

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
THURSDAY, MAY 5, 2011

FORTY-SIXTH DAY

Hall of the House of Representatives, Columbus, Ohio
Thursday, May 5, 2011, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Todd McKenney-43rd district, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

Members of the Ohio Real Estate Investors Association.

Dan Acton, a guest of Representatives Derickson-53rd district and Combs-54th district.

Students of Leipsic High School, guests of the Representative Wachtmann-75th district.

Lee Butcher, a guest of Representative Burke-83rd district.

Students from Eastern High School and Northeastern High School, guests of Representative Bulp-88th district.

Students from Harrison Central High School and Union Local High School, guests of Representative Landis-96th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 220-Representatives Beck, Baker.

Cosponsors: Representatives Adams, J., Blair, Blessing, Butler, Combs, Thompson, Rosenberger.

To amend sections 5747.01 and 5751.98 and to enact section 5751.54 of the Revised Code to allow a refundable commercial activity tax credit for investment losses recognized by foreign entrepreneur investors who invest in certain projects in Ohio.

H. B. No. 221-Representatives Mecklenborg, Driehaus.

Cosponsors: Speaker Batchelder, Representatives Amstutz, Stebelton, Mallory, Reece, Stautberg, Blessing, Gardner, Maag, Grossman, Adams, J., Sears, Bulp, Beck, Heard, Murray, Sykes, Wachtmann, Patmon, Derickson, Dovilla, Thompson, Pillich.

To amend sections 109.57, 3313.61, 3317.03, 3319.31, 3319.311, and 4117.01 and to enact sections 3318.60, 3328.01 to 3328.04, 3328.11 to 3328.15, 3328.17 to 3328.19, 3328.191, 3328.192, 3328.193, 3328.20 to 3328.26, 3328.31 to 3328.36, 3328.41, 3328.45, 3328.50, and 3328.99 of the Revised Code to permit the establishment of public college-preparatory boarding schools for at-risk students to be operated by private nonprofit entities and to establish the College-Preparatory Boarding School Facilities Program.

H. B. No. 222-Representative Mecklenborg.

Cosponsors: Representatives McKenney, Grossman, Stebelton, Blessing, Letson, Balderson, McClain.

To amend section 4710.01 and to enact sections 4710.20 to 4710.41 of the Revised Code to require the licensure of, and otherwise regulate, providers of debt settlement services.

Said bills were considered the first time.

**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. 215 - Representative Dovilla, et al

TO DESIGNATE THE FIFTEENTH DAY OF JUNE AS "ELDER ABUSE AWARENESS DAY."

To the committee on Health and Aging

H.B. No. 216 - Representative Patmon

TO REQUIRE THAT CASES IN A MULTI-JUDGE MUNICIPAL OR COUNTY COURT OR A MULTI-JUDGE DIVISION OF A COURT OF COMMON PLEAS BE RANDOMLY ASSIGNED TO THE JUDGES OF THE COURT OR DIVISION.

To the committee on Judiciary

H.B. No. 217 - Representative Patmon, et al

TO REQUIRE A HOSPITAL TO PROVIDE INFORMATION REGARDING BREAST RECONSTRUCTION TO A PATIENT BEFORE OBTAINING THE PATIENT'S CONSENT FOR A MASTECTOMY, LYMPH NODE DISSECTION, OR LUMPECTOMY.

To the committee on Health and Aging

LOUIS W. BLESSING
ANDREW BRENNER

JOHN ADAMS
DAVE BURKE

ANNE GONZALES
ARMOND BUDISH
DEBBIE PHILLIPS

CHERYL GROSSMAN
TRACY HEARD
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 Concurrent Resolution and Senate Concurrent Resolution be introduced and referred to the following committees for consideration:

H.C.R. No. 15 - Representative Balderson, et al

TO URGE CONGRESS TO TAKE CERTAIN ACTIONS REGARDING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S PROPOSED REGULATIONS ON AIR QUALITY AND GREENHOUSE GAS EMISSIONS.

To the committee on Agriculture and Natural Resources

S.C.R. No. 6 - Senator Patton, et al

DESIGNATING PRIMARY IMMUNODEFICIENCY AWARENESS MONTH IN OHIO, APRIL 2011.

To the committee on Health and Aging

/s/ LOUIS BLESSING

Louis Blessing, Chair

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

The motion was agreed to.

Said resolutions were introduced and referred as recommended.

On motion of Representative Blessing, the House recessed.

The House met pursuant to recess.

Representative Adams, J. moved that majority party members asking leave to be absent or absent the week of Tuesday, May 3, 2011, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Heard moved that minority party members asking leave to be absent or absent the week of Tuesday, May 3, 2011, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 153-Representative Amstutz.

To amend sections 7.10, 7.11, 7.12, 9.03, 9.06, 9.231, 9.24, 9.33, 9.331, 9.332, 9.333, 9.90, 101.15, 102.02, 105.41, 107.09, 109.02, 109.36, 109.42, 109.57, 109.572, 111.12, 111.16, 111.18, 117.101, 117.13, 118.023, 118.04, 118.05, 118.06, 118.12, 118.17, 118.99, 121.03, 121.04, 121.22, 121.37, 121.40, 121.401, 121.402, 121.403, 121.404, 122.085, 122.088, 122.0810, 122.0816, 122.0819, 122.121, 122.171, 122.65, 122.652, 122.653, 122.657, 122.76, 123.011, 124.09, 124.23, 124.231, 124.24, 124.25, 124.26, 124.27, 124.31, 124.34, 124.393, 125.021, 125.15, 125.18, 125.28, 125.89, 126.12, 126.21, 126.24, 126.50, 127.16, 131.23, 131.44, 131.51, 133.06, 133.18, 133.20, 133.55, 135.05, 135.61, 135.65, 135.66, 145.27, 149.01, 149.091, 149.11, 149.311, 153.01, 153.02, 153.03, 153.07, 153.08, 153.50, 153.51, 153.52, 153.54, 153.56, 153.57, 153.581, 153.65, 153.66, 153.67, 153.69, 153.70, 153.71, 153.80, 154.02, 154.07, 164.02, 164.04, 164.05, 164.051, 164.06, 164.08, 164.14, 164.21, 166.02, 173.14, 173.21, 173.26, 173.35, 173.351, 173.36, 173.391, 173.40, 173.401, 173.403, 173.404, 173.42, 173.45, 173.46, 173.47, 173.48, 173.501, 183.30, 183.51, 185.01, 185.03, 185.06, 185.10, 301.02, 301.15, 301.28, 306.35, 306.43, 306.70, 307.022, 307.041, 307.10, 307.12, 307.676, 307.70, 307.79, 307.791, 307.81, 307.82, 307.83, 307.86, 308.13, 317.20, 319.11, 319.301, 319.54, 321.18, 322.02, 322.021, 323.08, 323.73, 323.78, 324.02, 324.021, 340.02, 340.03, 340.05, 340.091, 340.11, 341.192, 343.08, 345.03, 349.01, 349.03, 349.04, 349.06, 349.07, 349.09, 349.14, 501.07, 503.05, 503.162, 503.41, 504.02, 504.03, 504.12, 504.21, 505.101, 505.108, 505.17, 505.264, 505.28, 505.373, 505.55, 505.73, 507.09, 511.23, 511.25, 511.28, 511.34, 513.14, 515.04, 517.12, 517.22, 521.03, 705.16, 711.35, 715.011, 715.47, 718.01, 718.09, 718.10, 719.012, 719.05, 721.03, 721.15, 721.20, 723.07, 727.011, 727.012, 727.08, 727.14, 727.46, 729.08, 729.11, 731.141, 731.20, 731.21, 731.211, 731.22, 731.23, 731.24, 731.25, 735.05, 735.20, 737.32, 742.41, 745.07, 747.05, 747.11, 747.12, 755.16, 755.29, 755.41, 755.42, 755.43, 759.47, 901.09, 924.52, 927.69, 951.11, 1309.528, 1327.46, 1327.50, 1327.51, 1327.511, 1327.54, 1327.57, 1327.62, 1327.99, 1329.04, 1329.42, 1332.24, 1501.022, 1501.40, 1503.05, 1505.01, 1505.04, 1505.06, 1505.09, 1505.11, 1505.99, 1509.01,

1509.02, 1509.021, 1509.03, 1509.04, 1509.041, 1509.05, 1509.06, 1509.061, 1509.062, 1509.07, 1509.071, 1509.072, 1509.073, 1509.08, 1509.09, 1509.10, 1509.11, 1509.12, 1509.13, 1509.14, 1509.15, 1509.17, 1509.181, 1509.19, 1509.21, 1509.22, 1509.221, 1509.222, 1509.223, 1509.224, 1509.225, 1509.226, 1509.23, 1509.24, 1509.25, 1509.26, 1509.27, 1509.28, 1509.29, 1509.31, 1509.32, 1509.33, 1509.34, 1509.36, 1509.38, 1509.40, 1509.50, 1510.01, 1510.08, 1515.08, 1515.14, 1515.24, 1517.02, 1531.04, 1541.03, 1541.05, 1545.09, 1545.12, 1547.302, 1551.311, 1551.32, 1551.33, 1551.35, 1555.02, 1555.03, 1555.04, 1555.05, 1555.06, 1555.08, 1555.17, 1561.06, 1561.12, 1561.13, 1561.35, 1561.49, 1563.06, 1563.24, 1563.28, 1571.01, 1571.02, 1571.03, 1571.04, 1571.05, 1571.06, 1571.08, 1571.09, 1571.10, 1571.11, 1571.14, 1571.16, 1571.18, 1571.99, 1701.07, 1702.59, 1703.031, 1703.07, 1707.11, 1707.17, 1711.05, 1711.07, 1711.18, 1711.30, 1728.06, 1728.07, 1751.01, 1751.04, 1751.11, 1751.111, 1751.12, 1751.13, 1751.15, 1751.17, 1751.20, 1751.31, 1751.34, 1751.60, 1761.04, 1776.83, 1785.06, 1901.18, 1909.11, 1923.01, 1923.02, 1923.061, 1923.15, 2101.08, 2105.09, 2151.011, 2151.312, 2151.354, 2151.412, 2151.421, 2151.424, 2152.26, 2152.72, 2301.03, 2301.18, 2301.20, 2301.21, 2301.22, 2301.23, 2301.24, 2301.25, 2301.26, 2305.01, 2317.02, 2317.422, 2319.27, 2329.26, 2335.05, 2335.06, 2501.16, 2501.17, 2743.09, 2744.05, 2903.33, 2919.271, 2939.11, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 2945.402, 2949.14, 3109.16, 3109.17, 3111.04, 3113.06, 3119.54, 3121.48, 3123.44, 3123.45, 3123.55, 3123.56, 3123.58, 3123.59, 3123.63, 3301.07, 3301.071, 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.16, 3301.162, 3301.70, 3302.02, 3302.031, 3302.05, 3302.07, 3304.181, 3304.182, 3306.12, 3307.20, 3307.31, 3307.64, 3309.22, 3309.41, 3309.48, 3309.51, 3310.02, 3310.03, 3310.05, 3310.08, 3310.41, 3311.05, 3311.06, 3311.19, 3311.21, 3311.213, 3311.214, 3311.29, 3311.50, 3311.52, 3311.53, 3311.73, 3311.76, 3313.12, 3313.29, 3313.33, 3313.372, 3313.41, 3313.46, 3313.482, 3313.533, 3313.55, 3313.603, 3313.61, 3313.611, 3313.612, 3313.614, 3313.64, 3313.6410, 3313.65, 3313.75, 3313.842, 3313.843, 3313.845, 3313.911, 3313.975, 3313.978, 3313.981, 3314.01, 3314.013, 3314.015, 3314.02, 3314.021, 3314.026, 3314.03, 3314.04, 3314.05, 3314.06, 3314.07, 3314.08, 3314.087, 3314.088, 3314.091, 3314.10, 3314.13, 3314.19, 3314.22, 3314.26, 3314.35, 3314.36, 3315.01, 3316.041, 3316.06, 3316.20, 3317.01, 3317.013, 3317.014, 3317.018, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.025, 3317.0210, 3317.0211, 3317.03, 3317.031, 3317.05, 3317.051, 3317.053, 3317.06, 3317.061, 3317.07, 3317.08, 3317.081, 3317.082, 3317.09, 3317.11, 3317.12, 3317.13, 3317.14, 3317.16, 3317.18, 3317.19, 3317.20, 3317.201, 3318.032, 3318.05, 3318.051, 3318.08, 3318.12, 3318.31, 3318.36, 3318.37, 3318.38, 3318.41, 3319.02, 3319.08, 3319.088, 3319.11, 3319.111, 3319.14, 3319.141, 3319.16, 3319.17, 3319.18, 3319.19, 3319.26, 3319.31, 3319.311, 3319.39, 3319.57, 3319.71, 3323.09, 3323.091, 3323.14, 3323.142, 3323.31, 3324.05, 3325.01, 3325.08, 3326.11, 3326.33, 3326.39, 3327.02, 3327.04, 3327.05, 3329.08, 3331.01, 3333.03, 3333.043, 3333.31, 3333.66, 3333.81, 3333.82, 3333.83, 3333.84, 3333.85, 3333.87, 3333.90, 3334.19, 3345.061,

