

IN THE SUPREME COURT OF OHIO

League of Women Voters of Ohio, et al.

Relators,

v.

Governor Michael DeWine, et al.

Respondents.

Case No. _____

Original Action Filed Pursuant to Ohio
Constitution, Article XIX, Section 3(A)

EXHIBITS TO COMPLAINT - VOLUME 3 OF 3

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EXHIBIT 20

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Mr. President ([00:00:00](#)):

The Senate will come to order. We invite our guests to please rise as we open with prayer. We will be led in prayer by State Senator Kristina Roegner, followed by the pledge of allegiance to the flag and the Republic. Senator.

Kristina Roegner ([00:00:17](#)):

Thank you. In the book of Isaiah, chapter 41, verse 10, we read, "So do not fear for, I am with you. Do not be dismayed for I am your God. I will strengthen you. I will help you. I will uphold you with my righteous right hand." Please bow your heads and pray with me.

Kristina Roegner ([00:00:36](#)):

Heavenly father, Lord, you are such an awesome God. You're a mighty God, Lord, and you comfort us with these words that we find in your scripture. Lord, today, I pray that you will settle our hearts and you'll clear our minds, Father, as we deliberate and consider the things that you've put before us today. Father, I pray that you would grant us wisdom. Lord, I pray a blessing upon every member of the Senate here today, all of our staff, and all those that are gathered in attendance. Thank you, Lord Jesus. We long for the day when our faith becomes sight, when we are in your kingdom and you are on the throne. And it's the name of Jesus Christ, I pray. Amen.

Group ([00:01:13](#)):

Amen.

Group ([00:01:15](#)):

I pledge allegiance, to the flag of the United States of America, and to the republic for which it stands. One nation under God, indivisible, with liberty and justice for all.

Kristina Roegner ([00:01:26](#)):

Thank you.

Mr. President ([00:01:31](#)):

The clerk will read the journal of the previous day

Clerk ([00:01:34](#)):

Senate chamber, Columbus, Ohio, Wednesday, November 10th, 1:30 PM. 10 bills were considered at the second time, three bills were considered at the third time and passed. Two resolutions were offered and adopted, one resolution was offered and referred to committee, on the motion of Senator Hottinger. Senate adjourned until Tuesday, November 16th, at 1:30 PM.

Mr. President ([00:01:51](#)):

The question is, shall the journal be agreed to without objection? The journal is agreed to reports of reference and bills for second consideration.

Clerk ([00:02:01](#)):

Senator Matt Huffman reports in the standing committee on rules and reference recommend the following resolution, stay in order for second consideration, be referred to the committee as recommended and the report is properly signed.

Mr. President ([00:02:11](#)):

The question is, shall the report be agreed to? Without objection, the report is agreed to. Reports of standing and select committees, Senator Hackett with a report.

Clerk ([00:02:20](#)):

Senator Hackett submitted the following report, the standing committee insurance, to which was referred House Bill Number 188. Representative Lampton, Cross and others have the same consideration, reports it back, recommended its passage.

Mr. President ([00:02:31](#)):

Senator Gavarone with a report

Clerk ([00:02:33](#)):

Senator Gavarone submitted the following report, the standing committee and local government and elections to which is referred Senate Bill 258, Senator McCauley, having the same consideration, reports back a substitute bill and recommends its passage, and both reports are properly signed.

Mr. President ([00:02:46](#)):

The question is, shall the reports be agreed to? And without objection, the reports are agreed to. Bills for third consideration.

Clerk ([00:02:53](#)):

Amended House Bill number 215, representative Wilkins, Cross, and others to enact the section of their revised code, enact the Business Fairness Act.

Mr. President ([00:03:01](#)):

The question is, shall the bill pass? The chair recognizes Senator Rulli or Senator Lang. The chair recognizes Senator Lang.

Senator George Lang ([00:03:12](#)):

Thank you Mr. President for allowing me the opportunity to speak to amended House Bill 215, otherwise known as a Business Fairness Act. House Bill 215 is a companion bill to Senate Bill 134, which I introduced and was passed unanimously out of the Senate back in May of this year. This bill is identical to the Senate Bill, with the exception of it does not contain an emergency clause. This bill is also a key vote by the NFIB. And I'm proud to say that a lot of members of this Senate are small business owners. For some of us, the restrictions were devastating to our business. For some of us, our businesses were allowed to remain open. We flourished and prospered. But for every small business owner in this room, I thank you for your commitment, whether you were able to enjoy the benefits of the restrictions or suffer the consequences to be supportive of this bill.

Senator George Lang ([00:04:11](#)):

House Bill 215 is fundamental and necessary piece of legislation. It seeks to bolster Ohio's economic recovery, specifically small businesses, which we all know are the backbone of our state's economy. They're also the heart and soul of each one of our districts. Specifically, House Bill 215 permits any business that was required to close or minimize their operations due to state health orders to remain open so long as they can demonstrate their ability to meet safety protocols that were required of businesses that were deemed essential and that were allowed to stay open during the pandemic. I believe each and every business owner in Ohio knows better how to protect their employees and their customers than a bureaucrat in Columbus.

Senator George Lang ([00:05:03](#)):

Many businesses labeled as non-essential were forced to close because of government orders issued in March of 2020, thereby denying them the opportunity to adjust their health and safety procedures and remain open and operating. And I'm sure we can all attest to, in each of our districts, some business that was forced to shut down, and some that were unable to reopen after the restrictions were lifted. And I always appreciate Senator Roegner's definition of an essential business, any business that the owner or the employees rely on to feed their family.

Senator George Lang ([00:05:44](#)):

House Bill 215 was passed out of both the House and the Senate committees unanimously, gives small businesses a chance to remain operating under the appropriate guidelines. It ensures the protections and livelihoods for business owners and workers alike, and it signals to our entrepreneurs that we trust them to make the respectful and wise decision to protect their employees, their clientele, and communities, all while continuing to provide jobs to contribute to the state of economy. Ohio businesses, specifically small businesses, cannot survive another shutdown. I encourage my colleagues to support the passing of House Bill 215.

Senator George Lang ([00:06:26](#)):

Mr. President, I'd like to thank Chair Rulli for the work that he did on this. I'd like to thank Representatives, Wilkin and Cross. I'd like to thank my friend, Senator Sykes, for pointing out me how important this bill is to minority and women-owned business as well. And Mr. President, I'd like to thank you for bringing this bill to the floor.

Mr. President ([00:06:46](#)):

Thank you, Senator Lang. Chair recognizes Senator Antonio.

Senator Nickie Antonio ([00:06:52](#)):

Thank you, Mr. President. I rise in support of this bill. We've been here before in supporting the bill, and I love on the days when we can all agree. This is one of those areas we start off the day agreeing that the small businesses, especially in our own home communities, not only are the foundation of our sustainability, but as my colleague has already pointed out, they also are the source of sustainability for the business owners, for the families, especially women owned businesses, minority owned businesses, and they took a desperate hit, devastating to many communities and to many of the businesses. And so I stand in support of reaffirming that we all in this room that vote yes on this bill are champions of our small businesses. Thank you.

Mr. President ([00:07:54](#)):

Thank you, Senator. The Chair recognizes Senator Rulli.

Senator Michael Rulli ([00:08:00](#)):

Thank you, Mr. President. I rise in today's support of House Bill 215. And I just want to put a little bit of a personal aspect on this bill. I think in a civilized society, and Ohio is that, and this is the Senate floor, I think we need to analyze who got hurt when you picked winners and losers in this pandemic. And a lot of small business owners, they got hurt. And I have a couple different scenarios I want to talk to you about business owners who have reached out to me in the last two years. Landscape companies, shoe repair companies, people that own small theaters that actually have plays in them, bookstores, construction workers, gyms, barbers, florists, local mechanics, sewing shops.

Senator Michael Rulli ([00:08:48](#)):

And I'm going to end by a little story of a good friend of mine who owns a restaurant, and a couple people in my caucus have heard this story before. One of my friends I went to high school with gives me a call in June in the middle of the night, says he wants to kill himself. He has a restaurant that was forced to close. Bank foreclosed on his restaurant, his wife left him, and that day he gets notice in the mail that the banks going to foreclose on his life ... Well, it is his life, on his house. So he loses everything like the Book of Job, because Ohio chose winners and losers.

Senator Michael Rulli ([00:09:24](#)):

We have to do better. We never saw this pandemic before, so we're learning. We're on the learning curve and that's what this bill is about. I love seeing bipartisan support for this bill because the small business owners of Ohio are the backbone. I urge the Senate to vote for House Bill 215. Thank you, Mr. President.

Mr. President ([00:09:41](#)):

Thank you, Senator. The question is, shall the bill pass? Please call the roll.

Clerk ([00:09:50](#)):

Anthony?

Anthony ([00:09:51](#)):

Yes.

Clerk ([00:09:52](#)):

Antonio.

Senator Nickie Antonio ([00:09:52](#)):

Yes.

Clerk ([00:09:53](#)):

Blessing.

Blessing ([00:09:53](#)):

Yes.

Clerk ([00:09:54](#)):

Brenner.

Brenner ([00:09:55](#)):

Yes.

Clerk ([00:09:55](#)):

Cirino.

Cirino ([00:09:56](#)):

Yes.

Clerk ([00:09:56](#)):

Craig.

Craig ([00:09:57](#)):

Yes.

Clerk ([00:09:57](#)):

Dolan.

Dolan ([00:09:59](#)):

Yes.

Clerk ([00:09:59](#)):

Gavarone.

Senator Theresia Gavarone ([00:09:59](#)):

Yes.

Clerk ([00:10:01](#)):

Hackett.

Hackett ([00:10:02](#)):

Yes.

Clerk ([00:10:02](#)):

Hoagland.

Hoagland ([00:10:03](#)):

Yes.

Clerk ([00:10:03](#)):

Hottinger.

Hottinger ([00:10:04](#)):

Yes.

Clerk ([00:10:04](#)):

Steve Huffman.

Steve Huffman ([00:10:05](#)):

Yes.

Clerk ([00:10:06](#)):

Johnson.

Johnson ([00:10:07](#)):

Yes.

Clerk ([00:10:07](#)):

Kunze.

