

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, MARCH 29, 2011

## THIRTY-SECOND DAY

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, March 29, 2011, 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Representative Jeff McClain-82nd district, followed by the Pledge of Allegiance to the Flag.

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

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

LCpl Geoffrey Badger, a guest of Representative Patmon-10th district.

Tonya Allen, a guest of Representative Williams-11th district.

Ray Saikus, a guest of Representative Anielski-17th district.

Bryan Michel and Matthias Bustamante, guests of Representative Butler-37th district.

Tammy Mix, a guest of Representative Young-63rd district.

Dave Jenkinson, a guest of Representative Phillips-92nd district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 175**-Representative Peterson.

To enact section 5533.221 of the Revised Code to designate a portion of State Route 104 within Ross County as the "David A. Gibson Memorial Highway."

**H. B. No. 176**-Representative Beck.

Cosponsors: Representatives Adams, J., Blair, Combs, Martin, Rosenberger, Schuring.

To amend section 127.16, to enact section 9.28, and to repeal section 5525.14 of the Revised Code to limit the magnitude of change orders on public improvements required to be competitively bid.

**H. B. No. 177**-Representatives Stebelton, Gonzales.

Cosponsors: Representatives Ashford, Blair, Carey, Combs, Derickson, Fende, Grossman, Huffman, Johnson, Letson, Mecklenborg, Murray, Okey, Pillich, Reece, Rosenberger, Szollosi, Thompson, Yuko.

To amend sections 4503.43, 4503.431, 4503.432, and 4503.571 of the Revised Code to permit the surviving spouse of a recipient of the Congressional Medal of Honor, Silver Star, Bronze Star, or Purple Heart who was issued or was eligible to be issued the specified license plates to retain the license plates or obtain such license plates until the death or remarriage of the surviving spouse.

**H. B. No. 178**-Representative Young.

Cosponsors: Representatives Martin, Huffman, Adams, J., McGregor, Schuring.

To amend section 3704.14 of the Revised Code to provide authority for the implementation of a decentralized motor vehicle inspection and maintenance program through June 30, 2017.

Said bills were considered the first time.

### CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 36**-Representatives Kozlowski, Carey, et al., were taken up for consideration.

**Sub. H. B. No. 36**-Representatives Kozlowski, Carey.

Cosponsors: Representatives Boose, Burke, Dovilla, Grossman, Hayes, Johnson, McKenney, Roegner, Rosenberger, Ruhl, Slaby, Stautberg, Stebelton, Thompson, Young, Combs, Balderson, Gonzales, Martin, Baker, Hottinger, Derickson, Anielski, Ashford, Barnes, Beck, Blessing, Bulp, Buchy, Coley, Duffey, Fedor, Hagan, C., Landis, Milkovich, Newbold, O'Brien, Schuring, Uecker, Yuko. Senators Hite, Obhof, Bacon, Beagle, Brown, Cafaro, Cates, Daniels, Faber, Grendell, Hughes, Jones, LaRose, Lehner, Manning, Patton, Sawyer, Schaffer, Schiavoni, Smith, Stewart, Turner, Wagoner, Widener, Wilson.

To amend sections 3313.482, 3314.08, 3317.01, 3326.11, and 3327.02 and to enact section 3313.88 of the Revised Code to excuse up to five, instead of three, calamity days for the 2010-2011 school year, to broaden schools' authority to make up calamity days by lengthening remaining days in the school year, to waive the number of hours a community school is closed for a public calamity if it meets certain requirements, to allow public and chartered nonpublic schools to make up excess calamity days via lessons posted online, to prohibit school districts from declaring it impractical to transport nonpublic or community school students solely on days scheduled by the schools to make up calamity days, and to declare an emergency.

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

Representative Huffman moved that the Senate amendments to **Sub. H. B. No. 36**-Representatives Kozlowski, Carey, et al., be informally passed and retain their place on the calendar.

