

OHIO

House

of

Representatives

JOURNAL

TUESDAY, MAY 4, 2021

FORTY-THIRD DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, May 4, 2021, 9:00 o'clock a.m.

The House met pursuant to adjournment.

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

Representative McClain was selected to preside under the Rule.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 284 - Representative Brent.

Cosponsors: Representatives Howse, Crawley, Lepore-Hagan, Galonski.

To enact section 3701.035 of the Revised Code regarding hand-hygiene education and guidelines for patients and residents of health care facilities.

H. B. No. 285 - Representative Seitz.

Cosponsors: Representatives Abrams, Bird, Carruthers, Cross, McClain, Riedel, Stoltzfus, Wiggam.

To amend section 109.02 and to enact section 101.55 of the Revised Code regarding intervention and legal representation in actions challenging statutes and to require the Attorney General to seek legislative approval before settling certain actions.

H. B. No. 286 - Representative Seitz.

Cosponsors: Representatives Abrams, Bird, Click, Cross, Fowler Arthur, Grendell, Gross, Jordan, McClain, Riedel, Schmidt, Stoltzfus, Swearingen.

To amend sections 119.12, 124.34, 956.11, 956.15, 3794.09, 3901.321, 3913.13, 3913.23, 5101.35, and 5164.38 of the Revised Code to change the venue in which appeal from an agency order is proper to the local court of common pleas.

Said bills were considered the first time.

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

Representative Sheehy submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 258**-Representative Fowler Arthur, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DESIGNATE SGT. THOMAS WALKER MEMORIAL BRIDGE

Representative McClain moved to amend the title as follows:

Add the names: "Baldrige, McClain, Sheehy, Creech, Ghanbari, Hall, LaRe, O'Brien"

BRIAN BALDRIDGE

MICHAEL SHEEHY

RODNEY CREECH

THOMAS HALL

MICHELE LEPORE-HAGAN

RIORDAN T. MCCLAIN

JUANITA O. BRENT

HARAZ N. GHANBARI

JEFF LARE

MICHAEL J. O'BRIEN

The report was agreed to.

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

Representative Sheehy submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 263**-Representative Roemer, having had the same under consideration, reports it back and recommends its passage.

RE: DESIGNATE SGT. VERNON R. JUDD MEMORIAL HIGHWAY

Representative McClain moved to amend the title as follows:

Add the names: "Baldrige, McClain, Sheehy, Brent, Creech, Ghanbari, Hall, LaRe, O'Brien"

BRIAN BALDRIDGE

MICHAEL SHEEHY

RODNEY CREECH

THOMAS HALL

MICHELE LEPORE-HAGAN

RIORDAN T. MCCLAIN

JUANITA O. BRENT

HARAZ N. GHANBARI

JEFF LARE

MICHAEL J. O'BRIEN

The report was agreed to.

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

Representative Russo submitted the following report:

The standing committee on Health to which was referred **H. B. No. 142**-Representatives Crawley, Brinkman, et al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Rules and Reference.

RE: REGARDS DOULA SERVICES

P. SCOTT LIPPS

C. ALLISON RUSSO

AL CUTRONA

MICHELE LEPORE-HAGAN

ADAM HOLMES

ADAM C. BIRD

TIMOTHY E. GINTER

BETH LISTON

SUSAN MANCHESTER
BRIAN STEWART
THOMAS WEST
TOM YOUNG

PHIL PLUMMER
TERRENCE UPCHURCH
ANDREA WHITE

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on Rules and Reference.

Representative Russo submitted the following report:

The standing committee on Health to which was referred **H. B. No. 252-** Representatives White, Plummer, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ENTER AUDIOLOGY / SPEECH-LANGUAGE PATHOLOGY
INTERSTATE COMPACT

P. SCOTT LIPPS
C. ALLISON RUSSO
AL CUTRONA
MICHELE LEPORE-HAGAN
SUSAN MANCHESTER
BRIAN STEWART
ANDREA WHITE

ADAM HOLMES
ADAM C. BIRD
TIMOTHY E. GINTER
BETH LISTON
PHIL PLUMMER
TERRENCE UPCHURCH
TOM YOUNG

The report was agreed to.