Kunze ([00:10:08](#)):

Yes.

Clerk ([00:10:09](#)):

Lang.

Lang ([00:10:09](#)):

Yes.

Clerk ([00:10:09](#)):

Maharath.

Maharath ([00:10:09](#)):

Yes.

Clerk ([00:10:11](#)):

Manning.

Manning ([00:10:12](#)):

Yes.

Clerk ([00:10:12](#)):

McCauley.

McCauley ([00:10:14](#)):

O'Brien.

O'Brien ([00:10:14](#)):

Yes.

Clerk ([00:10:15](#)):

Peterson.

Peterson ([00:10:16](#)):

Yes.

Clerk ([00:10:16](#)):

Reineke.

Reineke ([00:10:17](#)):

Yes.

Clerk ([00:10:18](#)):

Roegner.

Kristina Roegner ([00:10:18](#)):

Yes.

Clerk ([00:10:20](#)):

Rulli.

Senator Michael Rulli ([00:10:21](#)):

Yes.

Clerk ([00:10:22](#)):

Schaffer.

Schaffer ([00:10:23](#)):

Yes.

Clerk ([00:10:23](#)):

Schuring.

Schuring ([00:10:24](#)):

Yes.

Clerk ([00:10:24](#)):

Sykes.

Sykes ([00:10:26](#)):

Yes.

Clerk ([00:10:26](#)):

Thomas.

Thomas ([00:10:26](#)):

Yes.

Clerk ([00:10:27](#)):

Williams.

Williams ([00:10:28](#)):

Yes.

Clerk ([00:10:28](#)):

Wilson.

Wilson ([00:10:30](#)):

Yes.

Clerk ([00:10:30](#)):

Yuko.

Yuko ([00:10:30](#)):

Yes.

Clerk ([00:10:31](#)):

Matt Huffman.

Matt Huffman ([00:10:32](#)):

Yes.

Mr. President ([00:10:35](#)):

With 31 yeas and zero nays, the bill is passed and entitled.

Clerk ([00:10:39](#)):

A bill to enact the section of the revised code to enact the Business Fairness Act.

Mr. President ([00:10:45](#)):

The question is, shall the title be agreed to? Any member would like to add their name to the title, please do so now. The title is agreed to. Bills for third consideration.

Clerk ([00:11:00](#)):

Substitute Senate bill 210, Senator Gavarone to amend sections of the revised code regarding agreements affecting legal relationships between spouses, domestic violence, protection orders, and dating relationship, and courts maintain social security numbers, parties in divorce, disillusionment, or spousal support proceedings.

Mr. President ([00:11:02](#)):

The question is, shall the bill pass? And the chair recognizes Senator Gavarone.

Senator Threresa Gavarone ([00:11:02](#)):

Thank you, Mr. President. I'm excited to have Senate Bill 210 on the floor today, which would allow married couples to enter into a postnuptial agreement, or to amend or terminate the terms of a prenuptial agreement. Here in Ohio, a couple can enter into a prenuptial agreement before they marry, but they can't alter or enter into a postnuptial agreement. They can't make a single change to a prenuptial agreement after that agreement's made. Both of these facts prevent couples from entering into legal agreements after they marry, or modifying one if circumstances change. Instead, the only option that exists for a married couple, at this point in Ohio, to contractually alter their marriage is by divorce, dissolution, or legal separation.

Senator Threresa Gavarone ([00:11:02](#)):

In life, circumstances change. They change over time. Sometimes prenuptial agreements are no longer fair or what the parties want. Couples move, jobs change, children are born, and priorities shift. Other states, by law, understand this fact and grant reasonable flexibility to allow married couples the ability to change their marital agreements. Right now, Ohio is one of only four states that do not allow postnuptial agreements, and we're one of only two, Iowa's the other, that statutorily prohibit postnuptial agreements. Senate Bill 210 would bring Ohio in alignment with the vast majority of other states and give couples much needed flexibility for the sake of their marriages.

Senator Threresa Gavarone ([00:11:02](#)):

According to the Ohio State bar Association, which is in support of the bill, there's a growing demand and necessity for these agreements, including thinking of children from previous marriages or tax law modifications to name a few. Senate Bill 210 would directly alleviate these concerns for married couples who want to enter in either of these agreements. Couples could address all the or worries and life changes without the fear of issues arising later that could impact these agreements. Married couples would also have another option to address their marital agreements besides divorce or separation, which can be healthier for them and supportive of their families. Moreover, married couples who wish to move to Ohio can have the confidence that our law will allow to make changes to their prenuptial agreements or enter into postnuptial agreements new. The legislation will also give Ohio attorneys the confidence to counsel their clients on these agreements. Importantly, Senate Bill 210 also ensures that any agreement is entered into freely without fraud, duress, coercion, or overreaching, all of which would invalidate the agreement.

Senator Threresa Gavarone ([00:11:02](#)):

During the committee process, we also made modifications that came to us from domestic relations judges and the Ohio judicial conference that's going to help protect confidential information and young people. First, we amended the bill to repeal the requirement in code that requires social security numbers be included on record of actions for divorces, dissolutions, annulments, or spousal support. Current law requiring social security numbers on these records contradicts court rules and states that this information should be redacted.

Senator Theresia Gavarone ([00:11:02](#)):

The second change closes a gap that prevents judges from granting dating violence protection orders to minors who are dating adults. The scenario often comes up with a teenager who's dating an 18, 20 year old, and they later need a protection order from the ex. The way the law currently stands, both petitioner and respondent must be adults for a civil protection order to be granted. Since the respondent's an adult, the petition cannot be filed in juvenile court either. We fixed this in Senate Bill 210 to close the gap, to allow our judges to keep our young people safe. The Ohio State Bar Association and their expert practitioners are supportive of the bill, and so is the Ohio Judicial Conference. No opponents came out during the committee process either, and the bill was reported out of the Senate Judiciary Committee with bipartisan support.

Senator Theresia Gavarone ([00:11:02](#)):

I'd like to thank Scott Lundgren and Susan Racey from the Ohio State Bar Association for their work on this bill, as well as the Ohio Judicial Conference, and domestic relations judges for their input. Thank you to members of the Senate Committee Judiciary Committee, Chair Manning and his staff, Heather and Lexi, for their work on getting the bill to the floor. I'd like to thank my staff, Andrew and Theresa for their many hours of work. Mr. President, thank you for bringing Senate Bill 210 to the floor today for a vote, and I urge support of this bill.

Mr. President ([00:11:02](#)):

Thank you, Senator. The question is, shall the bill pass? The clerk will call the roll.

Clerk ([00:11:02](#)):

Anthony.

Anthony ([00:16:03](#)):

[inaudible 00:16:03]

Clerk ([00:16:03](#)):

Antonio.

Senator Nickie Antonio ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Blessing.

Blessing ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Brenner.

Brenner ([00:16:03](#)):

Yes.

Cirino ([00:16:03](#)):

Cirino.

Mr. President ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Craig.

Craig ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Dolan.

Dolan ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Gavarone.

Senator Theresia Gavarone ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Hackett.

Hackett ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Hoagland.

Hoagland ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Hottinger.

Hottinger ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Steve Huffman.

Steve Huffman ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Johnson.

Johnson ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Kunze.

Kunze ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Lang.

Lang ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Maharath.

Maharath ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Manning.

Manning ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

McCauley.

McCauley ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

O'Brien.

O'Brien ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Peterson.

Peterson ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Reineke.

Reineke ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Roegner.

Kristina Roegner ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Rulli.

Senator Michael Rulli ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Schaffer.

Schaffer ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Schuring.

Schuring ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Sykes

Sykes ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Thomas.

Thomas ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Williams.

Williams ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Wilson.

Wilson ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Yuko.

Yuko ([00:16:03](#)):

Yes.

Clerk ([00:16:03](#)):

Matt Huffman.

Matt Huffman ([00:16:03](#)):

Yes.

Mr. President ([00:16:03](#)):

With 30 yeas, and 1 nay, the bill is passed unentitled.

Clerk ([00:16:03](#)):

A bill to amend sections other revised code regarding agreements affecting legal relationships between spouses, domestic violence, protection orders, and dating relationship, and courts maintain social security numbers of parties in divorce, dissolution, annulment, or spousal support proceedings.

Mr. President ([00:16:03](#)):

The question is, shall the title be agreed to? Any member would like to add their name to the title, please do so now. The title is agreed to. Bills for third consideration.

Clerk ([00:17:20](#)):

Substitute Senate Bill 258, Senator McCauley to enact a section of the revised code to establish congressional district boundaries for the state based on the 2020 decennial census and to delay certain deadlines related to the 2022 congressional primary election.

Mr. President ([00:17:35](#)):

Question is, shall the bill pass? The chair recognizes Senator McCauley.

McCauley ([00:17:39](#)):

Thank you, Mr. President. I rise today in support of Substitute Senate Bill 258, which satisfies the general assembly's obligation under the Ohio Constitution to draw congressional maps for the next period of time, whether it be a 4-year or a 10-year period of time. The map before us is a map that we came up with and worked very hard at, after considering multiple maps from all the caucuses, both the House and Senate Democrats, and the House and Senate Republicans, and coming to an agreement between the chambers, as far as the Republican caucuses are concerned after consulting with each other and consulting with the opinions of the public that were made apparent throughout the hours and hours of testimony on these maps.

McCauley ([00:18:25](#)):

The map in front of you is not only constitutionally compliant, but is also the most competitive map offered by any caucus to date. It also splits the least counties out of any map that's been introduced in the Ohio General Assembly, and it keeps Ohio's largest cities whole. And it does so while maintaining compact districts and implementing many of the changes that were asked for throughout testimony on the maps.

McCauley ([00:18:52](#)):

To start, Article 19, section 2B5 is what governs the splitting of counties when we are drawing congressional maps throughout the General Assembly process. In essence, the General Assembly or any other body may split up to 23 counties when drawing their maps, 18 counties may be split once and five counties may be split twice. The map in front of you splits only 12 counties: 10 counties, once 2 counties twice. The counties that are split once are Clark, Fairfield, Franklin, Holmes, Lorraine, Ross, Shelby, Summit, Washington, and Wood, and the counties split twice are Hamilton and Cuyahoga County.

