

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
TUESDAY, FEBRUARY 1, 2011

NINTH DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, February 1, 2011, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Dr. Daniel Lamb of the Hillsboro Bible Baptist Church in Hillsboro, Ohio, followed by the Pledge of Allegiance to the Flag.

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

The following guest of the House of Representatives was recognized by Speaker Batchelder prior to the commencement of business:

The Honorable Joseph Zieba, a guest of Representative Boose-58th district.

Message from the Speaker

January 24, 2011

Speaker William Batchelder
77 South High Street
Columbus, Ohio 43215

Speaker Batchelder,

Effective Tuesday, February 1, 2011, I am submitting my letter of resignation to the Ohio House of Representatives. I will be continuing my service in the Ohio Senate. I want to express my sincere gratitude and appreciation for the opportunities the Ohio House has presented me.

Respectfully,

/s/ CLIFF HITE
Cliff Hite

Message from the Speaker

February 1, 2011

The Honorable Cliff Hite
76th District
Ohio House of Representatives
77 South High Street
Columbus, Ohio 43215

Dear Representative Hite:

This is to acknowledge receipt and acceptance of your letter of resignation, effective Tuesday, February 01, 2011.

You have served your constituents and the state of Ohio well over the years and I am confident you will continue to do so as a member of the Ohio Senate.

Sincerely,

/s/ WILLIAM G. BATCHELDER

William G. Batchelder

Speaker

Ohio House of Representatives

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 63-Representatives Young, Slaby.

Cosponsors: Representatives Adams, J., Thompson, Huffman, Hayes, Roegner, Henne, Brenner, Maag, Boose, Blessing, Wachtmann, Ruhl, Gardner, Grossman, Hackett, Martin, Kozlowski, Dovilla, Stebelton, Newbold, Derickson, Stautberg, Hottinger, Hall, Goodwin, Blair, Combs, McKenney, Bulp, Uecker, Burke, Balderson, Amstutz, Buchy, Beck, Adams, R., McClain, Rosenberger, Johnson, Mecklenborg.

To amend section 2919.121 of the Revised Code to revise the procedures governing a hearing by which a court may permit a pregnant minor to consent to an abortion or by which a court may give judicial consent for a pregnant minor to have an abortion and to require a court to make its findings with respect to such a hearing by clear and convincing evidence.

H. B. No. 64-Representatives Ruhl, Burke.

Cosponsors: Representatives Murray, Snitchler, Maag, Combs, Phillips, Stebelton, Boose, McClain, Grossman, Patmon, Adams, J.

To amend sections 2925.02, 2925.03, 2925.11, and 3719.41 of the Revised Code to add synthetic cannabinoids commonly known as K2 or Spice to the list of Schedule I controlled substances, prohibit the possession of Spice, prohibit trafficking in Spice, and provide that if Spice is the drug involved in a violation of the offense of corrupting another with drugs the penalty for the violation will be the same as if marijuana was the drug involved in the offense.

H. B. No. 65-Representative Combs.

Cosponsors: Representatives O'Brien, Boose, Blessing, Maag, Bulp, Grossman, Carey, Derickson, Pillich, Dovilla, Beck, Fende, Yuko, Coley.

To enact section 5533.791 of the Revised Code to designate a portion of State Route 4 within the municipal corporation of Fairfield only as the "Lance Corporal Taylor Prazynski Memorial Highway."

H. B. No. 66-Representative McGregor.

Cosponsors: Representatives Beck, Adams, J., Brenner, Ruhl, Huffman, Derickson, Blessing, Dovilla, Kozlowski, Grossman, Amstutz, Combs, Stebelton, Hackett, Hottinger, Hollington, Pillich, Blair, Maag.

To amend section 124.341 and to enact section 117.103 of the Revised Code to require the Auditor of State to establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices or officials.

H. B. No. 67-Representative McGregor.

Cosponsors: Representatives Murray, Adams, J., Huffman, Kozlowski, Combs, Rosenberger, Stebelton, Balderson, Hackett, Hottinger, Patmon, Beck.

To enact sections 126.031, 126.032, and 126.033 of the Revised Code to require the Office of Budget and Management to maintain a web site showing capital project appropriations and reappropriations and to submit a biennial report to the General Assembly.

H. B. No. 68-Representative Burke.

Cosponsors: Representatives Adams, J., Balderson, Combs, Derickson, Hackett, Huffman, Stebelton, Sears.

To create the Ohio Council to Reform Behavioral Health Care.

H. B. No. 69-Representative Wachtmann.

To amend sections 145.01, 145.20, 145.201, 145.22, 145.28, 145.29, 145.291, 145.293, 145.294, 145.295, 145.297, 145.298, 145.299, 145.2911, 145.2912, 145.2913, 145.2914, 145.30, 145.32, 145.323, 145.33, 145.331, 145.34, 145.35, 145.36, 145.361, 145.362, 145.37, 145.383, 145.39, 145.40, 145.401, 145.41, 145.44, 145.45, 145.452, 145.462, 145.47, 145.48, 145.483, 145.49, 145.51, 145.54, 145.56, 145.561, 145.563, 145.58, 145.82, 145.87, 145.92, 145.95, 145.97, 742.01, 742.31, 742.33, 742.34, 742.35, 742.37, 742.3716, 742.38, 742.39, 742.44, 742.444, 742.63, 2329.66, 3305.06, 3307.26, 3307.501, 3307.58, 3307.67, 3309.26, 3309.312, 3309.33, 3309.34, 3309.341, 3309.343, 3309.353, 3309.354, 3309.36, 3309.362, 3309.371, 3309.373, 3309.376, 3309.379, 3309.3710, 3309.3711, 3309.39, 3309.401, 3309.45, 3309.46, 3309.69, 3375.411, 5505.01, 5505.03, 5505.15, 5505.174, and 5505.54; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 145.29 (145.292) and 145.325 (145.584); to enact new sections 145.29 and 145.332 and sections 145.016, 145.017, 145.036, 145.037, 145.038, 145.2915, 145.2916, 145.363, 145.573, 2901.431, and 2929.193; and to repeal sections 145.02, 145.292, 145.321, 145.322, 145.324, 145.326, 145.327, 145.328, 145.329, 145.3210, 145.3211, 145.3212,

145.3213, 145.332, 145.42, 145.44, and 3309.38 of the Revised Code regarding the state retirement systems.

