

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**THURSDAY, DECEMBER 17, 2009**

ONE HUNDRED TWENTIETH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Thursday, December 17, 2009, 1:30 p.m.**

The House met pursuant to adjournment.

Prayer was offered by Representative Tyrone Yates-33rd District, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

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

Students from Dunloe Elementary School, guests of Representative Harris-19th district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 399**-Representative Bacon.

Cosponsors: Representatives Derickson, Murray, Gardner, Grossman, Huffman, Evans, Adams, J., Morgan, Coley, Lundy, Sears, Adams, R., Chandler, Stebelton, Beck, Okey, Stautberg.

To amend section 955.011 of the Revised Code to revise the definition of "mobility impaired person" to include a person who is diagnosed with autism for purposes of the statutes governing assistance dogs.

Said bills were considered the first time.

**CONSIDERATION OF SENATE AMENDMENTS**

The Senate amendments to **Sub. H. B. No. 19**-Representative Harwood, et al., were taken up for consideration.

**Sub. H. B. No. 19**-Representative Harwood.

Cosponsors: Representatives Brown, Fende, Okey, Williams, B., Garrison, Bolon, Chandler, Phillips, Boyd, Newcomb, Williams, S., Domenick, Pillich, Harris, Murray, Luckie, DeBose, Driehaus, Garland, Lundy, Pryor, Weddington, Celeste, Dodd, Dyer, Foley, Gerberry, Goyal, Hagan, Heard, Hite, Koziura, Mallory, Otterman, Patten, Skindell, Slesnick, Stewart, Szollosi, Ujvagi, Winburn, Yuko. Senators Cates, Carey, Gibbs, Sawyer, Fedor, Morano, Cafaro, Gillmor, Hughes, Kearney, Miller, D., Miller, R., Turner, Schiavoni, Patton, Wilson, Goodman, Jones.

To amend sections 3313.60, 3313.666, 3314.35, 3319.073, 3319.39, and 3327.10 of the Revised Code to enact the "Tina Croucher Act" to require

public schools to incorporate dating violence into their policies prohibiting harassment, intimidation, or bullying; to require school districts to include dating violence prevention education in the health curriculum; to clarify the conditions under which a community school must close for poor academic performance; and to revise the criminal offenses that disqualify school bus drivers for employment.

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

The yeas and nays were taken and resulted - yeas 74, nays 22, as follows:

Those who voted in the affirmative were: Representatives

Adams R.	Bacon	Baker	Balderson
Belcher	Blair	Bolon	Book
Boyd	Brown	Carney	Celeste
Chandler	Coley	Combs	Daniels
DeBose	DeGeeter	Derickson	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner
Garland	Garrison	Gerberry	Goyal
Hackett	Hagan	Hall	Harris
Harwood	Heard	Hite	Hottinger
Koziura	Lehner	Letson	Luckie
Lundy	Mallory	Mandel	McClain
McGregor	Moran	Murray	Newcomb
Oelslager	Okey	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
Zehringer			Budish-74.

Those who voted in the negative were: Representatives

Adams J.	Amstutz	Batchelder	Beck
Blessing	Boose	Bubp	Burke
Goodwin	Huffman	Jordan	Maag
Martin	Mecklenborg	Morgan	Ruhl
Sears	Snitchler	Stautberg	Stebelton
Uecker			Wagner-22.

The Senate amendments were concurred in.

The Senate amendments to **Am. Sub. H. B. No. 290**-Representatives Bubp, Pryor, et al., were taken up for consideration.

**Am. Sub. H. B. No. 290**-Representatives Bubp, Pryor.

Cosponsors: Representatives Adams, J., Adams, R., Balderson, Blair, Burke, Daniels, Derickson, Domenick, Fende, Gardner, Grossman, Hackett, Huffman, Jordan, Lehner, Letson, Luckie, Maag, Martin, McGregor, Mecklenborg,

Morgan, Murray, Okey, Pillich, Ruhl, Sears, Snitchler, Stebelton, Uecker, Wagner, Williams, B., Yuko, Driehaus, Garland, Gerberry, Harris, Lundy, Moran, Phillips, Weddington, Evans, Hite, Bacon, Boose, Brown, Carney, Combs, DeBose, Dyer, Goyal, Harwood, Mandel, McClain, Patten, Skindell, Slesnick, Winburn, Zehring. Senators Cates, Schuring, Fedor, Buehrer, Cafaro, Carey, Coughlin, Gibbs, Gillmor, Grendell, Harris, Hughes, Morano, Niehaus, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Stewart, Strahorn, Turner, Wagoner, Widener, Wilson, Husted, Jones, Miller, R., Faber, Kearney, Goodman, Smith.