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

Representative Sykes submitted the following report:

The standing committee on Rules and Reference to which was referred **S. B. No. 108-** Senators Huffman, S., Romanchuk, et al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Finance.

RE: PROVIDE GRANTS TO BARS, RESTAURANTS AND THE
LODGING INDUSTRY

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

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on

Finance.

Representative Sykes submitted the following report:

The standing committee on Rules and Reference to which was referred **S. B. No. 109**-Senators Manning, Rulli, et al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Finance.

RE: PROVIDE GRANTS TO BUSINESSES, FAIRS, CHILD CARE, VETERANS HOMES

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

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on Finance.

Representative Sykes submitted the following report:

The standing committee on Rules and Reference to which was referred **H. B. No. 150**-Representatives Hillyer, Leland, et al., having had the same under consideration, reports it back and recommends its re-referral to the committee on Finance.

RE: ESTABLISH OHIO PUBLIC DEFENDER STATE LOAN REPAYMENT PROGRAM

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

The report was agreed to.

The bill was ordered to be engrossed and re-referred to the committee on Finance.

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

H. B. No. 267 - Representative Jordan

TO LIMIT THE DURATION OF PUBLIC HEALTH ORDERS AND TO ALLOW THE GENERAL ASSEMBLY TO ACT VIA CONCURRENT RESOLUTION IN RESPONSE TO A PUBLIC HEALTH EMERGENCY IF THE GOVERNOR OR DEPARTMENT OF HEALTH DOES NOT.

To the committee on State and Local Government

H. B. No. 268 - Representative Jordan

TO EXEMPT FROM SALES AND USE TAXES THE SALE OF INVESTMENT METAL BULLION AND COINS.

To the committee on Ways and Means

H. B. No. 269 - Representative Galonski

TO REPEAL THE CHANGES MADE BY S.B. 22 OF THE 134TH GENERAL ASSEMBLY TO THE LAWS GOVERNING LEGISLATIVE OVERSIGHT OF CERTAIN ORDERS AND RULES ISSUED BY THE EXECUTIVE BRANCH, INCLUDING THE ESTABLISHMENT OF THE OHIO HEALTH OVERSIGHT AND ADVISORY COMMITTEE, AND TO DECLARE AN EMERGENCY.

To the committee on State and Local Government

H. B. No. 270 - Representatives Manchester and Upchurch

TO REGULATE THE PRACTICE OF REDUCING BENEFITS RELATED TO EMERGENCY SERVICES IF A CONDITION IS DETERMINED, AFTER THE FACT, TO NOT BE AN EMERGENCY.

To the committee on Insurance

H. B. No. 271 - Representative Edwards

TO ESTABLISH A NATURAL GAS INFRASTRUCTURE DEVELOPMENT PROGRAM AND FUND TO HELP MEET OHIO'S NATURAL GAS SUPPLY NEEDS.

To the committee on Energy and Natural Resources

H. B. No. 272 - Representatives Plummer and Ghanbari

REGARDING TRANSPARENCY BY LARGE-VOLUME THIRD-PARTY SELLERS IN ONLINE MARKETPLACES.

To the committee on Commerce and Labor

H. B. No. 273 - Representative O'Brien

TO REMOVE THE PROHIBITION ON THE OFFICE OF THE CONSUMERS' COUNSEL OPERATING A CALL CENTER AND TO MAKE AN APPROPRIATION.

To the committee on Finance

H. B. No. 274 - Representatives Upchurch and Jarrells

TO RESTORE LOCAL AUTHORITY TO GENERALLY REGULATE FIREARMS-RELATED CONDUCT.

To the committee on State and Local Government

H. B. No. 275 - Representative Lampton
TO EXPAND POLITICAL SUBDIVISION JOINT PURCHASING
AUTHORITY TO EXPRESSLY INCLUDE PURCHASES FOR
CONSTRUCTION SERVICES.