H. B. No. 70-Representative Luckie.

Cosponsors: Representatives Murray, Reece, Patmon.

To amend section 3901.21 of the Revised Code to prohibit an insurer's use of a credit score, credit history, or credit report in fixing a premium rate for, or the terms and conditions of, an insurance policy, or in determining whether to issue, continue, or renew an insurance policy.

H. B. No. 71-Representative Luckie.

Cosponsor: Representative Boyd.

To amend sections 4729.75, 4729.79, 4729.83, and 4729.99 and to enact sections 4729.791, 4729.85, 4729.86, 4729.861, 4729.87, 4729.871, 4729.88, 4729.89, 4729.90, 4729.91, and 4729.92 of the Revised Code to create the Ohio Official Prescription Program and to require prescribers and pharmacists to obtain information from the Ohio Automated Rx Reporting System.

H. B. No. 72-Representative Damschroder.

Cosponsors: Representatives Carey, Boose, Hackett, Wachtmann, Thompson, Blessing, Kozlowski, Stebelton, Derickson, Balderson, Goodwin, Patmon, Young, Burke.

To enact section 6111.60 of the Revised Code to require the Director of Environmental Protection to consider, to the extent allowable under the Federal Water Pollution Control Act, specified factors before issuing NPDES permits for sewerage systems, requiring and approving long-term control plans for wet weather discharges from sewerage systems, and enforcing provisions of that Act as applied to sewerage systems.

H. B. No. 73-Representative Young.

To amend section 4905.801 of the Revised Code to require payment of only the cost of police escort services for the highway transportation of limited amounts of certain nuclear materials.

H. B. No. 74-Representative Wachtmann.

Cosponsors: Representatives Grossman, Brenner, Gardner, Carey, Adams, J., Derickson, Buchy, Stebelton, Yuko, Blair, Combs, Hottinger, Pillich, Goodwin, O'Brien, Barnes.

To amend section 5910.01 of the Revised Code to qualify for the War Orphans Scholarship children of military veterans who served in Grenada during the intervention.

H. B. No. 75-Representative Ruhl.

Cosponsors: Representatives Bulp, O'Brien, Yuko, Blessing, Carey, Boose, Dovilla, Slaby, Pillich, Maag, Combs, Gardner, Beck, Blair, Derickson, Fende, Grossman.

To enact section 5533.763 of the Revised Code to designate a portion of United States Route 62 in Knox County as the "Army Staff Sgt. Shamus O. Goare Memorial Highway."

H. B. No. 76-Representative Reece.

Cosponsors: Representatives Foley, Murray, Goyal, Fedor, Antonio, Stinziano, Clyde, Heard, Ashford, Garland, Williams, O'Brien, Driehaus, Phillips.

To amend sections 3503.19, 3505.181, 3505.182, and 3505.183 of the Revised Code to require a provisional ballot to be remade and counted for the offices, questions, and issues for which the provisional voter was eligible to vote, if the election official assisting that provisional voter failed to direct the provisional voter to the correct precinct, and to revise the portion of the provisional ballot affirmation required to be completed by the election official.

H. B. No. 77-Representative Hackett.

Cosponsors: Representatives Garland, Blessing, Combs, Grossman, Hottinger, Patmon.

To amend sections 2152.02, 2152.851, 2152.86, 2950.01, 2950.03, 2950.04, 2950.041, 2950.06, 2950.07, 2950.08, and 2950.13, to enact sections 2950.035, 2950.036, and 2950.037, and to repeal sections 2950.031, 2950.032, 2950.033, and 2950.043 of the Revised Code to clarify that SORN Law definitions of sexually oriented offenses, child-victim oriented offenses, tier classifications, public registry-qualified juvenile offender registrants, and related terms include the specified offenses regardless of when they were committed and to provide for court reclassification of offenders and delinquent children who committed their sexually oriented offense or child-victim oriented offense prior to January 1, 2008, and had SORN Law duties based on that offense into one of the tier classifications of the current SORN Law.

H. B. No. 78-Representatives Uecker, Roegner.

Cosponsors: Representatives Adams, J., Snitchler, Henne, Brenner, Beck, Boose, McClain, Grossman, Thompson, Stautberg, Martin, Huffman, Kozlowski, Dovilla, Derickson, Hall, Combs, Slaby, Hottinger, Goodwin, Carey, Maag, Gardner, Bulp, Hayes, Mecklenborg, Blessing, Young, Sears, Hackett, Butler, Johnson, Amstutz, Wachtmann, Blair, Schuring, Buchy, Gonzales, Newbold, Rosenberger, McKenney, Burke, Adams, R., Balderson.

To amend sections 2305.11, 2307.52, 2919.16, and 4731.22, to enact new sections 2919.17 and 2919.18, to enact section 2919.171, and to repeal sections 2919.17 and 2919.18 of the Revised Code to revise the criminal laws governing post-viability abortions.

H. B. No. 79-Representatives Bubp, Uecker.

Cosponsors: Representatives Adams, J., Amstutz, Beck, Blair, Boose, Brenner, Butler, Carey, Combs, Gardner, Grossman, Hackett, Hall, Hayes, Henne, Hottinger, Huffman, Maag, Martin, McClain, Ruhl, Slaby, Wachtmann, Young.

To enact section 3901.87 of the Revised Code to prohibit qualified health plans from providing coverage for certain abortions.

H. B. No. 80-Representative Pillich.

Cosponsors: Representatives Antonio, Fende, Murray, Phillips, Yuko.

To amend sections 2151.022, 2152.02, and 2907.323 and to enact section 2907.324 of the Revised Code to prohibit a minor, by use of a telecommunications device, from knowingly sharing, exchanging, sending, or posting a photograph, video, or other material that shows a minor in a state of nudity and to define a state of nudity for purposes of this prohibition, to limit the offense of "illegal use of a minor in a nudity-oriented material or performance" to acts committed by persons 18 years of age or older, and to prohibit a minor from committing by means other than a telecommunications device delinquent acts that would be the offense of "illegal use of a minor in a nudity-oriented material or performance" if committed by an adult.

Said bills were considered the first time.

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

Representative Ashford submitted the following report:

The standing committee on Finance and Appropriations to which was referred **Sub. H. B. No. 1**-Representative Duffey, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: JOBS OHIO

Representative Amstutz moved to amend the title as follows:

Add the names: "Stebelton, Hollington, McGregor, Gardner, Beck, Hall, McClain, Anielski, Balderson, Slaby, Amstutz, Adams, R., Sears."

