

EXHIBIT J

JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, NOVEMBER 18, 2009

EXHIBIT J

ONE HUNDRED SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, November 18, 2009, 1:30 p.m.

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 Bubb-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.

2044 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

H. B. No. 376-Representatives Bolon, Wagner.

Cosponsors: Representatives Adams, J., Blessing, Boose, Combs, Evans, Fende, Grossman, Huffman, Murray, Newcomb, Ujvagi, Yuko.

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.

Cosponsors: Representatives Okey, Murray, Harris, Domenick, Williams, B., Phillips, Pryor, Goyal, Luckie, Newcomb, Pillich, Slesnick, Dyer, Book, Fende, Yuko, Brown, Chandler, Yates, Winburn, Bolon.

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
EDNA BROWN
MARK SCHNEIDER

MATT PATTEN
ROBERT F. HAGAN
DAN STEWART

The following members voted "NO"

JOHN ADAMS
LYNN R. WACHTMANN

TERRY BLAIR
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
EDNA BROWN
MARK SCHNEIDER

MATT PATTEN
ROBERT F. HAGAN
DAN STEWART

The following members voted "NO"

JOHN ADAMS
LYNN R. WACHTMANN

TERRY BLAIR
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
T. TODD BOOK
MIKE FOLEY
MATT HUFFMAN
MICHAEL J. SKINDELL
GERALD L. STEBELTON

DENNIS MURRAY
BILL COLEY
SANDRA STABILE HARWOOD
ROBERT MECKLENBORG
PETER STAUTBERG
TYRONE K. YATES

The report was agreed to.

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

2046 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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 ZEHRINGER

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.

Cosponsors: Representatives Yuko, Garrison, Hagan, Book, Foley, Newcomb, Harris, DeGeeter, Williams, B., Bolon, Skindell, Luckie, Letson, Williams, S., Heard, Goyal, Celeste, Dyer, Chandler, Carney, Fende, Slesnick, Ujvagi.

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	Uecker	Wachtmann
Wagner			Zehring-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.

Cosponsors: Representatives Hagan, Newcomb, Luckie, Murray, Fende, Brown.

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."

In line 434, 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	Boose	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

Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
Zehringer			Budish-98.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 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
Boose	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
Koziura	Lehner	Letson	Luckie
Lundy	Mallory	Mandel	McClain
McGregor	Mecklenborg	Moran	Morgan
Murray	Newcomb	Oelslager	Okey
Otterman	Patten	Phillips	Pillich
Pryor	Ruhl	Sayre	Schneider
Sears	Skindell	Slesnick	Snitchler
Stautberg	Stebelton	Stewart	Sykes
Szollosi	Ujvagi	Wachtmann	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko	Zehringer		Budish-91.

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, Weddington, Williams, B., Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

2050 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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

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	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
Sykes	Szollosi	Uecker	Ujvagi
Wachtmann	Wagner	Weddington	Williams B.
Williams S.	Winburn	Yates	Yuko
Zehringer			Budish-98.

The bill passed.

Representative Harwood moved to amend the title as follows:

Add the names: "Bacon, Batchelder, Belcher, Bolon, Boyd, Brown, Bubp, Carney, Coley, Combs, DeBose, DeGeeter, Domenick, Driehaus, Dyer, Evans, Fende, Garland, Goyal, Grossman, Hagan, Harris, Hottinger, Luckie, Mallory, Newcomb, Oelslager, Okey, Patten, Phillips, Snitchler, Yates."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 290-Representatives Bupp, 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.

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	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	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	Sykes
Szollosi	Uecker	Wachtmann	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 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	Boose
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

2056 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

Oelslager	Okey	Otterman	Patten
Phillips	Pillich	Pryor	Ruhl
Sayre	Schneider	Sears	Skindell
Slesnick	Stautberg	Stebelton	Stewart
Sykes	Szollosi	Uecker	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-88.

