

OHIO

House

of

Representatives

JOURNAL

TUESDAY, DECEMBER 13, 2011

ONE HUNDRED EIGHTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, December 13, 2011, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Jim McComas of the Canaan Free Will Baptist Church in Creston, 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:

Mark Sandridge received H. R. 37, presented by Speaker Batchelder-69th district.

The Kirtland High School Football team received H. R. 234, presented by Rep. Fende-62nd district.

The Thomas Worthington High School field hockey team received H. R. 236, presented by Representative Duffey-21st district.

The Miami East High School girls volleyball team received H. R. 237, presented by Representative R. Adams-79th district.

Ariel, daughter of Representative Antonio-13th district.

Joyce and George Whitt, guests of Representative Slesnick-52nd district.

Joe and Elane Hintz, guests of Representative Boose-58th district.

Larry Allen, Darlene Weger, and Dave Wilcox, a guest of Representative Fende-62nd district.

Matt Damschroder, Dan Polter, and Terry Thatcher, guests of Representative Damschroder-81st district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 391-Representative Huffman.

To repeal Sections 3 and 4 of Sub. H.B. 318 of the 129th General Assembly and to repeal Sections 3, 6, and 7 of Sub. H.B. 319 of the 129th General Assembly to eliminate the requirement that Ohio conduct two primary elections in 2012, to eliminate the appropriation that would pay for the second primary election in 2012, to eliminate the requirement of mailing an election notice to each registered elector prior to the March 6, 2012, primary election, to establish a single primary election on May 22, 2012, for the purpose of nominating all candidates for election in 2012, and to declare an emergency.

H. B. No. 392-Representatives Grossman, Combs.

Cosponsors: Representatives Pelanda, Garland, Stinziano, Maag, Yuko, Boyd, Hagan, C., Letson, Hall.

To enact sections 5103.24, 5103.241, 5103.25, and 5103.26 of the Revised Code to prohibit a public children services agency, private child placing agency, private noncustodial agency, or juvenile court from placing an abused, neglected, or dependent child in an out-of-state residential facility that does not comply with Ohio policies regarding client rights, use of restraints and isolation or seclusion, agency reporting requirements, and behavior intervention and discipline policies.

H. B. No. 393-Representative Yuko.

Cosponsors: Representatives Roegner, Letson, McClain, Antonio, Hagan, R.

To amend sections 3705.20 and 3705.23 of the Revised Code to rename certificates recognizing the delivery of a stillborn infant as certificates of live birth resulting in stillbirth.

H. B. No. 394-Representative Maag.

Cosponsors: Representatives Boose, Adams, J., Brenner, Combs, Letson.

To amend section 5739.02 of the Revised Code to exempt from sales and use taxes the sale or use of investment metal bullion and coins.

H. B. No. 395-Representative Maag.

Cosponsors: Representatives Brenner, Terhar, Adams, J., Goodwin, Wachtmann, Blair, Yuko.

To amend sections 4511.21 and 4511.35 of the Revised Code to increase the speed limit on interstate freeways from 65 to 70 miles per hour for all vehicles and to limit the use of the left-hand lane of interstate freeways.

H. B. No. 396-Representatives McGregor, Murray.

To amend sections 101.35, 103.0511, 107.54, 111.15, 117.20, 119.01, 119.03, 119.04, 121.39, 121.73, 121.74, 121.81, 121.82, 121.83, 127.18, 1531.08, 3319.22, 3319.221, 3333.021, 3333.048, 3737.88, 3746.04, 4117.02, 4141.14, 5103.0325, 5117.02, 5703.14, 6111.31, and 6111.51; to enact sections 106.01, 106.02, 106.021, 106.022, 106.023, 106.03, 106.031, 106.032, 106.04, 106.041, and 106.042; and to repeal sections 119.031 and 119.032 of the Revised Code to revise rule-making and rule review procedures and to declare an emergency.

Said bills were considered the first time.

