

OHIO

House

of

Representatives

JOURNAL

THIRD CORRECTED VERSION
TUESDAY, JUNE 28, 2011

SIXTY-THIRD DAY

Hall of the House of Representatives, Columbus, Ohio
Tuesday, June 28, 2011, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Reverend Steve Feazel of the Nazarene Churches in Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

Ellen Bryan received H. R. 157 presented by Representative Buchy-77th district.

The St. Ignatius High School crew team received H. R. 154, presented by Representatives Anielski-17th district and Patmon-10th district.

The Woodridge High School boys 3200-meter relay team received H. R. 152 presented by Representatives Slaby-41st district, Roegner-42nd district.

Lou Konstan and Alex Aleman received House Resolutions 155 and 156, respectively, presented by Representatives Roegner-42nd district and Slaby-41st district.

Alex Van Krevel, a guest of Representative Carney-22nd district.

Martha Campbell, a guest of Representative Okey-61st district.

Faith Oltman, Mary Ann and Richard Brockett, guests of Representative Clyde-68th district.

Members of Fostoria Teens for Life, guests of Representative Sprague-76th district.

Jennifer, Louie, and Ella Grant, and Kevin Straker, guests of Representative Gentile-95th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 282-Representative Martin.

Cosponsors: Representatives Carey, Boose, Bulp, Derickson, McClain, Johnson, O'Brien, Maag, Grossman, Blair, Hackett, Antonio.

To enact section 5533.623 of the Revised Code to designate State Route 235 within the municipal corporation of Fairborn the "Army Specialist Jesse Adam Snow Memorial Highway."

H. B. No. 283-Representative Grossman.

Cosponsors: Representatives Hollington, Stinziano, Patmon, Letson.

To amend section 4507.21 and to enact section 4507.211 of the Revised Code to require each person under eighteen years of age applying for a driver's license to complete a first-aid and cardiopulmonary resuscitation training course.

H. B. No. 284-Representatives Gonzales, Letson.

Cosponsors: Representatives Stebelton, Wachtmann, Boyd, Slesnick, Gerberry, O'Brien, Murray, Reece, Mallory.

To amend sections 185.01, 185.03, 185.05, 2105.35, 2108.40, 2133.211, 3719.06, 4730.06, 4730.09, 4730.38, 4730.39, 4730.40, 4730.41, 4730.42, 4730.44, 4730.45, 4755.48, 4755.481, 4765.01, 4765.35, 4765.36, 4765.37, 4765.38, 4765.39, 4765.49, and 4765.51, to enact sections 4730.411, 5111.0212, and 5111.051, and to repeal section 4730.401 of the Revised Code to modify the laws governing physician assistants.

H. B. No. 285-Representatives Yuko, Roegner.

Cosponsors: Representatives Slesnick, Ramos, Antonio, Hagan, R., Letson, Grossman, Gentile, Combs, Fende, Gonzales, Okey, Gerberry, Carey, Derickson, Lundy, Boyd.

To enact section 5.2267 of the Revised Code to designate September as "Mesothelioma Month."

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 and Senate Bill be considered for the second time and referred to the following committees for consideration.

H.B. No. 278 - Representatives Stebelton and Okey, et al

TO INCREASE THE MINIMUM AMOUNTS REQUIRED FOR VALID PROOF OF FINANCIAL RESPONSIBILITY AND TO AMEND SECTIONS 4509.01, 4509.20, 4509.41, AND 4509.51 OF THE REVISED CODE TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ACT TO INCREASE AGAIN THE MINIMUM AMOUNTS REQUIRED FOR VALID PROOF OF FINANCIAL RESPONSIBILITY.

To the committee on Insurance

H.B. No. 279 - Representatives Grossman and Driehaus, et al

TO EXPAND THE CLASS OF PERSONS WHO MAY EXECUTE A CARETAKER AUTHORIZATION AFFIDAVIT OR BE DESIGNATED AS ATTORNEY IN FACT UNDER A POWER OF ATTORNEY FOR THE PURPOSE OF EXERCISING AUTHORITY OVER THE CARE, CUSTODY, AND CONTROL OF A CHILD AND TO ENHANCE OHIO'S POLICIES REGARDING KINSHIP CAREGIVERS.

To the committee on Judiciary and Ethics

H.B. No. 280 - Representatives Dovilla and Wachtmann, et al

TO AUTHORIZE THE ADMINISTRATORS OF THE OHIO NATIONAL GUARD SCHOLARSHIP PROGRAM AND THE OHIO WAR ORPHANS SCHOLARSHIP PROGRAM TO APPLY FOR, AND RECEIVE AND ACCEPT, GRANTS, AND TO RECEIVE AND ACCEPT GIFTS, BEQUESTS, AND CONTRIBUTIONS, FROM PUBLIC AND PRIVATE SOURCES.

To the committee on Veterans Affairs

H.B. No. 281 - Representative Antonio, et al

REGARDING ASSISTANCE FOR PREGNANCY PREVENTION AND HOSPITAL SERVICES FOR VICTIMS OF SEXUAL ASSAULT.

To the committee on Health and Aging

Sub. S.B. No. 187 - Senator Grendell, et al

TO DESIGNATE A PORTION OF UNITED STATES ROUTE 322 WITHIN GEAUGA COUNTY ONLY THE "CHIEF WARRANT OFFICER CHRISTOPHER R. THIBODEAU MEMORIAL HIGHWAY," TO DESIGNATE A PORTION OF INTERSTATE ROUTE 71 WITHIN FRANKLIN COUNTY ONLY THE "DEPUTY MARTY MARTIN MEMORIAL HIGHWAY," AND TO RENAME THE "HEATH WARNER MEMORIAL HIGHWAY" THE "U.S.M.C. PVT. HEATH WARNER MEMORIAL HIGHWAY."

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

LOUIS W. BLESSING
ANDREW BRENNER
ANNE GONZALES
ARMOND BUDISH
MATT SZOLLOSI

JOHN ADAMS
DAVE BURKE
CHERYL GROSSMAN
DEBBIE PHILLIPS

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 and Senate Bill 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 and Senate Bill 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. 22 - Representative Kozlowski and Young, et al
TO URGE CONGRESS TO PASS THE "SHORT SEA SHIPPING ACT OF 2011."

To the committee on Agriculture and Natural Resources

S.C.R. No. 11 - Senator Lehner, Sawyer
TO APPROVE THE DEPARTMENT OF EDUCATION'S PROPOSED GRADUATION RATE CHANGES TO THE STATE ACCOUNTABILITY SYSTEM FOR PUBLIC SCHOOLS.

To the committee on Education

/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.

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

H.R. No. 149 - Representatives Roegner, Clyde
Honoring the Kent State University Precision Flight Team on winning the 2010 Loening Trophy.

H.R. No. 150 - Representative Garland
Honoring the Columbus Academy boys 4x800-meter relay team on winning the 2011 Division III State Championship.

H.R. No. 151 - Representative Gerberry
Honoring the Poland Seminary High School softball team as the 2011 Division II State Champion.

H.R. No. 152 - Representatives Slaby, Roegner, Sykes
Honoring the Woodridge High School boys 3200-meter relay team on winning the 2011 Division II State Championship.

H.R. No. 153 - Speaker Batchelder

Honoring Robert M. Chiaramonte for his contributions to the Ohio State Highway Patrol.

