

OHIO

SENATE

JOURNAL

CORRECTED VERSION
WEDNESDAY, DECEMBER 16, 2009

ONE HUNDRED TWENTY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, December 16, 2009, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Father Michael Lumpe, St. Catharine's Church, Bexley, Ohio, followed by the Pledge of Allegiance to the Flag.

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

**REPORTS OF REFERENCE AND BILLS FOR SECOND
CONSIDERATION**

Senator Goodman reports for the Standing Committee on Reference, recommending that the following bill, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 220-Senator Jones, et al.

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

To the Committee on Health, Human Services and Aging.

YES - 4: KEITH L. FABER, BILL HARRIS, CAPRI S. CAFARO,
SHIRLEY A. SMITH.

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bill was considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Cates submitted the following report:

The standing committee on Education, to which was referred **S. B. No. 180**-Senator Husted, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: GARY W. CATES, J. KIRK SCHURING, JOHN A.

CAREY, TOM NIEHAUS, JON A. HUSTED.

NO - 3: THOMAS SAWYER, TERESA FEDOR, SUSAN L. MORANO.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Senator Cates submitted the following report:

The standing committee on Education, to which was recommitted **Sub. H. B. No. 19**-Representative Harwood, et al., having had the same under consideration, re-reports back a substitute bill and recommends its passage.

YES - 8: GARY W. CATES, J. KIRK SCHURING, JOHN A. CAREY, TOM NIEHAUS, JON A. HUSTED, THOMAS SAWYER, TERESA FEDOR, SUSAN L. MORANO.

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Senator Cates submitted the following report:

The standing committee on Education, to which was referred **Am. H. B. No. 290**-Representatives Bubp, Pryor, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Cates, Schuring, Fedor.

YES - 8: GARY W. CATES, J. KIRK SCHURING, JON A. HUSTED, THOMAS SAWYER, SUSAN L. MORANO, TERESA FEDOR, JOHN A. CAREY, TOM NIEHAUS.

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Senator Husted submitted the following report:

The standing committee on Government Oversight, to which was referred **Sub. H. B. No. 5**-Representatives Okey, Dodd, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 8: BILL SEITZ, SHANNON JONES, JON A. HUSTED,
SHIRLEY A. SMITH, TIMOTHY J. GRENDALL, MARK
D. WAGONER, KEITH L. FABER, TERESA FEDOR.

NO - 1: ERIC H. KEARNEY.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Senator Harris submitted the following report:

The Standing Committee on Rules to which were referred the appointments by the Governor of:

James M. Adams, Democrat, from Massillon, Stark County, Ohio, as a Member of the State Board of Sanitarian Registration for a term beginning October 6, 2009 and ending at the close of business August 14, 2012, replacing David W. Winfough, whose term expired.

Jean Byrd, Independent, from Columbus, Franklin County, Ohio, as a Member of the Solid Waste Management Advisory Council for a term beginning July 29, 2009 and ending at the close of business June 23, 2011.

Duane Cable, Independent, from Columbus, Franklin County, Ohio, as a Member of the Petroleum Underground Storage Tank Release Compensation Board for a new term beginning September 1, 2009 and ending at the close of business July 11, 2012.

Holly F. Christmann, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the Solid Waste Management Advisory Council for a term beginning July 30, 2009 and ending at the close of business June 23, 2011, replacing Yolanda Walker, whose term expired.

Sam M. Coppoletti, Republican, from Portsmouth, Scioto County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a term beginning August 27, 2009 and ending at the close of business August 27, 2012.

Belle Everett, Democrat, from New Philadelphia, Tuscarawas County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning July 29, 2009 and ending at the close of business June 23, 2011.

Stephen D. Hill, from Mason, Warren County, Ohio, as a Member of the Solid Waste Management Advisory Council for a new term beginning July 29, 2009 and ending at the close of business June 23, 2011.

Cheryl A. Hilvert, Republican, from Montgomery, Hamilton County, Ohio, as a Member of the Petroleum Underground Storage Tank Release

Compensation Board for a new term beginning September 1, 2009 and ending at the close of business July 11, 2012.

Brian M. Joyce, R. Ph., Democrat, from Girard, Trumbull County, Ohio, as a Member of the State Board of Pharmacy for a term beginning July 27, 2009 and ending at the close of business June 29, 2013, replacing Nathan Lipsyc, whose term expired.

James K. McWilliams, Republican, from Baltimore, Fairfield County, Ohio, as a Member of the Reclamation Commission for a new term beginning August 28, 2009 and ending at the close of business June 28, 2012.

Erin M. Miller, Democrat, from Westerville, Franklin County, Ohio, as a Member of the Solid Waste Management Advisory Council for a term beginning August 13, 2009 and ending at the close of business June 23, 2011, replacing Jack Jensen, whose term expired.

Vincent J. O'Brien, Independent, from Columbus, Franklin County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a new term beginning August 27, 2009 and ending at the close of business August 26, 2012.

William Ogg, Democrat, from Wheelersburg, Scioto County, Ohio, as a Member of the State Medical Board for a term beginning August 7, 2009 and ending at the close of business July 30, 2013, replacing Jeffrey Jacobson, who resigned.

Joseph D. Ortiz, Democrat, from Hudson, Summit County, Ohio, as a Member of the Ohio Geology Advisory Council for a term beginning September 8, 2009 and ending at the close of business May 3, 2012, and replacing Mark Boardman, whose term expired.

Walter E. Phillips, Republican, from Lancaster, Fairfield County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning March 26, 2009 and ending at the close of business March 17, 2011.

