

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
TUESDAY, AUGUST 2, 2005

SEVENTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, August 2, 2005 at 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Flowers-19th district, 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:

Ben Patterson and Lauren McWhoerter, guests of Representative Schaffer-5th district.

Cheryl DeBose, wife, Representative DeBose-12th district.

Lache Roach, niece, Representative Yates-33rd district.

Eric Campfield, a guest of Representative Kearns-72nd district.

Janine, Tanner, and Chase Killian, Lisa, Shannon, and Kyle Merkle, and Dana Travis, guests of Representative Widener-84th district.

Wolf Drake, nephew, Representative Distel-99th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 320-Representative Schneider.

To amend sections 3305.06, 3309.07, 3309.21, 3309.44, 3309.47, 3309.50, 3309.81, and 3309.88, to enact new section 3309.69 and section 3309.474, and to repeal sections 3309.375 and 3309.69 of the Revised Code with regard to the law governing the School Employees Retirement System.

H. B. No. 321-Representatives Healy, Redfern, Mason, Garrison, Oelslager, Ujvagi, Williams, Sykes, Carano, Chandler, Fende, S. Patton, Perry, Driehaus, Yuko, Strahorn, Woodard, Skindell.

To place a moratorium on the establishment of new community schools between May 1, 2005, and six months after this act's effective date and to declare an emergency.

H. B. No. 322-Representatives Raussen, McGregor, Seitz, Webster, Setzer, Calvert, Gibbs, Seaver, Wagoner, Gilb.

To amend sections 5747.021, 5747.03, 5747.112, 5748.03, 5748.06, and

5748.08 and to enact sections 5748.11, 5748.12, 5748.13, 5748.14, 5748.15, and 5748.16 of the Revised Code to authorize school districts to enter into agreements with the Department of Taxation or other entities for the collection and administration of school district income taxes.

Said bills were considered the first time.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Sub. H. B. No. 33**-Representative Wagner, et al., were taken up for consideration.

Sub. H. B. No. 33-Representatives Wagner, Combs, Allen, Barrett, Hartnett, McGregor, Brown, Reidelbach, Wolpert, C. Evans, Harwood, Taylor, Flowers, Bulp, Carano, Cassell, Chandler, Collier, Daniels, Distel, Dolan, Domenick, D. Evans, Faber, Fende, Fessler, Gibbs, Hagan, Hughes, Kearns, Latta, Law, Reinhard, Schlichter, Schneider, Seaver, Setzer, D. Stewart, Wagoner, Walcher. -Senators Zurz, Fedor, Amstutz, Gardner, Grendell, Schuler.

To amend sections 309.09 and 3313.13 of the Revised Code to permit the prosecuting attorney, with the approval of the board of county commissioners, to be the legal adviser to a joint fire district, to a joint ambulance district, to a fire and ambulance district, and to a joint emergency medical services district either at no cost to the district or under a contract with the district, and to allow an assistant prosecuting attorney to be a member of a school board in a county other than the county in which the assistant is employed.

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

The yeas and nays were taken and resulted - yeas 89, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Book
Brinkman	Bulp	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
Hagan	Hartnett	Harwood	Healy
Hood	Hughes	Kearns	Key
Kilbane	Koziura	Latta	Law
Martin	Mason	McGregor	Miller
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
Taylor	Trakas	Uecker	Ujvagi
Wagner	Wagoner	Walcher	Webster
White	Widener	Widowfield	Williams
Wolpert	Woodard	Yates	Yuko
			Husted-89.

The Senate amendments were concurred in.

The Senate amendments to **Am. Sub. H. B. No. 122**-Representative Wagoner, et al., were taken up for consideration.

Am. Sub. H. B. No. 122-Representatives Wagoner, McGregor, Martin, Wagner, T. Patton, Hoops, Uecker, Seitz, Combs, Gibbs, Flowers, Collier, D. Evans, Calvert, Reidelbach, Setzer, Strahorn, Garrison, Latta, C. Evans, Kearns, Blasdel, Law, Gilb, Webster, Ujvagi, Harwood, Daniels, Carmichael, Walcher, Hartnett, D. Stewart, Book, Allen, Barrett, Brinkman, Brown, Cassell, Chandler, Coley, DeBose, Distel, Dolan, Domenick, Faber, Hughes, Key, Miller, Sayre, Schaffer, Schneider, J. Stewart, Yuko. -Senators Mumper, Niehaus, Zurz, Mallory, Clancy.

To amend sections 3770.07, 3770.071, 3770.072, and 5747.062 and to enact sections 3123.89 and 3770.074 of the Revised Code to prohibit the claiming and payment of a lottery prize award with a value in excess of \$599 until the beneficial owner's name, address, and Social Security number are disclosed to the State Lottery Commission, to make changes in the procedure for the deduction of support from lottery prize awards, to change the income tax withholding percentage for certain lottery prize award payments, to modify the basis upon which the withholding computation is made, to require that final, nonappealable unpaid judgments be deducted from certain unpaid lottery prize award payments pursuant to a specified procedure, and to specify the method of payment of lottery prize award installments.

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

The yeas and nays were taken and resulted - yeas 2, nays 89, as follows: Representatives Allen and DeBose voted in the affirmative-2.

Those who voted in the negative were: Representatives

Beatty	Blasdel	Blessing	Book
Brinkman	Bubp	Buehrer	Calvert
Carano	Carmichael	Cassell	Chandler
Coley	Collier	Combs	Core
Daniels	DeGeeter	DeWine	Distel
Dolan	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fende	Fessler
Flowers	Garrison	Gibbs	Gilb
Hagan	Hartnett	Harwood	Healy
Hood	Hughes	Kearns	Key

Kilbane	Koziura	Latta	Law
Martin	Mason	McGregor	Miller
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
Taylor	Trakas	Uecker	Ujvagi
Wagner	Wagoner	Walcher	Webster
White	Widener	Widowfield	Williams
Wolpert	Woodard	Yates	Yuko
			Husted-89.

The Senate amendments were not concurred in.

The Senate amendments to **Sub. H. B. No. 193**-Representative Daniels, et al., were taken up for consideration.

Sub. H. B. No. 193-Representatives Daniels, G. Smith, Fessler, Combs, Wolpert, C. Evans, Martin, Gibbs, D. Evans, Setzer, Barrett, Perry, DeBose, Boccieri, Hughes, Koziura, Brown, Chandler, Domenick, Reidelbach, Schlichter, Webster. -Senators Hottinger, Wachtmann, Clancy, Spada.

To amend sections 9.90, 1751.12, 3917.01, 3917.06, and 3917.07, to enact new section 3917.03 and section 3917.02, and to repeal section 3917.03 of the Revised Code to permit the sale of group life insurance to specified groups and provide the Superintendent of Insurance with the discretion to authorize the sale of group life insurance to additional groups.

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

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

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Blessing
Book	Brinkman	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	Hagan	Hartnett	Harwood
Healy	Hood	Hughes	Kearns
Key	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor
Miller	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	Taylor	Trakas	Uecker
Ujvagi	Wagner	Wagoner	Walcher
Webster	White	Widener	Widowfield
Williams	Wolpert	Woodard	Yates
Yuko			Husted-90.

The Senate amendments were concurred in.

REPORTS OF CONFERENCE COMMITTEES

Representative Willamowski submitted the following report:

The Committee of Conference to which the matters of difference between the two houses were referred on S.B. 128, Senator Cates - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

In line 5, delete "section" and insert "sections 2101.01, "; after "2301.02" insert ", and 2301.03"

Between lines 6 and 7, insert:

"**Sec. 2101.01. (A)** A probate division of the court of common pleas shall be held at the county seat in each county in an office furnished by the board of county commissioners, in which the books, records, and papers pertaining to the probate division shall be deposited and safely kept by the probate judge. The board shall provide suitable cases or other necessary items for the safekeeping and preservation of the books, records, and papers of the court and shall furnish any blankbooks, blanks, and stationery, and any machines, equipment, and materials for the keeping or examining of records, that the probate judge requires in the discharge of official duties. The board also shall authorize expenditures for accountants, financial consultants, and other agents required for auditing or financial consulting by the probate division whenever the probate judge considers these services and expenditures necessary for the efficient performance of the division's duties. The probate judge shall employ and supervise all clerks, deputies, magistrates, and other employees of the probate division. The probate judge shall supervise all probate court investigators and assessors in the performance of their duties as investigators and assessors and shall employ, appoint, or designate all probate court investigators and assessors in the manner described in divisions (A)(2) and (3) of section 2101.11 of the Revised Code.

(B) As used in the Revised Code;:

(1) Except as provided in division **(B)(2)** of this section, "probate court" means the probate division of the court of common pleas, and "probate judge" means the judge of the court of common pleas who is judge of the probate division. ~~AH~~

(2) With respect to Lorain county:

(a) From January 1, 2006, through February 8, 2009, "probate court" means both the probate division and the domestic relations division of the court of common pleas, and "probate judge" means both the judge of the court of common pleas who is judge of the probate division and each of the judges of the court of common pleas who are judges of the domestic relations division.

(b) On and after February 9, 2009, "probate court" means the domestic relations division of the court of common pleas, and "probate judge" means each of the judges of the court of common pleas who are judges of the domestic relations division.

(C) Except as otherwise provided in this division, all pleadings, forms, journals, and other records filed or used in the probate division shall be entitled "In the Court of Common Pleas, Probate Division," but are not defective if entitled "In the Probate Court." In Lorain county, on and after February 9, 2009, all pleadings, forms, journals, and other records filed or used in probate matters shall be entitled "In the Court of Common Pleas, Domestic Relations Division," but are not defective if entitled "In the Probate Division" or "In the Probate Court."

In line 19, strike through "Morrow,"

Between lines 21 and 22, insert:

"In Morrow county, two judges, one to be elected in 1956, term to begin January 1, 1957, and one to be elected in 2006, term to begin January 1, 2007;"

In line 149, strike through "eight" and insert "ten"

In line 154, strike through "and"

In line 155, after "respectively" insert "; one to be elected in 2006, term to begin January 6, 2007; and one to be elected in 2008, term to begin February 9, 2009, as described in division (C)(1)(c) of section 2301.03 of the Revised Code"

In line 290, strike through "Morrow,"

In line 293, after "division" insert ", except in Lorain county in which the judges of the domestic relations division of the Lorain county court of common pleas elected pursuant to this section also shall perform the duties and functions of the judge of the probate division, and except in Morrow county in which the successors to the judge of the court of common pleas elected in 1956 pursuant to this section also shall serve as judge of the probate division"

Between lines 293 and 294, insert:

"Sec. 2301.03. (A) In Franklin county, the judges of the court of common pleas whose terms begin on January 1, 1953, January 2, 1953, January 5, 1969, January 5, 1977, and January 2, 1997, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same

compensation as other judges of the court of common pleas of Franklin county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. They shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings under Chapter 3111. of the Revised Code over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to them. In addition to the judge's regular duties, the judge who is senior in point of service shall serve on the children services board and the county advisory board and shall be the administrator of the domestic relations division and its subdivisions and departments.