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

The yeas and nays were taken and resulted - yeas 58, nays 38, 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	Derickson	Dovilla
Duffey	Gardner	Gonzales	Goodwin
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	McClain	McGregor	McKenney
Mecklenborg	Newbold	Okey	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

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, R.	Heard	Letson	Luckie
Lundy	Mallory	Milkovich	Murray
O'Brien	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-38.

The motion was agreed to.

### **BILLS FOR THIRD CONSIDERATION**

**H. B. No. 5**-Representative Huffman.

Cosponsors: Representatives Okey, Murray, Letson, McKenney, Coley.

To enact sections 2746.01, 2746.02, 2746.03, 2746.04, 2746.05, 2746.06, 2746.07, 2746.08, and 2746.09 of the Revised Code to provide consolidated references to Revised Code sections that establish costs and fees, other than attorney fees, in the courts of record of this state, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Huffman moved to amend as follows:

In line 7, after "That" insert "section 2329.66 be amended and"

Between lines 9 and 10, insert:

**"Sec. 2329.66.** (A) Every person who is domiciled in this state may hold property exempt from execution, garnishment, attachment, or sale to satisfy a judgment or order, as follows:

(1)(a) In the case of a judgment or order regarding money owed for health care services rendered or health care supplies provided to the person or a dependent of the person, one parcel or item of real or personal property that the person or a dependent of the person uses as a residence. Division (A)(1)(a) of this section does not preclude, affect, or invalidate the creation under this chapter of a judgment lien upon the exempted property but only delays the enforcement of the lien until the property is sold or otherwise transferred by the owner or in accordance with other applicable laws to a person or entity other than the surviving spouse or surviving minor children of the judgment debtor. Every person who is domiciled in this state may hold exempt from a judgment lien created pursuant to division (A)(1)(a) of this section the person's interest, not to exceed twenty thousand two hundred dollars, in the exempted property.

(b) In the case of all other judgments and orders, the person's interest, not to exceed twenty thousand two hundred dollars, in one parcel or item of real or personal property that the person or a dependent of the person uses as a residence.

(2) The person's interest, not to exceed three thousand two hundred twenty-five dollars, in one motor vehicle;

(3) The person's interest, not to exceed four hundred dollars, in cash on hand, money due and payable, money to become due within ninety days, tax refunds, and money on deposit with a bank, savings and loan association, credit union, public utility, landlord, or other person, other than personal earnings.

(4)(a) The person's interest, not to exceed five hundred twenty-five dollars in any particular item or ten thousand seven hundred seventy-five dollars in aggregate value, in household furnishings, household goods, wearing apparel, appliances, books, animals, crops, musical instruments, firearms, and hunting and fishing equipment that are held primarily for the personal, family, or household use of the person;

(b) The person's aggregate interest in one or more items of jewelry, not to exceed one thousand three hundred fifty dollars, held primarily for the personal, family, or household use of the person or any of the person's dependents.

(5) The person's interest, not to exceed an aggregate of two thousand twenty-five dollars, in all implements, professional books, or tools of the person's profession, trade, or business, including agriculture;

(6)(a) The person's interest in a beneficiary fund set apart, appropriated, or paid by a benevolent association or society, as exempted by section 2329.63 of the Revised Code;

(b) The person's interest in contracts of life or endowment insurance or annuities, as exempted by section 3911.10 of the Revised Code;

(c) The person's interest in a policy of group insurance or the proceeds of a policy of group insurance, as exempted by section 3917.05 of the Revised Code;

(d) The person's interest in money, benefits, charity, relief, or aid to be paid, provided, or rendered by a fraternal benefit society, as exempted by section 3921.18 of the Revised Code;

(e) The person's interest in the portion of benefits under policies of sickness and accident insurance and in lump sum payments for dismemberment and other losses insured under those policies, as exempted by section 3923.19 of the Revised Code.