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

Representative Fedor submitted the following report:

The standing committee on Agriculture and Natural Resources to which was referred **H. B. No. 389**-Representatives Hall, Okey, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: CAPTIVE DEER / WILD ANIMAL HUTING PRESERVES -
REGULATION

Representative Hall moved to amend the title as follows:

Add the name: "Landis."

Representative Hall moved to amend as follows:

In line 233, after "disease" insert "status"

In line 829, delete "animal" and insert "annual"

The motion was agreed to and the bill so amended.

- | | |
|-------------------|-----------------|
| DAVE HALL | TERESA FEDOR |
| TERRY BOOSE | JIM BUCHY |
| KATHLEEN CLYDE | REX DAMSCHRODER |
| TIMOTHY DERICKSON | LOU GENTILE |
| CHRISTINA HAGAN | TRACY HEARD |
| CASEY KOZLOWSKI | AL LANDIS |
| DENNIS MURRAY | SEAN O'BRIEN |
| DEBBIE PHILLIPS | MARGARET RUHL |
| ANDY THOMPSON | |

The report was agreed to.

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

Representative Luckie submitted the following report:

The standing committee on Education to which was referred **Am. S. B. No. 165**-Senators Obhof, Grendell, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CURRICULUM REQUIREMENTS - INCLUDE CONTENT ON
SPECIFIED HISTORICAL DOCUMENTS

Representative Stebelton moved to amend the title as follows:

Add the names: "Representatives Baker, Roegner, Butler, Hayes."

- | | |
|---------------------|---------------|
| GERALD L. STEBELTON | CRAIG NEWBOLD |
| MARLENE ANIELSKI | NAN BAKER |
| ANDREW BRENNER | JIM BUTLER |
| TIMOTHY DERICKSON | BILL HAYES |

MICHAEL HENNE
CASEY KOZLOWSKI
KRISTINA ROEGNER

MATT HUFFMAN
RON MAAG
ANDY THOMPSON

The following members voted "NO"

CLAYTON LUCKIE
DENISE DRIEHAUS
RON GERBERRY
DAN RAMOS

TED CELESTE
TERESA FEDOR
DEBBIE PHILLIPS

The report was agreed to.

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

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Bill be considered for the second time and referred to the following committee for consideration.

H.B. No. 390 - Representative Combs, et al

TO PROHIBIT SCRAP METAL DEALERS FROM PURCHASING OR RECEIVING COPPER PLUMBING PIPE FROM ANY PERSON OTHER THAN A PLUMBER AND PURCHASING OR RECEIVING AN AIR CONDITIONING UNIT FROM ANY PERSON OTHER THAN A HEATING, VENTILATING, AND AIR CONDITIONING CONTRACTOR.
To the committee on Local Government

LOUIS W. BLESSING
ANDREW BRENNER
CHERYL GROSSMAN
TRACY HEARD
MATT SZOLLOSI

JOHN ADAMS
ANNE GONZALES
DOROTHY PELANDA
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 the House 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 Bill was 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 Resolutions be read by title only and approved:

H.R. No. 235 - Speaker Batchelder - Representative Brenner

Honoring Trooper Larry R. Bowman for outstanding service to our state and nation.

H.R. No. 236 - Representative Duffey

Honoring the Thomas Worthington High School field hockey team on winning the 2011 Division I State Championship.

H.R. No. 237 - Representative R. Adams

Honoring the Miami East High School girls volleyball team as the 2011 Division III State Champion.

H.R. No. 238 - Representative Buchy

Honoring the St. Henry High School girls volleyball team as the 2011 Division IV State Champion.

/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. S. B. No. 165-Senators Obhof, Grendell.

Cosponsors: Senators Faber, Hughes, Jones, Jordan, Schaffer, Seitz, Sawyer, Hite, Bacon, Beagle, Brown, Coley, Daniels, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Wagoner, Widener, Wilson. Representatives Baker, Roegner, Butler, Hayes.