3345.14, 3349.29, 3353.04, 3354.12, 3354.16, 3355.09, 3357.16, 3365.01, 3365.08, 3375.41, 3381.11, 3501.03, 3501.17, 3505.13, 3506.05, 3701.021, 3701.023, 3701.07, 3701.61, 3701.74, 3701.83, 3702.31, 3702.59, 3704.06, 3704.14, 3705.24, 3709.085, 3709.09, 3709.092, 3709.21, 3709.34, 3721.01, 3721.011, 3721.02, 3721.04, 3721.16, 3721.50, 3721.51, 3721.561, 3721.58, 3722.01, 3722.011, 3722.02, 3722.021, 3722.022, 3722.04, 3722.041, 3722.05, 3722.06, 3722.07, 3722.08, 3722.09, 3722.10, 3722.11, 3722.12, 3722.13, 3722.14, 3722.15, 3722.151, 3722.16, 3722.17, 3722.18, 3729.01, 3733.02, 3733.021, 3733.022, 3733.024, 3733.025, 3733.03, 3733.04, 3733.05, 3733.06, 3733.08, 3733.09, 3733.091, 3733.10, 3733.101, 3733.11, 3733.12, 3733.121, 3733.122, 3733.123, 3733.13, 3733.14, 3733.15, 3733.17, 3733.18, 3733.19, 3733.20, 3733.41, 3733.99, 3734.02, 3734.05, 3734.06, 3734.18, 3734.19, 3734.20, 3734.21, 3734.22, 3734.23, 3734.24, 3734.25, 3734.26, 3734.27, 3734.28, 3734.282, 3734.57, 3734.85, 3734.901, 3735.36, 3735.66, 3737.83, 3737.841, 3737.87, 3737.88, 3745.015, 3745.05, 3745.11, 3746.02, 3750.081, 3769.07, 3769.08, 3769.20, 3769.26, 3770.03, 3770.05, 3772.062, 3781.06, 3781.183, 3791.043, 3793.04, 3793.06, 3793.21, 3901.3814, 3903.01, 3923.28, 3923.281, 3923.30, 3924.10, 3963.01, 3963.11, 4113.11, 4113.61, 4115.03, 4115.033, 4115.034, 4115.04, 4115.10, 4115.101, 4115.16, 4116.01, 4117.01, 4117.03, 4117.06, 4123.27, 4131.03, 4141.08, 4141.11, 4141.33, 4301.12, 4301.43, 4301.62, 4301.80, 4301.81, 4303.02, 4503.06, 4503.061, 4503.062, 4503.235, 4503.70, 4503.93, 4504.02, 4504.021, 4504.15, 4504.16, 4504.18, 4506.071, 4507.111, 4507.164, 4510.037, 4510.038, 4511.191, 4511.193, 4513.62, 4517.01, 4517.04, 4517.09, 4517.10, 4517.12, 4517.13, 4517.14, 4517.23, 4517.24, 4517.44, 4582.31, 4585.10, 4705.021, 4709.13, 4725.34, 4725.48, 4725.50, 4725.52, 4725.57, 4731.65, 4731.71, 4733.15, 4733.151, 4736.12, 4743.05, 4757.31, 4781.01, 4781.02, 4781.04, 4781.07, 4781.09, 4781.14, 4781.15, 4781.99, 4905.90, 4909.15, 4911.02, 4927.17, 4928.10, 4928.18, 4928.20, 4929.22, 4929.26, 4929.27, 4931.51, 4931.52, 4931.53, 5101.16, 5101.181, 5101.182, 5101.183, 5101.244, 5101.26, 5101.27, 5101.271, 5101.272, 5101.28, 5101.30, 5101.35, 5101.37, 5101.46, 5101.47, 5101.571, 5101.573, 5101.58, 5101.60, 5101.61, 5104.01, 5104.011, 5104.04, 5104.13, 5104.30, 5104.32, 5104.341, 5104.35, 5104.37, 5104.38, 5104.39, 5104.42, 5104.43, 5111.012, 5111.013, 5111.0112, 5111.021, 5111.023, 5111.025, 5111.031, 5111.06, 5111.113, 5111.13, 5111.151, 5111.16, 5111.162, 5111.17, 5111.172, 5111.20, 5111.21, 5111.211, 5111.222, 5111.23, 5111.231, 5111.235, 5111.24, 5111.241, 5111.244, 5111.25, 5111.251, 5111.254, 5111.258, 5111.27, 5111.28, 5111.33, 5111.35, 5111.52, 5111.65, 5111.66, 5111.67, 5111.671, 5111.672, 5111.68, 5111.681, 5111.687, 5111.689, 5111.709, 5111.85, 5111.871, 5111.872, 5111.873, 5111.874, 5111.877, 5111.88, 5111.89, 5111.891, 5111.894, 5111.911, 5111.912, 5111.913, 5111.94, 5111.941, 5111.97, 5112.30, 5112.31, 5112.37, 5112.371, 5112.39, 5112.40, 5112.41, 5112.46, 5112.99, 5119.01, 5119.02, 5119.06, 5119.16, 5119.18, 5119.22, 5119.221, 5119.61, 5119.611, 5119.613, 5119.62, 5119.621, 5119.99, 5120.135, 5120.17, 5120.28, 5120.29, 5122.01, 5122.02, 5122.15,

5122.21, 5122.27, 5122.271, 5122.29, 5122.31, 5122.32, 5123.01, 5123.0413, 5123.0417, 5123.051, 5123.092, 5123.171, 5123.18, 5123.19, 5123.191, 5123.194, 5123.35, 5123.352, 5123.45, 5123.60, 5123.61, 5123.63, 5123.64, 5123.69, 5123.701, 5123.86, 5123.99, 5126.01, 5126.029, 5126.04, 5126.042, 5126.05, 5126.054, 5126.0510, 5126.0511, 5126.0512, 5126.08, 5126.11, 5126.12, 5126.23, 5126.24, 5126.33, 5126.41, 5126.42, 5139.11, 5139.43, 5310.35, 5505.04, 5540.03, 5540.031, 5540.05, 5543.10, 5552.06, 5553.05, 5553.19, 5553.23, 5553.42, 5555.07, 5555.27, 5555.42, 5559.06, 5559.10, 5559.12, 5561.04, 5561.08, 5571.011, 5573.02, 5573.10, 5575.01, 5575.02, 5591.15, 5593.08, 5701.13, 5703.05, 5703.37, 5705.14, 5705.16, 5705.191, 5705.194, 5705.196, 5705.21, 5705.211, 5705.218, 5705.25, 5705.251, 5705.261, 5705.314, 5705.392, 5705.412, 5705.71, 5707.031, 5709.07, 5709.62, 5709.63, 5709.632, 5713.01, 5715.17, 5715.23, 5715.26, 5719.04, 5721.01, 5721.03, 5721.04, 5721.18, 5721.30, 5721.31, 5721.32, 5721.37, 5721.38, 5721.42, 5722.13, 5723.05, 5725.151, 5725.24, 5725.98, 5727.57, 5727.84, 5727.85, 5727.86, 5729.98, 5731.02, 5731.19, 5731.21, 5731.39, 5733.0610, 5733.23, 5739.02, 5739.021, 5739.022, 5739.026, 5739.101, 5747.01, 5747.058, 5747.113, 5747.451, 5747.46, 5747.51, 5748.02, 5748.021, 5748.04, 5748.08, 5751.01, 5751.011, 5751.20, 5751.21, 5751.22, 5751.23, 5751.50, 5753.01, 6101.16, 6103.04, 6103.05, 6103.06, 6103.081, 6103.31, 6105.131, 6109.21, 6111.038, 6111.044, 6111.46, 6115.01, 6115.20, 6117.05, 6117.06, 6117.07, 6117.251, 6117.49, 6119.10, 6119.18, 6119.22, 6119.25, and 6119.58; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 173.35 (5119.69), 173.351 (5119.691), 173.36 (5119.692), 3306.12 (3317.0212), 3314.20 (3313.473), 3721.561 (3721.56), 3722.01 (5119.70), 3722.011 (5119.701), 3722.02 (5119.71), 3722.021 (5119.711), 3722.022 (5119.712), 3722.03 (5119.72), 3722.04 (5119.73), 3722.041 (5119.731), 3722.05 (5119.74), 3722.06 (5119.75), 3722.07 (5119.76), 3722.08 (5119.77), 3722.09 (5119.78), 3722.10 (5119.79), 3722.11 (5119.80), 3722.12 (5119.81), 3722.13 (5119.82), 3722.14 (5119.83), 3722.15 (5119.84), 3722.151 (5119.85), 3722.16 (5119.86), 3722.17 (5119.87), 3722.18 (5119.88), 3733.02 (4781.26), 3733.021 (4781.31), 3733.022 (4781.32), 3733.024 (4781.33), 3733.025 (4781.34), 3733.03 (4781.27), 3733.04 (4781.28), 3733.05 (4781.29), 3733.06 (4781.30), 3733.08 (4781.35), 3733.09 (4781.36), 3733.091 (4781.37), 3733.10 (4781.38), 3733.101 (4781.39), 3733.11 (4781.40), 3733.12 (4781.41), 3733.121 (4781.42), 3733.122 (4781.43), 3733.123 (4781.44), 3733.13 (4781.45), 3733.14 (4781.46), 3733.15 (4781.47), 3733.16 (4781.48), 3733.17 (4781.49), 3733.18 (4781.50), 3733.19 (4781.51), 3733.20 (4781.52), 5101.271 (5101.272), 5101.272 (5101.273), 5111.14 (5111.141), 5111.261 (5111.263), 5111.892 (5111.893), 5119.612 (5119.613), 5119.613 (5119.614), and 5123.60 (5123.601); to enact new sections 2151.56, 2151.57, 2151.58, 2151.59, 3314.016, 3319.112, 5101.271, 5111.14, 5111.261, 5111.861, 5111.892, 5119.612, 5123.60, and 5126.18, and sections 7.16, 9.031, 9.05, 9.334, 9.335, 9.482, 111.181, 111.28, 111.29, 118.025, 118.31, 124.394, 125.024, 125.182, 125.213, 126.141, 126.60, 126.601, 126.602, 126.603,

126.604, 126.605, 149.308, 153.501, 153.502, 153.53, 153.55, 153.692, 153.693, 153.694, 153.72, 153.73, 154.24, 154.25, 164.30, 173.41, 183.151, 305.23, 306.322, 306.55, 306.551, 349.17, 523.01, 523.02, 523.03, 523.04, 523.05, 523.06, 523.07, 523.08, 717.08, 1327.501, 1505.011, 1505.05, 1509.022, 1541.25, 1541.26, 1571.012, 1571.013, 1571.014, 2151.429, 2335.061, 3123.591, 3302.042, 3302.06, 3302.061, 3302.062, 3302.063, 3302.064, 3302.065, 3302.066, 3302.067, 3302.068, 3302.12, 3302.20, 3302.21, 3302.22, 3302.23, 3302.24, 3302.25, 3302.30, 3311.0510, 3313.411, 3313.617, 3313.846, 3313.88, 3314.029, 3314.38, 3314.50, 3316.21, 3317.141, 3318.054, 3318.371, 3318.48, 3318.60, 3319.113, 3319.227, 3319.58, 3323.25, 3324.08, 3328.01 to 3328.04, 3328.11 to 3328.15, 3328.17 to 3328.19, 3328.191, 3328.192, 3328.193, 3328.20 to 3328.26, 3328.41, 3328.45, 3328.50, 3328.99, 3333.43, 3345.023, 3345.81, 3353.15, 3521.04, 3701.0211, 3701.032, 3701.94, 3701.941, 3709.341, 3727.60, 3745.016, 3770.031, 3793.061, 3903.301, 4303.209, 4313.01, 4313.02, 4729.021, 4781.121, 4781.54, 4911.021, 5111.0122, 5111.0123, 5111.0124, 5111.0125, 5111.0212, 5111.0213, 5111.0214, 5111.0215, 5111.035, 5111.051, 5111.052, 5111.063, 5111.085, 5111.161, 5111.179, 5111.224, 5111.225, 5111.259, 5111.83, 5111.862, 5111.863, 5111.944, 5111.945, 5111.981, 5112.991, 5119.012, 5119.013, 5119.222, 5119.622, 5119.623, 5120.092, 5122.341, 5123.0418, 5123.0419, 5123.0420, 5501.84, 5703.059, 5725.34, and 5729.17; and to repeal sections 7.14, 9.901, 122.0818, 122.121, 122.452, 126.04, 126.501, 126.502, 126.507, 165.031, 340.08, 701.04, 1501.031, 1551.13, 2151.56, 2151.57, 2151.58, 2151.59, 2151.60, 2151.61, 2301.19, 3123.52, 3123.61, 3123.612, 3123.613, 3123.614, 3306.01, 3306.011, 3306.012, 3306.02, 3306.03, 3306.04, 3306.05, 3306.051, 3306.052, 3306.06, 3306.07, 3306.08, 3306.09, 3306.091, 3306.10, 3306.11, 3306.13, 3306.19, 3306.191, 3306.192, 3306.21, 3306.22, 3306.29, 3306.291, 3306.292, 3306.51, 3306.52, 3306.53, 3306.54, 3306.55, 3306.56, 3306.57, 3306.58, 3306.59, 3311.059, 3313.202, 3314.014, 3314.016, 3314.017, 3314.025, 3314.082, 3314.085, 3314.402, 3317.011, 3317.016, 3317.017, 3317.0216, 3317.04, 3317.17, 3319.112, 3319.161, 3329.16, 3349.242, 3706.042, 3721.56, 3722.99, 3733.01, 3733.031, 3733.07, 3923.90, 3923.91, 4115.032, 4582.37, 4981.23, 5101.5211, 5101.5212, 5101.5213, 5101.5214, 5101.5215, 5101.5216, 5111.243, 5111.34, 5111.861, 5111.893, 5111.971, 5122.36, 5123.172, 5123.181, 5123.193, 5123.211, 5123.601, 5123.602, 5123.603, 5123.604, 5123.605, 5126.18, and 5126.19 of the Revised Code; to amend Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly, Section 125.10 of Am. Sub. H.B. 1 of the 128th General Assembly, Section 5 of Sub. H.B. 125 of the 127th General Assembly, as subsequently amended, and Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended; to repeal Section 5 of Sub. H.B. 2 of the 127th General Assembly; and to amend the version of section 5111.913 of the Revised Code that results from Section 101.01 of this act on July 1, 2012; and to terminate certain provisions of this act on June 30, 2013, by repealing sections 126.60, 126.601, 126.602, 126.603, 126.604, and 126.605 on that date; to make operating

appropriations for the biennium beginning July 1, 2011, and ending June 30, 2013; and to provide authorization and conditions for the operation of programs, including reforms for the efficient and effective operation of state and local government, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Murray raised a point of order pursuant to House Rule 51.