Nanette M. Shoemaker, a Democrat, from Miamisburg, Montgomery County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a new term beginning August 27, 2009 and ending at the close of business August 27, 2012.

Thomas G. Stephenson, Republican, from Hamilton, Butler County, Ohio, as a Member of the Petroleum Underground Storage Tank Release Compensation Board for a new term beginning September 1, 2009 and ending at the close of business July 11, 2012.

Mary G. Stover, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a new term beginning August 27, 2009 and ending at the close of business August 26, 2012.

Having had the same under consideration, reports back the

recommendation that the Senate advise and consent to said appointments.

YES - 9: BILL HARRIS, KEITH L. FABER, MARK D. WAGONER, JON A. HUSTED, JOHN A. CAREY, CAPRI S. CAFARO, JASON H. WILSON, RAY MILLER, SHIRLEY A. SMITH.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Sawyer	Schaffer	Schiavoni	Schuring
Seitz	Smith	Stewart	Strahorn
Turner	Wagoner	Widener	Wilson
			Harris-33.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 5-Representatives Okey, Dodd.

Cosponsors: Representatives Garrison, Ujvagi, Garland, Newcomb, Phillips, Murray, Williams, B., DeGeeter, Szollosi, Sayre, Schneider, Yuko, Luckie, Letson, Williams, S., Adams, R., Amstutz, Bacon, Baker, Balderson, Batchelder, Belcher, Blair, Blessing, Book, Boose, Boyd, Bulp, Burke, Carney, Celeste, Chandler, Coley, Combs, Daniels, DeBose, Derickson, Dolan, Domenick, Driehaus, Dyer, Evans, Fende, Foley, Gardner, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hall, Harris, Harwood, Heard, Hite, Hottinger, Jones, Jordan, Koziura, Lehner, Lundy, Maag, Mallory, Mandel, Martin, McClain, McGregor, Mecklenborg, Moran, Morgan, Oelslager, Otterman, Patten, Pillich, Pryor, Ruhl, Sears, Skindell, Slesnick, Snitchler, Stautberg, Stebelton, Stewart, Uecker, Wachtmann, Weddington, Winburn, Yates, Zehringer.

To amend sections 3517.01, 3517.10, 3517.106, 3517.11, 3517.13, 3517.153, 3517.154, 3517.992, and 3599.03 and to enact section 3517.1014 of the Revised Code to permit individuals elected or appointed to state office to establish transition funds to receive donations and to make expenditures for

transition activities and inaugural celebrations, to prohibit a candidate for state office from appearing in advertising funded with state or federal moneys during the calendar year in which the person is seeking nomination or election to office, and to prohibit a state agency, board, or commission to use a candidate's name, official position, likeness, image, or voice in such advertising, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 5**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 2, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Miller D	Morano
Niehaus	Patton	Sawyer	Schaffer
Schiavoni	Schuring	Seitz	Smith
Stewart	Strahorn	Turner	Wagoner
Widener	Wilson		Harris-31.

Senators Kearney and Miller R voted in the negative-2.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Husted moved to amend the title as follows:

Add the names: "Buehrer, Hughes, Patton, Widener."

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

The motion was agreed to and the title so amended.

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

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

To amend sections 3313.60, 3313.666, 3314.35, 3319.073, 3319.39, and 3327.10 of the Revised Code to enact the "Tina Croucher Act" to require public schools to incorporate dating violence into their policies prohibiting harassment, intimidation, or bullying; to require school districts to include dating violence prevention education in the health curriculum; to clarify the conditions under which a community school must close for poor academic performance; and to revise the criminal offenses that disqualify school bus

drivers for employment, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 19**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Sawyer	Schaffer	Schiavoni	Schuring
Seitz	Smith	Stewart	Turner
Wagoner	Widener	Wilson	Harris-32.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Cafaro moved to amend the title as follows:

Add the names: "Cafaro, Gillmor, Hughes, Kearney, Miller, D., Miller, R., Turner, Schiavoni, Patton, Wilson, Goodman, Jones."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 290-Representatives Bubb, Pryor.

Cosponsors: Representatives Adams, J., Adams, R., Balderson, Blair, Burke, Daniels, Derickson, Domenick, Fende, Gardner, Grossman, Hackett, Huffman, Jordan, Lehner, Letson, Luckie, Maag, Martin, McGregor, Mecklenborg, Morgan, Murray, Okey, Pillich, Ruhl, Sears, Snitchler, Stebelton, Uecker, Wagner, Williams, B., Yuko, Driehaus, Garland, Gerberry, Harris, Lundy, Moran, Phillips, Weddington, Evans, Hite, Bacon, Boose, Brown, Carney, Combs, DeBose, Dyer, Goyal, Harwood, Mandel, McClain, Patten, Skindell, Slesnick, Winburn, Zehringer. Senators Cates, Schuring, Fedor.

To amend sections 3306.51, 3306.53, 3306.54, 3306.55, 3306.58, 3313.603, 3314.028, and 3314.35 and to enact section 3306.59 of the Revised Code to include Junior ROTC as a permitted elective within the Ohio Core curriculum, to permit schools to excuse Junior ROTC students from high school physical education, to clarify the conditions under which a community school must close for poor academic performance, to specify conditions under which certain community schools may obtain new sponsors, to extend the deadline for certain school districts to secure voter approval of bonds and tax levies for the districts' shares of state-assisted classroom facilities projects, to make

performance of the Harmon Commission's duties contingent on the availability of funding, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Cates moved to amend as follows:

In line 18, after "sections" insert "3301.0714,"

In line 19, delete "section" and insert "sections 3301.94,"

In line 20, after "3306.59" insert ", and 3333.0410"

Between lines 20 and 21, insert:

"Sec. 3301.0714. (A) The state board of education shall adopt rules for a statewide education management information system. The rules shall require the state board to establish guidelines for the establishment and maintenance of the system in accordance with this section and the rules adopted under this section. The guidelines shall include:

(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section;

(2) Procedures for annually collecting and reporting the data to the state board in accordance with division (D) of this section;

(3) Procedures for annually compiling the data in accordance with division (G) of this section;

(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section.

