OHIO
House of Representatives

JOURNAL

WEDNESDAY, NOVEMBER 18, 2009
The House met pursuant to adjournment.

Prayer was offered by Representative Nan Baker-16th 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:

Kurt Erichsen received H. R. 132, presented by Representative Brown-48th district.

Seventh and eighth grade students from St. Mary's School, guests of Representative Stautberg-34th district.

Betsy Ujvagi, daughter of Representative Ujvagi-47th district.

Jemma Hostettler, Dustin and Evan Morrison, guests of Representative Ujvagi-47th district.

Members of Junior Leadership Hudson, guests of Representative Moran-42nd district.

Kristin Neinberger, Beth Gujdostir, Brad Phillips, Jen Multen, and Mark Myers, guests of Representative Letson-64th district.

Carolyn Martin, Jeanine Borton, Janna Martin and Caolyn Maggard, family members of Representative Martin-70th district.

Frank Cervone and John Broughton, guests of Representative Martin-70th district.

Jacob Dawson, a guest of Representative Daniels-86th district.

Sgt. Major Otis Kokensparger and cadets from the Ripley Union Huntington High School Junior ROTC, guests of Representative Bubp-88th district.

Eric Unger, a guest of Representative Balderson-94th district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 375**-Representative Yates.

To amend sections 4928.01 and 4928.10 and to enact section 4905.67 of the Revised Code to require certain public utilities to provide billing and collection services to customers at no charge.
To amend section 5589.99 of the Revised Code to increase the penalties for the blocking of a highway railroad grade crossing by a train.

H. B. No. 377—Representative Garrison.

To amend sections 2961.01, 3501.38, 3519.05, and 3519.21 and to enact sections 3519.011, 3519.012, and 3519.013 of the Revised Code to prohibit persons who have been convicted of or pleaded guilty to an offense involving identity theft, forgery, or fraud from witnessing or circulating election petitions, to require the circulator statement on election petitions to be notarized, to require entities that provide compensation to circulators of initiative petitions to be licensed, to require such an entity’s license to be revoked if it authorizes or knowingly permits violations of the law governing election petitions, to require circulators of initiative petitions to register with the secretary of state, and to provide for public input in the determination of ballot titles.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Uecker submitted the following report:

The standing committee on Commerce and Labor to which was referred H. R. No. 58—Representative Yuko, et al., having had the same under consideration, reports it back and recommends its adoption.

RE: PROJECT LABOR AGREEMENTS

Representative Yuko moved to amend the title as follows:

Add the names: "Brown, Stewart."

KENNY YUKO                MATT PATTEN
EDNA BROWN                ROBERT F. HAGAN
MARK SCHNEIDER            DAN STEWART

The following members voted "NO"

JOHN ADAMS                TERRY BLAIR
LYNN R. WACHTMANN         JAMES ZEHRINGER
The report was agreed to.

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

Representative Uecker submitted the following report:

The standing committee on Commerce and Labor to which was referred H. B. No. 271-Representatives Patten, Stewart, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PUBLIC EMPLOYEES' COLLECTIVE BARGAINING LAW

Representative Yuko moved to amend the title as follows:

Add the name: "Brown."

KENNY YUKO MATT PATTEN
EDNA BROWN ROBERT F. HAGAN
MARK SCHNEIDER DAN STEWART

The following members voted "NO"

JOHN ADAMS TERRY BLAIR
LYNN R. WACHTMANN JAMES ZEHRINGER

The report was agreed to.

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

Representative Stebelton submitted the following report:

The standing committee on Civil and Commercial Law to which was referred Sub. S. B. No. 106-Senators Buehrer, Kearney, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ESTATE AND TRUST LAWS

Representative Okey moved to amend the title as follows:

Add the names: "Representatives Book, Stautberg, Harwood, Skindell, Foley, Stebelton, Okey."

MARK D. OKEY DENNIS MURRAY
T. TODD BOOK BILL COLEY
MIKE FOLEY SANDRA STABILE HARWOOD
MATT HUFFMAN ROBERT MECKLENBORG
MICHAEL J. SKINDELL PETER STAUTBERG
GERALD L. STEBELTON TYRONE K. YATES

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.
Representative Combs submitted the following report:

The standing committee on Transportation and Infrastructure to which was referred H. B. No. 109—Representatives Hottinger, Weddington, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DISQUALIFY FROM OPERATING COMMERCIAL MOTOR VEHICLE UPON MUNICIPAL OVI CONVICTION

Representative Hagan moved to amend the title as follows:

Add the names: "Hagan, Bolon, Carney, Domenick, Yuko, Balderson, McClain, Uecker, Zehringer."

ROBERT F. HAGAN  LINDA S. BOLON
JOHN PATRICK CARNEY  JOHN DOMENICK
MIKE FOLEY  KENNY YUKO
COURTNEY COMBS  TROY BALDERSON
JEFFREY MCCLAIN  MARGARET RUHL
JOSEPH W. UECKER  JAMES ZEHINGER

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, November 18, 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, November 18, 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

Sub. H. B. No. 87—Representative Phillips.

To create the Ohio Energy Resource Center at Ohio University's Voinovich School, was taken up for consideration the third time.
The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 68, nays 30, as follows:

Those who voted in the affirmative were: Representatives

- Adams R.
- Amstutz
- Baker
- Balderson
- Belcher
- Bolon
- Book
- Boyd
- Brown
- Carney
- Celeste
- Chandler
- Coley
- Daniels
- DeBose
- DeGeeter
- Derickson
- Dolan
- Domenick
- Driehaus
- Dyer
- Evans
- Fende
- Foley
- Garland
- Garrison
- Gerberry
- Goyal
- Hackett
- Hagan
- Hall
- Harris
- Harwood
- Heard
- Hottinger
- Koziura
- Lehner
- Letson
- Luckie
- Lundy
- Mallory
- McGregor
- Mecklenborg
- Moran
- Morgan
- Murray
- Newcomb
- Okey
- Otterman
- Patten
- Phillips
- Pillich
- Pryor
- Sayre
- Schneider
- Skindell
- Slesnick
- Stewart
- Sykes
- Szollosi
- Ujvagi
- Weddington
- Williams B.
- Williams S.
- Winburn
- Yates
- Yuko
- Budish-68.

Those who voted in the negative were: Representatives

- Adams J.
- Bacon
- Batchelder
- Beck
- Blair
- Blessing
- Boose
- Bubp
- Burke
- Combs
- Gardner
- Goodwin
- Grossman
- Hite
- Huffman
- Jordan
- Maag
- Mandel
- Martin
- McClain
- Oelslager
- Ruhl
- Sears
- Snitchler
- Stautberg
- Stebelton
- Ucker
- Wachtmann
- Wagner
-
- Zehringer-30.

The bill passed.

Representative Phillips moved to amend the title as follows:

Add the names: "Boyd, Brown, DeBose, Domenick, Evans, Garland, Harwood, Lundy, Mallory, Murray, Patten, Pillich, Pryor, Stewart, Szollosi, Winburn, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 175-Representative Gerberry.

To amend sections 109.73, 317.08, 959.131, 1717.01, 1717.04, 1717.06, and 1717.09 of the Revised Code to require a person to file proof of successful
completion of training with the county recorder prior to being appointed as a humane society agent and to require the revocation of an appointment under certain circumstances, was taken up for consideration the third time.