Speaker Batchelder ruled the point not well taken.

Pursuant to House Rule 51, Representative Murray appealed the ruling of the Chair.

The appeal was supported by the following:

CONNIE PILLICH
ARMOND BUDISH
DENNIS MURRAY
TED CELESTE
VERNON SYKES

DAN RAMOS
SEAN O'BRIEN
LOU GENTILE
MARK D. OKEY
STEPHEN SLESNICK

The question being, "Shall the ruling of the Chair be upheld?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon

Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-40.

The ruling of the Chair was upheld.

The question recurring, "Shall the bill pass?"

Representative Antonio moved to amend as follows:

In line 417, delete "3317.13, 3317.14,"

In line 419, delete "3319.088,"

In line 420, delete "3319.14,"

In line 540, delete "3317.141,"

In line 40569, delete " 3317.141."

In line 40683, delete " or 3317.141"

In line 46902, delete " 3317.141."

Reinsert lines 49204 through 49206

In line 49365, delete "3317.141,"

In line 52145, reinsert "the"; delete " that"

In line 52146, reinsert everything before the semicolon

Delete lines 52270 through 52449

In line 54410, reinsert "base"; reinsert "stated in the"

In line 54411, reinsert "teachers' salary schedule" and delete the balance of the line

In line 54412, delete " of the Revised Code"

Delete lines 54524 through 54648

In line 55059, delete " compensation."

Delete lines 55181 through 55209

In line 55534, reinsert everything after "district"

Reinsert lines 55535 through 55538

In line 55539, reinsert everything before the period

In line 56762, delete " 3317.141."

Reinsert lines 96065 and 96066

In line 96072, reinsert "The"; delete " In adopting the"; reinsert "shall"

Reinsert lines 96073 through 96090

In line 96091, reinsert "education" and delete the balance of the line

Delete line 96092

In line 96093, delete " district"

In line 110569, delete "3317.13, 3317.14,"

In line 110571, delete "3319.088,"

In line 110572, delete "3319.14,"

In line 122913, delete "3319.088, "; delete "3319.14,"

In line 122964b, delete "3317.141,"

In line 108 of the title, delete "3317.13, 3317.14,"

In line 112 of the title, delete "3319.088,"

In line 113 of the title, delete "3319.14,"

In line 275 of the title, delete "3317.141,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon

Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-40.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Peterson moved to amend as follows:

Delete lines 122466 through 122498

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

The yeas and nays were taken and resulted - yeas 99, 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	Boyd	Brenner	Bubp
Buchy	Budish	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, C.	Hagan, R.	Hall	Hayes
Heard	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Luckie	Lundy	Maag
Mallory	Martin	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-99.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

On motion of Representative Blessing, the House recessed.

The House met pursuant to recess.

The question recurring, "Shall the bill as amended pass?"

Representative Carey moved to amend as follows:

In line 69696, after " ~~fifty~~" insert " three million five hundred"; reinsert "thousand"; delete " five million"

In line 69705, after " ~~fifteen~~" insert " three million five hundred"; reinsert " thousand"; delete " five million"

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

Representative Szollosi moved to amend the amendment.

The motion was ruled out of order.

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

The yeas and nays were taken and resulted - yeas 55, nays 44, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Bubp	Buchy
Burke	Carey	Coley	Combs
Damschroder	Derickson	Dovilla	Duffey
Gardner	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Martin	McClain	McGregor	McKenney
Mecklenborg	Newbold	Peterson	Rosenberger
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Stebelton	Uecker
Wachtmann	Young		Batchelder-55.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Brenner	Budish	Butler	Carney
Celeste	Clyde	DeGeeter	Driehaus
Fedor	Fende	Foley	Garland
Gentile	Gerberry	Goyal	Hagan, R.
Heard	Letson	Luckie	Lundy
Mallory	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Roegner	Slesnick
Stinziano	Sykes	Szollosi	Thompson
Weddington	Williams	Winburn	Yuko-44.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Szollosi moved to amend as follows:

In line 352, delete "166.02,"

In line 388, delete "1728.07,"

In line 446, after "4113.61," delete the balance of the line

In line 447, delete "4115.10, 4115.101, 4115.16, 4116.01,"

In line 8870, after " (F)" delete the balance of the line

In line 8871, delete " project."

Delete lines 13089 through 13208

In line 27849, reinsert "1551.13,"

Delete lines 30709 through 30793

Delete lines 69683 through 70096

In line 110504, delete "166.02,"

In line 110540, delete "1728.07,"

In line 110598, delete "4115.03, 4115.033,"

In line 110599, delete everything before "4117.01,"

In line 110656, delete "122.0818,"

In line 110657, delete "122.452, "; delete "165.031,"

In line 110658, delete "1551.13,"

In line 110668, delete "3706.042,"

In line 110669, delete "4115.032, 4582.37, 4981.23,"

Delete lines 120476 through 120484

In line 122918, delete "4115.101"

Delete lines 122963, 122963a, and 122963b

Delete lines 122977, 122977a, and 122977b

Delete lines 123041 and 123042

In line 21 of the title, delete "166.02,"

In line 70 of the title, delete "1728.07,"

In line 149 of the title, delete "4115.03,"

Delete line 150 of the title

In line 151 of the title, delete "4115.16, 4116.01,"

In line 294 of the title, delete "122.0818, "; delete "122.452,"

In line 295 of the title, delete "165.031,"

In line 296 of the title, delete "1551.13,"

In line 309 of the title, delete "3706.042,"

In line 311 of the title, delete "4115.032, 4582.37, "4981.23,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 57, nays 42, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Landis	Maag
Martin	McClain	McGregor	McKenney
Mecklenborg	Newbold	Peterson	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Stebelton
Thompson	Uecker	Wachtmann	Young
			Batchelder-57.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Johnson
Kozlowski	Letson	Luckie	Lundy
Mallory	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-42.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Carney moved to amend as follows:

In line 494, delete "5727.85, 5727.86,"

Delete lines 102533 through 102600

Reinsert lines 102605 through 102614

Delete lines 102615 through 102617a

In line 102622, delete "For fiscal years before fiscal year 2012:"

In line 102623, delete "(a)"

In line 102627, reinsert "(2)"; delete "(b)"

Delete lines 102631 and 102632

Delete lines 102811 through 103287

In line 110647, delete "5727.85, 5727.86,"

Between lines 122672 and 122673, insert:

"Section 757. __. Revenues and transfers to the General Revenue Fund that exceed \$26,977,500,000 for fiscal years 2012 and \$28,716,900,000 for fiscal year 2013 (the executive budget's assumptions for such amounts) shall be credited to the school district property tax replacement fund, the local government property tax replacement fund, the school district tangible property tax replacement fund, and the local government tangible property tax replacement fund in amounts proportionate to the amounts credited to such funds in fiscal year 2011, and used, together with amounts credited to those funds from other sources, to make the payments required under sections 5727.85, 5727.86, 5751.21, and 5751.22 of the Revised Code. The Director of Budget and Management shall transfer all revenue credited under this section annually on or before the last day of fiscal year 2012 and fiscal year 2013."

In line 122922, delete "5727.85, 5727.86,"

In line 215 of the title, delete "5727.85, 5727.86,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Sears moved to amend as follows:

In line 547, delete "3727.60,"

Delete lines 61735 and 61749

In line 282 of the title, delete "3727.60,"

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

The yeas and nays were taken and resulted - yeas 99, 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	Boyd	Brenner	Bubp
Buchy	Budish	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, C.	Hagan, R.	Hall	Hayes
Heard	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Luckie	Lundy	Maag
Mallory	Martin	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-99.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Dovilla moved to amend as follows:

Delete lines 113943 through 113965 and insert:

"(A) For each of fiscal years 2012 and 2013, the Department of Education shall compute and pay supplemental operating funding for each city, exempted village, and local school district according to the following formula:

{[(The final amount computed for fiscal year 2011 under the line on the district's PASS form entitled "State Resources for the Foundation Funding Program" minus the portion of that amount paid from funds received under the American Recovery and Reinvestment Act State Fiscal Stabilization Fund) plus the payments received by the district for fiscal year 2011 under sections 5727.85 and 5751.21 of the Revised Code] times 0.80} minus (the amount computed for the district for the current fiscal year under Section 267.30.50 of this act plus the payments received by the district for the current fiscal year under sections 5727.85 and 5751.21 of the Revised Code).

(B) If the computation made under division (A) of this section results in a negative number, the district's funding under this section shall be zero."

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 80, nays 19, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Antonio
Ashford	Balderson	Barnes	Beck
Blair	Blessing	Boose	Boyd
Brenner	Bubp	Buchy	Budish
Burke	Butler	Carey	Clyde
Coley	Combs	Damschroder	Derickson
Driehaus	Duffey	Fedor	Gentile
Gonzales	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	Newbold	O'Brien
Okey	Patmon	Peterson	Phillips
Reece	Rosenberger	Ruhl	Schuring
Sears	Slaby	Slesnick	Sprague
Stautberg	Stebelton	Sykes	Szollosi
Thompson	Uecker	Wachtmann	Weddington
Williams	Winburn	Young	Yuko-80.

Those who voted in the negative were: Representatives

Anielski	Baker	Carney	Celeste
DeGeeter	Dovilla	Fende	Foley
Gardner	Garland	Gerberry	Goodwin
Martin	Murray	Pillich	Ramos
Roegner	Stinziano		Batchelder-19.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Barnes moved to amend as follows:

In line 549, after "4781.54," insert "4905.98,"

Between lines 76953 and 76954, insert:

" Sec. 4905.98. Public utilities shall do their best to include minority and bilingual consumer outreach, which includes, but is not limited to, newspaper. As used in this section, "minority" has the same meaning as in section 184.17 of the Revised Code."

In line 284 of the title, after "4781.54," insert "4905.98,"

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

The yeas and nays were taken and resulted - yeas 97, nays 2, 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	Boyd	Brenner	Bubp
Buchy	Budish	Burke	Butler
Carey	Carney	Celeste	Clyde
Coley	Damschroder	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
Martin	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	Winburn	Young	Yuko
			Batchelder-97.

Representatives Combs and Williams voted in the negative-2.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Lundy moved to amend as follows:

Between lines 122802 and 122803, insert:

"Section 757.____. The Director of the Department of Administrative Services shall conduct a review of each township, municipal corporation, county, and any other subdivision that receives funds directly or indirectly from the Local Government Fund, and, not later than November 15, 2011, May 15, 2012, November 15, 2012, and May 15, 2013, submit a cumulative written report to the Speaker of the House of Representatives and President of the Senate providing the following:

(A) The number of employee positions in each township, municipal corporation, county, and any other subdivision that receives funds directly or indirectly from the Local Government Fund compared with the number of positions on July 1, 2011, and every previous report required under this section.

(B) Any program and service reductions made by each township, municipal corporation, county, and any other subdivision that receives funds directly or indirectly from the Local Government Fund since July 1, 2011.

(C) The number of property tax levies proposed and submitted to electors on or after July 1, 2011, by each township, municipal corporation, county, and any other subdivision that receives funds directly or indirectly from the Local Government Fund.

(D) An accounting of the difference between (1) monthly revenue credited to the General Revenue Fund from the kilowatt-hour tax receipts fund and the commercial activities tax receipts fund in accordance with division (B) of section 5727.84 and division (B) of section 5751.20 of the Revised Code as those sections are amended by this act, beginning with July 2011, and (2) the monthly revenue that would have been so credited if those sections had not been so amended by this act.

(E) The number of shared service agreements entered into under section 9.482 of the Revised Code on or after July 1, 2011.

(F) A review of the cost and performance effectiveness of each shared service agreement entered into under section 9.482 of the Revised Code on or after July 1, 2011.

The report shall be organized by each subdivision reviewed. The Director shall post the report on the Department's web site. The Director may designate an employee of the Department to conduct the review and issue the report.

Section 757.____. (A) As used in this section, "police and fire personnel" means any of the following:

(1) A sheriff or deputy sheriff;

- (2) A municipal police officer;
- (3) A township constable or police officer in a township police department or district;
- (4) A regional transit authority police officer;
- (5) A person who is in the employ of a fire department of a municipal corporation or a township as a fire cadet, full-time regular firefighter, or promoted rank.

