

OHIO

SENATE

JOURNAL

WEDNESDAY, MAY 3, 2006

ONE HUNDRED SEVENTY-EIGHTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, May 3, 2006, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

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

Senator Schuring reports for the Standing Committee on Reference, recommending that the following bills and concurrent resolution, standing in order for second consideration, be referred to committee as recommended:

Am. H. B. No. 298-Representatives Peterson, Daniels, C. Evans, Carano, McGregor, Ujvagi, Combs, Aslanides, Harwood, Seaver, Miller, Latta, Oelslager, Kearns, Setzer, Perry, Seitz, Chandler, Schaffer, S. Patton, Reidelbach, Hughes, Otterman, Willamowski, Hoops, Mason, Allen, Hagan, Wagoner, Redfern, Flowers, Barrett, Book, Cassell, DeBose, Distel, Domenick, Evans, D., Hartnett, Key, Kilbane, Schlichter, Stewart, D., Stewart, J., Sykes, Williams, Yuko, Beatty.

To amend section 4501.21 and to enact section 4503.493 of the Revised Code to establish an autism awareness license plate and to provide that money from the contributions for the license plates be used to pay for programs and awareness efforts of the Autism Society of Ohio.

To the Committee on Highways and Transportation.

Sub. H. B. No. 371-Representatives Buehrer, Trakas, Raussen, Gibbs, McGregor, J., Uecker, Reidelbach, Brinkman, Combs, Faber, White, Schaffer, Hagan, Wagoner, Hughes, Oelslager, Hood, Fessler, Fende, Allen, Perry, Yuko, Bulp, Latta, Stewart, J., Martin, Beatty, Blessing, Boccieri, Book, Brown, Calvert, Carano, Cassell, Collier, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Evans, C., Evans, D., Flowers, Garrison, Gilb, Hartnett, Harwood, Healy, Key, Law, Mason, Otterman, Patton, T., Peterson, Raga, Redfern, Sayre, Schlichter, Schneider, Seaver, Seitz, Smith, G., Stewart, D., Wagner, Webster, Widowfield, Willamowski, Williams.

To create the Fuel Production Task Force to study opportunities for and barriers to increasing fuel production in this state.

To the Committee on Energy and Public Utilities.

S. B. No. 307-Senator Kearney.

To enact section 2307.30 of the Revised Code to require a plaintiff in a civil action for damages to present a written settlement offer to the opposing party at least sixty days prior to the date set for trial and to require the opposing party to respond to the written settlement offer within fourteen days of receiving the offer.

To the Committee on Judiciary - Civil Justice.

S. B. No. 308-Senators Wachtmann, Jordan, Hottinger, Clancy, Spada, Coughlin, Mumper, Grendell, Padgett, Schuring, Cates, Schuler, Carey, Stivers, Hagan.

To enact sections 2305.61, 2305.62, 2305.63, 2306.64, 2305.65, and 2305.66 and to repeal section 2305.40 of the Revised Code to provide statutory criteria for when a person may use force or deadly force to defend the person or another person or to prevent or terminate a trespass on or illegal interference with property; to establish a presumption related to use of defensive force intended or likely to cause death or serious physical harm of when the user of the defensive force holds a reasonable fear of imminent peril of death or serious physical harm; to provide that a person authorized to use deadly force or defensive force intended or likely to cause death or serious physical harm generally does not have a duty to retreat; and to repeal the existing statutory provisions regarding the immunity of an owner, lessee, or renter of real property as to self-defense or defense of others.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 309-Senators Wilson, Dann, Gardner, Schuler, Niehaus, Fedor, Fingerhut, Zurz, Miller, R., Kearney, Grendell, Schuring, Cates, Prentiss, Padgett.

To amend sections 2903.11 and 2929.14 and to enact section 2941.1417 of the Revised Code to allow a court to impose an additional prison term upon an offender who commits felonious assault against a minor.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 310-Senator Stivers.

To amend sections 5747.01, 5747.02, 5747.05, 5747.08, and 5747.98 and to repeal section 5747.055 of the Revised Code to exempt from the personal

income tax any unearned income of an individual who is age sixty-five or older.

To the Committee on Ways and Means and Economic Development.

S. B. No. 311-Senators Gardner, Padgett, Harris, Clancy, Mumper.

To amend sections 3301.42, 3313.603, 3313.61, 3313.615, 3314.012, 3314.03, 3325.08, and 3345.06 and to enact sections 3301.0713, 3302.032, 3313.6013, 3319.233, 3333.163, 3333.34, and 3345.061 of the Revised Code to establish the Ohio Core curriculum, to restructure admission requirements and remedial courses in state universities, and to implement other initiatives to enhance secondary and post-secondary education in Ohio.

To the Committee on Education.

