



## AGREED STATEMENT OF FACTS

The undersigned counsel for Relators and Respondent enter into the following Agreed Statement of Facts for purposes of this case only. By making this Agreed Statement of Facts, neither Relator nor Respondent is conceding that any particular Agreed Statement of Fact is admissible on any grounds including relevance:

1. During the 126<sup>th</sup> General Assembly, Relator Bill Harris was the Senator from Ohio's 19<sup>th</sup> Senate district and President of the Senate.
2. Relator Bill Harris is the Senator from Ohio's 19<sup>th</sup> Senate district and President of the Senate for the 127<sup>th</sup> General Assembly.
3. Relator Harris voted for Amended Substitute Senate Bill No. 117 in the Ohio Senate in 2006.
4. During the 126<sup>th</sup> General Assembly, Relator Jon Husted was the Representative from Ohio's 37<sup>th</sup> House district and Speaker of the Ohio House of Representatives.
5. Relator Jon Husted is the Representative from Ohio's 37<sup>th</sup> House district and Speaker of the Ohio House of Representatives for the 127<sup>th</sup> General Assembly.
6. Relator Husted voted for Amended Substitute Senate Bill No. 117 in the Ohio House of Representatives in 2006.
7. On October 26, 2005, the Ohio Senate passed Substitute Senate Bill No. 117. **Exhibit A** of the Complaint is an accurate copy of Substitute Senate Bill No. 117.
8. On December 14, 2006, the Ohio House of Representatives passed Amended Substitute Senate Bill No. 117 ("S.B. 117").

9. On December 14, 2006, the Clerk of the Ohio House of Representatives signed the engrossed<sup>1</sup> version of S.B. 117.

10. On December 14, 2006, the Ohio Senate concurred in S.B. 117.

11. On December 14, 2006, the Clerk of the Ohio Senate signed the engrossed version of S.B. 117. **Exhibit B** of the Complaint is an accurate copy of engrossed S.B. 117 signed by the Clerk of the Ohio House and the Clerk of the Ohio Senate.

12. On Thursday, December 21, 2006, the Ohio House of Representatives adjourned sine die. **Exhibit D** of the Complaint is an accurate copy of the record of the Ohio House adjourning on December 21, 2006.

13. On Tuesday, December 26, 2006, the Ohio Senate adjourned sine die. **Exhibit E** of the Complaint is an accurate copy of the record of the Ohio Senate adjourning on December 26, 2006.

14. Governor Taft was presented with S.B. 117 on December 27, 2006. **Exhibit F** of the Complaint is an accurate copy of the record establishing delivery of S.B. 117 to Governor Taft on December 27, 2006.

15. On January 5, 2007, Governor Taft filed S.B. 117 with the Secretary of State's office without signing or vetoing the bill. **Exhibit H** of the Complaint is an accurate copy of the press release issued by Governor Taft on January 5, 2007.

16. The Governor's Office Bill Record is located in the Secretary of State's Office.

17. **Exhibit G** of the Complaint is an accurate copy of entries from December 26, 2006 to February 1, 2007 from the Governor's Office Bill Record.

---

<sup>1</sup> "An engrossment is a proofreading and verification in order to be certain that the bill before the house is identical with the original bill as introduced with all amendments which have been adopted correctly inserted." Mason, Manual of Legislative Procedure (1989), 507, Section 735-2.

18. The Secretary of State's Office received S.B. 117 on January 5, 2007, as evidenced in the Governor's Office Bill Record by the signature of Alicia Harrison, a representative of the Secretary of State's Office. **Exhibit G.**

19. On January 5, 2007, Secretary of State Blackwell signed enrolled S.B. 117. **Exhibit C** of the Complaint is an accurate copy of enrolled S.B. 117.<sup>2</sup>

20. On January 8, 2007, on or about 12:01 am, Respondent Jennifer Brunner commenced her term as Secretary of State of Ohio.

21. On January 8, 2007, on or about 12:01 am, Governor Ted Strickland commenced his term as Governor of Ohio.

22. On January 8, 2007, Governor Strickland requested Secretary of State Brunner to return S.B. 117 to the Governor's office.

23. **Exhibit 1** to this Agreed Statement of Facts is an accurate copy of the letter from Governor Strickland that requested Secretary Brunner to return S.B. 117 to the Governor.

24. On January 8, 2007, Secretary Brunner returned S.B. 117 to the Governor.

25. Secretary Brunner returned S.B. 117 to the Governor with a letter addressed to the Governor dated January 8, 2007. **Exhibit I** of the Complaint is an accurate copy of the January 8, 2007 letter sent by Secretary Brunner to the Governor.

26. On January 8, 2007, Governor Strickland received S.B. 117 from Secretary Brunner.

---

<sup>2</sup> "The enrolled bill is a copy of the bill in the form it has passed both houses, which has been proofread and corrected, usually under the direction of the secretary and the chief clerk, and printed with blanks for the certification of passage and accuracy and signature by the governor." Mason, Manual of Legislative Procedure (1989), 479, Section 702-1.

27. On January 8, 2007, Governor Strickland signed a document titled Veto Message for S.B. 117. **Exhibit J** of the Complaint is an accurate copy of the document titled Veto Message.

28. On January 8, 2007, Governor Strickland filed the document titled Veto Message along with S.B. 117 in the Secretary of State's office.

29. **Exhibits 2a through 2n** to this Agreed Statement of Facts are accurate copies of documents of correspondence from the person who signed them to the person to whom the particular letter is addressed and they were transmitted on or about the date indicated on the face of each document.

30. **Exhibit 2a** to this Agreed Statement of Facts is a letter to Secretary of State Brunner from the Clerk of the Ohio House of Representatives Laura P. Clemens dated January 17, 2007.

31. As set forth in **Exhibit 2a**, the Clerk of the House of Representatives asked Secretary Brunner to replace a version of Am. Sub. H.B. 694 ("H.B. 694") that was already on file with the Secretary of State's office with another version that the letter describes as the "correct" version of H.B. 694.

  
SUZANNE K. RICHARDS\* (0012034)

*\*Counsel of Record*

C. WILLIAM O'NEILL (0025955)  
RICHARD D. SCHUSTER (0022813)  
Vorys, Sater, Seymour and Pease LLP  
52 E. Gay St.  
Columbus, Ohio 43215  
(614) 464-6400 – telephone  
(614) 464-6350 – fax  
skrichards@vssp.com  
cwoneill@vssp.com  
rdschuster@vssp.com

*Counsel for Relators*

Respectfully submitted,

  
MARC DANN (0039425)  
Attorney General of Ohio

BRIAN J. LALIBERTE\* (0071125)

*\*Counsel of Record*

MICHAEL W. DEEMER (0075501)  
FRANK M. STRIGARI (0078377)  
PEARL CHIN (0078810)  
30 East Broad Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215  
(614) 466-8980 – telephone  
(614) 466-5807 – fax  
blaliberte@ag.state.oh.us

*Counsel for Respondent*



PENGAD 800-631-6989  
EXHIBIT  
1

**Governor Ted Strickland**  
Statehouse  
Columbus, Ohio 43215  
614-466-3555

January 8, 2007

Hon. Jennifer Brunner  
Secretary of State  
108 East Broad Street, 16<sup>th</sup> Floor  
Columbus, OH 43215

Dear Secretary of State:

I understand that my predecessor submitted Senate Bill 117 from the 126<sup>th</sup> General Assembly to you during the 10-day gubernatorial "presentment" period for that bill. In that the 10-day presentment period for that bill has not yet concluded, I hereby request that you immediately return the bill to me for my further review.

Sincerely,

A handwritten signature in cursive script that reads "Ted Strickland".

Ted Strickland  
Governor



*Laura P. Clemens*

*Clerk*

EXHIBIT  
2a  
PENNSAD 800-631-6583

January 17, 2007

The Honorable Jennifer Brunner  
Ohio Secretary of State  
180 East Broad Street  
Columbus, Ohio 43215

Dear Secretary Brunner:

Due to a Clerk's error, the wrong version of Am. Sub. H.B. 694 was filed with the Secretary of State's office on January 3, 2007 (file number 181). Attached is the correct version, which should replace the one currently on file.

Pursuant to Ohio Revised Code section 101.53, "(b)ills shall be printed in the exact language in which they were passed, under the supervision of the clerk of the house in which they were originated." O Const II section 15, paragraph (A) "The General Assembly shall enact no law except by bill, and no bill shall be passed without the concurrence of a majority of the members elected to each house."