To the committee on Commerce and Labor

H. B. No. 276 - Representatives Powell and Schmidt
TO PROHIBIT A PERSON FROM RECEIVING PROCEEDS OF
PROSTITUTION.

To the committee on Criminal Justice

H. B. No. 277 - Representative Powell
TO REVISE THE LAW GOVERNING THE REGULATION OF
COSMETOLOGISTS AND BARBERS.

To the committee on Commerce and Labor

H. B. No. 278 - Representative Hillyer
TO MAKE CHANGES TO LAWS GOVERNING THE MULTI-AGENCY
RADIO COMMUNICATIONS SYSTEM (MARCS).

To the committee on Finance

H. B. No. 279 - Representatives Brown and Oelslager
TO REVISE THE LAW REGARDING WRONGFUL DEATH CLAIMS.

To the committee on Civil Justice

H. B. No. 280 - Representatives Cross and Plummer
TO ALTER THE LAW GOVERNING USER FEES FOR THE MULTI-
AGENCY RADIO COMMUNICATIONS SYSTEM.

To the committee on Finance

H. B. No. 281 - Representatives Jarrells and Young, T.
TO TO MODIFY TERMINOLOGY IN THE REVISED CODE
REGARDING PEOPLE WITH MENTAL ILLNESSES AND PEOPLE
WITH DISABILITIES AND TO NAME THIS ACT THE MENTAL
HEALTH AND DISABILITY TERMINOLOGY ACT.

To the committee on Health

H. B. No. 282 - Representatives Young, B. and Jones
TO ESTABLISH CONDITIONS AND REQUIREMENTS FOR THE SALE
OF BRINE FROM OIL OR GAS OPERATIONS AS A COMMODITY AND
TO EXEMPT THAT COMMODITY FROM REQUIREMENTS
OTHERWISE APPLICABLE TO BRINE.

To the committee on Energy and Natural Resources

Sub. S. B. No. 6 - Senators Roegner and Huffman, S.
TO ENTER INTO THE INTERSTATE MEDICAL LICENSURE COMPACT
AND TO MAKE AN APPROPRIATION.

To the committee on Families, Aging, and Human Services

S. B. No. 31 - Senator Craig

TO REQUIRE THE OHIO HISTORY CONNECTION TO DESIGNATE POINDEXTER VILLAGE AS A STATE HISTORIC SITE.

To the committee on State and Local Government

S. B. No. 43 - Senator Schaffer

TO DESIGNATE JULY AS "SARCOMA AWARENESS MONTH" AND TO NAME THE ACT HANK'S LAW.

To the committee on Health

Am. S. B. No. 59 - Senator Schaffer

TO PROHIBIT CERTAIN WAR RELICS LOCATED ON PUBLIC PROPERTY OR CEMETERY ASSOCIATION PROPERTY FROM BEING DISPOSED OF, AND TO DESIGNATE THIS ACT AS THE OHIO VETERANS' HERITAGE PROTECTION ACT.

To the committee on Armed Services and Veterans Affairs

S. B. No. 63 - Senator O'Brien

TO ALLOW A BOARD OF COUNTY COMMISSIONERS TO AUTHORIZE A COUNTY DEPARTMENT OF PROBATION TO ACCEPT PAYMENTS BY CREDIT CARD.

To the committee on State and Local Government

S. B. No. 80 - Senators Gavarone and Cirino

TO REQUIRE CERTAIN JUDICIAL CANDIDATES TO APPEAR ON THE BALLOT WITH A PARTY DESIGNATION.

To the committee on Government Oversight

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

Representative Powell 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 Senate 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 and Senate Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Sykes reported for the Rules and Reference committee recommending that the following House Concurrent Resolutions and House Resolutions be introduced and referred to the following committees for consideration:

H. C. R. No. 17 - Representatives Brent and Russo
TO DENOUNCE ALL FORMS OF STIGMATIZATION, RACISM, AND DISCRIMINATION OCCURRING AS A RESULT OF THE COVID-19 PANDEMIC.