McCauley ([00:19:32](#)):

Notably, for the first time, since a map was passed, 30 years ago, Lucas County is kept whole in this map. Notably for the first time, since a map pass 20 years ago, Stark County is kept whole in this map. And the impact on several of Ohio's other large counties has been minimized as well, with both Franklin and

Summit County having the least splits since the maps were passed 30 years ago. This map also endeavors to comply with Article 19, Section 2B8, which says that the legislature, the general assembly, when drawing these maps, shall attempt to place an entire county within each district. We've done that with 13 districts on this map.

McCauley ([00:20:21](#)):

Additionally, as I mentioned before, we are endeavoring to keep Ohio's largest communities whole, with exception to the city of Columbus, which must be split as a result of it being larger than the congressional ratio of representation, and with exception to cities that straddle county borders, and therefore do not count as a split under the Ohio constitution. 98 of Ohio's largest cities are kept whole within this map, 98. In total, only eight townships and six municipalities in the entire map are split. We did this to comply with Article 19, Section 1C 3B. That requirement, that the general ...

PART 1 OF 4 ENDS [00:21:04]

McCauley ([00:21:03](#)):

... 1C3B, that requirement that the general assembly must not unduly split governmental units. Article 19, Section 2b2 also requires that districts be compact. This is not a requirement for a four year map. Nevertheless, the map before you presents districts that are compact, especially when we compare it to maps that have been passed previously in the general assembly.

McCauley ([00:21:28](#)):

Finally, I want to talk to you about what I feel is one of the most important features of this map, and that is the competitiveness of this map. Gone are the days where we're going to be passing maps, where we simply decide okay, we're going to divide up these seats and give them to one side. We're going to divide up these seats and give them to the other side. We're all going to walk away, and leave nothing left up to the voters to decide in a general election.

McCauley ([00:21:54](#)):

The map before you is the most competitive map we've had in decades, and how can we measure that? With exception to 2006, every single statewide election for statewide Constitutional office holders has been won by Republicans since 1994; every single one has been swept during that period of time. However, anybody in this room knows that Ohioans clearly have a habit and a tendency to bifurcate between federal elections and state elections. This is evidenced by the fact that in the past four presidential elections, Ohioans have voted twice for a Democrat presidential candidate, twice for a Republican presidential candidate, and to this day we are represented by both a Democrat and a Republican in the United States Senate.

McCauley ([00:22:40](#)):

When evaluating this and recognizing this fact, we thought it important not just to look back at '16, '18, and '20 election results to try and come up with an index that really represents what the voting patterns are in the state of Ohio. Instead, we looked at the last 10 years worth of federal elections to make sure that we are truly capturing Ohioans voting tendencies in federal elections, and also insulating ourselves from potential outliers during that timeframe.

McCauley ([00:23:10](#)):

When looking at this, and when defining a competitive seat as a seat that's between 46% and 54% on a Republican index, an 8% window, and I know there are people in this room who have won seats on probably either side of the aisle, but I know there are some, especially in my caucus, who have won seats with Republican indexes far less than 46%.

McCauley ([00:23:35](#)):

Nevertheless, we're going to stick with 46% to 54% for the purposes of this. When we look at that, and we define that as competitive, which I believe is competitive, six seats lean Republican, seven seats are truly competitive seats, and two seats lean Democrat. What does that mean? That means a plurality of the seats in this map are going to be decided during the general election subject to the voters, and their preferences as it concerns the important issues of the day, and the quality of the candidates on the ballot.

McCauley ([00:24:12](#)):

That's something that is not true with our current Congressional map where only two seats would fall into this range, and it's something that's not true of any other map that was introduced in the general assembly. In fact, the most competitive seats offered by any other map, offered in the general assembly as a Congressional map, was five. This has seven.

McCauley ([00:24:36](#)):

Article 19, Section 1C3a also states that a map shall not unduly favor or disfavor a party, or its incumbents. There have been some, as I mentioned before, that have suggested that the only way to do that is to simply take the 15 seats, you take your eight, you take your seven, we walk away and nobody really has competitive districts across the state of Ohio, and that somehow that matches up with the spirit of what the voters pass in 2018. I strongly disagree with that.

McCauley ([00:25:10](#)):

What matches up with the spirit of what the voters passed in 2018, is that voters want competitive districts. The voters want districts that are going to be subject to the changing political wins, and the changing political tides, of what's going on in the State of Ohio, and this map does that. We would not participate in a contest as athletes where the final score was already predetermined before we even stepped out on the field, and we shouldn't pass a Congressional map that does the same either.

McCauley ([00:25:43](#)):

Further, it's also worth mentioning that despite the fact that some people may not like it, the word, or incumbents, is in the Constitution. The Constitution says we can neither favor nor disfavor a party or its incumbents. We've done that in this map by combining no two incumbents who are running for reelection with exception to two that would be required to be combined by virtue of both living in Cincinnati that cannot be split under the Constitution. The map before you is Constitutionally compliant, it is compact, and it is competitive in compliance with the Constitution.

McCauley ([00:26:29](#)):

I'd like to thank Senator Gavarone, and her staff, for all their help in chairing this through the process. I'd also like to thank my staff members, and members of the Senate Local Government and Elections

Committee, [Raider Rossi 00:26:42] and Frank Strigari, as well, for their help, and of course, President Huffman and speaker [Cup 00:26:48]. I urge passage of substitute Senate Bill 258.

McCauley ([00:26:51](#)):

Thank you, Mr. President.

Speaker 1 ([00:26:52](#)):

Thank you, Senator. The Chair recognizes Senator Maharath.

Sen. Maharath ([00:26:57](#)):

Thank you, Mr. President. I actually rise to voice my opposition to substitute Senate Bill 258. For decades Ohioans have demanded fair Congressional districts. After years of going unheard, the people of Ohio took action, and they passed an amendment to our Constitution to enact a process to draw these fair maps.

Sen. Maharath ([00:27:20](#)):

However, I've been dismayed by the rush, and lack of transparency, that has tainted this process from the very beginning. Ohioans have been rushed throughout this whole process, trying to submit testimony with just little notice, only to have of their opinions ignored. Then at the final hour, the Senate released these most recent maps that we're reviewing today, that was released less than 24 hours ago, for the people of Ohio to study it. It doesn't give them much room to provide any feedback.

Sen. Maharath ([00:27:53](#)):

What's the rush? We've got two weeks. In two weeks we could have had more testimonies. We could have listened to more Ohioans to get their feedback and their input, and Ohioans wanted us to work together in a bipartisan manner, but we haven't really made that effort. I'm eager to negotiate. I'm eager to work across the aisle, but we haven't started discussions in a bipartisan way.

Sen. Maharath ([00:28:20](#)):

Even if these maps had satisfied Constitutional requirements, the way this process was managed should have given us all a pause for a second. Moreover, these maps are far from meeting the requirements laid out in the Ohio Constitution. Maps that are passed by a simple majority must not unduly favor a political party. It's painfully clear that a map designed to produce 12 Republican districts out of 15, does unduly favor one party.

Sen. Maharath ([00:28:51](#)):

I appreciate the discussion around competitive districts, but these maps are not competitive. Competitive districts aren't Constitutional requirements, their maps are Constitutional requirements. In addition, this new map also dilutes the voting power of minorities by cracking and packing communities of color. Franklin County's black communities are packed in just one district, while it's Latinos and the API communities are split into different ones. We see a similar trend around Cleveland and Cincinnati.

Sen. Maharath ([00:29:25](#)):

Ohioans are demanding fair representation in Congress, but we're not providing them that fair representation with these maps. The Ohio Constitution does require fairness and this map is not fair and I encourage my colleagues today to vote no. Thank you.

Speaker 1 ([00:29:43](#)):

Thank you, Senator. The Chair recognizes Senator Gavarone.

Mr. President ([00:29:49](#)):

Thank you, Mr. President. Thanks for the opportunity to talk briefly about Senate Bill 258. Everyone knows how we got here. Back in 2018, when many members of this body including me, sent a ballot issue to reform Congressional redistricting in Ohio, that voters subsequently approved.

Mr. President ([00:30:06](#)):

Today is the culmination of that work. Led by President Huffman and Senator McColley, we have a map before us today that takes the thoughts of Ohioans into consideration, and reflects our beliefs. The proposal up for consideration is a result of five committee hearings in local government elections committee, where we heard hours of testimony from countless Ohioans who wanted their voices heard. Then those same Ohioans had the opportunity to participate in another two hearings held by the Joint Committee on Congressional Redistricting. We heard those people who testified.

Mr. President ([00:30:41](#)):

Senate Bill 258 has undergone significant changes since the as-introduced version. This is a map that includes fair and competitive districts, and I'm proud of the work, and the process that we went through to get to this map. Before we proceed, I'd like to thank our hardworking staff in my office, Andrew and Theresa, and other members' offices, and our respective caucuses and LLC for their efforts throughout the process.

Mr. President ([00:31:08](#)):

I'd like to thank the members of my committee, both Republican and Democrats, for their work and thoughtful consideration and the work that they were tasked do on behalf of Ohioans. As you can imagine, this was a massive undertaking and I think Senator McColley did a phenomenal job. I thank you for your hard work on this.

Mr. President ([00:31:27](#)):

I'd also like to thank all Ohioans who participated and made this process better, as well as our outstanding Sargent at Arms and highway patrol for the role that they played. Finally, Mr. President, I'd like to thank you for your leadership during this time, and I'd encourage all members to vote yes on Senate Bill 258. Thank you.

Speaker 1 ([00:31:45](#)):

Thank you, Senator. The Chair recognizes Senator Sykes.

Sen. Sykes ([00:31:51](#)):

Thank you, Mr. President, and ladies and gentlemen of the Senate. Today we come here and we come to an important crossroads in our attempt to comply with the new Congressional provisions adopted to

modify Congressional redistricting. There are several guidelines, written and unwritten, embodied in the spirit and letter of the new provisions; concepts like compactness, limiting splits, keeping communities together, competitiveness, contiguous, population deviations, and so forth.