In order to fulfill the statutory and constitutional obligations of the Clerk, I am submitting the correct version of Am. Sub. H.B. 694.

Sincerely,

*Laura P. Clemens*

Laura P. Clemens  
Clerk  
Ohio House of Representatives

2007 JAN 17 PM 1:48

RECEIVED  
SECRETARY OF STATE  
ELECTIONS WALK-IN



EXHIBIT  
2b  
PENGAD 800-631-6989

RECEIVED  
SECRETARY OF STATE  
ELECTIONS

2004 JUN -9 PM 2: 34

June 9, 2004

The Honorable J. Kenneth Blackwell  
Ohio Secretary of State  
180 East Broad Street  
Columbus, Ohio 43215

Dear Secretary Blackwell:

Due to a Clerk's error, the wrong version of Am. Sub. H.B. 292 was filed with your office on June 3, 2004. Attached is the correct version, which should replace the one currently on file.

Pursuant to Ohio Revised Code section 101.53, "(b)ills shall be printed in the exact language in which they were passed, under the supervision of the clerk of the house in which they were originated." O Const II section 15, paragraph (A) "The General Assembly shall enact no law except by bill, and no bill shall be passed without the concurrence of a majority of the members elected to each house."

In order to fulfill the statutory and constitutional obligations of the Clerk, I am submitting the correct version of Am. Sub. H.B. 292.

Sincerely,



Laura P. Clemens  
Clerk  
Ohio House of Representatives

Cc: The Honorable Bob Taft  
The Honorable Doug White  
The Honorable Larry Householder



Ohio House of Representatives

Laura P. Clemens  
Clerk

Statehouse  
Columbus, Ohio 43215  
telephone: (614) 466-3357  
fax: (614) 644-8744  
e-mail: laura.clemens@ohr.state.oh.us  
www.house.state.oh.us

Ohio House of Representatives



Columbus  
43215

DEAN L. JOHNSON  
Legislative Clerk  
(614) 466-3357

VERN RIFFE  
Speaker of the House

September 16, 1991

The Honorable Robert Taft  
Secretary of State  
State Office Tower  
30 East Broad Street, 14th Floor  
Columbus, Ohio 43215

Dear Mr. Secretary:

Enclosed please find the final printed page of the enrolled version of Am. H.B. No. 410. This page reflects actual action of the General Assembly as evidenced by the House Journal of June 20, 1991, p. 670.

Due to an error on one copy of a committee report received by my office on that day, the addition of Representative Seese's name was omitted.

To ensure that there is no ambiguity in the enrolled act, I am forwarding you the corrected enrolled page.

Sincerely,

Dean L. Johnson  
Legislative Clerk  
Ohio House of Representatives

Enclosure

DLJ/jed

EXHIBIT  
2c  
FENICAD 800-851-0988

Ohio House of Representatives



Columbus  
43215

DEAN L. JOHNSON

Legislative Clerk  
(614) 466-3357

VERN RIFFE  
Speaker of the House

1997 MAY -6 PM 3:48

SECRETARY  
OF STATE

The Honorable Robert Taft  
Secretary of State  
Rhodes Office Tower, 14th Floor  
30 East Broad Street  
Columbus, Ohio 43215

Dear Mr. Secretary,

Enclosed please find printed page number 17 of Am. Sub. H.B. No. 387. This page reflects actual action of the General Assembly as evidenced by the engrossed version of the bill.

Due to a printer's error which the Legislative Clerk's office did not detect in proofing, the enrolled version now before you contains two pages 15 and no page 17.

To ensure that there is no ambiguity in the enrolled act, I am forwarding page 17 to you and ask that you insert this page and remove one of the two pages 15 from the enrolled version.

Very truly yours,

A handwritten signature in cursive script that reads "Dean L. Johnson".

Dean L. Johnson  
Legislative Clerk

SECRETARY  
OF STATE

1992 MAY -6 PM 3:48

Am. Sub. H. B. No. 387

17

**PERSON DID VIOLATE DIVISION (A) OF THIS SECTION, THE DIRECTOR MAY SUSPEND THE PERSON'S CERTIFICATE FOR A PERIOD OF TIME NOT EXCEEDING ONE YEAR AS DETERMINED BY THE DIRECTOR.**

SECTION 2. That existing sections 124.241, 5101.82, 5123.082, 5126.03, 5126.04, 5126.06, 5126.081, 5126.082, 5126.083, 5126.20, and 5126.22 of the Revised Code are hereby repealed.

SECTION 3. Not later than 90 days after the effective date of this act, each county board of mental retardation and developmental disabilities shall submit to the Department of Mental Retardation and Developmental Disabilities a report specifying the number of persons it employs and the position each employee holds.

Not later than one year after the effective date of this act, each county board shall reidentify its service employees in accordance with the positions specified in division (C) of section 5126.22 of the Revised Code.

SECTION 4. A person who applied for a certificate for employment as a professional employee of a county board of mental retardation and developmental disabilities on or after January 1, 1991, and prior to the effective date of this act, who was informed by the Department of Mental Retardation and Developmental Disabilities of the courses of instruction he must successfully complete to meet the Department's standards for certification is not subject to any changes regarding the courses required for certification made after the Department informed him of the courses he must complete. The Department shall grant the applicant at least one year from the effective date of this act to complete the courses and shall not require him to complete more than four courses in any one year. If the applicant does not successfully complete the courses within the time specified by the Department, he is subject to division (E)(2) of section 5126.25 of the Revised Code.

SECTION 5. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that uniform and adequate standards regarding the qualifications of persons employed by county boards of

EXHIBIT  
2e  
PENGAD 800-631-69

# Ohio House of Representatives



SECRETARY  
OF STATE

1990 APR 19 PM 2:25

DEAN L. JOHNSON  
Legislative Clerk  
(614) 466-3357

VERN RIFFE  
Speaker of the House

- Columbus  
43215

April 19, 1990

The Honorable Sherrod Brown  
Secretary of State, State of Ohio  
State Office Tower  
30 East Broad Street, 14th Floor  
Columbus, Ohio 43266-0418

Dear Mr. Secretary:

Enclosed please find printed page number 1 of the enrolled version of House Bill Number 575. This page reflects actual action of the General Assembly as evidenced by the engrossed version of the bill.

Due to a printer's error which the Clerk's office did not detect in proofing, the words "shall be jointly and severally" were mistakenly stricken or not printed in the enrolled version in the eighth line of Ohio Revised Code Section 1701.95(A)(3)(b).

To ensure that there is no ambiguity in the enrolled act, I am forwarding you the corrected enrolled page.

Very truly yours,

Dean L. Johnson  
Legislative Clerk  
Ohio House of Representatives

DLJ/jer

Enclosure

1993 APR 19 PM 2:25

(House Bill Number 575)

## AN ACT

To amend section 1701.95 of the Revised Code to eliminate the personal liability of the directors of a corporation who vote for or assent to the making of a loan to an officer, director, or shareholder under certain circumstances.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1701.95 of the Revised Code be amended to read as follows:

Sec. 1701.95. (A) In addition to any other liabilities imposed by law upon directors of a corporation and except as provided in division (B) of this section, directors who vote for or assent to any of the following:

(1) The payment of a dividend or distribution, the making of a distribution of assets to shareholders, or the purchase or redemption of the corporation's own shares, contrary in any such case to law or the articles;

(2) A distribution of assets to shareholders during the winding up of the affairs of the corporation, on dissolution or otherwise, without the payment of all known obligations of the corporation, or without making adequate provision for their payment;

(3) The making of ~~loans~~ A LOAN, other than in the usual course of business, to an officer, director, or shareholder of the corporation, ~~except~~ OTHER THAN in EITHER OF THE FOLLOWING CASES:

(a) IN the case of a ~~building~~ SAVINGS and loan association or OF a corporation engaged in banking or in the making of loans generally;

(b) AT THE TIME OF THE MAKING OF THE LOAN, A MAJORITY OF THE DISINTERESTED DIRECTORS OF THE CORPORATION VOTED FOR THE LOAN AND, TAKING INTO ACCOUNT THE TERMS AND PROVISIONS OF THE LOAN AND OTHER RELEVANT FACTORS, DETERMINED THAT THE MAKING OF THE LOAN COULD REASONABLY BE EXPECTED TO BENEFIT THE CORPORATION;

shall be jointly and severally liable to the corporation as follows: in cases under division (A)(1) of this section up to the amount of ~~such~~ THE dividend, distribution, or other payment, in excess of the amount that could have been paid or distributed without violation of law or the articles but not in excess of the amount that



DEAN L. JOHNSON  
Legislative Clerk  
(614) 466-3357

VERN RIFFE  
Speaker of the House

Columbus  
43215

June 28, 1990

The Honorable Sherrod Brown  
Secretary of State  
State Office Tower  
30 East Broad Street  
14th Floor  
Columbus, Ohio 43215

Dear Mr. Secertary:

Enclosed please find printed page numbers 1, 4, and backing sheet of the enrolled version of Am. Sub. H. B. No. 446. These pages reflect actual action of the General Assembly as evidenced by the House Journal of June 13, 1990, pages 2173-2180 and the Senate Journal of June 14, 1990, pages 2106-2112.

