

OHIO

SENATE

JOURNAL

WEDNESDAY, NOVEMBER 21, 2012

TWO HUNDRED FORTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Wednesday, November 21, 2012, 10:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

Senator Tavares 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 Oelslager submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **H. B. No. 184**-Representative Martin, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Cafaro, Brown, Tavares.

YES - 9: SCOTT OELSLAGER, DAVE BURKE, PEGGY B. LEHNER, CAPRI S. CAFARO, EDNA BROWN, CHARLETA B. TAVARES, SHANNON JONES, KRIS JORDAN, TROY BALDERSON.

NO - 0.

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

The report of the committee was accepted.

Senator Oelslager submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **H. B. No. 367**-Representative Maag, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Tavares.

YES - 9: SCOTT OELSLAGER, DAVE BURKE, SHANNON JONES, PEGGY B. LEHNER, CAPRI S. CAFARO, EDNA BROWN, CHARLETA B. TAVARES, KRIS JORDAN, TROY BALDERSON.

NO - 0.

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

The report of the committee was accepted.

Senator Oelslager submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. C. R. No. 31**-Senator Patton, having had the same under consideration, reports it back and recommends its adoption.

YES - 9: SCOTT OELSLAGER, DAVE BURKE, SHANNON JONES, PEGGY B. LEHNER, CAPRI S. CAFARO, EDNA BROWN, CHARLETA B. TAVARES, KRIS JORDAN, TROY BALDERSON.

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. 389-Senator Schaffer.

To enact section 4511.714 of the Revised Code to prohibit the operation of a motor vehicle on or onto any location that is temporarily covered by a rise in water level and to impose on an offender a financial sanction of up to \$2,000 for the cost of the person's rescue, payable to the person's rescuer.

S. B. No. 390-Senator Obhof.

To authorize the conveyance of state-owned real estate in Richland County to the Mansfield Reformatory Preservation Society.

S. B. No. 391-Senator Niehaus.

To amend sections 101.15, 101.301, 101.34, 101.70, 101.72, 101.73, 101.74, 101.75, 101.78, 101.90, 101.92, 101.93, 101.94, 101.95, 101.98, 102.01, 102.02, 102.021, 102.03, 102.031, 102.06, 102.07, 102.99, 109.54, 121.60, 121.62, 121.63, 121.64, 121.65, 121.68, and 4503.033 of the Revised Code to revise the Ethics Law.

OFFERING OF RESOLUTIONS

S. C. R. No. 33-Senator Burke.

Cosponsors: Senators Turner, Brown, Balderson, Peterson.

To memorialize the Congress of the United States to seek the withdrawal of the United States Preventive Services Task Force recommendation against prostate-specific antigen-based screening for prostate cancer for men in all age groups.

The question being, "Shall the concurrent resolution, **S. C. R. No. 33**, be adopted?"

On the motion of Senator Balderson, **S. C. R. No. 33**, was referred to the Committee on Rules and Reference.

Pursuant to Senate Rule No. 54, the following resolutions were offered:

S. R. No. 364-Senator Bacon.

Honoring the Columbus Academy field hockey team on winning the 2012 State Championship.

S. R. No. 365-Senator Bacon.

Honoring Horizon Science Academy Columbus High School on being selected as a 2012 National Blue Ribbon School.

S. R. No. 366-Senator Bacon.

Honoring Andrea Ballinger as a 2012 Division II State Girls Doubles Tennis Champion.

S. R. No. 367-Senator Bacon.

Honoring Hannah Wexner as a 2012 Division II State Girls Doubles Tennis Champion.

S. R. No. 368-Senator Wagoner.

Honoring the Perrysburg High School girls soccer team as the 2012 Division I State Champion.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"

So the resolutions were adopted.

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:

Am. Sub. H. B. No. 279 -Representatives Grossman, Driehaus
Cosponsors: Representatives Yuko, Combs, Boyd, Reece, Letson, Henne, Martin, Goyal, Burke, Bubb, Conditt, Adams, R., Antonio, Barnes, Blair, Celebrezze, Celeste, Cera, Fedor, Fende, Foley, Garland, Hackett, Hagan, R., Heard, Johnson, Kozlowski, Mallory, Milkovich, Murray, Newbold, O'Brien, Patmon, Phillips, Pillich, Ramos, Ruhl, Sprague, Winburn

To amend sections 2151.33, 3107.062, 3107.063, 3109.53, 3109.59, 3109.60, 3109.66, 3109.70, 3109.71, 3109.72, 5153.16, and 5153.161, to enact new section 3109.76 and section 2151.411, and to repeal sections 3109.76 and 3109.77 of the Revised Code to require a public children services agency or private child placing agency that obtains temporary custody of a child to attempt to notify certain relatives of the child; to require a public children services agency to attempt to keep siblings together; to modify the putative father registry; to eliminate the automatic termination upon the expiration of one year of a power of attorney or caretaker authorization affidavit that gives care of a child to a grandparent; to allow a grandparent to seek custody of a child if the child's parent, guardian, or custodian seeks to terminate a power of attorney or caretaker authorization affidavit; to require a public children services agency to file a missing child report if a child in its custody is or may be missing; to authorize a public children services agency to provide care for a child in the home of a qualified nonrelative of the child; and to require the Department of Job and Family Services to develop recommendations for the implementation of a subsidized relative guardianship program.

