

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

THURSDAY, MARCH 4, 2021

TWENTY-FIRST DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Thursday, March 4, 2021, 1:00 o'clock p.m.**

The House met pursuant to adjournment.

Prayer was offered by Chaplain John Hansel of the National Ministry of Capitol Commission in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 176** - Representatives Carfagna, Hall.

Cosponsors: Representatives Abrams, Riedel, Miller, J., Seitz, Gross, Troy, Young, T., White, Bird, LaRe, Stephens, Swearingen, Fraizer, Lipps.

To amend sections 4755.60 and 4755.62 and to enact section 4755.621 of the Revised Code to revise the law governing the practice of athletic training and to amend the version of section 4755.62 of the Revised Code that is scheduled to take effect on October 9, 2021, to continue the changes to that section on and after that date.

**H. B. No. 177** - Representatives Carfagna, Fraizer.

Cosponsors: Representatives Riedel, McClain, Zeltwanger, Stein, Lanese, Miller, J., Smith, K.

To enact section 9.16 of the Revised Code to allow a governmental entity to utilize distributed ledger technology, including blockchain technology.

**H. B. No. 178** - Representatives Schmidt, Miller, A.

Cosponsors: Representatives Cross, Baldrige, Carruthers, Abrams.

To amend section 3749.03 and to enact section 3749.08 of the Revised Code to limit the water pressure of water features at swimming pools and to name this act Makenna's Law.

**H. B. No. 179** - Representatives Ginter, Fraizer.

Cosponsor: Representative Young, T.

To amend sections 109.57, 109.572, 173.38, 173.381, 1337.11, 2133.01, 2317.54, 3701.362, 3701.881, 3701.916, 3721.02, 4715.36, 4719.01, 4723.431, 4729.43, 5101.63, 5164.34, and 5164.342; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3701.881 (3722.11); and to enact sections 3722.01, 3722.02, 3722.03, 3722.04, 3722.05, 3722.07, 3722.10, and 3722.99 of the Revised Code to modify the laws governing expedited licensure inspections and reviewing

plans for long-term care facilities and to license providers of home health services.

**H. B. No. 180** - Representative Abrams.

Cosponsors: Representatives Ray, Kick, Click, Schmidt, Riedel, LaRe, Bird, Gross, Patton, Hoops, Seitz.

To enact section 5534.431 of the Revised Code to designate a portion of I-71 in Hamilton County as the "Officers Dennis Bennington and Robert Seiffert Memorial Highway."

**H. B. No. 181** - Representative Powell.

Cosponsors: Representatives Holmes, Zeltwanger, Riedel, Gross, McClain, Koehler.

To amend sections 4104.19, 4733.14, 4740.06, and 4765.30 and to enact section 4743.09 of the Revised Code to require a licensing authority to issue an occupational license to an applicant who completes a registered apprenticeship program and meets other requirements.

**H. B. No. 182** - Representatives Upchurch, Miller, A.

Cosponsors: Representatives Boyd, Brent, Brown, Crossman, Jarrells, Smith, K., Lightbody, Skindell, Sobecki, Weinstein.

To amend sections 4112.01 and 4112.02 of the Revised Code to prohibit discrimination in rental housing based on lawful source of income.

**H. B. No. 183** - Representatives Schmidt, Miller, A.

Cosponsors: Representatives Sweeney, Blackshear, Brent, Callender, Crawley, Denson, Ferguson, Galonski, Ingram, Miller, J., Kelly, Smith, K., Lanese, Lightbody, Liston, Riedel, Richardson, Russo, Sobecki, Upchurch, Weinstein, West, White.

To amend sections 9.07, 120.03, 120.041, 120.06, 120.14, 120.16, 120.18, 120.24, 120.26, 120.28, 120.33, 120.34, 149.43, 149.436, 1901.183, 2152.13, 2152.67, 2301.20, 2307.60, 2317.02, 2701.07, 2743.51, 2901.02, 2909.24, 2929.02, 2929.13, 2929.14, 2929.61, 2930.19, 2937.222, 2941.021, 2941.14, 2941.148, 2941.401, 2941.43, 2941.51, 2945.06, 2945.10, 2945.13, 2945.21, 2945.25, 2945.33, 2945.38, 2949.02, 2949.03, 2953.02, 2953.07, 2953.08, 2953.09, 2953.10, 2953.21, 2953.23, 2953.71, 2953.72, 2953.73, 2953.81, 2967.05, 2967.12, 2967.13, 2967.193, 2971.03, 2971.07, 5120.113, 5120.53, 5120.61, 5139.04, and 5919.16 and to repeal sections 109.97, 120.35, 2725.19, 2929.021, 2929.022, 2929.023, 2929.024, 2929.03, 2929.04, 2929.05, 2929.06, 2945.20, 2947.08, 2949.21, 2949.22, 2949.221, 2949.222, 2949.24, 2949.25, 2949.26, 2949.27, 2949.28, 2949.29, 2949.31, and 2967.08 of the Revised Code to abolish the death penalty and to modify the number of jurors that may be challenged in cases where a defendant may be sentenced to life imprisonment.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS  
FOR SECOND CONSIDERATION**