Sen. Sykes ([00:32:31](#)):

All of these criteria have one objective, and that is fairness. Fairness, not only in the way we draw the lines, but ultimately to produce fair Congressional maps. Not just fair methods or fair criteria, but a fair outcome. A fair map. Fair does not mean equal. It is acknowledged that in Ohio, Republican candidates have a slight advantage. You know that when we examine the voting preferences of Ohio voters in statewide partisan elections, that over the last 10 years, Republicans have a 54/46 edge.

Sen. Sykes ([00:33:15](#)):

This partisan proportions of our Congressional map should reflect this Republican advantage. The people of the State approved the Constitutional amendment with 75% of the vote. They wanted a change. They wanted a fair proportion of Democrat and Republican districts, and incorporated in the Constitution provisions two guardrails.

Sen. Sykes ([00:33:47](#)):

The first, is in order to get a 10 year map, you have to have bipartisan approval. This is an assumption embedded in that, that the minority party would not participate, and not support, a map that would disfavor them. That's an important guardrail that promotes fairness. This map that we have, we don't consider fair, and that's why we're voting for it today.

Sen. Sykes ([00:34:16](#)):

The second guardrail, is that in case you have a four-year map proved just by the majority, that you can't unduly favor or disfavor political party. So we come right back to that fairness issue. The fairness is a critical ingredient here that we have to comply with. Currently, we have 12 Republican-leaning districts and four Democratic-leaning districts. The people wanted a fair distribution. Senate Bill 258 offers 12 Republican-leaning districts, and three Democratic-leaning districts. It's less fair than we have today, and the people wanted more fairness, and you are trying to offer them less. The map is not an improvement. The map is not fair, and that's why I urge you to vote no on 258.

Speaker 1 ([00:35:10](#)):

Thank you, Senator. The Chair recognizes the Senator Serino.

Sen. Serino ([00:35:16](#)):

Thank you, Mr. President. I rise today in favor of Senate Bill 258. Senators McColley and Gavrone have done an excellent job of explaining the rationale behind it, and the benefits of it. As they stated so clearly, it does produce competitive districts, let the best candidate win. They are compact, and they are, in fact, compliant with the Ohio Constitution.

Sen. Serino ([00:35:44](#)):

During this process, with all of the various committees, input has been received from many constituents around the state, both officially at the many hearings, but also all of us as members have received lots of input through social media, through direct contact with our offices. We have heard people's ideas, and

many modifications have been made as a result of the input and testimony that we received. Because of the broadness of that, I can tell you today that, in my opinion, democracy is alive and well in the State of Ohio, with the adoption of this map and this Bill.

Sen. Serino ([00:36:27](#)):

I'd like to thank the President for his leadership on this important issue, Senators McColley and Gavarone for their leadership, as well, all the members of the committee and the staff for their hard work in putting this together, and I urge passage. Thank you.

Speaker 1 ([00:36:42](#)):

Thank you, Senator. The Chair recognizes Senator [Craig 00:42:02].

Sen. Craig ([00:36:48](#)):

Thank you, Mr. President, ladies and gentlemen of the Senate. This is an extremely important issue with long term implications. As elected officials, we have the duty to ensure that no vote has more weight than another. Unfortunately, the map in front of us today gives one party an unearned advantage. This will leave to unfair representation for our state, and in Washington, DC.

Sen. Craig ([00:37:29](#)):

I am very disappointed, and know that as a body we should have worked harder. We should have worked harder to get to a fair 10-year map. Redistricting is such an important issue, because it impacts every other issue addressed in Congress and at the State House. It is vitally important that our districts reflect the diversity of Ohio's communities. Ohio's map drawers must also ensure that communities of color, and it's already been stated, and rightly stated, have adequate political representation. In 2018, Ohioans overwhelmingly approved the Constitutional amendment to create a fairer process to draw maps and end gerrymanders.

Sen. Craig ([00:38:25](#)):

Unfortunately, the map in front of us today does not honor the spirit of those reforms. There is a real, and I might add significant, concern that these maps were designed without transparency, or accessibility to the general public. Ohioans did not have the ability to properly vet these proposed maps, and understand how it will impact their communities.

Sen. Craig ([00:38:54](#)):

In the past three months, as many of you know, hundreds of Ohioans have come to testify on State Legislative and Congressional maps, using their voice to demand that they, and their communities, are represented fairly. I want these people to know that their efforts were not gone unnoticed, or unheard. I urged them to continue their advocacy for fair and equal districts.

Sen. Craig ([00:39:25](#)):

As the wise, and late, John Lewis said, and I quote, " The vote is precious. It is the most powerful non-violent tool we have in our democracy." Really the most important person in a democracy is the voter. The voters have spoken. I'm deeply troubled by this map, and urge a no vote on Senate Bill 258. Thank you very much, Mr. President.

Speaker 1 ([00:40:02](#)):

Thank you, Senator. The Chair recognizes Senator [Antoni 00:40:07].

Sen. Antoni ([00:40:08](#)):

Thank you, Mr. President, for allowing me to rise in favor of the bill we have in front of us today. Before talking about the map, Mr. President, I think we have to acknowledge another reality that we are facing today, and that is we are voting on a map with 15 Congressional districts, and not 16, and not 18, and not 20, and certainly not the 24 that Ohio once had.

Sen. Antoni ([00:40:37](#)):

While there is clear division in this body today about this map, I hope that we all can redouble, and commit to an effort, over the next 10 years, so that in 10 years we don't lose another seat, and that we start changing the tide here in Ohio back to getting to a place of restoring the influence, the numbers, in our Congressional delegation.

Sen. Antoni ([00:41:09](#)):

This is not an Ohio problem, for sure, it is a problem all across the Midwest. I hope we, Democrat or Republican, urban or suburban or rural, can commit today to doing what it takes, doing what is necessary, so that when we vote on a map in 10 years, we are voting on a map that has 16 districts, or 17, or 18. That is vitally important, Mr. President.

Sen. Antoni ([00:41:43](#)):

I want to talk about, specifically, the Dayton region in this map, Mr. President. We all represent our individual communities. Yes, we're voting on a statewide map, but we all represent, certainly, our individual communities and this map, Mr. President, is good for the Dayton region. With respect to my friends, and...

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Sen. Antoni ([00:42:03](#)):

... is good for the Dayton region. With respect to my friends in Cincinnati, Senator Blessing and Senator Thomas and Senator Wilson, Dayton is not Cincinnati. Dayton is Dayton, and Dayton's congressional seat should reflect that. And Dayton perhaps is unique in our state with Wright-Patterson Air Force Base, which is split between Montgomery County and Green County and my friend Senator Hackett. And it is incredibly important for Wright-Patterson Air Force Base and all of the military men and women who serve on that base, which is Ohio's largest single site employer, federal or state, public or private, to have a single regional advocate in Congress. And this map accomplishes that. And so this map is good for the military men and women at Wright-Pat, it is good for the Dayton region, and I look forward to supporting it. Thank you, Mr. President.

Sen. Chair ([00:42:56](#)):

Thank you, Senator. The Chair recognized as Senator Antonio.

Senator Nickie Antonio ([00:43:02](#)):

Thank you, Mr. President. I rise in opposition to this map. This bill subverts the will of the people and the will of the voters, I believe. They demanded the legislature and partisan gerrymandering in 2015 and 18. Over 70% of Ohioans expected that we would keep communities of interest together, limit the carving up of our counties, our largest counties, and keep the state's largest cities together. Senate Bill 258, while it achieves the goal of keeping the seven largest cities in Ohio whole, kudos with the exemption exception of Columbus. And we know why. But it falls short on meeting the other important criteria for constitutionality, in my opinion. And the interesting thing is, we all have an opinion about whether or not this is a constitutional map, whether or not it follows the spirit, the rules that were set out by the people, the spirit of what the people wanted. But I believe it falls short.

Senator Nickie Antonio ([00:44:19](#)):

The map doesn't keep communities of interest together. One example can be found in District 5, a district that runs from Lorraine County to the Indiana border. The citizens, businesses, and cultural groups of Lorraine County must stretch to find common interest with the citizens of Mercer, Van Wert, and Paulding counties, just different. These are enormously different from the cultural, economic, and geographic needs for each of the counties incorporated into the district. Metro Cleveland is vastly different from the rural counties and communities of Western Ohio. They're just different. I could go into a lot of other details about this, but I'll spare you. Just to say unhappiness for myself across the map. But per the Ohio Constitution, every congressional district shall be compact, not may Senate Bill 258 does not in good faith achieve this criteria.

Senator Nickie Antonio ([00:45:25](#)):

It was my hope that we, and this has been stated already by many of my colleagues, that as elected officials, we would've put aside partisan goals and aspirations to achieve a 10 year congressional map, a plan through cooperation and bipartisanship. It's now evident that regardless of the hope and optimism, a tenure map has not materialized. This is not the outcome that the petitioners who stood in the cold collecting signatures, talking to their neighbors, it's not the outcome that the numerous Ohioans who submitted maps, wrote testimony, showed up to testify, many of them are with us in the chamber here today. They gave their valuable time. They were so positive and so engaged in the process and I think it's commendable.

Senator Nickie Antonio ([00:46:19](#)):

I haven't seen part anticipation like this for a really... All right, to put it any other way, it's a very nerdy issue. For some people, they start to fall asleep the minute you start talking about redistricting. But there were citizens across the State of Ohio who really gave a lot of their time and talent to participate in this democratic process. And I applaud that. But we still came up short with achieving the goal that I think all of them wanted, not specifically, what did a map look like? But the goal of a fair map, the goal of a map that would show constituents and voters choosing their representatives, rather than policymakers picking their people, which is where we still are today. I think it undermines our democracy and it really subverts the voice of the people and dilutes what their wishes are. We see their wishes when we have national elections. That's been mentioned before.

Senator Nickie Antonio ([00:47:35](#)):

Do I believe it's destroyed our democracy? Absolutely not. Because I have full faith in our democracy. I have faith in the people who had faith in us, but we've come up short. And as far as how we increase our numbers in the State of Ohio, maybe we could start with listening to the people when they come in

front of us, when they work on something like a Bowland Initiative, and tell us what they want us to do, tell us how to do the work. And then we come up short in the result for them. Perhaps if we listened a little bit more to them, to the majority of people, respected all people in the State of Ohio, all families, all races, all nationalities, and a lot of other things that would move us forward, perhaps then Ohio would see her numbers increase. I urge a no vote on this bill. Thank you.