To amend sections 3301.079, 3301.0712, 3313.60, and 3313.603 and to enact section 3319.23 of the Revised Code to include content on specified historical documents in the state academic standards and in the high school American history and government curriculum, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Adams, J. moved to amend as follows:

In line 28, after " States" insert " and its amendments."

In line 208, delete " thirty" and insert " twenty-five"

After line 728, insert:

"Section 4. Nothing in this act shall be construed to limit the ability of a school district or public or nonpublic school to offer academic content based on the standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the academic content required under division (M) of section 3313.603 of the Revised Code through summer school, online, or any other method of education offered by the district or school."

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

Representative Lundy 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 38, nays 55, as follows:

Those who voted in the affirmative were: Representatives

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

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Blair	Blessing	Boose
Brenner	Bubp	Buchy	Butler
Carey	Combs	Conditt	Damschroder
Derickson	Dovilla	Duffey	Gardner
Gonzales	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hill
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Maag	Martin
McClain	McGregor	Newbold	Pelanda
Roegner	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Stebelton
Stinziano	Terhar	Thompson	Uecker
Wachtmann	Young		Batchelder-55.

The motion to amend was not laid on the table.

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

The yeas and nays were taken and resulted - yeas 53, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Blair	Blessing	Boose

Brenner	Bubp	Buchy	Butler
Carey	Combs	Conditt	Damschroder
Derickson	Dovilla	Duffey	Gardner
Gonzales	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hill
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Maag	Martin
McGregor	Newbold	Pelanda	Roegner
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Stebelton	Terhar
Thompson	Uecker	Wachtmann	Young
			Batchelder-53.

Those who voted in the negative were: Representatives

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

The motion was agreed to and the bill so amended.

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

Representative Antonio moved to amend as follows:

In line 29, delete " original" and insert " historical"

In line 709, delete " original" and insert " historical"

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

Representative Sears 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 55, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Blair	Blessing	Boose
Brenner	Bubp	Buchy	Butler
Carey	Combs	Conditt	Damschroder
Derickson	Dovilla	Duffey	Gardner
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Martin	McClain	McGregor	Newbold
Pelanda	Roegner	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg

Stebelton	Terhar	Thompson	Uecker
Wachtmann	Young		Batchelder-55.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	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-38.

The motion to amend was laid on the table.

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

Representative Lundy moved that **Sub. S. B. No. 165**-Senators Obhof, Grendell, et al., be rereferred to the committee on Finance and Appropriations.

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

The yeas and nays were taken and resulted - yeas 39, nays 54, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Barnes	Carney
Celeste	Clyde	DeGeeter	Driehaus
Fedor	Fende	Foley	Garland
Gentile	Gerberry	Goodwin	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.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Blair	Blessing	Boose
Brenner	Bubp	Buchy	Butler
Carey	Combs	Conditt	Damschroder
Derickson	Dovilla	Duffey	Gardner
Gonzales	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hill
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Maag	Martin
McClain	McGregor	Newbold	Pelanda
Roegner	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Stebelton
Terhar	Thompson	Uecker	Wachtmann
Young			Batchelder-54.

The motion was not agreed to.

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

Representative Luckie moved to amend as follows:

In line 29, delete the first " and"; after the second underlined comma insert " and the "Fourth of July" speech by Frederick Douglass."

In line 392, reinsert "Social studies, three units"; delete the balance of the line

In line 393, delete " unit"

In line 397, delete all after "(7)"

In line 398, delete " (8)"

In line 429, reinsert "Social studies, three units"; delete the balance of the line

In line 430, delete " unit"

Delete line 434

In line 442, reinsert "(6)"; delete " (7)"

In line 449, reinsert "(7)"; delete " (8)"

In line 668, reinsert "(7)"; delete " (8)"

In line 672, reinsert "(7)"; delete " (8)"

In line 706, after " Constitution" insert " ;

(5) The "Fourth of July" speech by Frederick Douglass"

In line 708, delete " (4)" and insert " (5)"

In line 715, after the underlined period insert " The study of American history and government required by those divisions also shall include study of the Emancipation Proclamation, the federal Civil Rights Act of 1964 and Voting Rights Act of 1965, and original documents from the women's suffrage movement."

