

OHIO

SENATE

JOURNAL

THURSDAY, FEBRUARY 23, 2006

ONE HUNDRED FIFTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Thursday, February 23, 2006, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Padgett was selected to preside according to the rule.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coughlin submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **H. B. No. 379**-Representative Yuko, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Fingerhut, Wilson, Hagan, Clancy, Miller, Coughlin, Armbruster.

YES - 9: KEVIN J. COUGHLIN, JEFFRY J. ARMBRUSTER, JIM JORDAN, PATRICIA M. CLANCY, RAY MILLER, ERIC D. FINGERHUT, ROBERT F. HAGAN, CHARLES A. WILSON, LARRY A. MUMPER.

NO - 0.

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

The report of the committee was accepted.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 275-Senators Stivers, Niehaus, Jordan.

To amend sections 1322.04, 1322.041, 1322.051, 1322.052, 1322.06, 1322.061, 1322.062, 1322.07, 1322.072, 1322.10, 1322.11, 1322.12, 3313.603, 4735.05, 4735.64, 4735.66, 4763.03, 4763.11, and 4763.13 and to enact sections 109.88, 1121.022, 1155.012, 1163.021, 1181.081, 1322.063, 1322.064, 1349.53, 1349.55, and 1733.328 of the Revised Code to create the Ohio Consumer Mortgage Commission, to transfer enforcement authority for the Mortgage Broker's Act from the superintendent of financial institutions to the Attorney General, to authorize the attorney general to create predatory lending strike forces, to permit state regulatory authorities to share confidential information, to require first-time home buyers to receive

pre-purchase home buyer counseling, to add financial literacy instruction to high school graduation requirements, to establish additional prohibitions and requirements for financial institutions, real estate appraisers, and mortgage brokers, and to make an appropriation.

S. B. No. 276-Senators Cates, Coughlin, Clancy, Hagan, Schuring, Grendell.

To amend sections 319.202, 323.152, 323.153, 323.154, 323.156, 323.159, 4503.065, 4503.066, 4503.067, and 4503.068 and to enact section 5705.17 of the Revised Code to authorize local taxing authorities to exempt from new property tax levies the homes of elderly persons.

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. 189 - Senators Grendell, Mumper, Dann, Harris, Miller Representatives Cassell, Domenick, Sayre, McGregor, J., Blessing, Boccieri, Carano, Collier, Combs, Daniels, Dolan, Evans, C., Flowers, Garrison, Harwood, Hughes, Key, Mitchell, Schlichter, Setzer, Smith, G., Stewart, J., Willamowski, Woodard

To amend sections 907.01, 907.03, 907.14, and 907.28 of the Revised Code to make changes to the Agricultural Seed Law.

Attest:

Laura P. Clemens,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Sub. H. B. No. 390 - Representatives Taylor, Brinkman, Brown, Gibbs, Gilb, Hood, Kilbane, Trakas, Hagan, Blessing, Schaffer, Latta, Aslanides, Bubb, Carano, Cassell, Collier, Core, Domenick, Evans, C., Faber, Garrison, Hartnett, Key, Raussen, Reidelbach, Reinhard, Schneider, Seitz, Uecker, Widowfield, Willamowski, Yuko

To amend sections 109.082, 131.02, 2329.07, 5735.03, 5747.08, and 5749.02, to enact sections 2305.26, 5703.58, 5733.262, 5739.134, 5747.082, 5747.134, and 5751.061, and to repeal section 5733.18 of the Revised Code to place a time limit on the collection of certain finalized but outstanding tax liabilities, to restore and lengthen a prior statute of limitation on certain statutory liens, to restore a former requirement that the state must periodically take affirmative action to keep alive judgment liens in the state's favor, to limit the total amount of penalties that may be added to late or underpaid taxes if the amount at issue is \$1,000 or less, and to provide "innocent spouse relief" from joint and several liability for income tax under prescribed circumstances.

Am. Sub. H. B. No. 416 - Representatives Wagoner, Gilb, Coley, Seitz, Reidelbach, Ujvagi, Webster, Latta, Reinhard, Brown, Mason, Book, Core, Barrett, Blessing, Bubp, Carano, Cassell, Combs, DeBose, DeGeeter, Dolan, Domenick, Evans, C., Flowers, Harwood, Healy, Hughes, Key, Law, Martin, McGregor, R., Oelslager, Otterman, Patton, T., Perry, Sayre, Schaffer, Schlichter, Schneider, Willamowski, Yuko