The question being, "Shall the bill pass?"
Representative Gerberry moved to amend as follows:

In line 153, reinsert "six"; delete "seven"
In line 229, strike through "and" and insert an underlined comma
In line 231, delete "."
In line 232, delete "(7) Proof" and insert "and proof"
In line 251, reinsert "six"; delete "seven"
In line 252, reinsert "(6)"; delete "(7)"
In line 257, delete ".(6)\); reinsert ".(6)\); delete "(7)"
In line 429, after the underlined period insert "For this recording, the county recorder shall charge and collect the fee provided in division (A) of section 317.32 of the Revised Code."

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  Bacon
Baker  Balderson  Batchelder  Beck
Belcher  Blair  Blessing  Bolon
Book  Boone  Boyd  Brown
Bubp  Burke  Carney  Celeste
Chandler  Coley  Combs  Daniels
DeBose  DeGeeter  Derickson  Dolan
Domenick  Driehaus  Dyer  Evans
Fende  Foley  Gardner  Garland
Garrison  Gerberry  Goodwin  Goyal
Grossman  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  Otterman  Patten  Phillips
Pillich  Pryor  Ruhl  Sayre
Schneider  Sears  Skindell  Slesnick
Snitchler  Stautberg  Stebelton  Stewart
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 91, nays 7, as follows:

Those who voted in the affirmative were: Representatives

| Adams R. | Amstutz | Bacon | Baker |
| Balderson | Batchelder | Beck | Belcher |
| Blair | Blessing | Bolon | Book |
| Boise | Boyd | Brown | Bubp |
| Carney | Celeste | Chandler | Coley |
| Combs | Daniels | DeBose | DeGeeter |
| Derickson | Dolan | Domenick | Driehaus |
| Dyer | Evans | Fende | Foley |
| Gardner | Garland | Garrison | Gerberry |
| Goodwin | Goyal | Grossman | Hackett |
| Hagan | Harris | Harwood | Heard |
| Hite | Hottinger | Huffman | Jordan |
| Kozlura | Lehner | Letson | Luckie |
| Lundy | Mallory | Mandel | McClain |
| McGregor | Mecklenburg | Moran | Morgan |
| Murray | Newcomb | Oelslager | Okey |
| Otterman | Patten | Phillips | Pillich |
| Pryor | Ruhl | Sayre | Schneider |
| Sears | Skindell | Slesnick | Snitchler |
| Stautberg | Stebelton | Stewart | Sykes |
| Szollosi | Ujvagi | Wachtman | Williams |
| Williams B. | Williams S. | Winburn | Weddington |
| Yuko | Zehringer | | Budish-98. |

Representatives Adams J., Burke, Hall, Maag, Martin, Uecker, and Wagner voted in the negative-7.

The bill passed.

Representative Gerberry moved to amend the title as follows:

Add the names: "Bolon, Chandler, Combs, DeBose, Domenick, Dyer, Harris, Heard, Letson, Mallory, Patten, Pryor, Ujvagi, Wachtman, Williams, B., Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.
H. B. No. 238-Representative Harwood.
Cosponsors: Representatives Murray, Williams, B., Pillich, Yuko, Chandler, Huffman, Letson.

To amend section 3105.171 of the Revised Code to require the court in divorce or legal separation proceedings to require the spouses to fully disclose their assets and to include nondisclosure of assets as financial misconduct, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives


The bill passed.

Representative Harwood moved to amend the title as follows:


The motion was agreed to and the title so amended.
The title as amended was agreed to.


To amend section 3313.603 of the Revised Code to include Junior ROTC as a permitted elective within the Ohio Core curriculum and to permit schools to excuse Junior ROTC students from high school physical education, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Dyer moved to amend as follows:

In line 6, delete "section" and insert "sections"; after "3313.603" insert "and 3314.35"

Between lines 332 and 333, insert:

"Sec. 3314.35. (A)(1) Except as provided in division (A)(3) of this section, this section applies to any community school that meets one of the following criteria after July 1, 2008, but before July 1, 2009:

(a) The school does not offer a grade level higher than three and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for four consecutive school years.

(b) The school satisfies all of the following conditions:

(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.

(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three consecutive school years.

(iii) For two of those school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department of education in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.

(c) The school satisfies all of the following conditions:

(i) The school offers any of grade levels ten to twelve.

(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three consecutive school years.

(iii) For two of those school years, the school showed less than two standard years of academic growth in either reading or mathematics, as
determined by the department in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.

(2) Except as provided in division (A)(3) of this section, this section applies to any community school that meets one of the following criteria after July 1, 2009:

(a) The school does not offer a grade level higher than three and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three of the four most recent school years.

(b) The school satisfies all of the following conditions:

(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.

(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.

(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.

(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three of the four most recent school years.

(3) This section does not apply to either of the following:

(a) Any community school in which a majority of the students are enrolled in a dropout prevention and recovery program that is operated by the school and that has been granted a waiver under section 3314.36 of the Revised Code;

(b) Any community school in which a majority of the enrolled students are children with disabilities receiving special education and related services in accordance with Chapter 3323. of the Revised Code.

(B) Any community school to which this section applies shall permanently close at the conclusion of the school year in which the school first becomes subject to this section. The sponsor and governing authority of the school shall comply with all procedures for closing a community school adopted by the department under division (E) of section 3314.015 of the Revised Code. The governing authority of the school shall not enter into a contract with any other sponsor under section 3314.03 of the Revised Code after the school closes.

(C) Not later than July 1, 2008, the department shall determine the feasibility of using the value-added progress dimension, as defined in section 3302.01 of the Revised Code, as a factor in evaluating the academic performance of community schools described in division (A)(1)(c)(i) of this section.
Notwithstanding divisions (A)(1)(c)(ii) and (iii) of this section, if the department determines that using the value-added progress dimension to evaluate community schools described in division (A)(1)(c)(i) of this section is not feasible, a community school described in that division shall be required to permanently close under this section only if it has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for four consecutive school years.

(D) In accordance with division (B) of section 3314.012 of the Revised Code, the department shall not consider the performance ratings assigned to a community school for its first two years of operation when determining whether the school meets the criteria prescribed by division (A)(2) of this section. The department shall reevaluate each community school that the department directed to close at the conclusion of the 2009-2010 school year to determine if the school still meets the criteria prescribed by division (A)(2) of this section when the school's performance ratings for its first two years of operation are not considered and, if the school no longer meets those criteria, the department shall not require the school to close at the conclusion of that school year."

In line 333, delete "section" and insert "sections"; after "3313.603" insert "and 3314.35"

In line 334, delete "is" and insert "are"

In line 1 of the title, delete "section" and insert "sections"; after "3313.603" insert "and 3314.35"

In line 3 of the title, delete "and" and insert a comma

In line 5 of the title, after "education" insert ", and to clarify the conditions under which a community school must close for poor academic performance"

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 | DeGeeter | Combs | Daniels |
| DeBose | Driehaus | Dyer | Evans |
| Domenick | Foley | Gardner | Garland |
| Garrison | Gerberry | Goodwin | Goyal |
| Grossman | Hackett | Hall | Harris |
| Harwood | Heard | Hite | Hottinger |
| Huffman | Jordan | Kozuira | Lehner |
| Letson | Luckie | Lundy | Maag |
| Mallory | Mandel | Martin | McClain |
The motion was agreed to and the bill so amended.
The question being, "Shall the bill as amended pass?"