Representative Miller, A. submitted the following report:

The standing committee on Armed Services and Veterans Affairs to which was referred **H. B. No. 29**-Representatives Wiggam, Miller, A., et al., having had the same under consideration, reports it back and recommends its passage.

RE: PERMIT CERTAIN PERSONS TO OBTAIN OHIO VETERANS ID CARD

Representative Miller, A. moved to amend the title as follows:

Add the names: "Crawley, Fowler Arthur, Gross, Sheehy"

HARAZ N. GHANBARI	MIKE LOYCHIK
ADAM C. MILLER	RICHARD D. BROWN
ERICA C. CRAWLEY	SARAH FOWLER ARTHUR
JENNIFER GROSS	ADAM HOLMES
BRIAN E. LAMPTON	LAURA LANESE
TRACY M. RICHARDSON	MICHAEL SHEEHY
CASEY WEINSTEIN	

The report was agreed to.

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

Representative Robinson submitted the following report:

The standing committee on Primary and Secondary Education to which was referred **H. B. No. 67**-Representatives Koehler, Bird, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: SEEK WAIVER FROM FEDERAL TESTING REQUIREMENTS

Representative Bird moved to amend the title as follows:

Add the names: "Click, Fowler Arthur, Jones, Pavliga"

Remove the name: "Miller, J."

GAYLE MANNING	ADAM C. BIRD
PHILLIP M. ROBINSON, JR.	GARY CLICK
SARAH FOWLER ARTHUR	CATHERINE D. INGRAM
DON JONES	J. KYLE KOEHLER
SUSAN MANCHESTER	GAIL K. PAVLIGA
TRACY M. RICHARDSON	D. J. SWEARINGEN

The following members voted "NO"

MARY LIGHTBODY  
LISA A. SOBECKI

JOSEPH A. MILLER III

The report was agreed to.

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

### MOTIONS AND RESOLUTIONS

Representative Jones moved that majority party members asking leave to be absent or absent the week of Wednesday, March 3, 2021, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Hicks-Hudson moved that minority party members asking leave to be absent or absent the week of Wednesday, March 3, 2021, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

### BILLS FOR THIRD CONSIDERATION

**Sub. H. B. No. 74**-Representative Oelslager.

Cosponsor: Representative West.

To amend sections 125.02, 723.54, 1317.07, 2131.12, 2131.13, 2913.71, 3704.14, 3743.01, 3743.04, 3743.15, 3743.17, 3743.75, 4501.01, 4501.21, 4503.04, 4503.042, 4503.10, 4503.102, 4503.103, 4503.182, 4503.19, 4503.191, 4503.21, 4503.29, 4503.51, 4503.513, 4503.573, 4503.581, 4503.591, 4503.593, 4503.67, 4503.68, 4503.69, 4503.771, 4503.78, 4503.791, 4503.83, 4503.871, 4503.873, 4503.874, 4503.875, 4503.876, 4503.877, 4503.878, 4503.879, 4503.88, 4503.892, 4503.901, 4503.902, 4503.903, 4503.904, 4503.905, 4503.906, 4503.907, 4503.908, 4503.909, 4503.951, 4503.952, 4503.953, 4503.954, 4503.955, 4505.01, 4505.06, 4505.101, 4505.103, 4505.11, 4505.19, 4507.02, 4507.06, 4507.12, 4507.21, 4507.213, 4507.50, 4507.51, 4507.53, 4510.037, 4511.195, 4511.454, 4511.46, 4511.751, 4513.601, 4513.61, 4513.611, 4519.10, 4519.55, 4519.60, 5501.47, 5501.48, 5516.01, 5516.02, 5516.05, 5516.06, 5516.061, 5516.11, 5543.20, 5577.02, and 5703.21; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4503.771 (4503.77) and 4503.791 (4503.79); to enact new section 4505.032 and sections 4505.22, 4507.061, and 5577.045; and to repeal sections 4503.511, 4503.512, 4503.77, 4503.772, 4503.79, and 4505.032 of the Revised Code and to repeal Section 513.20 of H.B. 166 of the 133rd General Assembly to make appropriations for programs related to transportation and public safety for the biennium

beginning July 1, 2021, and ending June 30, 2023, and to provide authorization and conditions for the operation of those programs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Skindell moved to amend, amendment 0452, as follows:

In the table on line 10082, in row AJ, column 4, delete "\$3,540,745,151" and insert "\$3,552,595,151"; column 5, delete "\$3,259,573,313" and insert "\$3,271,423,313"

In the table on line 10082, in row D, column 4, delete "\$23,150,000" and insert "\$35,000,000"; column 5, delete "\$23,150,000" and insert "\$35,000,000"

In the table on line 10082, in row C, column 4, delete "\$23,150,000" and insert "\$35,000,000"; column 5, delete "\$23,150,000" and insert "\$35,000,000"

In line 10206, delete "\$33,000,000" and insert "\$35,000,000"

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 60, nays 35, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Hillyer	Holmes	Hoops	Householder
Howse	John	Johnson	Jones
Jordan	Kick	Koehler	Lampton
Lanese	LaRe	Lipps	Loychik
Manchester	McClain	Merrin	Oelslager
Patton	Pavliga	Plummer	Powell
Richardson	Riedel	Roemer	Schmidt
Seitz	Stein	Stephens	Stewart
Stoltzfus	Swearingen	White	Wiggam
Wilkin	Young, B.	Young, T.	Cupp-60

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brinkman	Brown	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Ingram
Jarrells	Kelly	Leland	Lepore-Hagan
Lightbody	Liston	Miller, A.	Miller, J.
Miranda	O'Brien	Robinson	Russo
Skindell	Smith, K.	Smith, M.	Sobecki
Sweeney	Sykes	Troy	Upchurch

Vitale

Weinstein

West-35

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Howse moved to amend, amendment 0454, as follows:

In line 21 of the title, after "5577.02" insert ", 5703.21, 5735.041"; delete "5703.21" and insert "5735.07"

In line 25 of the title, delete the second "and"

In line 26, after "5577.045" insert ", and 5735.061"

In line 50, delete "and"; after "5703.21" insert ", 5735.041, and 5735.07"

In line 54, delete "and"; after "5577.045" insert ", and 5735.061"

After line 10051, insert:

"(21) Publishing information in the possession of the department of taxation concerning the number of gallons of motor fuel and compressed natural gas dispensed by retail service stations in each municipal corporation and in the unincorporated area of each township, as required by section 5735.07 of the Revised Code.

**Sec. 5735.041.** (A) The tax commissioner may revoke the license of a retail dealer in the following circumstances:

(1) The retail dealer sells or attempts to sell any motor fuel upon which any motor fuel tax imposed by this chapter has not been paid;

(2) The retail dealer attempts to evade any motor fuel tax imposed by this chapter;

(3) The retail dealer fails to timely file a report required by section 5735.061 of the Revised Code;

(4) The retail dealer violates any provision of this chapter.

(B) The commissioner shall notify the retail dealer in writing of the revocation by certified mail sent to the last known address of the retail dealer appearing on the files of the commissioner.

**Sec. 5735.061.** Annually, on or before the thirty-first day of July, each retail dealer shall file with the tax commissioner a report for the preceding fiscal year on a form prescribed by the commissioner for that purpose. The report shall include the following information:

(A) The name of the retail dealer;

(B) The locations, including the street number addresses, of each of the retail dealer's retail service stations within this state;

(C) An itemized list of the number of gallons of gasoline, gallons of motor fuel other than gasoline, and gallon equivalents of compressed natural

gas dispensed from each such service station in the preceding fiscal year.

Sec. 5735.07. (A) The tax commissioner shall publish on the department's department of taxation's web site a list of all motor fuel dealers, aviation fuel dealers, and retail dealers that have valid licenses or registrations issued under this chapter. The list shall contain the name, address, and federal identification number or other motor fuel tax account number of each such person and, for motor fuel dealers, the number of gallons of motor fuel upon which those dealers were required to pay the tax as reported on the report or as determined by investigation of the commissioner.

(B) Annually, not later than the thirty-first day of August, the commissioner shall publish on the department's web site a list of the following information for each municipal corporation and township in the state:

(1) The number of gallons of gasoline, gallons of motor fuel other than gasoline or compressed natural gas, and gallon equivalents of compressed natural gas dispensed in the preceding fiscal year from retail service stations located in the municipal corporation or in the unincorporated area of the township;

(2) An estimate of the total amount of tax collected on such motor fuel, computed by multiplying the number of gallons or gallon equivalents dispensed from retail service stations located in the municipal corporation or in the unincorporated area of the township in the preceding fiscal year by the applicable tax rate prescribed by section 5735.05 of the Revised Code for motor fuel received by motor fuel dealers during that fiscal year;

(3) The amount of tax revenue distributed from the gasoline excise tax fund to the municipal corporation or township in the preceding fiscal year under section 5735.27 of the Revised Code."