To amend sections 1111.13, 1111.15, 1151.191, 1161.24, 1319.12, 1339.01, 1339.02, 1339.03, 1339.04, 1339.08, 1339.09, 1339.10, 1339.11, 1339.12, 1339.13, 1339.15, 1339.151, 1339.16, 1339.17, 1339.31, 1339.32, 1339.33, 1339.34, 1339.35, 1339.36, 1339.37, 1339.38, 1339.39, 1339.42, 1339.44, 1339.52, 1339.53, 1339.54, 1339.55, 1339.56, 1339.57, 1339.58, 1339.59, 1339.60, 1339.61, 1339.62, 1339.64, 1339.65, 1339.71, 1339.72, 1339.73, 1339.74, 1339.76, 1339.77, 1339.78, 1340.31, 1340.32, 1340.33, 1340.34, 1340.35, 1340.36, 1340.37, 1340.40, 1340.41, 1340.42, 1340.46, 1340.47, 1340.52, 1340.57, 1340.58, 1340.59, 1340.63, 1340.65, 1340.66, 1340.70, 1340.71, 1340.72, 1340.73, 1340.74, 1340.75, 1340.76, 1340.77, 1340.81, 1340.82, 1340.83, 1340.84, 1340.90, 1340.91, 1775.03, 1775.14, 1775.15, 1775.17, 1775.33, 1782.24, 2101.24, 2107.33, 2109.24, 2109.37, 2109.62, 2109.68, 2111.131, 2113.861, 2305.121, 2305.22, 5111.15, 5111.151, 5119.01, 5119.17, 5121.04, 5121.10, 5121.30, 5121.52, 5123.04, 5123.28, and 5123.40; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1339.01 (5815.02), 1339.02 (5815.03), 1339.03 (5815.04), 1339.031 (5815.01), 1339.04 (5815.05), 1339.08 (5815.06), 1339.09 (5815.07), 1339.10 (5815.08), 1339.11 (5815.09), 1339.12 (5815.10), 1339.13 (5815.11), 1339.15 (5815.12), 1339.151 (5815.13), 1339.16 (5815.14), 1339.17 (5815.15), 1339.18 (5815.16), 1339.31 (5814.01), 1339.32 (5814.02), 1339.33 (5814.03), 1339.34 (5814.04), 1339.35 (5814.05), 1339.36 (5814.06), 1339.37 (5814.07), 1339.38 (5814.08), 1339.39 (5814.09), 1339.41 (5815.21), 1339.411 (5815.22), 1339.412 (5815.23), 1339.42 (5815.24), 1339.43 (5815.25), 1339.44 (5815.26), 1339.45 (5815.27), 1339.51 (5815.28), 1339.52 (5809.01), 1339.53 (5809.02), 1339.54 (5809.03), 1339.55 (5808.03), 1339.56 (5809.04), 1339.57 (5808.05), 1339.58 (5809.05), 1339.59 (5808.07), 1339.60 (5809.07), 1339.61 (5809.08), 1339.62 (5815.31), 1339.621 (5815.32), 1339.63 (5815.33), 1339.64 (5815.34), 1339.65

(5815.35), 1339.68 (5815.36), 1339.71 (5815.41), 1339.72 (5815.42), 1339.73 (5815.43), 1339.74 (5815.44), 1339.75 (5815.45), 1339.76 (5815.46), 1339.77 (5815.47), 1339.78 (5815.48), 1340.31 (5813.01), 1340.32 (5813.02), 1340.33 (5813.03), 1340.34 (5813.04), 1340.35 (5813.05), 1340.36 (5813.06), 1340.37 (5813.07), 1340.40 (5812.01), 1340.41 (5812.02), 1340.42 (5812.03), 1340.46 (5812.07), 1340.47 (5812.08), 1340.51 (5812.12), 1340.52 (5812.13), 1340.53 (5812.14), 1340.57 (5812.18), 1340.58 (5812.19), 1340.59 (5812.20), 1340.63 (5812.24), 1340.64 (5812.25), 1340.65 (5812.26), 1340.66 (5812.27), 1340.70 (5812.31), 1340.71 (5812.32), 1340.72 (5812.33), 1340.73 (5812.34), 1340.74 (5812.35), 1340.75 (5812.36), 1340.76 (5812.37), 1340.77 (5812.38), 1340.81 (5812.42), 1340.82 (5812.43), 1340.83 (5812.44), 1340.84 (5812.45), 1340.85 (5812.46), 1340.86 (5812.47), 1340.90 (5812.51), 1340.91 (5812.52), and 2305.121 (5806.04); to enact sections 2109.69, 5801.01, 5801.011, 5801.02 to 5801.10, 5802.01 to 5802.03, 5803.01 to 5803.05, 5804.01 to 5804.18, 5805.01 to 5805.07, 5806.01 to 5806.03, 5807.01 to 5807.09, 5808.01, 5808.02, 5808.04, 5808.06, 5808.08 to 5808.17, 5809.06, 5810.01 to 5810.13, and 5811.01 to 5811.03; and to repeal sections 1335.01, 1339.14, 1339.66, 1339.67, 1339.69, 1340.21, 1340.22, and 1340.23 of the Revised Code to adopt an Ohio trust code.

Am. Sub. H. B. No. 426 - Representatives Dolan, Chandler, Yuko, Fessler, Wagoner, Reidelbach, McGregor, J., Willamowski, DeGeeter, Harwood, Allen, Bupp, Carano, Cassell, Collier, Combs, DeBose, Distel, Domenick, Flowers, Gibbs, Hartnett, Hughes, Key, Law, Martin, Miller, Otterman, Patton, T., Perry, Sayre, Schlichter, Schneider, Seitz, Setzer, Smith, G., Walcher, Williams, Wolpert

To amend sections 1111.19, 1721.211, 2101.24, 2106.20, 2108.50, 2109.02, 2111.13, 2113.031, 2113.37, 2117.25, 4511.451, 4717.21, and 4717.22 and to enact sections 2108.70 to 2108.90, and 2117.251 of the Revised Code regarding the assignment of the right to direct the disposition of an adult's remains after death and to make arrangements and purchase goods and services related to an adult's funeral, cremation, burial, or other manner of final disposition.

Attest:

Laura P. Clemens,
Clerk.

Said bills considered the first time.

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 bills:

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

S. B. No. 184 - Senator Gardner- et al.

Attest:

Laura P. Clemens,
Clerk.

The President signed said bills.

On the motion of Senator Zurz, the Senate adjourned until Tuesday, February 28, 2006 at 1:30 p.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.