Sen. Chair ([00:48:45](#)):

Thank you, Senator. The Chair recognizes Senator Thomas.

Sen. Cecil Thomas ([00:48:52](#)):

Thank you, Mr. President. I stand in opposition to this bill. This congressional map does not reflect my constituents in my county, not at all. We talk about fairness and competitiveness. I keep hearing that coming from some of our members. I find it hard to believe how you can say that with a straight face when 12 districts favor one side and three favor the other side. Anybody in here listening, if that's fair, God bless you. I asked my staff to take a look at the countywide voting party preferences in Hamilton County from 2016 to 2020, which covers the data being used to draw the maps. When they looked up two presidential elections, five statewide offices, and 20 county offices, the voters chose 21 Democrats and six Republicans between 2016 and 2020. Basically, what that's saying is that the people of Hamilton County is a Democratic county. The county has been hacked into three districts, none of which accurately represents their voting preferences. The supposed competitive district leans Republican by more than three points. Now, think of it, by more than three points. But we talk about fairness and competitiveness and all this silliness, making it an automatic uphill battle for the Democrat running. Now I've already said, 2016 and 2020, the numbers clearly reflect. So this is clearly a method by which we're gerrymandering Hamilton County. The other two districts completely void Hamilton County votes by going into a total of 18 other counties. Y'all know about the snake on the lake. Come on. This is no different.

Sen. Cecil Thomas ([00:51:56](#)):

The harm done to minority communities in the county, in my county is significant. The line between District 1 and District 8 cuts right through the middle of the black population. It's right here. Take the time to look at it. Cuts right through the middle of the black population that wasn't accidental, that was intentional. I'll give you an example. Most of the folks down my way know of the community called Lincoln Heights. Lincoln Heights is a predominantly African American village. It's the largest African American village in Hamilton County, with a 95% black population.

Sen. Cecil Thomas ([00:52:54](#)):

Lincoln Heights is included in the same district... Now, hear me now. Lincoln Heights is included in the same district as a community called [Esanya 00:53:10]. I don't even know where Esanya is, but it's a community in the State of Ohio. And it's in Darke County. I don't even know where Darke County is, but I believe the Presidents represents Darke County at the state level. But I can almost guarantee the President of this body here has no a clue where Lincoln Heights is. It's an hour and 45 minutes from Hamilton County. But that's fair. The people came and they spoke. Those that had an opportunity to come and speak, they spoke and said, "Please give us fair districts." But all I'm hearing here today is exactly what we already have and you all know it. We pray and we do all these other things, but you know when you look at this, this is not fair. So I'm saying to all of you, you all are considered my friends, we laugh and we talk. But when you look in the mirror and you look at what's going on here, it's obvious

and you all know it. I urge you, the people have spoken via the Constitution of the State of Ohio. The criteria is in place in the Constitution. And no, these maps do not meet the criteria of the Constitution. I beg to differ with my good friend, Senator McColley. It does not. So with that, folks, I urge a no vote on this particular bill. Thank you.

Sen. Chair ([00:55:26](#)):

Thank you, Senator Chair recognizes Senator Schuring.

Sen. Kirk Schuring ([00:55:32](#)):

Thank you Mr. President. Ladies and gentlemen of the House, I rise in support of Senate Bill 258. And I want to start off by thanking Senator McColley, Senator Gavarone, our Senator President, and most importantly, Senate staff who spent endless hours on making this map work. I submit to you this afternoon, this map is constitutional. I remind everybody that, that constitutional amendment was offered by The General Assembly in a strong bipartisan way back in February of 2018, and then ratified by the voters. But it was us to put together that constitutional amendment. And I respect those who worked on it, on this particular map for adhering to that constitutional amendment. I also remind everybody that as it relates to my neck of the Woods, Stark County. Stark County is now a whole entirely in one congressional district for the first time. The last time was 20 years ago, that Stark County was carved out that way. And I think that is something very important to the people I represent.

Sen. Kirk Schuring ([00:56:40](#)):

I also would tell you that there are strong communities of interest. Because the district I'm referring to now includes Wayne County, Ashland County, parts of Holmes County, and yes, even stretches up to parts of Summit County, which is part of the Akron-Canton Metroplex. This is a fair map. It is a map, and I'll use again, the map that we have before us today for my part of the state, is very similar to the map that was won by a Democrat in 2008, and then won by a Republican in 2010. It is fair, and I would urge this body to support Senate Bill 258.

Sen. Chair ([00:57:25](#)):

Thank you, Senator. The Chair recognizes Senator Williams.

Mr. President ([00:57:29](#)):

Thank you, Mr. President. Years ago, I supported the constitutional amendment that changed the way we drew congressional districts. But at that time I knew then what we know now, that those districts were not going to come out fair. I knew that, but I had hope that one day we would actually do the right thing in this chamber. We also know that our constituents had hope that we would do the right thing, but as I often tell people, who gives up power? And in order for these districts to be fair, somebody has to give up power. And I don't know anybody in politics who would give up the majority or the lead that you all have on us right now, just because. And that just because is the voters in Ohio told us they wanted something better.

Mr. President ([00:58:18](#)):

Now, the people in Senate District 21, they are highly disappointed. They don't believe the process was fair. They don't believe they had a great opportunity for comment, even though we had two hearings on this map. They don't believe that negotiations were taken into consideration. They are highly

disappointed. They don't believe their voice is heard. Now, the 11th congressional district, we're okay. But the people in the 11th congressional district weren't just worrying about the 11th congressional district, they were worrying about everybody in the state. And we all know that based on these numbers, this district, our districts, are not fair. And we just hope that you all will negotiate within the next two weeks to give us something a little bit better than what we have today. Thank you.

Sen. Chair ([00:59:07](#)):

Thank you, Senator. The chair recognizes Senator McColley.

McCauley ([00:59:16](#)):

Thank you, Mr. President. I would like to start by saying, I do appreciate this debate, and I do appreciate everybody's passion on this issue. I appreciate my friend from Hamilton County. But I think what we have to look at when we are debating and crafting these maps, is we have to look at the plain language of the Ohio Constitution. I think if we went around and we asked everybody, "Do you agree with fairness?" Most of us would say, "Yes." "Do you agree with competitiveness?" Most of us would say, "Yes." The truth is neither word appears in article 19 of the Ohio Constitution. And so what are we left to do? We're left to look at the actual language of the Ohio Constitution that in there, that are in there to be the guiding principles of how we draft this map, that are in there to instruct us as to what is expected and what is not expected of us as we draw these maps.

McCauley ([01:00:24](#)):

And so when we look at the talk of splitting counties or whether we should do that or not, the language is clear. You have a cap on how many counties you can split. This map is well below that cap, nearly half, almost half of that cap. When we talk about the language of unduly splitting communities, the term communities of interest is not in the Ohio Constitution article 19. It's not in there. So the question becomes, have we unduly split communities or governmental units? As I stated before, 98 out of 100, 98 out of 100 of Ohio's largest cities, with exception to Columbus, which had to be split, we all acknowledge that, I think we all agree with that, with exception to Columbus and with exception to cities that are across the county border. It don't count, it's expressly in the Constitution. Those don't count as splits. With exception to those types of cities, only two out of the top 100 most populous cities are split. And in total, 14 in the entire State of Ohio, however many political subdivisions there are, 14 combined cities and townships are split.

McCauley ([01:01:47](#)):

And so we have to look at the plain language and try to avoid injecting subjectivity unless necessary. And so when we look at the requirement about compactness, I would agree with my friend, Senator Antonio, the language is in there that says the districts shall be compact. There's one exception built in for four year maps, that there shall be an attempt to draw compact districts. Now, seeing as how compactus is not defined, sometimes we have to dig into what the common usage of the word would be. The common usage of the word, as far as I would be concerned, would be things that are tightly organized. And it says that's supposed to be happening for all districts, not just districts in suburban and urban areas, but all districts. And I get it if you represent that area, but when there's frustration that some of these larger counties are split, understand that part of the major reason that, that happens is to ensure that all-

PART 3 OF 4 ENDS [01:03:04]

McCauley ([01:03:03](#)):

... That that happens is to ensure that all districts are compact and we don't have districts containing, especially when you look down at Southeast Ohio, where our friends down there live in some counties that are 14,000 people. Especially when you look at that part of the state. If we don't put some of those communities and some of those counties with counties of large population, those districts are going to be massive. They're going to be massive. And we made an effort in this map, a cognizant effort, to be compact. One thing I would like to point out is that one way to draw compactness is drawing the length from one part of the district away to the furthest part of the district away from it. When you look at the map in front of you, congressional district five is 167 miles tip to tip. One thing I'd like to point out is the Senate Democrat proposal for district 12 is 175 mile else from tip to tip.

McCauley ([01:04:05](#)):

I don't blame either side for that. One thing we have to acknowledge as well is that Ohio's geography has very large counties and it has counties that are not populous at all, or that don't have very much population. Somehow, some way every one of these districts has to have 786,630 people in it. And as a result of that, you're going to have districts that are large. You're going to have districts that stretch across a good chunk of the state. But there needs to be an effort to draw compact districts and we have done that.

McCauley ([01:04:46](#)):

And so as I would close, I would say this. When it comes down to it, this is the first time we've done this. I understand there may be frustration, but at the same time, when we are evaluating what we are allowed to do and what we are not allowed to do, we must look at what is the plain reading of the constitution. What does it say?

McCauley ([01:05:11](#)):

And when it comes to an opportunity for us to inject our own interpretation into that, we can't be subjective about it to the point where it's a hard to define, hard to grasp terminology. We have to use metrics by which we can actually point to and defend. That is going to be a requirement if we pass a four year map and it's something that's actually already in this bill, how do we not unduly favor or disfavor a party or its opponents?

McCauley ([01:05:45](#)):

The way that we have to define that, the way that we have defined it, is through making a plurality of Ohio's districts competitive below the 54% threshold and benchmark that people like to point to as Ohio's voting preferences and right around the 50% margin districts that we all know in this room and we all know examples that you can be in that eight point window surrounding 50% and a district could go either way, depending on how the prevailing winds are going at that moment in time.