In line 10067, delete "and" and insert ","

In line 10068, after "5703.21" insert ", 5735.041, and 5735.07"

After line 10868, insert:

**"Section 757.40.** As used in this section, "retail dealer" has the same meaning as in section 5735.01 of the Revised Code.

Notwithstanding the filing deadline prescribed by section 5735.061 of the Revised Code, each retail dealer shall file a report under that section for fiscal year 2021 not later than the thirtieth day following the effective date of this section. Retail dealers are not required to file reports under that section for periods preceding fiscal year 2021.

Notwithstanding the deadline prescribed by division (B) of section 5735.07 of the Revised Code, as amended by this act, the Tax Commissioner shall publish the information described by that division for fiscal year 2021

not later than the sixtieth day following the effective date of this section. The Commissioner is not required to post information under that section for periods preceding fiscal year 2021."

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 57, nays 37, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Brinkman
Callender	Carfagna	Carruthers	Click
Creech	Cross	Cutrona	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Hall	Hillyer
Holmes	Hoops	Householder	John
Johnson	Jones	Jordan	Kick
Koehler	Lampton	Lanese	LaRe
Lipps	Manchester	McClain	Merrin
Oelslager	Patton	Pavliga	Plummer
Powell	Richardson	Riedel	Roemer
Schmidt	Seitz	Stein	Stephens
Stewart	Stoltzfus	Swearingen	White
Wiggam	Wilkin	Young, B.	Young, T.
			Cupp-57

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brown	Crawley	Crossman	Dean
Denson	Galonski	Gross	Hicks-Hudson
Howse	Ingram	Jarrells	Kelly
Leland	Lepore-Hagan	Lightbody	Liston
Miller, A.	Miller, J.	Miranda	O'Brien
Robinson	Russo	Skindell	Smith, K.
Smith, M.	Sobecki	Sweeney	Sykes
Troy	Upchurch	Vitale	Weinstein
			West-37

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Kelly moved to amend, amendment 0455, as follows:

In line 1 of the title, after "1317.07" insert ", 1327.70"

In line 35, after "1317.07" insert ", 1327.70"

After line 192, insert:

**"Sec. 1327.70. (A) As used in this section:**

**(1) "Biodiesel" and "blended biodiesel" have the same meanings as in section 125.831 of the Revised Code.**

**"Conventional fuel" means gasoline and diesel fuel.**

"Diesel fuel" has the same meaning as in section 5735.01 of the Revised Code.

~~(2) "Ethanol extended fuel" means a mixture of gasoline and ethanol.~~

"Fuel inspector" means a county auditor or any person who is designated by the county auditor to perform motor fuel quality testing under this section.

"Motor fuel" means ~~gasoline or diesel~~ any of the following types of fuel that is sold by a ~~retailer~~ retail dealer:

(1) Conventional fuel;

(2) Biodiesel or blended biodiesel fuel;

(3) Ethanol extended fuel.

"Retail dealer" has the same meaning as in section 5735.01 of the Revised Code.

"Retail service station" has the same meaning as in section 5735.01 of the Revised Code.

(B) The director of agriculture may adopt rules in accordance with Chapter 119. of the Revised Code establishing a motor fuel quality testing program that is uniform throughout the state.

(C)(1) Unless a motor fuel quality testing program is established in rules under division (B) of this section and is funded and implemented by the department of agriculture, a county auditor may implement a motor fuel quality testing program in the auditor's county whereby a fuel inspector may test motor fuel quality for octane level, sediment, and water in the fuel. No fuel inspector shall charge any inspection or registration fees to perform motor fuel quality testing.

(2) A county auditor who implements a motor fuel quality testing program under this section shall acquire testing equipment or ensure that testing equipment is available for the county's program. The county auditor shall ensure that the testing equipment meets the most recent standards established by the American society for testing and materials (ASTM) international. A county auditor may contract with another county to use that county's testing equipment so long as the contract provides that the testing is performed by a fuel inspector from the county that owns the testing equipment. A county auditor shall not allow the county's testing equipment to be used in any other county for fuel quality testing purposes unless a fuel inspector for the county that owns the equipment is conducting the testing.

(D) If a county auditor implements a fuel quality testing program under this section, a retail dealer in the applicable county shall do all of the following when requested by a fuel inspector:

(1) Allow the fuel inspector to test the octane level and sediment

from the retail dealer's motor fuel pumps;

(2) Allow the fuel inspector to test the water and sediment in the retail dealer's motor fuel storage tanks;

(3) Allow the fuel inspector to pump a sample of motor fuel, free of charge and in containers provided by the fuel inspector, in an amount required by the fuel inspector for testing.