(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:

(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:

(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific subject, a specific type of student, or both, such as regular instructional services in

mathematics, remedial reading instructional services, instructional services specifically for students gifted in mathematics or some other subject area, or instructional services for students with a specific type of disability. The categories of instructional services required by the guidelines under this division shall be the same as the categories of instructional services used in determining cost units pursuant to division (C)(3) of this section.

(b) The numbers of students receiving support or extracurricular services for each of the support services or extracurricular programs offered by the school district, such as counseling services, health services, and extracurricular sports and fine arts programs. The categories of services required by the guidelines under this division shall be the same as the categories of services used in determining cost units pursuant to division (C)(4)(a) of this section.

(c) Average student grades in each subject in grades nine through twelve;

(d) Academic achievement levels as assessed under sections 3301.0710, 3301.0711, and 3301.0712 of the Revised Code;

(e) The number of students designated as having a disabling condition pursuant to division (C)(1) of section 3301.0711 of the Revised Code;

(f) The numbers of students reported to the state board pursuant to division (C)(2) of section 3301.0711 of the Revised Code;

(g) Attendance rates and the average daily attendance for the year. For purposes of this division, a student shall be counted as present for any field trip that is approved by the school administration.

(h) Expulsion rates;

(i) Suspension rates;

(j) Dropout rates;

(k) Rates of retention in grade;

(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with state board of education rules;

(m) Graduation rates, to be calculated in a manner specified by the department of education that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;

(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the Revised Code to permit a comparison of the academic readiness of kindergarten students. However, no district shall be required to report to the department the results of any diagnostic assessment administered to a kindergarten student if the parent of that student requests the district not to report those results.

(2) Personnel and classroom enrollment data for each school district,

including:

(a) The total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent licensed employees and nonlicensed employees providing each category of instructional service, instructional support service, and administrative support service used pursuant to division (C)(3) of this section. The guidelines adopted under this section shall require these categories of data to be maintained for the school district as a whole and, wherever applicable, for each grade in the school district as a whole, for each school building as a whole, and for each grade in each school building.

(b) The total number of employees and the number of full-time equivalent employees providing each category of service used pursuant to divisions (C)(4)(a) and (b) of this section, and the total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent licensed employees and nonlicensed employees providing each category used pursuant to division (C)(4)(c) of this section. The guidelines adopted under this section shall require these categories of data to be maintained for the school district as a whole and, wherever applicable, for each grade in the school district as a whole, for each school building as a whole, and for each grade in each school building.

(c) The total number of regular classroom teachers teaching classes of regular education and the average number of pupils enrolled in each such class, in each of grades kindergarten through five in the district as a whole and in each school building in the school district.

(d) The number of lead teachers employed by each school district and each school building.

(3)(a) Student demographic data for each school district, including information regarding the gender ratio of the school district's pupils, the racial make-up of the school district's pupils, the number of limited English proficient students in the district, and an appropriate measure of the number of the school district's pupils who reside in economically disadvantaged households. The demographic data shall be collected in a manner to allow correlation with data collected under division (B)(1) of this section. Categories for data collected pursuant to division (B)(3) of this section shall conform, where appropriate, to standard practices of agencies of the federal government.

(b) With respect to each student entering kindergarten, whether the student previously participated in a public preschool program, a private preschool program, or a head start program, and the number of years the student participated in each of these programs.

(4) Any data required to be collected pursuant to federal law.

(C) The education management information system shall include cost accounting data for each district as a whole and for each school building in each school district. The guidelines adopted under this section shall require the cost

data for each school district to be maintained in a system of mutually exclusive cost units and shall require all of the costs of each school district to be divided among the cost units. The guidelines shall require the system of mutually exclusive cost units to include at least the following:

(1) Administrative costs for the school district as a whole. The guidelines shall require the cost units under this division (C)(1) to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil in formula ADM in the school district, as determined pursuant to section 3317.03 of the Revised Code.

(2) Administrative costs for each school building in the school district. The guidelines shall require the cost units under this division (C)(2) to be designed so that each of them may be compiled and reported in terms of average expenditure per full-time equivalent pupil receiving instructional or support services in each building.

(3) Instructional services costs for each category of instructional service provided directly to students and required by guidelines adopted pursuant to division (B)(1)(a) of this section. The guidelines shall require the cost units under division (C)(3) of this section to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil receiving the service in the school district as a whole and average expenditure per pupil receiving the service in each building in the school district and in terms of a total cost for each category of service and, as a breakdown of the total cost, a cost for each of the following components:

(a) The cost of each instructional services category required by guidelines adopted under division (B)(1)(a) of this section that is provided directly to students by a classroom teacher;

(b) The cost of the instructional support services, such as services provided by a speech-language pathologist, classroom aide, multimedia aide, or librarian, provided directly to students in conjunction with each instructional services category;

(c) The cost of the administrative support services related to each instructional services category, such as the cost of personnel that develop the curriculum for the instructional services category and the cost of personnel supervising or coordinating the delivery of the instructional services category.