Due to an error by the Legislative Clerk's Office, a draft version, rather than the final, signed, and journalized version, of the Report of the Committee of Conference was used for preparation of the enrolled version. This draft did not reflect the official actions of the General Assembly, as evidenced by the official record (the journals) of both houses.

To ensure that there is no ambiguity in the enrolled act, I am forwarding you the corrected enrolled pages.

Sincerely,

DEAN L. JOHNSON  
Legislative Clerk  
Ohio House of Representatives

DLJ/lps

Enclosures

(Amended Substitute House Bill Number 446)

## AN ACT

To amend sections 3781.11, 4109.07, 4109.99, 4111.01, 4111.02, 4141.01, and 4141.29 and to enact sections 4109.21 and 4111.021 of the Revised Code to increase, over a two-year period, the state minimum wage from \$2.30 to \$4.25 and the amount payable to tipped employees from \$1.15 to approximately \$2.13, to eliminate the learner wage payable to certain employees, to create a training wage of 85% of the state minimum wage for individuals under 20 years of age payable for a period not to exceed 90 days by one employer, to prohibit the employment of persons sixteen or seventeen years of age before seven a.m. Mondays through Fridays or after eleven p.m. on Sundays through Thursdays or between one a.m. and six a.m. on Saturdays and Sundays of any week that school is in session, to require certain employers who use minors who are under 16 years of age in door-to-door sales to register with the Director of Industrial Relations, to increase the criminal penalties associated with violations of the child labor laws, to base the qualification for unemployment compensation benefits on 20 qualifying weeks that average not less than 27-1/2% of the statewide average weekly wage, effective January 1, 1992, to clarify the workshop and factory exemption from the Board of Building Standards rules regarding additions, to eliminate the training wage effective April 1, 1993, by repealing section 4111.021 of the Revised Code on that date, and to declare an emergency.

ING TO SIX a.m. DURING ANY WEEK THAT SCHOOL IS IN SESSION.

(D) No employer shall employ a minor more than five consecutive hours without allowing the minor a rest period of at least thirty minutes. The rest period need not be included in the computation of the number of hours worked by the minor.

Sec. 4109.21. (A) NO EMPLOYER SHALL EMPLOY ANY MINOR WHO IS UNDER SIXTEEN YEARS OF AGE IN ANY DOOR-TO-DOOR SALES ACTIVITY UNLESS THAT EMPLOYER IS REGISTERED PURSUANT TO THIS SECTION AND OTHERWISE IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER.

(B) TO OBTAIN REGISTRATION AS A DOOR-TO-DOOR EMPLOYER, AN EMPLOYER SHALL APPLY TO THE DIRECTOR OF INDUSTRIAL RELATIONS, ON FORMS PROVIDED BY THE DIRECTOR. THE APPLICATION FORM SHALL INCLUDE ALL OF THE FOLLOWING:

(1) THE NAME, PRINCIPAL BUSINESS ADDRESS, AND TELEPHONE NUMBER OF THE APPLICANT. IF THE APPLICANT IS A PARTNERSHIP OR ASSOCIATION, THE NAMES OF ALL THE MEMBERS ALSO SHALL BE STATED AND, IF THE APPLICANT IS A CORPORATION, THE NAMES OF ITS PRESIDENT AND EACH OF ITS OFFICERS ALSO SHALL BE STATED.

(2) A CERTIFICATION THAT THE APPLICANT AND ITS EMPLOYEES:

(a) ARE IN COMPLIANCE WITH AND WILL COMPLY WITH ALL APPLICABLE OHIO AND FEDERAL LAWS AND REGULATIONS RELATING TO THE EMPLOYMENT OF MINORS;

(b) WILL PROVIDE AT LEAST ONE SUPERVISOR WHO IS OVER THE AGE OF EIGHTEEN, FOR EACH SIX MINOR EMPLOYEES, IS AT ALL TIMES AVAILABLE AND RESPONSIBLE FOR ASSURING THE MINOR'S WELL-BEING, AND WHO REMAINS IN THE GENERAL AREA AND IN VISUAL CONTACT WITH EACH MINOR EMPLOYED IN DOOR-TO-DOOR SALES ACTIVITIES AT LEAST ONCE EVERY TWENTY MINUTES;

(c) WILL REQUIRE ALL MINORS TO WORK AT LEAST IN PAIRS WITH OTHERS WHO ARE ENGAGED IN SUBSTANTIALLY THE SAME ACTIVITY, EMPLOYING INsofar AS POSSIBLE CANVASSING TECHNIQUES THAT KEEP THE PERSONS WORKING IN PAIRS IN CLOSE PROXIMITY AND VIEW OF EACH OTHER;

(d) ARE IN COMPLIANCE WITH OHIO'S MOTOR VEHICLE FINANCIAL RESPONSIBILITY, WORKERS' COMPENSATION, UNEMPLOYMENT COMPENSATION, AND ALL OTHER APPLICABLE LAWS; AND

Am. Sub. H. B. No. 446

36

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

---

*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the  
\_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_\_

---

*Secretary of State.*

File No. \_\_\_\_\_

Effective Date \_\_\_\_\_

# Ohio House of Representatives



WILLIAM W. PFEIFFER  
Legislative Clerk  
(614) 466-3357

VERN RIFFE  
Speaker of the House

Columbus  
43215

July 2, 1987

The Honorable Sherrod Brown  
Secretary of State, State of Ohio  
State Office Tower  
30 East Broad Street  
14th Floor  
Columbus, Ohio 43215

Dear Mr. Secretary:

Enclosed are corrected enrolled pages of Amended Substitute House Bill Number 171. These pages reflect the actual action of the General Assembly as evidenced by the report of the Committee of Conference on Amended Substitute House Bill Number 171.

The hand enrolled version of the bill erroneously contained two conflicting versions of two sections of the Revised Code (Sections 1901.11 and 1907.16). In each case, the unintended version needs to be deleted. The attached presents the corrected versions of the enrolled bill pertaining to these two sections.

Enrolled Act  
Corrected Page Number

- 101
- 101 A
- 101 B
- 101 C
- 101 D
- 101 E
- 101 F

Thank you for your cooperation.

Sincerely,

WILLIAM W. PFEIFFER  
Legislative Clerk  
Ohio House of Representatives

WWP/lps



8889-1-93-008 01/01/83  
EXHIBIT  
2h

# Ohio House of Representatives



**WILLIAM W. PFEIFFER**  
Legislative Clerk  
(614) 466-3357

**Columbus**  
43215

**VERN RIFFE**  
Speaker of the House

October 8, 1987

The Honorable Sherrod Brown  
Secretary of State, State of Ohio  
State Office Tower  
30 East Broad Street, 14th Floor  
Columbus, Ohio 43266-0418

Dear Mr. Secretary:

Enclosed please find printed page number 91 of the enrolled version of Amended Substitute House Bill Number 1. This page reflects actual action of the General Assembly as evidenced by the engrossed version of the bill.

Due to a printer's error which the Clerk's office did not detect in proofing Ohio Revised Code section 2305.33 was mislabeled even though the section was correctly in the title of the bill.

To ensure that there is no ambiguity in the enrolled act, I am forwarding you the corrected enrolled page.