(E) A fuel inspector shall do all of the following when performing motor fuel quality testing:

(1) Use testing equipment that meets the most recent standards established by the American society for testing and materials (ASTM) international;

(2) Adhere to any standard or guideline set forth by the director of agriculture, in accordance with division (F)(3) of this section, relating to petroleum product quality and sampling and testing methods that are consistent with the ASTM;

(3) Except as otherwise provided in division (E)(2) of this section, adhere to the following motor fuel quality testing compliance standards:

(a) Fuel storage tanks shall not exceed one-quarter inch of water for ethanol extended fuel and shall not exceed two inches of water for conventional fuel.

(b) Gasoline and ethanol extended fuel octane levels tested at the pump shall be within one octane point of the octane level listed on the pump.

(c) Gasoline and ethanol extended fuel tested at the pump, per ASTM requirements, shall be visually free of undissolved water, sediment, and suspended matter and shall be clear and bright at either an ambient temperature or seventy degrees Fahrenheit, whichever is higher.

(d) Diesel fuel tested at the pump shall meet the standards defined by the ASTM.

(F)(1) For a violation of a motor fuel quality standard detected at a retail service station, a fuel inspector shall issue to the applicable retail dealer an order to stop selling fuel until the fuel is in compliance with this section as determined by the fuel inspector.

(2) A fuel inspector, when issuing an order to stop selling fuel under division (F)(1) of this section, may impose a civil penalty on the retail dealer in accordance with rules adopted by the director of agriculture under division (F)(3) of this section. If the director does not adopt such rules, the county auditor shall not adopt civil penalties for that county. All civil penalties collected under division (F)(2) of this section shall be deposited into the applicable county general fund.

(3) For purposes of a county auditor-implemented motor fuel quality

testing program, the director of agriculture may adopt rules in accordance with Chapter 119. of the Revised Code establishing civil penalties for violations of motor fuel quality standards. The rules shall include procedures by which a retail dealer may appeal a civil penalty. Not later than ninety days after the effective date of this section, the director shall adopt rules in accordance with Chapter 119. of the Revised Code that establish procedures by which a retail dealer may appeal an order issued under division (F) of this section.

(G) A fuel inspector shall transmit data collected from motor fuel quality testing to the director of agriculture. The director shall compile such data, including dates, locations, and results received from fuel inspectors, and make the data accessible to the public via the department of agriculture's web site.

(H) Any county that lawfully implemented a motor fuel quality testing program prior to the effective date of this section is exempt from divisions (C) to (G) of this section. Such a county may continue to implement the motor fuel quality testing program as that program existed prior to the effective date of this section.

(I) Whenever the department of agriculture is notified of a United States environmental protection agency waiver of standards that applies to federal fuel standards, the department shall notify every county auditor's office. Any auditor participating in a fuel quality testing program under this section, or a fuel quality testing program implemented prior to the effective date of this section, shall only test for water and sediment during the waiver period."

In line 10053, after "1317.07" insert ", 1327.70"

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 57, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fraizer	Ghanbari	Ginter
Grendell	Hall	Hillyer	Holmes
Hoops	Householder	John	Johnson
Jones	Jordan	Kick	Koehler
Lampton	Lanese	LaRe	Lipps
Loychik	Manchester	McClain	Merrin
Oelslager	Patton	Pavliga	Plummer
Powell	Richardson	Riedel	Roemer
Schmidt	Seitz	Stein	Stephens
Stewart	Stoltzfus	Swearingen	White

Wiggam	Wilkin	Young, B.	Young, T. Cupp-57
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Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brinkman	Brown	Crawley	Crossman
Denson	Fowler Arthur	Galonski	Gross
Hicks-Hudson	Howse	Ingram	Jarrells
Kelly	Leland	Lepore-Hagan	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
O'Brien	Robinson	Russo	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	Vitale
Weinstein			West-38

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 87, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Boggs	Boyd	Brown	Callender
Carfagna	Carruthers	Click	Crawley
Creech	Cross	Crossman	Cutrona
Denson	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Gross	Hall	Hillyer	Holmes
Hoops	Householder	Ingram	Jarrells
John	Johnson	Jones	Jordan
Kelly	Kick	Koehler	Lampton
Lanese	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Loychik
Manchester	McClain	Merrin	Miller, J.
Miranda	O'Brien	Oelslager	Patton
Pavliga	Plummer	Powell	Richardson
Riedel	Robinson	Roemer	Russo
Schmidt	Seitz	Skindell	Smith, K.
Smith, M.	Sobecki	Stein	Stephens
Stewart	Stoltzfus	Swearingen	Sweeney
Sykes	Troy	Upchurch	Weinstein
West	White	Wiggam	Wilkin
Young, B.	Young, T.		Cupp-87

Representatives Brent, Brinkman, Dean, Grendell, Hicks-Hudson, Howse, Miller, A., and Vitale voted in the negative-8.