(B) In Hamilton county:

(1) The judge of the court of common pleas, whose term begins on January 1, 1957, and successors, and the judge of the court of common pleas, whose term begins on February 14, 1967, and successors, shall be the juvenile judges as provided in Chapters 2151. and 2152. of the Revised Code, with the powers and jurisdiction conferred by those chapters.

(2) The judges of the court of common pleas whose terms begin on January 5, 1957, January 16, 1981, and July 1, 1991, and successors, shall be elected and designated as judges of the court of common pleas, division of domestic relations, and shall have assigned to them all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court. On or after the first day of July and before the first day of August of 1991 and each year thereafter, a majority of the judges of the division of domestic relations shall elect one of the judges of the division as administrative judge of that division. If a majority of the judges of the division of domestic relations are unable for any reason to elect an administrative judge for the division before the first day of August, a majority of the judges of the Hamilton county court of common pleas, as soon as possible after that date, shall elect one of the judges of the division of domestic relations as administrative judge of that division. The term of the administrative judge shall begin on the earlier of the first day of August of the year in which the administrative judge is elected or the date on which the administrative judge is elected by a majority of the judges of the Hamilton county court of common pleas and shall terminate on the date on which the administrative judge's successor is elected in the following year.

In addition to the judge's regular duties, the administrative judge of the division of domestic relations shall be the administrator of the domestic relations division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any referees considered necessary by the judges in the discharge of their various duties.

The administrative judge of the division of domestic relations also shall designate the title, compensation, expense allowances, hours, leaves of absence,

and vacations of the personnel of the division, and shall fix the duties of its personnel. The duties of the personnel, in addition to those provided for in other sections of the Revised Code, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and counseling and conciliation services that may be made available to persons requesting them, whether or not the persons are parties to an action pending in the division.

The board of county commissioners shall appropriate the sum of money each year as will meet all the administrative expenses of the division of domestic relations, including reasonable expenses of the domestic relations judges and the division counselors and other employees designated to conduct the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, conciliation and counseling, and all matters relating to those cases and counseling, and the expenses involved in the attendance of division personnel at domestic relations and welfare conferences designated by the division, and the further sum each year as will provide for the adequate operation of the division of domestic relations.

The compensation and expenses of all employees and the salary and expenses of the judges shall be paid by the county treasurer from the money appropriated for the operation of the division, upon the warrant of the county auditor, certified to by the administrative judge of the division of domestic relations.

The summonses, warrants, citations, subpoenas, and other writs of the division may issue to a bailiff, constable, or staff investigator of the division or to the sheriff of any county or any marshal, constable, or police officer, and the provisions of law relating to the subpoenaing of witnesses in other cases shall apply insofar as they are applicable. When a summons, warrant, citation, subpoena, or other writ is issued to an officer, other than a bailiff, constable, or staff investigator of the division, the expense of serving it shall be assessed as a part of the costs in the case involved.

(3) The judge of the court of common pleas of Hamilton county whose term begins on January 3, 1997, and the successor to that judge whose term begins on January 3, 2003, shall each be elected and designated for one term only as the drug court judge of the court of common pleas of Hamilton county. The successors to the judge whose term begins on January 3, 2003, shall be elected and designated as judges of the general division of the court of common pleas of Hamilton county and shall not have the authority granted by division (B)(3) of this section. The drug court judge may accept or reject any case referred to the drug court judge under division (B)(3) of this section. After the drug court judge accepts a referred case, the drug court judge has full authority over the case, including the authority to conduct arraignment, accept pleas, enter findings and dispositions, conduct trials, order treatment, and if treatment is not successfully completed pronounce and enter sentence.

A judge of the general division of the court of common pleas of Hamilton

county and a judge of the Hamilton county municipal court may refer to the drug court judge any case, and any companion cases, the judge determines meet the criteria described under divisions (B)(3)(a) and (b) of this section. If the drug court judge accepts referral of a referred case, the case, and any companion cases, shall be transferred to the drug court judge. A judge may refer a case meeting the criteria described in divisions (B)(3)(a) and (b) of this section that involves a violation of a condition of a community control sanction to the drug court judge, and, if the drug court judge accepts the referral, the referring judge and the drug court judge have concurrent jurisdiction over the case.

A judge of the general division of the court of common pleas of Hamilton county and a judge of the Hamilton county municipal court may refer a case to the drug court judge under division (B)(3) of this section if the judge determines that both of the following apply:

(a) One of the following applies:

(i) The case involves a drug abuse offense, as defined in section 2925.01 of the Revised Code, that is a felony of the third or fourth degree if the offense is committed prior to July 1, 1996, a felony of the third, fourth, or fifth degree if the offense is committed on or after July 1, 1996, or a misdemeanor.

(ii) The case involves a theft offense, as defined in section 2913.01 of the Revised Code, that is a felony of the third or fourth degree if the offense is committed prior to July 1, 1996, a felony of the third, fourth, or fifth degree if the offense is committed on or after July 1, 1996, or a misdemeanor, and the defendant is drug or alcohol dependent or in danger of becoming drug or alcohol dependent and would benefit from treatment.

(b) All of the following apply:

(i) The case involves an offense for which a community control sanction may be imposed or is a case in which a mandatory prison term or a mandatory jail term is not required to be imposed.

(ii) The defendant has no history of violent behavior.

(iii) The defendant has no history of mental illness.

(iv) The defendant's current or past behavior, or both, is drug or alcohol driven.

(v) The defendant demonstrates a sincere willingness to participate in a fifteen-month treatment process.

(vi) The defendant has no acute health condition.

(vii) If the defendant is incarcerated, the county prosecutor approves of the referral.

(4) If the administrative judge of the court of common pleas of Hamilton county determines that the volume of cases pending before the drug court judge does not constitute a sufficient caseload for the drug court judge, the

administrative judge, in accordance with the Rules of Superintendence for Courts of Common Pleas, shall assign individual cases to the drug court judge from the general docket of the court. If the assignments so occur, the administrative judge shall cease the assignments when the administrative judge determines that the volume of cases pending before the drug court judge constitutes a sufficient caseload for the drug court judge.

(5) As used in division (B) of this section, "community control sanction," "mandatory prison term," and "mandatory jail term" have the same meanings as in section 2929.01 of the Revised Code.

(C)(1) In Lorain county, ~~the~~:

(a) The judges of the court of common pleas whose terms begin on January 3, 1959, January 4, 1989, and January 2, 1999, and February 9, 2009, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Lorain county and shall be elected and designated as the judges of the court of common pleas, division of domestic relations. They shall have all of the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to them, except cases that for some special reason are assigned to some other judge of the court of common pleas.

(b) On and after January 1, 2006, the judges of the court of common pleas, division of domestic relations, in addition to the powers and jurisdiction set forth in division (C)(1)(a) of this section, shall have jurisdiction over matters that are within the jurisdiction of the probate court under Chapter 2101. and other provisions of the Revised Code. From January 1, 2006, through February 8, 2009, the judges of the court of common pleas, division of domestic relations, shall exercise probate jurisdiction concurrently with the probate judge.

(c) The judge of the court of common pleas, division of domestic relations, whose term begins on February 9, 2009, is the successor to the probate judge who was elected in 2002 for a term that began on February 9, 2003.

(2)(a) From January 1, 2006, through February 8, 2009, with respect to Lorain county, all references in law to the probate court shall be construed as references to both the probate court and the court of common pleas, division of domestic relations, and all references in law to the probate judge shall be construed as references to both the probate judge and the judges of the court of common pleas, division of domestic relations. On and after February 9, 2009, with respect to Lorain county, all references in law to the probate court shall be construed as references to the court of common pleas, division of domestic relations, and all references to the probate judge shall be construed as references to the judges of the court of common pleas, division of domestic relations.

(b) On and after February 9, 2009, with respect to Lorain county, all

references in law to the clerk of the probate court shall be construed as references to the judge who is serving pursuant to Rule 4 of the Rules of Superintendence for the Courts of Ohio as the administrative judge of the court of common pleas, division of domestic relations.

(D) In Lucas county:

(1) The judges of the court of common pleas whose terms begin on January 1, 1955, and January 3, 1965, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Lucas county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. All divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to them.

The judge of the division of domestic relations, senior in point of service, shall be considered as the presiding judge of the court of common pleas, division of domestic relations, and shall be charged exclusively with the assignment and division of the work of the division and the employment and supervision of all other personnel of the domestic relations division.

(2) The judges of the court of common pleas whose terms begin on January 5, 1977, and January 2, 1991, and successors shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Lucas county, shall be elected and designated as judges of the court of common pleas, juvenile division, and shall be the juvenile judges as provided in Chapters 2151. and 2152. of the Revised Code with the powers and jurisdictions conferred by those chapters. In addition to the judge's regular duties, the judge of the court of common pleas, juvenile division, senior in point of service, shall be the administrator of the juvenile division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division engaged in handling, servicing, or investigating juvenile cases, including any referees considered necessary by the judges of the division in the discharge of their various duties.

The judge of the court of common pleas, juvenile division, senior in point of service, also shall designate the title, compensation, expense allowance, hours, leaves of absence, and vacation of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties include the handling, servicing, and investigation of juvenile cases and counseling and conciliation services that may be made available to persons requesting them, whether or not the persons are parties to an action pending in the division.

(3) If one of the judges of the court of common pleas, division of domestic relations, or one of the judges of the juvenile division is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in that judge's division necessitates it, the duties shall be performed by the judges

of the other of those divisions.

(E) In Mahoning county:

(1) The judge of the court of common pleas whose term began on January 1, 1955, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Mahoning county, shall be elected and designated as judge of the court of common pleas, division of domestic relations, and shall be assigned all the divorce, dissolution of marriage, legal separation, and annulment cases coming before the court. In addition to the judge's regular duties, the judge of the court of common pleas, division of domestic relations, shall be the administrator of the domestic relations division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any referees considered necessary in the discharge of the various duties of the judge's office.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and counseling and conciliation services that may be made available to persons requesting them, whether or not the persons are parties to an action pending in the division.

(2) The judge of the court of common pleas whose term began on January 2, 1969, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Mahoning county, shall be elected and designated as judge of the court of common pleas, juvenile division, and shall be the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code, with the powers and jurisdictions conferred by those chapters. In addition to the judge's regular duties, the judge of the court of common pleas, juvenile division, shall be the administrator of the juvenile division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division engaged in handling, servicing, or investigating juvenile cases, including any referees considered necessary by the judge in the discharge of the judge's various duties.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and counseling and conciliation services that may be made available to persons requesting them, whether or not the persons are parties to an action pending in the division.