The amendment was ruled out of order.

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

The yeas and nays were taken and resulted - yeas 62, nays 31, as follows:

Those who voted in the affirmative were: Representatives

- | | | | |
|----------|-----------|-----------|-------------|
| Adams J. | Adams R. | Amstutz | Anielski |
| Baker | Blair | Blessing | Boose |
| Brenner | Bubp | Buchy | Butler |
| Carey | Combs | Conditt | Damschroder |
| DeGeeter | Derickson | Dovilla | Duffey |
| Gardner | Gentile | Gonzales | Goyal |
| Grossman | Hackett | Hagan, C. | Hall |

Hayes	Henne	Hill	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Lundy	Maag	Martin
McClain	McGregor	Newbold	Patmon
Pelanda	Pillich	Reece	Roegner
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Stebelton	Stinziano
Terhar	Thompson	Uecker	Wachtmann
Young			Batchelder-62.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Carney
Celeste	Clyde	Driehaus	Fedor
Fende	Foley	Garland	Gerberry
Goodwin	Hagan, R.	Heard	Letson
Luckie	Mallory	Milkovich	Murray
O'Brien	Okey	Phillips	Ramos
Slesnick	Sykes	Szollosi	Weddington
Williams	Winburn		Yuko-31.

The bill passed.

Representative Adams, J. moved to amend the title as follows:

Add the names: "Adams, J., Anielski, Boose, Brenner, Bubp, Dovilla, Hackett, Henne, Hill, Maag, Martin, Newbold, Ruhl, Slaby, Stebelton, Terhar, Thompson, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 207-Representatives Balderson, Letson.

Cosponsors: Representatives Huffman, Yuko, Gerberry, Landis, Thompson, Derickson, Stinziano, Fende, Ashford, Combs, Phillips, Schuring, Martin, Buchy, Hayes, Blair, Hottinger, Milkovich.

To enact section 5.2267 of the Revised Code to designate the week in which Labor Day occurs each year as "Ohio Coal Miners Week", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Letson moved to amend as follows:

In line 4, delete "5.2267" and insert "5.2272"

In line 6, delete "**5.2267**" and insert "**5.2272**"

In line 1 of the title, delete "5.2267" and insert "5.2272"

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

The motion was agreed to without objection.

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

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

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Blair	Blessing	Boose	Brenner
Bubp	Buchy	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	Hill	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Luckie	Lundy	Maag
Mallory	Martin	McClain	McGregor
Milkovich	Murray	Newbold	O'Brien
Okey	Patmon	Pelanda	Phillips
Pillich	Ramos	Reece	Roegner
Ruhl	Schuring	Sears	Slaby
Slesnick	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Terhar
Thompson	Uecker	Wachtmann	Weddington
Williams	Winburn	Young	Yuko
			Batchelder-93.

The bill passed.

Representative Letson moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Amstutz, Anielski, Antonio, Barnes, Blessing, Boose, Bubp, Carey, Carney, Celeste, Conditt, Damschroder, Dovilla, Driehaus, Duffey, Fedor, Gardner, Garland, Gentile, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Heard, Hill, Hollington, Johnson, Kozlowski, Luckie, Lundy, Maag, Mallory, McClain, McGregor, Newbold, Patmon, Ramos, Reece, Ruhl, Sears, Slaby, Stautberg, Stebelton, Sykes, Szollosi, Uecker, Wachtmann, Winburn, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

December 12, 2011

Honorable William G. Batchelder
Speaker, Ohio House of Representatives
77 South High St., 14th Floor
Columbus, OH 43215-6111

Dear Speaker Batchelder:

I am writing to inform you of my resignation as State Representative in Ohio's 95th House District. I will be resigning my position effective Tuesday, December 13, 2011 at approximately 1:30pm, upon taking the oath of Office as Senator for Ohio's 30th Senate District.