H.R. No. 154 - Representatives Anielski, Patmon

Honoring the St. Ignatius High School crew team as the 2011 Midwest Scholastic Rowing Champion.

H.R. No. 155 - Representatives Roegner, Slaby

Honoring Lou Konstan as a 2011 Division II State Champion in doubles tennis.

H.R. No. 156 - Representatives Roegner, Slaby

Honoring Alex Aleman as a 2011 Division II State Champion in doubles tennis.

H.R. No. 157 - Representative Buchy

Honoring Ellen Bryan as Miss Ohio 2011.

/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 approved.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION**Sub. H. B. No. 125-Representative Wachtmann.**

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

To amend section 4731.22 and to enact section 2919.19 of the Revised Code to generally prohibit an abortion of an unborn human individual with a detectable fetal heartbeat, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Mecklenborg moved to amend as follows:

In line 61, after the underlined period insert "Any person who performs an abortion on a pregnant woman based on the exception in this division shall note in the pregnant woman's medical records that a medical emergency necessitating the abortion existed."

In line 119, after the underlined period insert "Any person who acts based on the exception in division (E)(2) or (3) of this section shall so note in the pregnant woman's medical records and shall specify in the pregnant woman's medical records which of the exceptions the person invoked."

In line 120, after "(2)" insert "(a)"

In line 122, after "intended" insert ", in that person's reasonable medical judgment,"; after "or" delete the balance of the line

In line 123, delete everything before "of" and insert "to prevent a serious risk of the substantial and irreversible impairment of a major bodily function"

Between lines 124 and 125, insert:

"(b) Any person who performs a medical procedure as described in division (E)(2)(a) of this section shall declare in writing, under penalty of perjury, that the medical procedure is necessary, to the best of that person's reasonable medical judgment, to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman. That person shall also provide in that written document, under penalty of perjury, the medical condition of that pregnant woman that the medical procedure performed as described in division (E)(2)(a) of this section will assertedly address, and the medical rationale for the conclusion that the medical procedure is necessary to prevent the death of the pregnant woman or to prevent a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman.

(c) The person who performs a medical procedure as described in division (E)(2)(a) of this section shall place the written documentation required under division (E)(2)(b) of this section in the pregnant woman's medical records and shall maintain a copy of the written documentation in the person's own records for at least seven years."

In line 139, after "(F)" insert "Any person performing an abortion on a pregnant woman carrying an unborn human individual whose heartbeat has been detected pursuant to the requirements of division (C) of this section to preserve the health of the pregnant woman shall set forth in a separate document, under penalty of perjury, the medical condition that the abortion will assertedly address and the medical rationale for the conclusion that the abortion is necessary to address that condition. The person shall place this written documentation in the pregnant woman's medical records and shall maintain a copy in the person's own records for at least seven years. This documentation requirement is independent of the provisions in divisions (E)(2)(a), (b), and (c) of this section.

(G)"

In line 145, delete "(G)" and insert "(H)"

In line 148, delete "(H)" and insert "(I)"

In line 159, delete " (I)" and insert " (J)"

In line 161, delete " (H)" and insert " (I)"

In line 163, delete " (J)" and insert " (K)"

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

The yeas and nays were taken and resulted - yeas 61, nays 36, 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
Combs	Conditt	Damschroder	DeGeeter
Derickson	Dovilla	Driehaus	Fende
Gardner	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lundy	Maag
Martin	McClain	McKenney	Mecklenborg
Murray	Newbold	Peterson	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Szollosi
Thompson	Uecker	Wachtmann	Young
			Batchelder-61.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	Duffey
Fedor	Foley	Garland	Gentile
Gerberry	Goyal	Hagan, R.	Heard
Hollington	Letson	Luckie	Mallory
McGregor	Milkovich	O'Brien	Okey
Phillips	Pillich	Ramos	Reece
Slesnick	Stebelton	Stinziano	Sykes
Weddington	Williams	Winburn	Yuko-36.

The motion was agreed to and the bill so amended.

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

Representative Lundy moved that **Sub. H. B. No. 125**-Representative Wachtmann, et al., be rereferred to the committee on Health and Aging.

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

The yeas and nays were taken and resulted - yeas 41, nays 57, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Beck
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.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Burke	Butler	Carey	Combs
Conditt	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-57.

The motion was not agreed to.

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

The yeas and nays were taken and resulted - yeas 54, nays 44, as follows:

Those who voted in the affirmative were: Representatives

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

Those who voted in the negative were: Representatives

Anielski	Antonio	Ashford	Barnes
Budish	Carney	Celeste	Clyde

DeGeeter	Driehaus	Duffey	Fedor
Fende	Foley	Garland	Gentile
Gerberry	Goyal	Hagan, R.	Heard
Hollington	Letson	Luckie	Lundy
Mallory	McGregor	Milkovich	Murray
O'Brien	Okey	Patmon	Phillips
Pillich	Ramos	Reece	Slesnick
Stebelton	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-44.

The bill passed.

Representative Wachtmann moved to amend the title as follows:

Add the names: "Butler, Conditt, Hagan, C., Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 14-Representative Sears.

Cosponsors: Representatives Winburn, Garland.

To amend sections 955.08, 955.11, 955.22, 955.99, 1901.18, and 1907.031 and to enact sections 955.222 and 955.54 of the Revised Code to remove pit bulls from the definition of "vicious dog" in state law, to establish a process by which owners, keepers, or harborers of dogs that have been designated as nuisance, dangerous, or vicious may appeal that designation, to define a "nuisance dog," to change the definitions of a "dangerous dog" and a "vicious dog," to require the owner of a dangerous dog to obtain a dangerous dog registration certificate, to prohibit certain felons from owning dogs under certain conditions, and to change the penalties involving ownership of nuisance, dangerous, and vicious dogs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 69, nays 29, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Ashford	Balderson
Beck	Blair	Blessing	Brenner
Bubp	Budish	Burke	Butler
Carey	Celeste	Combs	Conditt
Damschroder	Derickson	Dovilla	Duffey
Fedor	Fende	Gardner	Garland
Gentile	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hayes	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Luckie
Lundy	Maag	Mallory	McClain
McGregor	McKenney	Milkovich	Murray
O'Brien	Okey	Patmon	Peterson

Phillips	Pillich	Rosenberger	Ruhl
Schuring	Sears	Slaby	Sprague
Stautberg	Stebelton	Stinziano	Szollosi
Uecker	Wachtmann	Winburn	Young
			Batchelder-69.

Those who voted in the negative were: Representatives

Adams J.	Anielski	Antonio	Baker
Barnes	Boose	Buchy	Carney
Clyde	DeGeeter	Driehaus	Foley
Hagan, R.	Hall	Heard	Henne
Hollington	Martin	Mecklenborg	Newbold
Ramos	Reece	Roegner	Slesnick
Sykes	Thompson	Weddington	Williams
			Yuko-29.

The bill passed.

Representative Sears moved to amend the title as follows:

Add the names: "Bubp, Duffey, Gardner, Lundy, Szollosi, Wachtmann, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

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

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

The question being, "Shall the bill pass?"