(3) If a judge of the court of common pleas, division of domestic relations or juvenile division, is sick, absent, or unable to perform that judge's judicial duties, or the volume of cases pending in that judge's division necessitates it, that judge's duties shall be performed by another judge of the court of common pleas.

(F) In Montgomery county:

(1) The judges of the court of common pleas whose terms begin on January 2, 1953, and January 4, 1977, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Montgomery county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. These judges shall have assigned to them all divorce, dissolution of marriage, legal separation, and annulment cases.

The judge of the division of domestic relations, senior in point of service, shall be charged exclusively with the assignment and division of the work of the division and shall have charge of the employment and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any necessary referees, except those employees who may be appointed by the judge, junior in point of service, under this section and sections 2301.12, 2301.18, and 2301.19 of the Revised Code. The judge of the division of domestic relations, senior in point of service, also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties.

(2) The judges of the court of common pleas whose terms begin on January 1, 1953, and January 1, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Montgomery county, shall be elected and designated as judges of the court of common pleas, juvenile division, and shall be, and have the powers and jurisdiction of, the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code.

In addition to the judge's regular duties, the judge of the court of common pleas, juvenile division, senior in point of service, shall be the administrator of the juvenile division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division, including any necessary referees, who are engaged in handling, servicing, or investigating juvenile cases. The judge, senior in point of service, also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of juvenile cases and of any counseling and conciliation services that are available upon request to persons, whether or not they are parties to an action pending in the division.

If one of the judges of the court of common pleas, division of domestic relations, or one of the judges of the court of common pleas, juvenile division, is sick, absent, or unable to perform that judge's duties or the volume of cases pending in that judge's division necessitates it, the duties of that judge may be performed by the judge or judges of the other of those divisions.

(G) In Richland county:

(1) The judge of the court of common pleas whose term begins on January 1, 1957, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Richland county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. That judge shall be assigned and hear all divorce, dissolution of marriage, legal separation, and annulment cases, all domestic violence cases arising under section 3113.31 of the Revised Code, and all post-decree proceedings arising from any case pertaining to any of those matters. The division of domestic relations has concurrent jurisdiction with the juvenile division of the court of common pleas of Richland county to determine the care, custody, or control of any child not a ward of another court of this state, and to hear and determine a request for an order for the support of any child if the request is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, or an action for support brought under Chapter 3115. of the Revised Code. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judge of the division of domestic relations shall be assigned and hear all cases pertaining to paternity or parentage, the care, custody, or control of children, parenting time or visitation, child support, or the allocation of parental rights and responsibilities for the care of children, all proceedings arising under Chapter 3111. of the Revised Code, all proceedings arising under the uniform interstate family support act contained in Chapter 3115. of the Revised Code, and all post-decree proceedings arising from any case pertaining to any of those matters.

In addition to the judge's regular duties, the judge of the court of common pleas, division of domestic relations, shall be the administrator of the domestic relations division and its subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the domestic relations division, including any magistrates the judge considers necessary for the discharge of the judge's duties. The judge shall also designate the title, compensation, expense allowances, hours, leaves of absence, vacation, and other employment-related matters of the personnel of the division and shall fix their duties.

(2) The judge of the court of common pleas whose term begins on January 3, 2005, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Richland county, shall be elected and designated as judge of the court of common pleas, juvenile division, and shall

be, and have the powers and jurisdiction of, the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judge of the juvenile division shall not have jurisdiction or the power to hear, and shall not be assigned, any case pertaining to paternity or parentage, the care, custody, or control of children, parenting time or visitation, child support, or the allocation of parental rights and responsibilities for the care of children or any post-decree proceeding arising from any case pertaining to any of those matters. The judge of the juvenile division shall not have jurisdiction or the power to hear, and shall not be assigned, any proceeding under the uniform interstate family support act contained in Chapter 3115. of the Revised Code.

In addition to the judge's regular duties, the judge of the juvenile division shall be the administrator of the juvenile division and its subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any magistrates whom the judge considers necessary for the discharge of the judge's various duties.

The judge of the juvenile division also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling, conciliation, and mediation services that the court makes available to persons, whether or not the persons are parties to an action pending in the court, who request the services.

(H) In Stark county, the judges of the court of common pleas whose terms begin on January 1, 1953, January 2, 1959, and January 1, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Stark county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. They shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal separation, and annulment cases, except cases that are assigned to some other judge of the court of common pleas for some special reason, shall be assigned to the judges.

The judge of the division of domestic relations, second most senior in point of service, shall have charge of the employment and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, and necessary referees required for the judge's respective court.

The judge of the division of domestic relations, senior in point of service, shall be charged exclusively with the administration of sections 2151.13, 2151.16, 2151.17, and 2152.71 of the Revised Code and with the assignment and

division of the work of the division and the employment and supervision of all other personnel of the division, including, but not limited to, that judge's necessary referees, but excepting those employees who may be appointed by the judge second most senior in point of service. The senior judge further shall serve in every other position in which the statutes permit or require a juvenile judge to serve.

(I) In Summit county:

(1) The judges of the court of common pleas whose terms begin on January 4, 1967, and January 6, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Summit county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. The judges of the division of domestic relations shall have assigned to them and hear all divorce, dissolution of marriage, legal separation, and annulment cases that come before the court. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judges of the division of domestic relations shall have assigned to them and hear all cases pertaining to paternity, custody, visitation, child support, or the allocation of parental rights and responsibilities for the care of children and all post-decree proceedings arising from any case pertaining to any of those matters. The judges of the division of domestic relations shall have assigned to them and hear all proceedings under the uniform interstate family support act contained in Chapter 3115. of the Revised Code.

The judge of the division of domestic relations, senior in point of service, shall be the administrator of the domestic relations division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division, including any necessary referees, who are engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases. That judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and of any counseling and conciliation services that are available upon request to all persons, whether or not they are parties to an action pending in the division.

(2) The judge of the court of common pleas whose term begins on January 1, 1955, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Summit county, shall be elected and designated as judge of the court of common pleas, juvenile division, and shall be, and have the powers and jurisdiction of, the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judge of the

juvenile division shall not have jurisdiction or the power to hear, and shall not be assigned, any case pertaining to paternity, custody, visitation, child support, or the allocation of parental rights and responsibilities for the care of children or any post-decree proceeding arising from any case pertaining to any of those matters. The judge of the juvenile division shall not have jurisdiction or the power to hear, and shall not be assigned, any proceeding under the uniform interstate family support act contained in Chapter 3115. of the Revised Code.

The juvenile judge shall be the administrator of the juvenile division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division, including any necessary referees, who are engaged in handling, servicing, or investigating juvenile cases. The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of juvenile cases and of any counseling and conciliation services that are available upon request to persons, whether or not they are parties to an action pending in the division.

(J) In Trumbull county, the judges of the court of common pleas whose terms begin on January 1, 1953, and January 2, 1977, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Trumbull county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. They shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to them, except cases that for some special reason are assigned to some other judge of the court of common pleas.

(K) In Butler county:

(1) The judges of the court of common pleas whose terms begin on January 1, 1957, and January 4, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Butler county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. The judges of the division of domestic relations shall have assigned to them all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge senior in point of service shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge senior in point of service also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of

the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(2) The judges of the court of common pleas whose terms begin on January 3, 1987, and January 2, 2003, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Butler county, shall be elected and designated as judges of the court of common pleas, juvenile division, and shall be the juvenile judges as provided in Chapters 2151. and 2152. of the Revised Code, with the powers and jurisdictions conferred by those chapters. The judge of the court of common pleas, juvenile division, who is senior in point of service, shall be the administrator of the juvenile division and its subdivisions and departments. The judge, senior in point of service, shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any referees whom the judge considers necessary for the discharge of the judge's various duties.

The judge, senior in point of service, also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(3) If a judge of the court of common pleas, division of domestic relations or juvenile division, is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in the judge's division necessitates it, the duties of that judge shall be performed by the other judges of the domestic relations and juvenile divisions.

(L)(1) In Cuyahoga county, the judges of the court of common pleas whose terms begin on January 8, 1961, January 9, 1961, January 18, 1975, January 19, 1975, and January 13, 1987, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Cuyahoga county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. They shall have all the powers relating to all divorce, dissolution of marriage, legal separation, and annulment cases, except in cases that are assigned to some other judge of the court of common pleas for some special reason.

(2) The administrative judge is administrator of the domestic relations division and its subdivisions and departments and has the following powers

concerning division personnel:

(a) Full charge of the employment, assignment, and supervision;

(b) Sole determination of compensation, duties, expenses, allowances, hours, leaves, and vacations.

(3) "Division personnel" include persons employed or referees engaged in hearing, servicing, investigating, counseling, or conciliating divorce, dissolution of marriage, legal separation and annulment matters.

(M) In Lake county:

(1) The judge of the court of common pleas whose term begins on January 2, 1961, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Lake county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all the divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(2) The judge of the court of common pleas whose term begins on January 4, 1979, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Lake county, shall be elected and designated as judge of the court of common pleas, juvenile division, and shall be the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code, with the powers and jurisdictions conferred by those chapters. The judge of the court of common pleas, juvenile division, shall be the administrator of the juvenile division and its subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any referees whom the judge considers necessary for the discharge of the judge's various duties.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the

division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(3) If a judge of the court of common pleas, division of domestic relations or juvenile division, is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in the judge's division necessitates it, the duties of that judge shall be performed by the other judges of the domestic relations and juvenile divisions.

(N) In Erie county:

(1) The judge of the court of common pleas whose term begins on January 2, 1971, and the successors to that judge whose terms begin before January 2, 2007, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judge of the court of common pleas of Erie county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall have all the powers relating to juvenile courts, and shall be assigned all cases under Chapters 2151. and 2152. of the Revised Code, parentage proceedings over which the juvenile court has jurisdiction, and divorce, dissolution of marriage, legal separation, and annulment cases, except cases that for some special reason are assigned to some other judge.

On or after January 2, 2007, the judge of the court of common pleas who is elected in 2006 shall be the successor to the judge of the domestic relations division whose term expires on January 1, 2007, shall be designated as judge of the court of common pleas, juvenile division, and shall be the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code with the powers and jurisdictions conferred by those chapters.

(2) The judge of the court of common pleas, general division, whose term begins on January 1, 2005, and successors, the judge of the court of common pleas, general division whose term begins on January 2, 2005, and successors, and the judge of the court of common pleas, general division, whose term begins February 9, 2009, and successors, shall have assigned to them, in addition to all matters that are within the jurisdiction of the general division of the court of common pleas, all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, and all matters that are within the jurisdiction of the probate court under Chapter 2101., and other provisions, of the Revised Code.