(4) Support or extracurricular services costs for each category of service directly provided to students and required by guidelines adopted pursuant to division (B)(1)(b) of this section. The guidelines shall require the cost units under division (C)(4) of this section to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil receiving the service in the school district as a whole and average expenditure per pupil receiving the service in each building in the school district and in terms of a total cost for each category of service and, as a breakdown of the total cost, a cost for each of the following components:

(a) The cost of each support or extracurricular services category required by guidelines adopted under division (B)(1)(b) of this section that is provided directly to students by a licensed employee, such as services provided by a guidance counselor or any services provided by a licensed employee under a supplemental contract;

(b) The cost of each such services category provided directly to students by a nonlicensed employee, such as janitorial services, cafeteria services, or services of a sports trainer;

(c) The cost of the administrative services related to each services category in division (C)(4)(a) or (b) of this section, such as the cost of any licensed or nonlicensed employees that develop, supervise, coordinate, or otherwise are involved in administering or aiding the delivery of each services category.

(D)(1) The guidelines adopted under this section shall require school districts to collect information about individual students, staff members, or both in connection with any data required by division (B) or (C) of this section or other reporting requirements established in the Revised Code. The guidelines may also require school districts to report information about individual staff members in connection with any data required by division (B) or (C) of this section or other reporting requirements established in the Revised Code. The guidelines shall not authorize school districts to request social security numbers of individual students. The guidelines shall prohibit the reporting under this section of a student's name, address, and social security number to the state board of education or the department of education. The guidelines shall also prohibit the reporting under this section of any personally identifiable information about any student, except for the purpose of assigning the data verification code required by division (D)(2) of this section, to any other person unless such person is employed by the school district or the information technology center operated under section 3301.075 of the Revised Code and is authorized by the district or technology center to have access to such information or is employed by an entity with which the department contracts for the scoring of assessments administered under section 3301.0711 of the Revised Code. The guidelines may require school districts to provide the social security numbers of individual staff members.

(2) The guidelines shall provide for each school district or community school to assign a data verification code that is unique on a statewide basis over time to each student whose initial Ohio enrollment is in that district or school and to report all required individual student data for that student utilizing such code. The guidelines shall also provide for assigning data verification codes to all students enrolled in districts or community schools on the effective date of the guidelines established under this section.

Individual student data shall be reported to the department through the information technology centers utilizing the code but, except as provided in sections 3310.11, 3310.42, 3313.978, and 3317.20 of the Revised Code, at no

time shall the state board or the department have access to information that would enable any data verification code to be matched to personally identifiable student data.

Each school district shall ensure that the data verification code is included in the student's records reported to any subsequent school district or community school, or state institution of higher education, as defined in section 3345.011 of the Revised Code, in which the student enrolls. Any such subsequent district or school shall utilize the same identifier in its reporting of data under this section.

The director of health shall request and receive, pursuant to sections 3301.0723 and 3701.62 of the Revised Code, a data verification code for a child who is receiving services under division (A)(2) of section 3701.61 of the Revised Code.

(E) The guidelines adopted under this section may require school districts to collect and report data, information, or reports other than that described in divisions (A), (B), and (C) of this section for the purpose of complying with other reporting requirements established in the Revised Code. The other data, information, or reports may be maintained in the education management information system but are not required to be compiled as part of the profile formats required under division (G) of this section or the annual statewide report required under division (H) of this section.

(F) Beginning with the school year that begins July 1, 1991, the board of education of each school district shall annually collect and report to the state board, in accordance with the guidelines established by the board, the data required pursuant to this section. A school district may collect and report these data notwithstanding section 2151.357 or 3319.321 of the Revised Code.

(G) The state board shall, in accordance with the procedures it adopts, annually compile the data reported by each school district pursuant to division (D) of this section. The state board shall design formats for profiling each school district as a whole and each school building within each district and shall compile the data in accordance with these formats. These profile formats shall:

(1) Include all of the data gathered under this section in a manner that facilitates comparison among school districts and among school buildings within each school district;

(2) Present the data on academic achievement levels as assessed by the testing of student achievement maintained pursuant to division (B)(1)(d) of this section.

(H)(1) The state board shall, in accordance with the procedures it adopts, annually prepare a statewide report for all school districts and the general public that includes the profile of each of the school districts developed pursuant to division (G) of this section. Copies of the report shall be sent to each school district.

(2) The state board shall, in accordance with the procedures it adopts, annually prepare an individual report for each school district and the general public that includes the profiles of each of the school buildings in that school district developed pursuant to division (G) of this section. Copies of the report shall be sent to the superintendent of the district and to each member of the district board of education.

(3) Copies of the reports received from the state board under divisions (H)(1) and (2) of this section shall be made available to the general public at each school district's offices. Each district board of education shall make copies of each report available to any person upon request and payment of a reasonable fee for the cost of reproducing the report. The board shall annually publish in a newspaper of general circulation in the school district, at least twice during the two weeks prior to the week in which the reports will first be available, a notice containing the address where the reports are available and the date on which the reports will be available.

(I) Any data that is collected or maintained pursuant to this section and that identifies an individual pupil is not a public record for the purposes of section 149.43 of the Revised Code.

(J) As used in this section:

(1) "School district" means any city, local, exempted village, or joint vocational school district and, in accordance with section 3314.17 of the Revised Code, any community school. As used in division (L) of this section, "school district" also includes any educational service center or other educational entity required to submit data using the system established under this section.