To the committee on State and Local Government

H. C. R. No. 18 - Representative Schmidt
URGING THE CONGRESS OF THE UNITED STATES TO ADOPT THE "KEEP NINE" AMENDMENT TO THE UNITED STATES CONSTITUTION.

To the committee on Civil Justice

H. R. No. 56 - Representatives Pavliga and Grendell
TO RESPECTFULLY URGE THE UNITED STATES CONGRESS AND THE PRESIDENT TO AMEND THE FEDERAL CLEAN AIR ACT TO ELIMINATE THE REQUIREMENT TO IMPLEMENT THE E-CHECK PROGRAM AND DIRECT THE ADMINISTRATOR OF USEPA TO BEGIN NEW RULE-MAKING PROCEDURES UNDER THE ADMINISTRATIVE PROCEDURE ACT TO REPEAL AND REPLACE THE 2015 NATIONAL AMBIENT AIR QUALITY STANDARDS; TO RESPECTFULLY URGE THE UNITED STATES CONGRESS AND THE PRESIDENT TO PASS LEGISLATION TO ACHIEVE IMPROVEMENTS IN AIR QUALITY MORE EFFICIENTLY WHILE ALLOWING COMPANIES TO INNOVATE AND HELP THE ECONOMY GROW; TO URGE THE ADMINISTRATOR OF USEPA TO ALLEVIATE BURDENSOME REQUIREMENTS OF THE E-CHECK PROGRAM AND THE CLEAN AIR ACT IF THE UNITED STATES CONGRESS AND THE PRESIDENT FAIL TO ACT; AND TO ENCOURAGE OEPA TO EXPLORE ALTERNATIVES TO E-CHECK IN OHIO.

To the committee on Energy and Natural Resources

H. R. No. 57 - Representatives Click and Bird
TO URGE THE PROTECTION OF THE INTEGRITY AND INDEPENDENCE OF THE UNITED STATES SUPREME COURT, AND TO DECLARE THAT "NINE IS FINE."

To the committee on Civil Justice

/s/ ROBERT R. CUPP
Robert R. Cupp, Chair

Representative Powell moved that the Rules and Reference committee report on resolutions be agreed to and that the House Concurrent Resolutions and House Resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said House Concurrent Resolutions and House Resolutions were introduced and referred as recommended.

Representative Powell moved that **Sub. H. B. No. 127**-Representative Merrin, et al., be taken from the calendar and re-referred to the committee on Rules and Reference.

The motion was agreed to without objection.

MESSAGE FROM THE SPEAKER

Pursuant to Section 107.63 of the Ohio Revised Code, the Speaker of the House hereby makes the following changes to the Small Business Advisory Council:

Remove Senator George Lang; appoint Robert E. Sielschott (Allen County).

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. H. B. No. 2 - Representatives Carfagna, Stewart

Cosponsors: Representatives O'Brien, Hall, Ghanbari, Lipps, Stephens, Seitz, Stein, Koehler, Miller, J., LaRe, Ingram, Carruthers, Hoops, Baldrige, Cutrona, White, Manning, Holmes, McClain, Riedel, Ginter, Loychik, Swearingen, Richardson, Lanese, Young, T., Fraizer, Click, Edwards, Schmidt, West, Abrams, Bird, Blackshear, Boggs, Brent, Brown, Callender, Crawley, Creech, Cross, Crossman, Denson, Galonski, Grendell, Hicks-Hudson, Hillyer, Householder, Howse, Jarrells, John, Johnson, Jones, Kelly, Kick, Lampton, Leland, Lepore-Hagan, Lightbody, Liston, Miller, A., Miranda, Oelslager, Patton, Pavliga, Plummer, Robinson, Roemer, Russo, Sheehy, Smith, K., Smith, M., Sobecki, Sweeney, Sykes, Troy, Weinstein, Wilkin, Young, B., Speaker Cupp Senators Hackett, Hottinger, Antonio, Blessing, Cirino, Craig, Dolan, Fedor, Gavarone, Hoagland, Huffman, S., Johnson, Kunze, Lang, Maharath, Manning, McColley, O'Brien, Peterson, Reineke, Rulli, Schaffer, Schuring, Sykes, Thomas, Williams, Wilson, Yuko

