

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**2nd CORRECTED VERSION**  
**TUESDAY, MAY 17, 2005**

## FIFTY-FIRST DAY

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, May 17, 2005 at 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Reverend Rebecca L. Burke of the Faith Place Church in East Liverpool, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

The East Holmes Hiland High School girls basketball team received H.R. No. 33, presented by Representative Gibbs-97th district.

Zachary Scott Hancock received H.R. No. 45, presented by Representative Fessler-79th district.

Wilard Adkins, Kelly Jones, Robert Barret, Keith Meridith, and Angie Poole, guests of Representative Blasdel-1st district.

Pete Dragnick, a guest of Representative Trakas-17th district.

Kay James, Tonya Gilmore, Monica Bellavia, Ben Palmer, and Matt Saylor, guests of Representative Law-64th district.

Students from Rolling Hills Elementary School, Lori Saunders, Kelly Dobbins, guests of Representative Widener-84th district.

Ryan Bailey, Doug Jessup, Ron Brooks, Jennica Saddler, Britney Casto, Victoria Zimpski, and Troy Bailey, guests of Representative Distel-99th district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 256**-Representatives Collier, Gilb, Carano, Kearns, C. Evans, Otterman, Brown, Reidelbach.

To amend section 2313.16 of the Revised Code to provide additional grounds to excuse a prospective juror from jury service and to specify the procedures for requesting an excuse based on those grounds.

**H. B. No. 257**-Representatives Hagan, D. Evans, Strahorn, Ujvagi, Chandler.

To enact sections 3721.041 and 3727.19 of the Revised Code to require

nursing homes and other homes for the elderly to offer residents vaccinations against influenza and pneumonia and to require hospitals to offer certain patients vaccinations against influenza and pneumonia.

**H. B. No. 258**-Representatives C. Evans, McGregor, Kearns, Seaver, Faber, Seitz, Collier, Reidelbach, Beatty, Chandler, Ujvagi, Brown.

To enact section 4507.061 of the Revised Code to require the Registrar of Motor Vehicles or a deputy registrar to inquire about a durable power of attorney for health care or a declaration governing life-sustaining treatment when a person applies for a license and to require that the forms be available free from the Registrar or a deputy registrar.

**H. B. No. 259**-Representatives Wagner, McGregor, Martin, C. Evans, Fende, Bulp, Wagoner, Seaver, D. Evans, Setzer, Hagan, Harwood, Gilb, Wolpert, Distel, Willamowski, Collier, Latta, Faber, Brown, Aslanides, Uecker, Allen.

To amend section 2921.38 of the Revised Code to prohibit a person, with intent to harass, annoy, threaten, or alarm a law enforcement officer, from causing or attempting to cause the law enforcement officer to come into contact with a bodily substance.

**H. B. No. 260**-Representatives S. Smith, S. Patton, Redfern, Miller, Skindell, Sykes, Boccieri, Beatty, Driehaus, Yates, Strahorn, Barrett, Woodard, Seaver, Brown, Brinkman, Kearns, Raga, Schneider, Seitz, J. Stewart, Koziura, Allen, Key, DeGeeter, Healy, Taylor.

To create a Capital Case Commission to study the imposition and administration of capital punishment in Ohio and to make recommendations for improving Ohio's procedures in capital cases and its capital sentencing procedures.

**H. B. No. 261**-Representatives S. Smith, J. Stewart, McGregor, Koziura, Allen, Sykes, Barrett, Willamowski, Key, DeGeeter, Brown, Reidelbach, Beatty, Healy, Chandler.

To amend section 2925.01 of the Revised Code to classify formaldehyde as a harmful intoxicant.

**H. B. No. 262**-Representative Law.

To enact section 3734.576 of the Revised Code to require the owner or operator of a solid waste disposal facility to make available for auditing by the solid waste management district in which the facility is located, or in which solid waste that is disposed of at the facility is generated, any daily log of

operations of the facility that is required by the Director of Environmental Protection.

**H. B. No. 263**-Representatives Skindell, Woodard, Allen, Key, Ujvagi, Miller, Yuko, Brown, S. Patton, S. Smith, Williams, Sykes, Koziura.

To enact sections 3922.01 to 3922.15, 3922.21 to 3922.28, 3922.31, 3922.32, and 3922.33 of the Revised Code to establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

**H. B. No. 264**-Representative Skindell.

To amend section 4123.68 of the Revised Code to grant Workers' Compensation benefits to an employee who suffers an adverse medical condition as a result of receiving a smallpox vaccination as part of homeland security measures.

Said bills were considered the first time.

### CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 50**-Representative Setzer, et al., were taken up for consideration.

**Sub. H. B. No. 50**-Representatives Setzer, Hughes, C. Evans, DeWine, Gilb, McGregor, Fessler, Latta, Walcher, D. Evans, Willamowski, Seaver, Perry, Allen, Buehrer, Calvert, Carmichael, Cassell, Chandler, Collier, Combs, Daniels, DeBose, Domenick, Faber, Gibbs, Hagan, Harwood, Kearns, Kilbane, Law, Martin, Otterman, T. Patton, Peterson, Raga, Reidelbach, Schaffer, Schlichter, Schneider, D. Stewart, J. Stewart, Strahorn, Taylor, Uecker, Webster, Widener, Widowfield, Williams, Yuko. -Senators Austria, Goodman, Grendell, Schuring, Niehaus.

To amend section 2907.09 of the Revised Code to expand and modify the penalty for the offense of public indecency.

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

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Bocchieri	Book
Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Cassell
Chandler	Coley	Collier	Combs
Core	Daniels	DeBose	DeGeeter

DeWine	Distel	Dolan	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fende	Fessler	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hood	Hoops
Hughes	Kearns	Key	Kilbane
Koziura	Latta	Law	Martin
Mason	McGregor	Miller	Mitchell
Oelslager	Otterman	Patton S.	Patton T.
Perry	Peterson	Raga	Rausen
Redfern	Reidelbach	Reinhard	Sayre
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Skindell	Smith G.
Smith S.	Stewart D.	Stewart J.	Strahorn
Sykes	Taylor	Trakas	Uecker
Ujvagi	Wagner	Wagoner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Williams	Wolpert	Woodard
Yates	Yuko		Husted-99.

The Senate amendments were concurred in.

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

Representative D. Stewart submitted the following report:

The standing committee on State Government to which was referred **H. B. No. 122**-Representative Wagoner, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: LOTTERY WINNERS-REQUIRE DISCLOSURES

Representative Uecker moved to amend the title as follows:

Add the names: "Carmichael, Walcher, Hartnett, D. Stewart, Book."

JOSEPH W. UECKER	JIM CARMICHAEL
THOMAS F. PATTON	ARLENE J. SETZER
MIKE MITCHELL	BARBARA A. SYKES
KATHY L. WALCHER	LARRY L. FLOWERS
DAN STEWART	T. TODD BOOK
STEPHEN BUEHRER	WILLIAM J. HARTNETT

The report was agreed to.

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

Representative D. Stewart submitted the following report:

The standing committee on State Government to which was referred **H. C. R. No. 9**-Representative Trakas, et al., having had the same under

consideration, reports it back and recommends its adoption.

RE: NATO MEMBERS - VISA WAIVER PROGRAM ELGIBILITY

Representative Carmichael moved to amend the title as follows:

Add the name: "Buehrer."

JOSEPH W. UECKER  
THOMAS F. PATTON  
MIKE MITCHELL  
KATHY L. WALCHER  
DAN STEWART  
STEPHEN BUEHRER

JIM CARMICHAEL  
ARLENE J. SETZER  
BARBARA A. SYKES  
LARRY L. FLOWERS  
T. TODD BOOK  
WILLIAM J. HARTNETT

The report was agreed to.

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

Representative Chandler submitted the following report:

The standing committee on Local and Municipal Government and Urban Revitalization to which was referred **H. B. No. 76**-Representative Trakas, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: VILLAGE SOLICITOR - AUTHORIZE MAYOR TO APPOINT

Representative Wolpert moved to amend the title as follows:

Add the names: "McGregor, Walcher, Collier."

BRIAN G. WILLIAMS  
COURTNEY COMBS  
JEFF WAGNER  
JIM MCGREGOR  
DANNY R. BUBP

LARRY L. WOLPERT  
KENNY YUKO  
KATHY L. WALCHER  
JOSEPH W. UECKER  
LORRAINE M. FENDE

The following members voted "NO"

JOHN DOMENICK  
TOM BRINKMAN

DIANA M. FESSLER

The report was agreed to.