It has been an honor and a privilege to serve the people in Ohio's 95th District. I am humbled to have served in the 129th General Assembly and I look forward to continuing to serve the people in the state of Ohio.

Sincerely,

/s/ LOU GENTILE

Lou Gentile
Ohio House of Representatives
95th District

Message from the Speaker

December 13, 2011

The Honorable Lou Gentile
Ohio House of Representatives
77 South High Street
Columbus, Ohio 43215

Dear Representative Gentile:

This is to acknowledge receipt and acceptance of your letter of resignation, effective December 13, 2011.

You have served your constituents and the state of Ohio well over the years and I am confident you will continue to do so in your future endeavors.

Sincerely,

/s/ WILLIAM G. BATCHELDER

William G. Batchelder
Speaker
Ohio House of Representatives

H. B. No. 24-Representative Combs.

Cosponsors: Representatives Wachtmann, Patmon, Garland, Derickson, Maag, Fedor, Adams, J., Blessing, Beck, O'Brien, Winburn.

To amend sections 2950.01, 2950.11, 2950.12, and 2950.13 of the Revised Code to provide notice to a long-term care facility when a Tier III or similar category sex offender/child-victim offender indicates an intent to reside in the facility or registers an address within the specified geographical notification area including the facility, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Blair	Blessing	Boose	Brenner
Bubp	Buchy	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gerberry	Gonzales	Goodwin	Goyal
Grossman	Hackett	Hagan, C.	Hagan, R.
Hall	Hayes	Heard	Henne
Hill	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Ruhl
Schuring	Sears	Slaby	Slesnick
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Weddington	Williams
Winburn	Young	Yuko	Batchelder-92.

The bill passed.

Representative Combs moved to amend the title as follows:

Add the names: "Adams, R., Anielski, Antonio, Barnes, Bubp, Buchy, Butler, Celeste, Clyde, Conditt, Damschroder, DeGeeter, Dovilla, Driehaus, Duffey, Fende, Foley, Goodwin, Grossman, Hackett, Hall, Heard, Hill, Johnson, Letson, Luckie, Lundy, Mallory, McClain, Milkovich, Murray, Newbold, Phillips, Ramos, Slaby, Szollosi, Thompson, Uecker, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 349-Representative McGregor.

Cosponsors: Representatives Hackett, Grossman, Murray.

To amend sections 3781.111, 4510.31, 4511.01, 4511.041, 4511.09, 4511.102, 4511.103, 4511.105, 4511.106, 4511.11, 4511.13, 4511.131, 4511.14, 4511.37, 4511.69, and 4955.33 and to repeal section 4511.15 of the Revised Code to make changes in certain provisions relating to road signs and traffic signals for purposes of the Ohio Manual of Uniform Traffic Control Devices, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative McGregor moved to amend as follows:

In line 890, strike through "adjacent" and insert " associated"

In lines 1003 and 1019, delete " sidewalk" and insert " crosswalk"

In line 1061, delete " or warning"

In line 1065, delete " supplemental" and insert " supplemented"

In line 1104, strike through the period and insert an underlined colon

In line 1137, strike through " utilitizing" and insert " utilizing"

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

The yeas and nays were taken and resulted - yeas 90, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Blair	Blessing	Boose	Brenner
Bubp	Buchy	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gerberry	Gonzales	Goodwin	Goyal
Grossman	Hackett	Hagan, C.	Hall
Hayes	Heard	Henne	Hill
Hollington	Hottinger	Huffman	Kozlowski
Landis	Letson	Luckie	Lundy
Maag	Mallory	Martin	McClain
McGregor	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Pelanda
Phillips	Pillich	Ramos	Reece
Roegner	Ruhl	Schuring	Sears
Slaby	Slesnick	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szolloosi

Terhar	Thompson	Uecker	Wachtmann
Weddington	Williams	Winburn	Young
Yuko			Batchelder-90.