McCauley ([01:06:19](#)):

And so with that, I would say this. I know this is something that is engendered an awful lot of discussion. I know it's something that's engendered an awful lot of passion, but it's something that I do believe the map that's before us is a map that is constitutional and it's a map that I urge passage for. Thank you.

Matt Huffman ([01:06:40](#)):

Thank you, Senator. The chair recognizes Senator Thomas.

Sen. Cecil Thomas ([01:06:48](#)):

Thank you, Mr. President. I'll make this my last time and I won't be long. I appreciate the comments from my good friend, Senator McColley. However, a lot of what he conveyed, it did not have to happen. Hamilton County did not have to be divided the way it was. Hamilton County is a population of 817,000 people. 817,000. And as you indicated, the number is 786,630 to make up a congressional district. Why then would you split the county the way it's split?

Sen. Cecil Thomas ([01:07:43](#)):

The city of Cincinnati municipality could not be split. So what did you do? You took 300 and some thousand people and put them somewhere else. You took them out of Hamilton County. So, I'm saying clearly that as my good friend, Senator ... Sandra. I'm so used to calling her by her first name. Senator Williams, as she said, power is not conceded without a fight.

Sen. Cecil Thomas ([01:08:23](#)):

And you all clearly, those in argument of supporting these maps, have obviously created an environment where there will be a fight and obviously it would probably be in the courts. But it did not have to be. The Democratic maps that were presented. It gave at, one map a seven eight. Advantage Republicans, seven, eight. Another one was nine, six, advantage Republicans. The fact of the matter is that those were what all of us in here would agree on fair maps that addressed the will of the people of the state of Ohio.

Sen. Cecil Thomas ([01:09:11](#)):

And keep in mind when they voted in 2015 and '18, it wasn't just Democrats. It was the people of the state of Ohio. Republicans, Democrats all said, "Cut out the nonsense, let the voters pick the candidates and not the candidates picking the voters." And that's what they said. And here we are now standing here debating a map that's clearly a gerrymandered map. So, I urge again, a no vote on this particular legislation. Thank you.

Matt Huffman ([01:09:53](#)):

Thank you, Senator. The chair recognizes Senator Yuko.

Kenny Yuko ([01:09:58](#)):

Thank you, Mr. President. You know, it seems like it seems like a long time ago, but the year is 2018. And actually we started in 2017 talking about what we need to do to fix redistricting in Ohio. In 2015, we had already done a pretty good job with the state races for state Senate seats and for state House seats. But now this is a whole new ballgame. And Senator Peterson, Senator Shering, Senator Heidinger, President Huffman, many times you walked into the president [inaudible 01:10:35] office and you saw me sitting there with papers spread all over his desk and his table in his office, trying to ... Meaningful discussions about what we're looking at. How we can do this. How we can do this with an area of compromise so we can make things happen. And then what we did was we took that to the people.

Kenny Yuko ([01:10:56](#)):

Now I have to believe that the people I represent in the 25th Senate district are really just very much like the people you represent. And I listen to them. They come to me, they came to my home, they came to my office, I attended their meetings, they wrote me letters. They're on social media corresponding with me. They're much like the people we have visiting us here today because they're interested in what we do as their representatives.

Kenny Yuko ([01:11:24](#)):

But it's important to remember that, you know what? They choose us to be their representatives. It's not our job as representatives to choose them as our constituents. And sometimes I figure that's what this map does. Now believe me when I tell you, I fully understand what a complex issue this was. I truly understand that from President Huffman's position, it was not an easy task to do. Because at one point in time, he's sitting there looking and saying, "Okay, how can I preserve what we already have?"

Kenny Yuko ([01:12:03](#)):

Because as it was already noted, nobody wants to give up when you got that power. Nobody does. But we work for a different boss. There's 11.7 million of them and they spoke loud and clear. I've heard often people saying, "Well, it's just you are Democrats are crying and complaining because you're not in the majority."

Kenny Yuko ([01:12:26](#)):

Well, you know what? When we represent 46% of the Ohioans and when 75% vote for congressional redistricting, I can only hope that somewhere there's an error and I actually represent 75%. But I know that's not a reality. It just isn't. We talk about all the complex issues that we had to take into consideration to put into this redistricting process. But with Thanksgiving coming up, I think about it almost like making stuffing. You have a recipe. You got bread, you got onions, you got celery. Senator Rulli, I got to rely on you for the rest of it. But knowing you and your business, you'll probably give me 10 items to buy for that doggone stuffing.

Kenny Yuko ([01:13:08](#)):

But everybody who makes that stuffing can add the ingredients at a different rate and it comes out differently. I think the same thing we're talking about is right here. We can take your map. We could have taken our maps. We could have tweaked them either way and come across with something. We can say, "Hey, listen, this is 100% constitutionally compliant. We did everything we did. And we did the best we could do."

Kenny Yuko ([01:13:33](#)):

But there's a difference. When we do it, we come out a little bit ahead. When you do it, you come out a little bit ahead. But again, our true bosses are 11.7 million strong. They're not shy. They're not bashful. They travel. We did a listening tour, or so it was called. Cleveland, Youngstown, Lima, Toledo, Akron, Mansfield, Cincinnati, Dayton, Rio Grand, Zanesville. They often said, "Hey, these are all held during the day and we can't come out."

Kenny Yuko ([01:14:12](#)):

Hundreds of people came out to every city, except for two. But eight of 10 cities, we had hundreds of people come out. But we did hold one night version. We held it in Cleveland at Tri-C and we had a

gigantic crowd. And my memory's, I'm not the young guy I used to be, maybe my memory's going a little bit, but I can only remember one person saying, "Hey, we like the way things are right now."

Kenny Yuko ([01:14:43](#)):

The rest of the people all said, "We have to do better. We have to do better." And I was hoping we could do better. I was hoping at the end of the day, we could do better. I was hoping as I called President Huffman over the weekend, I says, "Come on, my friend, we can do this. We can make this happen. But we got to work together."

Kenny Yuko ([01:15:05](#)):

We spoke to Senator Sykes on the phone this morning. He says, "Leader, we can do this. We still got two more weeks. We can make this happen." Am I right, Senator Sykes? But we got here today and we said, "No, it's not going to work out that way. We're done. We did this. We got this."

Kenny Yuko ([01:15:24](#)):

We do. You can accept it. We have to be forced to accept it. But what about our constituents? Will they accept it. Do they have to accept it? Do we let them down? Do we hear their voices? They were loud. They were strong. They were consistent. They never stopped. We went from city to city, to city, to city. We saw the signs. We saw the outrage. We saw the tears. These weren't people putting on a show, folks. These were people speaking from their hearts. Why? Because sometimes they felt like their government was letting them down. And none of us, none of us ran for office because we said, "You know what? If we got elected, we can help let these people down." We never said that. We've campaigned on the fact that we can do better. We can make things better. We can improve your quality of life, if you let us. That's what we tell you. And if you believe us, we can do that.

Kenny Yuko ([01:16:28](#)):

But if you believe us and you elect us and we don't do it, what happens? And that's the sad part. Again, I know the tough position everybody was in. I was hoping for a little bit more compromise. I was hoping that there would've been a little bit more conversation. It didn't happen and accordingly, I am going to request a no vote on this bill. But thank you. Thank you, Mr. President.

Matt Huffman ([01:16:54](#)):

Thank you, Leader Yuko. The question is, shall the bill pass? Clerk will call the role.

Clerk ([01:17:02](#)):

Antani.

Niraj Antani ([01:17:04](#)):

Yes.

Clerk ([01:17:04](#)):

Antonio.

Nickie Antonio ([01:17:05](#)):

No.

Clerk ([01:17:06](#)):

Blessing.

Louis W. Blessing, III ([01:17:06](#)):

Yes.

Clerk ([01:17:06](#)):

Brenner.

Andrew Brenner ([01:17:06](#)):

Yes.

Clerk ([01:17:08](#)):

Cirino.

Jerry Cirino ([01:17:09](#)):

Yes.

Clerk ([01:17:09](#)):

Craig.

Hearcel Craig ([01:17:10](#)):

No.

Clerk ([01:17:11](#)):

Dolan.

Matt Dolan ([01:17:13](#)):

Yes.

Clerk ([01:17:13](#)):

Gavarone.

Theresa Gavarone ([01:17:14](#)):

Yes.

Clerk ([01:17:15](#)):

Hackett.

Robert Hackett ([01:17:16](#)):

Yes.

Clerk ([01:17:16](#)):

Hoagland.

Frank Hoagland ([01:17:17](#)):

Yes.

Clerk ([01:17:17](#)):

Hottinger.

Jay Hottinger ([01:17:18](#)):

Yes.

Clerk ([01:17:18](#)):

Steve Huffman.

Steve Huffman ([01:17:20](#)):

Yes.

Clerk ([01:17:20](#)):

Johnson.

Terry Johnson ([01:17:21](#)):

Yes.

Clerk ([01:17:21](#)):

Kunze.

Stephanie Kunze ([01:17:22](#)):

Yes.

Clerk ([01:17:22](#)):

Lang.

George Lang ([01:17:23](#)):

Yes.

Clerk ([01:17:24](#)):

Maharath.

Tina Maharath ([01:17:25](#)):

No.

Clerk ([01:17:25](#)):

Manning.

Nathan Manning ([01:17:26](#)):

Yes.

Clerk ([01:17:26](#)):

McColley.

McCauley ([01:17:27](#)):

Yes.

Clerk ([01:17:28](#)):

O'Brien.

Sandra O'Brien ([01:17:28](#)):

Yes.

Clerk ([01:17:29](#)):

Peterson.

Bob Peterson ([01:17:31](#)):

Yes.

Clerk ([01:17:31](#)):

Reineke.

Bill Reineke ([01:17:31](#)):

Yes.

Clerk ([01:17:31](#)):

Roegner.

Kristina Daley Roegner ([01:17:31](#)):

Yes.

Clerk ([01:17:35](#)):

Rulli.

Michael Rulli ([01:17:35](#)):

Yes.

Clerk ([01:17:37](#)):

Shaffer.

Tim Schaffer ([01:17:37](#)):

Yes.