S. B. No. 312-Senators Dann, Miller, D..

To amend section 4513.03 of the Revised Code to require the headlights of a vehicle to be lighted when its windshield wipers are in use.

To the Committee on Highways and Transportation.

S. B. No. 313-Senators Schuring, Clancy, Austria, Miller, D., Fingerhut, Wilson, Padgett.

To create the Task Force on Implementing the Federal Domestic Violence Option in the Ohio Works First program.

To the Committee on State and Local Government and Veterans' Affairs.

S. B. No. 314-Senators Kearney, Dann, Clancy, Zurz, Fingerhut, Roberts.

To amend sections 2152.17, 2152.72, 2929.14, and 5103.0319 and to enact section 2941.1417 of the Revised Code to require the imposition of a ten-year prison term upon a person who discharges a firearm while committing an offense and causes injury or death to a child.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 315-Senators Grendell, Jacobson, Fedor, Schuring.

To amend sections 2929.14 and 2929.19 of the Revised Code to establish a presumption that a court should impose on a repeat offender the longest prison term authorized for an offense and to require a court to state its reasons for not doing so.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 316-Senators Cates, Harris, Stivers, Wachtmann, Coughlin, Gardner, Carey, Padgett, Clancy, Mumper, Fingerhut, Jacobson.

To amend section 3767.30 of the Revised Code to prohibit protest activities within 500 feet of the site of a funeral service during and within one hour before and after the service and to prohibit protest activities within 500 feet of a funeral procession.

To the Committee on State and Local Government and Veterans' Affairs.

S. B. No. 317-Senator Cates.

To amend sections 2903.06 and 2903.08 of the Revised Code to provide that a person's operation of a motor vehicle, motorcycle, snowmobile, or watercraft while simultaneously using a mobile telephone generally constitutes as a matter of law recklessness for purposes of the offenses of aggravated vehicular homicide and vehicular assault.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 318-Senators Cates, Clancy.

To amend sections 2950.01, 2950.11, 2950.12, and 2950.13 of the Revised Code to provide notice to a long-term care facility and its residents when a registered sex offender will reside in the facility or when the facility is within the specified geographical notification area of the offender's residence.

To the Committee on Judiciary - Criminal Justice.

S. B. No. 319-Senators Spada, Coughlin, Mumper, Clancy, Armbruster, Gardner, Schuring, Padgett, Niehaus, Hagan, Fingerhut, Prentiss, Miller, D., Fedor.

To enact sections 1522.01, 1522.02, and 1522.03 of the Revised Code to ratify the Great Lakes-St. Lawrence River Basin Water Resources Compact and to establish related requirements.

To the Committee on Environment and Natural Resources.

S. B. No. 320-Senators Wachtmann, Gardner, Armbruster, Cates, Clancy, Spada, Fingerhut, Stivers, Schuler, Schuring, Prentiss, Grendell, Mumper, Zurz, Miller, R., Kearney.

To amend sections 5747.01, 5747.08, and 5747.98 and to enact section 5747.81 of the Revised Code to create an income tax deduction for expenses incurred by a taxpayer in making an organ donation and to create an income tax credit for deceased organ donors.

To the Committee on Ways and Means and Economic Development.

S. B. No. 321-Senator Carey.

To amend sections 183.04, 183.05, 183.30, 3702.72, 3702.73, and 3702.81 of the Revised Code, to amend Section 312.27 of Am. Sub. H.B. 66 of the 126th General Assembly, and to amend Section 203.09 of Am. Sub. H.B. 66 of the 126th General Assembly, as subsequently amended, to provide for the distribution of money received by the state pursuant to the Tobacco Master Settlement Agreement by making operating appropriations for the biennium beginning July 1, 2006, and ending June 30, 2008, and to provide authorization and conditions for the operation of state programs.

To the Committee on Finance and Financial Institutions.

S. C. R. No. 30-Senators Schuring, Dann, Hottinger, Coughlin, Fingerhut, Hagan, Mumper, Miller, R., Armbruster, Padgett, Zurz, Stivers, Fedor, Miller, D., Gardner, Spada, Kearney, Roberts, Grendell, Jacobson.

Requesting the support of the Ohio Congressional delegation for federal funding for a Tier 1 Environmental Impact Statement for the Ohio Hub Plan, increasing passenger and freight rail capacity in Ohio.

To the Committee on Highways and Transportation.

YES - 5: J. KIRK SCHURING, KIMBERLY A. ZURZ, C. J. PRENTISS, BILL HARRIS, JEFF JACOBSON.

NO - 0.

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

The report of the committee was accepted.

Said bills and concurrent resolution were considered a second time and referred to committee as recommended.

On the motion of Senator Jacobson, the Senate adjourned until Thursday, May 4, 2006 at 11:00 o'clock a.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.