(O) In Greene county:

(1) The judge of the court of common pleas whose term begins on January 1, 1961, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Greene county and shall be elected and

designated as the judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, annulment, uniform reciprocal support enforcement, and domestic violence cases and all other cases related to domestic relations, except cases that for some special reason are assigned to some other judge of the court of common pleas.

The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the division. The judge also shall designate the title, compensation, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and the provision of counseling and conciliation services that the division considers necessary and makes available to persons who request the services, whether or not the persons are parties in an action pending in the division. The compensation for the personnel shall be paid from the overall court budget and shall be included in the appropriations for the existing judges of the general division of the court of common pleas.

(2) The judge of the court of common pleas whose term begins on January 1, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Greene county, shall be elected and designated as judge of the court of common pleas, juvenile division, and, on or after January 1, 1995, shall be the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code with the powers and jurisdiction conferred by those chapters. The judge of the court of common pleas, juvenile division, shall be the administrator of the juvenile division and its subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any referees whom the judge considers necessary for the discharge of the judge's various duties.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling and conciliation services that the court makes available to persons, whether or not the persons are parties to an action pending in the court, who request the services.

(3) If one of the judges of the court of common pleas, general division, is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in the general division necessitates it, the duties of that judge of the general division shall be performed by the judge of the division of domestic relations and the judge of the juvenile division.

(P) In Portage county, the judge of the court of common pleas, whose term begins January 2, 1987, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Portage county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(Q) In Clermont county, the judge of the court of common pleas, whose term begins January 2, 1987, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Clermont county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(R) In Warren county, the judge of the court of common pleas, whose term begins January 1, 1987, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Warren county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of

marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(S) In Licking county, the judges of the court of common pleas, whose terms begin on January 1, 1991, and January 1, 2005, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Licking county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. The judges shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The administrative judge of the division of domestic relations shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The administrative judge of the division of domestic relations shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(T) In Allen county, the judge of the court of common pleas, whose term begins January 1, 1993, and successors, shall have the same qualifications,

exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Allen county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(U) In Medina county, the judge of the court of common pleas whose term begins January 1, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Medina county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment

cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and providing counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(V) In Fairfield county, the judge of the court of common pleas whose term begins January 2, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Fairfield county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge also has concurrent jurisdiction with the probate-juvenile division of the court of common pleas of Fairfield county with respect to and may hear cases to determine the custody of a child, as defined in section 2151.011 of the Revised Code, who is not the ward of another court of this state, cases that are commenced by a parent, guardian, or custodian of a child, as defined in section 2151.011 of the Revised Code, to obtain an order requiring a parent of the child to pay child support for that child when the request for that order is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, an action for support under Chapter 3115. of the Revised Code, or an action that is within the exclusive original jurisdiction of the probate-juvenile division of the court of common pleas of Fairfield county and that involves an allegation that the child is an abused, neglected, or dependent child, and post-decree proceedings and matters arising from those types of cases.

The judge of the domestic relations division shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a

place of residence and legal custodian, parenting time, and visitation, and providing any counseling and conciliation services that the division makes available to persons, regardless of whether the persons are parties to an action pending in the division, who request the services. When the judge hears a case to determine the custody of a child, as defined in section 2151.011 of the Revised Code, who is not the ward of another court of this state or a case that is commenced by a parent, guardian, or custodian of a child, as defined in section 2151.011 of the Revised Code, to obtain an order requiring a parent of the child to pay child support for that child when the request for that order is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, an action for support under Chapter 3115. of the Revised Code, or an action that is within the exclusive original jurisdiction of the probate-juvenile division of the court of common pleas of Fairfield county and that involves an allegation that the child is an abused, neglected, or dependent child, the duties of the personnel of the domestic relations division also include the handling, servicing, and investigation of those types of cases.

(W)(1) In Clark county, the judge of the court of common pleas whose term begins on January 2, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Clark county and shall be elected and designated as judge of the court of common pleas, domestic relations division. The judge shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code and all parentage proceedings under Chapter 3111. of the Revised Code over which the juvenile court has jurisdiction shall be assigned to the judge of the division of domestic relations. All divorce, dissolution of marriage, legal separation, annulment, uniform reciprocal support enforcement, and other cases related to domestic relations shall be assigned to the domestic relations division, and the presiding judge of the court of common pleas shall assign the cases to the judge of the domestic relations division and the judges of the general division.

(2) In addition to the judge's regular duties, the judge of the division of domestic relations shall serve on the children services board and the county advisory board.

(3) If the judge of the court of common pleas of Clark county, division of domestic relations, is sick, absent, or unable to perform that judge's judicial duties or if the presiding judge of the court of common pleas of Clark county determines that the volume of cases pending in the division of domestic relations necessitates it, the duties of the judge of the division of domestic relations shall be performed by the judges of the general division or probate division of the court of common pleas of Clark county, as assigned for that purpose by the presiding judge of that court, and the judges so assigned shall act in conjunction with the judge of the division of domestic relations of that court.

(X) In Scioto county, the judge of the court of common pleas whose term

begins January 2, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Scioto county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and providing counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(Y) In Auglaize county, the judge of the probate and juvenile divisions of the Auglaize county court of common pleas also shall be the administrative judge of the domestic relations division of the court and shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court. The judge shall have all powers as administrator of the domestic relations division and shall have charge of the personnel engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any referees considered necessary for the discharge of the judge's various duties.

(Z)(1) In Marion county, the judge of the court of common pleas whose term begins on February 9, 1999, and the successors to that judge, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Marion county and shall be elected and designated as judge of the court of common pleas, domestic relations-juvenile-probate division. Except as otherwise specified in this division, that judge, and the successors to that judge, shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all cases arising under Chapter 3111. of the Revised Code, all divorce, dissolution of marriage, legal separation, and annulment cases,

all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings shall be assigned to that judge and the successors to that judge. Except as provided in division (Z)(2) of this section and notwithstanding any other provision of any section of the Revised Code, on and after February 9, 2003, the judge of the court of common pleas of Marion county whose term begins on February 9, 1999, and the successors to that judge, shall have all the powers relating to the probate division of the court of common pleas of Marion county in addition to the powers previously specified in this division, and shall exercise concurrent jurisdiction with the judge of the probate division of that court over all matters that are within the jurisdiction of the probate division of that court under Chapter 2101., and other provisions, of the Revised Code in addition to the jurisdiction of the domestic relations-juvenile-probate division of that court otherwise specified in division (Z)(1) of this section.

(2) The judge of the domestic relations-juvenile-probate division of the court of common pleas of Marion county or the judge of the probate division of the court of common pleas of Marion county, whichever of those judges is senior in total length of service on the court of common pleas of Marion county, regardless of the division or divisions of service, shall serve as the clerk of the probate division of the court of common pleas of Marion county.

(3) On and after February 9, 2003, all references in law to "the probate court," "the probate judge," "the juvenile court," or "the judge of the juvenile court" shall be construed, with respect to Marion county, as being references to both "the probate division" and "the domestic relations-juvenile-probate division" and as being references to both "the judge of the probate division" and "the judge of the domestic relations- juvenile-probate division." On and after February 9, 2003, all references in law to "the clerk of the probate court" shall be construed, with respect to Marion county, as being references to the judge who is serving pursuant to division (Z)(2) of this section as the clerk of the probate division of the court of common pleas of Marion county.

(AA) In Muskingum county, the judge of the court of common pleas whose term begins on January 2, 2003, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Muskingum county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The

judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(BB) In Henry county, the judge of the court of common pleas whose term begins on January 1, 2005, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judge of the court of common pleas of Henry county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. The judge shall have all of the powers relating to juvenile courts, and all cases under Chapter 2151. or 2152. of the Revised Code, all parentage proceedings arising under Chapter 3111. of the Revised Code over which the juvenile court has jurisdiction, all divorce, dissolution of marriage, legal separation, and annulment cases, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings shall be assigned to that judge, except in cases that for some special reason are assigned to the other judge of the court of common pleas.

(CC)(1) In Logan county, the judge of the court of common pleas whose term begins January 2, 2005, and the successors to that judge, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Logan county and shall be elected and designated as judge of the court of common pleas, domestic relations-juvenile-probate division. Except as otherwise specified in this division, that judge, and the successors to that judge, shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all cases arising under Chapter 3111. of the Revised Code, all divorce, dissolution of marriage, legal separation, and annulment cases, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings

shall be assigned to that judge and the successors to that judge. Notwithstanding any other provision of any section of the Revised Code, on and after January 2, 2005, the judge of the court of common pleas of Logan county whose term begins on January 2, 2005, and the successors to that judge, shall have all the powers relating to the probate division of the court of common pleas of Logan county in addition to the powers previously specified in this division and shall exercise concurrent jurisdiction with the judge of the probate division of that court over all matters that are within the jurisdiction of the probate division of that court under Chapter 2101., and other provisions, of the Revised Code in addition to the jurisdiction of the domestic relations-juvenile-probate division of that court otherwise specified in division (CC)(1) of this section.

(2) The judge of the domestic relations-juvenile-probate division of the court of common pleas of Logan county or the probate judge of the court of common pleas of Logan county who is elected as the administrative judge of the probate division of the court of common pleas of Logan county pursuant to Rule 4 of the Rules of Superintendence shall be the clerk of the probate division and juvenile division of the court of common pleas of Logan county. The clerk of the court of common pleas who is elected pursuant to section 2303.01 of the Revised Code shall keep all of the journals, records, books, papers, and files pertaining to the domestic relations cases.

(3) On and after January 2, 2005, all references in law to "the probate court," "the probate judge," "the juvenile court," or "the judge of the juvenile court" shall be construed, with respect to Logan county, as being references to both "the probate division" and the "domestic relations-juvenile-probate division" and as being references to both "the judge of the probate division" and the "judge of the domestic relations-juvenile-probate division." On and after January 2, 2005, all references in law to "the clerk of the probate court" shall be construed, with respect to Logan county, as being references to the judge who is serving pursuant to division (CC)(2) of this section as the clerk of the probate division of the court of common pleas of Logan county.

(DD) If a judge of the court of common pleas, division of domestic relations, or juvenile judge, of any of the counties mentioned in this section is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in the judge's division necessitates it, the duties of that judge shall be performed by another judge of the court of common pleas of that county, assigned for that purpose by the presiding judge of the court of common pleas of that county to act in place of or in conjunction with that judge, as the case may require."