To amend sections 3301.0714, 3306.51, 3306.53, 3306.54, 3306.55, 3306.58, 3313.603, 3314.028, and 3314.35 and to enact sections 3301.94, 3306.59, and 3333.0410 of the Revised Code to include Junior ROTC as a permitted elective within the Ohio Core curriculum, to permit schools to excuse Junior ROTC students from high school physical education, to clarify the conditions under which a community school must close for poor academic performance, to specify conditions under which certain community schools may obtain new sponsors, to permit the Department of Education and the Chancellor of the Board of Regents to establish a longitudinal student data system, to extend the deadline for certain school districts to secure voter approval of bonds and tax levies for the districts' shares of state-assisted classroom facilities projects, to make performance of the Harmon Commission's duties contingent on the availability of funding, and to declare an emergency.

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

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Belcher	Blair	Blessing	Bolon
Book	Boose	Boyd	Brown
Bubp	Burke	Carney	Celeste
Chandler	Coley	Combs	Daniels
DeBose	DeGeeter	Derickson	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner
Garland	Garrison	Gerberry	Goodwin
Goyal	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Jordan	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	Mandel	Martin
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Patten	Phillips	Pillich
Pryor	Ruhl	Sayre	Schneider
Sears	Skindell	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Sykes

Szollosi	Uecker	Ujvagi	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-96.

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

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

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Belcher	Blair	Blessing	Bolon
Book	Boose	Boyd	Brown
Bubp	Burke	Carney	Celeste
Chandler	Coley	Combs	Daniels
DeBose	DeGeeter	Derickson	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner
Garland	Garrison	Gerberry	Goodwin
Goyal	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Jordan	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	Mandel	Martin
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Patten	Phillips	Pillich
Pryor	Ruhl	Sayre	Schneider
Sears	Skindell	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Sykes
Szollosi	Uecker	Ujvagi	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-96.

The Senate amendments were concurred in.

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

Representative Wachtmann submitted the following report:

The standing committee on Health to which was referred **H. B. No. 314**-Representative Ujvagi, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REGISTERED NURSES DETERMINE AND PRONOUNCE DEATH

Representative Boyd moved to amend the title as follows:

Add the names: "Wachtmann, Goodwin, Newcomb, Winburn."

BARBARA BOYD	JOHN PATRICK CARNEY
LYNN R. WACHTMANN	TROY BALDERSON
DAVE BURKE	EDNA BROWN
COURTNEY COMBS	RANDY GARDNER
BRUCE W. GOODWIN	ROBERT F. HAGAN
MATT HUFFMAN	TOM LETSON
ROBERT MECKLENBORG	DEBORAH NEWCOMB
W. SCOTT OELSLAGER	DEBBIE PHILLIPS
STEPHEN SLESNICK	ROLAND WINBURN
KENNY YUKO	

The report was agreed to.

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

#### MOTIONS AND RESOLUTIONS

Representative Goyal moved that majority party members asking leave to be absent or absent the week of Wednesday, December 16, 2009, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Adams, J. moved that minority party members asking leave to be absent or absent the week of Wednesday, December 16, 2009, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

#### BILLS FOR THIRD CONSIDERATION

Representative Szollosi moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **H. B. No. 75**-Representatives Chandler, Moran, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

**H. B. No. 75**-Representatives Chandler, Moran.

Cosponsors: Representatives Harwood, Harris, Fende, Williams, B., Dodd, Ujvagi, Evans, Okey, Williams, S., Newcomb, Gardner, Yates, Luckie, Yuko, Phillips, Patten, Stewart, Stebelton, Huffman, Hagan, Domenick, Skindell, Koziura, Brown, Gerberry, Lundy, Mallory, Sayre, Belcher, Daniels, Adams, J., Grossman, Hall, Hite.

To amend section 5747.113 and to enact section 149.308 of the Revised Code to allow taxpayers to contribute a portion of their income tax refunds to the Ohio Historical Society, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 95, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Bacon	Baker
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Coley	Combs	Daniels	DeBose
DeGeeter	Derickson	Dodd	Dolan
Domenick	Driehaus	Dyer	Evans
Fende	Foley	Gardner	Garland
Garrison	Gerberry	Goodwin	Goyal
Hackett	Hagan	Hall	Harris
Harwood	Heard	Hite	Hottinger
Huffman	Jordan	Koziura	Lehner
Letson	Luckie	Lundy	Maag
Mallory	Mandel	Martin	McClain
McGregor	Mecklenborg	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Patten	Phillips	Pillich	Pryor
Ruhl	Sayre	Schneider	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Uecker	Ujvagi	Wagner	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko	Zehringer		Budish-95.