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

### **BILLS FOR THIRD CONSIDERATION**

**Sub. H. B. No. 3**-Representatives DeWine, Trakas, White, Brown, Law, Uecker.

To amend sections 131.23, 145.38, 305.31, 306.70, 307.791, 322.021, 324.021, 503.162, 504.02, 504.03, 511.28, 511.34, 513.14, 731.28, 731.29, 745.07, 747.11, 1901.07, 1901.10, 1901.31, 1901.33, 3311.21, 3311.50, 3311.73, 3349.29, 3354.12, 3355.09, 3501.05, 3501.11, 3501.13, 3501.26, 3501.30, 3501.33, 3501.35, 3501.38, 3501.39, 3503.06, 3503.11, 3503.13, 3503.14, 3503.16, 3503.19, 3503.21, 3503.23, 3503.24, 3505.16, 3505.18, 3505.19, 3505.20, 3505.21, 3505.22, 3505.25, 3505.26, 3505.27, 3505.32, 3506.01, 3506.05, 3506.12, 3506.13, 3506.19, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3511.02, 3511.04, 3511.09, 3513.04, 3513.041, 3513.05, 3513.052, 3513.19, 3513.20, 3513.22, 3513.257, 3513.259, 3513.261, 3513.30, 3515.03, 3515.04, 3515.07, 3515.08, 3515.13, 3517.01, 3517.10, 3517.106, 3517.1011, 3519.05, 3523.05, 3599.11, 3599.111, 3599.12, 3599.21, 3599.24, 3599.38, 4301.33, 4301.331, 4301.332, 4301.333, 4301.334, 4305.14, 4504.021, 5705.191, 5705.194, 5705.196, 5705.21, 5705.218, 5705.25, 5705.251, 5705.261, 5705.71, 5739.022, 5748.02, 5748.04, 5748.08, and 6119.18, to enact sections 3501.19, 3501.24, 3501.90, 3503.15, 3503.20, 3503.28, 3503.29, 3505.181, 3505.182, 3505.183, 3506.21, 3509.09, 3511.13, 3515.041, and 3515.072, and to repeal section 3503.27 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 Driehaus moved to amend as follows:

In line 3836, after "vote" insert "in that jurisdiction"

In line 3837, delete "that" and insert "any"; after "election" insert "for federal office, for statewide office, for county elective office, or for a state or county question or issue"

In line 3912, delete "direct the"

Delete lines 3913 and 3914

In line 3915, delete "locations in the county,"

In line 3917, delete "precinct," and insert "county"

In line 3939, after "(1)" insert "County elective office means any of the offices of county auditor, county treasurer, clerk of the court of common pleas, judge of the court of common pleas, sheriff, county recorder, county engineer, county commissioner, prosecuting attorney, and coroner.

(2)"; delete "the precinct in which a person is a"

In line 3940, delete "legally qualified elector" and insert "a county.

(3) "Statewide office means any of the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, and chief justice and justice of the supreme court"

In line 3941, delete "(2)" and insert "(4)"

In line 3971, delete "precinct" and insert "county"

In line 9468, after "vote" insert ", except by provisional ballot,"

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

Representative Kearns 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 58, nays 41, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bubp
Buehrer	Calvert	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hoops	Hughes
Kearns	Kilbane	Latta	Law
Martin	McGregor	Oelslager	Patton T.
Peterson	Raga	Raussen	Reidelbach
Reinhard	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Smith G.
Stewart J.	Taylor	Trakas	Uecker
Wagner	Wagoner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-58.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brinkman	Brown	Carano
Cassell	Chandler	DeBose	DeGeeter
Distel	Domenick	Driehaus	Fende
Garrison	Hartnett	Harwood	Healy
Hood	Key	Koziura	Mason
Miller	Mitchell	Otterman	Patton S.
Perry	Redfern	Sayre	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Williams	Woodard	Yates
			Yuko-41.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Driehaus moved to amend as follows:

In line 3836, after "vote" insert "in that jurisdiction"

In line 3837, after "election" insert "for any office, question, or issue that appears on the ballot for the precinct within which the individual's voting residence is located"

In line 3917, delete "precinct" and insert "polling location"

In line 3939, delete "the precinct in which a person is a"

In line 3940, delete "legally qualified elector" and insert "any of the precincts that have their precinct polling places located at that particular polling location"

In line 3971, delete "this" and insert "a"; after "precinct" insert "for which the precinct polling place is located at this polling location"

In line 9468, after "vote" insert ", except by provisional ballot,"

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

Representative Kearns 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 57, nays 41, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bubp
Buehrer	Calvert	Carmichael	Coley
Collier	Core	Daniels	DeWine
Dolan	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Hagan	Hoops	Hughes	Kearns
Kilbane	Latta	Law	Martin
McGregor	Oelslager	Patton T.	Peterson
Raga	Raussen	Reidelbach	Reinhard
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Smith G.	Stewart J.
Taylor	Trakas	Uecker	Wagner
Wagoner	Walcher	Webster	White
Widener	Widowfield	Willamowski	Wolpert
			Husted-57.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brinkman	Brown	Carano
Cassell	Chandler	DeBose	DeGeeter
Distel	Domenick	Driehaus	Fende
Garrison	Hartnett	Harwood	Healy
Hood	Key	Koziura	Mason
Miller	Mitchell	Otterman	Patton S.
Perry	Redfern	Sayre	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Williams	Woodard	Yates
			Yuko-41.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Driehaus moved to amend as follows:

In line 2508, after "3501.24." insert "(A)"; delete "may" and insert "shall"

In line 2510, delete "addresses" and insert "address"

Between lines 2513 and 2514, insert:

"(B) The secretary of state shall adopt a standardized format for web sites required to be operated and maintained under division (A) of this section and shall make any technology necessary for the operation and maintenance of such a web site available to each board of elections."

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

Representative Kearns 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 58, nays 41, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bubp
Buehrer	Calvert	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hoops	Hughes
Kearns	Kilbane	Latta	Law
Martin	McGregor	Oelslager	Patton T.
Peterson	Raga	Rausen	Reidelbach
Reinhard	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Smith G.
Stewart J.	Taylor	Trakas	Uecker
Wagner	Wagoner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-58.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brinkman	Brown	Carano
Cassell	Chandler	DeBose	DeGeeter
Distel	Domenick	Driehaus	Fende
Garrison	Hartnett	Harwood	Healy
Hood	Key	Koziura	Mason
Miller	Mitchell	Otterman	Patton S.
Perry	Redfern	Sayre	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Williams	Woodard	Yates
			Yuko-41.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Fende moved to amend as follows:

In line 35, after "3355.09," insert "3501.04,"

In line 48, after "sections" insert "3501.041,"

Delete lines 2127 through 2328, and insert:

"Sec. 3501.04. The secretary of state (A) Except as otherwise provided in division (B) of this section, the director of the state board of elections is the chief election officer of the state, with such powers and duties relating to the registration of voters and the conduct of elections as are prescribed in Title XXXV of the Revised Code. He The director shall perform these duties, in addition to other duties imposed upon him the director by law, without additional compensation.

(B) Prior to the nomination and approval of the first director of the state board of elections under division (E) of section 3501.041 of the Revised Code, and at any time the office of director of the state board of elections is vacant, the secretary of state shall serve, in an interim capacity, as the chief election officer of the state.

Sec. 3501.041. (A) There is hereby established the state board of elections, consisting of the following six members:

- (1) The speaker of the house of representatives;
- (2) The minority leader of the house of representatives;
- (3) The president of the senate;
- (4) The minority leader of the senate;
- (5) The president of the Ohio association of election officials;
- (6) The vice-president of the Ohio association of election officials.

(B) The term of office for a legislative member of the board shall continue for as long as the person holds the specified leadership position in the house of the general assembly of which the person is a member. The term of office for the president and vice-president of the Ohio association of election officials shall continue for as long as the person holds the specified office in the Ohio association of election officials. Vacancies shall be filled in the manner provided for original appointments.

(C) Membership on the board does not constitute the holding of any other public office or employment. No member of the board is disqualified from holding any public office or employment, nor does any member of the board forfeit any public office or employment solely because the member serves as a member of the board.

(D) The president of the senate and the minority leader of the senate shall serve as co-chairpersons of the board. The president of the senate shall convene the first meeting of the board. Thereafter, the co-chairpersons shall convene meetings of the board as they consider necessary to carry out its purposes.