Representative Amstutz moved to amend as follows:

In line 865, after " to" insert " assist the director and the department of

development in the"; after "exercise" insert "of"

In line 866, delete "of development to the fullest extent"

Delete line 867

In line 868, delete everything before the underlined semicolon and insert ", including the operation and management of programs, offices, divisions, or boards, as may be determined by the director in consultation with the governor"

In line 1046, after the underlined period insert "The controlling board shall approve, prior to execution, all contracts between the director and JobsOhio."

The motion was agreed to and the bill so amended.

RON AMSTUTZ
RICHARD ADAMS
TROY BALDERSON
DAVE BURKE
RANDY GARDNER
DAVE HALL
JEFFREY MCCLAIN
ROBERT MECKLENBORG
BARBARA R. SEARS
GERALD L. STEBELTON

JOHN CAREY
MARLENE ANIELSKI
PETER BECK
MIKE DUFFEY
CHERYL GROSSMAN
RICHARD HOLLINGTON
ROSS MCGREGOR
BOB PETERSON
LYNN SLABY

The following members voted "NO"

VERNON SYKES
JOHN PATRICK CARNEY
DENISE DRIEHAUS
JAY P. GOYAL
DEBBIE PHILLIPS
STEPHEN SLESNICK

MIKE ASHFORD
KATHLEEN CLYDE
NANCY GARLAND
MATT LUNDY
ALICIA REECE

The report was agreed to.

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

Representative Phillips 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. 45 - Representative Bulp and Johnson, et al

TO PERMIT A CONCEALED CARRY LICENSEE TO POSSESS A FIREARM IN ANY LIQUOR PERMIT PREMISES, OR ANY OPEN AIR ARENA, FOR WHICH A D PERMIT HAS BEEN ISSUED IF THE LICENSEE IS NOT CONSUMING LIQUOR OR UNDER THE INFLUENCE OF ALCOHOL OR A DRUG OF ABUSE AND TO MODIFY THE OFFENSE OF IMPROPERLY HANDLING FIREARMS IN A MOTOR

VEHICLE AS IT APPLIES TO CONCEALED CARRY LICENSEES.

To the committee on State Government and Elections

H.B. No. 46 - Representative Blessing

TO EXTEND TO A GRANDPARENT'S SPOUSE THE EXEMPTION FROM CERTAIN ADOPTIVE PLACEMENT REQUIREMENTS.

To the committee on Judiciary and Ethics

H.B. No. 47 - Representative Hagan, et al

REGARDING ANNUAL REPORTS ABOUT CERTAIN EMPLOYERS OF PUBLIC ASSISTANCE RECIPIENTS.

To the committee on Health and Aging

H.B. No. 48 - Representatives Mecklenborg and Carney, et al

TO MAKE CHANGES TO THE LAW GOVERNING CORPORATIONS INCLUDING DISSENTING SHAREHOLDERS, THE DISSOLUTION OF A CORPORATION, RIGHTS TO INDEMNIFICATION OR ADVANCEMENT OF EXPENSES, DIRECTORS' FIDUCIARY DUTIES, AND RECORDING OF CORPORATE MORTGAGES.

To the committee on Financial Institutions, Housing, and Urban Development

H.B. No. 49 - Representative Combs, et al

TO REQUIRE THAT CERTAIN FEES AND COSTS PAID BY PARTIES IN A MUNICIPAL COURT THAT IS NOT A COUNTY-OPERATED MUNICIPAL COURT AND THAT APPOINTS COUNSEL FOR INDIGENT DEFENDANTS IN A MANNER OTHER THAN THAT PROVIDED IN SECTION 120.33 OF THE REVISED CODE BE TRANSMITTED TO THE TREASURER OF THE MUNICIPAL CORPORATION AND USED TO PAY THE COMPENSATION OF COUNSEL APPOINTED TO REPRESENT INDIGENT DEFENDANTS.

To the committee on Judiciary and Ethics

H.B. No. 50 - Representative Snitchler, et al

TO REQUIRE THAT A POLITICAL SUBDIVISION OWNER BE INCLUDED IN DETERMINING THE NUMBER OF OWNERS NEEDED TO SIGN A PETITION FOR AN EXPEDITED TYPE-II ANNEXATION.

To the committee on Local Government

H.B. No. 51 - Representative Snitchler, et al

TO REQUIRE A MUNICIPAL UTILITY SUPPLYING SURPLUS ELECTRICITY TO NONRESIDENTS TO PROVIDE WRITTEN NOTICE OF TERMINATION ONE YEAR BEFORE TERMINATING THE SERVICE.

To the committee on Public Utilities

H.B. No. 52 - Representatives Snitchler and Okey, et al

TO SPECIFY THE FORM OF FINANCIAL STATEMENTS AND TO INCLUDE ADMINISTRATIVE ASSESSMENTS AND OTHER REMEDIES AS A REMEDY FOR A VIOLATION OF THE OHIO SECURITIES ACT.

To the committee on Financial Institutions, Housing, and Urban Development

H.B. No. 53 - Representative Maag, et al

TO PROHIBIT A MINOR, BY USE OF A TELECOMMUNICATIONS DEVICE OR OTHER MEANS, FROM KNOWINGLY CREATING, RECEIVING, EXCHANGING, SENDING, OR POSSESSING A PHOTOGRAPH OR OTHER MATERIAL SHOWING A MINOR IN A STATE OF NUDITY.

To the committee on Criminal Justice

H.B. No. 54 - Representatives Maag and Martin, et al

TO CONFORM THE RESTORATION OF CIVIL FIREARM RIGHTS WITH FEDERAL LAW AND U.S. SUPREME COURT CASE LAW; TO ELIMINATE THE PROHIBITION AGAINST PERSONS WITH CERTAIN MISDEMEANOR DRUG OFFENSE CONVICTIONS ACQUIRING OR POSSESSING FIREARMS OR DANGEROUS ORDNANCE; AND TO ALLOW RESTORATION OF CIVIL FIREARM RIGHTS FOR FIREARMS THAT ARE DANGEROUS ORDNANCE.