Representative Amstutz voted in the negative-1.

The bill passed.

Representative Chandler moved to amend the title as follows:

Add the names: "Adams, R., Bacon, Baker, Balderson, Beck, Blair, Blessing, Boose, Bubp, Carney, Celeste, Combs, DeBose, DeGeeter, Derickson, Dyer, Foley, Garland, Garrison, Hackett, Hottinger, Lehner, Letson, Maag, Mandel, Martin, Mecklenborg, Oelslager, Pillich, Pryor, Sears, Slesnick, Snitchler, Uecker, Winburn, Zehringer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Szollosi moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **Sub. H. B. No.**

**96**-Representative Skindell, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

**Sub. H. B. No. 96**-Representative Skindell.

Cosponsors: Representatives Murray, Letson, Foley, Yates, Harris, Patten, Phillips, Luckie, Yuko, Williams, S., Boyd, Stebelton, Hagan, Domenick, Oelslager, Weddington, Harwood, Stewart, Bolon, Chandler, Brown, Okey.

To enact section 2927.28 of the Revised Code to require the inclusion of a bittering agent in engine coolant and antifreeze, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 73, nays 23, as follows:

Those who voted in the affirmative were: Representatives

Bacon	Baker	Batchelder	Beck
Belcher	Blessing	Bolon	Book
Boyd	Brown	Burke	Carney
Celeste	Chandler	Combs	DeBose
DeGeeter	Derickson	Dodd	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Hackett
Hagan	Hall	Harris	Harwood
Heard	Hite	Hottinger	Koziura
Lehner	Letson	Luckie	Lundy
Mallory	Mandel	Moran	Murray
Newcomb	Oelslager	Okey	Patten
Phillips	Pillich	Pryor	Sayre
Schneider	Skindell	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Sykes
Szollosi	Ujvagi	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
			Budish-73.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Balderson
Blair	Boose	Bubp	Coley
Daniels	Dolan	Huffman	Jordan
Maag	Martin	McClain	McGregor
Mecklenborg	Morgan	Ruhl	Sears
Uecker	Wagner		Zehringer-23.

The bill passed.

Representative Skindell moved to amend the title as follows:

Add the names: "Carney, Celeste, DeBose, Evans, Fende, Garland, Gerberry, Goyal, Koziura, Mallory, Pillich, Pryor, Williams, B., Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Szollosi moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **Sub. H. B. No. 113**-Representatives Foley, Blessing, et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

**Sub. H. B. No. 113**-Representatives Foley, Blessing.

Cosponsors: Representatives Celeste, Skindell, Morgan, Harris, Evans, Snitchler, Pillich, Mecklenborg, Murray, Phillips, Combs, Grossman, Harwood, Newcomb, McGregor, Chandler, Oelslager, Yates, Ujvagi, Weddington, Stewart, Yuko, Stebelton, Adams, J., Bacon, Hagan.

To amend sections 133.06, 133.20, 3313.372, 3313.46, and 4928.62 and to enact section 3313.377 of the Revised Code to authorize school boards, for on-site renewable energy generation measures and in the same manner as for energy conservation measures, to enter into installment contracts subject to specified terms of payment, to provide that energy conservation installment contracts are subject to those same terms, and to establish a two-tiered, three-year renewable energy schools pilot program that creates a process for schools to obtain a supply of electricity generated from wind, geothermal, or solar resources, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Foley moved to amend as follows:

In line 540, delete "district" and insert "board"

In line 541, delete "the district installs"; after "system" insert "is installed"

In line 543, delete "district" and insert "board"

In line 550, delete "proposal" and insert "proposals"

In line 551, delete "district's"

In line 552, after "install" insert "one or more"; after "systems" delete the balance of the line and insert an underlined period

Delete lines 553 through 558

In line 559, delete "of this section."; delete "proposal" and insert "request for proposals"

In line 567, delete " district's"

In line 568, delete " district" and insert " board"

In line 572, after the second comma insert " the board determines that"

In line 573, delete " district" and insert " board"

In line 578, delete " close" and insert " closely"

In line 580, delete " proposal" and insert " proposals"; after " the" insert " pilot"

In line 588, delete " school" and insert " board"

In line 606, after " contract" insert " , including terms under which the board may terminate the contract without being charged a termination fee of any kind if the board determines that the cost the district pays for the electricity generated by the renewable energy system is substantially greater than the retail rate of electricity that would have been payable by the district if the system had not been installed"

In line 609, delete " a district" and insert " the board"

In line 611, delete " school district" and insert " board"

