

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
WEDNESDAY, MAY 18, 2011

FIFTIETH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, May 18, 2011, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Mark Fuller of the Grove City Church of the Nazarene in Grove City, Ohio, 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:

The Northeast Storm hockey club received H. R. 104, presented by Representative Carney-22nd district.

Tim Hatton, a guest of Representative Schuring-51st district.

Members of the Hardin County Women's Republican Club, guests of Representative Sprague-76th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 234-Representative DeGeeter.

Cosponsors: Representatives Foley, Murray, Yuko, Combs, Letson, O'Brien, Antonio, Derickson.

To enact section 737.053 of the Revised Code to authorize a nonchartered municipal corporation to establish a community emergency response team within the public safety department of the municipal corporation.

H. B. No. 235-Representative Stinziano.

Cosponsors: Representatives Antonio, Ashford, Driehaus, Foley, Letson, McGregor, Murray, O'Brien, Ramos, Slesnick, Yuko.

To amend section 2927.12 of the Revised Code to rename the offense of ethnic intimidation identity intimidation and to prohibit a person from committing identity intimidation because of the victim's ethnicity, sexual orientation, gender, gender identity, or disability.

Said bills were considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Am. Sub. H. B. No. 93**-Representatives Burke, Johnson, et al., were taken up for consideration.

Am. Sub. H. B. No. 93-Representatives Burke, Johnson.

Cosponsors: Speaker Batchelder, Representatives Bubp, Adams, J., Boose, Grossman, Hackett, Hottinger, Huffman, Peterson, Pillich, Rosenberger, Ruhl, Uecker, Balderson, Gardner, McKenney, Gonzales, Goodwin, Hagan, R., Garland, Fende, Sears, Schuring, Wachtmann, Barnes, Duffey, Antonio, Adams, R., Amstutz, Anielski, Ashford, Baker, Beck, Blair, Blessing, Brenner, Buchy, Budish, Butler, Carey, Carney, Celeste, Clyde, Coley, Combs, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Fedor, Foley, Gerberry, Goyal, Hagan, C., Hall, Hayes, Heard, Henne, Kozlowski, Landis, Letson, Luckie, Lundy, Mallory, Martin, McClain, McGregor, Mecklenborg, Milkovich, Murray, Newbold, O'Brien, Patmon, Phillips, Ramos, Reece, Roegner, Slaby, Slesnick, Sprague, Stautberg, Stebelton, Stinziano, Szollosi, Thompson, Weddington, Williams, Winburn, Young, Yuko. Senators Bacon, Beagle, Brown, Cafaro, Cates, Daniels, Faber, Gillmor, Hite, Hughes, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Sawyer, Schaffer, Schiavoni, Smith, Stewart, Tavares, Widener, Wilson.

To amend sections 109.57, 325.19, 3719.08, 4715.30, 4723.28, 4729.01, 4729.071, 4729.29, 4729.51, 4729.54, 4729.541, 4729.55, 4729.75, 4729.77, 4729.78, 4729.79, 4729.80, 4729.81, 4729.82, 4729.83, 4729.99, 4731.052, 4731.22, 4731.283, 4776.02, 4776.04, and 5111.172; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4729.79 (4729.80), 4729.80 (4729.81), 4729.81 (4729.82), 4729.82 (4729.83), 4729.83 (4729.84), and 4729.84 (4729.85); and to enact new section 4729.79 and sections 109.90, 313.212, 3719.031, 3793.22, 4121.50, 4715.302, 4723.064, 4723.487, 4725.092, 4729.162, 4729.291, 4729.552, 4729.571, 4729.69, 4729.86, 4730.53, 4731.054, 4731.055, 4731.241, 4731.391, 5111.085, 5111.179, and 5111.1710 of the Revised Code to establish and modify laws regarding the prevention of prescription drug abuse, to provide that certain county employees when separating from county service as a result of a transfer of the assets of a county hospital are not entitled to unused vacation leave from the county when the employee accepts employment with the acquiring entity and the entity assumes the unused vacation leave accrued to the employee's credit, and to declare an emergency.