Clerk ([01:17:37](#)):

Schuring.

Kirk Schuring ([01:17:37](#)):

Yes.

Clerk ([01:17:39](#)):

Sykes.

Vernon Sykes ([01:17:40](#)):

No.

Clerk ([01:17:41](#)):

Thomas.

Sen. Cecil Thomas ([01:17:41](#)):

No.

Clerk ([01:17:42](#)):

Williams.

Sandra Williams ([01:17:43](#)):

No.

Clerk ([01:17:44](#)):

Wilson.

Steve Wilson ([01:17:45](#)):

Yes.

Clerk ([01:17:45](#)):

Yuko.

Kenny Yuko ([01:17:46](#)):

No.

Clerk ([01:17:47](#)):

President Huffman.

Matt Huffman ([01:17:48](#)):

Yes.

Matt Huffman ([01:17:51](#)):

With 24 yays and seven nays, the bill is passed and entitled.

Clerk ([01:17:55](#)):

A bill to enact and repeal sections of their revised code to establish congressional district boundaries for the state based on the 2020 decennial census and to delay certain deadlines related to the 2022 congressional primary election.

Matt Huffman ([01:18:07](#)):

The question is, shall the title be agreed to? Any member who would like to add their name to the title, please do so now. The title is agreed to. The chair recognizes Senator McColley for a motion.

McCauley ([01:18:26](#)):

Mr. President, I move that the senator's absent the week of Sunday, November 14th, 2021 be excused so long as a written explanation is on file with the clerk pursuant to Senate rule 17.

Matt Huffman ([01:18:35](#)):

Without objection, the motion is agreed to introduction and first consideration of bills.

Clerk ([01:18:41](#)):

Senate Bill 263. Senator Maharath to amend sections of the revised code to remove gender specific references to statewide office holders.

Clerk ([01:18:49](#)):

Senate Bill 264. Senators Brenner, Maharath to amend the section of advised code to regulate remote work by mortgage loan originators and other persons working for entities subject to the residential Mortgage Lending Act.

Clerk ([01:19:02](#)):

Senator Bill 265. Senator Schaffer and others to amend sections of revised code exempt the sales and use taxes, the sale of certain firearms and ammunition.

Clerk ([01:19:11](#)):

Senator Bill 266. Senator Schaffer to amend sections of the advised code to generally grant civil immunity for certain injuries to a person who acts in self defense or defense of another during the commission or eminent commission of an offense of violence, protect the members or guests of a nonprofit corporation under certain circumstances.

Clerk ([01:19:27](#)):

Senator Bill 267. Senator Williams to amend a section of their advised code to require a tiered disciplinary procedure and student instruction on preventing harassment, intimidation, or bullying in a school and to create the offense of aggravated bullying as a third degree misdemeanor.

Matt Huffman ([01:19:43](#)):

Stands this first consideration. Offering of resolutions. The question is, shall the resolutions listed under the president's prerogative be adopted? And without objection, the resolutions are adopted. Message from the House.

Clerk ([01:19:56](#)):

Mr. President. I'm directed to inform you that the Speaker of the House or Representative has signed the following bill: House Bill 177, substitute Senate Bill 36, Senator Manning, Steve Huffman.

Matt Huffman ([01:20:07](#)):

Message from the president.

Clerk ([01:20:08](#)):

Pursuant to section 490602 of the revised code, presidential assignment, temporarily remove Senator Hottinger and appoint Senator Cirino for the purpose of the November 18th, 2021 meeting on the Power Citing Board.

Matt Huffman ([01:20:21](#)):

Board message from the president.

Clerk ([01:20:22](#)):

According to One Ohio memorandum of understanding entered into by governor Mike DeWine and Attorney General Dave Yost on behalf of Ohio citizens and pursuit to Section D4 of the one Ohio memorandum understanding. The president of Senate selects Senator McColley to serve as a board member on the foundation created in section D of the One Ohio memorandum of understanding.

Matt Huffman ([01:20:43](#)):

Communications from the governor.

Clerk ([01:20:45](#)):

I, Mike DeWine, governor of the state of Ohio, do hereby appoint Joshua Otten and others and witness whereof, signed Mike DeWine, governor.

Matt Huffman ([01:21:01](#)):

To the committee on rules and reference. Announcement of committee meetings. Senator Blessing.

Louis W. Blessing, III ([01:21:07](#)):

Thank you, Mr. President. The Senate Ways and Means Committee will reconvene at 3:05. Thank you.

Matt Huffman ([01:21:12](#)):

Thank you. Appreciate the very precise time. Senator Hackett.

Robert Hackett ([01:21:17](#)):

Thank you, Mr. President. The Senate Insurance Committee will meet tomorrow and we're going to meet an hour earlier. It's at the Senate Finance Room and it's at 1:30, not 2:30, and we will have a vote. Thank you.

Matt Huffman ([01:21:29](#)):

Thank you, Senator. Senator Schaffer.

Tim Schaffer ([01:21:31](#)):

Thank you, Mr. President. The Agriculture Natural Resources Committee will meet at 4:00 PM in the south hearing room.

Matt Huffman ([01:21:37](#)):

Thank you. Senator Rulli.

Michael Rulli ([01:21:38](#)):

Mr. President, Small Business Committee will meet tomorrow morning at 10 o'clock.

Matt Huffman ([01:21:43](#)):

All right. Thank you. The chair recognizes Senator Hottinger for a motion.

Jay Hottinger ([01:21:46](#)):

Mr. President, I move that the Senate having completed its business for today adjourn until Wednesday, November 17th at 9:30 AM.

Matt Huffman ([01:21:53](#)):

Thank you. The question is shall the motion be agreed to and without objection, the motion is agreed to. The Senate stands adjourned.

PART 4 OF 4 ENDS [01:22:02]

EXHIBIT 21

RETRIEVED FROM DEMOCRACYDOCKET.COM

Chair Wilkin ([00:00:00](#)):

Good morning, everyone. I will now call the November 17th government oversight committee to order. The clerk will take the role.

Speaker 1 ([00:00:11](#)):

Chair Wilkin.

Chair Wilkin ([00:00:12](#)):

Yes.

Speaker 1 ([00:00:13](#)):

Vice chair White.

Vice Chair White ([00:00:13](#)):

Yes.

Speaker 1 ([00:00:14](#)):

Ranking member Brown.

Ranking Member Brown ([00:00:15](#)):

Here.

Speaker 1 ([00:00:16](#)):

Representative [Carfagna 00:00:17].

Rep Carfagna ([00:00:17](#)):

Yes, here.

Speaker 1 ([00:00:18](#)):

Representative [Galonski 00:00:19].

Representative Galonski ([00:00:19](#)):

Present.

Speaker 1 ([00:00:20](#)):

Representative Ginter.

Rep Giner ([00:00:21](#)):

Here.

Speaker 1 ([00:00:22](#)):

Representative Hicks-Hudson.

Rep Hicks-Hudson ([00:00:23](#)):

Here.

Speaker 1 ([00:00:24](#)):

Representative Howse.

Rep Howse ([00:00:25](#)):

Here.

Speaker 1 ([00:00:26](#)):

Representative Jones.

Rep Jones ([00:00:28](#)):

Here.

Speaker 1 ([00:00:28](#)):

Representative Kelly.

Rep Kelly ([00:00:30](#)):

Here.

Speaker 1 ([00:00:30](#)):

Representative Plummer.

Rep Plummer ([00:00:31](#)):

Here.

Speaker 1 ([00:00:31](#)):

Representative Seitz.

Rep Seitz ([00:00:32](#)):

Here.

Speaker 1 ([00:00:34](#)):

Representative Swearingen.

Rep Swearingen ([00:00:35](#)):

Here.

Chair Wilkin ([00:00:39](#)):

With quorum present, we will operate as a full committee. First order of business is to approve the November 10th minutes. They are on your iPad. If there are no objections, they will be approved as presented. Hearing no objections, the minutes are approved. Before we get going today, I do apologize

for the delay. We had members coming from other committees as well where there were votes, but we do have a stop at noon. And then because of that, I will ask you to keep your questions concise and directed to the bill in front of us. And while I realize there's a lot of passion on this, please maintain decorum in the committee to where there's no cheers, no boos, applause, or signs. We do have a Sergeant in the back that will be with us I believe, for the remainder of the committee, that if that does happen, we will have to deal with it. So at this point, the chair would like to bring up Senate bill 258 for its first hearing. And the Chair recognizes Senator McColley to begin when you're ready. Welcome to committee.

Ranking Member Brown ([00:01:43](#)):

Excuse me, Mr. Chair.

Chair Wilkin ([00:01:47](#)):

Representative Brown.

Ranking Member Brown ([00:01:49](#)):

I would like to move to amend Senate bill 258 with amendment number 134- 2299.

Speaker 2 ([00:02:01](#)):

I second.

Chair Wilkin ([00:02:01](#)):

At this time the chair will rule the amendment out of order, since we are not scheduled for amendments.

Ranking Member Brown ([00:02:05](#)):

May I make a brief statement about why we wanted to offer the amendment?

Chair Wilkin ([00:02:09](#)):

Yes.

Ranking Member Brown ([00:02:10](#)):

Thank you, Chair. I know it's not on the iPads. And I apologize, my microphone is not functioning well, but I have the amendment here. Basically, the deadline to get congressional maps is the end of November. Today's November 17, so there is still time to have discussion and compromise with regard to congressional maps. The Democratic Caucus believes there should be a discussion of these maps and these issues. There really hasn't been any discussion or compromise with the Republicans on this issue. It has always been the Democratic Caucus's desire to have a ten year map that keeps our largest counties whole, keeps our communities of interest together, makes compact districts, and reflects the voting preferences of Ohio voters.

Ranking Member Brown ([00:03:12](#)):

And toward that end, we offered amendment 134-2299, which would replace sub Senate bill 258's congressional district plan with a different congressional district plan, remove language from the bill

stating certain findings of the general assembly concerning the bill's congressional district plan, and replace it with a different statement of legislative intent. So it was our desired to offer this amendment. I understand that it has been ruled out of order, but I just wanted to make the record as to the rationale and purpose behind the request. Thank you, Chair.