(E) The members of the state board of elections, by majority vote, shall

nominate a director of the state board of elections, whose nomination shall be subject to approval by a majority vote of the senate. The director shall not be a person listed in division (A) of this section. The director shall serve at the pleasure of the board.

**Sec. 3501.05.** ~~The secretary of state~~ director of the state board of elections shall do all of the following:

(A) Appoint all members of boards of elections;

(B) Issue instructions by directives and advisories to members of the boards as to the proper methods of conducting elections; In addition to any other publication of those directives and advisories, the director of the state board of elections shall publish those directives and advisories on a web site of the office of the director of the state board of elections within twenty-four hours after they are issued. The directives and advisories shall be maintained on that web site until they are replaced or become obsolete;

(C) Prepare rules and instructions for the conduct of elections;

(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;

(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;

(F) Prescribe the form of registration cards, blanks, and records;

(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;

~~(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;~~

~~(I) Certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;~~

~~(J)~~ (I) Give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;

~~(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;~~

~~(L)~~ (J) Require such reports from the several boards as are provided by law, or as the ~~secretary of state~~ director of the state board of elections considers necessary;

~~(M)~~ (K) Compel the observance by election officers in the several counties of the requirements of the election laws;

~~(N)(L)~~(1) Except as otherwise provided in division ~~(N)(L)~~(2) of this section, investigate the administration of election laws, frauds, and irregularities in elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution;

(2) ~~On and after August 24, 1995, report~~Report a failure to comply with or a violation of a provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, whenever the ~~secretary of state~~director of the state board of elections has or should have knowledge of a failure to comply with or a violation of a provision in one of those sections, by filing a complaint with the Ohio elections commission under section 3517.153 of the Revised Code;

~~(O)~~(M) Make an annual report to the governor containing the results of elections, the cost of elections in the various counties, a tabulation of the votes in the several political subdivisions, and other information and recommendations relative to elections the ~~secretary of state~~director of the state board of elections considers desirable;

~~(P)~~(N) Prescribe and distribute to boards of elections a list of instructions indicating all legal steps necessary to petition successfully for local option elections under sections 4301.32 to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code;

~~(Q) Prescribe a general program~~(O) Adopt rules pursuant to Chapter 110. of the Revised Code to require each board of elections to remove ineligible voters from official registration lists by reason of change of, which rules shall provide for all of the following:

(1) A process for the removal of voters who have changed residence, which shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 and the National Voter Registration Act of 1993, including a program that uses the national change of address service provided by the United States postal system through its licensees;

(2) A process for the removal of ineligible voters under section 3503.21 of the Revised Code;

(3) A uniform system for marking or removing the name of an ineligible voter from the poll lists, signature pollbooks, and official registration list used in each precinct and the board of elections and noting the reason for that mark or removal.

~~(R)~~(P) Prescribe a general program for registering voters or updating voter registration information, such as name and residence changes, at designated agencies, the offices of deputy registrars of motor vehicles, public high schools and vocational schools, public libraries, and the offices of county treasurers, and prescribe a program of distribution of voter registration forms through those agencies, the offices of the registrar and deputy registrars of motor vehicles, public high schools and vocational schools, public libraries, and the

offices of county treasurers;

~~(S)~~(Q) To the extent feasible, provide copies, at no cost and upon request, of the voter registration form in post offices in this state;

~~(F)~~(R) Adopt rules pursuant to section 111.15 of the Revised Code for the purpose of implementing the program for registering voters at designated agencies and the offices of the registrar and deputy registrars of motor vehicles consistent with this chapter;

~~(U)~~ Specify, by a directive issued not later than thirty-five days prior to the date of an election, the date by which the boards shall complete the canvass of election returns under section 3505.32 or 3513.22 of the Revised Code;

~~(V)~~(S) Establish the full-time position of Americans with Disabilities Act coordinator ~~within the office of the secretary of state~~ to do all of the following:

(1) Assist the ~~secretary of state~~director of the state board of elections with ensuring that there is equal access to polling places for persons with disabilities;

(2) Assist the ~~secretary of state~~director of the state board of elections with ensuring that each voter may cast the voter's ballot in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters;

(3) Advise the ~~secretary of state~~director of the state board of elections in the development of standards for the certification of voting machines, marking devices, and automatic tabulating equipment.

~~(W)~~(T) Establish a computerized statewide database of all legally registered voters under section 3503.15 of the Revised Code that complies with the requirements of the "Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666, and provide training in the operation of that system;

(U) Ensure that scheduled conference calls with boards of elections to discuss the proper methods and procedures for conducting elections, to answer questions regarding elections, or to discuss the interpretation of directives, advisories, or other instructions issued by the director of the state board of elections comply with section 121.22 of the Revised Code. The director of the state board of elections shall provide all of the following for all such conference calls:

(1) A method for the public to listen to the conference call at the time the call is made;

(2) The posting of a complete audio recording of the conference call on a web site of the office of the director of the state board of elections within twenty-four hours after the completion of the call;

(3) The posting of a complete transcript of the conference call on a web site of the office of the director of the state board of elections within twenty-four hours after the completion of the call.

(V) Perform other duties required by law.

Whenever a primary election is held under section 3513.32 of the Revised Code or a special election is held under section 3521.03 of the Revised Code to fill a vacancy in the office of representative to congress, the ~~secretary of state~~ director of the state board of elections shall establish a deadline, notwithstanding any other deadline required under the Revised Code, by which any or all of the following shall occur: the filing of a declaration of candidacy and petitions or a statement of candidacy and nominating petition together with the applicable filing fee; the filing of protests against the candidacy of any person filing a declaration of candidacy or nominating petition; the filing of a declaration of intent to be a write-in candidate; the filing of campaign finance reports; the preparation of, and the making of corrections or challenges to, precinct voter registration lists; the receipt of applications for absent voter's ballots or armed service absent voter's ballots; the supplying of election materials to precincts by boards of elections; the holding of hearings by boards of elections to consider challenges to the right of a person to appear on a voter registration list; and the scheduling of programs to instruct or reinstruct election officers.

In the performance of the ~~secretary of state's~~ director of the state board of elections' duties as the chief election officer, the ~~secretary of state~~ director may administer oaths, issue subpoenas, summon witnesses, compel the production of books, papers, records, and other evidence, and fix the time and place for hearing any matters relating to the administration and enforcement of the election laws.

In any controversy involving or arising out of the adoption of registration or the appropriation of funds for registration, the ~~secretary of state~~ director of the state board of elections may, through the attorney general, bring an action in the name of the state in the court of common pleas of the county where the cause of action arose or in an adjoining county, to adjudicate the question.

In any action involving the laws in Title XXXV of the Revised Code wherein the interpretation of those laws is in issue in such a manner that the result of the action will affect the lawful duties of the ~~secretary of state~~ director of the state board of elections or of any board of elections, the ~~secretary of state~~ director may, on the ~~secretary of state's~~ director's motion, be made a party.

The ~~secretary of state~~ director of the state board of elections may apply to any court that is hearing a case in which the ~~secretary of state~~ director is a party, for a change of venue as a substantive right, and the change of venue shall be allowed, and the case removed to the court of common pleas of an adjoining county named in the application or, if there are cases pending in more than one jurisdiction that involve the same or similar issues, the court of common pleas of Franklin county.

Public high schools and vocational schools, public libraries, and the office of a county treasurer shall implement voter registration programs as directed by the ~~secretary of state~~ director of the state board of elections pursuant to this section."

In line 11540, after "3355.09," insert "3501.04,"

In line 11564, after "4." insert "Except as otherwise provided in Section 5 of this act,"

After line 11565, insert:

**"Section 5.** The amendments to sections 3501.04 and 3501.05 and the enactment of section 3501.041 of the Revised Code in Section 1 of this act regarding the transfer of election duties and functions of the Secretary of State to the Director of the State Board of Elections, shall take effect on January 1, 2007. Prior to that effective date, the General Assembly shall enact legislation that amends, enacts, and repeals the sections of the Revised Code that are necessary to implement these sections and to provide for the orderly transfer of the election duties and functions of the Secretary of State that are not expressly granted to the Secretary of State by the Constitution of the State of Ohio to the Director of the State Board of Elections, whose office is created in section 3501.041 of the Revised Code, as enacted by this act, and whose responsibilities are delineated in sections 3501.04 and 3501.05 of the Revised Code, as amended by this act."