To the committee on Criminal Justice

H.B. No. 55 - Representatives Goyal and Murray, et al

TO REGULATE INDEPENDENT EXPENDITURES BY CORPORATIONS, LABOR ORGANIZATIONS, AND ENTITIES THE PRIMARY PURPOSE OF WHICH ARE TO ACCEPT CORPORATE OR LABOR ORGANIZATION FUNDS FOR USE IN MAKING INDEPENDENT EXPENDITURES AND TO PROHIBIT CONTRIBUTIONS MADE FOR THE PURPOSE OF INFLUENCING A BALLOT ISSUE FROM BEING MADE TO OR ACCEPTED BY AN ENTITY THAT IS NOT SUBJECT TO CAMPAIGN FINANCE REPORTING REQUIREMENTS.

To the committee on State Government and Elections

H.B. No. 56 - Representative Murray, et al

TO PERMIT THE TRIAL OF A CORPORATION IN ABSENTIA IN A CRIMINAL PROCEEDING INITIATED BY COMPLAINT AND RELATIVE TO RESIDENTIAL FORECLOSURE ACTIONS.

To the committee on Criminal Justice

H.B. No. 57 - Representative Driehaus, et al

TO DESIGNATE INTERSTATE ROUTE 75 AS THE "TUSKEGEE AIRMEN MEMORIAL TRAIL."

To the committee on State Government and Elections

H.B. No. 58 - Representative Beck, et al

TO EXPRESSLY INCORPORATE CHANGES IN THE INTERNAL REVENUE CODE SINCE DECEMBER 15, 2010, INTO OHIO LAW.

To the committee on Ways and Means

H.B. No. 59 - Representative McClain, et al

TO DESIGNATE A PORTION OF STATE ROUTE 103 WITHIN WYANDOT COUNTY THE "TROOPER ANDREW C. BALDRIDGE

MEMORIAL HIGHWAY."

To the committee on State Government and Elections

H.B. No. 60 - Representatives Murray and Gardner, et al

TO REQUEST THE CONGRESSIONAL JOINT COMMITTEE ON THE LIBRARY OF CONGRESS TO APPROVE THE REPLACEMENT OF OHIO'S STATUE OF GOVERNOR WILLIAM ALLEN IN THE NATIONAL STATUARY HALL COLLECTION WITH A STATUE OF THOMAS EDISON.

To the committee on State Government and Elections

H.B. No. 61 - Representatives Thompson and Martin, et al

TO GIVE PRIVATE SECTOR EMPLOYERS THE OPTION TO OFFER AND EMPLOYEES THE OPTION TO ACCRUE AND USE COMPENSATORY TIME OFF IN LIEU OF MONETARY OVERTIME COMPENSATION.

To the committee on Economic and Small Business Development

H.B. No. 62 - Representative Gonzales

TO INCREASE THE PENALTY FOR ASSAULT WHEN THE VICTIM IS A REGISTERED NURSE OR A LICENSED PRACTICAL NURSE ENGAGED IN THE PERFORMANCE OF OFFICIAL DUTIES WHOM THE OFFENDER KNOWS OR HAS REASONABLE CAUSE TO BELIEVE IS A REGISTERED NURSE OR A LICENSED PRACTICAL NURSE.

To the committee on Criminal Justice

LOUIS W. BLESSING
ANDREW BRENNER
ANNE GONZALES
DEBBIE PHILLIPS

JOHN ADAMS
DAVE BURKE
CHERYL GROSSMAN
MATT SZOLLOSI

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

H.R. No. 27 - Representative J. Adams, et al

RECOGNIZING FEBRUARY 6, 2011, AS RONALD REAGAN DAY.

To the committee on Rules and Reference

/s/ LOUIS BLESSING

Louis Blessing, Chair

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

The motion was agreed to.

Said resolution was introduced and referred as recommended.

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

H.R. No. 26 - Representatives Murray and Boose, Speaker Batchelder, Representative Budish, J. Adams, R. Adams, Amstutz, Anielski, Antonio, Ashford, Baker, Balderson, Barnes, Beck, Blair, Blessing, Boyd, Brenner, Bulp, Buchy, Burke, Butler, Carey, Carney, Celeste, Clyde, Coley, Combs, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gentile, Gerberry, Gonzales, Goodwin, Goyal, Grossman, Hackett, Hagan, Hall, Hayes, Heard, Henne, Hollington, Hottinger, Huffman, Johnson, Kozlowski, Landis, Letson, Luckie, Lundy, Maag, Mallory, Martin, McClain, McGregor, McKenney, Mecklenborg, Milkovich, Newbold, O'Brien, Okey, Patmon, Peterson, Phillips, Pillich, Ramos, Reece, Roegner, Rosenberger, Ruhl, Schuring, Sears, Slaby, Slesnick, Snitchler, Stautberg, Stebelton, Stinziano, Sykes, Szollosi, Thompson, Uecker, Wachtmann, Weddington, Williams, Winburn, Young, Yuko

In memory of the Honorable Clifford F. Brown.

/s/ LOUIS BLESSING

Louis Blessing, Chair

Representative Blessing 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. 26-Representatives Murray, Boose, Speaker Batchelder, Representatives Budish, Adams, J., Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Balderson, Barnes, Beck, Blair, Blessing, Boyd, Brenner, Bulp, Buchy, Burke, Butler, Carey, Carney, Celeste, Clyde, Coley, Combs, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gentile, Gerberry, Gonzales, Goodwin, Goyal,

Grossman, Hackett, Hagan, Hall, Hayes, Heard, Henne, Hite, Hollington, Hottinger, Huffman, Johnson, Kozlowski, Landis, Letson, Luckie, Lundy, Maag, Mallory, Martin, McClain, McGregor, McKenney, Mecklenborg, Milkovich, Newbold, O'Brien, Okey, Patmon, Peterson, Phillips, Pillich, Ramos, Reece, Roegner, Rosenberger, Ruhl, Schuring, Sears, Slaby, Slesnick, Snitchler, Stautberg, Stebelton, Stinziano, Sykes, Szollosi, Thompson, Uecker, Wachtmann, Weddington, Williams, Winburn, Young, Yuko.

In memory of the Honorable Clifford F. Brown.