The bill passed.

Representative Oelslager moved to amend the title as follows:

Add the names: "Baldrige, Callender, Carfagna, Carruthers, Cross, Crossman, Fraizer, Galonski, Ghanbari, Ginter, Hall, Hillyer, Householder, Jarrells, John, Johnson, Miller, J., O'Brien, Patton, Plummer, Richardson, Riedel, Roemer, Schmidt, Seitz, Smith, K., Sobecki, Stein, Stewart, Troy,

White, Young, T., Speaker Cupp."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 67**-Representatives Koehler, Bird.

Cosponsors: Representatives Abrams, Cross, Ingram, Kick, Lipps, Manchester, Manning, Riedel, Stephens, White, Click, Fowler Arthur, Jones, Pavliga.

To enact section 3313.6120 of the Revised Code with regard to state assessments for the 2020-2021 school year and high school graduation requirements for the 2020-2021 through 2023-2024 school years, to require the Department of Education to seek a waiver from federal accountability and school identification requirements, and to declare an emergency, was taken up for consideration the third time.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted – yeas 57, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Bird	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Hillyer	Holmes	Hoops	Householder
John	Johnson	Jones	Kick
Koehler	Lampton	Lanese	LaRe
Lipps	Loychik	Manchester	McClain
Merrin	Oelslager	Patton	Pavliga
Plummer	Powell	Richardson	Riedel
Roemer	Schmidt	Stein	Stephens
Stewart	Stoltzfus	Swearingen	White
Wiggam	Wilkin	Young, B.	Young, T. Cupp-57

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brinkman	Brown	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Ingram	Jarrells	Jordan	Kelly
Leland	Lepore-Hagan	Lightbody	Liston
Miller, A.	Miller, J.	Miranda	O'Brien
Robinson	Russo	Seitz	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	Vitale
Weinstein			West-38

Not having received a constitutional majority, the emergency clause failed of passage.

The question being, "Shall the bill pass?"

Representative Miller, J. moved to amend, amendment 0444, as follows:

In line 151, delete "as follows:"

Delete lines 152 through 163

In line 164, delete "for all grades, from March 29, 2021, through May 14, 2021" and insert "not later than June 30, 2021"

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 58, nays 36, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Carfagna
Carruthers	Click	Creech	Cross
Cutrona	Dean	Edwards	Ferguson
Fowler Arthur	Fraizer	Ghanbari	Ginter
Grendell	Gross	Hall	Hillyer
Holmes	Hoops	Householder	John
Johnson	Jones	Jordan	Kick
Koehler	Lampton	Lanese	LaRe
Lipps	Loychik	Manchester	McClain
Merrin	Oelslager	Patton	Pavliga
Plummer	Powell	Richardson	Riedel
Roemer	Schmidt	Seitz	Stein
Stephens	Stewart	Stoltzfus	Swearingen
White	Wiggam	Wilkin	Young, B.
Young, T.			Cupp-58

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brinkman	Brown	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Ingram	Jarrells	Kelly	Leland
Lepore-Hagan	Lightbody	Liston	Miller, A.
Miller, J.	Miranda	O'Brien	Robinson
Russo	Skindell	Smith, K.	Smith, M.
Sobecki	Sweeney	Sykes	Troy
Upchurch	Vitale	Weinstein	West-36

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Sobecki moved to amend, amendment 0458, as follows:

In line 70, delete "the end-of-"

Delete line 71

In line 72, delete "under division (B)(2) of section 3301.0712 of the Revised Code" and insert "any assessment prescribed in section 3301.0710,

3301.0711, 3301.0712, 3313.903, or 3314.017 of the Revised Code, including the Ohio English Language Proficiency Assessment administered to English learners pursuant to division (C)(3)(b) of section 3301.0711 of the Revised Code and the Alternate Assessment for Students with Significant Cognitive Disabilities prescribed in division (C)(1) of section 3301.0711 of the Revised Code, that the Department of Education determines is not necessary to meet testing requirements prescribed under federal law. However, a district or school may elect to administer any assessment the Department determines is not necessary to meet federal requirements"

In line 73, delete "of Education"