Representative Dyer moved to amend as follows:

After line 334, insert:

"Section 3. (A) This section applies to any school district for which the following conditions are satisfied:

(1) The Ohio School Facilities Commission has approved the district to issue qualified school construction bonds under Division B, Title I, Subtitle F, Part III, Section 1521 of the American Recovery and Reinvestment Act of 2009, 26 U.S.C. 54F, in the group of districts designated by the Commission as "Pool B."

(2) The district is undertaking a classroom facilities project under sections 3318.01 to 3318.20 of the Revised Code, which project was conditionally approved by the Commission between July 1, 2008, and July 31, 2009.

(3) The district requested approval for the issuance of bonds and related tax levies to pay the district's portion of the cost of the project described in division (A)(2) of this section in a question submitted to the district's electors at an election held on November 3, 2009, and the electors disapproved the issuance of those bonds and the related tax levies by a margin of less than three per cent of the total votes cast on that question.

(B) Notwithstanding anything to the contrary in section 3318.05 of the Revised Code, and notwithstanding Section 385.70 of Am. Sub. H.B. 1 of the 128th General Assembly, for each school district to which this section applies and whose project was conditionally approved in July 2008, the conditional approval of the district's project described in division (A)(2) of this section shall lapse and the amount reserved and encumbered for the project shall be released on June 30, 2010, unless the district electors prior to that date approve the issuance of bonds and the related tax levies to pay the district's portion of the cost of the district's project. The Commission and the Controlling Board shall reapprove that project, if the project lapses under Section 385.70 of Am. Sub. H.B. 1 of the 128th General Assembly prior to the effective date of this section,
and shall treat that project as if it had not lapsed. Thereafter, the project shall be subject to the lapse provision prescribed in this division.

(C) Notwithstanding anything to the contrary in section 3318.05 of the Revised Code, for each school district to which this section applies and whose project was conditionally approved between August 1, 2008, and July 31, 2009, the conditional approval of the district's project described in division (A)(2) of this section shall lapse and the amount reserved and encumbered for the project shall be released on December 31, 2010, unless the district electors prior to that date approve the issuance of bonds and the related tax levies to pay the district's portion of the cost of the district's project.

(D) If the conditional approval for a district's project under sections 3318.01 to 3318.20 of the Revised Code lapses and the amount reserved and encumbered for the project is released on the applicable date prescribed by this section, after that date, the district shall be given first priority for project funding as such funding becomes available in accordance with section 3318.05 of the Revised Code.

Section 4. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to provide school districts using federally qualified school construction bonds additional time to secure voter approval for state-assisted classroom facilities projects without an intervening lapse of project conditional approval. Therefore, this act shall go into immediate effect."

In line 3 of the title, delete "and" and insert a comma

In line 5 of the title, after "education" insert ", 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, and to declare an emergency"

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

The yeas and nays were taken and resulted - yeas 88, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Adams R. Amstutz Bacon Baker
Balderson Batchelder Belcher Blair
Blessing Bolon Book Booze
Boyd Brown Bubp Carney
Celeste Chandler Coley Combs
Daniels DeBose DeGeeter Derickson
Dolan Domenick Driehaus Dyer
Evans Fende Foley Gardner
Garland Garrison Gerberry Goodwin
Goyal Grossman Hackett Hall
Harris Harwood Heard Hite
Hottinger Huffman Koziura Lehner
Letson Luckie Lundy Maag
Mallory Mandel McClain McGregor
Mecklenborg Moran Murray Newcomb
Representatives Adams J., Beck, Burke, Jordan, Martin, Morgan, Snitchler, and Wachtmann voted in the negative-8.

The motion was agreed to and the bill so amended.

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

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

Those who voted in the affirmative were: Representatives

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<th>Adams J.</th>
<th>Adams R.</th>
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Representatives Daniels, Jordan, Martin, Snitchler, and Wachtmann voted in the negative-5.

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 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

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

Representative Bubp moved to amend the title as follows:

Add the names: "Bacon, Boose, Brown, Carney, Combs, DeBose, Dyer, Goyal, Harwood, Mandel, McClain, Patten, Skindell, Slesnick, Winburn, Zehringer."

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.


To amend sections 133.06, 133.18, 302.03, 302.09, 303.11, 303.12, 303.25, 305.02, 305.31, 306.32, 306.32i, 306.70, 306.71, 307.676, 307.677, 307.695, 307.697, 307.791, 307.94, 307.95, 322.02, 322.02i, 324.02, 324.02i, 345.03, 351.26, 503.02, 503.161, 503.24, 503.41, 504.01, 504.03, 505.13, 505.14, 511.01, 511.22, 511.27, 511.28, 511.33, 511.34, 513.06, 513.13, 513.18, 517.05, 519.11, 519.12, 519.25, 705.01, 707.21, 709.29, 709.39, 709.45, 709.462, 709.48, 709.50, 715.69, 715.691, 715.70, 715.71, 715.77, 718.01, 718.09, 718.10, 731.03, 731.28, 731.29, 733.09, 733.261, 733.262, 733.31,
The question being, "Shall the bill pass?"

Representative Heard moved to amend as follows:

In line 79, after "3501.39," insert "3501.90,"

Between lines 10513 and 10514, insert:

"Sec. 3501.90. (A) As used in this section:

(1) "Harassment in violation of the election law" means either of the following:

(a) Any of the following types of conduct in or about a polling place or a place of registration or election, or a place where an elector is casting an absent voter's ballot: obstructing access of an elector to a polling place; another
improper practice or attempt tending to obstruct, intimidate, or interfere with an elector in registering or voting at a place of registration or election; molesting or otherwise engaging in violence against observers in the performance of their duties at a place of registration or election; or participating in a riot, violence, tumult, or disorder in and about a place of registration or election:

(b) A violation of division (A)(1), (2), (3), or (5) or division (B) of section 3501.35 of the Revised Code.

(2) "Person" has the same meaning as in division (C) of section 1.59 of the Revised Code and also includes any organization that is not otherwise covered by that division.

(3) "Trier of fact" means the jury or, in a nonjury action, the court.

(B) An elector who has experienced harassment in violation of the election law has a cause of action against each person that committed the harassment in violation of the election law. In any civil action based on this cause of action, the elector may seek a declaratory judgment, an injunction, or other appropriate equitable relief. The civil action may be commenced by an elector who has experienced harassment in violation of the election law either alone or as a party to a class action under Civil Rule 23.

(C)(1) In addition to the equitable relief authorized by division (B) of this section, an elector who has experienced harassment in violation of the election law may be entitled to relief under division (C)(2) or (3) of this section.

(2) If the harassment in violation of the election law involved intentional or reckless threatening or causing of bodily harm to the elector while the elector was attempting to register to vote, to obtain an absent voter's ballot, or to vote, the elector may seek, in a civil action based on the cause of action created by division (B) of this section, monetary damages as prescribed in this division. The civil action may be commenced by the elector who has experienced harassment in violation of the election law either alone or as a party to a class action under Civil Rule 23. Upon proof by a preponderance of the evidence in the civil action that the harassment in violation of the election law involved intentional or reckless threatening or causing of bodily harm to the elector, the trier of fact shall award the elector the greater of three times of the amount of the elector's actual damages or one thousand dollars. The court also shall award a prevailing elector reasonable attorney's fees and court costs.