In line 616, delete " district" and insert " board"

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

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Belcher	Blair	Blessing	Bolon
Book	Boose	Boyd	Brown
Bubp	Burke	Carney	Celeste
Chandler	Coley	Combs	Daniels
DeBose	DeGeeter	Derickson	Dodd
Dolan	Domenick	Driehaus	Dyer
Evans	Fende	Foley	Gardner
Garland	Garrison	Gerberry	Goodwin
Goyal	Hackett	Hagan	Hall
Harris	Harwood	Heard	Hite
Hottinger	Huffman	Jordan	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	Mandel	Martin
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelslager
Okey	Patten	Phillips	Pillich
Pryor	Ruhl	Sayre	Schneider
Sears	Skindell	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Sykes
Szollosi	Uecker	Ujvagi	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-96.

The motion was agreed to and the bill so amended.

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

Representative Pryor moved to amend as follows:

In line 514, delete " solar-sourced electricity or"

In line 515, delete " wind energy or geothermal energy" and insert " renewable energy resources as defined in division (A)(35) of section 4928.01 of the Revised Code"

In line 530, after " on" insert " , in,"

In line 542, after " on" insert " , in, or proximate to"

In line 13 of the title, delete "wind, geothermal, or solar" and insert "renewable energy"

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

The yeas and nays were taken and resulted - yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

- |            |             |             |            |
|------------|-------------|-------------|------------|
| Adams J.   | Adams R.    | Amstutz     | Bacon      |
| Baker      | Balderson   | Batchelder  | Beck       |
| Belcher    | Blair       | Blessing    | Bolon      |
| Book       | Boose       | Boyd        | Brown      |
| Bubp       | Burke       | Carney      | Celeste    |
| Chandler   | Coley       | Combs       | Daniels    |
| DeBose     | DeGeeter    | Derickson   | Dodd       |
| Dolan      | Domenick    | Driehaus    | Dyer       |
| Evans      | Fende       | Foley       | Gardner    |
| Garland    | Garrison    | Gerberry    | Goodwin    |
| Goyal      | Hackett     | Hagan       | Hall       |
| Harris     | Harwood     | Heard       | Hite       |
| Hottinger  | Huffman     | Jordan      | Koziura    |
| Lehner     | Letson      | Luckie      | Lundy      |
| Maag       | Mallory     | Mandel      | Martin     |
| McClain    | McGregor    | Mecklenborg | Moran      |
| Morgan     | Murray      | Newcomb     | Oelslager  |
| Okey       | Patten      | Phillips    | Pillich    |
| Pryor      | Ruhl        | Sayre       | Schneider  |
| Sears      | Skindell    | Slesnick    | Snitchler  |
| Stautberg  | Stebelton   | Stewart     | Sykes      |
| Szollosi   | Uecker      | Ujvagi      | Wagner     |
| Weddington | Williams B. | Williams S. | Winburn    |
| Yates      | Yuko        | Zehringer   | Budish-96. |

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 91, nays 5, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Amstutz	Bacon	Baker
Balderson	Batchelder	Beck	Belcher
Blair	Blessing	Bolon	Book
Boose	Boyd	Brown	Bubp
Burke	Carney	Celeste	Chandler
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goodwin	Goyal	Hackett
Hagan	Hall	Harris	Harwood
Heard	Hite	Hottinger	Huffman
Koziura	Lehner	Letson	Luckie
Lundy	Maag	Mallory	Martin
McClain	McGregor	Mecklenborg	Moran
Morgan	Murray	Newcomb	Oelsluger
Okey	Patten	Phillips	Pillich
Pryor	Ruhl	Sayre	Schneider
Sears	Skindell	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Sykes
Szollosi	Uecker	Ujvagi	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko	Zehringer		Budish-91.

Representatives Adams R., Coley, Jordan, Mandel, and Wagner voted in the negative-5.

The bill passed.

Representative Foley moved to amend the title as follows:

Add the names: "Baker, Batchelder, Belcher, Bolon, Boose, Boyd, Brown, Bubp, Carney, DeBose, Domenick, Driehaus, Dyer, Garland, Goodwin, Goyal, Hackett, Heard, Koziura, Lehner, Letson, Luckie, Lundy, Mallory, Patten, Pryor, Szollosi, Uecker, Williams, B., Williams, S., Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Szollosi moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **Sub. H. B. No.**

**126**-Representative Williams, S., et al. be taken up for immediate consideration the third time.

The motion was agreed to without objection.

**Sub. H. B. No. 126**-Representative Williams, S.

Cosponsors: Representatives Letson, Domenick, Murray, Hagan, Foley, Harwood, Mallory, Brown, Stewart.