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 58, nays 36, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Carfagna
Carruthers	Click	Creech	Cross
Cutrona	Dean	Edwards	Ferguson
Fowler Arthur	Fraizer	Ghanbari	Ginter
Grendell	Gross	Hall	Hillyer
Holmes	Hoops	Householder	John
Johnson	Jones	Jordan	Kick
Koehler	Lampton	Lanese	LaRe
Lipps	Loychik	Manchester	McClain
Merrin	Oelslager	Patton	Pavliga
Plummer	Powell	Richardson	Riedel
Roemer	Schmidt	Seitz	Stein
Stephens	Stewart	Stoltzfus	Swearingen
White	Wiggam	Wilkin	Young, B.
Young, T.			Cupp-58

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brinkman	Brown	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Ingram	Jarrells	Kelly	Leland
Lepore-Hagan	Lightbody	Liston	Miller, A.
Miller, J.	Miranda	O'Brien	Robinson
Russo	Skindell	Smith, K.	Smith, M.
Sobecki	Sweeney	Sykes	Troy
Upchurch	Vitale	Weinstein	West-36

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Sobecki moved to amend, amendment 0459, as follows:

In line 72, after "Code" insert ". A district or school shall not administer a state assessment that is not federally required to a student if that

student's parent or guardian, or the student, if the student is eighteen years of age or older, elects for the student not to take the assessment.

For the purposes of division (A) of this section, "a state assessment that is not federally required" means any assessment prescribed in section 3301.0710, 3301.0711, 3301.0712, 3313.903, or 3314.017 of the Revised Code, including the Ohio English Language Proficiency Assessment administered to English learners pursuant to division (C)(3)(b) of section 3301.0711 of the Revised Code and the Alternate Assessment for Students with Significant Cognitive Disabilities prescribed in division (C)(1) of section 3301.0711 of the Revised Code, that the Department of Education determines is not necessary to meet testing requirements prescribed under federal law"

In line 73, delete "of Education"

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 58, nays 35, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Carfagna
Carruthers	Click	Creech	Cross
Cutrona	Dean	Edwards	Ferguson
Fowler Arthur	Fraizer	Ghanbari	Ginter
Grendell	Gross	Hall	Hillyer
Holmes	Hoops	Householder	John
Johnson	Jones	Jordan	Kick
Koehler	Lampton	Lanese	LaRe
Lipps	Loychik	Manchester	McClain
Merrin	Oelslager	Patton	Pavliga
Plummer	Powell	Richardson	Riedel
Roemer	Schmidt	Seitz	Stein
Stephens	Stewart	Stoltzfus	Swearingen
White	Wiggam	Wilkin	Young, B.
Young, T.			Cupp-58

Those who voted in the negative were: Representatives

Blackshear	Boyd	Brent	Brinkman
Brown	Crawley	Crossman	Denson
Galonski	Hicks-Hudson	Howse	Ingram
Jarrells	Kelly	Leland	Lepore-Hagan
Lightbody	Liston	Miller, A.	Miller, J.
Miranda	O'Brien	Robinson	Russo
Skindell	Smith, K.	Smith, M.	Sobecki
Sweeney	Sykes	Troy	Upchurch
Vitale	Weinstein		West-35

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 93, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Boggs	Boyd	Brent	Brinkman
Brown	Carfagna	Carruthers	Click
Crawley	Creech	Cross	Crossman
Cutrona	Dean	Denson	Edwards
Ferguson	Fowler Arthur	Fraizer	Galonski
Ghanbari	Ginter	Grendell	Gross
Hall	Hicks-Hudson	Hillyer	Holmes
Hoops	Householder	Howse	Ingram
Jarrells	John	Johnson	Jones
Jordan	Kelly	Kick	Koehler
Lampton	Lanese	LaRe	Leland
Lepore-Hagan	Lightbody	Lipps	Liston
Loychik	Manchester	McClain	Merrin
Miller, J.	Miranda	O'Brien	Oelslager
Patton	Pavliga	Plummer	Powell
Richardson	Riedel	Robinson	Roemer
Russo	Schmidt	Seitz	Skindell
Smith, K.	Smith, M.	Sobecki	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Sweeney	Sykes	Troy	Upchurch
Vitale	Weinstein	West	White
Wiggam	Wilkin	Young, B.	Young, T. Cupp-93

Representative Miller, A. voted in the negative-1.

The bill passed.