(7) The person's professionally prescribed or medically necessary health aids;

(8) The person's interest in a burial lot, including, but not limited to, exemptions under section 517.09 or 1721.07 of the Revised Code;

(9) The person's interest in the following:

(a) Moneys paid or payable for living maintenance or rights, as exempted by section 3304.19 of the Revised Code;

(b) Workers' compensation, as exempted by section 4123.67 of the Revised Code;

(c) Unemployment compensation benefits, as exempted by section 4141.32 of the Revised Code;

(d) Cash assistance payments under the Ohio works first program, as exempted by section 5107.75 of the Revised Code;

(e) Benefits and services under the prevention, retention, and contingency program, as exempted by section 5108.08 of the Revised Code;

(f) Disability financial assistance payments, as exempted by section 5115.06 of the Revised Code;

(g) Payments under section 24 or 32 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.

(10)(a) Except in cases in which the person was convicted of or pleaded guilty to a violation of section 2921.41 of the Revised Code and in which an order for the withholding of restitution from payments was issued under division (C)(2)(b) of that section, in cases in which an order for withholding was issued under section 2907.15 of the Revised Code, and in cases in which an order for

forfeiture was issued under division (A) or (B) of section 2929.192 of the Revised Code, and only to the extent provided in the order, and except as provided in sections 3105.171, 3105.63, 3119.80, 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the person's right to a pension, benefit, annuity, retirement allowance, or accumulated contributions, the person's right to a participant account in any deferred compensation program offered by the Ohio public employees deferred compensation board, a government unit, or a municipal corporation, or the person's other accrued or accruing rights, as exempted by section 145.56, 146.13, 148.09, 742.47, 3307.41, 3309.66, or 5505.22 of the Revised Code, and the person's right to benefits from the Ohio public safety officers death benefit fund;

(b) Except as provided in sections 3119.80, 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the person's right to receive a payment under any pension, annuity, or similar plan or contract, not including a payment from a stock bonus or profit-sharing plan or a payment included in division (A)(6)(b) or (10)(a) of this section, on account of illness, disability, death, age, or length of service, to the extent reasonably necessary for the support of the person and any of the person's dependents, except if all the following apply:

(i) The plan or contract was established by or under the auspices of an insider that employed the person at the time the person's rights under the plan or contract arose.

(ii) The payment is on account of age or length of service.

(iii) The plan or contract is not qualified under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.

(c) Except for any portion of the assets that were deposited for the purpose of evading the payment of any debt and except as provided in sections 3119.80, 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the person's right in the assets held in, or to receive any payment under, any individual retirement account, individual retirement annuity, "Roth IRA," or education individual retirement account that provides benefits by reason of illness, disability, death, or age, to the extent that the assets, payments, or benefits described in division (A)(10)(c) of this section are attributable to any of the following:

(i) Contributions of the person that were less than or equal to the applicable limits on deductible contributions to an individual retirement account or individual retirement annuity in the year that the contributions were made, whether or not the person was eligible to deduct the contributions on the person's federal tax return for the year in which the contributions were made;

(ii) Contributions of the person that were less than or equal to the applicable limits on contributions to a Roth IRA or education individual retirement account in the year that the contributions were made;

(iii) Contributions of the person that are within the applicable limits on

rollover contributions under subsections 219, 402(c), 403(a)(4), 403(b)(8), 408(b), 408(d)(3), 408A(c)(3)(B), 408A(d)(3), and 530(d)(5) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended.

(d) Except for any portion of the assets that were deposited for the purpose of evading the payment of any debt and except as provided in sections 3119.80, 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the person's right in the assets held in, or to receive any payment under, any Keogh or "H.R. 10" plan that provides benefits by reason of illness, disability, death, or age, to the extent reasonably necessary for the support of the person and any of the person's dependents.