(B) The Director of the Department of Job and Family Services shall prepare and issue a cumulative quarterly report listing the number of persons who had mostly recently been employed as, but were no longer employed as police and fire personnel who filed for unemployment benefit claims between July 1, 2011, and June 30, 2013. Not later than November 15, 2011, February 15, 2012, May 15, 2012, August 15, 2012, November 15, 2012, February 15, 2013, May 15, 2013, and August 15, 2013, the Director shall submit the report to the Speaker of the House of Representatives and President of the Senate.

The report shall be organized by county. The Director shall post the Report on the Department's web site. The Director may designate an employee of the Department to prepare and issue the report."

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry

Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-40.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Clyde moved to amend as follows:

Between lines 58702 and 58703, insert:

" (E) Nothing in the chancellor's plan or the plan adopted by the general assembly shall exempt charter universities from restrictions imposed on state institutions of higher education with regard to raising general and instructional fees, room and board, or any other charge made to students. "

In line 118617, before "The" insert "(A)"

In line 118619, after "undergraduate" insert "and graduate"; after "fees" insert "and out-of-state undergraduate and graduate tuition surcharges"

In line 118620, after "undergraduate" insert "and graduate"

In line 118621, after "fees" insert ", or its out-of-state undergraduate and graduate tuition surcharges,"

In line 118622, after the period insert "Each state-assisted institution shall not increase its room and board charges more than 5 per cent over what the institution charged for the preceding academic year.

(B) Cuts by state-assisted institutions to offset caps set by this section shall not result in fees charged to students increasing by more than 5 per cent over the previous fiscal year. As used in this division, "fees" do not include instructional and general fees, out-of-state tuition surcharges, or course-specific fees."

In line 118623, before "These" insert "(C)"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Phillips moved to amend as follows:

In line 409, delete "3314.01, 3314.013," and insert "3314.014,"; delete "3314.021,"

In line 410, delete "3314.026,"; delete "3314.04,"

In line 526, delete "3314.016," and insert "3314.026,"

In line 540, delete "3314.029," and insert "3314.019, 3314.0110, 3314.351,"

Delete lines 46195 through 46317 and insert:

"Sec. 3314.014. (A) ~~As used in this chapter, "operator" means either of the following:~~

~~(1) An individual or organization that manages the daily operations of a community school pursuant to a contract between the operator and the school's governing authority;~~

~~(2) A nonprofit organization that provides programmatic oversight and support to a community school under a contract with the school's governing authority and that retains the right to terminate its affiliation with the school if the school fails to meet the organization's quality standards.~~

~~(B)~~(1) Notwithstanding the limit prescribed by division (A)(4) of section

3314.013 of the Revised Code, a start-up school sponsored by an entity described in divisions (C)(1)(b) to (f) of section 3314.02 of the Revised Code may be established after the date that limit is reached, provided the school's governing authority enters into a contract with an operator permitted to manage the school under division ~~(C)~~ (B) of this section.

(2) Notwithstanding the limit prescribed by division (A)(5) of section 3314.013 of the Revised Code, a conversion school that is an internet- or computer-based community school or a start-up school sponsored by the school district in which the school is or is proposed to be located may be established after the date that limit is reached, provided the school's governing authority enters into a contract with an operator permitted to manage the school under division ~~(C)~~ (B) of this section. However, a conversion school that is an internet- or computer-based community school may be established after that date only if the prohibition prescribed by division (A)(6) of section 3314.013 of the Revised Code is no longer in effect.

~~(C)~~ (B) An operator may enter into contracts with the governing authorities of community schools established after the date the limit prescribed by division (A)(4) or (5) of section 3314.013 of the Revised Code, as applicable, is reached, provided the total number of schools for which the operator enters into such contracts, excluding conversion schools that are not internet- or computer-based community schools, does not exceed the number of community schools managed by the operator in Ohio or other states on the applicable date that are rated excellent, effective, or in need of continuous improvement pursuant to section 3302.03 of the Revised Code or perform comparably to schools so rated, as determined by the department of education.

~~(D)~~ (C) Notwithstanding the limit prescribed by division (A)(4) of section 3314.013 of the Revised Code, after the date the limit prescribed in that division is reached, the governing authority of a start-up school sponsored by an entity described in divisions (C)(1)(b) to (f) of section 3314.02 of the Revised Code may establish one additional school serving the same grade levels and providing the same educational program as the current start-up school and may open that additional school in the 2006-2007 school year, if both of the following conditions are met:

(1) The governing authority entered into another contract with the same sponsor or a different sponsor described in divisions (C)(1)(b) to (f) of section 3314.02 of the Revised Code and filed a copy of that contract with the superintendent of public instruction prior to March 15, 2006.

(2) The governing authority's current school satisfies all of the following conditions:

(a) The school currently is rated as excellent or effective pursuant to section 3302.03 of the Revised Code.

(b) The school made adequate yearly progress, as defined in section 3302.01 of the Revised Code, for the previous school year.

(c) The school has been in operation for at least four school years.

(d) The school is not managed by an operator."

In line 46369, delete " 3314.016" and insert " 3314.0110"

In line 46371, delete " up to one hundred"; reinsert "as follows"

In line 46373, reinsert the colon

Reinsert lines 46374 through 46400

In line 46401, reinsert all before the period

Between lines 46448 and 46449, insert:

" **Sec. 3314.019.** (A) If a community school is under an academic watch or in a state of academic emergency under section 3302.03 of the Revised Code on the effective date of this section, the school's operator, if any, shall not be permitted to enter into a contract with the governing authorities of any additional community schools for the operation of those schools.

(B) If the governing authority of a community school entered into a contract with an operator prior to the effective date of this section under which the operator will begin to manage the school in the 2011-2012 school year and the operator is prohibited from operating additional schools under division (A) of this section, that contract shall be void."

In line 46449, delete " **3314.016.**" and insert " **3314.0110.**"

In line 46619, reinsert "sections"; delete " section"; after "3314.013" reinsert the balance of the line

In line 46620, reinsert "and 3314.017"

In line 46629, delete all after "board"

Delete line 46630

In line 46631, delete " section 3314.03 of the Revised Code."

Delete lines 46648 through 46653 and insert:

" (5) No operator or employee of the operator shall have any role in the selection of the members of the governing authority of a community school for which the operator provides services.

(6) No member of the governing authority of any community school shall be compensated for service on the governing authority."

In line 46654, delete " (6)" and insert " (7)"

Delete lines 46692 through 46829 and insert:

" **Sec. 3314.026.** If the governing authority of a community school intends to terminate its contract with the school's operator prior to expiration or intends not to renew that contract upon expiration, the governing authority shall

notify the operator of that intent and afford the operator an opportunity to offer to the governing authority a proposal for continued operation of the school. The governing authority shall consider the proposal, if offered, and upon that consideration may decide whether to terminate or not to renew the operator's contract with the governing authority."

In line 46836, reinsert "either"; delete " any"

In line 46841, delete the underlined semicolon

Delete lines 46842 and 46843

In line 46844, delete all before the period

In line 46939, after "sections" insert " 3313.671,"; reinsert "3313.674"; delete " 3313.671" and insert an underlined comma

In line 47082, delete all after "school"

In line 47083, delete " school"

In line 47099, reinsert all after the period

Reinsert lines 47100 and 47101

Delete lines 47102 through 47112

In line 47141, delete " former"

In line 47917, strike through "The" and insert " (3) If a student withdraws from an internet- or computer-based community school prior to the end of the school year, the department shall deduct from the community school's remaining payments under this section and section 3314.13 of the Revised Code an aggregate amount equal to seventy-five per cent of the amount for that school year attributable to that student paid to the school under this section and section 3314.13 of the Revised Code prior to the student's withdrawal, and shall credit that amount to the school district in which the student is entitled to attend school.

(4) The"

Between lines 48763 and 48764, insert:

" **Sec. 3314.351.** No community school that is permanently closed under section 3314.35 of the Revised Code may be reopened under another name if any of the following conditions are true:

(A) The new school has the same sponsor as the closed school.

(B) The new school has the same operator as the closed school.

(C) The governing authority of the new school consists of any of the same members that served on the governing authority of the closed school during that school's last year of operation.

(D) Thirty per cent or more of the teaching staff of the new school consists of same individuals who were employed as teachers at the closed school

during that school's last year of operation.

(E) Thirty per cent or more of the administrative staff of the new school consists of the same individuals who were employed as administrators at the closed school during that school's last year of operation.

(F) A majority of the students enrolled in the new school were enrolled in the closed school during that school's last year of operation."

Delete lines 48823 through 48837 and insert:

" Sec. 3314.50. If the governing authority of a community school contracts with an operator, all of the following shall apply:

(A) The contract shall specify the rights and responsibilities of the governing authority and the operator, and shall include an itemization of the educational and noneducational services to be provided by the operator and the fee to be charged for the provision of each of those services.

(B) The contract shall not require the governing authority to pay any fee to the operator for terminating or not renewing the contract.

(C) The governing authority shall not relinquish its authority to oversee the school's finances and to approve all expenditures of state and federal funds received by the school.

(D) The governing authority shall not obtain any legal services, financial or accounting services, or auditing services from the operator or any subsidiary of the operator and the contract shall provide for the governing authority to retain sufficient funds to obtain those services from another entity.

(E) No employee of the operator or any subsidiary of the operator shall serve as the school's fiscal officer under section 3314.011 of the Revised Code.

(F) All items that are purchased with funds paid to the operator by the governing authority for the operation of the school, including but not limited to, textbooks and other curricular materials, computer hardware and software, equipment, and furnishings, shall be the property of the school and the school shall retain ownership of those items if the governing authority terminates or does not renew the contract with the operator.

(G) If the operator provides any financial loan to the governing authority, the terms of the loan, including the interest rate and repayment schedule, shall be specified in writing. The interest charged on the loan shall not exceed fair market rates."

In line 110561, delete "3314.01, 3314.013," and insert "3314.014,"; delete "3314.021,"

In line 110562, delete "3314.026,"; delete "3314.04,"

In line 110665, delete "3314.014, 3314.016, 3314.017,"; after "3314.025," insert "3314.026,"

In line 110666, delete "3314.082,"

In line 114375, delete "former"

In line 122904, after "3313.981," insert "3314.019,"

Between lines 123024 and 123025, insert:

"Section 3314.014 of the Revised Code as amended by Am. Sub. H.B. 79 and Am. Sub. H.B. 276 of the 126th General Assembly."

In line 98 of the title, delete "3314.01, 3314.013," and insert "3314.014,"

In line 99 of the title, delete "3314.021, 3314.026,;" delete "3314.04,"

In line 256 of the title, delete "3314.016," and insert "3314.026,"

In line 274 of the title, delete "3314.029," and insert "3314.019, 3314.0110, 3314.351,"

In line 306 of the title, delete "3314.014, 3314.016, 3314.017,;" delete "3314.082," and insert "3314.026,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 58, nays 41, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Sears	Slaby	Sprague	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon

Phillips	Pillich	Ramos	Reece
Schuring	Slesnick	Stinziano	Sykes
Szollosi	Weddington	Williams	Winburn
			Yuko-41.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative McGregor moved to amend as follows:

In line 69895, delete " or (6)"

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

The yeas and nays were taken and resulted - yeas 85, nays 14, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antonio	Ashford	Baker
Balderson	Barnes	Beck	Blair
Blessing	Boose	Boyd	Brenner
Bubp	Buchy	Budish	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, C.
Hagan, R.	Hall	Hayes	Heard
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Letson	Luckie
Lundy	Mallory	McClain	McGregor
McKenney	Mecklenborg	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Peterson	Phillips	Pillich	Ramos
Reece	Ruhl	Schuring	Sears
Slesnick	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Weddington
Williams	Winburn	Young	Yuko
			Batchelder-85.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Burke
Butler	Landis	Maag	Martin
Roegner	Rosenberger	Slaby	Thompson
Uecker			Wachtmann-14.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Young moved to amend as follows:

Between lines 114537 and 114538, insert:

"Section 267.____.____. A new conversion community school established under division (B) of section 3314.02 of the Revised Code may open for operation in the 2011-2012 school year, notwithstanding the deadlines prescribed by division (D) of section 3314.02 of the Revised Code for adoption and signing of the contract under section 3314.03 of the Revised Code, but those parties shall adopt and sign the contract, and file a copy of it with the Superintendent of Public Instruction, prior to the school's opening."

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

The yeas and nays were taken and resulted - yeas 98, 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	Boyd	Brenner	Bubp
Buchy	Budish	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, C.	Hagan, R.	Hall	Hayes
Heard	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Luckie	Lundy	Maag
Mallory	Martin	McClain	McGregor
McKenney	Mecklenborg	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Peterson	Phillips	Pillich	Ramos
Reece	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Stinziano	Sykes
Szollosi	Thompson	Uecker	Wachtmann
Weddington	Williams	Winburn	Young
Yuko			Batchelder-98.

Representative Slesnick voted in the negative-1.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Ashford moved to amend as follows:

In line 533, delete "306.322, 306.55, 306.551,"

Delete lines 15308 through 15414

Delete lines 15918 through 15969

In line 265 of the title, delete "306.322, 306.55,"

In line 266 of the title, delete "306.551,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 58, nays 41, 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	Hagan, C.
Hall	Hayes	Henne	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	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	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Hollington
Letson	Luckie	Lundy	Mallory
Milkovich	Murray	O'Brien	Okey
Patmon	Phillips	Pillich	Ramos
Reece	Slesnick	Stinziano	Sykes
Szollosi	Weddington	Williams	Winburn
			Yuko-41.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Maag moved to amend as follows:

In line 113759, delete "For fiscal"

Delete lines 113760 through 113768

In line 113769, delete "the Center's allocation for the current fiscal year."