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

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	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
Morgan	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Ruhl	Sayre
Schneider	Sears	Skindell	Slesnick
Stautberg	Stebelton	Stewart	Sykes
Szollosi	Uecker	Wagner	Weddington
Williams B.	Williams S.	Winburn	Yates
Yuko	Zehringer		Budish-91.

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

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	Dolan
Domenick	Driehaus	Dyer	Evans
Fende	Foley	Gardner	Garland
Garrison	Gerberry	Goodwin	Goyal
Grossman	Hackett	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	Sykes
Szollosi	Uecker	Wachtmann	Wagner
Weddington	Williams B.	Williams S.	Winburn
Yates	Yuko	Zehringer	Budish-96.

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.

Sub. H. B. No. 260-Representatives Stewart, Heard.

Cosponsors: Representatives Book, Domenick, Dyer, Foley, Garland, Letson, Okey, Skindell, Weddington, Williams, B., Yuko.

To amend sections 133.06, 133.18, 302.03, 302.09, 303.11, 303.12, 303.25, 305.02, 305.31, 306.32, 306.321, 306.70, 306.71, 307.676, 307.677, 307.695, 307.697, 307.791, 307.94, 307.95, 322.02, 322.021, 324.02, 324.021, 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,

733.48, 749.021, 755.01, 757.02, 759.25, 1515.28, 1545.21, 1545.36, 1711.30, 1901.07, 1901.10, 1901.31, 1907.13, 2101.43, 2301.02, 3311.053, 3311.059, 3311.21, 3311.213, 3311.22, 3311.231, 3311.25, 3311.26, 3311.37, 3311.38, 3311.50, 3311.73, 3316.08, 3318.06, 3318.061, 3318.361, 3354.12, 3355.02, 3355.09, 3357.02, 3357.11, 3375.19, 3375.201, 3375.211, 3375.212, 3501.01, 3501.02, 3501.03, 3501.05, 3501.07, 3501.10, 3501.11, 3501.17, 3501.18, 3501.21, 3501.22, 3501.38, 3501.39, 3503.01, 3503.04, 3503.06, 3503.10, 3503.11, 3503.14, 3503.15, 3503.16, 3503.19, 3503.21, 3503.24, 3503.28, 3505.01, 3505.03, 3505.04, 3505.06, 3505.062, 3505.08, 3505.10, 3505.11, 3505.12, 3505.13, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 3505.28, 3505.30, 3505.32, 3506.02, 3506.11, 3506.12, 3506.21, 3509.01, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.08, 3509.09, 3511.01, 3511.02, 3511.03, 3511.04, 3511.05, 3511.06, 3511.08, 3511.10, 3511.11, 3511.13, 3513.01, 3513.02, 3513.041, 3513.05, 3513.052, 3513.121, 3513.122, 3513.151, 3513.19, 3513.251, 3513.253, 3513.254, 3513.255, 3513.256, 3513.257, 3513.259, 3513.263, 3513.30, 3513.31, 3513.311, 3513.312, 3517.01, 3517.012, 3517.02, 3517.03, 3519.08, 3519.16, 3521.03, 3709.051, 3709.071, 3709.29, 3767.05, 3769.27, 4301.33, 4301.331, 4301.332, 4301.333, 4301.334, 4301.356, 4301.421, 4301.424, 4303.29, 4305.14, 4504.021, 4504.15, 4504.16, 4504.21, 4506.03, 4507.13, 4507.52, 4928.20, 4929.26, 4931.51, 4931.52, 4931.53, 4951.44, 4955.05, 5705.19, 5705.191, 5705.195, 5705.199, 5705.20, 5705.21, 5705.211, 5705.212, 5705.213, 5705.217, 5705.218, 5705.219, 5705.2111, 5705.22, 5705.221, 5705.222, 5705.23, 5705.24, 5705.25, 5705.251, 5705.261, 5705.27, 5705.71, 5739.021, 5739.022, 5739.026, 5743.021, 5743.024, 5743.026, 5748.02, 5748.04, 5748.08, 6105.18, 6105.20, 6119.31, and 6119.32, to enact new sections 3509.07 and 3511.09 and sections 125.042, 3501.012, 3501.40, 3503.141, 3503.142, 3503.191, 3503.20, 3503.22, 3505.331, 3507.01, 3507.02, 3507.03, 3509.10, 3511.021, 3511.041, 3511.14, and 3599.30, and to repeal sections 3503.18, 3503.33, 3505.19, 3505.22, 3506.13, 3509.022, 3509.07, 3511.07, 3511.09, 3511.12, and 3513.20 of the Revised Code to revise the Election Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative 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;