WHEREAS, The members of the House of Representatives of the 129th General Assembly of Ohio extend our sincere condolences to the family and friends of the Honorable Clifford F. Brown on the sorrowful occasion of his death; and

WHEREAS, Clifford Brown'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. Entering the private practice of law after his education, he was elected a judge of the Huron County Court in 1958, a judge of the Sixth District Court of Appeals in 1964, and a justice of the Ohio Supreme Court in 1980, and he continued to serve the community as a legal consultant after his retirement. 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, Clifford Brown also achieved a praiseworthy record of service to the community. A U.S. Army veteran of World War II, he was a member of Veterans of Foreign Wars Post 2743, American Legion Post 41, Norwalk Kiwanis, St. Paul Catholic Church, Knights of Columbus Council 626, the Firelands Catholic Education Development Office, the Ohio State and Huron County bar associations, and the Holy Name and St. Vincent de Paul societies, and he will long be remembered for his kindness and his unwavering commitment to service; and

WHEREAS, Clifford Brown willingly shared his energy and abilities with his friends and family, including his wife, the late Katharine, his five children, Ann, Margaret, Sheila, Charles, and the late Stephen, and his eleven grandchildren and nine great-grandchildren, and his efforts 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; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 129th General Assembly of Ohio, in adopting this Resolution, pay tribute to the memory of a truly remarkable man, the Honorable Clifford F. Brown; 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 Clifford F. Brown.

The resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Am. Sub. H. B. No. 1-Representative Duffey.

Cosponsors: Representatives Mecklenborg, Adams, J., Combs, Dovilla, Grossman, Huffman, Stebelton, Hollington, McGregor, Gardner, Beck, Hall, McClain, Anielski, Balderson, Slaby, Amstutz, Adams, R., Sears.

To amend sections 1.60, 102.01, 117.01, 121.01, 121.22, 121.41, 121.60, 122.011, 124.01, 145.012, 149.011, 2921.01, and 4117.01 and to enact sections 187.01 to 187.07 of the Revised Code to authorize the Governor to form a nonprofit corporation that would perform such state economic development functions as directed by law and pursuant to a contract with the Department of Development, and to make an appropriation, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Lundy moved to amend as follows:

In line 863, delete the underlined semicolon and insert ". No officer or employee of the corporation, including the chief investment officer, shall receive any bonuses as part of the officer's or employee's employment with the corporation."

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

The yeas and nays were taken and resulted - yeas 36, nays 60, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gerberry	Goyal	Hagan
Heard	Letson	Luckie	Lundy
Milkovich	Murray	O'Brien	Patmon
Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-36.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gentile
Gonzales	Goodwin	Grossman	Hackett
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski

Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Okey	Peterson	Roegner	Rosenberger
Ruhl	Schuring	Sears	Slaby
Snitchler	Stautberg	Stebelton	Thompson
Uecker	Wachtmann	Young	Batchelder-60.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Lundy moved to amend as follows:

In line 11, delete "121.22,"

In line 18, delete " State" and insert " Except as provided in Chapter 121. or 149. of the Revised Code, "state"

In line 154, delete " does not include" and insert " includes"

Delete lines 156 through 419

In line 787, delete " does not include" and insert " includes"

In line 796, delete " does not include" and insert " includes"

In line 950, delete " 121.," and insert " or"; delete " , or 149."

In line 1021, after " (E)" insert " JobsOhio shall comply with all applicable requirements of section 149.43 of the Revised Code, provided that any materials or data submitted to, made available to, or received by JobsOhio that relate to business recruitment, retention, or creation incentives and that contain commercial, financial, or proprietary information are not public records for the purposes of section 149.43 of the Revised Code. "Proprietary information" has the same meaning as in division (D)(2) of this section.

To the extent not otherwise required to be a public record under section 149.43 of the Revised Code, records disclosing the expenditures described in division (B)(3) of section 187.03 of the Revised Code and the business or state purpose of any such expenditures shall be recorded, kept, and made public records.

(F)"

In line 1053, delete " both"

Delete line 1054

In line 1055, delete " (A) Terms" and insert " terms"

In line 1058, delete the underlined semicolon and insert an underlined period

Delete lines 1059 through 1087

In line 1482, delete "121.22,"

In line 2 of the title, delete "121.22,"

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

The yeas and nays were taken and resulted - yeas 38, nays 58, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan	Heard	Letson	Luckie
Lundy	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-38.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Snitchler	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Lundy moved to amend as follows:

In line 965, after the second "that" insert "shall be open to public inspection to the same extent and under the same terms as statements filed under that section by public officials and employees."

Delete lines 966 through 968

In line 969, delete "Revised Code."

In line 1165, after "(F)" insert "(1)"

In line 1170, after the underlined period insert "The policy also shall prohibit any director, within one year after the decision to grant an incentive or other assistance is made, from soliciting or accepting employment with, or other

compensation from, the person that receives or has received the incentive or assistance, regardless of whether the director voted on or otherwise participated in the decision to grant the incentive or assistance.

(2) The conflict of interest policy shall prohibit the board of directors from granting any incentive or other assistance to any person in which any director has a current or potential ownership or investment interest regardless of whether the director votes on or otherwise participates in the decision to grant the incentive or assistance.

(3) The conflict of interest policy shall prohibit the board of directors from granting any incentive or other assistance to any person in which the chief investment officer has a current or potential ownership or investment interest.

(4) The conflict of interest policy shall prohibit the chief investment officer of JobsOhio, within one year after the decision to grant an incentive or other assistance is made, from soliciting or accepting employment with, or other compensation from, the person that receives or has received the incentive or assistance."

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

The yeas and nays were taken and resulted - yeas 38, nays 58, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan	Heard	Letson	Luckie
Lundy	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-38.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Snitchler	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Carney moved to amend as follows:

In line 10, after "117.01," insert "117.10,"

In line 20, after " Code" insert " .except as expressly provided otherwise in that title"

Between lines 140 and 141, insert:

"Sec. 117.10. The auditor of state shall audit all public offices and the nonprofit corporation formed under section 187.01 of the Revised Code as provided in this chapter. The auditor of state also may audit the accounts of private institutions, associations, boards, and corporations receiving public money for their use and may require of them annual reports in such form as the auditor of state prescribes.

If the auditor of state performs or contracts for the performance of an audit, including a special audit, of the public employees retirement system, school employees retirement system, state teachers retirement system, state highway patrol retirement system, or Ohio police and fire pension fund, the auditor of state shall make a timely report of the results of the audit to the Ohio retirement study council.