Representative Pillich moved to amend as follows:

In line 7, after "sections" insert "1751.67,"; after "2919.16," insert "3923.63, 3923.64,"

Between lines 10 and 11, insert:

"Sec. 1751.67. (A) Each individual or group health insuring corporation policy, contract, or agreement providing basic health care services that is delivered, issued for delivery, or renewed in this state ~~that provides maternity benefits~~ shall provide coverage of inpatient care and follow-up care for a mother and her newborn as follows:

(1) The policy, contract, or agreement shall cover a minimum of forty-eight hours of inpatient care following a normal vaginal delivery and a minimum of ninety-six hours of inpatient care following a cesarean delivery. Services covered as inpatient care shall include medical, educational, and any other services that are consistent with the inpatient care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals.

(2) The policy, contract, or agreement shall cover a physician-directed source of follow-up care. Services covered as follow-up care shall include physical assessment of the mother and newborn, parent education, assistance and training in breast or bottle feeding, assessment of the home support system, performance of any medically necessary and appropriate clinical tests, and any other services that are consistent with the follow-up care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals. The coverage shall apply to services provided in a medical setting or through home health care visits. The coverage shall apply to a home health care visit only if the provider who conducts the visit is knowledgeable and experienced in maternity and newborn care.

When a decision is made in accordance with division (B) of this section to discharge a mother or newborn prior to the expiration of the applicable number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to all follow-up care that is provided within seventy-two hours after discharge. When a mother or newborn receives at least the number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to follow-up care that is determined to be medically necessary by the provider responsible for discharging the mother or newborn.

(B) Any decision to shorten the length of inpatient stay to less than that specified under division (A)(1) of this section shall be made by the physician attending the mother or newborn, except that if a nurse-midwife is attending the mother in collaboration with a physician, the decision may be made by the nurse-midwife. Decisions regarding early discharge shall be made only after conferring with the mother or a person responsible for the mother or newborn. For purposes of this division, a person responsible for the mother or newborn may include a parent, guardian, or any other person with authority to make medical decisions for the mother or newborn.

(C)(1) No health insuring corporation may do ~~either~~ any of the following:

(a) Terminate the participation of a provider or health care facility in an

individual or group health care plan solely for making recommendations for inpatient or follow-up care for a particular mother or newborn that are consistent with the care required to be covered by this section;

(b) Establish or offer monetary or other financial incentives for the purpose of encouraging a person to decline the inpatient or follow-up care required to be covered by this section ;

(c) Allow more than thirty days to pass from the date of application for coverage until the effective date of the coverage required under this section.

(2) Whoever violates ~~division~~ divisions (C)(1)(a) ~~or (b)~~ to (c) of this section has engaged in an unfair and deceptive act or practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.

(D) This section does not do any of the following:

(1) Require a policy, contract, or agreement to cover inpatient or follow-up care that is not received in accordance with the policy's, contract's, or agreement's terms pertaining to the providers and facilities from which an individual is authorized to receive health care services;

(2) Require a mother or newborn to stay in a hospital or other inpatient setting for a fixed period of time following delivery;

(3) Require a child to be delivered in a hospital or other inpatient setting;

(4) Authorize a nurse-midwife to practice beyond the authority to practice nurse-midwifery in accordance with Chapter 4723. of the Revised Code;

(5) Establish minimum standards of medical diagnosis, care, or treatment for inpatient or follow-up care for a mother or newborn. A deviation from the care required to be covered under this section shall not, solely on the basis of this section, give rise to a medical claim or to derivative claims for relief, as those terms are defined in section 2305.113 of the Revised Code."

Between lines 308 and 309, insert:

"**Sec. 3923.63.** (A) Notwithstanding section 3901.71 of the Revised Code, each individual or group policy of sickness and accident insurance delivered, issued for delivery, or renewed in this state ~~that provides maternity benefits~~ shall provide coverage of inpatient care and follow-up care for a mother and her newborn as follows:

(1) The policy shall cover a minimum of forty-eight hours of inpatient care following a normal vaginal delivery and a minimum of ninety-six hours of inpatient care following a cesarean delivery. Services covered as inpatient care shall include medical, educational, and any other services that are consistent with the inpatient care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals.

(2) The policy shall cover a physician-directed source of follow-up care.

Services covered as follow-up care shall include physical assessment of the mother and newborn, parent education, assistance and training in breast or bottle feeding, assessment of the home support system, performance of any medically necessary and appropriate clinical tests, and any other services that are consistent with the follow-up care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals. The coverage shall apply to services provided in a medical setting or through home health care visits. The coverage shall apply to a home health care visit only if the health care professional who conducts the visit is knowledgeable and experienced in maternity and newborn care.

When a decision is made in accordance with division (B) of this section to discharge a mother or newborn prior to the expiration of the applicable number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to all follow-up care that is provided within seventy-two hours after discharge. When a mother or newborn receives at least the number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to follow-up care that is determined to be medically necessary by the health care professionals responsible for discharging the mother or newborn.

(B) Any decision to shorten the length of inpatient stay to less than that specified under division (A)(1) of this section shall be made by the physician attending the mother or newborn, except that if a nurse-midwife is attending the mother in collaboration with a physician, the decision may be made by the nurse-midwife. Decisions regarding early discharge shall be made only after conferring with the mother or a person responsible for the mother or newborn. For purposes of this division, a person responsible for the mother or newborn may include a parent, guardian, or any other person with authority to make medical decisions for the mother or newborn.

(C)(1) No sickness and accident insurer may do ~~either~~ any of the following:

(a) Terminate the participation of a health care professional or health care facility as a provider under a sickness and accident insurance policy solely for making recommendations for inpatient or follow-up care for a particular mother or newborn that are consistent with the care required to be covered by this section;

(b) Establish or offer monetary or other financial incentives for the purpose of encouraging a person to decline the inpatient or follow-up care required to be covered by this section ;

(c) Allow more than thirty days to pass from the date of application for coverage until the effective date of the coverage required under this section.

(2) Whoever violates ~~division~~ divisions (C)(1)(a) ~~or (b)~~ to (c) of this section has engaged in an unfair and deceptive act or practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.

(D) This section does not do any of the following:

(1) Require a policy to cover inpatient or follow-up care that is not received in accordance with the policy's terms pertaining to the health care professionals and facilities from which an individual is authorized to receive health care services;

(2) Require a mother or newborn to stay in a hospital or other inpatient setting for a fixed period of time following delivery;

(3) Require a child to be delivered in a hospital or other inpatient setting;

(4) Authorize a nurse-midwife to practice beyond the authority to practice nurse-midwifery in accordance with Chapter 4723. of the Revised Code;

(5) Establish minimum standards of medical diagnosis, care or treatment for inpatient or follow-up care for a mother or newborn. A deviation from the care required to be covered under this section shall not, solely on the basis of this section, give rise to a medical claim or derivative medical claim, as those terms are defined in section 2305.113 of the Revised Code.

(6) Apply to the offer or renewal of any individual or group policy of sickness and accident insurance that provides coverage for specific diseases or accidents only, or to any hospital indemnity, medicare supplement, medicare, tricare, long-term care, disability income, one-time limited duration policy of not longer than six months, or other policy that offers only supplemental benefits.

Sec. 3923.64. (A) Notwithstanding section 3901.71 of the Revised Code, each public employee benefit plan established or modified in this state ~~that provides maternity benefits~~ shall provide coverage of inpatient care and follow-up care for a mother and her newborn as follows:

(1) The plan shall cover a minimum of forty-eight hours of inpatient care following a normal vaginal delivery and a minimum of ninety-six hours of inpatient care following a cesarean delivery. Services covered as inpatient care shall include medical, educational, and any other services that are consistent with the inpatient care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals.