Sincerely,

**WILLIAM W. PFEIFFER**  
Legislative Clerk  
Ohio House of Representatives

WWP/lps

Enclosure

1987 OCT -8 PM 4: 22

SECRETARY  
OF STATE

JUDGMENT BEING RENDERED IN FAVOR OF OR A SETTLEMENT BEING OBTAINED FOR THE CLIENT AND IS EITHER A FIXED AMOUNT OR AN AMOUNT TO BE DETERMINED BY A SPECIFIED FORMULA, INCLUDING, BUT NOT LIMITED TO, A PERCENTAGE OF ANY JUDGMENT RENDERED IN FAVOR OF OR SETTLEMENT OBTAINED FOR THE CLIENT.

(2) "TORT ACTION" MEANS A CIVIL ACTION FOR DAMAGES FOR INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY. "TORT ACTION" INCLUDES A PRODUCT LIABILITY CLAIM THAT IS SUBJECT TO SECTIONS 2307.71 TO 2307.80 OF THE REVISED CODE, BUT DOES NOT INCLUDE A CIVIL ACTION FOR DAMAGES FOR A BREACH OF CONTRACT OR ANOTHER AGREEMENT BETWEEN PERSONS.

(B) IF AN ATTORNEY AND A CLIENT CONTRACT FOR THE PROVISION OF LEGAL SERVICES IN CONNECTION WITH A CLAIM THAT IS OR MAY BECOME THE BASIS OF A TORT ACTION AND IF THE CONTRACT INCLUDES A CONTINGENT FEE AGREEMENT, THAT AGREEMENT SHALL BE REDUCED TO WRITING AND SIGNED BY THE ATTORNEY AND THE CLIENT. THE ATTORNEY SHALL PROVIDE A COPY OF THE SIGNED WRITING TO THE CLIENT.

(C) IF AN ATTORNEY REPRESENTS A CLIENT IN CONNECTION WITH A CLAIM AS DESCRIBED IN DIVISION (B) OF THIS SECTION, IF THEIR CONTRACT FOR THE PROVISION OF LEGAL SERVICES INCLUDES A CONTINGENT FEE AGREEMENT, AND IF THE ATTORNEY BECOMES ENTITLED TO COMPENSATION UNDER THAT AGREEMENT, THE ATTORNEY SHALL PREPARE A SIGNED CLOSING STATEMENT AND SHALL PROVIDE THE CLIENT WITH THAT STATEMENT AT THE TIME OF OR PRIOR TO THE RECEIPT OF COMPENSATION UNDER THAT AGREEMENT. THE CLOSING STATEMENT SHALL SPECIFY THE MANNER IN WHICH THE COMPENSATION OF THE ATTORNEY WAS DETERMINED UNDER THAT AGREEMENT, ANY COSTS AND EXPENSES DEDUCTED BY THE ATTORNEY FROM THE JUDGMENT OR SETTLEMENT INVOLVED, ANY PROPOSED DIVISION OF THE ATTORNEY'S FEES, COSTS, AND EXPENSES WITH REFERRING OR ASSOCIATED COUNSEL, AND ANY OTHER INFORMATION THAT THE ATTORNEY CONSIDERS APPROPRIATE.

SECTION 2. That existing sections 1107.17, 1107.18, 1151.34, 1775.14, 2125.02, 2307.31, 2307.32, 2307.60, 2309.01, 2315.18, 2315.19, 2317.02, 2323.51, 3901.04, 3901.17, 3901.19, 3901.20, 3901.22, 3901.99, 3905.47, 3929.482, 3929.85, 3935.04, 3935.05, 3937.03, 3937.04, 3937.18, 3941.02, 4507.07, and 4513.263 and section 2305.33 of the Revised Code are hereby repealed.

SECTION 3. (A) The provisions of the amendments to sections 1775.14, 2125.02, 2307.31, 2307.32, 2307.60, 2309.01, 2315.18, 2315.19, 2317.02,

# Ohio House of Representatives



**VERNAL G. RIFFE, JR.**  
SPEAKER  
OF THE HOUSE

**Columbus**  
43215

**THOMAS R. WINTERS**  
LEGISLATIVE CLERK  
OF THE HOUSE  
(614) 466-3337

EXHIBIT  
2i  
PENGAD 800-631-8889

The Honorable Ted W. Brown  
Secretary of State  
State Office Tower  
Columbus, Ohio 43215

Dear Mr. Secretary:

Attached is an accurate page 25 of the enrolled Amended Substitute House Bill No. 205 -- Municipal Court Bill. Through a printer's error which the clerk's office did not detect in proofing, in the sixth (6th) paragraph of the enrolled bill, the second line was dropped down from the previous paragraph. Thus, the error added a new full-time judge to the Washington Court House municipal court which was not the intent.

This page corresponds to the engrossed bill, pages 38 and 39, lines 1108 and 1109. The corrected page has been approved by the Speaker of the House of Representatives, the President of the Senate, and the Governor.

Sincerely,

THOMAS R. WINTERS  
Legislative Clerk

TRW/rkf

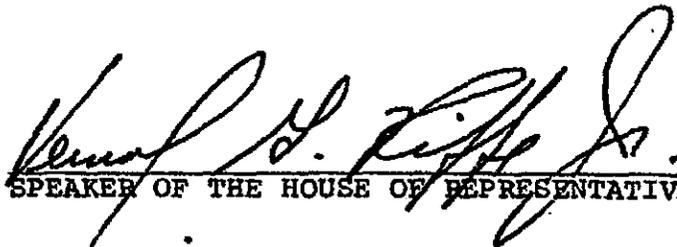


**RECEIVED**  
OCT 20 1975  
TED W. BROWN  
SECRETARY OF STATE

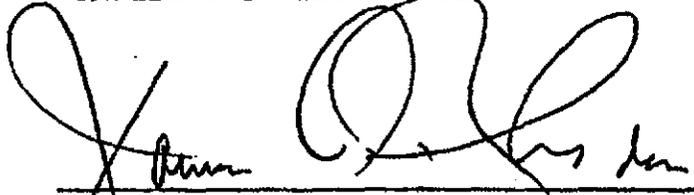
October 14, 1975

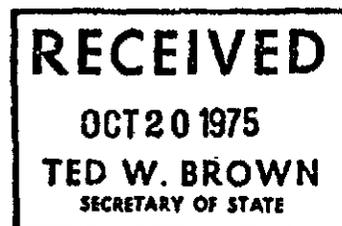
The Honorable Ted W. Brown  
Secretary of State  
State Office Tower  
Columbus, Ohio 43215

The undersigned hereby approve the insertion of corrected page 25 of the Amended Substitute House Bill No. 205 --Municipal Court Bill-- in which a line was dropped down from the previous paragraph during printing. This page corresponds to pages 38 and 39 of the engrossed bill as filed with the Secretary of State.

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
PRESIDENT OF THE SENATE

  
GOVERNOR



In the Vandalia municipal court, one full-time judge shall be elected in 1959.

In the Van Wert municipal court, one full-time judge shall be elected in 1957.

In the Vermillion municipal court, one part-time judge shall be elected in 1965.

**IN THE WADSWORTH MUNICIPAL COURT, ONE FULL-TIME JUDGE SHALL BE ELECTED IN 1976, BUT SHALL SERVE ONLY UNTIL DECEMBER 31, 1981. ONE FULL-TIME JUDGE SHALL BE ELECTED IN 1981.**

In the Warren municipal court, one full-time judge shall be elected in 1951, AND ONE FULL-TIME JUDGE IN 1971.

In the Washington Court House municipal court, one part-time judge shall be elected in 1951.

**IN THE WAYNE COUNTY MUNICIPAL COURT, ONE FULL-TIME JUDGE SHALL BE ELECTED IN 1976, AND ANOTHER FULL-TIME JUDGE SHALL BE ELECTED IN 1975, BUT SHALL SERVE ONLY UNTIL DECEMBER 31, 1979. ONE FULL-TIME JUDGE SHALL BE ELECTED IN 1979.**

In the Willoughby municipal court, one full-time judge shall be elected in 1951.

In the Wilmington municipal court, one part-time judge shall be elected in 1959.

In the Wooster municipal court, one full time judge shall be elected in 1951.

In the Xenia municipal court, one part-time FULL-TIME judge shall be elected in 1953 1977.

Notwithstanding section 1901.05 of the Revised Code, in the Youngstown municipal court, one FULL-TIME judge shall be elected in 1951, and two FULL-TIME judges shall be elected in 1953, their terms to commence on successive days beginning on the first day of January next after the election. All Youngstown municipal court judges shall be full-time judges.