The auditor of state may audit the accounts of any provider as defined in section 5111.06 of the Revised Code.

If a public office has been audited by an agency of the United States government, the auditor of state may, if satisfied that the federal audit has been conducted according to principles and procedures not contrary to those of the auditor of state, use and adopt the federal audit and report in lieu of an audit by the auditor of state's own office.

Within thirty days after the creation or dissolution or the winding up of the affairs of any public office, that public office shall notify the auditor of state in writing that this action has occurred."

Delete lines 420 through 449 and insert:

"Sec. 121.41. As used in sections 121.41 to 121.50 of the Revised Code:

(A) "Appropriate ethics commission" has the same meaning as in section 102.01 of the Revised Code.

(B) "Appropriate licensing agency" means a public or private entity that is responsible for licensing, certifying, or registering persons who are engaged in a particular vocation.

(C) "Person" has the same meaning as in section 1.59 of the Revised Code and also includes any officer or employee of the state or any political subdivision of the state.

(D) "State agency" has the same meaning as in section 1.60 of the Revised Code and includes the Ohio casino control commission, but does not include any of the following:

(1) The general assembly;

(2) Any court;

(3) The secretary of state, auditor of state, treasurer of state, or attorney general and their respective offices.

For the purposes of sections 121.41 to 121.50 of the Revised Code only, "state agency" includes the JobsOhio corporation formed under section 187.01 of the Revised Code.

(E) "State employee" means any person who is an employee of a state agency or any person who does business with the state, including, only for the purposes of sections 121.41 to 121.50 of the Revised Code, officers and employees of the JobsOhio corporation.

(F) "State officer" means any person who is elected or appointed to a public office in a state agency.

(G) "Wrongful act or omission" means an act or omission, committed in the course of office holding or employment, that is not in accordance with the requirements of law or such standards of proper governmental conduct as are commonly accepted in the community and thereby subverts, or tends to subvert, the process of government."

In line 1481, after "117.01," insert "117.10,"

In line 1 of the title, after "117.01," insert "117.10,"

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

The yeas and nays were taken and resulted - yeas 38, nays 58, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan	Heard	Letson	Luckie
Lundy	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-38.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp

Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Snitchler	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Celeste moved to amend as follows:

In line 11, after "124.01," insert "125.112,"

Between lines 716 and 717, insert:

"**Sec. 125.112.** (A) As used in this section:

(1) "Agency" means a department created under section 121.02 of the Revised Code or the JobsOhio corporation formed under section 187.01 of the Revised Code.

(2) "Entity" means, whether for profit or nonprofit, a corporation, association, partnership, limited liability company, sole proprietorship, or other business entity. "Entity" includes the JobsOhio corporation. "Entity" does not include an individual who receives state assistance that is not related to the individual's business.

(3)(a) "State award" means a contract awarded by the state or the JobsOhio corporation costing over twenty-five thousand dollars.

(b) "State award" does not include compensation received as an employee of the state or any state financial assistance and expenditure received from the general assembly or any legislative agency, any court or judicial agency, the secretary of state, auditor of state, treasurer of state, or attorney general and their respective offices.

(B) The department of administrative services shall establish and maintain a single searchable web site, accessible by the public at no cost, that includes all of the following information for each state award:

(1) The name of the entity receiving the award;

(2) The amount of the award;

(3) Information on the award, the agency or other instrumentality of the state that is providing the award, and the commodity code;

(4) Any other relevant information determined by the department of administrative services.

(C) The department of administrative services may consult with other state agencies in the development, establishment, operation, and support of the web site required by division (B) of this section. State awards shall be posted on the web site within thirty days after being made. The department of administrative services shall provide an opportunity for public comment as to the utility of the web site required by division (B) of this section and any suggested improvements.

(D) The web site required by division (B) of this section shall be fully operational not later than one year after ~~the effective date of this section~~ December 30, 2008, and shall include information on state awards made in fiscal year 2008 and thereafter. It shall also provide an electronic link to the daily journals of the senate and house of representatives.

(E) The director of administrative services shall submit to the general assembly an annual report regarding the implementation of the web site established pursuant to division (B) of this section. The report shall include data regarding the usage of the web site and any public comments on the utility of the site, including recommendations for improving data quality and collection. The director shall post each report on the web site.

(F) Each agency awarding a grant to an entity in fiscal year 2008 and thereafter shall establish and maintain a separate web site listing the name of the entity receiving each grant, the grant amount, information on each grant, and any other relevant information determined by the department of administrative services. Each agency shall provide the link to such a web site to the department of administrative services within a reasonable time after ~~the effective date of this section~~ December 30, 2008, and shall thereafter update its web site within thirty days of awarding a new grant. Not later than one year after ~~the effective date of this section~~ December 30, 2008, the department of administrative services shall establish and maintain a separate web site, accessible to the public at no cost, which contains the links to the agency web sites required by this division.

(G) The attorney general shall monitor the compliance of an entity with the terms and conditions, including performance metrics, if any, of a state award for economic development received by that entity. As necessary, the agency that makes and administers the state award for economic development shall assist the attorney general with that monitoring. The attorney general shall submit to the general assembly pursuant to section 101.68 of the Revised Code an annual report regarding the level of compliance of such entities with the terms and conditions, including any performance metrics, of their state awards for economic development. When the attorney general determines appropriate and to the extent that an entity that receives or has received a state award for economic development does not comply with a performance metric that is specified in the terms and conditions of the award, the attorney general shall pursue against and from that entity such remedies and recoveries as are available

under law. For purposes of this division, "state award for economic development" means ~~state~~ financial assistance and expenditure awarded by the state or the JobsOhio corporation in any of the following forms: grants, subgrants, loans, awards, cooperative agreements, or other similar and related forms of financial assistance and contracts, subcontracts, purchase orders, task orders, delivery orders, or other similar and related transactions. "State award for economic development" does not include compensation received as an employee of the state or any state financial assistance and expenditure received from the general assembly or any legislative agency, any court or judicial agency, the secretary of state, auditor of state, treasurer of state, or attorney general and their respective offices.

(H) Nothing in this section shall be construed as requiring the disclosure of information that is not a public record under section 149.43 of the Revised Code."