(3) Whether a civil action on the cause of action created by division (B) of this section is commenced by an elector who has experienced harassment in violation of the election law alone or as a party to a class action under Civil Rule 23, if the defendant in the action is an organization that has previously been determined in a court of this state to have engaged in harassment in violation of the election law, the elector may seek an order of the court granting any of the following forms of relief upon proof by a preponderance of the evidence:

(a) Divestiture of the organization's interest in any enterprise or in any real property;
(b) Reasonable restrictions upon the future activities or investments of
the organization, including, but not limited to, prohibiting the organization from
engaging in any harassment in violation of the election law;

c) The dissolution or reorganization of the organization;

d) The suspension or revocation of any license, permit, or prior approval
granted to the organization by any state agency;

e) The revocation of the organization's authorization to do business in
this state if the organization is a foreign corporation or other form of foreign
entity.

(D) It shall not be a defense in a civil action based on the cause of action
created by division (B) of this section, whether commenced by an elector who
has experienced harassment in violation of the election law alone or as a party to
a class action under Civil Rule 23, that no criminal prosecution was commenced
or conviction obtained in connection with the conduct alleged to be the basis of the
civil action.

(E) In a civil action based on the cause of action created by division (B)
of this section, whether commenced by an elector who has experienced
harassment in violation of the election law alone or as a party to a class action
under Civil Rule 23, the elector may name as defendants each individual who
engaged in conduct constituting harassment in violation of the election law as
well as any person that employs, sponsors, or uses as an agent any such
individual or that has organized a common scheme to cause harassment in
violation of the election law.

(F) A board of elections shall place on all absent voter's materials a
telephone number through which a voter may report alleged harassment in
violation of the election law:

In line 15026, after "(A)" insert "(1)"

In line 15040, after "(4)" insert "(2)"

Strike through lines 15059 through 15065

In line 15066, strike through "niece of the elector may deliver it to the
director. The" and insert "(3)(a) Only the elector or a person authorized by the
elector may transport that elector's completed absent voter's ballot to the office
of the board of elections from which it was received or to another location
established by the board for the purposes of casting absent voter's ballots,
provided that the voter must seal the ballot in the identification envelope,
complete the identification envelope, and seal the identification envelope in the
return envelope.

Only the elector or a person authorized by the elector may transport that
elector's completed absent voter's ballot to the United States postal service or to
a commercial delivery service for delivery to the board of elections, provided
that the voter must seal the ballot in the identification envelope, complete the
identification envelope, and seal the identification envelope in the return envelope. Any postage or delivery cost must be pre-paid and affixed by the voter.

Other than the methods described in this section, the"
Between lines 15072 and 15073, insert:
" (b)(i) No person shall accept or provide anything of value for the collection of a completed absent voter's ballot for transport to the board of elections or other location designated by a board of elections or to the United States postal service or other commercial delivery service.

(ii) No candidate or official member of a campaign committee may solicit to complete an elector's identification envelope or solicit to collect and transport an elector's completed absent voter's ballot.

(c) No otherwise valid absent voter's ballot shall be rejected due to the failure of a person to comply with division (A)(3) of this section."
In line 15073, before "When" insert " (4)"
In line 15081, before "Except" insert " (5)"
In line 16221, after the underlined period insert " (A)"
In line 16233, before " Unless" insert " (B)"
Delete lines 16244 through 16255 and insert " (C)(1) Only the elector or a person authorized by the elector may transport that elector's completed uniformed services or overseas absent voter's ballot to the office of the board of elections from which it was received or to another location established by the board for the purposes of casting uniformed services or overseas absent voter's ballots, provided that the voter must seal the ballot in the identification envelope, complete the identification envelope, and seal the identification envelope in the return envelope.

Only the elector or a person authorized by the elector may transport that elector's completed uniformed services or overseas absent voter's ballot to the United States postal service or to a commercial delivery service for delivery to the board of elections, provided that the voter must seal the ballot in the identification envelope, complete the identification envelope, and seal the identification envelope in the return envelope. Any postage or delivery cost must be pre-paid and affixed by the voter.

Other than the methods described in this section, the"
Between lines 16258 and 16259, insert:
" (2)(a) No person shall accept or provide anything of value for the collection of a completed uniformed services or overseas absent voter's ballot for transport to the board of elections or other location designated by a board of elections or to the United States postal service or other commercial delivery
service.

(b) No candidate or official member of a campaign committee may solicit to complete an elector's identification envelope or solicit to collect and transport an elector's completed uniformed services or overseas absent voter's ballot.

(3) No otherwise valid uniformed services or overseas absent voter's ballot shall be rejected due to the failure of a person to comply with division (C) of this section."

In line 16259, before " Each" insert " (D)"
In line 24964, after "3501.39," insert "3501.90,"
In line 23 of the title, after "3501.39," insert "3501.90,"
The question being, "Shall the motion to amend be agreed to?"
Representative Blessing moved to amend the amendment as follows:

Between lines 2 and 3 of the amendment, insert:
"In line 9315, after "(AA)" reinsert the balance of the line
Reinsert lines 9316 through 9331
In line 9332, reinsert "this state."; delete the balance of the line
Delete lines 9333 through 9380"
Between lines 92 and 93 of the amendment, insert:
"In line 11014, after "(c)" reinsert the balance of the line
Reinsert lines 11015 and 11016
In line 11017, reinsert "government document, other than"
Reinsert lines 11019 and 11020
In line 11021, reinsert "name and address"; delete " The voter's identification"

In line 11085, delete everything after " (3)" and insert " A copy of a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address."

In line 11089, delete " first-time"

In line 11090, delete " mail-in registrant identification" and insert " a copy of a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address."

In line 11098, delete " first-time mail-in"
In line 11099, delete "registrant identification" and insert "a copy of a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address"

In line 11100, delete "first-time"

In line 11101, delete "mail-in registrant identification" and insert "a copy of a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address"

In line 11104, delete "first-time mail-in registrant"

In line 11105, delete "identification" and insert "a copy of a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address"

In line 11106, delete "first-time mail-in registrant" and insert "such"

In line 11276, after the comma reinsert the balance of the line

Reinsert lines 11277 and 11278

In line 11279, reinsert "paycheck, or other government document, other than"

In line 11281, reinsert "a notice of voter registration mailed by a"

Reinsert line 11282

In line 11283, reinsert "shows the name and current address of the elector,"

In line 11284, after the period reinsert the balance of the line

Reinsert lines 11285 through 11294

In line 11340, reinsert "provisional"

In line 11353, reinsert "a provisional ballot"

In line 11468, after "a" insert "provisional"

In line 11478, after "voted" insert "a provisional ballot"

In line 11699, delete "may include either a current and"

Delete lines 11700 through 11705

In line 11706, delete "a federal election in Ohio"