In line 6 of the title, after "3355.09," insert "3501.04,"

In line 25 of the title, after "sections" insert "3501.041,"

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

Representative Kearns 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 60, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bocchieri
Bubp	Buehrer	Calvert	Carmichael
Coley	Collier	Combs	Core
Daniels	DeWine	Dolan	Evans C.
Evans D.	Faber	Fessler	Flowers
Gibbs	Gilb	Hagan	Hood
Hoops	Hughes	Kearns	Kilbane
Latta	Law	Martin	McGregor
Oelslager	Patton T.	Peterson	Raga
Raussen	Reidelbach	Reinhard	Schaffer
Schlichter	Schneider	Seaver	Seitz
Setzer	Smith G.	Stewart J.	Taylor
Trakas	Uecker	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Willamowski	Wolpert	Husted-60.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Book
Brinkman	Brown	Carano	Cassell
Chandler	DeBose	DeGeeter	Distel
Domenick	Driehaus	Fende	Garrison

Hartnett	Harwood	Healy	Key
Koziura	Mason	Miller	Mitchell
Otterman	Patton S.	Perry	Redfern
Sayre	Skindell	Smith S.	Stewart D.
Strahorn	Sykes	Ujvagi	Williams
Woodard	Yates		Yuko-39.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Ujvagi moved to amend as follows:

In line 43, after "3515.07," insert "3515.071,"

Delete lines 7283 through 7386 and insert:

**"Sec. 3515.03.** Each application for recount shall separately list each precinct as to which a recount of the votes therein is requested, and the person filing an application shall at the same time deposit with the board of elections ~~ten~~twenty dollars in currency, bank money order, bank cashier's check, or certified check for each precinct so listed in such application as security for the payment of charges for making the recount therein applied for, which charges shall be fixed by the board as provided in section 3515.07 of the Revised Code.

Upon the filing of an application, or upon declaration by the board or secretary of state that the number of votes cast in any election for the declared winning nominee, candidate, question, or issue does not exceed the number of votes cast for the defeated nominee, candidate, question, or issue, by the margins set forth in section 3515.011 of the Revised Code, the board shall promptly fix the time, method, and the place at which the recount will be made, which time shall be not later than ten days after the day upon which such application is filed or such declaration is made. If the recount involves a candidate for election to an office comprising more than one county, the director of the board shall promptly mail notice of the time and place for such recount to the board of the most populous county of the district. If the contest involves a state office, the director shall promptly notify the secretary of state of the filing for such recount.

The director of the board shall mail notice of the time and place so fixed to any applicant and to each person for whom votes were cast for such nomination or election. Such notice shall be mailed by certified mail not later than the fifth day before the day fixed for the commencement of the recount. Persons entitled to have such notice mailed to them may waive their right to have it mailed by filing with the director a written waiver to that effect. Each person entitled to receive such notice may attend and ~~witness~~observe the recount and may have any person whom the candidate designates attend and ~~witness~~observe the recount. At any time after a winning nominee or candidate is declared but before the time for a recount pursuant to section 3515.011 of the Revised Code commences, the declared losing nominee or candidate may file with the board a written request to stop the recount from commencing. In the case of more than one declared losing candidate or nominee, each of whom is

entitled to a recount pursuant to section 3515.011 of the Revised Code, each such declared losing candidate or nominee must file with the board such written request to stop the recount from commencing. The board shall grant such request and shall not commence the recount.

In the case of a recount of votes cast upon a question or issue, any group of five or more qualified electors, who voted upon such question or issue and whose votes were in opposition to the votes of the members of the group of electors who applied for such recount, or for whom such recount was required by section 3515.011 of the Revised Code, may file with the board a written statement to that effect, shall designate therein one of their number as ~~chairman~~chairperson of such group and may appoint an attorney at law as their legal counsel, and may request that the persons so designated be permitted to attend and ~~witness~~observe the recount. Thereupon the persons so designated may attend and ~~witness~~observe the recount.

**Sec. 3515.04.** ~~(A)(1)~~ (A)(1) At the time and place fixed for making a recount, ~~the board of elections, and~~ in the presence of all ~~witnesses~~observers who may be in attendance, the board of elections shall open the sealed containers containing the ballots to be recounted, and shall recount them. The board shall begin the recount by hand recounting a random sampling of ten per cent of the ballots. If

(2) If a county used punch card ballots and if a chad is attached to a punch card ballot by three or four corners, the voter shall be deemed by the board, in the recount, not to have recorded a candidate, question, or issue choice at the particular position on the ballot, and a vote shall not be counted at that particular position on the ballot in the recount. BallotsIn the recount, ballots shall be handled only by the members of the board or by the director or other employees of the board. ~~Witnesses~~Observers shall be permitted, in the recount, to see the ballots, but they shall not be permitted to touch them, and the board shall not permit the counting or tabulation of votes shown on the ballots for any nomination, or for election to any office or position, or upon any question or issue, other than the votes shown on ~~such~~the ballots for the nomination, election, question, or issue concerning which a recount of ballots was applied for or concerning which a recount is being conducted pursuant to section 3515.011 of the Revised Code.

~~At~~(B) After recounting a random sampling of ten per cent of the ballots as required by division (A)(1) of this section, the board of elections shall determine whether the recount of the random sampling indicates the potential that, if the board completes the recount of all of the relevant ballots, the applicant or the declared defeated nominee or candidate in a recount pursuant to section 3515.011 of the Revised Code, in the case of a person for whom votes were cast for nomination or election, would be declared to be nominated or elected, or the result of an election upon a question or issue would be declared to be contrary to the result as originally declared. If the board determines that there is such a potential, the board shall complete the recount of all of the relevant ballots with the cost of that recount charged to the office of the secretary of state. But, if the board determines otherwise, the board shall not recount the remainder

of the relevant ballots.

(C) At any time before the ballots from all of the precincts listed in an application for the recount or involved in a recount pursuant to section 3515.011 of the Revised Code have been recounted, the applicant, or the declared losing defeated nominee or candidate or nominee or each of the declared losing defeated nominees or candidates or nominees entitled to file a request prior to the commencement of a recount, as provided in section 3515.03 of the Revised Code, may file with the board of elections a written request to stop the recount and not recount the ballots from the precincts so listed or so involved that have not been recounted prior to the time of the request. If, upon the request, the board finds that results of the votes in the precincts recounted, if substituted for the results of the votes in those precincts as shown in the abstract of the votes in those precincts, would not cause the applicant or the declared defeated nominee or candidate in a recount pursuant to section 3515.011 of the Revised Code, if in the case of a person for whom votes were cast for nomination or election, to be declared nominated or elected or if the result of an election upon a question or issue would not cause a result contrary to the result as to be declared prior to such recount to be contrary to the result as originally declared, it shall grant the request and shall not recount the ballots of the precincts listed in the application for recount or involved in the recount pursuant to section 3515.011 of the Revised Code that have not been recounted prior to that time. If the board finds otherwise, it shall deny the request and shall continue to recount ballots until the ballots from all of the precincts listed in the application for recount or subject to the recount being conducted pursuant to section 3515.011 of the Revised Code have been recounted; provided that, if the request is denied, it may be renewed from time to time. Upon any such renewal, the board shall consider and act upon the request in the same manner as provided in this section in connection with an original request.

(D) As used in this section, "chad" and "punch card ballot" have the same meanings as in section 3506.16 of the Revised Code."

Delete lines 7392 through 7433 and insert:

"**Sec. 3515.07.** The charges for making a recount of votes of precincts listed in an application for a recount filed with the board of elections shall be fixed by the board and shall include all expenses incurred by such board because of such application other than the regular operating expenses which the board would have incurred if the application had not been filed. The total amount of charges so fixed divided by the number of precincts listed in such application, the votes of which were recounted, shall be the charge per precinct for the recount of the votes of the precincts listed in such application, the votes of which were recounted; provided that the charges per precinct so fixed shall not be more than ~~ten~~ twenty nor less than five dollars for each precinct the votes of which were recounted.