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

The yeas and nays were taken and resulted - yeas 90, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Antonio
Ashford	Baker	Balderson	Barnes
Blair	Blessing	Boose	Boyd
Brenner	Bubp	Buchy	Budish

Burke	Butler	Carey	Carney
Celeste	Clyde	Coley	Combs
Damschroder	DeGeeter	Derickson	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	Lundy	Maag
Mallory	Martin	McClain	McGregor
McKenney	Mecklenborg	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Peterson	Phillips	Ramos	Roegner
Ruhl	Schuring	Sears	Slaby
Slesnick	Sprague	Stautberg	Stinziano
Sykes	Szollosi	Thompson	Uecker
Wachtmann	Weddington	Winburn	Young
Yuko			Batchelder-90.

Representatives Luckie and Pillich voted in the negative-2.

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

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

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Antonio
Ashford	Baker	Balderson	Barnes
Blair	Blessing	Boose	Boyd
Brenner	Bubp	Buchy	Budish
Burke	Butler	Carey	Carney
Celeste	Clyde	Coley	Combs
Damschroder	DeGeeter	Derickson	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	Roegner	Ruhl	Schuring
Sears	Slaby	Slesnick	Sprague
Stautberg	Stinziano	Sykes	Szollosi
Thompson	Uecker	Wachtmann	Weddington
Williams	Winburn	Young	Yuko
			Batchelder-93.

The Senate amendments were concurred in.

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

Representative Winburn submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 62**-Representative Gonzales, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ASSAULT - INCREASE PENALTY - VICTIM IS NURSE
ENGAGED IN OFFICIAL DUTIES

Representative Slaby moved to amend the title as follows:

Add the names: "Winburn, Garland, Pillich, Uecker."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

BILL HAYES
LOUIS W. BLESSING
BILL COLEY
CONNIE PILLICH
JOSEPH W. UECKER
SANDRA WILLIAMS

ROLAND WINBURN
DANNY R. BUBP
NANCY GARLAND
ROBERT COLE SPRAGUE
W. CARLTON WEDDINGTON

The following members voted "NO"

LYNN SLABY

RON YOUNG

The report was agreed to.

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

Representative Fende submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 97**-Representatives Hollington, Carney, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: HIGH DEDUCTIBLE HEALTH CARE PLAN - DAS MAKE
AVAILABLE TO STATE OFFICERS AND EMPLOYEES

Representative Wachtmann moved to amend the title as follows:

Add the names: "Garland, Schuring."

Representative Wachtmann moved to amend as follows:

Delete lines 36 through 42

In line 5 of the title, delete "and to declare an emergency"

The motion was agreed to and the bill so amended.

LYNN R. WACHTMANN	BRUCE W. GOODWIN
LORRAINE M. FENDE	NICKIE ANTONIO
TROY BALDERSON	JOHN BARNES
DAVE BURKE	JOHN PATRICK CARNEY
TED CELESTE	MIKE DUFFEY
RANDY GARDNER	NANCY GARLAND
ANNE GONZALES	ROBERT HACKETT
ROBERT F. HAGAN	RICHARD HOLLINGTON
JAY HOTTINGER	TERRY JOHNSON
TODD MCKENNEY	DAN RAMOS
KIRK SCHURING	BARBARA R. SEARS
KENNY YUKO	

The report was agreed to.

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

Representative Fende submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 184**-Representative Martin, et al., having had the same under consideration, reports it back and recommends its passage.

RE: MULTIPLE SYSTEM ATROPHY AWARENESS MONTH - MARCH

Representative Wachtmann moved to amend the title as follows:

Add the names: "Fende, Celeste, Johnson, Ramos."

LYNN R. WACHTMANN	BRUCE W. GOODWIN
LORRAINE M. FENDE	NICKIE ANTONIO
TROY BALDERSON	JOHN BARNES
DAVE BURKE	JOHN PATRICK CARNEY
TED CELESTE	MIKE DUFFEY
RANDY GARDNER	NANCY GARLAND
ANNE GONZALES	ROBERT HACKETT
ROBERT F. HAGAN	RICHARD HOLLINGTON
JAY HOTTINGER	TERRY JOHNSON
TODD MCKENNEY	DAN RAMOS
KIRK SCHURING	BARBARA R. SEARS
KENNY YUKO	

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 185**-Representatives Carey, O'Brien, et al., having had the same under consideration, reports it back and recommends its passage.