In line 113770, delete "redistribute" and insert "distribute"; delete "deducted"; delete "to other"

In line 113771, delete "Educational Service Centers"

In line 113772, after "3317.024" insert ", division (E) of section 3317.05,

and divisions (A), (B), and (C) of section 3317.053"

In line 113773, delete "it" and insert "they"; after the period insert "Any remaining funds shall be used as an additional supplement to each city, exempted village, and local school district for identifying gifted students under Chapter 3324. of the Revised Code."

In line 113911, delete the second "and" and insert ","

In line 113912, after "education" insert ", and the amount allocated to gifted education"

In line 113933, after the period insert "The amounts allocated to gifted education shall be the amounts districts received for gifted unit funding and supplemental identification funds in fiscal year 2009, either directly or through funds allocated to educational service centers."

In line 113934, after "monitor" insert "and enforce"

In line 113936, after "education" insert "and gifted education"

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

The yeas and nays were taken and resulted - yeas 58, nays 41, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Antonio	Ashford	Barnes
Beck	Boyd	Budish	Butler
Carney	Celeste	Clyde	Coley
Damschroder	DeGeeter	Driehaus	Fedor
Fende	Foley	Gardner	Garland
Gentile	Gerberry	Gonzales	Goyal
Grossman	Hagan, C.	Hagan, R.	Hayes
Heard	Henne	Hottinger	Letson
Luckie	Lundy	Maag	Mallory
McKenney	Milkovich	Murray	O'Brien
Okey	Patmon	Phillips	Pillich
Ramos	Reece	Rosenberger	Slesnick
Stebelton	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Young
Yuko			Batchelder-58.

Those who voted in the negative were: Representatives

Adams J.	Amstutz	Anielski	Baker
Balderson	Blair	Blessing	Boose
Brenner	Bubp	Buchy	Burke
Carey	Combs	Derickson	Dovilla
Duffey	Goodwin	Hackett	Hall
Hollington	Huffman	Johnson	Kozlowski
Landis	Martin	McClain	McGregor
Mecklenborg	Newbold	Peterson	Roegner
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Thompson	Uecker
			Wachtmann-41.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Luckie moved to amend as follows:

In line 409, after "3314.01," insert "3314.012,"

In line 412, delete "3314.35, 3314.36,"

In line 526, after "3314.016," insert "3314.35,"

In line 40263, strike through "and section 3314.36"

Between lines 46215 and 46216, insert:

"Sec. 3314.012. (A) Within ninety days of September 28, 1999, the superintendent of public instruction shall appoint representatives of the department of education, including employees who work with the education management information system and employees of the office of community schools established by section 3314.11 of the Revised Code, to a committee to develop report card models for community schools. The director of the legislative office of education oversight shall also appoint representatives to the committee. The committee shall design model report cards appropriate for the various types of community schools approved to operate in the state. Sufficient models shall be developed to reflect the variety of grade levels served and the missions of the state's community schools. All models shall include both financial and academic data. The initial models shall be developed by March 31, 2000.

(B) The department of education shall issue an annual report card for each community school, regardless of how long the school has been in operation. The report card shall report the academic and financial performance of the school utilizing one of the models developed under division (A) of this section. The report card shall include all information applicable to school buildings under division (A) of section 3302.03 of the Revised Code. ~~The ratings a community school receives under section 3302.03 of the Revised Code for its first two full school years shall not be considered toward automatic closure of the school under section 3314.35 of the Revised Code or any other matter that is based on report card ratings.~~

(C) Upon receipt of a copy of a contract between a sponsor and a community school entered into under this chapter, the department of education shall notify the community school of the specific model report card that will be used for that school.

(D) Report cards shall be distributed to the parents of all students in the community school, to the members of the board of education of the school district in which the community school is located, and to any person who requests one from the department."

Strike through lines 46952 through 46955

In line 46956, strike through "of the Revised Code."

In line 47213, after "under" insert "former"

In line 47364, strike through all after "the"

Strike through line 47365

In line 47366, strike through all before the period and insert "following:"

(a) For fiscal year 2012, for all community schools, \$5,653;

(b) For fiscal year 2013:

(i) For any community school rated on the report card issued for the 2011-2012 school year, under sections 3302.03 and 3314.012 of the Revised Code, as in a state of academic watch or academic emergency, \$5,653;

(ii) For any community school rated on the report card issued for the 2011-2012 school year, under sections 3302.03 and 3314.012 of the Revised Code, as continuous improvement or higher, \$5,732"

In line 47441, strike through all after "(g)"

In line 47442, strike through "(h)"

In line 47444, strike through "(i)" and insert "(h)"

In line 47470, strike through "of that community school"

In line 47480, strike through "community"

In line 47481, strike through "school's"

In line 47602, strike through "community school's"

In line 47621, strike through "school's"

In line 47625, strike through "community school's"

In line 47652, strike through "community school's"

In line 48032, delete "\$5,653" and insert "the applicable amount prescribed by section 3314.08 of the Revised Code"

Delete lines 48647 through 48806 and insert:

" **Sec. 3314.35.** Beginning with the performance ratings issued for the 2010-2011 school year, any community school that is declared to be under an academic watch or in a state of academic emergency under section 3302.03 of the Revised Code for two consecutive school years shall permanently close at the conclusion of the school year in which the school first becomes subject to this section. The sponsor and governing authority of the school shall comply with all procedures for closing a community school adopted by the department of education under division (E) of section 3314.015 of the Revised Code. The governing authority of the school shall not enter into a contract with any other sponsor under section 3314.03 of the Revised Code after the school closes."

In line 48812, delete "has been" and insert "was"; after "under" insert "former"

In line 110561, after "3314.01," insert "3314.012,"

In line 110564, delete "3314.35, 3314.36,"

In line 110666, after "3314.085," insert "3314.35, 3314.36,"

In line 122904, after "3313.981," insert "3314.012,"

In line 122906, after "3314.35," insert "3314.36,"

Between lines 122963b and 122964, insert:

"3301.0712	All amendments except as described in the right-hand column	The amendment striking "and section 3314.36"
------------	---	--

In line 98 of the title, after "3314.01," insert "3314.012,"

In line 102 of the title, delete "3314.35, 3314.36,"

In line 256 of the title, after "3314.016," insert "3314.35,"

In line 307 of the title, after "3314.085," insert "3314.35, 3314.36,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 58, nays 41, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Sears	Slaby	Sprague	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson

Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Reece
Schuring	Slesnick	Stinziano	Sykes
Szollosi	Weddington	Williams	Winburn
			Yuko-41.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Foley moved to amend as follows:

In line 428, after "3506.05," insert "3517.13,"

Between lines 59745 and 59746, insert:

"Sec. 3517.13. (A)(1) No campaign committee of a statewide candidate shall fail to file a complete and accurate statement required under division (A)(1) of section 3517.10 of the Revised Code.

(2) No campaign committee of a statewide candidate shall fail to file a complete and accurate monthly statement, and no campaign committee of a statewide candidate or a candidate for the office of chief justice or justice of the supreme court shall fail to file a complete and accurate two-business-day statement, as required under section 3517.10 of the Revised Code.

As used in this division, "statewide candidate" has the same meaning as in division (F)(2) of section 3517.10 of the Revised Code.

(B) No campaign committee shall fail to file a complete and accurate statement required under division (A)(1) of section 3517.10 of the Revised Code.

(C) No campaign committee shall fail to file a complete and accurate statement required under division (A)(2) of section 3517.10 of the Revised Code.

(D) No campaign committee shall fail to file a complete and accurate statement required under division (A)(3) or (4) of section 3517.10 of the Revised Code.

(E) No person other than a campaign committee shall knowingly fail to file a statement required under section 3517.10 or 3517.107 of the Revised Code.

(F) No person shall make cash contributions to any person totaling more than one hundred dollars in each primary, special, or general election.

(G)(1) No person shall knowingly conceal or misrepresent contributions given or received, expenditures made, or any other information required to be reported by a provision in sections 3517.08 to 3517.13 and 3517.17 of the Revised Code.

(2)(a) No person shall make a contribution to a campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, or person making disbursements to pay the direct costs of

producing or airing electioneering communications in the name of another person.

(b) A person does not make a contribution in the name of another when either of the following applies:

(i) An individual makes a contribution from a partnership or other unincorporated business account, if the contribution is reported by listing both the name of the partnership or other unincorporated business and the name of the partner or owner making the contribution as required under division (I) of section 3517.10 of the Revised Code.

(ii) A person makes a contribution in that person's spouse's name or in both of their names.

(H) No person within this state, publishing a newspaper or other periodical, shall charge a campaign committee for political advertising a rate in excess of the rate such person would charge if the campaign committee were a general rate advertiser whose advertising was directed to promoting its business within the same area as that encompassed by the particular office that the candidate of the campaign committee is seeking. The rate shall take into account the amount of space used, as well as the type of advertising copy submitted by or on behalf of the campaign committee. All discount privileges otherwise offered by a newspaper or periodical to general rate advertisers shall be available upon equal terms to all campaign committees.

No person within this state, operating a radio or television station or network of stations in this state, shall charge a campaign committee for political broadcasts a rate that exceeds:

(1) During the forty-five days preceding the date of a primary election and during the sixty days preceding the date of a general or special election in which the candidate of the campaign committee is seeking office, the lowest unit charge of the station for the same class and amount of time for the same period;

(2) At any other time, the charges made for comparable use of that station by its other users.

(I) Subject to divisions (K), (L), (M), and (N) of this section, no agency or department of this state or any political subdivision shall award any contract, other than one let by competitive bidding or a contract incidental to such contract or which is by force account, for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars to any individual, partnership, association, including, without limitation, a professional association organized under Chapter 1785. of the Revised Code, estate, or trust if the individual has made or the individual's spouse has made, or any partner, shareholder, administrator, executor, or trustee or the spouse of any of them has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of one thousand dollars to the holder of the public office having ultimate responsibility for the award of the contract or to the

public officer's campaign committee.

(J) Subject to divisions (K), (L), (M), and (N) of this section, no agency or department of this state or any political subdivision shall award any contract, other than one let by competitive bidding or a contract incidental to such contract or which is by force account, for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars to a corporation or business trust, except a professional association organized under Chapter 1785. of the Revised Code, if an owner of more than twenty per cent of the corporation or business trust or the spouse of that person has made, as an individual, within the two previous calendar years, taking into consideration only owners for all of that period, one or more contributions totaling in excess of one thousand dollars to the holder of a public office having ultimate responsibility for the award of the contract or to the public officer's campaign committee.

(K) For purposes of divisions (I) and (J) of this section, if a public officer who is responsible for the award of a contract is appointed by the governor, whether or not the appointment is subject to the advice and consent of the senate, excluding members of boards, commissions, committees, authorities, councils, boards of trustees, task forces, and other such entities appointed by the governor, the office of the governor is considered to have ultimate responsibility for the award of the contract.

(L) For purposes of divisions (I) and (J) of this section, if a public officer who is responsible for the award of a contract is appointed by the elected chief executive officer of a municipal corporation, or appointed by the elected chief executive officer of a county operating under an alternative form of county government or county charter, excluding members of boards, commissions, committees, authorities, councils, boards of trustees, task forces, and other such entities appointed by the chief executive officer, the office of the chief executive officer is considered to have ultimate responsibility for the award of the contract.

(M)(1) Divisions (I) and (J) of this section do not apply to contracts awarded by the board of commissioners of the sinking fund, municipal legislative authorities, boards of education, boards of county commissioners, boards of township trustees, or other boards, commissions, committees, authorities, councils, boards of trustees, task forces, and other such entities created by law, by the supreme court or courts of appeals, by county courts consisting of more than one judge, courts of common pleas consisting of more than one judge, or municipal courts consisting of more than one judge, or by a division of any court if the division consists of more than one judge. This division shall apply to the specified entity only if the members of the entity act collectively in the award of a contract for goods or services.

(2) Divisions (I) and (J) of this section do not apply to actions of the controlling board.

(N)(1) Divisions (I) and (J) of this section apply to contributions made to the holder of a public office having ultimate responsibility for the award of a

contract, or to the public officer's campaign committee, during the time the person holds the office and during any time such person was a candidate for the office. Those divisions do not apply to contributions made to, or to the campaign committee of, a candidate for or holder of the office other than the holder of the office at the time of the award of the contract.

(2) Divisions (I) and (J) of this section do not apply to contributions of a partner, shareholder, administrator, executor, trustee, or owner of more than twenty per cent of a corporation or business trust made before the person held any of those positions or after the person ceased to hold any of those positions in the partnership, association, estate, trust, corporation, or business trust whose eligibility to be awarded a contract is being determined, nor to contributions of the person's spouse made before the person held any of those positions, after the person ceased to hold any of those positions, before the two were married, after the granting of a decree of divorce, dissolution of marriage, or annulment, or after the granting of an order in an action brought solely for legal separation. Those divisions do not apply to contributions of the spouse of an individual whose eligibility to be awarded a contract is being determined made before the two were married, after the granting of a decree of divorce, dissolution of marriage, or annulment, or after the granting of an order in an action brought solely for legal separation.