In line 294, delete "section" and insert "sections 2101.01,"; after "2301.02" insert ", and 2301.03"

In line 295, delete "is" and insert "are"

In line 1 of the title, delete "section" and insert "sections 2101.01,"; after "2301.02" insert ", and 2301.03"

In line 4 of the title, after "2006" insert ", to give the judges of the Domestic Relations Division of the Lorain County Court of Common Pleas jurisdiction over probate matters, to designate the successors to the Lorain County probate judge as judges of the Domestic Relations Division of the Lorain County Court of Common Pleas, to create an additional General Division judgeship for the Lorain County Court of Common Pleas to be filled initially at the 2006 general election, and to create an additional judgeship for the Morrow County Court of Common Pleas to be filled initially at the 2006 general election"

Managers on the Part of the
Senate

/S/ GARY CATES
GARY CATES

/S/ JAMES JORDAN
JAMES JORDAN

/S/ MARK MALLORY
MARK MALLORY

Managers on the Part of the
House of Representatives

/S/ JOHN WILLAMOWSKI
JOHN WILLAMOWSKI

/S/ BILL COLEY
BILL COLEY

/S/ SANDRA HARWOOD
SANDRA HARWOOD

The question being, "Shall the report of the committee of Conference be agreed to?"

The yeas and nays were taken and resulted - yeas 91, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Blessing
Book	Brinkman	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	Hughes
Kearns	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor	Miller	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	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Williams	Wolpert	Woodard
Yates	Yuko		Husted-91.

The report of the committee of Conference was agreed to.

MOTIONS AND RESOLUTIONS

Representative DeWine moved that majority party members asking leave to be absent or absent the week of Tuesday, August 2, 2005, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Driehaus moved that minority party members asking leave to be absent or absent the week of Tuesday, August 2, 2005, 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

H. B. No. 157-Representatives Distel, Aslanides, McGregor, S. Patton, Seitz, C. Evans, Carano, Cassell, Hartnett, Brown, Strahorn, Perry, Gibbs, Setzer, Domenick.

To amend section 1541.31 of the Revised Code to revise the Pymatuning Lake Compact, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 91, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Blessing
Book	Brinkman	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	Hughes
Kearns	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor	Miller	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	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Williams	Wolpert	Woodard
Yates	Yuko		Husted-91.

The bill passed.

Representative Distel moved to amend the title as follows:

Add the names: "Allen, Blessing, Book, Chandler, Coley, Collier, Core, DeBose, Dolan, Driehaus, Fende, Flowers, Harwood, Hughes, Kearns, Key, Koziura, Latta, Law, Martin, Miller, Oelslager, Otterman, T. Patton, Reinhard, S. Smith, D. Stewart, J. Stewart, Taylor, Wagoner, Walcher, Williams, Woodard, Yates, Yuko."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. J. R. No. 2-Representatives Martin, Schaffer, Hagan, Combs, Wolpert, Aslanides, Trakas, Collier.

Proposing to enact Section 2p of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to create and preserve jobs, enhance employment and educational opportunities, and promote economic growth through funding local government public infrastructure capital improvements, research and development, and the development of certain sites and facilities, and to expand state and local government authority regarding economic development.

Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each house concurring herein, that there shall be submitted to the electors of the state, in the manner prescribed by law at the general election to be held on November 8, 2005, a proposal to enact Section 2p of Article VIII of the Constitution of the State of Ohio to read as follows:

ARTICLE VIII

Section 2p. (A) It is determined and confirmed that the development purposes referred to in this division, and provisions for them, are proper public purposes of the state and local governmental entities and are necessary and appropriate means to create and preserve jobs and enhance employment and educational opportunities; to improve the quality of life and the general and economic well-being of the people of this state; and to preserve and expand the public capital infrastructure; all to better ensure the public health, safety, and welfare. Those purposes are:

(1) Public infrastructure capital improvements, which shall be limited to roads and bridges, waste water treatment systems, water supply systems, solid waste disposal facilities, and storm water and sanitary collection, storage, and treatment facilities, including real property, interests in real property, facilities, and equipment related to or incidental thereto, and shall include, without limitation, the cost of acquisition, construction, reconstruction, expansion, improvement, planning, and equipping;

(2) Research and development in support of Ohio industry, commerce, and business (hereinafter referred to as "research and development purposes"), which shall include, without limitation, research and product innovation, development, and commercialization through efforts by and collaboration among Ohio business and industry, state and local public entities and agencies, public and private education institutions, or research organizations and institutions, all as may be further provided for by state or local law, but excluding purposes provided for in Section 15 of Article VIII, Ohio Constitution; and

(3) Development of sites and facilities in Ohio for and in support of industry, commerce, distribution, and research and development.

(B) The General Assembly may provide by law, in accordance with but subject to the limitations of this section, for the issuance of general obligation bonds and other general obligations of the state for the purpose of financing or assisting in the financing of the cost of projects implementing those purposes.

(1) Not more than one billion three hundred fifty million dollars principal amount of state general obligations may be issued under this section for public infrastructure capital improvements. Not more than one hundred twenty million dollars principal amount of those obligations may be issued in each of the first five fiscal years of issuance and not more than one hundred fifty million dollars principal amount of those obligations may be issued in each of the next five fiscal years of issuance, plus in each case the principal amount of infrastructure obligations that in any prior fiscal year could have been but were not issued within those fiscal year limits. No infrastructure obligations may be issued pursuant to this division and division (C) of this section until at least one billion one hundred ninety-nine million five hundred thousand dollars aggregate principal amount of state infrastructure obligations have been issued pursuant to Section 2m of Article VIII, Ohio Constitution.

(2) Not more than five hundred million dollars principal amount of state general obligations may be issued under this section for research and development purposes. Not more than one hundred million dollars principal amount of those obligations may be issued in each of the first three fiscal years of issuance, and not more than fifty million dollars principal amount of those obligations may be issued in any other fiscal year, plus in each case the principal amount of those obligations that in any prior fiscal year could have been but were not issued.

(3) Not more than one hundred fifty million dollars principal amount of state general obligations may be issued under this section for development of sites and facilities for industry, commerce, distribution, and research and development. Not more than thirty million dollars principal amount of those obligations may be issued in each of the first three fiscal years of issuance, and not more than fifteen million dollars principal amount of those obligations may be issued in any other fiscal year, plus in each case the principal amount of those obligations that in any prior fiscal year could have been but were not issued.

(C) Each issue of state general obligations for public infrastructure capital improvements or development of sites and facilities shall mature in not more than thirty years from the date of issuance, and each issue of state general obligations for research and development purposes shall mature in not more than twenty years from the date of issuance; or, if issued to retire or refund other obligations, within that number of years from the date the debt being retired or refunded was originally issued. If state general obligations are issued as notes in anticipation of the issuance of bonds, provision shall be made by law for the establishment and maintenance, during the period in which the notes are outstanding, of a special fund or funds into which shall be paid, from the sources authorized for the payment of such bonds, the amount that would have been sufficient, if bonds maturing during the permitted period of years had been issued without such prior issuance of notes, to pay the principal that would have been payable on such bonds during such period. Such fund or funds shall be used solely for the payment of principal of such notes or bonds in anticipation of which such notes have been issued. Notwithstanding anything to the contrary in Section 2k or 2m of Article VIII, obligations issued under this section or Section 2k or 2m to retire or refund obligations previously issued under this section or Section 2k or 2m shall not be counted against the fiscal year or total issuance limitations provided in this section or Section 2k or 2m, as applicable.

The obligations issued under this division and division (B) of this section are general obligations of the state. The full faith and credit, revenue, and taxing power of the state shall be pledged to the payment of the principal of and premium and interest and other accreted amounts on outstanding obligations as they become due (hereinafter called debt service), and bond retirement fund provisions shall be made for payment of that debt service. Provision shall be made by law for the sufficiency and appropriation, for purposes of paying debt service, of excises, taxes, and revenues so pledged or committed to debt service, and for covenants to continue the levy, collection, and application of sufficient excises, taxes, and revenues to the extent needed for that purpose. Notwithstanding Section 22 of Article II, Ohio Constitution, no further act of appropriation shall be necessary for that purpose. The obligations and the provision for the payment of debt service, and repayment by governmental entities of any loans made under this section, are not subject to Sections 5, 6, and 11 of Article XII, Ohio Constitution. Moneys referred to in Section 5a of Article XII, Ohio Constitution may not be pledged or used for the payment of that debt service. Debt service on obligations issued for research and development purposes and for development of sites and facilities shall not be included in the calculation of total debt service for purposes of division (A) of Section 17 of Article VIII, Ohio Constitution.

(D)(1) The state may participate in any public infrastructure capital improvement under this section with municipal corporations, counties, townships, or other governmental entities as designated by law, or any one or more of them. Such participation may be by grants, loans, or contributions to them for any such capital improvements. The entire proceeds of the

infrastructure obligations shall be used for public infrastructure capital improvements of municipal corporations, counties, townships, and other governmental entities, except to the extent that the General Assembly provides by law that the state may reasonably be compensated from such moneys for planning, financial management, or administrative services performed in relation to the issuance of infrastructure obligations. Provision shall be made by law for the use to the extent practicable of Ohio products, materials, services, and labor in the making of any project financed, in whole or in part, with infrastructure obligations under this section.

(2) Implementation of the research and development purposes includes supporting any and all related matters and activities, including: attracting researchers and research teams by endowing research chairs or otherwise; activities to develop and commercialize products and processes; intellectual property matters such as copyrights and patents; property interests, including time sharing arrangements; and financial rights and matters such as royalties, licensing, and other financial gain or sharing resulting from research and development purposes. State and local public moneys, including the proceeds of bonds, notes, and other obligations, may be used to pay costs of or in support of or related to these research and development purposes, including, without limitation, capital formation, direct operating costs, costs of research and facilities, including interests in real property therefor, and support for public and private institutions of higher education, research organizations or institutions, and private sector entities. The exercise of these powers by the state and state agencies, including state-supported and state-assisted institutions of higher education, and local public entities and agencies, may be jointly or in coordination with each other, with researchers or research organizations and institutions, with private institutions of higher education, with individuals, or with private sector entities. State and local public participation may be in such manner as the entity or agency determines, including by any one or a combination of grants, loans including loans to lenders or the purchase of loans, subsidies, contributions, advances, or guarantees, or by direct investments of or payment or reimbursement from available moneys, or by providing staffing or other support, including computer or other technology capacity, or equipment or facilities, including interests in real property therefor, and either alone or jointly, in collaborative or cooperative ventures, with other public agencies and private sector entities including not for profit entities. In addition to other state-level monetary participation as referred to in this section or otherwise, state-supported and state-assisted institutions of higher education may, as authorized from time to time by the General Assembly, issue obligations to pay costs of participating in and implementing research and development purposes. In addition to the other obligations authorized in or pursuant to this section, the General Assembly also may authorize the state and state agencies and local public entities and agencies, and corporations not for profit designated by any of them as such agencies or instrumentalities, to issue obligations to borrow and loan or otherwise provide moneys for research and development purposes, including, but not limited to, obligations for which moneys raised by taxation shall not be obligated or

pledged for the payment of debt service and which are therefore not subject to Sections 5, 6, and 11 of Article XII, Ohio Constitution.

