

OHIO

SENATE

JOURNAL

TUESDAY, JUNE 18, 2013

SIXTY-FIRST DAY
Senate Chamber, Columbus, Ohio
Tuesday, June 18, 2013, 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 Eklund was selected to preside according to the rule.

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

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

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

H. C. R. No. 15-Representative Beck, et al.

Recognizing the Fortieth Anniversary of Operation Homecoming.

To the Committee on Public Safety, Local Government, and Veterans Affairs.

H. C. R. No. 21-Speaker Batchelder, Representative Johnson, et al.

To urge the President of the United States, the United States Secretary of Veterans Affairs, and the Congress of the United States to take prompt action to reduce the processing time for veterans' disability benefit claims.

To the Committee on Public Safety, Local Government, and Veterans Affairs.

Sub. H. B. No. 29-Representative Damschroder, et al.

To amend sections 1547.05, 1547.52, and 1547.521 of the Revised Code to exempt persons holding certain Coast Guard endorsements from the requirement to complete a safe boater course or examination and to establish conditions for watercraft safety inspections.

To the Committee on Transportation.

H. B. No. 97-Representatives Brenner, Letson, et al.

To enact section 5.2285 of the Revised Code to designate October as "Dyslexia Awareness Month."

To the Committee on Education.

H. B. No. 105-Representative Hayes, et al.

To enact section 5.2279 of the Revised Code to designate the calendar week including the seventeenth day of July as "Congenital Diaphragmatic Hernia Week."

To the Committee on Medicaid, Health and Human Services.

Sub. H. B. No. 116-Representative Pelanda, et al.

To amend sections 4729.01, 4729.531, 4729.532, 4729.54, and 4729.55 and to enact sections 955.151, 959.134, 3719.091, 4729.533, 4729.534, 4729.535, 4729.542, 4729.991, and 4741.201 of the Revised Code to govern the chemical capture of animals and to make changes to the law governing euthanasia of an animal by lethal injection.

To the Committee on Agriculture.

Am. H. B. No. 117-Representatives Hackett, Stinziano, et al.

To amend section 4123.351 and to enact sections 3964.01 to 3964.15, 3964.17, 3964.171, 3964.172, 3964.173, 3964.174, 3964.175, 3964.176, 3964.177, 3964.178, 3964.179, 3964.1710, 3964.18, 3964.20, and 3964.21 of the Revised Code to provide for the operation of captive insurance companies in Ohio.

To the Committee on Insurance and Financial Institutions.

Sub. H. B. No. 126-Representatives Kunze, Stinziano, et al.

To amend sections 1337.12, 1337.13, 1337.28, 2111.121, and 2133.04 of the Revised Code to allow a person who creates a durable power of attorney for health care to authorize the attorney in fact to obtain health information about the person, to make an individual who is designated as an alternate

attorney in fact ineligible to witness the instrument that creates a durable power of attorney for health care, to permit the principal to nominate a guardian in a durable power of attorney for health care, to provide that a prior nomination of a guardian is revoked by a subsequent nomination of a guardian, and to establish a presumption that a valid living will declaration revokes all prior declarations.

To the Committee on Civil Justice.

H. B. No. 127-Representative Adams, R., et al.

To enact section 5.2279 of the Revised Code to designate the month of March as "Career-Technical Education and Skilled Workforce Development Month."

To the Committee on Workforce and Economic Development.

S. B. No. 142-Senator Seitz.

To amend sections 5705.29, 5747.501, 5747.51, 5747.52, 5747.53, and 5751.20 and to enact sections 5747.511 and 5747.512 of the Revised Code to establish a new default formula for determining the share allocated to each subdivision from the Local Government Fund distribution of each county in which the largest city or township has a population of more than 13,435 and to require minimum annual distributions from the Fund to all county funds.

To the Committee on Finance.

S. B. No. 143-Senator Seitz.

To amend sections 109.57, 307.932, 2151.311, 2151.356, 2152.26, 2907.27, 2929.26, 2953.36, 2953.61, 4510.111, 4510.16, and 5120.651 and to enact section 122.681 of the Revised Code to permit the Attorney General to authorize the release of information relating to certain arrests and delinquent child adjudications pursuant to a request for a criminal records check; to regulate the confidentiality of personal information related to community service block grants; to clarify the authority of boards of county commissioners to establish a community alternative sentencing center; to modify the procedure for sentencing and admitting an eligible offender to a community alternative sentencing center; to clarify that an eligible offender must successfully complete any term in a center as a condition of a community residential sanction; to include the best interests of the person as a reason for

which an alleged or adjudicated delinquent child who is at least 18 but younger than 21 may be held in an adult detention facility; to eliminate the six-month waiting period for making a motion or application for the sealing of a juvenile court record; to specify that the fact of admission and confinement in an adult detention facility of a person under 21 generally is confidential; to authorize a court to order restitution if a person convicted of driving under suspension or driving under financial-responsibility-law suspension or cancellation fails to provide proof of financial responsibility; to authorize a person charged with multiple offenses in connection with the same act to apply for the sealing of records pertaining to an acquitted charge; to modify the requirements regarding testing for HIV of persons charged with specified sex offense; to increase the sentence of imprisonment that disqualifies an inmate from participating in the prison nursery program; and to amend the version of section 109.57 of the Revised Code that is scheduled to take effect January 1, 2014, to continue the provisions of this act on and after that effective date.

