

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
TUESDAY, JANUARY 19, 2010

ONE HUNDRED TWENTY-NINTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, January 19, 2010, 9:00 o'clock a.m.

The House met pursuant to adjournment.

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

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the committee on Finance and Appropriations:

Remove Representatives Ujvagi and Garrison; appoint Representatives Heard and Foley.

Message from the Speaker

Pursuant to Section 5101.34 of the Ohio Revised Code, the Speaker hereby makes the following change to the Ohio Commission on Fatherhood:

Remove Representative Bacon; appoint Representative Derickson.

Message from the Speaker

Pursuant to Section 4141.08 of the Ohio Revised Code, the Speaker hereby makes the following change to the Unemployment Compensation Advisory Council:

Remove former Representative Miller; appoint Representative Pryor.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following concurrent resolution:

H. C. R. No. 34 -Representative Szollosi
Cosponsor: Senator Niehaus

Authorizing a joint convention of the Ohio General Assembly for the purpose of receiving a message from the Governor and calling for a committee to wait upon the Governor in anticipation of his State of the State Address.

Attest:

Vincent L. Keeran,
Clerk.

On motion of Representative Bolon, the House recessed.

The House met pursuant to recess.

Message from the Speaker

Pursuant to Section 3, Am. H. B. 416, 127th General Assembly, the Speaker hereby appoints the following public members to the Great Lakes-St. Lawrence River Basin Water Resources Compact Advisory Board:

Robert T. Heath - an expert in hydrogeology from an Ohio college or university;

Richard A. Graham - representing fish and wildlife advocacy.

Message from the Speaker

Pursuant to Section 1513.29 of the Ohio Revised Code, the Speaker hereby appoints Representative Okey to the Council on Unreclaimed Strip Mined Lands.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 411-Representative Martin.

Cosponsors: Representatives Adams, J., Adams, R., Balderson, Blair, Boose, Burke, Derickson, Hackett, Jordan, Lehner, Maag, Mandel, Morgan, Murray, Zehringer.

To amend section 3107.02 of the Revised Code to allow an adult to be adopted if the adult is the child of the spouse of the adoption petitioner and the adult consents to the adoption.

H. B. No. 412-Representative Blair.

Cosponsors: Representatives Adams, J., Amstutz, Blessing, Bulp, Burke, Boose, Grossman, Huffman, Lehner, Jordan, Martin, McClain, Morgan, Snitchler, Stebelton, Uecker, Wachtmann, Wagner, Zehringer.

To amend sections 122.452, 165.031, 166.02, 307.671, 307.673, 1551.13, 1728.07, 3706.042, 4115.03, 4115.033, 4115.10, 4582.12, 4582.37, 4981.23, 6117.012, and 6121.061 and to repeal section 4115.034 of the Revised Code to limit the requirement to pay the prevailing rate of wages to new construction, to increase the threshold that triggers the application of the Prevailing Wage Law to one million dollars, and to eliminate the requirement that the Director of Commerce adjust that threshold on a biennial basis.

H. B. No. 413-Representative Lehner.

Cosponsors: Representatives Blair, Combs, Derickson, Domenick, Foley,

Grossman, Harris, McClain, Morgan.

To amend sections 5.04 and 5.10 of the Revised Code to add a representation of the Wright Brothers' first piloted airplane to the Coat of Arms and Great Seal of the State of Ohio.

H. B. No. 414-Representatives Sayre, Bolon.

To amend sections 102.02, 923.44, and 923.46 and to enact sections 904.01 to 904.08 of the Revised Code to establish requirements and responsibilities of the Ohio Livestock Care Standards Board and the Director of Agriculture in administering and enforcing the rules adopted by the Board that govern the care and well-being of livestock in this state.

H. B. No. 415-Representatives DeBose, Garland.

Cosponsors: Representatives Ujvagi, Domenick, Williams, B., Pillich, Celeste, Boyd.

To enact section 4511.204 of the Revised Code to prohibit driving a vehicle while text messaging on a mobile communication device.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Morgan submitted the following report:

The standing committee on Finance and Appropriations to which was referred **Sub. H. B. No. 166**-Representatives Carney, McGregor, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: TRANSPORTATION INNOVATION AUTHORITIES

- | | |
|---------------------|---------------------|
| VERNON SYKES | LINDA S. BOLON |
| BARBARA BOYD | JOHN PATRICK CARNEY |
| TED CELESTE | KATHLEEN CHANDLER |
| DENISE DRIEHAUS | STEPHEN DYER |
| LORRAINE M. FENDE | RANDY GARDNER |
| MIKE FOLEY | JAY P. GOYAL |
| CLAYTON LUCKIE | JEFFREY MCCLAIN |
| ROSS MCGREGOR | ROBERT MECKLENBORG |
| SETH MORGAN | BARBARA R. SEARS |
| MICHAEL J. SKINDELL | STEPHEN SLESNICK |
| TRACY HEARD | TYRONE K. YATES |

The following members voted "NO"

RON AMSTUTZ
CLYDE EVANS
CHERYL GROSSMAN
RON MAAG

DAVE BURKE
BRUCE W. GOODWIN
DAVE HALL

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

On motion of Representative Slesnick, the House recessed.