(2) "Cost" means any expenditure for operating expenses made by a school district excluding any expenditures for debt retirement except for payments made to any commercial lending institution for any loan approved pursuant to section 3313.483 of the Revised Code.

(K) Any person who removes data from the information system established under this section for the purpose of releasing it to any person not entitled under law to have access to such information is subject to section 2913.42 of the Revised Code prohibiting tampering with data.

(L)(1) In accordance with division (L)(2) of this section and the rules adopted under division (L)(10) of this section, the department of education may sanction any school district that reports incomplete or inaccurate data, reports data that does not conform to data requirements and descriptions published by the department, fails to report data in a timely manner, or otherwise does not make a good faith effort to report data as required by this section.

(2) If the department decides to sanction a school district under this division, the department shall take the following sequential actions:

(a) Notify the district in writing that the department has determined that data has not been reported as required under this section and require the district

to review its data submission and submit corrected data by a deadline established by the department. The department also may require the district to develop a corrective action plan, which shall include provisions for the district to provide mandatory staff training on data reporting procedures.

(b) Withhold up to ten per cent of the total amount of state funds due to the district for the current fiscal year and, if not previously required under division (L)(2)(a) of this section, require the district to develop a corrective action plan in accordance with that division;

(c) Withhold an additional amount of up to twenty per cent of the total amount of state funds due to the district for the current fiscal year;

(d) Direct department staff or an outside entity to investigate the district's data reporting practices and make recommendations for subsequent actions. The recommendations may include one or more of the following actions:

(i) Arrange for an audit of the district's data reporting practices by department staff or an outside entity;

(ii) Conduct a site visit and evaluation of the district;

(iii) Withhold an additional amount of up to thirty per cent of the total amount of state funds due to the district for the current fiscal year;

(iv) Continue monitoring the district's data reporting;

(v) Assign department staff to supervise the district's data management system;

(vi) Conduct an investigation to determine whether to suspend or revoke the license of any district employee in accordance with division (N) of this section;

(vii) If the district is issued a report card under section 3302.03 of the Revised Code, indicate on the report card that the district has been sanctioned for failing to report data as required by this section;

(viii) If the district is issued a report card under section 3302.03 of the Revised Code and incomplete or inaccurate data submitted by the district likely caused the district to receive a higher performance rating than it deserved under that section, issue a revised report card for the district;

(ix) Any other action designed to correct the district's data reporting problems.

(3) Any time the department takes an action against a school district under division (L)(2) of this section, the department shall make a report of the circumstances that prompted the action. The department shall send a copy of the report to the district superintendent or chief administrator and maintain a copy of the report in its files.

(4) If any action taken under division (L)(2) of this section resolves a

school district's data reporting problems to the department's satisfaction, the department shall not take any further actions described by that division. If the department withheld funds from the district under that division, the department may release those funds to the district, except that if the department withheld funding under division (L)(2)(c) of this section, the department shall not release the funds withheld under division (L)(2)(b) of this section and, if the department withheld funding under division (L)(2)(d) of this section, the department shall not release the funds withheld under division (L)(2)(b) or (c) of this section.

(5) Notwithstanding anything in this section to the contrary, the department may use its own staff or an outside entity to conduct an audit of a school district's data reporting practices any time the department has reason to believe the district has not made a good faith effort to report data as required by this section. If any audit conducted by an outside entity under division (L)(2)(d)(i) or (5) of this section confirms that a district has not made a good faith effort to report data as required by this section, the district shall reimburse the department for the full cost of the audit. The department may withhold state funds due to the district for this purpose.

(6) Prior to issuing a revised report card for a school district under division (L)(2)(d)(viii) of this section, the department may hold a hearing to provide the district with an opportunity to demonstrate that it made a good faith effort to report data as required by this section. The hearing shall be conducted by a referee appointed by the department. Based on the information provided in the hearing, the referee shall recommend whether the department should issue a revised report card for the district. If the referee affirms the department's contention that the district did not make a good faith effort to report data as required by this section, the district shall bear the full cost of conducting the hearing and of issuing any revised report card.

(7) If the department determines that any inaccurate data reported under this section caused a school district to receive excess state funds in any fiscal year, the district shall reimburse the department an amount equal to the excess funds, in accordance with a payment schedule determined by the department. The department may withhold state funds due to the district for this purpose.

(8) Any school district that has funds withheld under division (L)(2) of this section may appeal the withholding in accordance with Chapter 119. of the Revised Code.

(9) In all cases of a disagreement between the department and a school district regarding the appropriateness of an action taken under division (L)(2) of this section, the burden of proof shall be on the district to demonstrate that it made a good faith effort to report data as required by this section.

(10) The state board of education shall adopt rules under Chapter 119. of the Revised Code to implement division (L) of this section.

(M) No information technology center or school district shall acquire, change, or update its student administration software package to manage and

report data required to be reported to the department unless it converts to a student software package that is certified by the department.

(N) The state board of education, in accordance with sections 3319.31 and 3319.311 of the Revised Code, may suspend or revoke a license as defined under division (A) of section 3319.31 of the Revised Code that has been issued to any school district employee found to have willfully reported erroneous, inaccurate, or incomplete data to the education management information system.

(O) No person shall release or maintain any information about any student in violation of this section. Whoever violates this division is guilty of a misdemeanor of the fourth degree.

(P) The department shall disaggregate the data collected under division (B)(1)(n) of this section according to the race and socioeconomic status of the students assessed. No data collected under that division shall be included on the report cards required by section 3302.03 of the Revised Code.