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 90, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Blair	Blessing	Boose	Brenner
Bubp	Butler	Carey	Carney
Celeste	Clyde	Combs	Conditt
Damschroder	DeGeeter	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hill
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Luckie
Lundy	Maag	Mallory	Martin
McClain	McGregor	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Pelanda	Phillips	Pillich	Ramos
Reece	Roegner	Ruhl	Schuring
Sears	Slaby	Slesnick	Sprague
Stautberg	Stebelton	Stinziano	Sykes
Szollosi	Terhar	Thompson	Uecker
Weddington	Williams	Winburn	Young
Yuko			Batchelder-90.

Representatives Buchy and Wachtmann voted in the negative-2.

The bill passed.

Representative McGregor moved to amend the title as follows:

Add the names: "Barnes, Combs, DeGeeter, Fende, Garland, Gerberry, Hagan, R., Letson, Luckie, Lundy, Mallory, McClain, Milkovich, O'Brien, Reece, Ruhl, Slaby, Winburn, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 276-Representatives Buchy, Gentile.

Cosponsors: Representatives Hall, Derickson, Peterson, Balderson, Boose, Ruhl, Murray, O'Brien, Huffman, Grossman, Amstutz, Hackett, Maag, Gonzales, Adams, R., Johnson, Yuko, Fende.

To amend sections 1.61, 303.01, 303.21, 519.01, 519.21, 901.511, 903.10, 929.01, 1309.102, 1311.55, 1729.01, 3781.06, 5501.50, and 5713.30 of the Revised Code to include algaculture in the laws governing agriculture, in the definition of "agriculture" for purposes of the laws governing county and township zoning, and in the laws governing current agricultural use valuation; to exclude from zoning restrictions the production from certain feedstocks of biodiesel, biomass energy, electric or heat energy, and biologically derived methane gas; to include that production in the laws governing current agricultural use valuation; and to provide for the establishment of best management practices for that production under the Concentrated Animal Feeding Facilities Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Blair	Blessing	Boose	Brenner
Bubp	Buchy	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gerberry	Gonzales	Goodwin	Goyal
Grossman	Hackett	Hagan, C.	Hagan, R.
Hall	Hayes	Heard	Henne
Hill	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Ruhl
Schuring	Sears	Slaby	Slesnick
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Weddington	Williams
Winburn	Young	Yuko	Batchelder-92.

The bill passed.

Representative Buchy moved to amend the title as follows:

Add the names: "Anielski, Antonio, Baker, Barnes, Blair, Bubp, Butler, Carey, Carney, Celeste, Combs, Damschroder, DeGeeter, Dovilla, Driehaus, Duffey, Fedor, Foley, Garland, Goodwin, Goyal, Hagan, C., Hayes, Heard, Henne, Hill, Hottinger, Kozlowski, Landis, Letson, Luckie, Lundy, Mallory, McClain, Milkovich, Newbold, Patmon, Pelanda, Phillips, Ramos, Roegner,

Schuring, Sears, Slaby, Slesnick, Sprague, Stebelton, Szollosi, Thompson, Wachtmann, Winburn, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. S. B. No. 155-Senators Cates, Sawyer.

Cosponsors: Senators Wilson, Brown, Turner, Bacon, Oelslager, Gillmor, Wagoner, Jones, Beagle, Grendell, Obhof, Hughes, Kearney, Tavares, Daniels, Balderson, Burke, Cafaro, Coley, Eklund, Faber, Hite, Jordan, LaRose, Lehner, Manning, Niehaus, Patton, Schaffer, Schiavoni, Seitz, Skindell, Smith, Widener. Representatives Huffman, Maag, Gardner, Buchy, Celeste, Patmon, Stinziano, Lundy, Clyde, Letson, Gerberry.

To enact section 5.2270 of the Revised Code to designate February 20 as "John Glenn Friendship 7 Day" and to declare an emergency, was taken up for consideration the third time.