(2) The plan shall cover a physician-directed source of follow-up care. Services covered as follow-up care shall include physical assessment of the mother and newborn, parent education, assistance and training in breast or bottle feeding, assessment of the home support system, performance of any medically necessary and appropriate clinical tests, and any other services that are consistent with the follow-up care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals. The coverage shall apply to services provided in a medical setting or through home health care visits. The coverage shall apply to a home health care visit only if the health care professional who conducts the visit is knowledgeable and experienced in maternity and newborn care.

When a decision is made in accordance with division (B) of this section to discharge a mother or newborn prior to the expiration of the applicable number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to all follow-up care that is provided within seventy-two hours after discharge. When a mother or newborn receives at least the number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to follow-up care that is determined to be medically necessary by the health care professionals responsible for discharging the mother or newborn.

(B) Any decision to shorten the length of inpatient stay to less than that specified under division (A)(1) of this section shall be made by the physician attending the mother or newborn, except that if a nurse-midwife is attending the mother in collaboration with a physician, the decision may be made by the nurse-midwife. Decisions regarding early discharge shall be made only after conferring with the mother or a person responsible for the mother or newborn. For purposes of this division, a person responsible for the mother or newborn may include a parent, guardian, or any other person with authority to make medical decisions for the mother or newborn.

(C)(1) No public employer who offers an employee benefit plan may do ~~either~~ any of the following:

(a) Terminate the participation of a health care professional or health care facility as a provider under the plan solely for making recommendations for inpatient or follow-up care for a particular mother or newborn that are consistent with the care required to be covered by this section;

(b) Establish or offer monetary or other financial incentives for the purpose of encouraging a person to decline the inpatient or follow-up care required to be covered by this section ;

(c) Allow more than thirty days to pass from the date of application for coverage until the effective date of the coverage required under this section.

(2) Whoever violates ~~division~~ divisions (C)(1)(a) ~~or (b)~~ to (c) of this section has engaged in an unfair and deceptive act or practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.

(D) This section does not do any of the following:

(1) Require a plan to cover inpatient or follow-up care that is not received in accordance with the plan's terms pertaining to the health care professionals and facilities from which an individual is authorized to receive health care services;

(2) Require a mother or newborn to stay in a hospital or other inpatient setting for a fixed period of time following delivery;

(3) Require a child to be delivered in a hospital or other inpatient setting;

(4) Authorize a nurse-midwife to practice beyond the authority to

practice nurse-midwifery in accordance with Chapter 4723. of the Revised Code;

(5) Establish minimum standards of medical diagnosis, care, or treatment for inpatient or follow-up care for a mother or newborn. A deviation from the care required to be covered under this section shall not, solely on the basis of this section, give rise to a medical claim or derivative medical claim, as those terms are defined in section 2305.113 of the Revised Code."

In line 951, after "sections" insert "1751.67,"; after "2919.16," insert "3923.63, 3923.64, and"

In line 954, after "**3.**" insert "Section 1751.67 of the Revised Code, as enacted by this act, shall apply only to policies, contracts, and agreements that are delivered, issued for delivery, or renewed in this state on or after the effective date of this act. Sections 3923.63 and 3923.64 of the Revised Code, as enacted by this act, shall apply to policies of sickness and accident insurance on or after the effective date of this act in accordance with section 3923.01 of the Revised Code and to public employee benefit plans that are established or modified in this state on or after the effective date of this act."

Section 4."

In line 1 of the title, after "sections" insert "1751.67,"; after "2919.16," insert "3923.63, 3923.64,"

In line 6 of the title, after "abortions" insert "and to require health insurers to provide coverage for maternity 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 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
Combs	Conditt	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	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?"

The yeas and nays were taken and resulted - yeas 65, nays 33, 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
Combs	Conditt	Damschroder	DeGeeter
Derickson	Dovilla	Driehaus	Duffey
Fende	Gardner	Gentile	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hottinger
Huffman	Johnson	Kozlowski	Landis
Lundy	Maag	Martin	McClain
McGregor	McKenney	Mecklenborg	Murray
Newbold	Patmon	Peterson	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Szollosi
Thompson	Uecker	Wachtmann	Young
			Batchelder-65.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	Fedor
Foley	Garland	Gerberry	Goyal
Hagan, R.	Heard	Hollington	Letson
Luckie	Mallory	Milkovich	O'Brien
Okey	Phillips	Pillich	Ramos
Reece	Slesnick	Stebelton	Stinziano
Sykes	Weddington	Williams	Winburn
			Yuko-33.

The bill passed.

Representative Uecker moved to amend the title as follows:

Add the names: "Conditt, Driehaus, Hagan, C., Peterson, Sprague, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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

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

To enact section 3901.87 of the Revised Code to prohibit qualified health plans from providing coverage for certain abortions, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Antonio moved to amend as follows:

In line 4, after "That" insert "sections 1751.67, 3923.63, and 3923.64 be amended and"

Between lines 5 and 6, insert:

"Sec. 1751.67. (A) Each individual or group health insuring corporation policy, contract, or agreement providing basic health care services that is delivered, issued for delivery, or renewed in this state ~~that provides maternity benefits~~ shall provide coverage of inpatient care and follow-up care for a mother and her newborn as follows:

(1) The policy, contract, or agreement shall cover a minimum of forty-eight hours of inpatient care following a normal vaginal delivery and a minimum of ninety-six hours of inpatient care following a cesarean delivery. Services covered as inpatient care shall include medical, educational, and any other services that are consistent with the inpatient care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals.

(2) The policy, contract, or agreement shall cover a physician-directed source of follow-up care. Services covered as follow-up care shall include physical assessment of the mother and newborn, parent education, assistance and training in breast or bottle feeding, assessment of the home support system, performance of any medically necessary and appropriate clinical tests, and any other services that are consistent with the follow-up care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals. The coverage shall apply to services provided in a medical setting or through home health care visits. The

coverage shall apply to a home health care visit only if the provider who conducts the visit is knowledgeable and experienced in maternity and newborn care.

When a decision is made in accordance with division (B) of this section to discharge a mother or newborn prior to the expiration of the applicable number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to all follow-up care that is provided within seventy-two hours after discharge. When a mother or newborn receives at least the number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to follow-up care that is determined to be medically necessary by the provider responsible for discharging the mother or newborn.

(B) Any decision to shorten the length of inpatient stay to less than that specified under division (A)(1) of this section shall be made by the physician attending the mother or newborn, except that if a nurse-midwife is attending the mother in collaboration with a physician, the decision may be made by the nurse-midwife. Decisions regarding early discharge shall be made only after conferring with the mother or a person responsible for the mother or newborn. For purposes of this division, a person responsible for the mother or newborn may include a parent, guardian, or any other person with authority to make medical decisions for the mother or newborn.

(C)(1) No health insuring corporation may do ~~either~~ any of the following:

(a) Terminate the participation of a provider or health care facility in an individual or group health care plan solely for making recommendations for inpatient or follow-up care for a particular mother or newborn that are consistent with the care required to be covered by this section;

(b) Establish or offer monetary or other financial incentives for the purpose of encouraging a person to decline the inpatient or follow-up care required to be covered by this section ;

(c) Allow more than thirty days to pass from the date of application for coverage until the effective date of the coverage required under this section.

