

**OHIO**

**SENATE**

**JOURNAL**

**CORRECTED VERSION**  
**TUESDAY, NOVEMBER 29, 2011**

ONE HUNDRED EIGHTEENTH DAY  
Senate Chamber, Columbus, Ohio  
**Tuesday, November 29, 2011, 10:30 a.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Father Paul Noble, Vocations Director for the Diocese of Columbus, Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

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

**H. B. No. 232**-Representatives Letson, O'Brien, et al.

To amend sections 331.01, 331.02, 331.03, and 331.04 of the Revised Code to expand the authority of a county facilities review board to include any facility where an adult ward of the probate court resides or receives services among the institutions subject to its review.

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

**Sub. H. B. No. 250**-Representative Hackett, et al.

To amend sections 3905.01, 3905.06, and 3905.40 and to enact section 3905.062 of the Revised Code to establish requirements and procedures for issuing portable electronics insurance.

To the Committee on Insurance, Commerce and Labor.

**S. J. R. No. 3**-Senator Cafaro, et al.

Proposing to amend Sections 1b, 1c, and 1g of Article II of the Constitution of the State of Ohio to restrict the General Assembly's authority to amend, enact, or repeal sections of law that are the subject of a pending referendum, to restrict the General Assembly's authority to amend or repeal a law enacted by initiative during the two years following the vote on that initiative, to prohibit the General Assembly from reenacting provisions of law that were rejected by the voters in a referendum during the two years following the vote on that

referendum, and to extend the time for gathering signatures for a referendum petition if the right to refer a particular law is challenged and a court determines that the law is subject to referendum.

To the Committee on Government Oversight and Reform.

**S. B. No. 255**-Senator LaRose, et al.

To amend sections 4927.03, 4927.15, 4931.40, 4931.41, 4931.44, 4931.49, 4931.50, 4931.60, 4931.61, 4931.62, 4931.63, 4931.64, 4931.65, 4931.66, 4931.67, 4931.69, and 4931.99, to enact sections 4931.611, 4931.621, and 4931.622, and to repeal section 4931.70 of the Revised Code to revise the amount and methods of collection and remittance of the wireless 9-1-1 charge for prepaid wireless services.

To the Committee on Energy and Public Utilities.

**S. B. No. 256**-Senator Coley, et al.

To amend section 1345.09 and to enact section 1345.092 of the Revised Code to allow suppliers and consumers to enter into a Right to Cure agreement.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 257**-Senators Daniels, Kearney, et al.

To amend sections 189.01, 189.03, 189.05, 189.06, 189.07, 189.08, and 189.10 of the Revised Code and to amend Sections 261.10 and 261.20.93 of Am. Sub. H.B. 153 of the 129th General Assembly regarding the Local Government Innovation Program and to make an appropriation.

To the Committee on Finance.

**S. B. No. 258**-Senators Manning, Patton, et al.

To enact section 5502.53 of the Revised Code to create the Statewide Blue Alert Program.

To the Committee on Highways and Transportation.

**S. B. No. 259**-Senators Obhof, LaRose.

To enact section 5533.321 of the Revised Code to designate a portion of Interstate Route 71 within Wayne County the "First Lieutenant John M. Runkle, Jr. Memorial Highway."

To the Committee on Highways and Transportation.

**S. B. No. 260**-Senator Obhof, et al.

To enact section 5.2268 of the Revised Code to designate May as "Pediatric Stroke Awareness Month."

To the Committee on Health, Human Services and Aging.

**S. B. No. 261**-Senators Tavares, Schiavoni, et al.

To amend sections 4112.01, 4112.02, and 4112.99 of the Revised Code to prohibit and provide a penalty for employment discrimination and the advertisement of employment positions that discriminate on the basis of an individual's unemployment status.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 262**-Senator Daniels, et al.

To amend sections 4727.06, 4727.09, 4727.11, 4727.12, and 4727.13 and to enact sections 4727.061, 4727.22, 4727.23, 4727.24, 4727.25, 4727.26, 4727.27, 4727.28, 4727.29, and 4727.30 of the Revised Code to make changes to the law regulating pawnbrokers, including additional requirements for the recovery of leased property, extension of the property holding period for military service members and on purchased merchandise, and a requirement that pawnbrokers file a biennial report.