(3) Development of sites and facilities for and in support of industry, commerce, distribution, and research and development includes acquisition of real estate and interests in real estate, site preparation including any necessary remediation and cleanup, constructing and improving facilities, and providing public infrastructure capital improvements and other transportation and communications infrastructure improvements for and in support of the use of those sites and facilities for those purposes. State and local public moneys, including the proceeds of bonds, notes, and other obligations, may be used to pay costs of those purposes. The exercise of these powers by the state and state agencies and local public entities and agencies, may be jointly or in coordination with each other, and with individuals or private sector business entities. State and local public participation may be in such manner as the entity or agency determines, including by any one or a combination of grants, loans including loans to lenders or the purchase of loans, subsidies, contributions, advances, or guarantees, or by direct investments of or payment or reimbursement from available moneys. In addition to other state-level monetary participation as referred to in this section or otherwise, state-supported and state-assisted institutions of higher education, and local public entities and agencies may, as authorized from time to time by the General Assembly, issue obligations to pay costs of participating in and implementing the development of sites and facilities.

(E) Obligations issued under authority of this section for research and development and site and facility development purposes, provisions for the payment of debt service on them, the purposes and uses to which and the manner in which the proceeds of those obligations or moneys from other sources are to or may be applied, and other implementation of those development purposes as referred to in this section, are not subject to Sections 4 and 6 of Article VIII, Ohio Constitution. Obligations issued under authority of this section, the transfer thereof, and the interest, interest equivalent, and other income and accreted amounts therefrom, including any profit made on the sale, exchange, or other disposition thereof, shall at all times be free from taxation within the state.

(F) This section shall otherwise be implemented in the manner and to the extent provided by law by the General Assembly, including provision for the procedure for incurring and issuing obligations, separately or in combination with other obligations, and refunding, retiring, and evidencing obligations.

(G) The powers and authority granted or confirmed by and under, and the determinations in, this section are independent of, in addition to, and not in derogation of or a limitation on, powers, authority, determinations, or confirmations under laws or under other provisions of the Ohio Constitution including, without limitation, Section 7 of Article I, Section 5 of Article VI, Sections 2i, 2n, 2o, 13, and 15 of Article VIII, Article X, and Section 3 of Article XVIII, and do not impair any previously adopted provisions of the Ohio

Constitution or any law previously enacted by the General Assembly or by a local public agency.

EFFECTIVE DATE

If adopted by a majority of the electors voting on this proposal, the amendment shall take effect immediately.

The question being, "Shall the joint resolution be adopted?"

Representative Martin moved to amend the title as follows:

Add the names: Blasdel, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Core, Daniels, DeBose, Distel, Dolan, Domenick, C. Evans, D. Evans, Flowers, Gibbs, Harwood, Hughes Kearns, Key Latta, Law, Mason, McGregor, Miller, Reinhard, Schlichter, Seitz, Setzer, G. Smith, J. Stewart, Wagoner, Walcher, White, Woodard, Yuko, Speaker Husted.

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the joint resolution be adopted?"

Representative Seitz moved to amend as follows:

In line 25, after the first "of" insert "all"; after "people" insert "and businesses in all areas"; after "state" insert ", including economically disadvantaged businesses and individuals"

In line 48, after "development" insert "purposes"

In line 51, delete the second "general"

In line 62, delete "infrastructure" and insert "those"

In line 82, after "development" insert "purposes"

In line 150, delete "Provision shall be"

Delete lines 151 through 154

In line 205, after "development" insert "purposes"

In line 230, after the first "development" insert "purposes"

In line 246, after "obligations" insert "; provision for ensuring the accountability of all state funding provided for the development purposes referred to in division (A) of this section; provision for restricting or limiting the taking of private property under Section 19 of Article I for disposition to private sector entities for the purposes identified in divisions (A)(2) and (3) of this section or restricting the disposition of that property to private sector entities or individuals; and provision for the implementation of the development purposes referred to in division (A) of this section to benefit people and businesses otherwise qualified for receipt of funding for the development purposes referred to in division (A) of this section, including economically disadvantaged businesses and individuals in all areas of this state, including by the use to the

extent practicable of Ohio products, materials, services, and labor"

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

The yeas and nays were taken and resulted - yeas 89, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Blessing
Book	Brinkman	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	Gibbs	Gilb
Hagan	Hartnett	Harwood	Healy
Hood	Hughes	Kearns	Key
Kilbane	Koziura	Latta	Law
Martin	Mason	McGregor	Miller
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
Taylor	Trakas	Uecker	Ujvagi
Wagner	Wagoner	Walcher	Webster
White	Widener	Widowfield	Williams
Wolpert	Woodard	Yates	Yuko
			Husted-89.

Representatives Bubp and Garrison voted in the negative-2.

The motion was agreed to and the resolution so amended.

The question being, "Shall the joint resolution as amended be adopted?"

The yeas and nays were taken and resulted - yeas 79, nays 12, as follows:

Those who voted in the affirmative were: Representatives

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

Ujvagi	Wagoner	Webster	White
Widener	Widowfield	Wolpert	Woodard
Yates	Yuko		Husted-79.

Those who voted in the negative were: Representatives

Allen	Brinkman	Bubp	Fessler
Garrison	Hood	Martin	Reidelbach
Uecker	Wagner	Walcher	Williams-12.

The joint resolution was adopted.

On motion of Representative Blasdel, the House recessed.

The House met pursuant to recess.

Representative Blasdel, having voted on the prevailing side, moved that the vote by which **Sub. H. J. R. No. 2** - Representative Martin, et al., passed be reconsidered and the the motion be taken up for immediate consideration.

This motion under House Rule 94 is properly supported by the following members who voted on the prevailing side of the question:

KEVIN DEWINE	CHARLES R. BLASDEL
STEVE L. DRIEHAUS	THOM COLLIER
CLYDE EVANS	

The question being, "Shall the motion to reconsider the vote by which **Sub. H. J. R. No. 2** - Representative Martin, et al., passed be agreed to?"

The yeas and nays were taken and resulted - yeas 87, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Blessing
Book	Brinkman	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	Gibbs
Gilb	Hagan	Hartnett	Harwood
Healy	Hood	Hughes	Key
Kilbane	Koziura	Latta	Law
Martin	Mason	McGregor	Miller
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
Taylor	Trakas	Uecker	Ujvagi
Wagoner	Walcher	White	Widener
Widowfield	Williams	Wolpert	Woodard

Yates

Yuko

Husted-87.

Representatives Garrison, Wagner, and Webster voted in the negative-3.

The motion was agreed to.

The question being, "Shall the joint resolution be adopted?"

The yeas and nays were taken and resulted - yeas 84, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Blessing
Book	Buehrer	Calvert	Carano
Carmichael	Cassell	Chandler	Coley
Collier	Combs	Core	Daniels
DeBose	DeGeeter	DeWine	Distel
Dolan	Domenick	Driehaus	Evans C.
Evans D.	Faber	Fende	Flowers
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hughes	Kearns
Key	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor
Miller	Oelslager	Otterman	Patton S.
Patton T.	Perry	Peterson	Raga
Raussen	Redfern	Reinhard	Sayre
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Skindell	Smith G.
Smith S.	Stewart D.	Stewart J.	Strahorn
Taylor	Trakas	Uecker	Ujvagi
Wagoner	Walcher	Webster	White
Widener	Widowfield	Williams	Wolpert
Woodard	Yates	Yuko	Husted-84.

Representatives Brinkman, Bulp, Fessler, Garrison, Hood, Reidelbach, and Wagner voted in the negative-7.

The joint resolution was adopted.

Sub. H. B. No. 95-Representatives Seitz, McGregor, C. Evans, Allen, Widener, Wolpert, Combs, Latta, T. Patton, Schaffer, Raussen, Wagoner, Faber, Webster, Hoops, Taylor, Gilb, Raga, Brinkman, Hagan, Reidelbach, White, Willamowski, Harwood, Uecker, G. Smith, Gibbs, Schneider, Hartnett, Carmichael, Buehrer, Seaver, Hughes, Collier, Trakas, Flowers, Oelslager, D. Evans.

To amend sections 2152.17, 2929.01, 2929.13, 2929.14, 2941.149, and 2953.08 of the Revised Code relative to the sentences imposed on repeat violent offenders and the appeal of repeat violent offender sentences, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Seitz moved that **Sub. H. B. No. 95**-Representative Seitz, et

al., be informally passed and retain its place on the calendar.

The motion was agreed to.

Sub. S. B. No. 9-Senators Jacobson, Clancy, Gardner, Harris, Spada, Cates, Austria.

To amend sections 2901.13, 2909.21, 2923.31, 2933.51, 4507.08, 4561.17, 4561.18, 4561.22, 4931.45, 4931.49, 5502.011, 5502.03, 5502.28, and 5502.41, and to enact sections 9.63, 2909.26, 2909.27, 2909.28, 2909.29, 2909.30, 2909.31, 2909.32, 2909.33, 2909.34, 2921.29, 2935.033, 3750.22, and 4563.30 of the Revised Code to establish requirements for state and local compliance with federal homeland security authorities and laws pertaining to terrorism and homeland security; to create criminal offenses for specified acts carried out in support of terrorism; to provide a 20-year limitation period for certain terrorism-related offenses; to establish notification requirements regarding illegal aliens convicted of a felony or in custody of the Department of Rehabilitation and Correction; to require individuals to show identification or provide personal information in specified situations; to limit licensing, employing, and doing business with persons who have provided material assistance to an organization on the United States Department of State Terrorist Exclusion List; to expand the definition of "corrupt activity" under the Corrupt Activity Law to include the bill's terrorism-related offenses and animal and ecological terrorism; to include the bill's terrorism-related offenses as "designated offenses" for which an interception warrant may be issued under the Communications Interception Law; to clarify the authority of Ohio peace officers and personnel in the Department of Public Safety to assist federal law enforcement officers; to prohibit the reinstatement of a suspended driver's license to a person who is the subject of an active arrest warrant; to amend specified aspects of the 9-1-1 law; to provide for the establishment of a homeland security advisory council; to designate the National Incident Management System as the standard procedure for incident management within the state; to provide security-related measures for public-use and private-use airports; and to expand the homeland security duties of the Department of Public Safety, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Reinhard moved that **Sub. S. B. No. 9**-Senator Jacobson, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

Sub. S. B. No. 147-Senators Austria, Schuring, Armbruster, Grendell, Schuler. -Representatives Wolpert, Bubp, Combs, Daniels, Uecker.

To authorize the conveyance of state-owned real estate in Stark County to the City of Massillon, in Warren County to Cincinnati Gas and Electric Company, in Brown County to a purchaser to be determined, in Franklin County to the Columbus Board of Education, and in Clark County to a

purchaser to be determined, and to declare an emergency, was taken up for consideration the third time.