(Q) If the department cannot compile any of the information required by division (C)(5) of section 3302.03 of the Revised Code based upon the data collected under this section, the department shall develop a plan and a reasonable timeline for the collection of any data necessary to comply with that division.

Sec. 3301.94. Upon approval of the state board of education, the superintendent of public instruction and the chancellor of the Ohio board of regents may enter into a memorandum of understanding under which the department of education, on behalf of the chancellor, will receive and maintain copies of data records containing student information reported to the chancellor for the purpose of combining those records with the data reported to the education management information system established under section 3301.0714 of the Revised Code to establish an education data repository that may be used to conduct longitudinal research and evaluation. The memorandum of understanding shall specify the following:

(A) That, prior to establishing the repository, the superintendent and chancellor shall develop a strategic plan for the repository that outlines the goals to be achieved from its implementation and use. A copy of the strategic plan shall be provided to the governor, the president of the senate, and the speaker of the house of representatives.

(B) That the chancellor shall submit all student data to be included in the repository to the independent contractor engaged by the department to create and maintain the student data verification codes required by division (D)(2) of section 3301.0714 of the Revised Code. For each student included in the data submitted by the chancellor, the independent contractor shall determine whether a data verification code has been assigned to that student. In the case of a student to whom a data verification code has been assigned, the independent contractor shall add the code to the student's data record and remove from the data record any information that would enable the data verification code to be matched to personally identifiable student data. In the case of a student to whom a data

verification code has not been assigned, the independent contractor shall assign a data verification code to the student, add the data verification code to the student's data record, and remove from the data record any information that would enable the data verification code to be matched to personally identifiable student data. After making the modifications described in this division, the independent contractor shall transmit the data to the department.

(C) That the superintendent and the chancellor jointly shall develop procedures for the maintenance of the data in the repository and shall designate the types of research that may be conducted using that data. Permitted uses of the data shall include, but are not limited to, the following:

(1) Assisting the department, superintendent, or state board in performing audit and evaluation functions concerning preschool, elementary, and secondary education as required or authorized by any provision of law, including division (C) of section 3301.07 and sections 3301.12, 3301.16, 3301.53, 3301.57, 3301.58, and 3302.03 of the Revised Code;

(2) Assisting the chancellor in performing audit and evaluation functions concerning higher education as required or authorized by any provision of law, including sections 3333.04, 3333.041, 3333.047, 3333.122, 3333.123, 3333.16, 3333.161, 3333.374, 3333.72, and 3333.82 of the Revised Code.

(D) That the superintendent and the chancellor, from time to time, jointly may enter into written agreements with entities for the use of data in the repository to conduct research and analysis designed to evaluate the effectiveness of programs or services, to measure progress against specific strategic planning goals, or for any other purpose permitted by law that the superintendent and chancellor consider necessary for the performance of their duties under the Revised Code. The agreements may permit the disclosure of personally identifiable student information to the entity named in the agreement, provided that disclosure complies with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and regulations promulgated under that act prescribing requirements for such agreements. The superintendent shall notify the state board of each agreement entered into under this division.

(E) That the data in the repository submitted by the department shall remain under the direct control of the department and that the data in the repository submitted by the chancellor shall remain under the direct control of the chancellor;

(F) That the data in the repository shall be managed in a manner that complies with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended;

(G) That all costs related to the initial establishment and ongoing maintenance of the repository shall be paid from funds received from state incentive grants awarded under division (A), Title XIV, section 14006 of the American Recovery and Reinvestment Act of 2009, other federal grant

programs, or existing appropriations of the department or chancellor that are designated for a purpose consistent with this section:

(H) That the department annually shall report to the state board and the chancellor all requests for access to or use of the data in the repository and all costs related to the initial establishment and ongoing maintenance of the repository."

Between lines 565 and 566, insert:

" Sec. 3333.0410. The chancellor of the Ohio board of regents shall require each state institution of higher education, as defined in section 3345.011 of the Revised Code, when reporting student data to the chancellor under any provision of law, to use the student's data verification code assigned under division (D)(2) of section 3301.0714 of the Revised Code, if that code was included in the student's records submitted to the institution by the student's high school or by another state institution of higher education."

In line 566, after "sections" insert "3301.0714,"

In line 1 of the title, after "sections" insert "3301.0714,"

In line 3 of the title, delete "section" and insert "sections 3301.94,"; after "3306.59" insert ", and 3333.0410"

In line 11 of the title, after the comma insert "to permit the Department of Education and the Chancellor of the Board of Regents to establish a longitudinal student data system,"

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

The motion was agreed to.

The question recurred, "Shall the section, Section 4, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted - yeas 31, nays 1, as follows:

Those who voted in the affirmative were: Senators

Cafaro	Carey	Cates	Coughlin
Faber	Fedor	Gibbs	Gillmor
Goodman	Grendell	Hughes	Husted
Jones	Kearney	Miller D	Miller R
Morano	Niehaus	Patton	Sawyer
Schaffer	Schiavoni	Schuring	Seitz
Smith	Stewart	Turner	Wagoner
Widener	Wilson		Harris-31.

Senator Buehrer voted in the negative-1.

So the section, Section 4, setting forth the emergency features of the bill stood as a part of the bill.

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

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Cafaro	Carey	Cates
Coughlin	Faber	Fedor	Gibbs
Gillmor	Goodman	Grendell	Hughes
Husted	Jones	Kearney	Miller D
Miller R	Morano	Niehaus	Patton
Sawyer	Schaffer	Schiavoni	Schuring
Seitz	Smith	Stewart	Strahorn
Turner	Wagoner	Widener	Wilson
			Harris-33.