Such charge per precinct shall be deducted by the board from the money deposited with the board by the applicant for the recount at the time of filing

~~the application, and the balance of the money so deposited shall be returned to such applicant; provided that no such charge per precinct shall be deducted by the board from the money deposited for a recount of votes cast for a nomination or for an election to an office or position in any precinct, if the total number of votes cast in such precinct for the applicant, as recorded by such recount, is more than four per cent larger than the number of votes for such applicant in such precinct recorded in the original certified abstract thereof, nor shall any charge per precinct be deducted for a recount of votes cast in any precinct upon a question or issue, if the total number of votes in such precinct on the same side of such question or issue as the side represented by the applicant, as recorded by such recount, is more than four per cent larger than the number of votes in such precinct on the same side of such question or issue recorded in the original certified abstract thereof. No such charge per precinct shall be deducted if upon the completion of a recount concerning a nomination or election the applicant is declared nominated or elected, or if upon the completion of a recount concerning a question or issue the result of such election is declared to be opposite to the original declaration of the result of such election~~board completes the recount of all of the relevant ballots under division (B) of section 3515.04 of the Revised Code. All moneys deposited with a board by an applicant shall be deposited in a special depository fund with the county treasurer. The expenses of the recount and refunds shall be paid from said fund upon order of the board of elections. Any balance remaining in such fund shall be paid into the general fund of the county.

**Sec. 3515.071. (A)** If the board of elections in a county orders a recount in any county or municipal election pursuant to section 3515.011 of the Revised Code, the expense of the recount shall be paid from the county treasury in the same manner as other expenses of the board under section 3501.17 of the Revised Code.

**(B)** If the secretary of state orders a recount as provided in section 3515.011 of the Revised Code, the expense of the recount shall be paid from funds appropriated to the secretary of state, who may apply to the controlling board for funds to avert any deficiency that thereby would be created in current appropriations.

**(C)** Notwithstanding any provision of section 3515.03 or 3515.07 of the Revised Code to the contrary, if the secretary of state authorizes or requires, by rule, instruction, directive, or advisory, a board of elections to conduct a recount for any reason other than to challenge of the outcome of an election, the per precinct fee charged for conducting that recount shall be fifty dollars."

In line 7437, delete "and" and insert an underlined comma; after "3515.07" insert ", and 3515.071"

In line 7448, delete "and" and insert an underlined comma; after "3515.07" insert ", and 3515.071"

In line 7475, delete the first "and" and insert an underlined comma

In line 7476, after "Code" insert ", and the per precinct charge for a recount authorized or required under division (C) of section 3515.071 of the Revised Code"

In line 7479, delete "minimum and maximum"

In line 7481, delete "minimum and maximum"

In line 11548, after "3515.07," insert "3515.071,"

In line 17 of the title, after "3515.07," insert "3515.071,"

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

Representative Kearns moved that the motion be laid on the table.

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

The yeas and nays were taken and resulted - yeas 59, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bubp
Buehrer	Calvert	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hoops	Hughes
Kearns	Kilbane	Latta	Law
Martin	McGregor	Oelslager	Patton T.
Peterson	Raga	Raussen	Reidelbach
Reinhard	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Smith G.
Stewart J.	Taylor	Trakas	Uecker
Wagner	Wagoner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wolpert	Woodard		Husted-59.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brinkman	Brown	Carano
Cassell	Chandler	DeBose	DeGeeter
Distel	Domenick	Driehaus	Fende
Garrison	Hartnett	Harwood	Healy
Hood	Key	Koziura	Mason
Miller	Mitchell	Otterman	Patton S.
Perry	Redfern	Sayre	Skindell
Smith S.	Stewart D.	Strahorn	Sykes
Ujvagi	Williams	Yates	Yuko-40.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative D. Stewart moved to amend as follows:

In line 36, after "3501.39," insert "3503.02,"

Between lines 2813 and 2814, insert:

"**Sec. 3503.02.** All registrars and judges of elections, in determining the residence of a person offering to register or vote, shall be governed by the following rules:

(A) That place shall be considered the residence of a person in which the person's habitation is fixed and to which, whenever the person is absent, the person has the intention of returning.

(B) A person shall not be considered to have lost the person's residence who leaves the person's home and goes into another state or county of this state, for temporary purposes only, with the intention of returning.

(C) A person shall not be considered to have gained a residence in any county of this state into which the person comes for temporary purposes only, without the intention of making such county the permanent place of abode.

(D) The place where the family of a married ~~man or woman~~ person resides shall be considered to be ~~his or her~~ the person's place of residence; except that when the ~~husband and wife~~ spouses have separated and live apart, the place where ~~he or she~~ such a spouse resides the length of time required to entitle a person to vote shall be considered to be ~~his or her~~ the spouse's place of residence.

(E) If a person removes to another state with the intention of making such state the person's residence, the person shall be considered to have lost the person's residence in this state.

(F) Except as otherwise provided in division (G) of this section, if a person removes from this state and continuously resides outside this state for a period of four years or more, the person shall be considered to have lost the person's residence in this state, notwithstanding the fact that the person may entertain an intention to return at some future period.

(G) If a person removes from this state to engage in the services of the United States government, the person shall not be considered to have lost the person's residence in this state during the period of such service, and likewise should the person enter the employment of the state, the place where such person resided at the time of the person's removal shall be considered to be the person's place of residence.

(H) If a person goes into another state and while there exercises the right of a citizen by voting, the person shall be considered to have lost the person's residence in this state.

(I) If a person does not have a fixed place of habitation, but has a shelter or other location to which the person has the intention of returning, that shelter or other location shall be deemed the person's residence for the purpose of registering to vote."

In line 11541, after "3501.39," insert "3503.02,"

In line 8 of the title, after "3501.39," insert "3503.02,"

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

Representative Kearns moved that the motion be laid on the table.

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

The yeas and nays were taken and resulted - yeas 55, nays 44, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bubp
Buehrer	Calvert	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hoops	Hughes
Kearns	Kilbane	Latta	Law
Martin	McGregor	Patton T.	Peterson
Raga	Rausser	Reidelbach	Reinhard
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Smith G.	Stewart J.
Taylor	Uecker	Wagner	Wagoner
Walcher	Webster	Widener	Widowfield
Willamowski	Wolpert		Husted-55.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brinkman	Brown	Carano
Cassell	Chandler	DeBose	DeGeeter
Distel	Domenick	Driehaus	Fende
Garrison	Hartnett	Harwood	Healy
Hood	Key	Koziura	Mason
Miller	Mitchell	Oelslager	Otterman
Patton S.	Perry	Redfern	Sayre
Skindell	Smith S.	Stewart D.	Strahorn
Sykes	Trakas	Ujvagi	White
Williams	Woodard	Yates	Yuko-44.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Driehaus moved to amend as follows:

In line 43, after "3517.01," insert "3517.081,"

In line 44, after "3517.1011," insert "3517.992,"

In line 51, delete "and"; after "3515.072" insert ", 3517.093, and 3517.094"

In line 7582, strike through "appointed" and insert "designated"

In line 7583, after "under" insert "division (B) of"

Between lines 7791 and 7792, insert:

**"Sec. 3517.081. (A)** Each candidate shall have no more than one campaign committee for purposes of receiving contributions and making expenditures. No campaign committee shall receive any contribution or make any expenditure other than through the campaign treasurer. The campaign treasurer shall file all statements required of a candidate or campaign committee under section 3517.10 of the Revised Code.

**(B)** The candidate shall designate ~~himself~~ or a member of ~~his~~the candidate's campaign committee as ~~his~~the candidate's campaign treasurer as required by division (D) of section 3517.10 of the Revised Code. The campaign treasurer may appoint deputy campaign treasurers as required. Deputy campaign treasurers may exercise any of the powers and duties of a campaign treasurer when specifically authorized to do so by the campaign treasurer or the candidate.

**(C)** Each candidate shall file a written statement, as required by division (D) of section 3517.10 of the Revised Code, setting forth the full name and address of the campaign treasurer and also of each deputy campaign treasurer. Each candidate shall file supplemental statements giving the full name and address of each deputy campaign treasurer at the time of appointment.

**(D)** A candidate may remove the campaign treasurer or any deputy campaign treasurer at any time. In the case of death, resignation, or removal of the campaign treasurer or a deputy campaign treasurer before compliance with all obligations of a campaign treasurer, the candidate shall fill the vacancy thus created in the same manner as provided in the case of an original appointment.

**(E)** Except for the secretary of state's own campaign committee, the secretary of state shall not be a member of or a deputy campaign treasurer of a campaign committee.