RE: OHIO AGGREGATES AND INDUSTRIAL MINERALS
AWARENESS WEEK - THIRD WEEK IN JULY

DAVE HALL	TIMOTHY DERICKSON
TERESA FEDOR	TROY BALDERSON
TERRY BOOSE	JIM BUCHY
JOHN CAREY	KATHLEEN CLYDE
REX DAMSCHRODER	LOU GENTILE
BRUCE W. GOODWIN	TRACY HEARD
CASEY KOZLOWSKI	AL LANDIS
DENNIS MURRAY	SEAN O'BRIEN
BOB PETERSON	DEBBIE PHILLIPS
MARGARET RUHL	ANDY THOMPSON

The report was agreed to.

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

Representative Gerberry submitted the following report:

The standing committee on State Government and Elections to which was referred **H. B. No. 194**-Representatives Mecklenborg, Blessing, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ELECTION LAW - REVISE

Representative Mecklenborg moved to amend the title as follows:

Add the name: "Combs."

ROBERT MECKLENBORG	LOUIS W. BLESSING
JIM BUCHY	COURTNEY COMBS
REX DAMSCHRODER	RANDY GARDNER
CHERYL GROSSMAN	RICHARD HOLLINGTON
MATT HUFFMAN	RON MAAG
ROBERT COLE SPRAGUE	RON YOUNG

The following members voted "NO"

RON GERBERRY	KATHLEEN CLYDE
TERESA FEDOR	TOM LETSON
MATT LUNDY	BILL PATMON

VERNON SYKES
MICHAEL STINZIANO

TED CELESTE

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 207**-Representatives Balderson, Letson, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: OHIO COAL MINERS WEEK - FIRST WEEK OF APRIL

Representative Carey moved to amend as follows:

In line 6, delete "first week of April" and insert "week in which Labor Day occurs"

In line 2 of the title, delete "first week of April of" and insert "week in which Labor Day occurs"

The motion was agreed to and the bill so amended.

Representative Hall moved to amend as follows:

In line 7, delete "coal miners week" and insert "Coal Miners Week"

The motion was agreed to and the bill so amended.

DAVE HALL
TERESA FEDOR
TERRY BOOSE
JOHN CAREY
REX DAMSCHRODER
BRUCE W. GOODWIN
CASEY KOZLOWSKI
DENNIS MURRAY
BOB PETERSON
MARGARET RUHL

TIMOTHY DERICKSON
TROY BALDERSON
JIM BUCHY
KATHLEEN CLYDE
LOU GENTILE
TRACY HEARD
AL LANDIS
SEAN O'BRIEN
DEBBIE PHILLIPS
ANDY THOMPSON

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. R. No. 48**-Representative Landis, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: STREAM PROTECTION RULE

DAVE HALL
TROY BALDERSON
JIM BUCHY
REX DAMSCHRODER
CASEY KOZLOWSKI
BOB PETERSON
ANDY THOMPSON

TIMOTHY DERICKSON
TERRY BOOSE
JOHN CAREY
BRUCE W. GOODWIN
AL LANDIS
MARGARET RUHL

The following members voted "NO"

TERESA FEDOR
LOU GENTILE
DENNIS MURRAY
DEBBIE PHILLIPS

KATHLEEN CLYDE
TRACY HEARD
SEAN O'BRIEN

The report was agreed to.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. C. R. No. 9**-Representative Thompson, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: SUSPEND PROPOSED AIR POLLUTION TRANSPORT RULE

DAVE HALL
TROY BALDERSON
JIM BUCHY
REX DAMSCHRODER
BRUCE W. GOODWIN
AL LANDIS
DEBBIE PHILLIPS
ANDY THOMPSON

TIMOTHY DERICKSON
TERRY BOOSE
JOHN CAREY
LOU GENTILE
CASEY KOZLOWSKI
BOB PETERSON
MARGARET RUHL

The following members voted "NO"

TERESA FEDOR
TRACY HEARD
SEAN O'BRIEN

KATHLEEN CLYDE
DENNIS MURRAY

The report was agreed to.

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

Representative Fende submitted the following report:

The standing committee on Health and Aging to which was referred **S. B. No. 38**-Senator Hughes, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ALS AWARENESS MONTH - MAY

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Goodwin, Fende, Antonio, Barnes, Burke, Carney, Celeste, Duffey, Gardner, Garland, Hollington, Hottinger, Johnson, McKenney, Ramos, Schuring, Yuko."