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

The yeas and nays were taken and resulted - yeas 83, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Antonio	Ashford	Baker
Barnes	Blair	Blessing	Bubp
Buchy	Butler	Carey	Carney
Celeste	Clyde	Combs	Conditt
Damschroder	DeGeeter	Derickson	Dovilla
Driehaus	Duffey	Fedor	Fende
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Heard	Henne	Hill
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Luckie
Lundy	Maag	Mallory	McClain
McGregor	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Pelanda
Phillips	Pillich	Ramos	Reece
Roegner	Ruhl	Schuring	Sears
Slaby	Slesnick	Sprague	Stebelton
Stinziano	Sykes	Szollosi	Thompson
Uecker	Weddington	Williams	Winburn
Young	Yuko		Batchelder-83.

Those who voted in the negative were: Representatives

Adams J.	Amstutz	Anielski	Boose
Brenner	Martin	Stautberg	Terhar
			Wachtmann-9.

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

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Blair	Blessing	Boose	Brenner
Bubp	Buchy	Butler	Carey
Carney	Celeste	Clyde	Combs
Conditt	Damschroder	DeGeeter	Derickson
Dovilla	Driehaus	Duffey	Fedor
Fende	Foley	Gardner	Garland
Gerberry	Gonzales	Goodwin	Goyal
Grossman	Hackett	Hagan, C.	Hagan, R.
Hall	Hayes	Heard	Henne
Hill	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Ruhl
Schuring	Sears	Slaby	Slesnick
Sprague	Stautberg	Stebelton	Stinziano
Sykes	Szollosi	Terhar	Thompson
Uecker	Wachtmann	Weddington	Williams
Winburn	Young	Yuko	Batchelder-92.

Having received the required constitutional majority, the bill passed as an emergency measure.

Representative Huffman moved to amend the title as follows:

Add the names: "Anielski, Antonio, Baker, Barnes, Blair, Brenner, Bubp, Carey, Carney, Combs, Damschroder, DeGeeter, Derickson, Dovilla, Driehaus, Duffey, Fedor, Fende, Foley, Garland, Gonzales, Goyal, Grossman, Hackett, Hagan, C., Hagan, R., Hall, Heard, Hollington, Hottinger, Johnson, Landis, Luckie, Mallory, McClain, McGregor, Milkovich, Newbold, O'Brien, Phillips, Pillich, Ramos, Reece, Roegner, Ruhl, Schuring, Slaby, Sprague, Stebelton, Szollosi, Terhar, Thompson, Uecker, Weddington, Winburn, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blessing, the House recessed.

The House met pursuant to recess.

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

The motion was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Bill be considered for the second time and referred to the following committee for consideration.

H.B. No. 391 - Representative Huffman

TO ELIMINATE THE REQUIREMENT THAT OHIO CONDUCT TWO PRIMARY ELECTIONS IN 2012, TO ELIMINATE THE APPROPRIATION THAT WOULD PAY FOR THE SECOND PRIMARY ELECTION IN 2012, TO ELIMINATE THE REQUIREMENT OF MAILING AN ELECTION NOTICE TO EACH REGISTERED ELECTOR PRIOR TO THE MARCH 6, 2012, PRIMARY ELECTION, TO ESTABLISH A SINGLE PRIMARY ELECTION ON MAY 22, 2012, FOR THE PURPOSE OF NOMINATING ALL CANDIDATES FOR ELECTION IN 2012, AND TO DECLARE AN EMERGENCY.

To the committee on State Government and Elections

LOUIS W. BLESSING
ANDREW BRENNER
CHERYL GROSSMAN

JOHN ADAMS
ANNE GONZALES
DOROTHY PELANDA

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 the House 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 Bill was considered the second time and referred as recommended.

Message from the Speaker

The Speaker of the House of Representatives, on December 8, 2011, signed the following:

Sub. H. B. No. 209 - Representative Adams, R. - et al.

Am. S. B. No. 117 - Senators Seitz, Schiavoni - et al.

On motion of Representative Blessing, the House adjourned until Wednesday, December 14, 2011 at 1:30 p.m.

Attest:

THOMAS L. SHERMAN,
Deputy Clerk.