**Sec. 3517.093. (A)** Except for the secretary of state's own campaign, the secretary of state shall not do any of the following:

(1) Solicit or accept a contribution in support of or opposition to a candidate;

(2) Make a contribution or expenditure, including an independent expenditure, in support of or opposition to a candidate;

(3) Make a speech at a political meeting in support of or opposition to a candidate or publicly endorse or oppose a candidate.

**(B)** In conjunction with the secretary of state's own campaign, the secretary of state shall not appear in joint campaign advertisements or conduct joint fundraising activities with a candidate for another office.

**Sec. 3517.094.** The secretary of state shall not do any of the following:

(A) Be a member of or a treasurer or deputy treasurer of a committee supporting or opposing a ballot issue or question;

(B) Solicit or accept a contribution in support of or opposition to a ballot issue or question;

(C) Make a contribution or expenditure, including an independent expenditure, in support of or opposition to a ballot issue or question;

(D) Make a speech at a political meeting in support of or opposition to a ballot issue or question or publicly endorse or oppose a ballot issue or question;

(E) In conjunction with the secretary of state's own campaign, appear in joint campaign advertisements or conduct joint fundraising activities in support of or opposition to a ballot issue or question."

Between lines 9206 and 9207, insert:

"**Sec. 3517.992.** This section establishes penalties only with respect to acts or failures to act that occur on and after August 24, 1995.

(A)(1) A candidate whose campaign committee violates division (A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, or a treasurer of a campaign committee who violates any of those divisions, shall be fined not more than one hundred dollars for each day of violation.

(2) Whoever violates division (E) or (X)(5) of section 3517.13 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.

(B) A political party that violates division (F)(1) of section 3517.101 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.

(C) Whoever violates division (F)(2) of section 3517.101 or division (G) of section 3517.13 of the Revised Code shall be fined not more than ten thousand dollars or, if the offender is a person who was nominated or elected to public office, shall forfeit the nomination or the office to which the offender was elected, or both.

(D) Whoever violates division (F) of section 3517.13 of the Revised Code shall be fined not more than three times the amount contributed.

(E) Whoever violates division (H) of section 3517.13 of the Revised Code shall be fined not more than one hundred dollars.

(F) Whoever violates division (E) of section 3517.081, section 3517.093 or 3517.094, or division (O), (P), or (Q) of section 3517.13 of the Revised Code is guilty of a misdemeanor of the first degree.

(G) A state or county committee of a political party that violates division (B)(1) of section 3517.18 of the Revised Code shall be fined not more than twice the amount of the improper expenditure.

(H) A state or county political party that violates division (G) of section 3517.101 of the Revised Code shall be fined not more than twice the amount of

the improper expenditure or use.

(I)(1) Any individual who violates division (B)(1) of section 3517.102 of the Revised Code and knows that the contribution the individual makes violates that division shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.

(2) Any political action committee that violates division (B)(2) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.

(3) Any campaign committee that violates division (B)(3) or (5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.

(4)(a) Any legislative campaign fund that violates division (B)(6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount transferred or contributed in excess of the amount permitted by that division, as applicable.

(b) Any state political party, county political party, or state candidate fund of a state political party or county political party that violates division (B)(6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount transferred or contributed in excess of the amount permitted by that division, as applicable.

(5) Any political party that violates division (B)(4) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) of this section, no violation of division (B) of section 3517.102 of the Revised Code occurs, and the secretary of state shall not refer parties to the Ohio elections commission, if the amount transferred or contributed in excess of the amount permitted by that division meets either of the following conditions:

(a) It is completely refunded within five business days after it is accepted.

(b) It is completely refunded on or before the tenth business day after notification to the recipient of the excess transfer or contribution by the board of elections or the secretary of state that a transfer or contribution in excess of the permitted amount has been received.

(J)(1) Any campaign committee that violates division (C)(1), (2), (3), or (6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.

(2)(a) Any county political party that violates division (C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted.

(b) Any county political party that violates division (C)(4)(a)(i) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.

(c) Any state political party that violates division (C)(4)(b) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.

(3) Any legislative campaign fund that violates division (C)(5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.

(4) Any political action committee that violates division (C)(7) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of this section, no violation of division (C) of section 3517.102 of the Revised Code occurs, and the secretary of state shall not refer parties to the Ohio elections commission, if the amount transferred or contributed in excess of the amount permitted to be accepted by that division meets either of the following conditions:

(a) It is completely refunded within five business days after its acceptance.

(b) It is completely refunded on or before the tenth business day after notification to the recipient of the excess transfer or contribution by the board of elections or the secretary of state that a transfer or contribution in excess of the permitted amount has been received.

(K)(1) Any legislative campaign fund that violates division (F)(1) of section 3517.102 of the Revised Code shall be fined twenty-five dollars for each day of violation.

(2) Any legislative campaign fund that violates division (F)(2) of section 3517.102 of the Revised Code shall give to the treasurer of state for deposit into the state treasury to the credit of the Ohio elections commission fund all excess contributions not disposed of as required by division (E) of section 3517.102 of the Revised Code.

(L) Whoever violates section 3517.105 of the Revised Code shall be fined one thousand dollars.

(M)(1) Whoever solicits a contribution in violation of section 3517.092 or violates division (B) of section 3517.09 of the Revised Code is guilty of a misdemeanor of the first degree.

(2) Whoever knowingly accepts a contribution in violation of division (B) or (C) of section 3517.092 of the Revised Code shall be fined an amount equal to three times the amount accepted in violation of either of those divisions

and shall return to the contributor any amount so accepted. Whoever unknowingly accepts a contribution in violation of division (B) or (C) of section 3517.092 of the Revised Code shall return to the contributor any amount so accepted.

(N) Whoever violates division (S) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount of funds transferred or three times the value of the assets transferred in violation of that division.

(O) Any campaign committee that accepts a contribution or contributions in violation of section 3517.108 of the Revised Code, uses a contribution in violation of that section, or fails to dispose of excess contributions in violation of that section shall be fined an amount equal to three times the amount accepted, used, or kept in violation of that section.

(P) Any political party, state candidate fund, legislative candidate fund, or campaign committee that violates division (T) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed or accepted in violation of that section.

(Q) A treasurer of a committee or another person who violates division (U) of section 3517.13 of the Revised Code shall be fined not more than two hundred fifty dollars.

(R) Whoever violates division (I) or (J) of section 3517.13 of the Revised Code shall be fined not more than one thousand dollars. Whenever a person is found guilty of violating division (I) or (J) of section 3517.13 of the Revised Code, the contract awarded in violation of either of those divisions shall be rescinded if its terms have not yet been performed.

(S) A candidate whose campaign committee violates or a treasurer of a campaign committee who violates division (A), (B), (C), or (D) of section 3517.081 of the Revised Code, and a candidate whose campaign committee violates ~~or~~ a treasurer of a campaign committee who violates, or another person who violates division (C) of section 3517.10 of the Revised Code, shall be fined not more than five hundred dollars.

(T) A candidate whose campaign committee violates or a treasurer of a committee who violates division (B) of section 3517.09 of the Revised Code, or a candidate whose campaign committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.09 of the Revised Code shall be fined not more than one thousand dollars.

(U) Whoever violates section 3517.20 of the Revised Code shall be fined not more than five hundred dollars.

(V) Whoever violates section 3517.21 or 3517.22 of the Revised Code shall be imprisoned for not more than six months or fined not more than five thousand dollars, or both.

(W) A campaign committee that is required to file a declaration of no limits under division (D)(2) of section 3517.103 of the Revised Code that, before filing that declaration, accepts a contribution or contributions that exceed the limitations prescribed in section 3517.102 of the Revised Code, shall return that contribution or those contributions to the contributor.

(X) Any campaign committee that fails to file the declaration of filing-day finances required by division (F) of section 3517.109 or the declaration of primary-day finances or declaration of year-end finances required by division (E) of section 3517.1010 of the Revised Code shall be fined twenty-five dollars for each day of violation.

(Y) Any campaign committee that fails to dispose of excess funds or excess aggregate contributions under division (B) of section 3517.109 of the Revised Code in the manner required by division (C) of that section or under division (B) of section 3517.1010 of the Revised Code in the manner required by division (C) of that section shall give to the treasurer of state for deposit into the Ohio elections commission fund created under division (I) of section 3517.152 of the Revised Code all funds not disposed of pursuant to those divisions.

(Z) Any individual, campaign committee, political action committee, legislative campaign fund, political party, or other entity that violates any provision of sections 3517.09 to 3517.12 of the Revised Code for which no penalty is provided for under any other division of this section shall be fined not more than one thousand dollars.