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

The question being, "Shall the title be agreed to?"

Senator Cates moved to amend the title as follows:

Add the names: "Buehrer, Cafaro, Carey, Coughlin, Gibbs, Gillmor, Grendell, Harris, Hughes, Morano, Niehaus, Patton, Sawyer, Schaffer, Schiavoni, Seitz, Stewart, Strahorn, Turner, Wagoner, Widener, Wilson, Husted, Jones, Miller, R., Faber, Kearney, Goodman, Smith."

The motion was agreed to.

The motion was agreed to and the title so amended.

Sub. S. B. No. 180-Senator Husted.

Cosponsors: Senators Goodman, Wagoner, Harris, Jones, Schaffer, Cates.

To amend sections 3301.0714, 3314.013, 3314.014, 3314.016, 3314.02, 3314.021, 3314.03, 3314.05, 3319.22, 3319.223, and 3319.61 and to enact sections 3301.94, 3319.227, and 3333.0410 of the Revised Code to allow new Internet- or computer-based community schools to open under certain conditions, to permit the Department of Education and the Chancellor of the Board of Regents to establish a longitudinal student data system, to require the use of student performance data in evaluating teachers and principals for licensure, and to qualify Teach for America participants for a professional educator license, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 180**, pass?"

The yeas and nays were taken and resulted - yeas 21, nays 12, as follows:

Those who voted in the affirmative were: Senators

Buehrer	Carey	Cates	Coughlin
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Faber	Gibbs	Gillmor	Goodman
Grendell	Hughes	Husted	Jones
Niehaus	Patton	Schaffer	Schuring
Seitz	Stewart	Wagoner	Widener
			Harris-21.

Those who voted in the negative were: Senators

Cafaro	Fedor	Kearney	Miller D
Miller R	Morano	Sawyer	Schiavoni
Smith	Strahorn	Turner	Wilson-12.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Husted moved to amend the title as follows:

Add the names: "Gibbs, Gillmor."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Wagoner moved that Senators absent the week of Sunday, December 13, 2009, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bill:

Sub. H. B. No. 363 -Representatives Okey, Newcomb - et al.

Attest:

Tom Sherman,
Clerk.

The President signed said bill.

On the motion of Senator Niehaus, the Senate recessed until 12:15 a.m.

The Senate met pursuant to the recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Am. Sub. S. B. No. 89 -Senator Morano

Cosponsors: Senators Fedor, Cafaro, Schiavoni, Miller, R., Miller, D., Kearney, Turner, Sawyer, Wilson, Wagoner, Gillmor, Schuring, Carey, Gibbs, Harris, Hughes, Niehaus, Patton, Schaffer, Strahorn, Smith Representatives Bolon, Boose, Boyd, Brown, Carney, Celeste, Chandler, DeBose, DeGeeter, Dyer, Fende, Foley, Garland, Garrison, Goyal, Hackett, Hagan, Harris, Harwood, Koziura, Lehner, Letson, Luckie, Lundy, Mallory, Moran, Murray, Oelslager, Okey, Patten, Skindell, Slesnick, Stewart, Ujvagi, Weddington, Williams, B., Williams, S., Winburn, Yuko

To amend sections 4723.01, 4723.06, 4723.48, 4723.482, and 4723.50; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4723.484 (4723.485) and 4723.485 (4723.486); and to enact new section 4723.484 and section 3333.29 of the Revised Code regarding prescriptive authority of out-of-state advanced practice nurses, cooperation among hospitals and state institutions of higher education with nursing education programs, and the amount of the Drug Repository Program's handling fee.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 13, delete "3333.28,"

Delete lines 19 through 109

In line 669, delete "3333.28,"

After line 683, insert:

"Section 4. (A) As used in this section, "Drug Repository Program" means the program established by the State Board of Pharmacy under sections 3715.87 to 3715.873 of the Revised Code.

(B) The Drug Repository Program's handling fee is \$7.40 during the period beginning on the effective date of this section and ending on the later of December 31, 2010, or the date that the State Board of Pharmacy completes action with regard to the fee under division (C) of this section.

(C) On or after January 1, 2011, the Board may do either of the following:

(1) Set the Program's handling fee in accordance with the formula established in rule 4729-35-09 of the Administrative Code as that rule exists on the effective date of this section;

(2) In consultation with the Director of Health, revise the formula used in determining the amount of the Program's handling fee by amending rule 4729-35-09 of the Administrative Code accordingly."

In line 1 of the title, delete "3333.28,"

Delete line 11 of the title

In line 12 of the title, delete "Fund" and insert "the amount of the Drug Repository Program's handling fee"

Attest:

Laura Clemens,
Deputy Clerk.

Said amendments were laid over under the rule.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Sub. S. B. No. 124 -Senators Faber, Schiavoni

Cosponsors: Senators Seitz, Fedor, Schuler, Kearney, Miller, D., Carey, Harris, Hughes, Patton, Strahorn, Wagoner, Gibbs, Stewart, Miller, R., Sawyer, Turner, Wilson Representatives Harwood, Mecklenborg, Stebelton, Adams, J., Bolon, Carney, Combs, Daniels, Dodd, Domenick, Gerberry, Hackett, Huffman, Letson, Luckie, Murray, Okey, Patten, Sayre, Slesnick, Stautberg

