brown	Carney	Celeste	Chandler
DeBose	DeGeeter	Dodd	Domenick
Driehaus	Dyer	Fende	Foley
Gardner	Garland	Gerberry	Hackett
Hagan	Harris	Harwood	Heard
Hottinger	Koziura	Lehner	Letson
Luckie	Lundy	Mallory	Murray
Newcomb	Okey	Phillips	Pillich
Pryor	Reece	Schneider	Skindell
Slesnick	Stewart	Sykes	Szollosi
Walter	Weddington	Williams B.	Williams S.
Winburn	Woodford	Yuko	Budish-52.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Blessing
Book	Boose	Bubp	Burke
Coley	Combs	Daniels	Derickson
Evans	Goodwin	Grossman	Hall
Hite	Hollington	Huffman	Jordan
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Moran	Morgan
O'Farrell	Oelslager	Otterman	Ruhl
Sears	Snitchler	Stautberg	Stebelton
Uecker	Wachtmann	Wagner	Zehringer-44.

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 52, nays 44, as follows:

Those who voted in the affirmative were: Representatives

Beck	Belcher	Bolon	Book
Brown	Carney	Celeste	Chandler
DeBose	DeGeeter	Dodd	Domenick
Driehaus	Dyer	Fende	Foley
Gardner	Garland	Gerberry	Hackett
Hagan	Harris	Harwood	Heard
Hottinger	Koziura	Letson	Luckie
Lundy	Mallory	Moran	Murray
Newcomb	Okey	Phillips	Pillich
Pryor	Reece	Schneider	Skindell
Slesnick	Stewart	Sykes	Szollosi
Walter	Weddington	Williams B.	Williams S.
Winburn	Woodford	Yuko	Budish-52.

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	Goodwin	Grossman	Hall
Hite	Hollington	Huffman	Jordan
Lehner	Maag	Mandel	Martin
McClain	McGregor	Mecklenborg	Morgan
O'Farrell	Oelslager	Otterman	Ruhl
Sears	Snitchler	Stautberg	Stebelton
Uecker	Wachtmann	Wagner	Zehringer-44.

The bill passed.

Representative Foley moved to amend the title as follows:

Add the names: "Brown, Chandler, DeBose, Garland, Luckie, Mallory, Walter, Weddington, Williams, B.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 331-Representative Hagan.**

Cosponsors: Representatives Yuko, Stewart, Foley, Ujvagi, Boyd, Domenick, Koziura, Skindell, Phillips, Brown, Harris, Murray, Gerberry, Belcher, Lundy, Mallory.

To enact section 5101.87 of the Revised Code regarding annual reports about certain employers of public assistance recipients, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 48, nays 47, as follows:

Those who voted in the affirmative were: Representatives

Belcher	Bolon	Brown	Celeste
Chandler	DeBose	DeGeeter	Dodd
Domenick	Driehaus	Dyer	Fende
Foley	Garland	Gerberry	Hackett
Hagan	Harris	Harwood	Heard
Koziura	Letson	Luckie	Lundy
Mallory	Moran	Murray	Newcomb
Oelslager	Okey	Otterman	Phillips
Pillich	Pryor	Reece	Schneider
Skindell	Stewart	Sykes	Szollosi
Walter	Weddington	Williams B.	Williams S.
Winburn	Woodford	Yuko	Budish-48.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Blair	Blessing	Book	Boose
Bubp	Burke	Carney	Coley
Combs	Daniels	Derickson	Evans
Gardner	Goodwin	Grossman	Hall
Hite	Hollington	Hottinger	Huffman
Jordan	Lehner	Maag	Mandel
Martin	McClain	McGregor	Mecklenborg
Morgan	O'Farrell	Ruhl	Sears
Snitchler	Stautberg	Stebelton	Uecker
Wachtmann	Wagner		Zehringer-47.

The bill not having received the required constitutional majority, failed of passage.

**Am. H. B. No. 523**-Representatives Phillips, Driehaus.

Cosponsors: Representatives Patten, Murray, Weddington, Letson, Hagan, Szollosi, Brown, Okey, Domenick, Dodd, Walter, Pillich, Garland, Skindell, Foley.