In line 11709, reinsert ", other than this notification"
In line 11710, reinsert the stricken comma
In line 12144, delete " may include a current and valid"
Delete lines 12145 through 12150
In line 12151, delete " a federal election in Ohio"
In line 12154, reinsert ", other than"; reinsert "a voter"
In line 12155, reinsert all before "that"
Reinsert line 12926
In line 12927, reinsert "photo"; delete the balance of the line
Delete lines 12928 and 12929
In line 12930, after "identification" reinsert the balance of the line
Reinsert line 12931
In line 12932, reinsert "government document, other than"
Reinsert lines 12934 through 12946
In line 12991, reinsert "any of"; reinsert "forms of"
In line 12998, reinsert "any of"; reinsert "forms of"
In line 13055, reinsert "any of"; reinsert "forms of"
In line 13072, reinsert the semicolon
In line 13085, after " (9)" insert " (4)" and reinsert the balance of the line
Reinsert lines 13086 through 13089
In line 13090, reinsert all before " or"; after " or" insert an underlined comma; reinsert "(C)"; after the reinserted "(C)" insert " or (D)" and reinsert the balance of the line
In line 13091, reinsert "Revised Code"
In line 13417, delete " either"
Delete lines 13418 through 13421 and insert " a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration, that shows your name and address."
In line 14627, delete ", unless the elector is a"
In line 14628, delete " first-time mail-in registrant"
In line 14632, reinsert "current and valid photo"
Reinsert lines 14633 and 14634
In line 14635, reinsert "paycheck, or other government document, other
than a"
In line 14637, reinsert "notice of voter registration mailed by a"
Reinsert line 14638
In line 14639, reinsert "shows the name and address of the elector";
delete " identification"
In line 14648, delete the underlined semicolon
Delete lines 14649 and 14650
In line 14651, delete " identification"
In line 14761, delete ", unless the elector is a first-time"
In line 14762, delete " mail-in registrant"
In line 14766, reinsert "current and valid photo"
Reinsert lines 14767 and 14768
In line 14769, reinsert "paycheck, or other government document, other
than a"
In line 14771, reinsert "notice of voter registration mailed by a"
Reinsert line 14772
In line 14773, reinsert "shows the name and address of the elector";
delete " identification"
In line 14787, delete the underlined semicolon
Delete lines 14788 and 14789
In line 14790, delete " identification"
In line 14817, after "following" delete the balance of the line
In line 14818, delete " mail-in registrant"
In line 14822, reinsert "current and valid photo"
Reinsert lines 14823 and 14824
In line 14825, reinsert "paycheck, or other government document, other
than a"
In line 14827, reinsert "notice of voter registration mailed by a"
Reinsert line 14828
In line 14829, reinsert "shows the name and address of the elector";
delete " identification"
In line 14844, delete the underlined semicolon
Delete lines 14845 and 14846
In line 14847, delete "identification"
In line 14983, reinsert "one of"
In line 14984, delete "a current and"
Delete lines 14985 through 14990
In line 14991, delete "enclosing a copy of"
In line 14994, reinsert ", other than a"
In line 14995, reinsert "notice of"
In line 14996, reinsert "voter registration mailed by a board of elections;"
In line 94 of the amendment, delete "after "#"" and insert "If"
and "; at the end of the line insert "; delete "Unless the elector is a first-time mail-in registrant;"
Between lines 94 and 95 of the amendment, insert:
"In line 15041, reinsert "does not"; delete "shall"
In line 15043, delete the underlined period
Delete lines 15044 and 15045
In line 15046, delete "security number on the statement of voter"
In line 15048, reinsert "current valid photo identification, a copy"
Reinsert lines 15049 and 15050
In line 15051, reinsert "document, other than a"
In line 15052, reinsert "notice of"
Reinsert lines 15053 and 15054
In line 15055, reinsert "the elector" and delete the balance of the line
Delete line 15056
In line 15057, delete all before the period"
Between lines 129 and 130 of the amendment, insert:
"In line 15707, after "following" delete the balance of the line
In line 15708, delete "mail-in registrant"
In line 15712, reinsert "current and valid photo"
Reinsert lines 15713 and 15714
In line 15715, reinsert "paycheck, or other government document, other
than a"
In line 15717, reinsert "notice of voter registration mailed by a"
Reinsert line 15718
In line 15719, reinsert "shows the name and address of the elector";
delete " identification"
In line 15738, delete the underlined semicolon
Delete lines 15739 and 15740
In line 15741, delete " identification"
In line 15787, after "following" delete the balance of the line
In line 15788, delete " first-time mail-in registrant"
In line 15792, reinsert "current and valid photo"
Reinsert lines 15793 and 15794
In line 15795, reinsert "paycheck, or other government document, other
than a"
In line 15797, reinsert "notice of voter registration mailed by a"
Reinsert line 15798
In line 15799, reinsert "shows the name and address of the elector";
delete " identification"
In line 15814, delete the underlined semicolon
Delete lines 15815 and 15816
In line 15817, delete " identification"
In line 16107, reinsert "one of"
In line 16108, delete " a current and"
Delete lines 16109 through 16114
In line 16115, delete " enclosing a copy of"
In line 16118, reinsert ", other than a"
In line 16119, reinsert "notice of"
In line 16120, reinsert all before "that"
In line 131 of the amendment, at the end of the line, insert "; delete the
balance of the line"
Between lines 131 and 132 of the amendment, insert:
"In line 16236, delete all before " If"
In line 16241, after " elector's" delete the balance of the line
Delete lines 16242 and 16243 and insert "current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.""

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

Representative Heard moved that the motion to amend the amendment be laid on the table.

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

The yeas and nays were taken and resulted - yeas 52, nays 46, as follows:

Those who voted in the affirmative were: Representatives

Belcher  Bolon  Book  Boyd
Brown    Carney  Celeste  Chandler
DeBose   DeGeeter  Domenick  Driehaus
Dyer     Fende  Foley  Garland
Garrison Gerberry  Goyal  Hagan
Harris   Harwood  Heard  Kozüra
Letson   Luckie  Lundy  Mallory
Moran    Murray  Newcomb  Okey
Otterman Patten  Phillips  Pillich
Pryor    Sayre  Schneider  Skindell
Slesnick Stewart  Sykes  Szollosi
Ujvagi   Weddington  Williams B.  Williams S.
Winburn  Yates  Yuko  Budish-52.

Those who voted in the negative were: Representatives

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

The motion to amend the amendment was laid on the table.
The question recurring, "Shall the motion to amend be agreed to?"
The yeas and nays were taken and resulted - yeas 72, nays 26, as follows:

Those who voted in the affirmative were: Representatives
Those who voted in the negative were: Representatives

<table>
<thead>
<tr>
<th>Adams J.</th>
<th>Adams R.</th>
<th>Amstutz</th>
<th>Bacon</th>
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<td>Batchelder</td>
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<td>Zehringer-26</td>
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The motion was agreed to and the bill so amended.
The question being, "Shall the bill as amended pass?"
Representative Blessing moved to amend as follows:

Delete lines 13735 through 13744

The question being, "Shall the motion to amend be agreed to?"
Representative Heard 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 52, nays 46, as follows:

Those who voted in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Belcher</th>
<th>Bolon</th>
<th>Book</th>
<th>Boyd</th>
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<td>Brown</td>
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<td>Mallory</td>
<td>McGregor</td>
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<td>Ujvagi</td>
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<td>Williams B.</td>
<td>Williams S.</td>
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<tr>
<td>Winburn</td>
<td>Yates</td>
<td>Yuko</td>
<td>Budish-72</td>
</tr>
</tbody>
</table>

EXHIBIT J
Those who voted in the negative were: Representatives

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

The motion to amend was laid on the table.
The question recurring, "Shall the bill as amended pass?"
Representative Daniels moved to amend as follows:
In line 104, delete "3507.01, 3507.02, 3507.03,"
Delete lines 14492 through 14531
In line 56 of the title, delete "3507.01, 3507.02, 3507.03,"
The question being, "Shall the motion to amend be agreed to?"
Representative Heard moved that the motion be laid on the table.
The question being, "Shall the motion to amend be laid on the table?"
The yeas and nays were taken and resulted - yeas 53, nays 45, as follows:
Those who voted in the affirmative were: Representatives

Belcher Bolon Book Boyd
Brown Carney Celeste Chandler
DeBose DeGeeter Dolan Domenick
Driehaus Dyer Fende Foley
Garland Garrison Gerberry Goyal
Hagan Harris Harwood Heard
Kozuira Letson Luckie Lundy
Mallory Moran Murray Newcomb
Okey Otterman Patten Phillips
Pillich Pryor Sayre Schneider
Skindell Slesnick Stewart Sykes
Szollosi Ujvagi Weddington Williams B.
Williams S. Winburn Yates Yuko Budish-52.