(2) Whoever violates division (C)(1)(a) ~~or~~ , (b) , or (c) of this section has engaged in an unfair and deceptive act or practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.

(D) This section does not do any of the following:

(1) Require a policy, contract, or agreement to cover inpatient or follow-up care that is not received in accordance with the policy's, contract's, or agreement's terms pertaining to the providers and facilities from which an individual is authorized to receive health care services;

(2) Require a mother or newborn to stay in a hospital or other inpatient setting for a fixed period of time following delivery;

(3) Require a child to be delivered in a hospital or other inpatient setting;

(4) Authorize a nurse-midwife to practice beyond the authority to practice nurse-midwifery in accordance with Chapter 4723. of the Revised Code;

(5) Establish minimum standards of medical diagnosis, care, or treatment for inpatient or follow-up care for a mother or newborn. A deviation from the care required to be covered under this section shall not, solely on the basis of this section, give rise to a medical claim or to derivative claims for relief, as those terms are defined in section 2305.113 of the Revised Code."

Between lines 14 and 15, insert:

"**Sec. 3923.63.** (A) Notwithstanding section 3901.71 of the Revised Code, each individual or group policy of sickness and accident insurance delivered, issued for delivery, or renewed in this state ~~that provides maternity benefits~~ shall provide coverage of inpatient care and follow-up care for a mother and her newborn as follows:

(1) The policy shall cover a minimum of forty-eight hours of inpatient care following a normal vaginal delivery and a minimum of ninety-six hours of inpatient care following a cesarean delivery. Services covered as inpatient care shall include medical, educational, and any other services that are consistent with the inpatient care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals.

(2) The policy shall cover a physician-directed source of follow-up care. Services covered as follow-up care shall include physical assessment of the mother and newborn, parent education, assistance and training in breast or bottle feeding, assessment of the home support system, performance of any medically necessary and appropriate clinical tests, and any other services that are consistent with the follow-up care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals. The coverage shall apply to services provided in a medical setting or through home health care visits. The coverage shall apply to a home health care visit only if the health care professional who conducts the visit is knowledgeable and experienced in maternity and newborn care.

When a decision is made in accordance with division (B) of this section to discharge a mother or newborn prior to the expiration of the applicable number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to all follow-up care that is provided within seventy-two hours after discharge. When a mother or newborn receives at least the number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to follow-up care that is determined to be medically necessary by the health care professionals responsible for discharging the mother or newborn.

(B) Any decision to shorten the length of inpatient stay to less than that specified under division (A)(1) of this section shall be made by the physician attending the mother or newborn, except that if a nurse-midwife is attending the

mother in collaboration with a physician, the decision may be made by the nurse-midwife. Decisions regarding early discharge shall be made only after conferring with the mother or a person responsible for the mother or newborn. For purposes of this division, a person responsible for the mother or newborn may include a parent, guardian, or any other person with authority to make medical decisions for the mother or newborn.

(C)(1) No sickness and accident insurer may do ~~either~~ any of the following:

(a) Terminate the participation of a health care professional or health care facility as a provider under a sickness and accident insurance policy solely for making recommendations for inpatient or follow-up care for a particular mother or newborn that are consistent with the care required to be covered by this section;

(b) Establish or offer monetary or other financial incentives for the purpose of encouraging a person to decline the inpatient or follow-up care required to be covered by this section ;

(c) Allow more than thirty days to pass from the date of application for coverage until the effective date of the coverage required under this section.

(2) Whoever violates division (C)(1)(a) ~~or~~ (b) , or (c) of this section has engaged in an unfair and deceptive act or practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.

(D) This section does not do any of the following:

(1) Require a policy to cover inpatient or follow-up care that is not received in accordance with the policy's terms pertaining to the health care professionals and facilities from which an individual is authorized to receive health care services;

(2) Require a mother or newborn to stay in a hospital or other inpatient setting for a fixed period of time following delivery;

(3) Require a child to be delivered in a hospital or other inpatient setting;

(4) Authorize a nurse-midwife to practice beyond the authority to practice nurse-midwifery in accordance with Chapter 4723. of the Revised Code;

(5) Establish minimum standards of medical diagnosis, care or treatment for inpatient or follow-up care for a mother or newborn. A deviation from the care required to be covered under this section shall not, solely on the basis of this section, give rise to a medical claim or derivative medical claim, as those terms are defined in section 2305.113 of the Revised Code.

(6) Apply to the offer or renewal of any individual or group policy of sickness and accident insurance that provides coverage for specific diseases or accidents only, or to any hospital indemnity, medicare supplement, medicare, triccare, long-term care, disability income, one-time limited duration policy of not

longer than six months, or other policy that offers only supplemental benefits.

Sec. 3923.64. (A) Notwithstanding section 3901.71 of the Revised Code, each public employee benefit plan established or modified in this state ~~that provides maternity benefits~~ shall provide coverage of inpatient care and follow-up care for a mother and her newborn as follows:

(1) The plan shall cover a minimum of forty-eight hours of inpatient care following a normal vaginal delivery and a minimum of ninety-six hours of inpatient care following a cesarean delivery. Services covered as inpatient care shall include medical, educational, and any other services that are consistent with the inpatient care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals.

(2) The plan shall cover a physician-directed source of follow-up care. Services covered as follow-up care shall include physical assessment of the mother and newborn, parent education, assistance and training in breast or bottle feeding, assessment of the home support system, performance of any medically necessary and appropriate clinical tests, and any other services that are consistent with the follow-up care recommended in the protocols and guidelines developed by national organizations that represent pediatric, obstetric, and nursing professionals. The coverage shall apply to services provided in a medical setting or through home health care visits. The coverage shall apply to a home health care visit only if the health care professional who conducts the visit is knowledgeable and experienced in maternity and newborn care.

When a decision is made in accordance with division (B) of this section to discharge a mother or newborn prior to the expiration of the applicable number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to all follow-up care that is provided within seventy-two hours after discharge. When a mother or newborn receives at least the number of hours of inpatient care required to be covered, the coverage of follow-up care shall apply to follow-up care that is determined to be medically necessary by the health care professionals responsible for discharging the mother or newborn.

(B) Any decision to shorten the length of inpatient stay to less than that specified under division (A)(1) of this section shall be made by the physician attending the mother or newborn, except that if a nurse-midwife is attending the mother in collaboration with a physician, the decision may be made by the nurse-midwife. Decisions regarding early discharge shall be made only after conferring with the mother or a person responsible for the mother or newborn. For purposes of this division, a person responsible for the mother or newborn may include a parent, guardian, or any other person with authority to make medical decisions for the mother or newborn.

(C)(1) No public employer who offers an employee benefit plan may do ~~either~~ any of the following:

(a) Terminate the participation of a health care professional or health care facility as a provider under the plan solely for making recommendations for inpatient or follow-up care for a particular mother or newborn that are consistent with the care required to be covered by this section;

(b) Establish or offer monetary or other financial incentives for the purpose of encouraging a person to decline the inpatient or follow-up care required to be covered by this section ;

(c) Allow more than thirty days to pass from the date of application for coverage until the effective date of the coverage required under this section.