(11) The person's right to receive spousal support, child support, an allowance, or other maintenance to the extent reasonably necessary for the support of the person and any of the person's dependents;

(12) The person's right to receive, or moneys received during the preceding twelve calendar months from, any of the following:

(a) An award of reparations under sections 2743.51 to 2743.72 of the Revised Code, to the extent exempted by division (D) of section 2743.66 of the Revised Code;

(b) A payment on account of the wrongful death of an individual of whom the person was a dependent on the date of the individual's death, to the extent reasonably necessary for the support of the person and any of the person's dependents;

(c) Except in cases in which the person who receives the payment is an inmate, as defined in section 2969.21 of the Revised Code, and in which the payment resulted from a civil action or appeal against a government entity or employee, as defined in section 2969.21 of the Revised Code, a payment, not to exceed twenty thousand two hundred dollars, on account of personal bodily injury, not including pain and suffering or compensation for actual pecuniary loss, of the person or an individual for whom the person is a dependent;

(d) A payment in compensation for loss of future earnings of the person or an individual of whom the person is or was a dependent, to the extent reasonably necessary for the support of the debtor and any of the debtor's dependents.

(13) Except as provided in sections 3119.80, 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, personal earnings of the person owed to the person for services in an amount equal to the greater of the following amounts:

(a) If paid weekly, thirty times the current federal minimum hourly wage; if paid biweekly, sixty times the current federal minimum hourly wage; if paid semimonthly, sixty-five times the current federal minimum hourly wage; or if paid monthly, one hundred thirty times the current federal minimum hourly wage that is in effect at the time the earnings are payable, as prescribed by the "Fair Labor Standards Act of 1938," 52 Stat. 1060, 29 U.S.C. 206(a)(1), as

amended;

(b) Seventy-five per cent of the disposable earnings owed to the person.

(14) The person's right in specific partnership property, as exempted by division (B)(3) of section 1775.24 of the Revised Code or the person's rights in a partnership pursuant to section 1776.50 of the Revised Code, except as otherwise set forth in section 1776.50 of the Revised Code;

(15) A seal and official register of a notary public, as exempted by section 147.04 of the Revised Code;

(16) The person's interest in a tuition unit or a payment under section 3334.09 of the Revised Code pursuant to a tuition payment contract, as exempted by section 3334.15 of the Revised Code;

(17) Any other property that is specifically exempted from execution, attachment, garnishment, or sale by federal statutes other than the "Bankruptcy Reform Act of 1978," 92 Stat. 2549, 11 U.S.C.A. 101, as amended;

(18) The person's aggregate interest in any property, not to exceed one thousand seventy-five dollars, except that division (A)(18) of this section applies only in bankruptcy proceedings.

(B) On April 1, 2010, and on the first day of April in each third calendar year after 2010, the Ohio judicial conference shall adjust each dollar amount set forth in this section shall be adjusted, when determining the amount that is exempt from execution, garnishment, attachment, or sale pursuant to this section, to reflect the change in the consumer price index for all urban consumers, as published by the United States department of labor, or, if that index is no longer published, a generally available comparable index, for the three-year period ending on the thirty-first day of December of the preceding year. Any adjustments required by this division shall be rounded to the nearest twenty-five dollars.

The Ohio judicial conference shall prepare a memorandum specifying the adjusted dollar amounts. The judicial conference shall transmit the memorandum to the director of the legislative service commission, and the director shall publish the memorandum in the register of Ohio. (Publication of the memorandum in the register of Ohio shall continue until the next memorandum specifying an adjustment is so published.) The judicial conference also may publish the memorandum in any other manner it concludes will be reasonably likely to inform persons who are affected by its adjustment of the dollar amounts.

(C) As used in this section:

(1) "Disposable earnings" means net earnings after the garnishee has made deductions required by law, excluding the deductions ordered pursuant to section 3119.80, 3119.81, 3121.02, 3121.03, or 3123.06 of the Revised Code.