Those who voted in the negative were: Representatives
The motion to amend was laid on the table.

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

Representative Morgan moved to amend as follows:

- In line 104, delete "3509.10,"
- In line 137, delete "fifteen" and insert "twenty"
- In line 255, delete "ninety-five" and insert "one hundred"
- In line 258, delete "ninety" and insert "ninety-five"
- In lines 264, 407, 598, 822, 915, 1020, 1123, 1126, 1228, 1319, 1411, 1519, 1734, 1839, 1946, 2165, 2172, 2243, 2253, 2381, 2412, 2471, 2523, 2534, 2554, 2569, 2583, 2603, 2743, 2796, 2912, 2966, 3249, 3313, 3322, 3359, 3376, 3397, 3409, 3445, 3526, 3576, 3697, 3771, 3891, 3971, 4263, 4308, 4347, 4524, 4538, 4651, 4668, 4693, 4828, 5102, 5180, 5247, 5274, 5304, 5345, 5370, 5381, 5621, 5641, 5659, 5661, 5673, 5711, 5787, 5813, 6581, 6967, 7048, 7118, 7124, 7234, 7237, 7243, 7330, 7333, 7482, 7485, 7625, 7780, 7783, 7831, 7894, 8009, 8159, 8207, 8304, 8337, 8341, 8358, 8542, 8573, 8576, 8589, 8612, 8764, 8774, 8880, 8887, 8918, 14326, 16669, 16705, 17508, 19129, 19154, 19208, 19932, 20041, 20247, 20425, 20490, 20539, 20569, 20908, 21110, 21228, 21288, 21347, 21398, 21416, 21427, 21729, 21814, 21860, 21964, 22018, 22163, 22265, 22362, 22468, 22558, 22880, 22935, 22965, 22997, 23058, 23125, 23145, 23217, 23242, 23344, 23497, 23544, 23585, 23594, 23702, 23720, 23856, 24109, 24129, 24148, 24233, 24298, 24424, 24563, 24602, 24742, 24769, 24913, and 24938, delete "eighty-five" and insert "ninety"
- In lines 442, 629, 1000, 1363, 2283, 2676, 2697, 2712, 2715, 2872, 2995, 3045, 3063, 3595, 3600, 3624, 4258, 4341, 5332, 5689, 5734, 5864, 6128, 6171, 6215, 6260, 6575, 7728, 8973, 8993, 9017, 9059, 9074, 9430, 10485, 12721, 12724, 12734, 16738, 16857, 16868, 17414, 17423, 17444, 17747, 17793, 17841, 17882, 17918, 17977, 18126, 18139, 19199, 19297, 19309, 19423, 19495, 19621, 19679, 19776, 19863, 20352, 24876, and 24884, delete "eighty-fifth" and insert "ninetieth"
- In line 1982, delete "sixth" and insert "eleventh"
In line 1988, delete "twenty-fifth" and insert "thirtieth"
In line 1997, delete "fifteenth" and insert "twentieth"
In line 2006, delete "sixth" and insert "eleventh"
In line 2025, delete "sixth" and insert "eleventh"
In line 2053, delete "ninety-five" and insert "one hundred"
In line 2071, delete "ninety-second" and insert "ninety-seventh"
In line 2307, after "hundred" insert "five"
In line 2985, delete "eighty-five" and insert "ninety"; delete "thirty" and
insert "thirty-five"
In line 3027, delete "eighty-five" and insert "ninety"; delete "thirty" and
insert "thirty-five"
In line 5400, delete "fifteen" and insert "twenty"
In line 5407, delete "fifteen" and insert "twenty"
In line 5448, delete "fifteen" and insert "twenty"
In line 5455, delete "fifteen" and insert "twenty"
In line 5471, delete "fifteen" and insert "twenty"
In line 5479, delete "fifteen" and insert "twenty"
In line 5520, delete "fifteen" and insert "twenty"
In line 5526, delete "fifteen" and insert "twenty"
In line 6364, delete "thirty" and insert "thirty-five"
In line 7948, after "hundred" insert "five"
In line 7964, after "hundred" insert "five"
In line 8338, delete "five" and insert "ten"
In line 8574, delete "five" and insert "ten"
In line 8882, after "hundred" insert "five"
Delete lines 9381 through 9390 and insert:

"Sec. 3501.012. Notwithstanding any provision of the Revised Code to
the contrary, the secretary of state or a board of elections shall not refuse to
accept and process an otherwise valid voter registration application, absent
voter's ballot application, uniformed services and overseas absent voter's ballot
application, returned absent voter's ballot, returned uniformed services and
overseas absent voter's ballot, or federal write-in absentee ballot from an
individual who is eligible to vote as a uniformed services voter or an overseas
voter in accordance with 42 U.S.C. 1973ff-6 due to any requirements regarding
notarization, paper type, paper weight and size, envelope type, or envelope weight and size."

Between lines 9430 and 9431, insert:

"(2) Any question or issue that is certified for placement on a ballot on or after the effective date of this amendment shall be certified not later than the ninetieth day before the day of the applicable election, notwithstanding any deadlines appearing in any section of the Revised Code governing the placement of that question or issue on the ballot."


(DD)"

In line 11632, after "elections" delete the balance of the line

Delete lines 11633 and 11634

In line 11635, delete all before the period; after the period insert "An individual who is eligible to vote as a uniformed services voter or an overseas voter in accordance with 42 U.S.C. 1973ff-6 also may apply for voter registration forms by electronic means to the office of the secretary of state pursuant to section 3503.191 of the Revised Code."

In line 11642, delete "or"

Delete lines 11643 through 11645

In line 11646, delete "elections"; after the period insert "An applicant who is eligible to vote as a uniformed services voter or an overseas voter in accordance with 42 U.S.C. 1973ff-6 also may return the applicant's completed voter registration form electronically to the office of the secretary of state pursuant to section 3503.191 of the Revised Code."

Delete lines 11792 through 11825 and insert:

"Sec. 3503.191. (A) The secretary of state shall establish procedures that allow any person who is eligible to vote as a uniformed services voter or an overseas voter in accordance with 42 U.S.C. 1973ff-6 to request voter registration forms electronically from the office of the secretary of state.

(B) The procedures shall allow such a person to express a preference for the manner in which the person will receive the requested voter registration forms, whether by mail, electronically, or in person. The registration forms shall be transmitted by the preferred method. If the requestor does not express a preferred method, the registration forms shall be delivered via standard mail.