2060 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

(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 " §" 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

2062 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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

2066 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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 "reinsert "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

2068 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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	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			Zehringer-46.

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

HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009 2069

Baker	Balderson	Belcher	Blair
Blessing	Bolon	Book	Boose
Boyd	Brown	Carney	Celeste
Chandler	Coley	DeBose	DeGeeter
Domenick	Driehaus	Dyer	Evans
Fende	Foley	Gardner	Garland
Garrison	Gerberry	Goyal	Hackett
Hagan	Harris	Harwood	Heard
Hite	Hottinger	Huffman	Koziura
Lehner	Letson	Luckie	Lundy
Maag	Mallory	McGregor	Mecklenborg
Moran	Murray	Newcomb	Oelslager
Okey	Otterman	Patten	Phillips
Pillich	Pryor	Sayre	Schneider
Skindell	Slesnick	Snitchler	Stautberg
Stebelton	Stewart	Sykes	Szollosi
Ujvagi	Weddington	Williams B.	Williams S.
Winburn	Yates	Yuko	Budish-72.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Bacon
Batchelder	Beck	Bubp	Burke
Combs	Daniels	Derickson	Dolan
Goodwin	Grossman	Hall	Jordan
Mandel	Martin	McClain	Morgan
Ruhl	Sears	Uecker	Wachtmann
Wagner			Zehringer-26.

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

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

2070 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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			Zehringer-46.

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
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-53.

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
Grossman	Hackett	Hall	Hite
Hottinger	Huffman	Jordan	Lehner
Maag	Mandel	Martin	McClain
McGregor	Mecklenborg	Morgan	Oelslager
Ruhl	Sears	Snitchler	Stautberg
Stebelton	Uecker	Wachtmann	Wagner
			Zehringer-45.

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"

2072 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

In line 1988, delete " twenty-fifth" and insert " thirtieth"

In line 1997, delete " fifteenth" and insert " twentieth"

In line 2006, delete " sixth" and insert " eleveth"

In line 2025, delete " sixth" and insert " eleveth"

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."

In line 9602, after "(CC)" insert "Be the single state office responsible for the implementation of the "Uniformed and Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended, in this state.

(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,"

2076 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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			Zehringer-46.

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 "~~(H)~~" 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 "~~(H)~~" 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	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

2078 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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			Zehringer-46.

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~~ is not be a competent member of to serve on such 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~~ chairperson of such county executive committee ~~, with the reasons therefor~~ 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 action 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~~ secretary of state who refused 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

In line 16429, after the second " the" insert " statement of voter has been completed, that the"

In line 16430, after " provided" insert an underlined comma

In line 16441, after " not" insert " complete or"

In line 16449, after " not" insert " complete or"

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	Koziura
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	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	Skindell
Snitchler	Stautberg	Stebelton	Uecker
Wachtmann	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

2082 HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009

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			Zehringer-46.

The bill passed.

Representative Stewart moved to amend the title as follows:

Add the names: "Belcher, Bolon, Boyd, Brown, Celeste, Chandler, DeBose, Driehaus, Fende, Garrison, Hagan, Harris, Harwood, Koziura, Mallory, Murray, Newcomb, Patten, Phillips, Pillich, Pryor, Szollosi, Ujvagi, Williams, S., Winburn, Yates."

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.

HOUSE JOURNAL, WEDNESDAY, NOVEMBER 18, 2009 2083

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.