In the Zanesville municipal court, one full-time judge shall be elected in 1953.

Changes in this section shall not affect the existence or term of the office of a judge elected pursuant to section 1901.05 of the Revised Code, solely because such judgeship is not reflected in later amendments of this section.

**Sec. 1901.09. In a municipal court having twelve or more judges, one of such judges shall be designated as a chief justice, who shall be elected as such under section 1901.07 of the Revised Code.**

**(A) In a municipal court having two judges, the judge whose term next expires shall be designated as the presiding judge.**

**(B) In a municipal court having three to eleven OR MORE judges, the presiding judge shall be selected by the respective**

**RECEIVED**

**OCT 20 1975**

**TED W. BROWN**

**SECRETARY OF STATE**

EXHIBIT  
2j

# Ohio House of Representatives



TY D. MARSH  
Legislative Clerk  
(614) 466-3357

VERN RIFFE  
Speaker  
Of The House

Columbus

43215

December 16, 1985

The Honorable Sherrod Brown  
Secretary of State  
30 East Broad Street  
Columbus, Ohio 43215

Dear Mr. Secretary:

Enclosed are corrected enrolled pages of Sub. H. B. No. 435. These pages reflect the actual action of the General Assembly as evidenced by the engrossed version of the bill.

Due to a computer printing malfunction, certain lines of the enrolled bill were not printed and columns were not aligned. In addition, specific words and punctuation, which were not stricken in the engrossed bill, were inadvertently stricken in the enrolled act.

To ensure no ambiguity in the enrolled act, I am forwarding you the corrected enrolled pages. The enrolled page numbers and corresponding engrossed bill line numbers are as follows:

<u>Enrolled Act</u> <u>Page Number</u>	<u>Engrossed Bill</u> <u>Line Number</u>
14	20.34
23	32.14-32.15
23	32.18-33.26
38	53.9
39	53.31, 54.15
41	57.19-57.19a
58	80.32
59	82.36
61	85.18

Sincerely yours,

TY D. MARSH  
Legislative Clerk  
Ohio House of Representatives



buildings, such buildings shall be substantially in compliance with the requirements of local building codes for public schools IN A PLACE OR RESIDENCE OTHER THAN A CHILD'S OWN HOME.

(B) "CHILD DAY-CARE SERVICES" MEANS CHILD DAY-CARE SERVICES AS DEFINED IN SECTION 5107.25 OF THE REVISED CODE.

(C) "Child day-care center" means AND "CENTER" MEAN any place in which child day-care is provided, WITH OR WITHOUT COMPENSATION, for five THIRTEEN or more infants, toddlers, pre-school children, or school-age children outside of school hours in average daily attendance, other than the children of the owner or administrator of the center, with or without compensation AT ONE TIME OR ANY PLACE THAT IS NOT THE PERMANENT RESIDENCE OF THE LICENSEE OR ADMINISTRATOR IN WHICH CHILD DAY-CARE IS PROVIDED, WITH OR WITHOUT COMPENSATION, FOR SEVEN TO TWELVE CHILDREN AT ONE TIME. IN COUNTING CHILDREN FOR THE PURPOSES OF THIS DIVISION, ANY CHILDREN UNDER SIX YEARS OF AGE WHO ARE RELATED TO A LICENSEE, ADMINISTRATOR, OR EMPLOYEE AND WHO ARE ON THE PREMISES OF THE CENTER SHALL BE COUNTED.

(C) "Part-time child day-care center" means a child day-care center which does not care for any child for more than four hours on any day of the week.

(D) "Average daily attendance" means the maximum number of children cared for at any one time each day the center is in operation during a quarter-year period, divided by the number of days the center is in operation TYPE A FAMILY DAY-CARE HOME" AND "TYPE A HOME" MEAN A PERMANENT RESIDENCE OF THE ADMINISTRATOR IN WHICH CHILD DAY-CARE IS PROVIDED FOR SEVEN TO TWELVE CHILDREN AT ONE TIME OR A PERMANENT RESIDENCE OF THE ADMINISTRATOR IN WHICH CHILD DAY-CARE IS PROVIDED FOR FOUR TO TWELVE CHILDREN AT ONE TIME IF FOUR OR MORE CHILDREN AT ONE TIME ARE UNDER TWO YEARS OF AGE. IN COUNTING CHILDREN FOR THE PURPOSES OF THIS DIVISION, ANY CHILDREN UNDER SIX YEARS OF AGE WHO ARE RELATED TO A LICENSEE, ADMINISTRATOR, OR EMPLOYEE AND WHO ARE ON THE PREMISES OF THE TYPE A HOME SHALL BE COUNTED. "TYPE A FAMILY DAY-CARE HOME" DOES NOT INCLUDE A RESIDENCE IN WHICH THE NEEDS OF CHILDREN ARE ADMINISTERED TO, IF ALL OF THE CHILDREN WHOSE NEEDS ARE BEING ADMINISTERED

**MAXIMUM GROUP SIZE, BY AGE CATEGORY OF CHILDREN, ARE AS FOLLOWS:**

AGE CATEGORY OF CHILDREN	MAXIMUM NUMBER OF CHILDREN PER CHILD-CARE STAFF MEMBER	MAXIMUM GROUP SIZE
(a) INFANTS (i) LESS THAN TWELVE MONTHS OLD	5:1, OR 12:2 IF TWO CHILD-CARE STAFF MEMBERS ARE IN THE ROOM	12
(ii) AT LEAST TWELVE MONTHS OLD, BUT LESS THAN EIGHTEEN MONTHS OLD	6:1	12
(b) TODDLERS		
(i) AT LEAST EIGHTEEN MONTHS OLD, BUT LESS THAN THIRTY MONTHS OLD	7:1	14
(ii) AT LEAST THIRTY MONTHS OLD, BUT LESS THAN THREE YEARS OLD	8:1	16
(c) PRE-SCHOOL CHILDREN		
(i) THREE YEARS OLD	12:1	24
(ii) FOUR YEARS OLD AND FIVE YEARS OLD WHO ARE NOT SCHOOL CHILDREN	14:1	28
(d) SCHOOL CHILDREN		
(i) A CHILD WHO IS ENROLLED IN OR IS ELIGIBLE TO BE ENROLLED IN A GRADE OF KINDERGARTEN OR ABOVE, BUT IS LESS THAN ELEVEN YEARS OLD	18:1	36
(ii) ELEVEN THROUGH FOURTEEN YEAR OLD CHILDREN	20:1	40

**EXCEPT AS OTHERWISE PROVIDED IN DIVISION (E) OF THIS SECTION, THE MAXIMUM NUMBER OF CHILD-**

THE REVISED CODE AND OF RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE SHALL APPLY TO ANY EXEMPT CHILD DAY-CARE CENTER OR TYPE A HOME THAT APPLIES FOR A LICENSE UNDER DIVISION (A) OF THIS SECTION. LICENSURE PURSUANT TO THIS DIVISION CONSTITUTES AN IRREVOCABLE WAIVER OF THE EXEMPT STATUS OF THE APPLICANT UNDER DIVISION (B) OF THIS SECTION.

Sec. 5104.03. ~~Every person, firm, organization, corporation, or agency operating a child day-care center on January 1, 1970 and after such date any (A) ANY person, firm, organization, corporation~~ INSTITUTION, or agency desiring to establish a child day-care center OR TYPE A FAMILY DAY-CARE HOME shall apply for a license to the director of public welfare HUMAN SERVICES on such form as the director prescribes. THE DIRECTOR SHALL PROVIDE AT NO CHARGE TO EACH APPLICANT FOR LICENSURE A COPY OF THE DAY-CARE LICENSE REQUIREMENTS IN CHAPTER 5104. OF THE REVISED CODE AND OF THE RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE. The director shall mail application forms for renewal of license at least ~~ninety~~ ONE HUNDRED TWENTY days prior to the date of expiration of the license, and the application for renewal shall be filed with the director at least sixty days before the date of expiration. A fee of one hundred dollars FEES shall be SET BY THE DIRECTOR PURSUANT TO SECTION 5104.011 OF THE REVISED CODE AND SHALL BE paid at the time of application for OR RENEWAL OF a license to operate a child day care center having both morning and afternoon programs and an average daily attendance of thirty or more and a fee of fifty dollars shall be paid at the time of application for a license to operate any other child day-care center. A fee of twenty-five dollars shall be paid at the time of application for renewal of a license OR TYPE A HOME. Fees collected under this section shall be paid into the state treasury to the credit of the general revenue fund.