(C) The secretary of state shall, by rule, establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used in the
electronic voter registration form request process established under this section. To the extent practicable, the procedures shall protect the security and integrity of the electronic voter registration form request process and protect the privacy of the identity and personal data of the person when such forms are requested, processed, and sent.

(D) In establishing procedures under this section, the secretary of state shall designate at least one means of electronic communication for use by such persons to request voter registration forms, for use by the state to send voter registration forms to those who have requested electronic delivery, and for providing public election and voting information. Such designated means of electronic communication shall be identified on all information and instructional materials that accompany balloting materials."

Delete lines 15564 through 15623
Delete lines 15901 through 15949, and insert:

"Sec. 3511.021. (A)(1) The secretary of state shall establish procedures that allow any person who is eligible to vote as a uniformed services voter or an overseas voter in accordance with 42 U.S.C. 1973ff-6 to request a uniformed services or overseas absent voter's ballot electronically from the office of the secretary of state.

(2) The procedures shall allow such a person who requests a uniformed services or overseas absent voter's ballot application to express a preference for the manner in which the person will receive the requested application, whether by mail or electronically. If the person completes and timely returns the application and the applicant is eligible to receive a ballot, the procedures shall allow the applicant to express a preference for the manner in which the person will receive the requested blank, unvoted ballots, whether by mail or electronically. The requested items shall be transmitted by the preferred method. If the requestor does not express a preferred method, the requested items shall be delivered via standard mail.

(3) To the extent practicable, the procedures shall protect the security and integrity of the ballot request and delivery process, and protect the privacy of the identity and personal data of the person when such applications and ballots are requested, processed, and sent.

(4) No person shall return by electronic means to the secretary of state, a board of elections, or any other entity a completed or voted uniformed services or overseas absent voter's ballot. If a ballot is so returned, the ballot shall not be accepted, processed, or counted.

(5) Unvoted uniformed services or overseas absent voter's ballots may be sent by electronic mail under this section only if all the following apply:

(a) The elector to whom the ballots are being sent is a member of the uniformed services:
(b) The elector's current address is a location outside the United States;
(c) The elector provides an electronic mail address to which the ballots shall be sent that includes the elector's name, and that name substantially matches the elector's name in the elector's voter registration record;
(d) The electronic mail address to which the ballots are sent ends with a .mil suffix; and
(e) The ballots are sent through a secure military server.

(B)(1) The secretary of state shall establish a free access system to allow such a person to determine the following:
(a) Whether that person's request for a uniformed services or overseas absent voter's ballot was received and processed;
(b) If the person's request was received and processed, when the uniformed services or overseas absent voter's ballot was sent;
(c) Whether any uniformed services or overseas absent voter's ballot returned by that person has been received by election officials;
(d) Whether the board of elections found any error on the identification envelope containing the person's returned uniformed services or overseas absent voter's ballot and, if so, how the person may correct such error within ten days after the day of an election; and
(e) Whether the person's uniformed services or overseas absent voter's ballot was counted.

(2) The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under division (B) of this section. Access to information about an individual ballot shall be restricted to the person who cast the ballot. To the extent practicable, the procedures shall protect the security and integrity of the process and protect the privacy of the identity and personal data of the person.

In line 16627, delete "fifteen" and insert "twenty"
In line 17484, delete "hundredth" and insert "hundred fifth"
In line 18905, delete "seventy-five" and insert "ninety"
In line 22360, delete "ninety" and insert "ninety-five"
In line 22740, after "hundred" insert "five"
In line 24460, delete "ninety-five" and insert "one hundred"
In line 24714, after "hundred" insert "five"
In line 56 of the title, delete "3509.10,"
The question being, "Shall the motion to amend be agreed to?"
Representative Heard 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 52, nays 46, as follows:

Those who voted in the affirmative were: Representatives

Belcher  Bolon  Book  Boyd
Brown  Carney  Celeste  Chandler
DeBose  DeGeeter  Domenick  Driehaus
Dyer  Fende  Foley  Garland
Garrison  Gerberry  Goyal  Hagan
Harris  Harwood  Heard  Koziura
Letson  Luckie  Lundy  Mallory
Moran  Murray  Newcomb  Okey
Otterman  Patten  Phillips  Pillich
Pryor  Sayre  Schneider  Skindell
Slesnick  Stewart  Sykes  Szollosi
Ujvagi  Weddington  Williams B.  Williams S.
Winburn  Yates  Yuko  Budish-52.

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  Dolan  Evans  Gardner
Goodwin  Grossman  Hackett  Hall
Hite  Hottinger  Huffman  Jordan
Lehner  Maag  Mandel  Martin
McClain  McGregor  Mecklenborg  Morgan
Oelslager  Ruhl  Sears  Snitchler
Stautberg  Stebelton  Uecker  Wachtmann
Wagner  

The motion to amend was laid on the table.

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

Representative Martin moved to amend as follows:

In line 10367, delete " a regular ballot"
In line 10518, reinsert "and precinct"
In line 10560, reinsert "or to sign or circulate any declaration of candidacy or"
In line 10561, reinsert "any nominating, or recall petition,"
In line 10562, reinsert "and"
In line 10563, reinsert "precinct"
In line 10565, after "(4)" delete the balance of the line
Delete lines 10566 through 10568
In line 10569, delete "(C)"

In line 13278, reinsert "precinct"; delete "county"
In line 13308, reinsert "precinct"; delete "county"
In line 13366, reinsert "jurisdiction in which"; delete "county where"
In line 13612, reinsert "in the precinct and"
In line 13637, after "(ii)" insert "(c)"; reinsert "The individual"; reinsert "is not eligible"
Reinsert lines 13638 and 13639
In line 13644, delete "(c)" and insert "(d)"
In line 13675, after "(C)" delete the balance of the line
Delete lines 13676 through 13687
In line 13688, delete "(D)"
In line 13701, reinsert "(D)"; delete "(E)"
In line 13715, reinsert the first "(E)"; delete the first "(F)"; reinsert the second "(E)"; delete the second "(F)"
In line 13735, delete "(G)" and insert "(F)"

The question being, "Shall the motion to amend be agreed to?"
Representative Heard 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 52, nays 46, as follows:

Those who voted in the affirmative were: Representatives

Belcher    Bolon    Book    Boyd
Brown      Carney   Celeste  Chandler
DeBose     DeGeeter Domenick Driehaus
Dyer       Fende    Foley    Garland
Garrison   Gerberry Goyal   Hagan
Harris     Harwood  Heard    Kozuara
Letson     Luckie   Lundy    Mallory
Morgan     Murray   Newcomb Okey
Otterman   Patten   Phillips Pillich
Pryor      Sayre    Schneider Skindell
Slesnick   Stewart  Sykes    Szollosi
Ujvagi     Weddington Williams B. Williams S.
Winburn    Yates    Yuko    Budish-52.

Those who voted in the negative were: Representatives
The motion to amend was laid on the table.