(2) Whoever violates division (C)(1)(a) ~~or~~ (b) or (c) of this section has engaged in an unfair and deceptive act or practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.

(D) This section does not do any of the following:

(1) Require a plan to cover inpatient or follow-up care that is not received in accordance with the plan's terms pertaining to the health care professionals and facilities from which an individual is authorized to receive health care services;

(2) Require a mother or newborn to stay in a hospital or other inpatient setting for a fixed period of time following delivery;

(3) Require a child to be delivered in a hospital or other inpatient setting;

(4) Authorize a nurse-midwife to practice beyond the authority to practice nurse-midwifery in accordance with Chapter 4723. of the Revised Code;

(5) Establish minimum standards of medical diagnosis, care, or treatment for inpatient or follow-up care for a mother or newborn. A deviation from the care required to be covered under this section shall not, solely on the basis of this section, give rise to a medical claim or derivative medical claim, as those terms are defined in section 2305.113 of the Revised Code."

In line 15, after "2." insert "That existing sections 1751.67, 3923.63, and 3923.64 of the Revised Code are hereby repealed.

Section 3. Section 1751.67 of the Revised Code shall apply only to policies, contracts, and agreements that are delivered, issued for delivery, or renewed in this state on or after the effective date of this act. Sections 3923.63 and 3923.64 of the Revised Code shall apply to policies of sickness and accident insurance on or after the effective date of this act in accordance with section 3923.01 of the Revised Code and to public employee benefit plans that are established or modified in this state on or after the effective date of this act.

Section 4."

In line 15, delete "this act" and insert "section 3901.87 of the Revised Code"

In line 1 of the title, after "To" insert "amend sections 1751.67, 3923.63, and 3923.64 and to"

In line 3 of the title, after "abortions" insert "and to require health insurers to provide coverage for maternity 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 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
Combs	Conditt	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	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?"

The yeas and nays were taken and resulted - yeas 62, nays 36, 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

Combs	Conditt	Damschroder	DeGeeter
Derickson	Dovilla	Driehaus	Fende
Gardner	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hottinger	Huffman	Johnson
Kozlowski	Landis	Lundy	Maag
Martin	McClain	McGregor	McKenney
Mecklenborg	Murray	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg
Szollosi	Thompson	Uecker	Wachtmann
Young			Batchelder-62.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	Duffey
Fedor	Foley	Garland	Gentile
Gerberry	Goyal	Hagan, R.	Heard
Hollington	Letson	Luckie	Mallory
Milkovich	O'Brien	Okey	Patmon
Phillips	Pillich	Ramos	Reece
Slesnick	Stebelton	Stinziano	Sykes
Weddington	Williams	Winburn	Yuko-36.

The bill passed.

Representative Bubp moved to amend the title as follows:

Add the names: "Adams, R., Buchy, Conditt, Derickson, Dovilla, Hagan, C., Mecklenborg, Newbold, Roegner, Rosenberger, Stautberg, Thompson, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 99-Representatives Damschroder, Garland.

Cosponsors: Representatives Antonio, Boyd, Celeste, Clyde, DeGeeter, Derickson, Dovilla, Fende, Goyal, Grossman, Hackett, Heard, Hottinger, Mallory, Murray, Okey, Pillich, Ruhl, Stebelton, Stinziano, Szollosi, Winburn, Yuko, Rosenberger.

To enact section 4511.204 of the Revised Code to prohibit driving a vehicle while writing, sending, or reading a text-based communication on an electronic wireless communications device, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative O'Brien moved to amend as follows:

In line 5, after "That" insert "section 4508.02 be amended and"

Between lines 6 and 7, insert:

"**Sec. 4508.02.** (A) The director of public safety, subject to Chapter 119. of the Revised Code, shall adopt and prescribe such rules concerning the administration and enforcement of this chapter as are necessary to protect the public. The director shall inspect the school facilities and equipment of applicants and licensees and examine applicants for instructor's licenses.

(B) The director shall administer and enforce this chapter.

(C) The rules shall require twenty-four hours of classroom instruction, and eight hours of actual behind-the-wheel instruction conducted on public streets and highways of this state for all beginning drivers of noncommercial motor vehicles who are under age eighteen. The rules also shall require the classroom instruction for such drivers to include instruction in the dangers of driving a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication.

(D) The rules shall state the minimum hours for classroom and behind-the-wheel instruction required for beginning drivers of commercial trucks, commercial cars, buses, and commercial tractors, trailers, and ~~semi-trailers~~ semitrailers."

In line 64, after "**2.**" insert "That existing section 4508.02 of the Revised Code is hereby repealed.

Section 3."

In line 1 of the title, after "To" insert "amend section 4508.02 and to"

In line 4 of the title, after "device" insert "and to require driver education courses to include instruction in the dangers of texting while driving"

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

The yeas and nays were taken and resulted - yeas 98, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	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-98.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 88, nays 10, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Amstutz	Anielski	Antonio
Ashford	Baker	Balderson	Barnes
Blessing	Boose	Brenner	Bubp
Budish	Burke	Carey	Carney
Celeste	Clyde	Combs	Conditt
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	McClain
McGregor	McKenney	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Peterson	Phillips	Pillich	Ramos
Reece	Roegner	Ruhl	Schuring
Slaby	Slesnick	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Thompson	Uecker	Weddington	Williams
Winburn	Young	Yuko	Batchelder-88.

Those who voted in the negative were: Representatives

Adams J.	Beck	Blair	Buchy
Butler	Martin	Mecklenborg	Rosenberger
Sears			Wachtmann-10.

The bill passed.

Representative Damschroder moved to amend the title as follows:

Add the names: "Anielski, Barnes, Boose, Bubp, Budish, Fedor, Gerberry, Hagan, C., Hagan, R., Hayes, Johnson, Letson, Luckie, Lundy, McClain, McGregor, Newbold, O'Brien, Slaby, Weddington, Batchelder."

Remove the name: "Rosenberger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

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

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

Cosponsors: Representatives Murray, Snitchler, Maag, Combs, Phillips, Stebelton, Boose, McClain, Grossman, Patmon, Adams, J., Winburn, Garland, Hayes, Bubp, Slaby, Adams, R., Amstutz, Ashford, Barnes, Blair, Blessing, Buchy, Budish, Butler, Celeste, Dovilla, Fedor, Gerberry, Gonzales, Hackett, Hagan, C., Hall, Heard, Landis, Letson, Newbold, O'Brien, Pillich, Schuring, Uecker, Weddington, Speaker Batchelder Senators Turner, Kearney, Bacon, Brown, Cafaro, Daniels, Faber, Gillmor, Grendell, Hite, Hughes, Jordan, Jones, LaRose, Lehner, Manning, Obhof, Patton, Sawyer, Schaffer, Schiavoni, Smith, Tavares, Wagoner, Widener, Wilson

To amend sections 149.43, 149.45, 2925.02, 2925.03, 2925.11, 3719.01, and 3719.41 and to enact section 3719.013 of the Revised Code to add synthetic cannabinoids commonly known as K2 or Spice to the list of Schedule I controlled substances, to prohibit the possession of Spice, to prohibit trafficking in Spice, to provide that if Spice is the drug involved in a violation of the offense of corrupting another with drugs the penalty for the violation will be the same as if marihuana was the drug involved in the offense, to add six synthetic derivatives of cathinone that have been found in bath salts to the list of Schedule I controlled substances, to define a "controlled substance analog" for purposes of the Controlled Substances Law, and to treat controlled substance analogs as Schedule I controlled substances, and to specify that the residential and familial information of probation officers and bailiffs is not a public record.