When a delay in issuance of a license or renewal to a center which has made application and paid the required fee is occasioned by defects which are subsequently corrected, the center is eligible for licensure or renewal of license without the payment of any additional fee unless, because of a change in the program or average daily attendance of a center applying for initial licensure, the center is reclassified as a center required to pay the one hundred dollar fee under this section, in which case the additional amount of fifty dollars shall be paid before the license is issued or renewed.

(B) Upon filing of the application for a license or application for renewal, in proper order, the director or his representative shall examine INVESTIGATE AND INSPECT the child day-care center OR TYPE A HOME to determine THE LICENSE CAPACITY FOR EACH AGE CATEGORY OF CHILDREN OF THE CENTER OR TYPE A HOME AND TO DETERMINE whether THE CENTER or not the requirements of TYPE A HOME COMPLIES WITH Chapter 5104. of the Revised Code are met AND RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE. When, after examination INVESTIGATION AND INSPECTION, the director is satisfied that such requirements CHAPTER 5104. OF THE REVISED CODE AND RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE are complied with, a PROVISIONAL license shall be issued AS SOON AS PRACTICABLE in such form and manner as prescribed by the director and THE PROVISIONAL LICENSE shall be valid for one year SIX MONTHS from the date of issuance unless revoked. The director may issue a provisional child day-care center license for a specified period of less than one year to allow a center reasonable time to become eligible for a regular license.

(C) THE DIRECTOR SHALL INVESTIGATE AND INSPECT THE CENTER OR TYPE A HOME AT LEAST ONCE DURING OPERATION UNDER THE PROVISIONAL LICENSE. IF AFTER THE INVESTIGATION AND INSPECTION THE DIRECTOR DETERMINES THAT THE REQUIREMENTS OF CHAPTER 5104. OF THE REVISED CODE AND RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE ARE MET, THE DIRECTOR SHALL ISSUE A LICENSE TO BE EFFECTIVE FOR TWO YEARS FROM THE DATE OF ISSUANCE OF THE PROVISIONAL LICENSE.

(D) UPON THE FILING OF AN APPLICATION FOR RENEWAL OF A LICENSE BY THE CENTER OR TYPE A HOME, THE DIRECTOR SHALL INVESTIGATE AND INSPECT THE CENTER OR TYPE A HOME. IF THE DIRECTOR DETERMINES THAT THE REQUIREMENTS OF CHAPTER 5104. AND RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE ARE MET, THE DIRECTOR SHALL RENEW THE LICENSE TO BE EFFECTIVE FOR TWO YEARS FROM THE EXPIRATION DATE OF THE PREVIOUS LICENSE.

(E) The license or provisional license shall state the name of the owner LICENSEE, the name of the administrator, the address of the center OR TYPE A HOME, and the autho-

DIRECTOR WITH RESPECT TO LICENSING CENTERS OR TYPE A HOMES, RENEWING A LICENSE, REFUSAL TO LICENSE OR RENEW A LICENSE, AND REVOCATION OF A LICENSE SHALL BE IN ACCORDANCE WITH CHAPTER 119. OF THE REVISED CODE. ANY APPLICANT WHO IS DENIED A LICENSE OR ANY OWNER WHOSE LICENSE IS NOT RENEWED OR IS REVOKED MAY APPEAL IN ACCORDANCE WITH SECTION 119.12 OF THE REVISED CODE.

Sec. 5104.04. (A) The director of public welfare HUMAN SERVICES shall establish procedures to be followed in INVESTIGATING, inspecting, and licensing child day-care centers AND TYPE A FAMILY DAY-CARE HOMES.

(B) The director or his representative shall annually, or more often if in his judgment necessary, examine each center operating in the state AT LEAST TWICE DURING EVERY TWELVE-MONTH PERIOD OF OPERATION OF A CENTER OR TYPE A HOME, INSPECT THE CENTER OR TYPE A HOME AND PROVIDE A WRITTEN INSPECTION REPORT TO THE LICENSEE WITHIN A REASONABLE TIME AFTER EACH INSPECTION.

AT LEAST ONE INSPECTION SHALL BE UNANNOUNCED AND ALL INSPECTIONS MAY BE UNANNOUNCED. No person, firm, organization, corporation INSTITUTION, or agency shall interfere with the inspection of a child day-care center OR TYPE A HOME by any state or local official when he is performing duties required of him by Chapter 5104. of the Revised Code OR RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE, INCLUDING INSPECTING THE CENTER OR TYPE A HOME, REVIEWING RECORDS, OR INTERVIEWING LICENSEES, EMPLOYEES, CHILDREN, OR PARENTS.

UPON RECEIPT OF ANY COMPLAINT THAT A CENTER OR TYPE A HOME IS OUT OF COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 5104. OF THE REVISED CODE OR RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE, THE DIRECTOR SHALL INVESTIGATE AND MAY INSPECT A CENTER OR TYPE A HOME.

(C) IN THE EVENT A LICENSED CENTER OR TYPE A HOME IS DETERMINED TO BE OUT OF COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 5104. OF THE REVISED CODE OR RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE, THE DIRECTOR SHALL NOTIFY THE LICENSEE OF THE CENTER OR TYPE A HOME IN WRITING REGARDING THE NATURE OF

AIDE pursuant to division (C) (D) of section 5107.28 of the Revised Code, which may vary from county to county according to variations in the cost of day-care CHILD DAY-CARE SERVICES;

(E) Adopt PROMULGATE RULES ESTABLISHING minimum standards of care PURSUANT TO CHAPTER 5104. OF THE REVISED CODE AND RULES PROMULGATED PURSUANT TO CHAPTER 5104. OF THE REVISED CODE and measurements thereof PURSUANT TO SECTIONS 5107.25 TO 5107.30 OF THE REVISED CODE for the provision of child day-care services by private IN CHILD DAY-CARE CENTERS, TYPE A FAMILY DAY-CARE HOMES, AND CERTIFIED TYPE B FAMILY day-care homes and private industrial day-care providers BY IN-HOME AIDES.

Funds received under sections 5107.25 to 5107.30 of the Revised Code shall be deposited in the state treasury to the credit of the day-care assistance fund, which is hereby created.

Sec. 5107.27. Funds may be appropriated to the state department of public welfare HUMAN SERVICES to assist low-income families to meet the cost of child day-care services. Child day-care services are subject to state reimbursement under sections 5107.25 to 5107.30 AND RULES PROMULGATED PURSUANT TO SECTIONS 5107.25 TO 5107.30 of the Revised Code only under either ANY of the following conditions:

(A) The CHILD IS UNDER THE AGE OF FIFTEEN, THE caretaker parent is employed full-time OR PART-TIME or enrolled in and participating in a training program to prepare for full-time employment, approved by the department, AND THE FAMILY IS RECEIVING PUBLIC ASSISTANCE OR IS ELIGIBLE FOR PUBLIC ASSISTANCE UNDER CHAPTER 5107. OR THE FAMILY IS ELIGIBLE FOR CHILD DAY-CARE SERVICES UNDER SECTION 5101.46 OF THE REVISED CODE; either employment or participation in a training program IS to be verified by the county department of welfare HUMAN SERVICES and the family is receiving public assistance or is eligible for public assistance under Chapter 5107. of the Revised Code. Subject to the availability of funds, the department may authorize the purchase of child day-care services for the children of additional caretaker parents whose income is insufficient to pay for suitable care.

(B) The child IS UNDER THE AGE OF EIGHTEEN AND has been determined to be physically handicapped, mentally retarded, or mentally ill under division (A) of section 5107.25 of the Revised Code, or AND THE FAMILY IS RECEIVING PUBLIC ASSISTANCE OR IS ELIGIBLE FOR

PUBLIC ASSISTANCE UNDER CHAPTER 5107. OF THE REVISED CODE OR THE FAMILY IS ELIGIBLE FOR CHILD DAY-CARE SERVICES UNDER SECTION 5101.46 OF THE REVISED CODE. DETERMINATION OF A PHYSICAL HANDICAP SHALL BE MADE BY THE COUNTY DEPARTMENT OF HUMAN SERVICES. DETERMINATION OF MENTAL RETARDATION SHALL BE DONE BY A COMPREHENSIVE EVALUATION AS DEFINED IN DIVISION (C) OF SECTION 5123.01 OF THE REVISED CODE, TO BE CARRIED OUT BY THE BOARD OF EDUCATION OF THE SCHOOL DISTRICT IN WHICH THE CHILD RESIDES IN ACCORDANCE WITH SECTION 3323.03 OF THE REVISED CODE. DETERMINATION OF MENTAL ILLNESS SHALL BE MADE BY A MENTAL HEALTH CLINICAL FACILITY AS DEFINED IN DIVISION (H) OF SECTION 5122.01 OF THE REVISED CODE.