LYNN R. WACHTMANN
LORRAINE M. FENDE
TROY BALDERSON
DAVE BURKE
TED CELESTE
RANDY GARDNER
ANNE GONZALES
ROBERT F. HAGAN
JAY HOTTINGER
TODD MCKENNEY
KIRK SCHURING
KENNY YUKO

BRUCE W. GOODWIN
NICKIE ANTONIO
JOHN BARNES
JOHN PATRICK CARNEY
MIKE DUFFEY
NANCY GARLAND
ROBERT HACKETT
RICHARD HOLLINGTON
TERRY JOHNSON
DAN RAMOS
BARBARA R. SEARS

The report was agreed to.

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

Representative Winburn submitted the following report:

The standing committee on Criminal Justice to which was referred **S. B. No. 84**-Senator Oelslager, et al., having had the same under consideration, reports it back and recommends its passage.

RE: LIVE MUSICAL PERFORMANCE GROUP MISREPRESENT
AFFILIATION WITH RECORDING GROUP - A CRIME

Representative Slaby moved to amend the title as follows:

Add the names: "Representatives Garland, Winburn, Coley, Slaby."

LYNN SLABY
ROLAND WINBURN
DANNY R. BUBP
NANCY GARLAND
ROBERT COLE SPRAGUE
W. CARLTON WEDDINGTON
RON YOUNG

BILL HAYES
LOUIS W. BLESSING
BILL COLEY
CONNIE PILLICH
JOSEPH W. UECKER
SANDRA WILLIAMS

The report was agreed to.

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

Representative Fende submitted the following report:

The standing committee on Health and Aging to which was referred **S. C. R. No. 6**-Senator Patton, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: PRIMARY IMMUNODEFICIENCY AWARENESS MONTH - APRIL 2011

Representative Wachtmann moved to amend the title as follows:

Add the names: "Representatives Wachtmann, Goodwin, Fende, Barnes, Carney, Celeste, Johnson, McKenney."

LYNN R. WACHTMANN	BRUCE W. GOODWIN
LORRAINE M. FENDE	NICKIE ANTONIO
TROY BALDERSON	JOHN BARNES
DAVE BURKE	JOHN PATRICK CARNEY
TED CELESTE	MIKE DUFFEY
RANDY GARDNER	NANCY GARLAND
ANNE GONZALES	ROBERT HACKETT
ROBERT F. HAGAN	RICHARD HOLLINGTON
JAY HOTTINGER	TERRY JOHNSON
TODD MCKENNEY	DAN RAMOS
KIRK SCHURING	BARBARA R. SEARS
KENNY YUKO	

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Grossman moved that majority party members asking leave to be absent or absent the week of Tuesday, May 17, 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 17, 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

Am. H. B. No. 96-Representatives Celeste, Brenner.

Cosponsors: Representatives Stebelton, Amstutz, Garland, Foley, Letson, Weddington, Pillich, Dovilla, Patmon, Ramos, Hollington, Phillips, Lundy, Thompson, O'Brien, Yuko, Murray, Williams, Stinziano, Stautberg, Antonio, Reece, Hagan, Fende, Snitchler, Fedor, Milkovich, Clyde, Winburn.

To amend section 3323.01 and to enact section 3323.25 of the Revised Code to specify dyslexia as a specific learning disability and to require a pilot project to provide early screening and intervention services for children with dyslexia, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Blessing moved that **Am. H. B. No. 96**-Representatives Celeste, Brenner, et al., be informally passed and that it be taken up for consideration on: Tuesday, May 24, 2011.

The motion was agreed to.

Sub. H. B. No. 194-Representatives Mecklenborg, Blessing.
Cosponsor: Representative Combs.

To amend sections 3.02, 302.09, 305.02, 503.24, 511.27, 733.31, 1545.21, 1901.10, 2101.44, 2301.02, 3501.01, 3501.02, 3501.05, 3501.051, 3501.10, 3501.11, 3501.13, 3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 3501.301, 3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 3503.15, 3503.16, 3503.18, 3503.19, 3503.21, 3503.26, 3503.28, 3504.02, 3504.04, 3504.05, 3505.07, 3505.08, 3505.11, 3505.13, 3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 3505.28, 3505.29, 3505.30, 3505.31, 3506.05, 3506.12, 3506.15, 3509.01, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 3511.14, 3513.02, 3513.12, 3513.131, 3513.18, 3513.19, 3513.21, 3513.262, 3513.30, 3513.31, 3515.04, 3517.01, 3517.012, 3517.10, 3517.102, 3517.103, 3517.106, 3517.1011, 3517.11, 3517.153, 3517.154, 3517.155, 3517.992, 3519.01, 3519.16, 3599.03, 3599.07, 3599.17, 3599.19, and 3599.31, to enact new section 3504.01 and sections 3501.111, 3501.302, 3501.40, 3503.161, 3503.22, 3505.05, 3506.021, and 3599.30, and to repeal sections 3503.29, 3504.01, 3506.16, and 3517.1010 of the Revised Code to revise the Election Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Gerberry moved to amend as follows:

In line 3604, delete "The"; strike through "following information shall be included"; delete "; delete "by the"

In line 3605, delete " provisional voter"; strike through the balance of the line

Strike through line 3606

In line 3607, strike through "(a) The individual's"; delete " printed"; strike through "name"; delete the underlined semicolon

In line 3608, delete " (b) The individual's"; strike through "signature;"

In line 3609, after " ~~(b)~~" delete the balance of the line

Delete lines 3610 through 3615

In line 3616, delete " (f)" and strike through the balance of the line

Strike through line 3617

In line 3618, delete " (g)" and strike through the balance of the line

In line 3619, strike through all before the period and insert " The voter's signature shall be included on the provisional ballot envelope, and the board of elections must verify that the voter is registered and eligible to vote, in order for the provisional ballot to be eligible to be counted. The voter's signature shall serve to affirm the statements printed on the provisional ballot envelope. The affirmation printed on the provisional ballot envelope shall state that the voter is a registered voter in the jurisdiction where the provisional ballot is being voted and that the provisional voter is eligible to vote in the jurisdiction where the provisional ballot is being voted. Boards of election may use any information provided on the provisional ballot envelope to locate the voter's registration and to verify the registration and eligibility to vote of the voter"

In line 3641, strike through "provided all of the information required"

In line 3642, strike through "under division (B)(1) of this section in" and insert " signed"

In line 3662, strike through "provide all of the information"

In line 3663, strike through "required under division (B)(1) of this section in" and insert " sign"

Between lines 3743 and 3744, insert:

" (F) If, in examining a provisional ballot affirmation, the board determines that the provisional voter is not registered to vote but the provisional voter provided on the provisional ballot affirmation all of the information required for voter registration under section 3503.14 of the Revised Code, the board promptly shall register that provisional voter."

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

The yeas and nays were taken and resulted - yeas 39, nays 55, as follows:

Those who voted in the affirmative 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	Szollosi	Weddington
Williams	Winburn		Yuko-39.

Those who voted in the negative were: Representatives

Adams R.	Amstutz	Anielski	Baker
Balderson	Blair	Blessing	Boose
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
Kozlowski	Landis	Luckie	Maag
Martin	McClain	McGregor	McKenney
Mecklenborg	Newbold	Peterson	Roegner
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Thompson	Uecker
Wachtmann	Young		Batchelder-55.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Clyde moved to amend as follows:

In line 4677, delete " tenth" and insert " twenty-first"

In line 4678, delete " six p.m. on"

In line 4679, delete " Friday" and insert " day"; delete " .except that ballots"

Delete lines 4680 through 4682

In line 4683, delete all before the underlined period

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 39, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Baker
Balderson	Blair	Blessing	Boose
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
Kozlowski	Landis	Maag	Martin
McClain	McGregor	McKenney	Mecklenborg
Newbold	Peterson	Roegner	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Thompson	Uecker	Wachtmann
Young			Batchelder-54.

Those who voted in the negative were: Representatives

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-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Letson moved to amend as follows:

In line 4154, after "**3505.28.**" insert "(A)(1)"

Delete lines 4158 through 4169 and insert:

" (2) A ballot is not marked contrary to law and contains a technical error if the automatic tabulating equipment that is processing that ballot for tabulation detects more selections for a particular office, question, or issue than the number of selections that the voter is allowed by law to make for that office, question, or issue, but the selections that the equipment is detecting are of such a nature that a human being would not detect them with the naked eye or consider them to be valid selections. In such case, a bipartisan team of board of elections employees shall examine the ballots to determine whether they are able to determine the voter's intent in marking the ballot. In such case, the ballot shall be counted for the candidate, question, or issue for which the bipartisan team determines the voter intended to mark the ballot."