(AA)(1) Whoever knowingly violates division (W)(1) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed, expended, or promised in violation of that division or ten thousand dollars, whichever amount is greater.

(2) Whoever knowingly violates division (W)(2) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount solicited or accepted in violation of that division or ten thousand dollars, whichever amount is greater.

(BB) Whoever knowingly violates division (C) or (D) of section 3517.1011 of the Revised Code shall be fined not more than ten thousand dollars plus not more than one thousand dollars for each day of violation.

(CC)(1) Subject to division (CC)(2) of this section, whoever violates division (H) of section 3517.1011 of the Revised Code shall be fined an amount up to three times the amount disbursed for the direct costs of airing the communication made in violation of that division.

(2) Whoever has been ordered by the Ohio elections commission or by a court of competent jurisdiction to cease making communications in violation of division (H) of section 3517.1011 of the Revised Code who again violates that division shall be fined an amount equal to three times the amount disbursed for the direct costs of airing the communication made in violation of that division.

(DD)(1) Any corporation or labor organization that violates division (X)(3)(a) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount given in excess of the amount permitted by that division.

(2) Any state or county political party that violates division (X)(3)(b) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division."

In line 11548, after "3517.01," insert "3517.081,"

In line 11549, after "3517.1011," insert "3517.992,"

In line 18 of the title, after "3517.01," insert "3517.081,"

In line 19 of the title, after "3517.1011," insert "3517.992,"

In line 28 of the title, delete the first "and"; after "3515.072," insert "3517.093, and 3517.094,"

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

Representative Kearns moved that the motion be laid on the table.

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

The yeas and nays were taken and resulted - yeas 59, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bubp
Buehrer	Calvert	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Evans C.	Evans D.
Faber	Fessler	Flowers	Gibbs
Gilb	Hagan	Hood	Hoops
Hughes	Kearns	Kilbane	Latta
Law	Martin	McGregor	Oelslager
Patton T.	Peterson	Raga	Rausen
Reidelbach	Reinhard	Schaffer	Schlichter
Schneider	Seaver	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagner	Wagoner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Wolpert		Husted-59.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brinkman	Brown	Carano
Cassell	Chandler	DeBose	DeGeeter
Distel	Domenick	Driehaus	Fende
Garrison	Hartnett	Harwood	Healy
Key	Koziura	Mason	Miller
Mitchell	Otterman	Patton S.	Perry
Redfern	Sayre	Skindell	Smith S.
Stewart D.	Strahorn	Sykes	Ujvagi

Williams

Woodard

Yates

Yuko-40.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative D. Stewart moved to amend as follows:

In line 2496, delete "identification" and insert "proof of the elector's address"; delete "and" and insert ". If the elector provides proof of the elector's address, the elector shall be permitted to vote as provided in division (B) of section 3505.18 of the Revised Code. If the elector fails to provide proof of the elector's address, the elector shall be permitted"

In line 2497, delete "If" and insert:

"If the elector is permitted to vote as provided in division (B) of section 3505.18 of the Revised Code, or if the elector casts a provisional ballot under section 3505.181 of the Revised Code and"

In line 3791, delete "and" and insert an underlined comma

In line 3794, after "Code" insert ", and who fails to provide proof of the elector's address to the election officials under that division"

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

Representative Kearns moved that the motion be laid on the table.

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

The yeas and nays were taken and resulted - yeas 55, nays 44, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Blasdel	Blessing	Bubp
Buehrer	Calvert	Carmichael	Coley
Combs	Core	Daniels	DeWine
Dolan	Evans C.	Evans D.	Faber
Fessler	Flowers	Gibbs	Gilb
Hagan	Hoops	Hughes	Kearns
Latta	Law	Martin	McGregor
Patton T.	Peterson	Raga	Raussen
Reidelbach	Reinhard	Schaffer	Schlichter
Schneider	Seaver	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagner	Wagoner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Wolpert		Husted-55.

Those who voted in the negative were: Representatives

Allen	Barrett	Beatty	Bocchieri
Book	Brinkman	Brown	Carano
Cassell	Chandler	Collier	DeBose
DeGeeter	Distel	Domenick	Driehaus
Fende	Garrison	Hartnett	Harwood

Healy	Hood	Key	Kilbane
Koziura	Mason	Miller	Mitchell
Oelslager	Otterman	Patton S.	Perry
Redfern	Sayre	Skindell	Smith S.
Stewart D.	Strahorn	Sykes	Ujvagi
Williams	Woodard	Yates	Yuko-44.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Brinkman moved to amend as follows:

Delete lines 3701 through 3759 and insert:

**"Sec. 3505.18. ~~When~~(A) When** an elector appears in a polling place to vote ~~he~~, the elector shall announce his to the precinct election officials the elector's full name and address to the precinct election officials and provide to them proof of the elector's identity in the form of a current valid driver's license or other current valid photo identification. He

If an elector does not provide to the precinct election officials any form of current valid photo identification, the elector may cast a provisional ballot in that federal election under section 3505.181 of the Revised Code.

(B) After the elector has announced the elector's full name and address and provided identification under division (A) of this section, the elector shall then write his the elector's name and address at the proper place in the poll lists or signature pollbooks provided therefor for the purpose, except that if, for any reason, an elector shall be unable to write his the elector's name and address in the poll list or signature pollbook, the elector may make his the elector's mark at the place intended for his the elector's name, and a precinct election official shall write the name of the elector at the proper place on the poll list or signature pollbook following the elector's mark, upon the presentation of proper identification. The making of such a mark shall be attested by the precinct election official, who shall evidence the same by signing his the precinct election official's name on the poll list or signature pollbook as a witness to such the mark.

The elector's signature in the poll lists or signature pollbooks shall then shall be compared with his the elector's signature on his the elector's registration form or a digitized signature list as provided for in section 3503.13 of the Revised Code, and if, in the opinion of a majority of the precinct election officials, the signatures are the signatures of the same person, the clerks shall enter the date of the election on the registration form or shall record the date by such other means ~~as may be~~ prescribed by the secretary of state. If the right of the elector to vote is not then challenged, or, if being challenged, he the elector establishes his the elector's right to vote, he the elector shall be allowed to proceed ~~into to use~~ the voting machine. If voting machines are not being used in that precinct, the judge in charge of ballots shall then detach the next ballots to be issued to the elector from Stub B attached to each ballot, leaving Stub A attached to each ballot, hand the ballots to the elector, and call his the elector's name and

the stub number on each of the ballots. The clerk shall enter the stub numbers opposite the signature of the elector in the pollbook. The elector shall then retire to one of the voting compartments to mark ~~his~~ the elector's ballots. No mark shall be made on any ballot which would in any way enable any person to identify the person who voted the ballot."

In line 3769, delete "required to provide identification under"

In line 3770, delete "division (A)(2) of section 3505.18 of the Revised Code"

In line 3771, delete "any of"; delete "forms of"

In line 3772, delete "specified" and insert "required"; delete "that"; after "division" insert "(A) of section 3505.18 of the Revised Code"

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

Representative Kearns 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 90, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Bocchieri	Book
Brown	Bubp	Buehrer	Calvert
Carmichael	Cassell	Chandler	Coley
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Distel
Dolan	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fende	Fessler
Flowers	Garrison	Gibbs	Gilb
Hagan	Hartnett	Harwood	Healy
Hoops	Hughes	Kearns	Key
Kilbane	Koziura	Latta	Law
Martin	Mason	McGregor	Miller
Mitchell	Oelslager	Otterman	Patton S.
Patton T.	Perry	Peterson	Raga
Rausen	Reidelbach	Reinhard	Sayre
Schaffer	Schlichter	Seaver	Seitz
Setzer	Skindell	Smith G.	Smith S.
Stewart J.	Sykes	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Webster	White	Widener	Widowfield
Williamowski	Williams	Wolpert	Woodard
Yates			Husted-90.

Those who voted in the negative were: Representatives

Brinkman	Carano	Hood	Redfern
Schneider	Stewart D.	Strahorn	Walcher
			Yuko-9.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Brinkman moved to amend as follows:

In line 35, after "3501.30," insert "3501.32,"

Between lines 2592 and 2593, insert:

"**Sec. 3501.32.** (A) Except as otherwise provided in division (B) of this section, on the day of the election the polls shall be opened by proclamation by the presiding judge, or in ~~his~~the presiding judge's absence by a presiding judge chosen by the judges, at six-thirty a.m. and shall be closed by proclamation ~~at seven-thirty~~six-thirty p.m. unless there are voters waiting in line to cast their ballots, in which case the polls shall be kept open until such waiting voters have voted.