To amend sections 133.13 and 727.01 and to enact sections 122.40, 122.401, 122.403, 122.404, 122.406, 122.407, 122.408, 122.4010, 122.4013, 122.4015, 122.4016, 122.4017, 122.4018, 122.4019, 122.4020, 122.4021, 122.4023, 122.4024, 122.4025, 122.4030, 122.4031, 122.4033, 122.4034, 122.4035, 122.4036, 122.4037, 122.4040, 122.4041, 122.4043, 122.4044, 122.4045, 122.4046, 122.4050, 122.4051, 122.4053, 122.4055, 122.4060, 122.4061, 122.4063, 122.4070, 122.4071, 122.4073, 122.4075, 122.4076, 122.4077, 188.01, 188.02, 188.05, 188.08, 188.11, 188.14, 188.17, 188.20, 188.23, 188.27, 188.30, 303.251, 505.881, 4926.01, 4926.03, 4926.06, 4926.09, 4926.12, 4926.15, 4926.18, 4926.21, 4926.24, 4926.27, 4926.30, 4926.33, 4926.36, 4926.39, 4926.42, 4926.43, 4926.45, 4926.48, 4926.51, 4926.54, 4926.57, and 4926.60 of the Revised Code regarding broadband expansion, including access to electric cooperative easements and facilities, to make an appropriation, and to declare an emergency.

With the following additional amendments, in which the concurrence of the House is requested.

Delete lines 308 through 311

After line 311, insert:

"Sec. 122.4017. The broadband expansion program authority shall award program grants under the Ohio residential broadband expansion grant program using funds from the Ohio residential broadband expansion grant program fund created in section 122.4037 of the Revised Code and other funds appropriated by the general assembly."

Delete lines 651 through 653

After line 653, insert:

"Sec. 122.4037. Any money collected under section 122.4036 of the Revised Code shall be deposited into the Ohio residential broadband expansion grant program fund, which is hereby created in the state treasury. All amounts in the fund, including interest earned on those amounts, shall be used by the development services agency exclusively for grants under sections 122.40 to 122.4077 of the Revised Code."

In the table on line 1473, in row B, column 1, delete "General Revenue Fund" and insert "Facilities Establishment Fund Group"

In the table on line 1473, in row C, column 1, delete "GRF" and insert "5GT0"; column 2, delete "195651" and insert "195550"; column 3, delete "Residential Broadband Expansion Grants" and insert "Broadband Development Grants"

In the table on line 1473, in row D, column 1, delete "GRF General

Revenue Fund" and insert "FCE Facilities Establishment Fund Group"

Delete line 1474 and insert "BROADBAND DEVELOPMENT GRANTS"

Notwithstanding Chapter 166. of the Revised Code, the foregoing appropriation item 195550, Broadband Development Grants, shall be used for grants under the Ohio Residential Broadband Expansion Grant Program established in section 122.401 of the Revised Code.

On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$20,000,000 cash from the Facilities Establishment Fund (Fund 7037) to the Ohio Residential Broadband Expansion Grant Program Fund (Fund 5GTO)."

Delete lines 1475 through 1478

In line 1480, delete "195651, Residential Broadband Expansion"

In line 1481, delete "Grants" and insert "195550, Broadband Development Grants"

Delete lines 1494 through 1524

In line 1525, delete "9" and insert "6"

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on May 04, 2021, signed the following:

Am. H. B. No. 167-Representative Oelslager - et al.

S. B. No. 28-Senator Hoagland - et al.

On motion of Representative Powell, the House adjourned until Wednesday, May 5, 2021 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.