In line 4170, before "If" insert "(B)"

In line 4177, before "No" 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 54, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Baker
Balderson	Blair	Blessing	Boose
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
Kozlowski	Landis	Maag	Martin
McClain	McGregor	McKenney	Mecklenborg
Newbold	Peterson	Roegner	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Thompson	Uecker	Wachtmann
Young			Batchelder-54.

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 Stinziano moved to amend as follows:

In line 4776, delete " shall not" and insert " may"; delete " any"

In line 4777, delete " A board shall only mail"

Delete line 4778

In line 4779, delete " requested such an application from the board."

In line 4887, delete " shall not" and insert " may"; delete " any"

In line 4888, delete " A board shall only mail"

Delete line 4889

In line 4890, delete "requested such an application from the board."

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 39, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Baker
Balderson	Blair	Blessing	Boose
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
Kozlowski	Landis	Maag	Martin
McClain	McGregor	McKenney	Mecklenborg
Newbold	Peterson	Roegner	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Thompson	Uecker	Wachtmann
Young			Batchelder-54.

Those who voted in the negative were: Representatives

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

Representative Reece moved to amend as follows:

In line 47, delete "3501.40,"

Delete lines 1810 through 1826

In line 2576, strike through "pursuant to division (B)(3) of" and insert "under"

In line 2582, strike through all before the first stricken comma; delete "or"; strike through "(v)"; strike through "of section"

In line 2583, strike through "3505.183 of the Revised Code"

In line 3266, after "(3)" insert "The election official shall accurately complete the poll worker checklist portion of the affirmation in the individual's presence, including identifying the individual's correct precinct if the individual is not voting in the correct precinct.

(4)"

In line 3273, strike through "(4)"

In line 3278, reinsert "(5)"

In line 3282, reinsert "(5)"; delete "(4)"

In line 3327, delete "(5)" and insert "(6)"

In line 3371, reinsert "or if, upon review of the"

Reinsert lines 3372 through 3375

In line 3376, reinsert all after "shall"

Reinsert line 3377

In line 3378, reinsert all before "explain"

In line 3379, strike through "will" and insert "may"

In line 3382, after the period insert "The election official also shall note, on the poll worker checklist portion of the affirmation, that the election official directed the individual to the correct precinct and the location of the individual's correct precinct."

In line 3383, reinsert "If the"; delete "The"; reinsert "refuses to"; delete "may"

In line 3385, delete "or"

In line 3387, reinsert "If any of the"

Reinsert lines 3388 through 3396

In line 3404, reinsert all after "(2)"

Reinsert lines 3405 through 3415

In line 3416, reinsert "(3)"

In line 3574, after the stricken period insert "The affirmation shall include the following:

"Poll Worker Checklist

The Provisional Ballot Affirmation of (Print voter's name) was subscribed and affirmed before me on(Month) /(Day) /(Year).

1. Reason for voting provisionally – Why is this voter casting a provisional ballot?

..... Voter's name does not appear on the official precinct list

..... Voter requested an absent voter's ballot but did not receive one

..... Voter is otherwise not eligible to cast a regular ballot

2. ID – Did the voter present identification or execute an affirmation that the voter has a religious objection to being photographed?

..... Yes

..... No

3. Additional information required? – Is the provisional voter required to provide additional information to the Board of Elections?

..... Yes

..... No

4. Voter information – Did you have the voter complete the voter's portion of this envelope?

..... Yes

..... No

5. Correct precinct – Is the voter voting in his or her correct precinct?

..... Yes

..... No

5a. If no, what is the voter's correct precinct?

.....

5b. Notice of correct precinct – Have you directed the voter to go to the voter's correct precinct?

..... Yes

..... No

6. Name of this precinct (where voter has appeared to vote)

.....

X.....

Signature of Election Official ""

In line 3652, strike through "If" and insert " Except as otherwise provided in division (C) of this section, if"

In line 3697, after "(1)" insert " If a provisional voter cast a ballot in a precinct in which the provisional voter is not registered and eligible to vote and the election officials failed to direct the provisional voter to the correct precinct, the election officials shall remake that provisional voter's ballot. The election official shall be deemed to have failed to direct the provisional voter to the

correct precinct if the election official did not complete that checklist or did not correctly complete that checklist.