In line 951, after " Code" insert " .except that JobsOhio shall be considered an agency for purposes of section 125.112 of the Revised Code"

Between lines 1052 and 1053, insert:

" If the contract authorizes the corporation to award to any person, or to influence to whom to award, an incentive or other assistance, no such award shall be lawful or effective unless the corporation or the director of development first makes a recommendation to the controlling board and requests the board's approval of the award, and the controlling board, by affirmative vote of the majority of the board membership, approves the award."

In line 1482, after "124.01," insert "125.112,"

In line 2 of the title, after "124.01," insert "125.112,"

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

The yeas and nays were taken and resulted - yeas 38, nays 57, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan	Heard	Letson	Luckie
Lundy	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-38.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp

Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Snitchler	Stautberg
Stebelton	Thompson	Uecker	Young
			Batchelder-57.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Clyde moved to amend as follows:

In line 13, delete "and"; after "187.07" insert ", and 187.08"

Between lines 1087 and 1088, insert:

" (D) Any contributions received by JobsOhio from any individual, partnership, or other entity are public funds. JobsOhio may not accept any contribution unless the source of the funds is identified. Each quarter, JobsOhio shall send a report to the secretary of state stating the name, employer, and address associated with any such contribution. Each quarter, the secretary of state shall make such information available on the web site of the office of the secretary of state."

In line 1193, after "**187.07.**" insert "(A) If JobsOhio is authorized by contract or by law to award incentives or other assistance to businesses for the purpose of business recruitment, creation, or retention, it shall not award any such incentive or assistance to any person if that person, direct equity owners of that person, or officers of that person, within one year before the award is decided, made a contribution to the campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of a candidate for the office of governor, attorney general, secretary of state, auditor of state, treasurer of state, or for member of the general assembly. JobsOhio shall require each applicant or potential recipient of an incentive or other assistance to be awarded by the corporation to affirm in writing whether that person, a direct equity owner of that person, or an officer of that person has made such a contribution, and JobsOhio shall not consider awarding an incentive or other assistance to any person that does not so affirm.

(B) If JobsOhio is authorized by contract or by law to award incentives or other assistance to businesses for the purpose of business recruitment, creation, or retention, and awards any such incentive or assistance to any person, that person, direct equity owners of that person, and officers of that person, within two years after the award is decided, shall not make any contribution to the

campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of a candidate for the office of governor, attorney general, secretary of state, auditor of state, treasurer of state, or for member of the general assembly. If such a person, owner, or officer does make such a contribution within that time, the person shall be required to repay the award to the treasurer of state, who shall credit the payment to the general revenue fund. The amount required to be repaid shall be considered an amount payable to the state for the purposes of section 131.02 of the Revised Code, and shall be certified by JobsOhio to the attorney general for collection under that section.

(C) As used in this section, "contributions," "campaign committee," "political party," "legislative campaign fund," "political action committee," and "political contributing entity" have the same meanings as in section 3517.01 of the Revised Code.

Sec. . Sec. 187.08."

In line 4 of the title, delete "187.07" and insert "187.08"

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

The yeas and nays were taken and resulted - yeas 38, nays 58, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan	Heard	Letson	Luckie
Lundy	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-38.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Snitchler	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Heard moved to amend as follows:

In line 835, delete " eight" and insert " twelve"

Between lines 908 and 909, insert:

" (L) A provision establishing a division of minority and small business to serve in an advisory capacity to the board in order to ensure funding and job creation and retention for minority and small businesses by the corporation."

In line 943, delete " At" and insert " All the individuals designated under division (D) of this section shall be residents of or domiciled in this state. Of the remaining individuals, at"

Between lines 945 and 946, insert:

" (D) One individual appointed to the board of directors shall represent small businesses, one shall represent local government entities, one shall represent school districts, and one shall represent minority businesses."

In line 1047, after the underlined period insert " The minority development financing advisory board created under section 122.72 of the Revised Code shall continue to exist under the contract entered into under this section. The minority development financing advisory board shall advise and provide recommendations to the corporation in the manner provided under sections 122.71 to 122.89 of the Revised Code."

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

The yeas and nays were taken and resulted - yeas 38, nays 58, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan	Heard	Letson	Luckie
Lundy	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-38.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales

Goodwin	Grossman	Hackett	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Snitchler	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Murray moved to amend as follows:

Between lines 830 and 831, insert:

" JobsOhio shall not be a shareholder or hold any other equity interest in any person or corporation."

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

The yeas and nays were taken and resulted - yeas 40, nays 56, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan	Heard	Letson	Luckie
Lundy	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Roegner	Slesnick
Stinziano	Sykes	Szolloosi	Weddington
Williams	Winburn	Young	Yuko-40.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Rosenberger	Ruhl	Schuring	Sears
Slaby	Snitchler	Stautberg	Stebelton
Thompson	Uecker	Wachtmann	Batchelder-56.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 59, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Pillich	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Snitchler
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan	Heard	Letson	Luckie
Lundy	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Ramos
Reece	Slesnick	Stinziano	Sykes
Szollosi	Weddington	Williams	Winburn
			Yuko-37.

The bill passed.

Representative Duffey moved to amend the title as follows:

Add the names: "Baker, Blair, Blessing, Boose, Brenner, Bubp, Buchy, Damschroder, Derickson, Gonzales, Goodwin, Hackett, Henne, Maag, Martin, Rosenberger, Ruhl, Stautberg, Thompson, Uecker, Wachtmann."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blessing, the House recessed.

The House met pursuant to recess.

Representative Burke moved that the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

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

Representative Phillips 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. 63 - Representatives Young and Slaby, et al

TO REVISE THE PROCEDURES GOVERNING A HEARING BY WHICH A COURT MAY PERMIT A PREGNANT MINOR TO CONSENT TO AN ABORTION OR BY WHICH A COURT MAY GIVE JUDICIAL CONSENT FOR A PREGNANT MINOR TO HAVE AN ABORTION AND TO REQUIRE A COURT TO MAKE ITS FINDING WITH RESPECT TO SUCH A HEARING BY CLEAR AND CONVINCING EVIDENCE.

To the committee on Health and Aging

H.B. No. 64 - Representatives Ruhl and Burke, et al

TO ADD SYNTHETIC CANNABINOIDS COMMONLY KNOWN AS K2 OR SPICE TO THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES, PROHIBIT THE POSSESSION OF SPICE, PROHIBIT TRAFFICKING IN SPICE, AND PROVIDE THAT IF SPICE IS THE DRUG INVOLVED IN A VIOLATION OF THE OFFENSE OF CORRUPTING ANOTHER WITH DRUGS THE PENALTY FOR THE VIOLATION WILL BE THE SAME AS IF MARIHUANA WAS THE DRUG INVOLVED IN THE OFFENSE.