(B) On the day of the election, any polling place located on an island not connected to the mainland by a highway or a bridge may close earlier than ~~seven-thirty~~six-thirty p.m. if all registered voters in the precinct have voted. When a polling place closes under division (B) of this section the presiding judge shall immediately notify the board of elections of the closing."

In line 11540, after "3501.30," insert "3501.32,"

In line 7 of the title, after "3501.30," insert "3501.32,"

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

Representative Mason 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 77, nays 22, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blessing	Bocchieri	Book	Brown
Bubp	Buehrer	Calvert	Carmichael
Cassell	Chandler	Coley	Collier
Combs	Core	DeBose	DeGeeter
DeWine	Distel	Domenick	Driehaus
Evans C.	Evans D.	Fende	Fessler
Flowers	Garrison	Gibbs	Gilb
Hagan	Hartnett	Harwood	Healy
Hoops	Hughes	Kearns	Key
Kilbane	Latta	Martin	Mason
McGregor	Miller	Mitchell	Oelslager
Otterman	Patton S.	Patton T.	Peterson
Raga	Redfern	Reidelbach	Reinhard
Sayre	Schaffer	Schlichter	Seaver
Smith G.	Smith S.	Sykes	Taylor
Trakas	Wagner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Williams	Wolpert	Yates	Yuko
			Husted-77.

Those who voted in the negative were: Representatives

Blasdel	Brinkman	Carano	Daniels
Dolan	Faber	Hood	Koziura
Law	Perry	Raussen	Schneider
Seitz	Setzer	Skindell	Stewart D.
Stewart J.	Strahorn	Uecker	Ujvagi
Wagoner			Woodard-22.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Brinkman moved to amend as follows:

In line 50, after "3505.183," insert "3506.20,"

Between lines 4956 and 4957, insert:

**"Sec. 3506.20. Any county that uses direct recording electronic voting machines with a voter verified paper audit trail as the primary voting system for the county and not only for accessibility for individuals with disabilities under section 3506.19 of the Revised Code, within two months after the day of each general election in which a county office or a county question or issue is on the ballot, shall conduct a complete recount of any one county office or issue voted on at that election using the voter verified paper audit trail produced by those machines. The county office or county question or issue to be recounted shall be selected at random from all of the county offices, questions, and issues voted upon at that election. A recount conducted under this section shall be for the purpose of verifying the accuracy of those machines and shall not change the result of the election as determined by the official canvass of the election returns for that election."**

In line 27 of the title, after "3505.183," insert "3506.20,"

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

The yeas and nays were taken and resulted - yeas 51, nays 48, as follows:

Those who voted in the affirmative were: Representatives

Aslanides	Barrett	Beatty	Bocchieri
Brinkman	Brown	Bubp	Calvert
Chandler	Collier	Combs	Daniels
DeGeeter	DeWine	Distel	Domenick
Evans D.	Fessler	Flowers	Garrison
Gibbs	Hagan	Hartnett	Harwood
Healy	Hood	Hughes	Koziura
Martin	Mason	Miller	Mitchell
Otterman	Patton S.	Patton T.	Perry
Peterson	Raga	Raussen	Reidelbach
Reinhard	Schneider	Setzer	Smith G.
Smith S.	Stewart D.	Strahorn	Ujvagi
Walcher	Willamowski		Husted-51.

Those who voted in the negative were: Representatives

Allen	Blasdel	Blessing	Book
Buehrer	Carano	Carmichael	Cassell
Coley	Core	DeBose	Dolan
Driehaus	Evans C.	Faber	Fende
Gilb	Hoops	Kearns	Key
Kilbane	Latta	Law	McGregor
Oelslager	Redfern	Sayre	Schaffer
Schlichter	Seaver	Seitz	Skindell
Stewart J.	Sykes	Taylor	Trakas
Uecker	Wagner	Wagoner	Webster
White	Widener	Widowfield	Williams
Wolpert	Woodard	Yates	Yuko-48.

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 70, nays 29, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Blasdel
Blessing	Boccieri	Brinkman	Brown
Bubp	Buehrer	Calvert	Carmichael
Cassell	Chandler	Coley	Collier
Combs	Core	Daniels	DeBose
DeGeeter	DeWine	Dolan	Driehaus
Evans C.	Evans D.	Faber	Flowers
Gibbs	Gilb	Hagan	Healy
Hood	Hoops	Hughes	Kearns
Kilbane	Latta	Law	Martin
McGregor	Oelslager	Patton T.	Perry
Peterson	Raga	Raussen	Reidelbach
Reinhard	Sayre	Schaffer	Schlichter
Schneider	Seaver	Seitz	Setzer
Smith G.	Stewart J.	Taylor	Trakas
Uecker	Wagoner	Walcher	Webster
White	Widener	Widowfield	Willamowski
Wolpert			Husted-70.

Those who voted in the negative were: Representatives

Beatty	Book	Carano	Distel
Domenick	Fende	Fessler	Garrison
Hartnett	Harwood	Key	Koziura
Mason	Miller	Mitchell	Otterman
Patton S.	Redfern	Skindell	Smith S.
Stewart D.	Strahorn	Sykes	Ujvagi
Wagner	Williams	Woodard	Yates
			Yuko-29.

The bill passed.

Representative DeWine moved to amend the title as follows:

Add the names: "Aslanides, Carmichael, Collier, C. Evans, D. Evans, Faber, Flowers, Gibbs, Hagan, Kearns, McGregor, Peterson, Reidelbach, Schaffer, Schlichter, Seaver, Setzer, G. Smith, Widowfield, Willamowski, Wolpert."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. S. B. No. 81**-Senators Armbruster, Hottinger, Spada, Austria, Gardner, Goodman, Harris. -Representatives Schaffer, Cassell, Collier, Combs, Distel, McGregor, Miller, Seitz, Yuko.

To amend sections 4141.01, 4141.11, 4141.131, 4141.24, 4141.242, 4141.25, 4141.26, 4141.28, 4141.282, 4141.283, 4141.29, 4141.301, 4141.31, 4141.312, and 4141.99, to enact sections 4141.292 and 4141.48, and to repeal section 4141.311 of the Revised Code to conform state law to federal requirements in the establishment of civil and criminal penalties for manipulating payroll and business transfer information to obtain lower contribution rates and in the treatment of Indian tribes as employers, to establish a state disaster unemployment benefit payment to pay the first week of an individual's unemployment caused by a major disaster, to make changes involving the appeal process for claims under the unemployment compensation law, and to make various changes in the administration of the unemployment compensation law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 99, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Boccieri	Book
Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Cassell
Chandler	Coley	Collier	Combs
Core	Daniels	DeBose	DeGeeter
DeWine	Distel	Dolan	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fende	Fessler	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hood	Hoops
Hughes	Kearns	Key	Kilbane
Koziura	Latta	Law	Martin
Mason	McGregor	Miller	Mitchell
Oelslager	Otterman	Patton S.	Patton T.
Perry	Peterson	Raga	Raussen
Redfern	Reidelbach	Reinhard	Sayre
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Skindell	Smith G.
Smith S.	Stewart D.	Stewart J.	Strahorn

Sykes	Taylor	Trakas	Uecker
Ujvagi	Wagner	Wagoner	Walcher
Webster	White	Widener	Widowfield
Willamowski	Williams	Wolpert	Woodard
Yates	Yuko		Husted-99.

The bill passed.

Representative Schaffer moved to amend the title as follows:

Add the names: "Allen, Barrett, Boccieri, Brown, Carano, Chandler, DeBose, Dolan, Domenick, C. Evans, D. Evans, Fende, Gibbs, Harwood, Perry."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

#### MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on May 17, 2005, signed the following:

**S. C. R. No. 11** - Senator Austria - et al.

**Am. S. C. R. No. 12** - Senator Spada - et al.

**S. C. R. No. 13** - Senator Dann - et al.

**Am. Sub. S. B. No. 26** - Senator Amstutz - et al.

On motion of Representative Blasdel, the House adjourned until Wednesday, May 18, 2005 at 1:30 o'clock p.m.

Attest:

LAURA P. CLEMENS,  
Clerk.