(2) "Insider" means:

(a) If the person who claims an exemption is an individual, a relative of the individual, a relative of a general partner of the individual, a partnership in which the individual is a general partner, a general partner of the individual, or a corporation of which the individual is a director, officer, or in control;

(b) If the person who claims an exemption is a corporation, a director or officer of the corporation; a person in control of the corporation; a partnership in which the corporation is a general partner; a general partner of the corporation; or a relative of a general partner, director, officer, or person in control of the corporation;

(c) If the person who claims an exemption is a partnership, a general partner in the partnership; a general partner of the partnership; a person in control of the partnership; a partnership in which the partnership is a general partner; or a relative in, a general partner of, or a person in control of the partnership;

(d) An entity or person to which or whom any of the following applies:

(i) The entity directly or indirectly owns, controls, or holds with power to vote, twenty per cent or more of the outstanding voting securities of the person who claims an exemption, unless the entity holds the securities in a fiduciary or agency capacity without sole discretionary power to vote the securities or holds the securities solely to secure to debt and the entity has not in fact exercised the power to vote.

(ii) The entity is a corporation, twenty per cent or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by the person who claims an exemption or by an entity to which division (C)(2)(d)(i) of this section applies.

(iii) A person whose business is operated under a lease or operating agreement by the person who claims an exemption, or a person substantially all of whose business is operated under an operating agreement with the person who claims an exemption.

(iv) The entity operates the business or all or substantially all of the property of the person who claims an exemption under a lease or operating agreement.

(e) An insider, as otherwise defined in this section, of a person or entity to which division (C)(2)(d)(i), (ii), (iii), or (iv) of this section applies, as if the person or entity were a person who claims an exemption;

(f) A managing agent of the person who claims an exemption.

(3) "Participant account" has the same meaning as in section 148.01 of the Revised Code.

(4) "Government unit" has the same meaning as in section 148.06 of the Revised Code.

(D) For purposes of this section, "interest" shall be determined as follows:

(1) In bankruptcy proceedings, as of the date a petition is filed with the bankruptcy court commencing a case under Title 11 of the United States Code;

(2) In all cases other than bankruptcy proceedings, as of the date of an appraisal, if necessary under section 2329.68 of the Revised Code, or the issuance of a writ of execution.

An interest, as determined under division (D)(1) or (2) of this section, shall not include the amount of any lien otherwise valid pursuant to section 2329.661 of the Revised Code."

After line 384, insert:

"**Section 2.** That existing section 2329.66 of the Revised Code is hereby repealed.

**Section 3.** The Ohio judicial conference shall make and cause publication of the adjustment required by the amendment to section 2329.66 of the Revised Code as soon as possible but not later than thirty days after the effective date of this section.

**Section 4.** Section 2329.66 of the Revised Code is presented in this act as a composite of the section as amended by Sub. H.B 332, Sub. S.B. 3, and Sub. S.B. 281 of the 127th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act."

In line 1 of the title, after "To" insert "amend section 2329.66 and to"

In line 3 of the title, after "Code" insert "to require the Ohio Judicial Conference periodically to adjust the dollar amounts specified in the general exemption statute and"

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

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	Anielski
Antonio	Ashford	Baker	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Coley
Combs	DeGeeter	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gentile
Gerberry	Gonzales	Goodwin	Goyal
Grossman	Hackett	Hagan, C.	Hagan, R.

Hall	Hayes	Heard	Henne
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Luckie
Lundy	Maag	Mallory	McClain
McGregor	McKenney	Mecklenborg	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Peterson	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Schuring	Sears	Slaby
Slesnick	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Thompson
Uecker	Wachtmann	Weddington	Williams
Winburn	Young	Yuko	Batchelder-96.

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 95, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Coley
Combs	DeGeeter	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gentile
Gerberry	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Letson	Luckie	Lundy
Maag	Mallory	McClain	McGregor
McKenney	Mecklenborg	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Peterson	Phillips	Pillich	Ramos
Reece	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Slesnick
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Thompson	Uecker
Wachtmann	Weddington	Williams	Winburn
Young	Yuko		Batchelder-95.

Representative Goyal voted in the negative-1.

The bill passed.