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

Representative Mecklenborg moved to amend as follows:

Delete lines 9652 through 9781 and insert:

"Sec. 3501.07. At a meeting held not more than sixty nor less than fifteen days before the expiration date of the term of office of a member of the board of elections, or within fifteen days after a vacancy occurs in the board, the county executive committee of the major political party entitled to the appointment may make and file a recommendation with the secretary of state for the appointment of a qualified elector. The secretary of state shall appoint such elector, unless he has reason to believe the secretary of state finds that the elector would not be a competent member of the board as a result of either the elector's adjudication of incompetence by a court of competent jurisdiction or the elector's prior conviction of or plea of guilty to a felony. In such cases the secretary of state shall so state in writing to the chairman of such county executive committee, with the reasons therefore for the secretary's refusal to appoint the individual, and such committee may, with respect to each refusal of the secretary of state, either recommend another elector or may apply for a writ of mandamus to the supreme court to compel the secretary of state to appoint the elector so recommended. In all such actions, the burden of proof to show the qualifications prove the lack of competence of the person so recommended by clear and convincing evidence shall be on the committee making the recommendation. Upon the dismissal of an action in mandamus filed by such county executive committee, the county executive committee shall have fifteen days to make and file another recommendation with the secretary of state for the appointment of a qualified elector. If no such recommendation is made within fifteen days after either the secretary of state refuses the appointment of the county executive committee or the dismissal of an action in mandamus filed by such committee, the secretary of state shall make the appointment. This process shall be repeated, as needed, after each refusal of the secretary of state, until the appointment is made.

If a vacancy on the board of elections is to be filled by a minor or an
intermediate political party, authorized officials of that party may within fifteen
days after the vacancy occurs recommend a qualified person to the secretary of
state for appointment to such vacancy.

Sec. 3501.10. (A) The board of elections shall, as an expense of the
board, provide suitable rooms for its offices and records and the necessary and
proper furniture and supplies for those rooms. The board may lease such offices
and rooms, necessary to its operation, for the length of time and upon the terms
the board deems in the best interests of the public, provided that the term of any
such lease shall not exceed fifteen years.

Thirty days prior to entering into such a lease, the board shall notify the
board of county commissioners in writing of its intent to enter into the lease. The
notice shall specify the terms and conditions of the lease. Prior to the thirtieth
day after receiving that notice and before any lease is entered into, the board of
county commissioners may reject the proposed lease by a majority vote. After
receiving written notification of the rejection by the board of county
commissioners, the board of elections shall not enter into the lease that was
rejected, but may immediately enter into additional lease negotiations, subject to
the requirements of this section.

The board of elections in any county may, by resolution, request that the
board of county commissioners submit to the electors of the county, in
accordance with section 133.18 of the Revised Code, the question of issuing
bonds for the acquisition of real estate and the construction on it of a suitable
building with necessary furniture and equipment for the proper administration
of the duties of the board of elections. The resolution declaring the necessity for
issuing such bonds shall relate only to the acquisition of real estate and to the
construction, furnishing, and equipping of a building as provided in this division.

(B) The board of elections in each county shall keep its offices, or one or
more of its branch registration offices, open for the performance of its duties
until nine p.m. on the last day of registration before a general or primary
election. At all other times during each week, the board shall keep its offices and
rooms open for a period of time that the board considers necessary for the
performance of its duties.

(C) The board of elections may maintain permanent or temporary branch
offices at any place within the county, provided that, if the board of elections
permits electors to vote at a branch office, electors shall not be permitted to vote
at any other branch office or any other office of the board of elections. The board
shall not employ more than four such locations, including the office of the board
of elections and all branch offices of the board of elections, for the purpose of
allowing voters to cast absent voter's ballots in person at an election.

A majority vote of the members of the board is required to establish more
than one location at which voters may cast absent voter's ballots in person at an
election. If the board votes to establish more than one location at which voters
may cast absent voter's ballots in person, the board shall select locations in the
county that are geographically diverse. If at least three members of the board do.
not agree to establish additional locations or do not agree on the geographic locations within the county, the board shall only permit absent voter's ballots to be voted in person at the office of the board of elections for that election.

In line 10680, after " that" insert " any individual or"
In line 10684, after " from” insert ” the individual or”
In line 10869, after " (2)” insert ” An individual may do any of the following to effect compliance with this chapter:

(a) Initiate a mandamus action before the supreme court if a designated agency fails, by the applicable deadline, to enter into the memorandum of understanding required by this section;

(b) Initiate a mandamus action before the supreme court if the state or county office of a designated agency does not correct any deficiency in compliance with this chapter or the memorandum of understanding within forty-five days after receiving written notice of the deficiency from the individual;

(c) Initiate a mandamus action before the supreme court if the secretary of state does not correct any deficiency in the proper exercise of the duties of the secretary of state under this chapter or the memorandum of understanding within forty-five days after receiving written notice of the deficiency from the individual.

(3)"
In line 14953, strike through "a” and insert " the following”; strike through "substantially as follows"
In line 15222, after " the” insert ” statement of voter has been completed, the"
In line 15223, after ” provided” insert an underlined comma
In line 15230, after the second " the” insert ” statement of voter has been completed, that the”
In line 15231, after ” provided” insert an underlined comma
In line 15242, after " not” insert ” complete or”
In line 15243, after ” envelope” insert an underlined comma
In line 15250, after " not” insert ” complete or”
In line 16076, strike through "a” and insert ” the following”
In line 16077, strike through "substantially as follows”
In line 16422, after ” the” insert ” statement of voter has been completed, the”; after ” provided” insert an underlined comma
The question being, "Shall the motion to amend be agreed to?"

Representative Heard 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 51, nays 47, as follows:

Those who voted in the affirmative were: Representatives

Belcher  Bolon  Book  Boyd
Brown    Carney Celeste Chandler
DeBose   DeGeeter Domenick Driehaus
Dyer     Fende   Foley   Garland
Garrison Gerberry  Goyal   Hagan
Harris   Harwood Heard   Kozuira
Letson   Luckie  Lundy   Mallory
Moran    Murray  Newcomb Okey
Otterman Patten  Phillips Pillich
Pryor    Sayre   Schneider  Slesnick
Stewart  Sykes   Szollosi Ujvagi
Weddington Williams B. Williams S. Winburn
Yates    Yuko    Budish-51.

Those who voted in the negative were: Representatives

Adams J. Adams R. Amstutz Bacon
Baker    Balderson Batchelder Beck
Blair    Blessing Boeing Bubp
Burke    Coley   Combs   Daniels
Derickson Dolan   Evans   Gardner
Goodwin  Grossman Hackett Hall
Hite     Hottenger Huffman Jordan
Lehner   Maag    Mandel  Martin
 McClain McGregor Mecklenborg Morgan
Oelslager Ruhl   Sears   Skindell
Snitchler Stautberg Stebelton Uecker
Wachtman Wagner Zehringer-47.

The motion to amend was laid on the table.

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

The yeas and nays were taken and resulted - yeas 52, nays 46, as follows:

Those who voted in the affirmative were: Representatives

Belcher  Bolon  Book  Boyd
Brown    Carney Celeste Chandler
Those who voted in the negative were: Representatives

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

The bill passed.

Representative Stewart moved to amend the title as follows:


The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

Pursuant to Section 3318.30 of the Ohio Revised Code, the Speaker hereby makes the following change to the Ohio School Facilities Commission:

Remove Representative Evans; appoint Representative Jordan.

On motion of Representative Szollosi, the House recessed.

The House met pursuant to recess.
On motion of Representative DeGeeter, the House adjourned
until Thursday, November 19, 2009 at 9:00 o'clock a.m.

Attest: THOMAS L. SHERMAN,
Clerk.