(2) A board of elections that remakes a provisional ballot under division (C)(1) of this section shall remake the provisional ballot on a ballot for the appropriate precinct to reflect the offices, questions, and issues for which the provisional voter was eligible to cast a ballot and for which the provisional voter attempted to cast a provisional ballot. The remade ballot shall be counted for each office, question, and issue for which the provisional voter was eligible to vote.

(D)(1)"

In line 3710, strike through "(D)" and insert " (E)"

In line 3711, after " (2)" insert " or (C)"

In line 3724, strike through the first "(E)" and insert " (F)"; strike through the second "(E)" and insert " (F)"

In line 3733, delete " (5)" and insert " (6)"

In line 26 of the title, delete "3501.40,"

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 53, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Baker
Balderson	Blair	Blessing	Boose
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
Kozlowski	Landis	Maag	Martin
McClain	McGregor	McKenney	Mecklenborg
Newbold	Peterson	Roegner	Ruhl
Schuring	Sears	Slaby	Stautberg
Thompson	Uecker	Wachtmann	Young
			Batchelder-53.

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 Fedor moved to amend as follows:

In line 5086, strike through the comma; delete " that"

Delete line 5087

In line 5088, delete " completed," and strike through the balance of the line

Strike through lines 5089 and 5090

In line 5091, strike through "sustained" and insert " . If the voter signed the identification envelope statement of voter, is registered to vote, and is eligible to vote in the election"

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 40, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Baker
Balderson	Blair	Blessing	Boose
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
Kozlowski	Landis	Maag	Martin
McClain	McGregor	McKenney	Mecklenborg
Newbold	Peterson	Roegner	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Thompson	Uecker	Wachtmann
Young			Batchelder-54.

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 Fedor moved to amend as follows:

In line 5088, after "completed" insert ", unless the ballot is a uniformed services or overseas absent voter's ballot"

In line 5090, strike through "or"

In line 5091, after "sustained" insert ", or if a uniformed services or overseas absent voter signed the identification envelope statement of voter, is registered to vote, and is eligible to vote in the election"

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

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

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Antonio
Ashford	Baker	Balderson	Barnes
Blair	Blessing	Boose	Boyd
Brenner	Bubp	Buchy	Budish
Burke	Butler	Carey	Carney
Celeste	Clyde	Coley	Combs
Damschroder	DeGeeter	Derickson	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	Ruhl
Schuring	Sears	Slaby	Slesnick
Sprague	Stautberg	Stinziano	Sykes
Szollosi	Thompson	Uecker	Wachtmann
Weddington	Williams	Winburn	Young
Yuko			Batchelder-94.

The motion was agreed to and the bill so amended.

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

Representative Duffey moved the previous question. This motion under House Rule 101 is supported by the following members:

/s/ MIKE DUFFEY
MIKE DUFFEY

/s/ KIRK SCHURING
KIRK SCHURING

/s/ MATT HUFFMAN
MATT HUFFMAN

/s/ JOHN CAREY
JOHN CAREY

/s/ NAN BAKER
NAN BAKER

The question being, "Shall the debate now close?"

The yeas and nays were taken and resulted - yeas 52, nays 42, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Anielski	Baker	Balderson
Blair	Blessing	Boose	Brenner
Bubp	Buchy	Burke	Butler
Carey	Coley	Combs	Damschroder
Derickson	Duffey	Gonzales	Goodwin
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Newbold	Peterson
Roegner	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Thompson
Uecker	Wachtmann	Young	Batchelder-52.

Those who voted in the negative were: Representatives

Amstutz	Antonio	Ashford	Barnes
Boyd	Budish	Carney	Celeste
Clyde	DeGeeter	Driehaus	Fedor
Fende	Foley	Gardner	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-42.

The motion was agreed to.

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

The yeas and nays were taken and resulted - yeas 54, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Baker
Balderson	Blair	Blessing	Boose

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
Kozlowski	Landis	Maag	Martin
McClain	McGregor	McKenney	Mecklenborg
Newbold	Peterson	Roegner	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Thompson	Uecker	Wachtmann
Young			Batchelder-54.

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 Mecklenborg moved to amend the title as follows:

Add the names: "Anielski, Baker, Boose, Brenner, Bubp, Buchy, Coley, Grossman, Hackett, Huffman, Maag, Martin, Newbold, Slaby, 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 24, 2011 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.