Representative Huffman moved to amend the title as follows:

Add the names: "Bubp, Carney, Combs, DeGeeter, Derickson, Foley, Garland, Luckie, Mallory, McClain, Milkovich, O'Brien, Patmon, Pillich, Slaby, Stebelton, Stinziano, Williams, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**S. B. No. 80**-Senators Cates, Hughes.

Cosponsors: Senators Patton, Cafaro, Wilson, Grendell, Stewart, Lehner, Seitz, Turner, Obhof, Schiavoni, Bacon, Manning, Brown, LaRose, Smith, Oelslager, Schaffer, Jones, Niehaus, Faber, Widener, Kearney, Sawyer, Wagoner, Hite, Gillmor, Tavares, Jordan, Daniels, Beagle, Skindell.  
Representatives DeGeeter, Hagan, R.

To enact section 5533.686 of the Revised Code to designate a portion of United States Route 322 within Cleveland Heights the "Officer Thomas F. Patton II Memorial Highway, 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	Anielski
Antonio	Ashford	Baker	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Coley
Combs	DeGeeter	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gentile
Gerberry	Gonzales	Goodwin	Goyal
Grossman	Hackett	Hagan, C.	Hagan, R.
Hall	Hayes	Heard	Henne
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Luckie
Lundy	Maag	Mallory	McClain
McGregor	McKenney	Mecklenborg	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Peterson	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Schuring	Sears	Slaby
Slesnick	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Thompson
Uecker	Wachtmann	Weddington	Williams
Winburn	Young	Yuko	Batchelder-96.

The bill passed.

Representative Dovilla moved to amend the title as follows:

Add the names: "Adams, R., Antonio, Ashford, Baker, Barnes, Beck, Blair, Blessing, Boose, Brenner, Bulp, Buchy, Budish, Burke, Butler, Carey, Carney, Celeste, Clyde, Coley, Combs, Derickson, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gentile, Gerberry, Gonzales, Goodwin, Goyal, Grossman, Hackett, Hagan, C., Hall, Hayes, Heard, Henne, Hollington, Hottinger, Huffman, Johnson, Landis, Letson, Luckie, Lundy, Maag, Mallory, McClain, McGregor, McKenney, Mecklenborg, Milkovich, Murray, Newbold, O'Brien, Okey, Patmon, Peterson, Phillips, Pillich, Ramos, Reece, Roegner, Rosenberger, Ruhl, Schuring, Sears, Slaby, Slesnick, Sprague, Stautberg, Stinziano, Sykes, Szollosi, Thompson, Uecker, Wachtmann, Weddington, Williams, Young, Yuko, Batchelder."

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 Young moved that the House revert to the second order of business, being consideration of Senate amendments.

The motion was agreed to.

### CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 36**-Representatives Kozlowski, Carey, et al., were taken up for consideration.

**Sub. H. B. No. 36**-Representatives Kozlowski, Carey.

Cosponsors: Representatives Boose, Burke, Dovilla, Grossman, Hayes, Johnson, McKenney, Roegner, Rosenberger, Ruhl, Slaby, Stautberg, Stebelton, Thompson, Young, Combs, Balderson, Gonzales, Martin, Baker, Hottinger, Derickson, Anielski, Ashford, Barnes, Beck, Blessing, Bulp, Buchy, Coley, Duffey, Fedor, Hagan, C., Landis, Milkovich, Newbold, O'Brien, Schuring, Uecker, Yuko. Senators Hite, Obhof, Bacon, Beagle, Brown, Cafaro, Cates, Daniels, Faber, Grendell, Hughes, Jones, LaRose, Lehner, Manning, Patton, Sawyer, Schaffer, Schiavoni, Smith, Stewart, Turner, Wagoner, Widener, Wilson.

To amend sections 3313.482, 3314.08, 3317.01, 3326.11, and 3327.02 and to enact section 3313.88 of the Revised Code to excuse up to five, instead of three, calamity days for the 2010-2011 school year, to broaden schools' authority to make up calamity days by lengthening remaining days in the school year, to waive the number of hours a community school is closed for a public calamity if it meets certain requirements, to allow public and chartered nonpublic schools to make up excess calamity days via lessons posted online,

to prohibit school districts from declaring it impractical to transport nonpublic or community school students solely on days scheduled by the schools to make up calamity days, and to declare an emergency.