To the Committee on Criminal Justice.

S. B. No. 144-Senator Seitz.

To amend sections 109.57, 109.572, 109.578, 311.171, 1923.02, 2151.23, 2151.357, 2152.02, 2152.14, 2152.191, 2152.22, 2152.82, 2152.83, 2152.831, 2152.84, 2152.85, 2152.851, 2901.07, 2907.02, 2929.01, 2929.13, 2929.19, 2929.23, 2950.01, 2950.011, 2950.02, 2950.03, 2950.031, 2950.032, 2950.033, 2950.034, 2950.04, 2950.041, 2950.043, 2950.05, 2950.06, 2950.07, 2950.081, 2950.10, 2950.11, 2950.13, 2950.131, 2950.14, 2950.15, 2950.99, 2971.03, 2971.05, 5321.03, and 5321.051, to enact sections 2950.09 and 2950.091, and to repeal section 2152.86 of the Revised Code to adjust the provisions of the Sex Offender Registration and Notification Law to reflect decisions of the Ohio Supreme Court in *Hyle v. Porter* (2008), 117 Ohio St.3d 165; *State v. Bodyke* (2010), 126 Ohio St.3d 266; *State v. Williams* (2011), 129 Ohio St.3d 344; *In re C.P.* (2012), Slip Opinion No. 2012-Ohio-1446, *State ex rel. Jean-Baptiste v. Kirsch* (2012), Slip Opinion No. 2012-Ohio-5697, and *State v. Howard* (2012), Slip Opinion No. 2012-Ohio-5738; to clarify juvenile court jurisdiction in serious youthful offender proceedings; and to amend the versions of sections 109.57, 2950.11, and 2950.13 of the Revised Code that are scheduled to take effect on January 1, 2014, to continue the provisions of this act on and after that effective date.

To the Committee on Criminal Justice.

YES - 9: KRIS JORDAN, SCOTT OELSLAGER, RANDY GARDNER, CHRIS WIDENER, TOM PATTON, KEVIN BACON, LOU GENTILE, JOSEPH SCHIAVONI, ERIC H. KEARNEY.

NO - 0.

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

The report of the committee was accepted.

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

Senator Jordan reports for the Standing Committee on Reference, recommending that the following bill, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 145-Senators Burke, Cafaro.

To amend section 119.03, to enact sections 103.41, 103.411, 103.412, 5162.70, and 6301.15, and to repeal sections 101.39 and 101.391 of the Revised Code to require the Medicaid Director to implement certain reforms to the Medicaid program, to require the Director of Job and Family Services to implement certain reforms to workforce development activities, to create the Joint Medicaid Oversight Committee to review proposed rules regarding the Medicaid and workforce development activity reforms, to require the Joint Medicaid Oversight Committee to issue reports recommending certain changes to the Medicaid program, and to abolish the Joint Legislative Committee on Health Care Oversight and the Joint Legislative Committee on Medicaid Technology and Reform.

To the Medicaid Finance Subcommittee.

YES - 6: KRIS JORDAN, SCOTT OELSLAGER, RANDY GARDNER, CHRIS WIDENER, TOM PATTON, KEVIN BACON.

NO - 3: LOU GENTILE, JOSEPH SCHIAVONI, ERIC H. KEARNEY.

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

The report of the committee was accepted.

Said bill was considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Jones submitted the following report:

The standing committee on Medicaid, Health and Human Services, to which was referred **H. B. No. 149**-Representative Anielski, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Brown, Tavares, Cafaro, Jones.

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

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 bill was introduced and considered the first time:

S. B. No. 146-Senator Turner.

Cosponsors: Senators Sawyer, Kearney.

To amend section 4501.023 of the Revised Code to revise the requirements for the Bureau of Motor Vehicles voter registration training program and to create the Motor Voter Act Study Committee.

OFFERING OF RESOLUTIONS

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

S. R. No. 139-Senator Gardner.

Honoring Bernard J. Scott as a member of the Ohio Agricultural Hall of Fame.

S. R. No. 140-Senator Obhof.

Honoring the Lexington High School girls tennis team on winning the 2012 Division II State Championship.

S. R. No. 141-Senator Hughes.

Honoring the Aladdin Shrine on Tabloid Collection Day, June 8, 2013.

The question being, "Shall the resolutions listed under the President's

prerogative be adopted?"

So the resolutions were adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules No. 19 and 20, the President of the Senate makes the following appointment change to the Civil Justice Committee:

Senator Eric Kearney shall replace Senator Nina Turner as a member of this committee.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules No. 19 and 20, the President of the Senate temporarily removes Senator Larry Obhof from the following committees for the purpose of those committees' meetings on June 18-19, 2013:

Civil Justice

Criminal Justice

Insurance & Financial Institutions

Reference

State Government Oversight & Reform

Ways & Means

MESSAGE FROM THE PRESIDENT

Pursuant to Section 103.11 of the Ohio Revised Code, the President of the Senate temporarily removes Senator Larry Obhof from the Legislative Service Commission for the purpose of that committee's meeting on June 19.

On the motion of Senator Hite, the Senate adjourned until Wednesday, June 19, 2013 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.