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

The yeas and nays were taken and resulted - yeas 83, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Blessing
Book	Bubp	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
Kearns	Key	Kilbane	Koziura
Latta	Law	Martin	McGregor
Miller	Oelsluger	Otterman	Patton S.
Patton T.	Perry	Peterson	Raga
Rausen	Redfern	Reidelbach	Reinhard
Sayre	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Smith G.
Stewart D.	Stewart J.	Strahorn	Taylor
Uecker	Ujvagi	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Williams	Wolpert	Woodard
Yates	Yuko		Husted-83.

Representatives Brinkman, Buehrer, Hood, Hughes, Mason, Skindell, Smith S., and Trakas voted in the negative-8.

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?"

Representative DeWine moved to amend as follows:

In line 9, after "**Section 1.**" insert "That section 3506.19 of the Revised Code be amended to read as follows:

Sec. 3506.19. On and after the first federal election that occurs after January 1, 2006, unless required sooner by the Help America Vote Act of 2002, each polling location shall have available for use at all elections at least one direct recording electronic voting machine or marking device that is accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters.

Section 2. That existing section 3506.19 of the Revised Code is hereby repealed.

Section 3."

In line 134, delete "2." and insert "4."

In line 217, delete "3." and insert "5."

In line 271, delete "4." and insert "6."

In line 344, delete "5." and insert "7."

In line 432, delete "6." and insert "8."; delete "and"; after "4" insert ", 5, and 6"

In line 435, delete "7." and insert "9."

In line 1 of the title, after "To" insert "amend section 3506.19 of the Revised Code to permit the use of a marking device that is accessible for individuals with disabilities instead of a direct recording electronic voting machine required for such individuals at each polling location, to"

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

The yeas and nays were taken and resulted - yeas 82, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Allen	Blasdel	Blessing	Book
Brinkman	Bubp	Buehrer	Calvert
Carano	Carmichael	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
Hughes	Kearns	Key	Kilbane
Latta	Law	Martin	Mason
McGregor	Miller	Otterman	Patton S.
Patton T.	Perry	Peterson	Raga
Raussen	Reidelbach	Reinhard	Sayre
Schaffer	Schlichter	Schneider	Seaver
Seitz	Setzer	Smith G.	Smith S.
Stewart D.	Stewart J.	Strahorn	Taylor
Trakas	Uecker	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Williams	Wolpert	Woodard
Yates			Husted-82.

Representatives Beatty, Cassell, Chandler, Koziura, Redfern, Skindell, Ujvagi, and Yuko voted in the negative-8.

The motion was agreed to and the bill so amended.

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

Representative DeWine moved to amend as follows:

In line 9, after "1." insert "That section 1901.34 of the Revised Code be

amended to read as follows:

Sec. 1901.34. (A) Except as provided in divisions (B) and (D) of this section, the village solicitor, city director of law, or similar chief legal officer for each municipal corporation within the territory of a municipal court shall prosecute all cases brought before the municipal court for criminal offenses occurring within the municipal corporation for which that person is the solicitor, director of law, or similar chief legal officer. Except as provided in division (B) of this section, the village solicitor, city director of law, or similar chief legal officer of the municipal corporation in which a municipal court is located shall prosecute all criminal cases brought before the court arising in the unincorporated areas within the territory of the municipal court.

(B) The Auglaize county, Brown county, Clermont county, Hocking county, Jackson county, Morrow county, Ottawa county, and Portage county prosecuting attorneys shall prosecute in municipal court all violations of state law arising in their respective counties. The Crawford county, Hamilton county, Madison county, and Wayne county prosecuting attorneys shall prosecute all violations of state law arising within the unincorporated areas of their respective counties. The Columbiana county prosecuting attorney shall prosecute in the Columbiana county municipal court all violations of state law arising in the county, except for violations arising in the municipal corporation of East Liverpool, Liverpool township, or St. Clair township. The Darke county prosecuting attorney shall prosecute in the Darke county municipal court all violations of state law arising in the county, except for violations of state law arising in the municipal corporation of Greenville and violations of state law arising in the village of Versailles. The Greene county prosecuting attorney may, with the concurrence of the Greene county board of county commissioners, prosecute in the Fairborn municipal court all violations of state law arising within the unincorporated areas of Bath and Beavercreek townships in Greene county and prosecute in the Xenia municipal court all violations of state law arising within the unincorporated areas of Ceasarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross, Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in Greene county.

The prosecuting attorney of any county given the duty of prosecuting in municipal court violations of state law shall receive no additional compensation for assuming these additional duties, except that the prosecuting attorney of Hamilton, Portage, and Wayne counties shall receive compensation at the rate of four thousand eight hundred dollars per year, and the prosecuting attorney of Auglaize county shall receive compensation at the rate of one thousand eight hundred dollars per year, each payable from the county treasury of the respective counties in semimonthly installments.

(C) The village solicitor, city director of law, or similar chief legal officer shall perform the same duties, insofar as they are applicable to the village solicitor, city director of law, or similar chief legal officer, as are required of the prosecuting attorney of the county. The village solicitor, city director of law, similar chief legal officer or any assistants who may be appointed shall receive

for such services additional compensation to be paid from the treasury of the county as the board of county commissioners prescribes.

(D) The prosecuting attorney of any county, other than Auglaize, Brown, Clermont, Hocking, Jackson, Morrow, Ottawa, or Portage county, may enter into an agreement with any municipal corporation in the county in which the prosecuting attorney serves pursuant to which the prosecuting attorney prosecutes all criminal cases brought before the municipal court that has territorial jurisdiction over that municipal corporation for criminal offenses occurring within the municipal corporation. The prosecuting attorney of Auglaize, Brown, Clermont, Hocking, Jackson, Morrow, Ottawa, or Portage county may enter into an agreement with any municipal corporation in the county in which the prosecuting attorney serves pursuant to which the respective prosecuting attorney prosecutes all cases brought before the Auglaize county, Brown county, Clermont county, Hocking county, Jackson county, Morrow county, Ottawa county, or Portage county municipal court for violations of the ordinances of the municipal corporation or for criminal offenses other than violations of state law occurring within the municipal corporation. For prosecuting these cases, the prosecuting attorney and the municipal corporation may agree upon a fee to be paid by the municipal corporation, which fee shall be paid into the county treasury, to be used to cover expenses of the office of the prosecuting attorney.

Section 2. That existing section 1901.34 of the Revised Code is hereby repealed.

Section 3. "

In line 134, delete "2." and insert "4."

In line 217, delete "3." and insert "5."

In line 271, delete "4." and insert "6."

In line 344, delete "5." and insert "7."

In line 432, delete "6." and insert "8."; delete "and"; after "4" insert ", 5, and 6"

In line 435, delete "7." and insert "9."

In line 1 of the title, after "To" insert "amend section 1901.34 of the Revised Code to authorize the Greene County prosecuting attorney to prosecute state law violation cases arising in specified townships within the jurisdiction of the Fairborn and Xenia Municipal Courts, to"

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

The yeas and nays were taken and resulted - yeas 67, nays 24, as follows:

Those who voted in the affirmative were: Representatives

Allen
Bubp

Blasdel
Buehrer

Blessing
Calvert

Brinkman
Carmichael

Coley	Collier	Combs	Core
Daniels	DeBose	DeWine	Distel
Dolan	Evans C.	Evans D.	Faber
Fende	Flowers	Garrison	Gibbs
Gilb	Hagan	Hartnett	Hood
Hughes	Kearns	Kilbane	Latta
Law	Martin	McGregor	Oelslager
Otterman	Patton S.	Patton T.	Peterson
Raga	Raussen	Reidelbach	Reinhard
Sayre	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Smith G.
Stewart J.	Taylor	Trakas	Uecker
Wagner	Wagoner	Walcher	Webster
White	Widener	Widowfield	Williams
Wolpert	Yates		Husted-67.

Those who voted in the negative were: Representatives

Beatty	Book	Carano	Cassell
Chandler	DeGeeter	Domenick	Driehaus
Fessler	Harwood	Healy	Key
Koziura	Mason	Miller	Perry
Redfern	Skindell	Smith S.	Stewart D.
Strahorn	Ujvagi	Woodard	Yuko-24.

The motion was agreed to and the bill so amended.

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

The yeas and nays were taken and resulted - yeas 83, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Allen	Blasdel	Blessing	Book
Brinkman	Bubp	Buehrer	Calvert
Carmichael	Cassell	Chandler	Coley
Collier	Combs	Core	DeGeeter
DeWine	Distel	Dolan	Domenick
Driehaus	Evans C.	Evans D.	Faber
Fende	Fessler	Flowers	Garrison
Gibbs	Gilb	Hagan	Hartnett
Harwood	Healy	Hood	Hughes
Kearns	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor	Miller	Oelslager	Otterman
Patton S.	Patton T.	Perry	Peterson
Raga	Raussen	Reidelbach	Reinhard
Sayre	Schaffer	Schlichter	Schneider
Seaver	Seitz	Setzer	Skindell
Smith G.	Stewart D.	Stewart J.	Strahorn
Taylor	Trakas	Uecker	Ujvagi
Wagner	Wagoner	Walcher	Webster
White	Widener	Widowfield	Williams
Wolpert	Yates		Husted-83.

Representatives Beatty, Carano, DeBose, Redfern, Smith S., Woodard, and Yuko voted in the negative-7.

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

Representative Kearns moved to amend the title as follows:

Add the names: "Hagan, Kearns, Oelslager."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Blasdel moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **Sub. H. B. No. 104** - Representative Martin, et al., be taken up for immediate consideration the third time.

The motion was agreed to without objection.

Sub. H. B. No. 104-Representatives Martin, McGregor, Trakas, Wagoner, C. Evans, Perry, Seitz, Coley, Core, Harwood.

To amend sections 1345.51 and 1347.01 and to enact sections 1347.12, 1349.19, 1349.191, and 1349.192 of the Revised Code to require a state agency, person, or business to contact individuals residing in Ohio if unencrypted or unredacted personal information about those individuals that is maintained on the computers of the agency, person, or business is obtained by unauthorized persons and to authorize the Attorney General to investigate and enforce compliance with the requirements, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

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

Those who voted in the affirmative were: Representatives

Allen	Beatty	Blasdel	Blessing
Book	Brinkman	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	Hughes
Kearns	Key	Kilbane	Koziura
Latta	Law	Martin	Mason
McGregor	Miller	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	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Walcher	Webster	White	Widener
Widowfield	Williams	Wolpert	Yates
Yuko			Husted-90.

The bill passed.