To the committee on Criminal Justice

H.B. No. 65 - Representative Combs, et al

TO DESIGNATE A PORTION OF STATE ROUTE 4 WITHIN THE MUNICIPAL CORPORATION OF FAIRFIELD ONLY AS THE "LANCE CORPORAL TAYLOR PRAZYNSKI MEMORIAL HIGHWAY."

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 66 - Representative McGregor, et al

TO REQUIRE THE AUDITOR OF STATE TO ESTABLISH A FRAUD-REPORTING SYSTEM FOR RESIDENTS AND PUBLIC EMPLOYEES TO FILE ANONYMOUS COMPLAINTS OF FRAUD AND MISUSE OF PUBLIC FUNDS BY PUBLIC OFFICES OR OFFICIALS.

To the committee on State Government and Elections

H.B. No. 67 - Representative McGregor, et al

TO REQUIRE THE OFFICE OF BUDGET AND MANAGEMENT TO MAINTAIN A WEB SITE SHOWING CAPITAL PROJECT APPROPRIATIONS AND REAPPROPRIATIONS AND TO SUBMIT A BIENNIAL REPORT TO THE GENERAL ASSEMBLY.

To the committee on Finance and Appropriations

H.B. No. 68 - Representative Burke, et al

TO CREATE THE OHIO COUNCIL TO REFORM BEHAVIORAL HEALTH CARE.

To the committee on Health and Aging

H.B. No. 69 - Representative Wachtmann

REGARDING THE STATE RETIREMENT SYSTEMS.

To the committee on Health and Aging

H.B. No. 70 - Representative Luckie, et al

TO PROHIBIT AN INSURER'S USE OF A CREDIT SCORE, CREDIT HISTORY, OR CREDIT REPORT IN FIXING A PREMIUM RATE FOR, OR THE TERMS AND CONDITIONS OF, AN INSURANCE POLICY, OR IN DETERMINING WHETHER TO ISSUE, CONTINUE, OR RENEW AN INSURANCE POLICY.

To the committee on Insurance

H.B. No. 71 - Representative Luckie, Boyd

TO CREATE THE OHIO OFFICIAL PRESCRIPTION PROGRAM AND TO REQUIRE PRESCRIBERS AND PHARMACISTS TO OBTAIN INFORMATION FROM THE OHIO AUTOMATED RX REPORTING SYSTEM.

To the committee on Health and Aging

H.B. No. 72 - Representative Damschroder, et al

TO REQUIRE THE DIRECTOR OF ENVIRONMENTAL PROTECTION TO CONSIDER, TO THE EXTENT ALLOWABLE UNDER THE FEDERAL WATER POLLUTION CONTROL ACT, SPECIFIED FACTORS BEFORE ISSUING NPDES PERMITS FOR SEWERAGE SYSTEMS, REQUIRING AND APPROVING LONG-TERM CONTROL PLANS FOR WET WEATHER DISCHARGES FROM SEWERAGE SYSTEMS, AND ENFORCING PROVISIONS OF THAT ACT AS APPLIED TO SEWERAGE SYSTEMS.

To the committee on Health and Aging

H.B. No. 73 - Representative Young

TO REQUIRE PAYMENT OF ONLY THE COST OF POLICE ESCORT SERVICES FOR THE HIGHWAY TRANSPORTATION OF LIMITED AMOUNTS OF CERTAIN NUCLEAR MATERIALS.

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 74 - Representative Wachtmann, et al

TO QUALIFY FOR THE WAR ORPHANS SCHOLARSHIP CHILDREN OF MILITARY VETERANS WHO SERVED IN GRENADA DURING THE INTERVENTION.

To the committee on Veterans Affairs

H.B. No. 75 - Representative Ruhl, et al

TO DESIGNATE A PORTION OF UNITED STATES ROUTE 62 IN KNOX COUNTY AS THE "ARMY STAFF SGT. SHAMUS O. GOARE

MEMORIAL HIGHWAY.”

To the committee on Transportation, Public Safety, and Homeland Security

H.B. No. 76 - Representative Reece, et al

TO REQUIRE A PROVISIONAL BALLOT TO BE REMADE AND COUNTED FOR THE OFFICES, QUESTIONS, AND ISSUES FOR WHICH THE PROVISIONAL VOTER WAS ELIGIBLE TO VOTE, IF THE ELECTION OFFICIAL ASSISTING THAT PROVISIONAL VOTER FAILED TO DIRECT THE PROVISIONAL VOTER TO THE CORRECT PRECINCT, AND TO REVISE THE PORTION OF THE PROVISIONAL BALLOT AFFIRMATION REQUIRED TO BE COMPLETED BY THE ELECTION OFFICIAL.

To the committee on State Government and Elections

H.B. No. 77 - Representative Hackett, et al

TO CLARIFY THAT SORN LAW DEFINITIONS OF SEXUALLY ORIENTED OFFENSES, CHILD-VICTIM ORIENTED OFFENSES, TIER CLASSIFICATION, PUBLIC REGISTRY-QUALIFIED JUVENILE OFFENDER REGISTRANTS, AND RELATED TERMS INCLUDE THE SPECIFIED OFFENSES REGARDLESS OF WHEN THEY WERE COMMITTED AND TO PROVIDE FOR COURT RECLASSIFICATION OF OFFENDERS AND DELINQUENT CHILDREN WHO COMMITTED THEIR SEXUALLY ORIENTED OFFENSE OR CHILD-VICTIM ORIENTED OFFENSE PRIOR TO JANUARY 1, 2008, AND HAD SORN LAW DUTIES BASED ON THAT OFFENSE INTO ONE OF THE TIER CLASSIFICATIONS OF THE CURRENT SORN LAW.

To the committees on Criminal Justice

LOUIS W. BLESSING
ANDREW BRENNER
ANNE GONZALES
DEBBIE PHILLIPS

JOHN ADAMS
DAVE BURKE
CHERYL GROSSMAN

Representative Burke 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.

On motion of Representative Burke, the House adjourned until Wednesday, February 2, 2011 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.