The House met pursuant to recess.

Representative Blessing reported for the Rules and Reference Committee recommending that the following House Bills and Senate Bill be considered for the second time and referred to the following committees for consideration.

H.B. No. 406 - Representative S. Williams

TO CREATE THE LUPUS EDUCATION AND AWARENESS PROGRAM.

To the committee on State Government

H.B. No. 407 - Representatives Zehringer and Okey, et al

TO ALLOW SCHOOL DISTRICTS AND STEM SCHOOLS TO MAKE UP EXCESS CALAMITY DAYS BY REQUIRING STUDENTS TO COMPLETE LESSONS POSTED ONLINE.

To the committee on Education

H.B. No. 408 - Representatives Yuko and B. Williams, et al

TO PROVIDE THAT A PORTION OF A CONDOMINIUM ASSESSMENT IS PRIOR TO OTHER LIENS ON CONDOMINIUM UNITS.

To the committee on Civil and Commercial Law

H.B. No. 409 - Representative Foley

TO AUTHORIZE MUNICIPAL CORPORATIONS TO HAVE A DEFICIT IN SPECIAL FUNDS UNDER CERTAIN CIRCUMSTANCES.

To the committee on Local Government and Public Administration

H.B. No. 410 - Representative Okey, et al

TO ESTABLISH AN AGRICULTURAL DEER PROPAGATING LICENSE, AN AGRICULTURAL DEER HUNTING PRESERVE LICENSE, AND CORRESPONDING REQUIREMENTS UNDER THE AUTHORITY OF THE DIRECTOR OF AGRICULTURE.

To the committee on Agriculture and Natural Resources

H.B. No. 414 - Representatives Sayre and Bolon

TO ESTABLISH REQUIREMENTS AND RESPONSIBILITIES OF THE OHIO LIVESTOCK CARE STANDARDS BOARD AND THE DIRECTOR OF AGRICULTURE IN ADMINISTERING AND ENFORCING THE RULES ADOPTED BY THE BOARD THAT GOVERN THE CARE AND

WELL-BEING OF LIVESTOCK IN THIS STATE.

To the committee on Agriculture and Natural Resources

H.B. No. 415 - Representatives DeBose and Garland, et al

TO PROHIBIT DRIVING A VEHICLE WHILE TEXT MESSAGING ON A MOBILE COMMUNICATION DEVICE.

To the committee on Public Safety and Homeland Security

Am. S.B. No. 181 - Senator Stewart, et al

TO PROVIDE IMMUNITY FROM LIABILITY FOR ELIGIBLE LANDOWNERS WHO PROVIDE ACCESS TO ABANDONED MINE LAND FOR PURPOSES OF RECLAMATION OR ACID MINE DRAINAGE ABATEMENT AND TO PROVIDE IMMUNITY FROM LIABILITY FOR NONPROFIT ORGANIZATIONS THAT PROVIDE FUNDING OR SERVICE FOR SUCH RECLAMATION OR ACID MINE DRAINAGE ABATEMENT, AND TO DESIGNATE THAT METHANE GAS EMITTED FROM AN ABANDONED COAL MINE CONSTITUTES A RENEWABLE ENERGY RESOURCE RATHER THAN AN ADVANCED ENERGY RESOURCE FOR PURPOSES OF THE LAW GOVERNING THE PROMOTION OF RENEWABLE ENERGY USAGE, ELECTRICITY SUPPLIED FROM RENEWABLE ENERGY SOURCES, AND RENEWABLE ENERGY CREDITS.

To the committee on Agriculture and Natural Resources

T. TODD BOOK
BARBARA BOYD
MATT LUNDY

JOSEPH KOZIURA
TIMOTHY J. DEGEETER
LOUIS W. BLESSING

Representative Lundy moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills and the Senate Bill contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and the Senate Bill were considered the second time and referred as recommended.

Message from the Speaker

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes changes to the following House committees:

Agriculture and Natural Resources - appoint Representative Zehringer (Ranking Member);

Alternative Energy - remove Representative Mandel, appoint Representative Martin (Ranking Member), and Evans;

Consumer Affairs and Economic Protection- appoint Representative Hall (Ranking Member);

Criminal Justice - remove Representative Snitchler, appoint Representative Bacon;

Finance and Appropriations - appoint Representative R. Adams;

Finance and Appropriations Subcommittee on Higher Education - remove Representative Evans; appoint Representative Mecklenborg;

Financial Institutions, Real Estate and Securities - appoint Representative Blair;

Public Safety and Homeland Security - remove Representative Balderson; appoint Representative Daniels;

Public Utilities - remove Representatives Bacon, Daniels, Jordan; appoint Representatives Balderson, Beck, Stautberg, Snitchler (Ranking Member);

State Government - remove Representative Hall; appoint Representative Jordan.

On motion of Representative Lundy, the House adjourned until Wednesday, January 20, 2010 at 9:00 o'clock a.m.

Attest:

THOMAS L. SHERMAN,
Clerk.