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

Representative Young moved that the Senate amendments to **Sub. H. B. No. 36**-Representatives Kozlowski, Carey, et al., be informally passed and that they be taken up for consideration on: Tuesday, April 5, 2011.

The motion was agreed to.

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

Representative Yuko submitted the following report:

The standing committee on Commerce and Labor to which was referred **Am. Sub. S. B. No. 5**-Senator Jones, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REVISE COLLECTIVE BARGAINING LAW

JOSEPH W. UECKER  
TERRY BLAIR  
BILL COLEY  
TODD MCKENNEY  
LYNN R. WACHTMANN

RON YOUNG  
LOUIS W. BLESSING  
JOHN ADAMS  
KRISTINA ROEGNER

The following members voted "NO"

KENNY YUKO  
ROBERT F. HAGAN  
DAN RAMOS

NICKIE ANTONIO  
DENNIS MURRAY  
MATT SZOLLOSI

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. 171 - Representatives Thompson and Johnson, et al**  
TO PROHIBIT HUMAN CLONING, THE CREATION,  
TRANSPORTATION, OR RECEIPT OF A HUMAN-ANIMAL HYBRID,  
THE TRANSFER OF A NONHUMAN EMBRYO INTO A HUMAN  
WOMB, AND THE TRANSFER OF A HUMAN EMBRYO INTO A  
NONHUMAN WOMB.

To the committee on Health and Aging

**H.B. No. 172 - Representative R. Hagan, et al**

TO REQUIRE THE SUPERINTENDENT OF INSURANCE TO POST ON THE DEPARTMENT OF INSURANCE'S WEB SITE PREMIUM RATES THAT ARE FILED WITH THE SUPERINTENDENT BY HEALTH INSURERS.

To the committee on Insurance

**H.B. No. 173 - Representatives Gonzales and Huffman**

TO MAKE SCHOOLS' IMPLEMENTATION OF BODY MASS INDEX SCREENINGS OPTIONAL.

To the committee on Education

**H.B. No. 174 - Speaker Batchelder**

TO DESIGNATE THE BRIDGE THAT WILL SPAN THE CUYAHOGA RIVER IN CUYAHOGA COUNTY AND WILL BE PART OF INTERSTATE 90 AND HAS AN APPROXIMATE SCHEDULED COMPLETION DATE OF LATE 2016 OR EARLY 2017 THE "GEORGE V. VOINOVICH BRIDGE."

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

LOUIS W. BLESSING  
ANDREW BRENNER  
ANNE GONZALES  
ARMOND BUDISH  
DEBBIE PHILLIPS

JOHN ADAMS  
DAVE BURKE  
CHERYL GROSSMAN  
TRACY HEARD  
MATT SZOLLOSI

Representative Young 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 Concurrent Resolution be introduced and referred to the following committee for consideration:

**H.C.R. No. 10 - Representatives Bulp and Martin, et al**

TO URGE THE CONGRESS OF THE UNITED STATES TO CONTINUE THE FULL FUNDING AND PRODUCTION OF THE F-35 JOINT STRIKE FIGHTER.

To the committee on Veterans Affairs

/s/ LOUIS BLESSING  
Louis Blessing, Chair

Representative Young 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 Resolutions be read by title only and approved:

**H.R. No. 56 - Representative Letson, O'Brien**

Honoring Jordan Moxley as a 2011 Division II State Swimming Champion.

**H.R. No. 57 - Representative Dovilla**

Honoring Dean Heil as a 2011 Division I State Wrestling Champion.

/s/ LOUIS BLESSING  
Louis Blessing, Chair

Representative Young 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.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby removes Representative Boyd from the committee on Health and Aging.

On motion of Representative Young, the House adjourned until Wednesday, March 30, 2011 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,  
Clerk.