(O) No beneficiary of a campaign fund or other person shall convert for personal use, and no person shall knowingly give to a beneficiary of a campaign fund or any other person, for the beneficiary's or any other person's personal use, anything of value from the beneficiary's campaign fund, including, without limitation, payments to a beneficiary for services the beneficiary personally performs, except as reimbursement for any of the following:

(1) Legitimate and verifiable prior campaign expenses incurred by the beneficiary;

(2) Legitimate and verifiable ordinary and necessary prior expenses incurred by the beneficiary in connection with duties as the holder of a public office, including, without limitation, expenses incurred through participation in nonpartisan or bipartisan events if the participation of the holder of a public office would normally be expected;

(3) Legitimate and verifiable ordinary and necessary prior expenses incurred by the beneficiary while doing any of the following:

(a) Engaging in activities in support of or opposition to a candidate other than the beneficiary, political party, or ballot issue;

(b) Raising funds for a political party, political action committee, political contributing entity, legislative campaign fund, campaign committee, or other candidate;

(c) Participating in the activities of a political party, political action committee, political contributing entity, legislative campaign fund, or campaign

committee;

(d) Attending a political party convention or other political meeting.

For purposes of this division, an expense is incurred whenever a beneficiary has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure or by the use of goods or services received on account.

(P) No beneficiary of a campaign fund shall knowingly accept, and no person shall knowingly give to the beneficiary of a campaign fund, reimbursement for an expense under division (O) of this section to the extent that the expense previously was reimbursed or paid from another source of funds. If an expense is reimbursed under division (O) of this section and is later paid or reimbursed, wholly or in part, from another source of funds, the beneficiary shall repay the reimbursement received under division (O) of this section to the extent of the payment made or reimbursement received from the other source.

(Q) No candidate or public official or employee shall accept for personal or business use anything of value from a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee other than the candidate's or public official's or employee's own campaign committee, and no person shall knowingly give to a candidate or public official or employee anything of value from a political party, political action committee, political contributing entity, legislative campaign fund, or such a campaign committee, except for the following:

(1) Reimbursement for legitimate and verifiable ordinary and necessary prior expenses not otherwise prohibited by law incurred by the candidate or public official or employee while engaged in any legitimate activity of the political party, political action committee, political contributing entity, legislative campaign fund, or such campaign committee. Without limitation, reimbursable expenses under this division include those incurred while doing any of the following:

(a) Engaging in activities in support of or opposition to another candidate, political party, or ballot issue;

(b) Raising funds for a political party, legislative campaign fund, campaign committee, or another candidate;

(c) Attending a political party convention or other political meeting.

(2) Compensation not otherwise prohibited by law for actual and valuable personal services rendered under a written contract to the political party, political action committee, political contributing entity, legislative campaign fund, or such campaign committee for any legitimate activity of the political party, political action committee, political contributing entity, legislative campaign fund, or such campaign committee.

Reimbursable expenses under this division do not include, and it is a

violation of this division for a candidate or public official or employee to accept, or for any person to knowingly give to a candidate or public official or employee from a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee other than the candidate's or public official's or employee's own campaign committee, anything of value for activities primarily related to the candidate's or public official's or employee's own campaign for election, except for contributions to the candidate's or public official's or employee's campaign committee.

For purposes of this division, an expense is incurred whenever a candidate or public official or employee has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure, or by the use of goods or services on account.

(R)(1) Division (O) or (P) of this section does not prohibit a campaign committee from making direct advance or post payment from contributions to vendors for goods and services for which reimbursement is permitted under division (O) of this section, except that no campaign committee shall pay its candidate or other beneficiary for services personally performed by the candidate or other beneficiary.

(2) If any expense that may be reimbursed under division (O), (P), or (Q) of this section is part of other expenses that may not be paid or reimbursed, the separation of the two types of expenses for the purpose of allocating for payment or reimbursement those expenses that may be paid or reimbursed may be by any reasonable accounting method, considering all of the surrounding circumstances.

(3) For purposes of divisions (O), (P), and (Q) of this section, mileage allowance at a rate not greater than that allowed by the internal revenue service at the time the travel occurs may be paid instead of reimbursement for actual travel expenses allowable.

(S)(1) As used in division (S) of this section:

(a) "State elective office" has the same meaning as in section 3517.092 of the Revised Code.

(b) "Federal office" means a federal office as defined in the Federal Election Campaign Act.

(c) "Federal campaign committee" means a principal campaign committee or authorized committee as defined in the Federal Election Campaign Act.

(2) No person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall transfer any funds or assets from that person's federal campaign committee for nomination or election to the federal office to that person's campaign committee as a candidate for state elective office.

(3) No campaign committee of a person who is a candidate for state

elective office and who previously sought nomination or election to a federal office shall accept any funds or assets from that person's federal campaign committee for that person's nomination or election to the federal office.

(T)(1) Except as otherwise provided in division (B)(6)(c) of section 3517.102 of the Revised Code, a state or county political party shall not disburse moneys from any account other than a state candidate fund to make contributions to any of the following:

(a) A state candidate fund;

(b) A legislative campaign fund;

(c) A campaign committee of a candidate for the office of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, or member of the general assembly.

(2) No state candidate fund, legislative campaign fund, or campaign committee of a candidate for any office described in division (T)(1)(c) of this section shall knowingly accept a contribution in violation of division (T)(1) of this section.

(U) No person shall fail to file a statement required under section 3517.12 of the Revised Code.

(V) No campaign committee shall fail to file a statement required under division (K)(3) of section 3517.10 of the Revised Code.

(W)(1) No foreign national shall, directly or indirectly through any other person or entity, make a contribution, expenditure, or independent expenditure or promise, either expressly or implicitly, to make a contribution, expenditure, or independent expenditure in support of or opposition to a candidate for any elective office in this state, including an office of a political party.

(2) No candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, or separate segregated fund shall solicit or accept a contribution, expenditure, or independent expenditure from a foreign national. The secretary of state may direct any candidate, committee, entity, fund, or party that accepts a contribution, expenditure, or independent expenditure in violation of this division to return the contribution, expenditure, or independent expenditure or, if it is not possible to return the contribution, expenditure, or independent expenditure, then to return instead the value of it, to the contributor.

(3) As used in division (W) of this section, "foreign national" has the same meaning as in section 441e(b) of the Federal Election Campaign Act.

(X)(1) No state or county political party shall transfer any moneys from its restricted fund to any account of the political party into which contributions may be made or from which contributions or expenditures may be made.

(2)(a) No state or county political party shall deposit a contribution or contributions that it receives into its restricted fund.

(b) No state or county political party shall make a contribution or an expenditure from its restricted fund.

(3)(a) No corporation or labor organization shall make a gift or gifts from the corporation's or labor organization's money or property aggregating more than ten thousand dollars to any one state or county political party for the party's restricted fund in a calendar year.

(b) No state or county political party shall accept a gift or gifts for the party's restricted fund aggregating more than ten thousand dollars from any one corporation or labor organization in a calendar year.

(4) No state or county political party shall transfer any moneys in the party's restricted fund to any other state or county political party.

(5) No state or county political party shall knowingly fail to file a statement required under section 3517.1012 of the Revised Code.

(Y) The administrator of workers' compensation and the employees of the bureau of workers' compensation shall not conduct any business with or award any contract, other than one awarded by competitive bidding, for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars to any individual, partnership, association, including, without limitation, a professional association organized under Chapter 1785. of the Revised Code, estate, or trust, if the individual has made, or the individual's spouse has made, or any partner, shareholder, administrator, executor, or trustee, or the spouses of any of those individuals has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of one thousand dollars to the campaign committee of the governor or lieutenant governor or to the campaign committee of any candidate for the office of governor or lieutenant governor.

(Z) The administrator of workers' compensation and the employees of the bureau of workers' compensation shall not conduct business with or award any contract, other than one awarded by competitive bidding, for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars to a corporation or business trust, except a professional association organized under Chapter 1785. of the Revised Code, if an owner of more than twenty per cent of the corporation or business trust, or the spouse of the owner, has made, as an individual, within the two previous calendar years, taking into consideration only owners for all of such period, one or more contributions totaling in excess of one thousand dollars to the campaign committee of the governor or lieutenant governor or to the campaign committee of any candidate for the office of governor or lieutenant governor.

(AA) No operator, as defined in section 3314.02 of the Revised Code, that has a contract with a community school established under Chapter 3314. of

the Revised Code shall, directly, or indirectly through any other person or entity, make a contribution to a candidate or to the campaign committee of a candidate for any elective office in this state."

In line 110580, after "3506.05," insert "3517.13,"

In line 124 of the title, after "3506.05," insert "3517.13,"

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

Representative Blessing moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 60, nays 39, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Reece	Roegner	Rosenberger
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Stebelton	Thompson
Uecker	Wachtmann	Young	Batchelder-60.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Slesnick
Stinziano	Sykes	Szollosi	Weddington
Williams	Winburn		Yuko-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Pillich moved to amend as follows:

In line 542, delete "3324.08,"

In line 47754, reinsert "or gifted"

In line 49336, strike through all after "Code"

In line 49337, strike through "funding are authorized"; delete " after"; strike through "fiscal"; delete " year"

In line 49338, delete " 2009"

In line 50443, after " (~~G~~)" insert " (G)"; reinsert the balance of the line

Reinsert lines 50444 through 50451

In line 50452, delete " (G)" and insert " (H)"

Reinsert lines 51566 through 51568

Reinsert line 51602

Reinsert line 51609

In line 51610, reinsert the comma; delete " or"

In line 51611, reinsert ", or (E)"

In line 51614, reinsert "division"; after " (~~E~~)" insert " (G)"; reinsert "of section 3317.024 and"

Reinsert lines 51650 through 51652

In line 51653, reinsert "amounts specified in division"; after " (~~E~~)" insert " (G)"; reinsert the balance of the line

Reinsert line 51654

In line 52072, delete " (G)" and insert " (H)"

Delete lines 56651 through 56655

In line 102486, after the underlined quotation mark insert " and division (G) of section 3317.024 of the Revised Code:"

In line 107698, delete the underlined period; after the underlined quotation mark insert " and division (G) of section 3317.024 of the Revised Code."

Between lines 113013 and 113014, insert:

"GRF 200521 Gifted Pupil Program \$47,000,000 \$47,000,000"

In line 113017, delete "\$5,470,788,773 \$5,560,484,181" and insert "\$5,423,788,773 \$5,513,484,181"

Between lines 113660 and 113661, insert:

"**Section** __. GIFTED PUPIL PROGRAM

Of the foregoing appropriation item 200521, Gifted Pupil Program, up to \$4,794,470 in each fiscal year may be used as an additional supplement for identifying gifted students under Chapter 3324. of the Revised Code.

The remainder of appropriation item 200521, Gifted Pupil Program, shall

be used for gifted education units not to exceed 1,110 in each fiscal year under division (G) of section 3317.024 and division (E) of section 3317.05 of the Revised Code."

In line 277 of the title, delete "3324.08,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Garland moved to amend as follows:

In line 25432, after "**1509.19.**" insert "(A) The chief of the division of oil and gas resources management shall adopt rules in accordance with Chapter 119. of the Revised Code establishing standards and procedures governing the underground injection of fluids or propping agents for purposes of the stimulation of a well. The standards and procedures shall be equivalent to the

standards and procedures established under the Safe Drinking Water Act that would have applied, but were excluded under the "Energy Policy Act of 2005," Pub. L. 109-58, sec. 322, 119 Stat. 594, 694, to the underground injection of fluids or propping agents for hydraulic fracturing operations related to oil and gas production activities.

(B)"

In line 25433, after "well" insert "in accordance with rules adopted under division (A) of this section and"

In line 25441, strike through "of the division of"; delete "oil and"

In line 25442, delete "gas"; strike through "resources management"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

5/5/11

The Honorable William G. Batchelder, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Batchelder,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on the motion to table the amendment to **Sub. H. B. No.**

153-Representative Amstutz, offered by Representative Garland, because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ CLAYTON LUCKIE

Clayton Luckie
State Representative
39th House District

The request was granted.

The yeas and nays were taken and resulted - yeas 59, nays 39, 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	Hagan, C.
Hall	Hayes	Henne	Hollington

Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Lundy	Mallory	Milkovich	Murray
O'Brien	Okey	Patmon	Phillips
Pillich	Ramos	Reece	Slesnick
Stinziano	Sykes	Szolloosi	Weddington
Williams	Winburn		Yuko-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Okey moved to amend as follows:

In line 535, after "1509.022," insert "1509.051,"

Between lines 24165 and 24166, insert:

" **Sec. 1509.051.** (A) As used in this section:

(1) "State park" means a state park established under Chapter 1541. of the Revised Code.

(2) "Nature preserve" means a nature preserve established under Chapter 1517. of the Revised Code.

(3) "Wilderness area" means a wilderness area established under state law, including section 1503.43 of the Revised Code.

(B) Beginning on the effective date of this section, stimulation of a well shall not occur in a state park, nature preserve, or wilderness area that is not subject to a federal prohibition on oil and gas exploration and production. However, this section does not apply to any lease for the exploration and production of oil or gas that was entered into prior to the effective date of this section."

In line 268 of the title, after "1509.022," insert "1509.051,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Goyal moved to amend as follows:

In line 528, after "9.482," insert "107.64,"

Between lines 2620 and 2621, insert:

" **Sec. 107.64.** (A) As used in this section:

(1) "Area agency on aging" has the same meaning as in section 173.14 of the Revised Code.