Sub. H. B. No. 414 -Representative Anielski
Cosponsors: Representatives Grossman, Patmon, Combs, Antonio, Goyal, Winburn

To amend sections 2903.211 and 2917.21 of the Revised Code to expand the offenses of menacing by stalking and telecommunications harassment and to prohibit a person from knowingly causing another person to believe that the offender will cause physical harm or mental or emotional distress to a member of the other person's immediate family.

Attest: Jennifer E. Woodring,
Clerk.

Said bills were considered the first time.

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. 130 -Senators Hughes, Cates
Cosponsors: Senators Lehner, Seitz, Skindell, Turner, Hite, Beagle, Burke, Gentile, Jones, LaRose, Niehaus, Patton, Sawyer, Schiavoni, Tavares, Wagoner Representatives Antonio, Ashford, Budish, Celebrezze, Cera, Combs, Derickson, Dovilla, Fedor, Fende, Garland, Gerberry, Goyal, Grossman, Hagan, R., Heard, Kozlowski, Letson, Lundy, Mallory, Milkovich, O'Brien, Phillips, Ramos, Schuring, Szollosi, Thompson, Winburn, Yuko

To amend sections 955.02, 955.10, 955.12, 955.20, 955.26, and 1901.183 and to enact sections 956.01 to 956.18 of the Revised Code to regulate certain dog breeding kennels and dog retailers.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest: Jennifer E. Woodring,
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:

Am. S. B. No. 300 -Senators Manning, Wagoner
Cosponsors: Senators Brown, Hughes, Seitz, Cafaro, Bacon, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gentile, Hite, Jones, Kearney, LaRose, Lehner, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Tavares, Widener Representatives Damschroder, Celebrezze, Johnson, O'Brien, Patmon, Ruhl, Uecker, Antonio, Barnes, Beck, Blair, Boose, Brenner, Bubp, Buchy, Butler, Carney, Cera, Combs, Dovilla, Fende, Garland, Hill, Landis, Lundy, Mallory, Martin, McClain, Milkovich, Murray,

Newbold, Okey, Pillich, Ramos, Stinziano, Thompson, Yuko

To enact sections 5533.181 and 5533.688 of the Revised Code to designate the bridge spanning the Vermillion River, that is part of State Route 113, as the "Staff Sgt. James P. Hunter Memorial Bridge" and to designate a portion of State Route 800 in Harrison County as the "Trooper George Conn Memorial Highway."

With the following additional amendments, in which the concurrence of the Senate is requested.

In line 5, delete "section" and insert "sections"; after "5533.181" insert "and 5533.688"

After line 13, insert:

" **Sec. 5533.688.** That portion of the road known as state route number eight hundred, commencing at the northeast border of the municipal corporation of Freeport in Harrison county and extending in a northeasterly direction to the intersection of that road and state route number seven hundred ninety-nine, shall be known as the "Trooper George Conn Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 1 of the title, delete "section" and insert "sections"; after "5533.181" insert "and 5533.688"

In line 4 of the title, after "Bridge" insert "" and to designate a portion of State Route 800 in Harrison County as the "Trooper George Conn Memorial Highway"

Attest:

Jennifer E. Woodring,
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. 301 -Senators Burke, Cafaro
Cosponsors: Senators Lehner, Seitz, Jones, Tavares, Brown, Bacon, Balderson, Beagle, Gentile, Hite, Hughes, Kearney, LaRose, Manning, Obhof, Oelslager, Peterson, Schaffer, Schiavoni, Skindell, Smith, Turner
Representatives Garland, Hackett, Johnson, Smith, Yuko, Amstutz, Antonio,

Barnes, Beck, Blair, Blessing, Boose, Bulp, Buchy, Budish, Butler, Celebrezze, Combs, Dovilla, Driehaus, Duffey, Fende, Goyal, Hagan, C., Hayes, Heard, Kozlowski, Letson, Lundy, Mallory, McClain, Milkovich, Newbold, O'Brien, Patmon, Phillips, Rosenberger, Ruhl, Scherer, Schuring, Sears, Sprague, Stebelton, Terhar, Thompson, Winburn, Young, Speaker Batchelder

To amend sections 3719.41, 4715.033, 4715.034, 4715.30, 4715.301, 4715.302, 4723.487, 4725.092, 4729.162, 4729.291, 4729.51, 4729.552, 4729.57, 4729.79, 4729.80, 4729.86, 4730.53, 4731.054, 4731.055, 4731.22, and 4731.39 of the Revised Code regarding enforcement powers of certain health care professional licensing boards, regulation of pain management clinics, limits on prescriber-furnished controlled substances, and classifications of certain controlled substances.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest: Jennifer E. Woodring,
Clerk.

Said amendments were laid over under the rule.

MESSAGE FROM THE PRESIDENT

Pursuant to House Bill 473, Section 1522.21, Section 3 (A)(3), the President of the Senate appoints the following members to serve on the Great Lakes Compact Advisory Group:

Charlotte Hickcox
Christopher Schraff

On the motion of Senator Balderson, the Senate adjourned until Monday, November 26, 2012 at 11:00 o'clock a.m.

Attest: VINCENT L. KEERAN,
Clerk.