To amend sections 317.114, 321.24, 1321.51, 1321.522, 1321.53, 1321.531, 1321.532, 1321.533, 1321.535, 1321.54, 1321.55, 1321.59, 1322.01, 1322.02, 1322.022, 1322.023, 1322.03, 1322.031, 1322.04, 1322.041, 1322.062, 1322.07, 1322.074, 1322.10, 1322.99, 1343.011, 1345.01, 1345.05, 1345.09, 1349.31, 1349.43, 1733.252, 5302.01, 5302.02, 5302.22, 5302.221, 5302.23, 5717.01, 5717.011, 5717.02, 5717.04, and 5815.36, to enact sections 5302.222, 5302.24, 5703.021, and 5703.81 of the Revised Code, and to amend Section 745.60 of Am. Sub. H.B. 1 of the 128th General Assembly to change the transfer on death (TOD) designation instrument from a deed to an affidavit, to allow real property owners holding title in survivorship tenancy to execute such an affidavit, to clarify the status of a trustee of a trust as a TOD beneficiary and the dower rights of the spouse of the property owner, to make

other changes pertaining to the transfer on death of real property, to modify the mortgage lending laws, to establish a Small Claims Division of the Board of Tax Appeals and criteria for appeals to qualify to be heard in the Division, to create the Tax Appeals Administration Fund in the State Treasury by earmarking for the Board of Tax Appeals a portion of the state reimbursement to local taxing units for the 10% real property tax rollback, to temporarily authorize a treasurer or prosecuting attorney of a county with a population of more than 800,000 but less than 900,000 to designate that part of any surplus balance in the county's Delinquent Tax and Assessment Collection Fund be used to pay operating expenses of the respective office in lieu of county general fund money, to allow a county recorder to accept for filing certain nonconforming documents without charging the fees otherwise required to be collected for nonconforming documents, and to declare an emergency.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 41, delete "321.24,"

In line 46, delete "5717.01, 5717.011,"

In line 47, delete "5717.02, 5717.04,"; delete the last comma and insert "and"

In line 48, delete ", 5703.021, and 5703.81"

Delete lines 114 through 245

Delete lines 3797 through 4142

In line 4393, delete "321.24,"

In line 4399, delete "5717.01, 5717.011, 5717.02, 5717.04,"

In line 4477, after "7." delete the balance of the line

Delete lines 4478 through 4487

In line 4488, delete "**Section 8.** (A)"

In line 4490, delete "reasons" and insert "reason"; delete "are the" and insert "is that"

Delete lines 4491 through 4495

In line 4496, delete "(2) This" and insert "this"

In line 4501, delete "(B)"

Delete lines 4502 through 4559

In line 1 of the title, delete "321.24,"

In line 8 of the title, delete "5717.01, 5717.011,"

In line 9 of the title, delete "5717.02, 5717.04,"

In line 10 of the title, delete the first comma and insert "and"; delete ", 5703.021, and 5703.81"

Delete lines 22 through 28 of the title

In line 45, after "1349.43," insert "1541.083,"

Between lines 3320 and 3321, insert:

"**Sec. 1541.083.** The chief of the division of parks and recreation, with the approval of the director of natural resources, the attorney general, and the governor, may make leases to parties making application ~~therefor~~ for leases granting permission to take and remove halite from beneath the surface of Headlands state park in Lake county, and coal by underground mining methods from beneath the surface of Jefferson state park in Jefferson county and from beneath the surface of Burr Oak state park in Athens and Morgan counties pursuant to lease agreements and real estate transactions that have been entered into not later than January 1, 2011, if ~~he~~ the chief finds that such taking and removal will in no way affect the surface of the land or the use ~~thereof~~ of the land as a public park. As the chief deems in the best interest of the state, ~~such those~~ leases may be made either upon a royalty or rental basis, and may be either for a term of years or until the economic extraction of the mineral covered ~~thereby~~ by the lease has been completed. Upon request from the lessee of any such lease, the chief may consent to its cancellation, but any equipment or improvement thereon owned by the lessee may be held as security by the chief for payment of all rentals, royalties, and damages due the state at the time of cancellation."

In line 4398, after "1349.43," insert "1541.083,"

In line 7 of the title, after "1349.43," insert "1541.083,"

In line 39 of the title, after the comma insert "relative to coal mining leases at Burr Oak State Park,"

In line 4551, after "**12.**" insert "The Governor is hereby authorized to execute a release of reversionary interest in the name of the state releasing the state's reversionary interest retained in the Governor's Deed dated August 2, 1978, and authorized by Sub. H.B. 489 of the 108th General Assembly. That deed was recorded on June 29, 1979, at Deed Volume 248, Page 193 in the records of the Auglaize County Recorder and was a corrective deed to a Governor's Deed dated November 20, 1969, which was recorded on January 20, 1970, at Deed Volume 207, Page 157 in the records of the Auglaize County Recorder. The reversionary interest retained by the state in these deeds provided for the real estate to revert to the state if the real estate ceased to be used for youth recreation center purposes or related civic purposes.

The Auditor of State, with the assistance of the Attorney General, shall prepare a release of reversionary interest to the real estate described in this

section. The release shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the office of the Auditor of State for recording, and delivered to the Wapakoneta Family Young Men's Christian Association, Inc. The Wapakoneta Family Young Men's Christian Association, Inc., shall present the release for recording in the office of the Auglaize County Recorder.

Section 13."

In line 39 of the title, after the comma insert "to authorize the Governor to execute a release of reversionary interest in certain real estate located in Auglaize County,"

Attest: Tom Sherman,
Clerk.

Said amendments were laid over under the rule.

On the motion of Senator Carey, the Senate adjourned until Thursday, December 17, 2009 at 2:30 p.m.

Attest: VINCENT L. KEERAN,
Clerk.