(2) "Children's hospital" has the same meaning as in section 3702.51 of the Revised Code.

(3) "HIV" has the same meaning as in section 3701.24 of the Revised Code.

(4) "Intermediate care facility for the mentally retarded" has the same meaning as in section 5111.20 of the Revised Code.

(B) Unless the governor rescinds executive order 2011-02K, which

created the office of health transformation, the office shall submit a monthly report on its activities and findings to the general assembly. The office shall submit the report in accordance with section 101.68 of the Revised Code.

(C) Each report submitted under this section shall contain at least the following information resulting from the efforts of the office in carrying out its duties:

(1) Cost containment results;

(2) Budgetary changes;

(3) Changes to rules;

(4) Quality outcomes;

(5) Resulting state, county, local, provider, and contractor employee job losses.

(D) When reporting the information under division (B) of this section, the office shall ensure that the information contains the following specific information:

(1) Regarding area agencies on aging:

(a) The number of job losses at each area agency on aging evaluation center;

(b) The quality of care provided to individuals served by each area agency on aging.

(2) Regarding adoption:

(a) The number of kinship caregiver adoptions finalized by each public children services agency in this state;

(b) The number of children in the permanent custody of each public children services agency in this state.

(3) Regarding adult protective services provided by county departments of job and family services:

(a) The number of job losses by adult protective services;

(b) The number of abused adults;

(c) The number of deaths resulting from preventable abuse.

(4) Regarding the assisted living program created under section 5111.89 of the Revised Code, the number of providers that reduce participation in the medicaid program;

(5) Regarding child care provided under Chapter 5104. of the Revised Code:

(a) The number of child care facility closures;

(b) The number of child care provider job losses;

(c) The total income lost by all parents who are denied child care benefits.

(6) Regarding child protective services provided by a public children services

agency:

(a) The number of abused children;

(b) The number of children denied services;

(c) The number of abused children who are foster children.

(7) Regarding each children's hospital in this state:

(a) A quality assessment of the level of care provided by each hospital;

(b) The total dollar amount lost because of services provided under the medicaid program;

(c) The number of children who are denied service or are provided reduced service.

(8) Regarding county departments of job and family services:

(a) Outcomes of the Ohio works first program created under Chapter 5107. of the Revised Code;

(b) The number of individuals dependent on public assistance;

(c) Any reduction in services in workforce training;

(d) Any reduction in services in transportation and housing assistance;

(e) Any reduction in services in obtaining child care;

(f) The total dollar amount paid into the state treasury to the credit of the general revenue fund from any amount previously paid to the credit of any county fund;

(g) The number of job losses at all county departments of job and family services.

(9) Regarding each child support enforcement agency:

(a) The number of parents denied services;

(b) The total dollar amount of child support collected;

(c) The total dollar amount owed to parents;

(d) The number of parents receiving any type of public assistance that have not received child support owed to them.

(10) Regarding county boards of developmental disabilities:

(a) The number of individuals on waiting lists for services;

(b) An assessment of the current risk to the state for noncompliance with federal law;

(c) The number of individuals denied services due to a reduction in funding.

(11) The number of private elderly care physician practices experiencing financial difficulty;

(12) The number of patients denied services provided by a freestanding dialysis center;

(13) Regarding food banks providing services in this state:

(a) The number of Ohioans considered to be hungry or malnourished;

(b) The status of the availability of affordable and nutritious food for all Ohioans.

(14) Regarding the department of health:

(a) The number of individuals diagnosed with cancer;

(b) The number of individuals with medical conditions that are preventable with vaccinations;

(c) The number of individuals with HIV who are denied drugs necessary for HIV care;

(d) The number of individuals with HIV who have higher acuity due to a denial or reduction of drugs necessary for HIV care;

(e) The number of pregnant women who are denied prenatal care as a result of employee reductions at local boards of health or health departments.

(15) Regarding hospitals:

(a) A quality assessment of the level of care provided by each hospital;

(b) An assessment of the financial stability of each hospital in this state;

(c) The total dollar amount lost because of services provided under the medicaid program.

(16) Regarding each intermediate care facility for the mentally retarded:

(a) A quality assessment of the level of care provided by each facility;

(b) The number of job losses at each facility;

(c) The employee turnover rate at each facility.

(17) Regarding boards of alcohol, drug addiction, and mental health services:

(a) The number of suicide hotline telephone calls unanswered;

(b) The number of additional state mental hospital beds needed as a result of an increase in admissions;

(c) Any reduction in school-based mental health programs;

(d) Any reduction in medications provided by a provider;

(e) The number of preventable deaths of mental or behavioral health patients;

(f) The number of homeless individuals who are homeless as a result of reductions in housing funding;

(g) The number of job losses at each board;

(h) The number of mentally ill individuals seeking emergency room services as a result of a mental illness;

(i) The number of accidental drug overdoses in each district.

(18) Regarding the PASSPORT program created under section 173.40 of the Revised Code:

(a) The employee turnover rate of each PASSPORT provider;

(b) The number of individuals transferred off the PASSPORT program and placed in assisted living facilities or skilled nursing facilities as a result of incidents occurring in the home;

(c) The number of individuals experiencing a loss in service utilization.

(19) Regarding smoking prevention:

(a) The number of individuals who begin smoking;

(b) The number of individuals with health conditions resulting from smoking;

(c) The number of deaths resulting from smoking or related health conditions.

(20) Regarding skilled nursing facilities:

(a) The number of hospitalizations of individuals receiving care in a facility;

(b) The number of job losses at each facility;

(c) The number of facility closures;

(d) A quality assessment of the level of care provided by each facility;

(e) The number of deaths or hospitalizations resulting from preventable medical conditions."

In line 259 of the title, after "9.482," insert "107.64,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski

Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Young moved to amend as follows:

In line 549, after "4911.021," insert "4933.29,"

Between lines 78093 and 78094, insert:

" **Sec. 4933.29.** As used in this section, "electric light company" has the same meaning as in section 4905.03 of the Revised Code.

(A) Every electric light company that stopped, between December 31, 2006 and the effective date of this section, discounts for electric home heating shall restore in full all such discounts.

(B) Every electric light company that stopped, between December 31, 2006 and the effective date of this section, either of the following programs shall restore in full any such programs:

(1) A program where the company incentivises a customer to use an electric-and-gas heating system and the company controls the electric portion;

(2) A program where the company incentivises a customer to use an electric water heater that may be controlled by the company.

(C) Every electric light company shall permanently maintain the following ratios after the effective date of this section:

(1) The ratio of the discounted rates for its customers that use electric home heating, to the rates for its other customers;

(2) The ratio of the discounted rates for the programs in division (B) of this section, to the rates for its other customers.

(D) The restored discounts for using electric home heating and the restored discounted rates for the programs in division (B) of this section shall run with the land. Customers that built or converted homes to use electric home heating after December 31, 2006, but prior to the effective date of this section also shall receive the discounts.

(E) The electric light company shall refund the amount in excess of the discount that was paid by a customer after the discounts stopped. The public utilities commission shall determine how the refunds shall be made."

In line 122919, after "4733.151," insert "4933.29,"

In line 284 of the title, after "4911.021," insert "4933.29,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 54, nays 45, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Balderson	Beck	Blair	Blessing
Brenner	Bubp	Buchy	Burke
Butler	Carey	Coley	Combs
Damschroder	Derickson	Duffey	Gardner
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hollington	Hottinger	Huffman	Johnson
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann			Batchelder-54.

Those who voted in the negative were: Representatives

Antonio	Ashford	Baker	Barnes
Boose	Boyd	Budish	Carney
Celeste	Clyde	DeGeeter	Dovilla
Driehaus	Fedor	Fende	Foley
Garland	Gentile	Gerberry	Goyal
Hagan, R.	Hard	Kozlowski	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Young
			Yuko-45.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Lundy moved to amend as follows:

In line 530, delete everything after "126.141,"

In line 554, delete "5120.092,"

In line 855, reinsert "of not more than two years" and delete "specified in the contract"

In line 870, reinsert "is accredited by the American"

In line 871, reinsert "correctional association and"

In line 894, reinsert "the contractor retain the contractor's"

Reinsert line 895

In line 896, reinsert "throughout the contract term or"

In line 897, delete "the contractor"

In line 984, reinsert "a state correctional institution"; delete "the facility"

In line 1020, reinsert "Authorization"; delete "If the facility is a state correctional"

In line 1021, delete "institution, authorization"

In line 1022, reinsert "a"; delete "the"; reinsert "operated and managed by a"

In line 1023, reinsert "contractor for the department"

In line 1029, reinsert "institution"; delete "facility"

In line 1174, delete everything after "(J)"

Delete lines 1175 through 1215

In line 1216, delete "(K)"

In line 1236, reinsert "the"; delete "any of the following:"

In line 1237, delete "(a) The"

In line 1240, reinsert ", or a"; delete "that is the subject of a contract"

Delete line 1241

In line 1242, delete "(b) Any"

In line 1243, delete ".including any"

Delete lines 1244 through 1248

In line 1249, delete everything before the period

Between lines 1254 and 1255, insert:

" (K) The department of rehabilitation and correction shall not contract for the private operation and management of any facility pursuant to this section on or after the effective date of this amendment."

Delete lines 8745 through 8923

Delete lines 21062 through 21065

In line 21066, delete "derived"

Delete lines 90631 through 90665

Delete lines 104287 through 104290

In line 104291, delete everything before the underlined comma

In line 104293, delete everything after "Code"

Delete lines 104294

In line 104295, delete everything before the underlined period

In line 105290, delete everything after "derived"

Delete lines 105291 through 105293

In line 105294, delete everything before "from"

In line 107414, delete "providing public"

Delete lines 107415 through 107417

In line 107418, delete "receipts directly attributed to"

Delete lines 110675 through 110677

Delete lines 121604 through 121958

Delete lines 122352 through 122445

In line 261 of the title, delete "126.60, 126.601,"

In line 262 of the title, delete "126.602, 126.603, 126.604, 126.605,"

In line 291 of the title, delete "5120.092,"

In line 329 of the title, delete "126.60, 126.601, 126.602,"

In line 330 of the title, delete everything before "to"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 56, nays 43, as follows:

Those who voted in the affirmative were: Representatives

Adams J.
Baker

Adams R.
Balderson

Amstutz
Beck

Anielski
Blair

Blessing	Brenner	Bubp	Buchy
Burke	Butler	Carey	Coley
Combs	Damschroder	Derickson	Dovilla
Duffey	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hollington	Hottinger	Huffman
Kozlowski	Landis	Maag	Martin
McClain	McGregor	McKenney	Mecklenborg
Newbold	Peterson	Roegner	Rosenberger
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Stebelton	Thompson
Uecker	Wachtmann	Young	Batchelder-56.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boose
Boyd	Budish	Carney	Celeste
Clyde	DeGeeter	Driehaus	Fedor
Fende	Foley	Gardner	Garland
Gentile	Gerberry	Goyal	Hagan, R.
Heard	Johnson	Letson	Luckie
Lundy	Mallory	Milkovich	Murray
O'Brien	Okey	Patmon	Phillips
Pillich	Ramos	Reece	Slesnick
Stinziano	Sykes	Szollosi	Weddington
Williams	Winburn		Yuko-43.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Hagan, R. moved to amend as follows:

In line 114978, delete "\$2,679,886 \$2,682,632" and insert "\$1,520,187 \$1,292,548"

In line 114979, delete "\$2,679,886 \$2,682,632" and insert "\$1,520,187 \$1,292,548"

In line 114981, delete "\$365,149 \$365,149" and insert "\$212,554 \$199,278"

In line 114982, delete "\$365,149 \$365,149" and insert "\$212,554 \$199,278"

In line 114983, delete "\$3,045,035 \$3,047,781" and insert "\$1,732,741 \$1,491,826"

In line 114998, delete "\$4,227,842 \$4,228,015" and insert "\$4,337,842 \$4,338,015"

In line 115012, delete "\$7,512,451 \$7,512,451" and insert "\$8,512,451 \$8,512,451"

In line 115014, delete "\$79,448,196 \$82,181,976" and insert

"\$80,558,196 \$83,291,976"

In line 115067, delete "\$703,611,210 \$703,089,977" and insert "\$704,721,210 \$704,199,977"

In line 115490, delete "\$366,003 \$366,003" and insert "\$446,003 \$446,003"

In line 115496, delete "\$5,228,985,729 \$5,702,514,150" and insert "\$5,289,065,729 \$5,702,594,150"

In line 115498, delete "\$12,862,368,688 \$14,194,583,591" and insert "\$12,862,448,688 \$14,194,663,591"

In line 115567, delete "\$22,138,579,725 \$23,352,162,899" and insert "\$22,138,659,725 \$23,352,242,899"

In line 117093, delete "\$41,413,776 \$50,537,955" and insert "\$41,535,776 \$50,902,955"

In line 117095, delete "\$484,465,911 \$298,736,335" and insert "\$484,587,911 \$299,010,335"

In line 117128, delete "\$1,082,753,266 \$547,005,553" and insert "\$1,082,875,266 \$547,370,553"

Between lines 117294 and 117295, insert:

"Of the foregoing appropriation item 335505, Local Mental Health Systems of Care, \$122,000 in fiscal year 2012 and \$365,000 in fiscal year 2013 shall be used for suicide prevention hotline services."