To amend sections 121.083, 1349.61, 4111.02, 4111.14, 4113.15, 4115.03, 4121.01, 4123.01, 4123.026, 4141.01, and 5747.01 and to enact sections 4175.01 to 4175.18 and 4175.99 of the Revised Code to create a generally uniform definition of employee for specified labor laws and to create a uniform standard to determine whether an individual performing services for an employer is an employee of that employer, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 49, nays 47, as follows:

Those who voted in the affirmative were: Representatives

Belcher	Bolon	Book	Brown
Carney	Celeste	Chandler	DeBose
DeGeeter	Dodd	Domenick	Driehaus
Dyer	Fende	Foley	Garland
Gerberry	Hagan	Harris	Heard
Koziura	Letson	Luckie	Lundy
Mallory	Moran	Murray	Newcomb
O'Farrell	Oelslager	Okey	Phillips
Pillich	Pryor	Reece	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Walter	Weddington	Williams B.
Williams S.	Winburn	Woodford	Yuko
			Budish-49.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Blair	Blessing	Boose	Bubp
Burke	Coley	Combs	Daniels
Derickson	Evans	Gardner	Goodwin
Grossman	Hackett	Hall	Harwood
Hite	Hollington	Hottinger	Huffman
Jordan	Lehner	Maag	Mandel
Martin	McClain	McGregor	Mecklenborg
Morgan	Otterman	Ruhl	Sears
Snitchler	Stautberg	Stebelton	Uecker
Wachtmann	Wagner		Zehringer-47.

The bill not having received the required constitutional majority, failed of passage.

**Am. Sub. S. J. R. No. 5-Senator Husted.**

Cosponsors: Senators Patton, Niehaus, Wagoner, Goodman, Widener, Schuring, Stewart, Schaffer, Seitz, Grendell, Faber, Jones.

Proposing to amend Sections 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, and 15 of Article XI, to amend, for the purpose of adopting new Section numbers as indicated in parentheses, Sections 5 (4), 6 (5), 7 (6), 8 (7), 10 (8), 11 (9), 12 (11), 13 (12), and 15 (13) of Article XI, to enact new Section 10 of Article XI, and to repeal Sections 4, 9, and 14 of Article XI of the Constitution of the State of Ohio to revise the redistricting process for General Assembly and Congressional districts, was taken up for consideration the third time.

The question being, "Shall the joint resolution be adopted?"

The yeas and nays were taken and resulted - yeas 47, nays 49, as follows:

Those who voted in the affirmative were: Representatives

Belcher	Bolon	Book	Brown
Carney	Celeste	Chandler	DeBose
DeGeeter	Dodd	Domenick	Driehaus
Dyer	Fende	Foley	Garland
Gerberry	Hagan	Harris	Harwood
Koziura	Letson	Luckie	Lundy
Mallory	Moran	Murray	Newcomb
O'Farrell	Okey	Otterman	Phillips
Pillich	Pryor	Reece	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Walter	Williams B.	Winburn
Woodford	Yuko		Budish-47.

Those who voted in the negative were: Representatives

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

Blair	Blessing	Boose	Bubp
Burke	Coley	Combs	Daniels
Derickson	Evans	Gardner	Goodwin
Grossman	Hackett	Hall	Heard
Hite	Hollington	Hottinger	Huffman
Jordan	Lehner	Maag	Mandel
Martin	McClain	McGregor	Mecklenborg
Morgan	Oelslager	Ruhl	Sears
Snitchler	Stautberg	Stebelton	Uecker
Wachtmann	Wagner	Weddington	Williams S. Zehringer-49.

The joint resolution was not adopted.

#### Message from the Speaker

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

Commerce and Labor: remove Representative Murray; appoint Representative Patten.

Elections and Ethics: remove Representative Celeste.

Local Government and Public Administration: remove Representative Bolon; appoint Representative Weddington.

Finance and Appropriations Subcommittee on Primary and Secondary Education: remove Representative Phillips.

#### Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate recedes from its amendments to:

**H. B. No. 330**-Representative Patten - et al.

Attest:

Vincent L. Keeran,  
Clerk.

On motion of Representative Szollosi, the House adjourned until Thursday, December 9, 2010 at 12:30 p.m.

Attest:

THOMAS L. SHERMAN,  
Clerk.