(C) THE CHILD IS UNDER THE AGE OF EIGHTEEN AND HAS BEEN DETERMINED BY THE COUNTY DEPARTMENT OF HUMAN SERVICES OR THE CHILDREN'S SERVICES BOARD to require protective day-care services UNDER SECTION 5101.46 OF THE REVISED CODE.

Child day-care services are subject to state reimbursement only if the facility in which the child receives care is a child day-care center OR TYPE A FAMILY DAY-CARE HOME licensed by the state department of ~~public welfare~~ HUMAN SERVICES PURSUANT TO SECTION 5104.03 OF THE REVISED CODE, or a ~~private~~ TYPE B FAMILY DAY-CARE home which meets minimum standards adopted CERTIFIED by the COUNTY department for the operation of day-care homes OF HUMAN SERVICES PURSUANT TO SECTION 5104.11 OF THE REVISED CODE, or, if no child day-care center or day-care home is available which meets minimum standards, care is provided in the child's own home by an individual day-care provider IN-HOME AIDE, who meets minimum standards adopted by the department HAS BEEN CERTIFIED BY THE COUNTY DEPARTMENT OF HUMAN SERVICES PURSUANT TO SECTION 5104.12 OF THE REVISED CODE.

(D) ANY CARETAKER PARENT ON WHOSE BEHALF THE DEPARTMENT OF HUMAN SERVICES IS MAKING CHILD DAY-CARE SERVICES PAYMENTS AND WHOSE STATUS WITH RESPECT TO EMPLOYMENT OR JOB TRAINING PARTICIPATION IS CHANGED SHALL REPORT THE CHANGE TO THE COUNTY DEPARTMENT OF HUMAN SERVICES.

Sec. 5107.28. The county ~~welfare~~ department OF HUMAN SERVICES shall, with respect to sections 5107.25 to 5107.30 of the Revised Code:

**CERTIFIED TYPE B FAMILY DAY-CARE HOME, AND THE IN-HOME AIDE providing CHILD day-care services for families eligible for assistance under sections 5107.25 to 5107.30, inclusive, of the Revised Code AND THE RULES PROMULGATED PURSUANT TO SECTIONS 5107.25 to 5107.30 OF THE REVISED CODE shall keep a record for each eligible child, to be made available to the county department of ~~welfare~~ HUMAN SERVICES or the state department of ~~public welfare~~ HUMAN SERVICES on request. The record shall include:**

- (A) The name and date of birth of the child;
- (B) The names and addresses of his parents or guardian;
- (C) The name and address of the training program or place of employment of the parent or parents;
- (D) The hours of attendance of **FOR WHICH CHILD DAY-CARE SERVICES HAVE BEEN PROVIDED FOR the child;**
- (E) Any other information required by the COUNTY DEPARTMENT OF HUMAN SERVICES OR THE state department of ~~public welfare~~ HUMAN SERVICES.

**Sec. 5107.30. Any caretaker parent on whose behalf the department of public welfare is making day-care assistance payments and whose status with respect to employment or job training participation is changed shall report the change to the county department of welfare.**

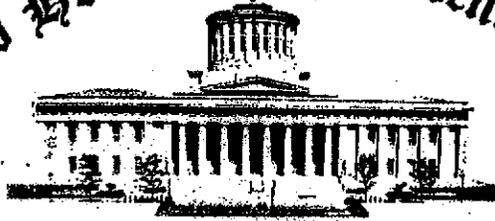
**The department OF HUMAN SERVICES may withhold any money due under sections 5107.25 to 5107.30, inclusive, of the Revised Code if evidence exists of less than full compliance with the provisions of sections 5107.25 to 5107.30, inclusive, of the Revised Code and rules and regulations of the state department of ~~public welfare~~ PROMULGATED PURSUANT TO SECTIONS 5107.25 TO 5107.30 OF THE REVISED CODE.**

**SECTION 2. That existing sections 3732.01, 3737.22, 3737.83, 3781.06, 3781.10, 5104.01, 5104.02, 5104.03, 5104.04, 5104.05, 5104.051, 5104.07, 5104.08, 5104.99, 5107.25, 5107.26, 5107.27, 5107.28, 5107.29, and 5107.30 and sections 5104.06 and 5104.061 of the Revised Code are hereby repealed.**

**SECTION 3. Sections 1, 2, and 4 of this act shall take effect on September 1, 1986, except that the additional rule-making authority granted in Section 1 of this act may be exercised prior to September 1, 1986, but with the date of such rules not to be effective prior to September 1, 1986.**

**Licenses of centers currently licensed by the Department of Human Services on September 1, 1986, shall continue to operate under that license, unless revoked, until its expiration, subject to the requirements for centers and type A homes as enacted by this act.**

# Ohio House of Representatives



Columbus  
43215

January 19, 1984

The Honorable Sherrod Brown  
Secretary of State  
30 East Broad Street  
Columbus, Ohio 43215

Dear Mr. Secretary:

Enclosed is the corrected page seven of the enrolled version of House Bill No. 105. This page reflects the actual action of the Legislature as evidenced by the engrossed version of the bill.

Due to a computer printing malfunction, certain words were not printed in the enrolled version. Lines 9.21 and 9.22 of the engrossed bill clearly show the complete wording.

To ensure that there is no ambiguity in the enrolled act, I am forwarding you the corrected enrolled page.

Sincerely yours,

Ty D. Marsh  
Legislative Clerk  
Ohio House of Representatives

Enclosure

TDM/tab

RECEIVED  
JAN 19 1984  
SHERROD BROWN  
SECRETARY OF STATE

**(2) THE PARTICULAR LOCATION AND PROPOSED USE DESIGNATED IN THE PETITION THAT WAS FILED UNDER SECTION 4301.352 OF THE REVISED CODE.**

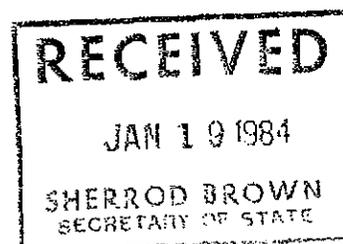
In the event an application for recount is filed with the board of elections pursuant to section 3515.02 of the Revised Code or if an election contest is commenced pursuant to section 3515.09 of the Revised Code, the board of elections shall send written notice of the recount or contest, by certified mail, to the director of liquor control within two days from the date of the filing of the application for recount or the commencement of an election contest. Upon the final determination of an election recount or contest, the board of elections shall send notice of the final determination, by certified mail, to the director of liquor control and the liquor control commission.

If, as the result of a local option election, the use of a permit is made partially unlawful, the department shall, within thirty days after receipt of the final notice of the result of the election, pick up and amend the permit by inserting appropriate restrictions on the permit, and forthwith reissue the permit without charge or refund to the permit holder.

If, as the result of a local option election, except a local option election held pursuant to section 4301.352 of the Revised Code, the use of a permit is made wholly unlawful, the permit holder may, within thirty days after the certification of such final result by the board of elections to the department, deliver his permit to the department for safekeeping as provided in section 4303.272 of the Revised Code.

If a municipal corporation or township has been paid all the moneys due it from permit fees under section 4301.30 of the Revised Code, it shall refund to the department ninety per cent of the money attributed to the unexpired portion of all permits which are still in force at the time of a local option election that makes use of the permits unlawful, except that no refund shall be made for the unexpired portion of a license year that is less than thirty days. Failure of the municipal corporation or township to refund the amount due entitles the permit holders to operate under their permits until the refund has been made.