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

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative Blessing moved that the Senate amendments to **Sub. H. B. No. 64**-Representatives Ruhl, Burke, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 64**-Representatives Ruhl, Burke, et al., were taken up for consideration.

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

Cosponsors: Representatives Murray, Snitchler, Maag, Combs, Phillips, Stebelton, Boose, McClain, Grossman, Patmon, Adams, J., Winburn, Garland, Hayes, Bubp, Slaby, Adams, R., Amstutz, Ashford, Barnes, Blair, Blessing, Buchy, Budish, Butler, Celeste, Dovilla, Fedor, Gerberry, Gonzales, Hackett, Hagan, C., Hall, Heard, Landis, Letson, Newbold, O'Brien, Pillich, Schuring, Uecker, Weddington, Speaker Batchelder. Senators Turner, Kearney, Bacon, Brown, Cafaro, Daniels, Faber, Gillmor, Grendell, Hite, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Patton, Sawyer, Schaffer, Schiavoni, Smith, Tavares, Wagoner, Widener, Wilson.

To amend sections 149.43, 149.45, 2925.02, 2925.03, 2925.11, 3719.01, and 3719.41 and to enact section 3719.013 of the Revised Code to add synthetic cannabinoids commonly known as K2 or Spice to the list of Schedule I controlled substances, to prohibit the possession of Spice, to prohibit trafficking in Spice, to provide that if Spice is the drug involved in a violation of the offense of corrupting another with drugs the penalty for the violation will be the same as if marihuana was the drug involved in the offense, to add six synthetic derivatives of cathinone that have been found in bath salts to the list of Schedule I controlled substances, to define a "controlled substance analog" for purposes of the Controlled Substances Law, and to treat controlled substance analogs as Schedule I controlled substances, and to specify that the residential and familial information of probation officers and bailiffs is not a public record.

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

The yeas and nays were taken and resulted - yeas 97, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Budish	Burke	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	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
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-97.

Representative Martin voted in the negative-1.

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

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

Sub. H. B. No. 277 -Representatives Blessing, Gerberry
Cosponsors: Representatives Boyd, Buchy, Driehaus, Hackett, Hagan, R., Henne, Letson, Mallory, Mecklenborg, O'Brien, Ruhl, Sykes, Uecker, Winburn, Yuko Senators Beagle, Hite, Niehaus, Schiavoni, Seitz

To amend sections 2915.01, 3772.01, 3772.11, 3772.15, 3772.23, 3772.27, 3772.31, 5751.01, and 5753.01 and to enact section 3772.34 of the Revised Code to make changes to the Casino Law, to make changes to skill-based amusement machine prizes, and to permit a horse-racing permit holder who is eligible to become a video lottery sales agent to apply to the State Racing Commission to move its track to another location, and to permit, under certain circumstances for two years, applications to conduct horse-racing meetings at locations where the meetings were not previously conducted.

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

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative Blessing moved that the Senate amendments to **Sub. H. B. No. 277**-Representatives Blessing, Gerberry, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 277**-Representatives Blessing, Gerberry, et al., were taken up for consideration.

Sub. H. B. No. 277-Representatives Blessing, Gerberry.
Cosponsors: Representatives Boyd, Buchy, Driehaus, Hackett, Hagan, R., Henne, Letson, Mallory, Mecklenborg, O'Brien, Ruhl, Sykes, Uecker, Winburn, Yuko. Senators Beagle, Hite, Niehaus, Schiavoni, Seitz.

To amend sections 2915.01, 3772.01, 3772.11, 3772.15, 3772.23, 3772.27, 3772.31, 5751.01, and 5753.01 and to enact section 3772.34 of the Revised Code to make changes to the Casino Law, to make changes to skill-based amusement machine prizes, and to permit a horse-racing permit holder who is eligible to become a video lottery sales agent to apply to the State Racing Commission to move its track to another location, and to permit, under certain circumstances for two years, applications to conduct horse-racing meetings at locations where the meetings were not previously conducted.

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

06/28/11

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 Senate amendments to **Sub. H. B. No. 277**-Representatives Blessing, Gerberry, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ TERRY BLAIR
TERRY BLAIR
State Representative
38th House District

The request was granted.

The yeas and nays were taken and resulted - yeas 65, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Anielski	Antonio	Baker	Balderson
Blessing	Boose	Brenner	Buchy
Budish	Burke	Butler	Carney

Clyde	Combs	Conditt	DeGeeter
Derickson	Dovilla	Driehaus	Duffey
Fende	Foley	Garland	Gentile
Gerberry	Goodwin	Goyal	Grossman
Hackett	Hagan, R.	Hall	Heard
Henne	Hollington	Huffman	Kozlowski
Landis	Letson	Lundy	Maag
Mallory	Martin	McGregor	Mecklenborg
Milkovich	Newbold	O'Brien	Okey
Peterson	Phillips	Pillich	Ramos
Reece	Rosenberger	Ruhl	Schuring
Sears	Slaby	Slesnick	Stautberg
Stinziano	Sykes	Uecker	Winburn
			Yuko-65.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Ashford
Barnes	Beck	Bubp	Carey
Celeste	Damschroder	Fedor	Gardner
Gonzales	Hagan, C.	Hayes	Hottinger
Johnson	Luckie	McClain	McKenney
Murray	Patmon	Roegner	Sprague
Stebelton	Szollosi	Thompson	Wachtmann
Weddington	Williams	Young	Batchelder-32.

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

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

Am. H. B. No. 188 -Speaker Batchelder

Cosponsors: Representatives Derickson, Beck, Thompson, Wachtmann, Maag, Stebelton, Amstutz, Adams, R., Combs, Blair, Gardner, Johnson, Boose, Carey, Butler, Grossman, Burke, Stautberg, Duffey, Huffman, Adams, J., Newbold, Hayes, Dovilla, Slaby, Martin, Brenner, Mecklenborg, Gerberry, Fedor, Letson, Patmon, Sprague, Stinziano, Anielski, Antonio, Baker, Balderson, Barnes, Blessing, Bubp, Buchy, Budish, Carney, Celeste, Damschroder, DeGeeter, Fende, Garland, Goodwin, Goyal, Hackett, Hagan, C., Hall, Heard, Henne, Hollington, Hottinger, Kozlowski, Luckie, McClain, McGregor, McKenney, Milkovich, Murray, Peterson, Phillips, Pillich, Ramos, Roegner, Rosenberger, Ruhl, Sears, Slesnick, Sykes, Szollosi, Weddington, Winburn, Yuko Senators Faber, Bacon, Beagle, Brown, Cafaro, Coley, Daniels, Gillmor, Grendell, Hite, Hughes, Jones, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Sawyer, Smith, Stewart, Tavares, Turner, Wagoner, Widener, Wilson

To enact sections 103.61, 103.62, 103.63, 103.64, 103.65, 103.66, and 103.67 of the Revised Code to establish the Ohio Constitutional Modernization Commission.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