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Weddington moved to amend as follows:

In line 529, after "118.31," insert "123.154,"

Between lines 7634 and 7635, insert:

" **Sec. 123.154.** (A) The director of administrative services shall establish an investigation division in the equal employment opportunity office. The investigation division shall receive and investigate complaints regarding allegations of unfair bidding practices, illegal contract termination, and other impairments of contracts with a minority business enterprise or an EDGE business enterprise.

Upon receipt of a complaint by a minority business enterprise or an EDGE business enterprise, the investigation division shall investigate the allegations and determine whether those allegations are founded or unfounded. Upon completion of an investigation, the investigation division shall issue a report to the equal employment opportunity coordinator and the director of administrative services. The report shall identify the allegations, specify the outcome of the investigation, and make recommendations for changes in the bidding or contracting process to avoid similar occurrences in the future.

(B) As used in this section:

(1) "EDGE business enterprise" has the same meaning as in section 123.152 of the Revised Code.

(2) "Minority business enterprise" has the same meaning as in section 122.71 of the Revised Code."

In line 110764, delete "\$625,000 \$625,000" and insert "\$875,000 \$875,000"

In line 110768, delete "\$24,016 \$24,016" and insert "\$50,016 \$50,016"

In line 110771, delete "\$117,513,059 \$147,640,211" and insert "\$117,789,059 \$147,916,211"

In line 110809, delete "\$375,984,436 \$405,646,559" and insert "\$376,260,436 \$405,922,559"

Between lines 110882 and 110883, insert:

"Of the foregoing appropriation item 100439, Equal Opportunity Certification Programs, \$250,000 in each fiscal year of the biennium shall be used to administer the Investigation Division of the Equal Employment Opportunity office created in section 123.154 of the Revised Code."

In line 112128, delete "\$1,118,528 \$0" and insert "\$1,238,528 \$1,238,528"

In line 112144, delete "\$102,126,423 \$115,389,705" and insert "\$102,246,423 \$116,628,233"

In line 112211, delete "\$1,256,105,664 \$1,160,095,236" and insert "\$1,255,225,664 \$1,161,333,764"

In line 122888, after "121.37," insert "123.154,"

In line 260 of the title, after "118.31," insert "123.154,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich

Murray	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-40.

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

Representative Reece moved to amend as follows:

In line 344, after "123.011," insert "123.152,"

In line 345, after "125.021," insert "125.081,"

In line 484, after "5310.35," insert "5501.73,"

Between lines 7634 and 7635, insert:

"Sec. 123.152. (A) As used in this section, "EDGE business enterprise" means a sole proprietorship, association, partnership, corporation, limited liability corporation, or joint venture certified as a participant in the encouraging diversity, growth, and equity program by the director of administrative services under this section of the Revised Code.

(B) The director of administrative services shall establish a business assistance program known as the encouraging diversity, growth, and equity program and shall adopt rules in accordance with Chapter 119. of the Revised Code to administer the program that do all of the following:

(1) Establish procedures by which a sole proprietorship, association, partnership, corporation, limited liability corporation, or joint venture may apply for certification as an EDGE business enterprise;

(2) Except as provided in division (B)(14) of this section, establish agency procurement goals for contracting with EDGE business enterprises in the award of contracts under Chapters 123., 125., and 153. of the Revised Code based on the availability of eligible program participants by region or geographic area, as determined by the director, and by standard industrial code or equivalent code classification.

(a) Goals established under division (B)(2) of this section shall be based on a percentage level of participation and a percentage of contractor availability.

(b) Goals established under division (B)(2) of this section shall be applied at the contract level, relative to an overall dollar goal for each state agency, in accordance with the following certification categories: construction, architecture, and engineering; professional services; goods and services; and information technology services.

(c) Goals established under division (B)(2) of this section shall apply to any business that assumes, through privatization or similar means, a government function, as if that business were a state agency.

(3) Establish a system of certifying EDGE business enterprises based on a requirement that the business owner or owners show both social and economic disadvantage based on the following, as determined to be sufficient by the director:

(a) Relative wealth of the business seeking certification as well as the personal wealth of the owner or owners of the business;

(b) Social disadvantage based on any of the following:

(i) A rebuttable presumption when the business owner or owners demonstrate membership in a racial minority group or show personal disadvantage due to color, ethnic origin, gender, physical disability, long-term residence in an environment isolated from the mainstream of American society, location in an area of high unemployment;

(ii) Some other demonstration of personal disadvantage not common to other small businesses;

(iii) By business location in a qualified census tract.

(c) Economic disadvantage based on economic and business size thresholds and eligibility criteria designed to stimulate economic development through contract awards to businesses located in qualified census tracts.

(4) Establish standards to determine when an EDGE business enterprise no longer qualifies for EDGE business enterprise certification;

(5) Develop a process for evaluating and adjusting goals established by this section to determine what adjustments are necessary to achieve participation goals established by the director;

(6) Establish a point system or comparable system to evaluate bid proposals to encourage EDGE business enterprises to participate in the procurement of professional design and information technology services;

(7) Establish a system to track data and analyze each certification category established under division (B)(2)(b) of this section;

(8) Establish a process to mediate complaints and to review EDGE business enterprise certification appeals;

(9) Implement an outreach program to educate potential participants about the encouraging diversity, growth, and equity program;

(10) Establish a system to assist state agencies in identifying and utilizing EDGE business enterprises in their contracting processes;

(11) Implement a system of self-reporting by EDGE business enterprises as well as an on-site inspection process to validate the qualifications of an EDGE business enterprise;

(12) Establish a waiver mechanism to waive program goals or participation requirements for those companies that, despite their

best-documented efforts, are unable to contract with certified EDGE business enterprises;

(13) Establish a process for monitoring overall program compliance in which equal employment opportunity officers primarily are responsible for monitoring their respective agencies;

(14) Establish guidelines for state universities as defined in section 3345.011 of the Revised Code and the Ohio school facilities commission created in section 3318.30 of the Revised Code for awarding contracts pursuant to Chapters 153., 3318., and 3345. of the Revised Code to allow the universities and commission to establish agency procurement goals for contracting with EDGE business enterprises.

(C) Business and personal financial information and trade secrets submitted by encouraging diversity, growth, and equity program applicants to the director pursuant to this section are not public records for purposes of section 149.43 of the Revised Code, unless the director presents the financial information or trade secrets at a public hearing or public proceeding regarding the applicant's eligibility to participate in the program."

Between lines 8327 and 8328, insert:

"**Sec. 125.081.** (A) From the purchases that the department of administrative services is required by law to make through competitive selection, the director of administrative services shall select a number of such purchases, the aggregate value of which equals approximately fifteen per cent of the estimated total value of all such purchases to be made in the current fiscal year. The director shall set aside the purchases selected for competition only by minority business enterprises, as defined in division (E)(1) of section 122.71 of the Revised Code. The competitive selection procedures for such purchases set aside shall be the same as for all other purchases the department is required to make through competitive selection, except that only minority business enterprises certified by the equal employment opportunity coordinator of the department of administrative services in accordance with the rules adopted under division (B)(1) of section 123.151 of the Revised Code and listed by the director under division (B) of section 125.08 of the Revised Code shall be qualified to compete.

(B) To the extent that any agency of the state, other than the department of administrative services, the legislative and judicial branches, boards of elections, and the adjutant general, is authorized to make purchases, the agency shall set aside a number of purchases, the aggregate value of which equals approximately fifteen per cent of the aggregate value of such purchases for the current fiscal year for competition by minority business enterprises only. The procedures for such purchases shall be the same as for all other such purchases made by the agency, except that only minority business enterprises certified by the equal employment opportunity coordinator in accordance with rules adopted under division (B)(1) of section 123.151 of the Revised Code shall be qualified

to compete. Any business that assumes, through privatization or similar means, a government function shall comply with this division, as if that business were an agency of the state.

(C) In the case of purchases set aside under division (A) or (B) of this section, if no bid is submitted by a minority business enterprise, the purchase shall be made according to usual procedures. The contracting agency shall from time to time set aside such additional purchases for which only minority business enterprises may compete, as are necessary to replace those purchases previously set aside for which no minority business enterprises bid and to ensure that, in any fiscal year, the aggregate amount of contracts awarded to minority business enterprises will equal approximately fifteen per cent of the total amount of contracts awarded by the agency.

(D) The provisions of this section shall not preclude any minority business enterprise from competing for any other state purchases that are not specifically set aside for minority business enterprises.

(E) No funds of any state agency shall be expended in any fiscal year for any purchase for which competitive selection is required, until the director of the department of administrative services certifies to the equal employment opportunity coordinator, the clerk of the senate, and the clerk of the house of representatives of the general assembly that approximately fifteen per cent of the aggregate amount of the projected expenditure for such purchases in the fiscal year has been set aside as provided for in this section.

(F) Any person who intentionally misrepresents self as owning, controlling, operating, or participating in a minority business enterprise for the purpose of obtaining contracts, subcontracts, or any other benefits under this section shall be guilty of theft by deception as provided for in section 2913.02 of the Revised Code."

Between lines 96769 and 96770, insert:

"**Sec. 5501.73.** (A) After selecting a solicited or unsolicited proposal for a public-private initiative, the department of transportation shall enter into a public-private agreement for a transportation facility with the selected private entity or any configuration of private entities. An affected jurisdiction may be a party to a public-private agreement entered into by the department and a selected private entity or combination of private entities.

(B) A public-private agreement under this section shall provide for all of the following:

(1) Planning, acquisition, financing, development, design, construction, reconstruction, replacement, improvement, maintenance, management, repair, leasing, or operation of a transportation facility;

(2) Term of the public-private agreement, subject to division (D) of this section;

(3) Type of property interest, if any, the private entity will have in the transportation facility;

(4) A specific plan to ensure proper maintenance of the transportation facility throughout the term of the agreement and a return of the facility to the department, if applicable, in good condition and repair;

(5) Whether user fees will be collected on the transportation facility and the basis by which such user fees shall be determined and modified;

(6) Compliance with the percentage requirements of section 125.081 of the Revised Code and agency procurement goals for contracting with EDGE business enterprises as established by the director of administrative services by rule adopted under section 123.152 of the Revised Code.

(7) Compliance with applicable federal, state, and local laws;

~~(7)~~ (8) Grounds for termination of the public-private agreement by the department or operator;

~~(8)~~ (9) Disposition of the facility upon completion of the agreement;

~~(9)~~ (10) Procedures for amendment of the agreement.

(C) A public-private agreement under this section may provide for any of the following:

(1) Review and approval by the department of the operator's plans for the development and operation of the transportation facility;

(2) Inspection by the department of construction of or improvements to the transportation facility;

(3) Maintenance by the operator of a policy of liability insurance or self-insurance;

(4) Filing by the operator, on a periodic basis, of appropriate financial statements in a form acceptable to the department;

(5) Filing by the operator, on a periodic basis, of traffic reports in a form acceptable to the department;

(6) Financing obligations of the operator and the department;

(7) Apportionment of expenses between the operator and the department;

(8) Rights and duties of the operator, the department, and other state and local governmental entities with respect to use of the transportation facility;

(9) Rights and remedies available in the event of default or delay;

(10) Terms and conditions of indemnification of the operator by the department;

(11) Assignment, subcontracting, or other delegation of responsibilities of the operator or the department under the agreement to third parties, including

other private entities and other state agencies;

(12) Sale or lease to the operator of private property related to the transportation facility;

(13) Traffic enforcement and other policing issues, including any reimbursement by the private entity for such services.

(D) Any public-private agreement entered into under this section may be for a period not to exceed the then current two-year period for which appropriations have been made by the general assembly to the department; provided, that any agreement may be renewed for succeeding two-year periods when the general assembly enacts sufficient appropriations to the department for each successive biennium. Any such agreement may include, without limitation, any agreement by the department with respect to any costs of transportation facilities to be included prior to acquisition and construction of such transportation facilities. Any such agreement shall not constitute a debt or pledge of the faith and credit of the state, or of any political subdivision of the state, and the operator shall have no right to have taxes or excises levied by the general assembly, or the taxing authority of any political subdivision of the state, for payments under the agreement. Any such agreement shall contain a statement to that effect.

(E) No public-private agreement entered into under this section shall be construed to transfer to a private entity the director's authority to appropriate property under Chapters 163., 5501., and 5519. of the Revised Code."

In line 110496, after "123.011," insert "123.152,"

In line 110497, after "125.021," insert "125.081,"

In line 110637, after "5310.35," insert "5501.73,"

In line 10 of the title, after "123.011," insert "123.152,"

In line 12 of the title, after "125.021," insert "125.081,"

In line 201 of the title, after "5310.35," insert "5501.73,"

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

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.

Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.

The question recurring, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 59, nays 40, 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	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Newbold
Peterson	Roegner	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Thompson	Uecker
Wachtmann	Young		Batchelder-59.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Fedor	Fende
Foley	Garland	Gentile	Gerberry
Goyal	Hagan, R.	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	O'Brien	Okey	Patmon

Phillips	Pillich	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-40.

The bill passed.

Representative Amstutz moved to amend the title as follows:

Add the names: "Adams, J., Beck, Blair, Blessing, Boose, Buchy, Burke, Combs, Dovilla, Duffey, Grossman, Hackett, Hall, Hollington, Maag, McClain, Newbold, Rosenberger, Ruhl, Slaby, Sprague, Stebelton, Uecker, 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 adjourned until Tuesday, May 10, 2011 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.