To the Committee on Insurance, Commerce and Labor.

**S. B. No. 263**-Senator Coley, et al.

To amend section 5739.02 of the Revised Code to remove the requirement that certain telecommunications equipment used in direct marketing must be

purchased by a direct marketing vendor in order for the equipment to be exempt from the sales tax.

To the Committee on Ways and Means and Economic Development.

**S. B. No. 264**-Senator Jones, et al.

To amend sections 173.47, 5111.222, and 5111.244 and to enact section 5111.245 of the Revised Code and to amend Section 309.30.70 of Am. Sub. H.B. 153 of the 129th General Assembly regarding quality incentive payments and quality bonuses paid to nursing facilities under the Medicaid program.

To the Committee on Finance.

YES - 6: THOMAS E. NIEHAUS, KEITH L. FABER, TOM PATTON, SHANNON JONES, CHRIS WIDENER, JOSEPH SCHIAVONI.

NO - 0.

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

The report of the committee was accepted.

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

## **HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS**

The amendments of the House of Representatives to:

**Sub. S. B. No. 117**-Senators Seitz, Schiavoni. Cosponsors: Senators Kearney, Wagoner, Bacon, Brown, Coley, Faber, Gillmor, Grendell, Hughes, Obhof, Oelslager, Patton, Smith, Turner, Wilson. Representatives Murray, Letson, Stinziano, Slaby, Terhar, Stebelton, Bulp, Blair, Blessing, Carney, Combs, Gardner, Garland, Hackett, Hayes, Huffman, Johnson, Luckie, Mallory, McKenney, Milkovich, Newbold, O'Brien, Sears, Szollosi, Wachtmann, Winburn, Speaker Batchelder.

To amend sections 1337.092, 1337.12, 2101.24, 2109.21, 2111.02, 2111.12, 2111.121, 5301.071, 5747.02, 5801.10, 5804.11, 5804.12, 5808.02, 5808.14, 5808.17, 5810.09, and 5810.13; to enact new section 2107.52 and sections 1337.21 to 1337.64, 3793.31 to 3793.39, 5808.18, 5808.19, 5809.031, and 5810.14; and to repeal sections 1337.09, 1337.091, 1337.093, 1337.18, 1337.19, 1337.20, and 2107.52 of the Revised Code to adopt the Uniform

Power of Attorney Act; to modify a trustee's duties with respect to life insurance policies, specify a trustee's power to distribute trust principal in further trust, provide for the titling of assets in trust form, permit some but not all of specified parties to enter into a private settlement agreement, and make other changes in the Trust Code; to modify the anti-lapse provisions regarding wills and adopt anti-lapse provisions applicable to trusts; to provide a mechanism for a probate court to order a person who suffers from alcohol and other drug abuse to undergo treatment; and to provide a procedure for the construction or modification of a trust that refers to the federal estate tax, generation-skipping transfer tax, or Ohio estate tax, having been informally passed, were taken up.

The question being, "Shall the Senate concur in the House amendments to **Sub. S. B. No. 117**?"

On the motion of Senator Faber, the House amendments to **Sub. S. B. No. 117** were informally passed and retained their place on the calendar.

On the motion of Senator Faber the Senate recessed to meet in Joint Convention.

The Senate met pursuant to the recess.

#### **MESSAGE FROM THE PRESIDENT**

Pursuant to Section 103.71 of the Ohio Revised Code, the President of the Senate appoints the following senator to serve on the Correctional Institution Inspection Committee:

Senator Obhof (replacing Senator Grendell who resigned from the Ohio Senate)

#### **MESSAGE FROM THE PRESIDENT**

Pursuant to Section 103.63 of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the Ohio Constitutional Modernization Commission:

Senator Jones  
Senator Obhof  
Senator Wagoner

On the motion of Senator Schiavoni, the Senate adjourned until Wednesday, November 30, 2011 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,  
Clerk.