Representative Martin moved to amend the title as follows:

Add the names: "Allen, Beatty, Blessing, Bubp, Buehrer, Carano, Cassell, Collier, DeBose, DeGeeter, Distel, Dolan, Domenick, Faber, Fende, Fessler, Flowers, Gibbs, Gilb, Hughes, Kearns, Latta, Mason, Miller, Oelslager, Otterman, S. Patton, T. Patton, Raussen, Reidelbach, Reinhard, Sayre, Schaffer, Schneider, Seaver, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Williams."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blasdel, the House recessed.

The House met pursuant to recess.

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

The motion was agreed to.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Healy reported for the Rules and Reference Committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

H.B. No. 302 - Representative Law

TO REQUIRE SCHOOL DISTRICTS TO LOWER THE RATE OF A SCHOOL FACILITIES TAX UPON DETERMINING THAT PROJECT COSTS WILL BE LOWER THAN EXPECTED.

To the committee on Finance and Appropriations

H.B. No. 303 - Representative Combs, et al

TO ADOPT THE CHILDREN'S BOOK LENTIL AS THE OFFICIAL CHILDREN'S BOOK OF THE STATE AND TO DESIGNATE ITS AUTHOR, ROBERT MCCLOSKEY, AS THE OFFICIAL CHILDREN'S BOOK AUTHOR OF THE STATE.

To the committee on State Government

H.B. No. 304 - Representative Blessing, et al

TO MODIFY THE CIRCUMSTANCES UNDER WHICH A LIEN MAY BE CREATED AND AN ACTION AT LAW COMMENCED TO COLLECT UNPAID WATER, SEWAGE, AND OTHER SERVICE RATES AND CHARGES OWED LOCAL AUTHORITIES.

To the committee on Civil and Commercial Law

H.B. No. 305 - Representative Peterson

TO REVISE THE LAWS REGARDING THE PRACTICE OF PHYSICIAN ASSISTANTS, INCLUDING THE ESTABLISHMENT OF PHYSICIAN-DELEGATED PRESCRIPTIVE AUTHORITY, AND TO MODIFY THE AUTHORITY OF ADVANCED PRACTICE NURSES TO FURNISH SUPPLIES OF DRUGS TO PATIENTS.

To the committee on Health

H.B. No. 307 - Representatives Hartnett, et al

TO PROHIBIT THE ACCEPTANCE OF A BID FOR A STATE PURCHASING OR PUBLIC IMPROVEMENT CONTRACT OVER \$50,000 UNLESS THE SUBMITTING CONTRACTOR HAS AN ACCEPTABLE DRUG-FREE WORKPLACE POLICY IN PLACE.

To the committee on Commerce and Labor

H.B. No. 308 - Representative Williams, et al

TO ESTABLISH ADDITIONAL PUBLIC NOTICE AND PUBLIC MEETING REQUIREMENTS CONCERNING APPLICATIONS FOR CERTAIN PERMITS FOR OIL OR GAS WELLS.

To the committee on State Government

H.B. No. 309 - Representative Setzer, et al

TO MAKE ASSAULT ON ANY SCHOOL EMPLOYEE A FELONY OF THE FIFTH DEGREE.

To the committee on Criminal Justice

H.B. No. 310 - Representative Oelslager, et al

TO CLARIFY THAT THE PROHIBITIONS IT SETS FORTH THAT REFER TO CONDUCT INVOLVING THE PHOTOGRAPHING OF ANOTHER ALSO APPLY TO CONDUCT INVOLVING THE VIDEOTAPING, FILMING, OR OTHER RECORDING OF ANOTHER.

To the committee on Criminal Justice

H.B. No. 311 - Representative White, et al

TO ALLOW A DENTAL ASSISTANT TO APPLY PIT AND FISSURE SEALANTS UNDER CERTAIN CIRCUMSTANCES.

To the committee on Health

H.B. No. 312 - Representative C. Evans, et al

TO ENSURE HANDICAPPED PARKING AT POLLING PLACES AND TO REQUIRE THE DIRECTOR OF A BOARD OF ELECTIONS TO SIGN A STATEMENT VERIFYING THE AVAILABILITY OF THAT PARKING

AFTER EACH ELECTION.

To the committee on Elections and Ethics

H.B. No. 313 - Representative J. Stewart, et al

TO REDUCE PLEDGING REQUIREMENTS BY PUBLIC DEPOSITORIES SECURING REPAYMENT OF PUBLIC MONEYS; TO SPECIFY DEBT AND OTHER OBLIGATIONS OF CERTAIN OUT-OF-STATE SUBDIVISIONS AS ELIGIBLE TO SECURE REPAYMENT OF STATE OR POLITICAL SUBDIVISION PUBLIC MONEYS; AND TO AUTHORIZE INVESTMENT OF CERTAIN STATE, POLITICAL SUBDIVISION, AND COUNTY PUBLIC MONEYS IN CERTIFICATES OF DEPOSIT ISSUED BY FEDERALLY INSURED BANKS AND SAVINGS AND LOAN ASSOCIATIONS, WHEREVER LOCATED, PROVIDED CERTAIN CONDITIONS APPLY.

To the committee on Financial Institutions, Real Estate and Securities

H.B. No. 315 - Representative Key, et al

TO PROHIBIT A PERSON FROM USING A STUN GUN OR TASER ON SCHOOL PREMISES.

To the committee on Criminal Justice

H.B. No. 316 - Representative DeBose

TO INCREASE THE STATE MINIMUM WAGE.

To the committee on Commerce and Labor

H.B. No. 317 - Representative S. Smith, et al

TO MODIFY THE LIST OF OFFENSES THE OFFICIAL RECORDS OF WHICH MAY NOT BE SEALED; TO REQUIRE A COURT TO INFORM A DEFENDANT BEFORE ACCEPTING A GUILTY PLEA AND BEFORE SENTENCING OF THE CIRCUMSTANCES UNDER WHICH THE OFFICIAL RECORDS IN THE CASE MAY BE SEALED; TO REQUIRE THE SEALING OF THE OFFICIAL RECORDS OF A PERSON WHO IS FOUND NOT GUILTY OF AN OFFENSE, WHO IS THE DEFENDANT NAMED IN A DISMISSED COMPLAINT, INDICTMENT, OR INFORMATION, OR AGAINST WHOM A NO BILL IS ENTERED BY A GRAND JURY; TO PROHIBIT THE RELEASE BY PRIVATE INDIVIDUALS OR ENTITIES OF INFORMATION CONTAINED IN SEALED OFFICIAL RECORDS; AND TO PERMIT CERTAIN OFFENDERS WHO ARE NOT FIRST OFFENDERS TO APPLY FOR AN ORDER SEALING THEIR OFFICIAL RECORDS.

To the committee on Judiciary

S.B. No. 82 - Senator Grendell, et al

TO GENERALLY PROHIBIT POLITICAL SUBDIVISIONS FROM IMPOSING RESIDENCY REQUIREMENTS ON CERTAIN EMPLOYEES.

To the committee Local and Municipal Government and Urban Revitalization

S.B. No. 87 - Senator Wachtmann, et al

REGARDING THE PROVISION OF HOSPICE CARE IN RESIDENTIAL CARE FACILITIES.

To the committee on Health

Am. S. B. No. 144 - Senator Schuler, et al

TO MODIFY THE OHIO REAL ESTATE APPRAISER LAW WITH RESPECT TO THE TEMPORARY REGISTRATION OF APPRAISERS LICENSED OR CERTIFIED IN ANOTHER STATE.

To the committee on Commerce and Labor

Am. S.B. No. 148 - Senator Hottinger, et al

TO AUTHORIZE A COUNTY RECORDER TO USE ELECTRONIC OR MAGNETIC MEDIUMS FOR RECORDING FEDERAL TAX AND OTHER FEDERAL LIENS AND TO REQUEST THE DISPOSAL OF PAPER VERSIONS OF THOSE RECORDED DOCUMENTS, AND TO REQUIRE A COUNTY RECORDER TO CHARGE AND COLLECT A PER-IMAGE FEE EQUIVALENT TO THE PER-PAGE PHOTOCOPY FEE WHEN A NONPAPER FORM OF PHOTOCOPYING IS USED.

To the committee on Local and Municipal Government and Urban Revitalization

JON A. HUSTED
CHARLES E. CALVERT
ANTHONY CORE
LARRY L. FLOWERS
TOM RAGA
GEOFFREY C. SMITH
JOYCE BEATTY
WILLIAM J. HEALY
ROBERT J. OTTERMAN

CHARLES R. BLASDEL
JIM CARMICHAEL
KEVIN DEWINE
MERLE GRACE KEARNS
JOHN SCHLICHTER
SHAWN N. WEBSTER
KENNETH A. CARANO
JOSEPH KOZIURA

Representative Uecker moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of House Bills and Senate Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bills were considered a second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Healy reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

H.R. No. 79 - Representative Peterson

HONORING THE OLENTANGY HIGH SCHOOL GIRLS LACROSSE TEAM AS THE 2005 DIVISION II STATE CHAMPION.

H.R. No. 80 - Representative Yuko

HONORING THE COLLINWOOD HIGH SCHOOL GIRLS TRACK AND FIELD TEAM AS THE 2005 DIVISION I STATE CHAMPION.

H.R. No. 81 - Representative Carmichael

HONORING JAKE DALESSANDRO AS A 2005 DIVISION III STATE TRACK AND FIELD CHAMPION.

H.R. No. 83 - Representative Gilb

HONORING THE LIBERTY-BENTON HIGH SCHOOL BOYS TRACK AND FIELD TEAM ON WINNING THE 2005 DIVISION III STATE CHAMPIONSHIP.

H.R. No. 84 - Representative Fessler

HONORING LEVI FOX AS A 2005 DIVISION I STATE TRACK AND FIELD CHAMPION.

H.R. No. 85 - Representative Fessler

HONORING BRANDON SAINÉ AS A 2005 DIVISION I STATE TRACK AND FIELD CHAMPION.

H.R. No. 86 - Representative Fessler

HONORING JORDAN SHARPE AS A 2005 DIVISION II STATE TRACK AND FIELD CHAMPION.

H.R. No. 87 - Representatives Kearns, Widener

HONORING JORDAN STAFFORD AS A 2005 DIVISION II STATE TRACK AND FIELD CHAMPION.

H.R. No. 88 - Representative Driehaus

HONORING THE ELDER HIGH SCHOOL BASEBALL TEAM AS THE 2005 DIVISION I STATE CHAMPION.

H.R. No. 89 - Representative Hood

HONORING THE LAKEWOOD HIGH SCHOOL BASEBALL TEAM ON WINNING THE 2005 DIVISION II STATE CHAMPIONSHIP.

H.R. No. 90 - Representative Latta

HONORING JAMES O'BRIEN AS A 2005 DIVISION II STATE TRACK AND FIELD CHAMPION.

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Uecker moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

On motion of Representative Uecker, the House adjourned until Thursday, August 4, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.