

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, AUGUST 11, 2020

TWO HUNDRED FIFTEENTH DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, August 11, 2020, 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Antani was selected to preside under the Rule.

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

### INTRODUCTION OF BILLS

The following bill was introduced:

**H. B. No. 747** - Representatives Grendell, Cutrona.

Cosponsors: Representatives Keller, Lang, Riedel, Becker, Vitale, Butler, Cross, Wiggam, Green, Dean.

To enact sections 4723.283, 4729.261, 4730.253, and 4731.201 of the Revised Code regarding the prescribing and dispensing of drugs for off-label uses.

Said bill was considered the first time.

### CLERK'S NOTATION

Pursuant to Article II, Section 10 of the Constitution of the State of Ohio, the following protest was filed:

Pursuant to Section 10, Article II of the Constitution of the State of Ohio, the following protest was filed by House Minority Leader Emilia Sykes on August 11, 2020.

The undersigned State Representatives protest the Ohio House of Representatives' passage of Substitute House Bill 6.

H.B. 6 provided six years of subsidies for two Energy Harbor (previously FirstEnergy Solutions) nuclear power plants in Ohio totaling roughly a billion dollars. The bill reduced Ohio's renewable portfolio standards, exempting mercantile customers from those requirements, killing the standard after 2026 and effectively nullifying any incentive for new renewable energy development in the state. H.B. 6 codified rate hikes on Ohio consumers to subsidize two coal plants, one of which is located in Indiana. Finally, H.B. 6 allowed mercantile customers to opt out of Ohio's energy efficiency programs and eliminates the programs at the end of 2020. Energy efficiency programs are required by state law to be cost-effective and to-date have saved Ohioans more than \$5 billion.

Since the passage and signing of H.B. 6, information has come to light in the form of serious allegations of behind-the-scenes bribery and pay-to-play politics that were involved in the deliberations and passage of the bill. Former House Speaker, Representative Larry Householder, and four others have been indicted on federal racketeer influenced and corrupt organizations charges for an alleged conspiracy that funneled roughly \$60 million from businesses, such as FirstEnergy, through independent expenditure organizations and PACs to influence passage of the bill in the Ohio House and stop a referendum to overturn it.

The Federal Bureau of Investigation's criminal complaint and indictment disclosed that in early 2017 a 501(c)(4) organization was established by Householder and Company A and quarterly payments began to be made into the organization. That year, three bills were introduced to bailout nuclear electric generating plants, though none of them progressed significantly.

H.B. 6 was introduced in April 2019 and was followed by 3 months of extensive committee hearings in the Ohio House. House Democrats not only expressed concern for the proposal's policies but also frustration with how the committee hearings were allowed to be conducted.

Democrats walked out of a mid-May hearing when the committee's Republican chair refused to permit a Democratic lawmaker to question a witness testifying in support of the measure. House Majority Republicans repeatedly failed to share with Democratic committee members any information about substantive changes including substitute versions of H.B. 6 until the start of a committee hearing where the changes were quickly adopted without meaningful input from Minority members. Committee meetings on H.B. 6 were also often scheduled with little advanced notice.

Democrats offered numerous amendments in committee and on the floor to improve H.B. 6, including provisions that would have required the nuclear facilities to demonstrate financial need in order to receive subsidies; establish stringent auditing procedures; keep clean air credit funding within the state; and maintain alternative energy standards and energy efficiency programs. All were rejected.

Former Speaker Larry Householder was arrested Tuesday, July 21st and on Thursday, July 30th a federal grand jury indicted him and four others on corruption charges surrounding the \$1 billion bailout of FirstEnergy Solutions' nuclear plants that were included in H.B. 6.

Due to these reasons, we respectfully protest the House of Representatives' passage of H.B. 6.

/s/ Rep. Emilia Sykes, Minority Leader  
House District 34

/s/ Rep. Kristin Boggs, Assistant Minority Leader  
House District 18

/s/ Rep. Paula Hicks-Hudson, Minority Whip  
House District 44

/s/ Rep. Rich Brown, Assistant Minority Whip  
House District 20

On motion of Representative Stephens, the House adjourned until Monday,  
August 17, 2020 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.