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

Sub. H. B. No. 229 -Representative Buchy

Cosponsors: Representatives Hall, Derickson, Thompson, Maag, Boose, Adams, R., Hayes, Ruhl, Balderson, Amstutz, Baker, Barnes, Beck, Blair, Blessing, Bubp, Combs, Duffey, Garland, Hackett, Hagan, C., Henne, Johnson, Kozlowski, Lundy, Mallory, McClain, McGregor, Murray, Newbold, O'Brien, Peterson, Rosenberger, Schuring, Sears, Slaby, Stebelton, Weddington, Young, Speaker Batchelder Senators Bacon, Coley, Daniels, Faber, Hite, Jones, Kearney, LaRose, Lehner, Manning, Patton, Sawyer, Schaffer, Seitz, Tavares, Turner, Wilson

To amend sections 121.04, 121.09, 307.204, 505.266, 901.08, 901.43, 903.02, 907.11, 923.41, 923.52, 924.52, 941.02, 941.041, 941.14, 942.02, 943.03, 943.031, 943.04, 943.05, 943.16, 953.23, 955.35, 959.14, 1711.50, 1711.51, 1711.57, 3717.22, and 4707.11 and to enact sections 923.411 and 3769.0811 of the Revised Code to revise the laws governing agriculture.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

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

Sub. H. B. No. 231 -Representative Wachtmann

Cosponsors: Representatives Boose, Peterson, Beck, Blair, Blessing, Brenner,

Buchy, Damschroder, Dovilla, Hackett, Hall, Hottinger, Huffman, Johnson, Kozlowski, Maag, Martin, McClain, Newbold, Roegner, Sears, Slaby, Thompson, Young, Speaker Batchelder Senators Grendell, Schaffer, Coley, Daniels, Hite, Jordan

To amend sections 1501.32, 1501.33, 1521.04, 1522.03, and 1522.05, to enact sections 1522.10, 1522.101, and 1522.11 to 1522.20, and to repeal section 1522.07 of the Revised Code to establish a program for the issuance of permits for the withdrawal and consumptive use of waters from the Lake Erie basin.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

Sub. S. B. No. 83 -Senator Oelslager

Cosponsors: Senators Tavares, Cafaro, Brown, Coley, Daniels, Hughes, Niehaus, Sawyer, Schiavoni, Turner, Wilson

To amend sections 3719.06, 4723.481, 4723.482, 4723.492, and 4723.50 of the Revised Code to modify the authority of certain advanced practice nurses to prescribe schedule II controlled substances.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

Sub. S. B. No. 141 -Senators Gillmor, Hite

Cosponsors: Senators Schaffer, Seitz, Hughes, Brown, Tavares, Coley, Bacon, Beagle, Cafaro, Daniels, Jones, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Sawyer, Schiavoni, Skindell, Smith, Stewart, Turner, Wagoner, Widener, Wilson

To amend sections 4731.36, 4734.14, 4755.48, and 4755.99 of the Revised Code to authorize a licensed physician, chiropractor, or physical therapist from another state to provide services to an out-of-state athletic team and certain accompanying individuals when the team is participating in a sporting event in Ohio.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Sub. S. B. No. 171 -Senators Gillmor, Wagoner - et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has agreed to the report of the Committee of Conference on matters of difference between the two houses on:

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

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following joint resolution:

Am. H. J. R. No. 1 -Representatives Huffman, Fende

Cosponsors: Representatives Slaby, Grossman, Gardner, Sears, Maag, Derickson, McKenney, Amstutz, Brenner, Combs, Blessing, McClain, Thompson, Blair, Dovilla, Coley, Anielski, Baker, Beck, Boose, Carey, Duffey, Gonzales, Hollington, Martin, McGregor, Mecklenborg, Newbold, Rosenberger, Schuring, Stebelton, Uecker, Speaker Batchelder Senators Wagoner, Faber, Seitz, Turner, Bacon, Brown, Coley, Daniels, Hite, Lehner, Manning, Patton, Schiavoni, Smith, Widener, Wilson

Proposing to amend Section 6 of Article IV and to repeal Sections 19 and 22 of Article IV of the Constitution of the State of Ohio to change the age at and after which a person may not be elected or appointed to a judicial office and to eliminate the authority of the General Assembly to establish courts of conciliation and to reappoint a Supreme Court commission.

With the following additional amendments, in which the concurrence of the House is requested.

In line 51, after "election" insert "or appointment"

In line 52, strike through "attained" and insert "exceeded"

In line 53, after "years" delete the balance of the line

Delete lines 54 and 55

In line 56, delete everything before the period

Attest:

Vincent L. Keeran,
Clerk.

Pursuant to Joint Rule 16, Representative Blessing moved that the Senate amendments to **Am. H. J. R. No. 1**-Representatives Huffman, Fende, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. H. J. R. No. 1**-Representatives Huffman, Fende, et al., were taken up for consideration.

Am. H. J. R. No. 1-Representatives Huffman, Fende.

Cosponsors: Representatives Slaby, Grossman, Gardner, Sears, Maag, Derickson, McKenney, Amstutz, Brenner, Combs, Blessing, McClain,

Thompson, Blair, Dovilla, Coley, Anielski, Baker, Beck, Boose, Carey, Duffey, Gonzales, Hollington, Martin, McGregor, Mecklenborg, Newbold, Rosenberger, Schuring, Stebelton, Uecker, Speaker Batchelder. Senators Wagoner, Faber, Seitz, Turner, Bacon, Brown, Coley, Daniels, Hite, Lehner, Manning, Patton, Schiavoni, Smith, Widener, Wilson.

Proposing to amend Section 6 of Article IV and to repeal Sections 19 and 22 of Article IV of the Constitution of the State of Ohio to change the age at and after which a person may not be elected or appointed to a judicial office and to eliminate the authority of the General Assembly to establish courts of conciliation and to reappoint a Supreme Court commission.

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

The yeas and nays were taken and resulted - yeas 69, nays 27, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Balderson
Barnes	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Burke	Butler	Carey	Combs
Conditt	Damschroder	Derickson	Duffey
Fedor	Fende	Gardner	Gonzales
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Luckie	Maag	Mallory
Martin	McClain	McGregor	McKenney
Mecklenborg	Milkovich	Newbold	O'Brien
Patmon	Peterson	Roegner	Rosenberger
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Stebelton	Thompson
Uecker	Wachtmann	Young	Yuko
			Batchelder-69.

Those who voted in the negative were: Representatives

Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Foley	Garland
Gentile	Gerberry	Goodwin	Goyal
Hagan, R.	Heard	Lundy	Murray
Okey	Phillips	Pillich	Ramos
Reece	Stinziano	Sykes	Szollosi
Weddington	Williams		Winburn-27.

The Senate amendments were concurred in.

Message from the Speaker

The Speaker of the House of Representatives, on June 24, 2011, signed the following:

Am. Sub. H. B. No. 92 - Representatives Martin, Beck - et al.

Am. Sub. H. B. No. 86 - Representatives Blessing, Heard - et al.

Clerk's Notation

This is to acknowledge receipt of the report of the Committee of Conference on **Sub. H. B. No. 153**—Representative Amstutz, et al., on June 27, 2011.

On motion of Representative Blessing, the House adjourned until Wednesday, June 29, 2011 at 1:30 p.m.

Attest:

LAURA P. CLEMENS,
Clerk.