If a municipal corporation or township has been paid all the money due it from permit fees under section 4301.30 of the Revised Code, it shall refund to the department ninety per cent of the money attributable to the unexpired portion of a permit at the time a local option election under section 4301.352 of the Revised Code makes use of the permit unlawful, except that no refund shall be made for the unexpired portion of a license year that is less than thirty days. Failure of the municipal corporation or township to refund the amount due entitles the permit



# Ohio House of Representatives



**Columbus** Filed in the Office of the Secretary  
43215 of State at Columbus, Ohio  
July 8, 1983

7-8-83..... 5:15  
*John Adams*

The Honorable Sherrod Brown  
Secretary of State  
30 E. Broad Street, 14th Floor  
Columbus, Ohio 43215

Dear Mr. Secretary:

Enclosed are corrected pages of the enrolled version of Amended Substitute House Bill No. 291 - the Biennial Appropriations. These pages reflect the actual action of the Legislature as evidenced by the engrossed version of the bill and the Conference Committee Report contained in the House and Senate Journals for June 30, 1983.

Due to a computer printing malfunction, certain words that were stricken in the engrossed bill and Conference Committee Report were not wholly stricken in the enrolled act. The mechanical printer struck through the spaces between the words without striking the words. The engrossed bill and Conference Committee Report clearly show that the words were stricken.

To ensure that there is no ambiguity in the enrolled act, I am forwarding to you the corrected enrolled pages. The enrolled page numbers and corresponding engrossed bill line numbers are as follows:

<u>Enrolled Act</u> <u>Page Number</u>	<u>Engrossed Bill</u> <u>Line Number</u>	<u>Enrolled Act</u> <u>Page Number</u>	<u>Engrossed Bill</u> <u>Line Number</u>
44	83.14	249	469.14
48	91.9	252	475.29
58	109.25	280	527.33
65	122.17 & 122.27	312	589.13
139	261.19 & 262.8	313	591.12
161	303.1	314	593.22
162	304.19	323	613.12
191	358.35	339	643.13 & 643.15
195	367.12	358	679.1
203	382.2	370	702.36
206	386.30	376	714.10
218	411.17		

Sincerely yours,  
*Ty D. Marsh*

Ty D. Marsh  
Legislative Clerk  
Ohio House of Representatives

Ohio House of Representatives



Columbus  
43215

December 6, 1983

The Honorable Sherrod Brown  
Secretary of State  
30 East Broad Street  
Columbus, Ohio 43215

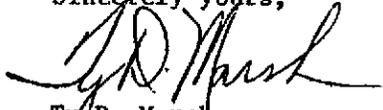
Dear Mr. Secretary:

Enclosed is the corrected page two of the enrolled version of House Bill No. 425. This page reflects the actual action of the Legislature as evidenced by the engrossed version of the bill.

Due to a computer printing malfunction, certain words were either mistakenly stricken or not printed in the enrolled version. Lines 3.11 through 3.14 of the engrossed bill clearly show the complete wording including the correct stricken language.

To ensure that there is no ambiguity in the enrolled act, I am forwarding you the corrected enrolled page.

Sincerely yours,



Ty D. Marsh  
Legislative Clerk  
Ohio House of Representatives

Enclosure

TDM/jed

RECEIVED  
DEC 6 1983  
SHERROD BROWN  
SECRETARY OF STATE

Ohio House of Representatives



Columbus  
43215

September 13, 1984

The Honorable Sherrod Brown  
Secretary of State  
30 East Broad Street  
Columbus, Ohio 43215

Dear Mr. Secretary:

Enclosed is the fully printed page 8 of the enrolled version of House Bill Number 183. This bill reflects the actual action of the Legislature as evidenced by the engrossed version of the bill.

During final printing of the bill, the printing machine did not print the last line of the page nor fully print the next to last line.

To ensure that there is no ambiguity in the enrolled act, I am forwarding you the corrected enrolled bill.

Sincerely yours,

A handwritten signature in cursive script that reads "Ty D. Marsh".

Ty D. Marsh  
Legislative Clerk  
Ohio House of Representatives

Enclosure

TDM/tb

PENGAD 800-631-6968

EXHIBIT

2n

Act/Run

The judge of the court of common pleas may select any ~~qualified elector~~, **PERSON WHO SATISFIES THE QUALIFICATIONS OF A JUROR AND** whose name is not included in the annual jury list or on a ballot deposited in the jury wheel or automation data processing storage drawer, or whose name is not contained in an automated data processing information storage device, to preside as foreman of the grand jury, in which event the grand jury shall consist of the foreman so selected and fourteen additional grand jurors selected from the jury wheel or by use of the automation data processing equipment and procedures in the manner provided in this section.

Sec. 4507.06. (A) Every application for an operator's or chauffeur's license or motorcycle operator's license or endorsement, or duplicate of any such license or endorsement shall be made upon the approved form furnished by the registrar of motor vehicles and shall be signed by the applicant.

Every application shall state the following:

(1) The name, date of birth, social security account number if such has been assigned, sex, general description, including height, weight, color of hair, and eyes, residence and business address, **INCLUDING COUNTY OF RESIDENCE, DURATION OF RESIDENCE IN THIS STATE, COUNTRY OF CITIZENSHIP,** and occupation of the applicant;

(2) Whether the applicant has previously been licensed as an operator, chauffeur, or motorcycle operator, and if so, when, and by what state, and whether such license is suspended or revoked at the present time, and if so, the date of and reason for ~~such~~ **THE** suspension or revocation;

(3) Whether the applicant is now or has ever been afflicted with epilepsy, or whether the applicant is now suffering from any physical or mental disability or disease, and if so, the nature and extent ~~thereof~~ **OF THE DISABILITY OR DISEASE,** giving the names and addresses of physicians then or previously in attendance upon the applicant;

(4) Whether an applicant for a duplicate operator's license, duplicate chauffeur's license, or duplicate license containing a motorcycle operator endorsement has pending a citation for violation of any motor vehicle law or ordinance, a description of any such citation pending, and the date of ~~such~~ **THE** citation;

(5) Whether or not the applicant wishes to certify willingness to make an anatomical donation under section 2108.04 of the Revised Code, which shall be given no consideration in the issuance of a license or endorsement.

Every applicant for an operator's or chauffeur's license shall be photographed in color at the time the application for ~~such~~ **THE** license is made. ~~Said~~ **THE** application shall state

LP

The judge of the court of common pleas may select any ~~qualified elector~~, PERSON WHO SATISFIES THE QUALIFICATIONS OF A JUROR AND whose name is not included in the annual jury list or on a ballot deposited in the jury wheel or automation data processing storage drawer, or whose name is not contained in an automated data processing information storage device, to preside as foreman of the grand jury, in which event the grand jury shall consist of the foreman so selected and fourteen additional grand jurors selected from the jury wheel or by use of the automation data processing equipment and procedures in the manner provided in this section.

Sec. 4507.06. (A) Every application for an operator's or chauffeur's license or motorcycle operator's license or endorsement, or duplicate of any such license or endorsement shall be made upon the approved form furnished by the registrar of motor vehicles and shall be signed by the applicant.

Every application shall state the following:

(1) The name, date of birth, social security account number if such has been assigned, sex, general description, including height, weight, color of hair, and eyes, residence and business address, INCLUDING COUNTY OF RESIDENCE, DURATION OF RESIDENCE IN THIS STATE, COUNTRY OF CITIZENSHIP, and occupation of the applicant;

(2) Whether the applicant has previously been licensed as an operator, chauffeur, or motorcycle operator, and if so, when, and by what state, and whether such license is suspended or revoked at the present time, and if so, the date of and reason for ~~such~~ THE suspension or revocation;

(3) Whether the applicant is now or has ever been afflicted with epilepsy, or whether the applicant is now suffering from any physical or mental disability or disease, and if so, the nature and extent thereof OF THE DISABILITY OR DISEASE, giving the names and addresses of physicians then or previously in attendance upon the applicant;

(4) Whether an applicant for a duplicate operator's license, duplicate chauffeur's license, or duplicate license containing a motorcycle operator endorsement has pending a citation for violation of any motor vehicle law or ordinance, a description of any such citation pending, and the date of ~~such~~ THE citation;

(5) Whether or not the applicant wishes to certify willingness to make an anatomical donation under section 2108.04 of the Revised Code, which shall be given no consideration in the issuance of a license or endorsement.

Every applicant for an operator's or chauffeur's license shall be photographed in color at the time the application for ~~such~~ THE license is made. ~~Said~~ THE application shall state any additional information that the registrar requires.

*Prop. 2009*