Representative Koehler moved to amend the title as follows:

Add the names: "Carruthers, Cutrona, Edwards, Galonski, Ginter, Gross, Hall, John, Loychik, Richardson, Roemer, Seitz, Troy, Young, B.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

#### Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is requested:

#### **S. B. No. 21** - Senators Antonio, Manning

Cosponsors: Senators Blessing, Craig, Fedor, Hackett, Kunze, Maharath, Romanchuk, Rulli, Schuring, Sykes, Thomas, Williams, Yuko, Huffman, S., Brenner, Dolan, Gavarone, Hoagland, Johnson, Lang, Reineke, Schaffer,

Wilson

To amend section 4765.401 of the Revised Code regarding emergency medical services and stroke patient protocols.

**Sub. S. B. No. 36** - Senators Manning, Huffman, S.

Cosponsors: Senators Antonio, Blessing, Brenner, Craig, Dolan, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Johnson, Kunze, Maharath, McColley, O'Brien, Peterson, Reineke, Schuring, Sykes, Thomas, Williams, Wilson, Yuko

To amend sections 2743.51, 2743.59, 2743.60, 2743.65, and 2743.71 of the Revised Code to revise the eligibility standards and procedure for awarding reparations to crime victims.

**S. B. No. 42** - Senator Schaffer

Cosponsors: Senators Lang, Wilson, Yuko, Craig, Fedor, Huffman, S., Antonio, Blessing, Brenner, Dolan, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Kunze, Maharath, Manning, O'Brien, Peterson, Reineke, Roegner, Schuring, Sykes, Thomas, Williams

To enact section 5.2522 of the Revised Code to designate the second week of November as "Ohio Diabetes Awareness-Heart Connection Week."

**S. B. No. 44** - Senators Rulli, Cirino

Cosponsors: Senators Brenner, Antani, Antonio, Blessing, Craig, Dolan, Fedor, Hackett, Hoagland, Hottinger, Huffman, S., Johnson, Kunze, Lang, Manning, McColley, Peterson, Reineke, Roegner, Romanchuk, Schaffer, Sykes, Thomas, Williams, Wilson

To amend sections 3706.40, 3706.41, 3706.43, 3706.45, 3706.46, 3706.49, 3706.55, and 3706.59; to enact section 3706.551; and to repeal sections 3706.53, 3706.61, and 5727.231 of the Revised Code to repeal the nuclear resource credit payment provisions, and amend, and rename as solar resource, the renewable resource credit payment provisions of H.B. 6 of the 133rd General Assembly.

Attest:

Vincent L. Keeran,  
Clerk.

Said bills were considered the first time.

**MESSAGE FROM THE SPEAKER**

Pursuant to Section 101.63(A)(1) of the Ohio Revised Code, the Speaker hereby directs the House standing committee on State and Local Government to begin holding hearings to receive testimony of the public and chief executive officers of occupational licensing boards, and otherwise to review, consider, and evaluate the usefulness, performance, and effectiveness of the boards.

On motion of Representative Ginter, the House recessed.

The House met pursuant to recess.

Representative Oelslager moved that the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS  
FOR SECOND CONSIDERATION**

Representative Sykes reported for the Rules and Reference committee recommending that the following House Bills be considered for the second time and referred to the following committees for consideration:

**H. B. No. 171** - Representatives Lanese and Ray  
TO CREATE THE "KEEP OHIO BEAUTIFUL" LICENSE PLATE.  
To the committee on Transportation and Public Safety

**H. B. No. 172** - Representatives Baldrige and O'Brien  
TO REVISE THE FIREWORKS LAW.  
To the committee on Commerce and Labor

**H. B. No. 173** - Representatives Click and Pavliga  
TO ESTABLISH THE OHIO FAMILY STABILITY COMMISSION.  
To the committee on Families, Aging, and Human Services

**H. B. No. 174** - Representatives Cross and Lanese  
TO AUTHORIZE AN INCOME TAX DEDUCTION FOR CAPITAL GAINS  
RECEIVED BY INVESTORS IN CERTAIN OHIO-BASED VENTURE  
CAPITAL OPERATING COMPANIES.  
To the committee on Economic and Workforce Development

**H. B. No. 175** - Representative Hillyer  
TO DEREGULATE CERTAIN EPHEMERAL WATER FEATURES UNDER  
VARIOUS WATER POLLUTION CONTROL LAWS.  
To the committee on Agriculture and Conservation

ROBERT R. CUPP  
EMILIA STRONG SYKES  
KRISTIN BOGGS  
RICK CARFAGNA  
DON JONES  
PHIL PLUMMER

TIMOTHY E. GINTER  
CINDY ABRAMS  
RICHARD D. BROWN  
PAULA HICKS-HUDSON  
SCOTT OELSLAGER  
BILL SEITZ

Representative Oelslager 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 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 were considered the second time and referred as recommended.

On motion of Representative Oelslager, the House adjourned until Tuesday, March 9, 2021 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.