To amend sections 169.01, 169.02, 169.03, 169.06, 169.08, 169.13, 169.14, and 169.16 of the Revised Code to require the director of commerce to provide the office of budget and management with the proper data file to withhold from an unclaimed funds payment for any legal amount in an agreement to compensate a registered finder and to pay that amount directly to the finder and to make other changes in the Unclaimed Funds 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 86, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Baker	Balderson
Batchelder	Beck	Belcher	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Bubp	Burke
Carney	Celeste	Chandler	Coley
Combs	Daniels	DeBose	DeGeeter
Derickson	Dodd	Dolan	Domenick
Driehaus	Dyer	Evans	Fende
Foley	Gardner	Garland	Garrison
Gerberry	Goyal	Hackett	Hagan
Hall	Harris	Harwood	Heard
Hite	Hottinger	Jordan	Koziura
Letson	Luckie	Lundy	Maag
Mallory	McClain	McGregor	Mecklenborg
Moran	Murray	Newcomb	Oelslager
Okey	Patten	Phillips	Pillich
Pryor	Ruhl	Sayre	Sears
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Sykes	Szollosi	Uecker
Ujvagi	Wagner	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
Zehringer			Budish-86.

Those who voted in the negative were: Representatives

Amstutz	Bacon	Goodwin	Huffman
Lehner	Mandel	Martin	Morgan
			Schneider-9.

The bill passed.

Representative Williams, S. moved to amend the title as follows:

Add the names: "Boyd, DeBose, Dyer, Harris, Heard, Luckie, Pillich, Weddington, Williams, B., Winburn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Szollosi, the House recessed.

The House met pursuant to recess.

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. 318** -Representative Sykes  
Cosponsors: Representatives Bolon, Chandler, DeBose, Foley, Hagan, Harris, Koziura, Letson, Luckie, Stewart, Szollosi, Ujvagi, Williams, B., Winburn, Yates, Yuko

To amend sections 5747.02 and 5747.056 of the Revised Code and to amend Sections 265.10, 273.10, and 335.10 of Am. Sub. H.B. 1 of the 128th General Assembly to postpone for two years the last of five scheduled income tax rate reductions, to create the Construction Reform Demonstration Project, to provide for the granting of a delay in implementing all-day kindergarten, and to make an appropriation.

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

Attest:

Vincent L. Keeran,  
Clerk.

Pursuant to Joint Rule 16, Representative Szollosi moved that the Senate amendments to **Sub. H. B. No. 318**-Representative Sykes, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 318**-Representative Sykes, et al., were taken up for consideration.

**Sub. H. B. No. 318**-Representative Sykes.  
Cosponsors: Representatives Bolon, Chandler, DeBose, Foley, Hagan, Harris, Koziura, Letson, Luckie, Stewart, Szollosi, Ujvagi, Williams, B., Winburn, Yates, Yuko.

To amend sections 5747.02 and 5747.056 of the Revised Code and to amend Sections 265.10, 273.10, and 335.10 of Am. Sub. H.B. 1 of the 128th General Assembly to postpone for two years the last of five scheduled income tax rate reductions, to create the Construction Reform Demonstration Project, to provide for the granting of a delay in implementing all-day kindergarten, and to make an appropriation.

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

The yeas and nays were taken and resulted - yeas 54, nays 42, as follows:

Those who voted in the affirmative were: Representatives

Belcher	Bolon	Book	Boyd
Brown	Carney	Celeste	Chandler
DeBose	DeGeeter	Dodd	Dolan
Domenick	Driehaus	Dyer	Fende
Foley	Garland	Garrison	Gerberry
Goyal	Hagan	Harris	Harwood
Heard	Koziura	Letson	Luckie
Lundy	Mallory	McGregor	Moran
Murray	Newcomb	Okey	Patten
Phillips	Pillich	Pryor	Sayre
Schneider	Skindell	Slesnick	Stewart
Sykes	Szollosi	Ujvagi	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko			Budish-54.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Baker	Balderson	Batchelder	Beck
Blair	Blessing	Boose	Bubp
Burke	Coley	Combs	Daniels
Derickson	Evans	Gardner	Goodwin
Hackett	Hall	Hite	Hottinger
Huffman	Jordan	Lehner	Maag
Mandel	Martin	McClain	Mecklenborg
Morgan	Oelslager	Ruhl	Sears
Snitchler	Stautberg	Stebelton	Uecker
Wagner			Zehringer-42.

The Senate amendments were concurred in.

On motion of Representative Szollosi, the House adjourned until Wednesday, December 23, 2009 at 9:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Deputy Clerk.