Chair Wilkin ([00:03:50](#)):

Thank you, Ranking Member Brown. The Chair maintains his decision of the amendment is out of order. At this time, Representative McColley, you may begin.

Senator McColley ([00:04:00](#)):

Good morning. Thank you Chairman Wilkin, Vice Chair White, Ranking Member Brown and members of the government oversight committee for allowing me to present testimony today on substitute Senate bill 258. After considering multiple maps presented by Democrat and Republican caucuses in both the house and the Senate and listening to the public's input of all those map, we offer this map that is not only constitutionally compliant, but the most competitive map offered by any caucus to date. It is also a map that splits the least counties of any map offered by any caucus and keeps Ohio's largest cities whole and it installs compact districts and implements many of the requested changes we heard in testimony.

Senator McColley ([00:04:41](#)):

Article 19, section 2b5 of the Ohio constitution describes the process that must be followed when splitting counties in a congressional map. In essence, a map may have up to 23 counties split, with 18 of them being split once and five being split twice. This map splits only 12 counties with only two of those counties being split twice. The counties that are split once are Clark, Fairfield, Franklin, Holmes, Lorain, Ross, Shelby, Summit, Washington, and Wood. The counties split twice are Hamilton and Cuyahoga County. Notably for the first time since the map was passed 30 years ago, Lucas county will be whole. And for the first time since the map passed 20 years ago, Stark county will be whole.

Senator McColley ([00:05:23](#)):

The impact on several of Ohio's other large counties is also minimized by Franklin and Summit County having the least splits since the maps passed 30 years ago. Finally, the map complies with article 19, section 2b8 by including an entire county and each district where possible. If passed, this map would have the least counties split in over 50 years. Additionally, this map splits two less counties than both the House and Senate Democrat proposals.

Senator McColley ([00:05:52](#)):

Since the introduction of Senate bill 258, we have maintained that it is important to keep Ohio's largest cities whole with exception to Columbus, which must be split under the constitution and cities that straddle county lines and therefore do not count as a split under the constitution. 98 of Ohio's 100 largest cities are kept whole in this map. The two exceptions being Rocky River and Cuyahoga Falls. In total, only eight townships and six municipalities are split in this proposed map, which more than adequately complies with article 19, section 1c3b's requirement that the general assembly not unduly split governmental units.

Senator McColley ([00:06:33](#)):

Article 19, section 2b2 also requires that districts be compact. This requirement is not applicable to a four year map however, under section 1c3c. In such an instance, the general assembly shall attempt, but is not required to draw compact districts. Nevertheless, in light of the requirements and the spirit of the amendment, the districts presented before you are compact.

Senator McColley ([00:06:57](#)):

Finally, the map before you is the most competitive map offered by any caucus to date and the most competitive Ohio congressional map in decades. Ohio is subject to swings and voter preferences, particularly in federal elections, even though with exception to 2006, Republicans have swept every single election for statewide constitutional offices since 1994, Ohio has voted for both a Democrat and a Republican for president in the last four presidential elections and continues to be represented by both a Democrat and Republican in the United States Senate.

Senator McColley ([00:07:29](#)):

Clearly Ohioans are bifurcating between federal and state elections and issues. Therefore, because the map before you is for the United States congressional districts, it makes sense to judge competitiveness based upon statewide federal elections over the last 10 years. This allows us to capture the true nature of Ohio's voting tendencies in federal elections and to insulate from outliers. When evaluating these districts in the federal statewide context and defining a competitive district as one with a 46% to 54% Republican index, this map has six seats that lean Republican, seven seats that are competitive, and two seats that lean Democrat. The indexes are as follows and you can see that in the testimony before you.

Senator McColley ([00:08:14](#)):

Article 19, section 1c3a states that a map shall not unduly favor or disfavor a party or its incumbents. There have been some that have suggested that we simply take the 15 seats and split them up and simply divide them, eight districts to one side of the aisle and seven districts to the other side of the aisle and that somehow that captures the spirit of what the voters voted for in 2018. I strongly disagree with that sentiment. What captures the spirit of what the voters passed in 2018 is competitive districts that are subject to the changing political winds and changing tides of what is going on in the state of Ohio.

Senator McColley ([00:08:53](#)):

No sporting event should ever favor or disfavor a team by some predetermined final score before either team walks on the field. A congressional map should not be judged to favor or disfavor either party that way either. Rather it should be judged based upon how many districts are going to be determined by the various important issues and candidates in that election. This map embodies that belief by ensuring a plurality of the districts will be competitive in any given cycle. Its seven competitive districts are two more than any House or Senate Democrat proposal and five more than the map proposed in 2011.

Senator McColley ([00:09:29](#)):

Further, this map neither favors nor disfavors either party's incumbents. It accomplishes this by only combining two incumbents who were required to be combined through the prohibition against splitting the city of Cincinnati.

Senator McColley ([00:09:42](#)):

This bill also addresses the quickly approaching filing deadline for congressional candidates. The current filing deadline is February 2nd, 2022. Recognizing this process has been delayed due to the census data being late, we have moved the filing deadline to March 4th to allow for candidates ample time to collect the required number of signatures filed for the election. It's also worth noting that the effective date of this legislation at this point could very well be after the February 2nd filing deadline. Thus, the reason for moving it back 30 days.

Senator McColley ([00:10:15](#)):

The map before you complies with the requirements placed upon the general assembly under the Ohio constitution. It is the product of a deliberate effort to draw compact districts, minimize county splits, keep Ohio's largest cities whole, and ensure a plurality of Ohio's congressional districts will be competitive. I am pleased to say substitute Senate bill 258 passed the Senate with a vote of 24 to seven. Thank you to Chairman Wilkin, Vice Chair White, Ranking Member Brown, and members of the government oversight committee for allowing me to present testimony on substitute Senate bill 58 and the proposed congressional district map contained therein. I would be happy to take any questions at this time.

Chair Wilkin ([00:10:55](#)):

Thank you, Senator McColley. I just wanted to start off with, I know you sat on the joint committee as well, and I've heard from the Senate committee that heard the [inaudible 00:11:07]. You've obviously seen some of the things and read some of the testimony from the house committee here in government oversight as well, as well as the hours of testimony we heard in the joint committee. Is this map based off of all that testimony that we have heard?

Senator McColley ([00:11:19](#)):

Chairman, yes, the map is based off of all that testimony. And frankly, there are some examples of this map where we've accepted suggestions that we heard in testimony. One of them is that we keep the Mahoning Valley whole, as you can see, Trumbull, Mahoning, Columbiana County, and some of the surrounding areas are kept within one district. Another suggestion was that we keep Stark County whole. Stark County has been split arguably almost more than any other county over the last several decades due to the fact that you obviously have an interesting population mix up in Northeast Ohio. Stark County is kept whole. We also heard testimony that people wanted Lucas county to be kept whole. Lucas County is kept whole in this map. Additionally, people wanted Montgomery County and the city of Dayton to be combined with the city of Springfield. That change is also reflected in this map, just to give a few examples.

Chair Wilkin ([00:12:20](#)):

Thank you. This time Chair recognizes Ranking Member Brown.

Ranking Member Brown ([00:12:24](#)):

Thank you, Chair. Thank you Senator for your testimony. I heard the word competitiveness, I don't know, 15 times or so, I didn't count exactly in your testimony. The fact is competitiveness is not a word found in article 19 of the Ohio constitution, is it?

Senator McColley ([00:12:43](#)):

To the Chair, to the Representative, no, the word competitiveness is not in article 19 of the Ohio constitution.

Ranking Member Brown ([00:12:51](#)):

And competitiveness...

Senator McColley ([00:12:52](#)):

If I could, Mr. Chairman, I'd like to answer the question. Competitiveness is not found within the Ohio constitution, but as you are aware, there is a section of the Ohio constitution that dictates how we are unduly favoring or disfavoring a political party. And so you could, in our view, rather than the view that's been proffered by some that we simply should have seven districts that clearly favor one party and are not subject to the prevailing winds of the political landscape at that time, and eight districts that favor the other party by the same measure. In our view, the way you ensure that a map does not unduly favor or disfavor a political party is by drawing competitive districts in a plurality of those districts, which will allow for the voters in those districts to decide based upon the important issues and candidates that are present in those elections.

Ranking Member Brown ([00:13:47](#)):

Follow up, Chair.

Chair Wilkin ([00:13:48](#)):

Follow up.

Ranking Member Brown ([00:13:49](#)):

Thank you, Chair. So competitiveness is not a constitutional criteria. When people voted in 2015 and 2018 overwhelmingly for constitutional amendments to modify the redistricting system, they were voting for fairness in maps, weren't they?

Senator McColley ([00:14:07](#)):

To the Chair, to the Representative. Does fairness appear in article 19 of the Ohio constitution?

Ranking Member Brown ([00:14:12](#)):

I'm asking the question, Senator. The question is they were voting for fairness, weren't they? You can either agree or disagree.

Senator McColley ([00:14:17](#)):

Well, I'll answer the question. To the chair, to the Representative, it can't be said that the citizens were voting for quote, unquote, fairness. As I stated in my testimony on the floor, or my speech on the floor yesterday in the House, neither the word competitive or fairness appears in the Ohio constitution.

Ranking Member Brown ([00:14:37](#)):

So when people are sitting in the audience with shirts that say Fair maps, you're saying their shirts are misnomers and they got a bad deal on the shirts.

Senator McColley ([00:14:45](#)):

To the chair, to the representative, that's not what I'm saying. What I'm saying is that the point that you're trying to make that the term competitiveness does not appear in article 19 of the constitution... The point I'm trying to make is that neither does the word fairness. And so when we're looking at this, we must be guided by the plain reading and the plain language of the constitution. And we have to look when there are areas that we are required to inject some level of our own interpretation, we should look to things that we can readily and easily define by metrics. And that's what we are doing with competitiveness. Fairness, while I think if you asked everybody in this room, whether you agree with the general concept of fairness, I think everybody would say that they do. However, it leads to much more of a subjective interpretation when you're applying it in light of the language that is in the constitution.

Chair Wilkin ([00:15:41](#)):

Okay. And one second, before we go any further, I want to make sure that we maintain going through the Chair and not getting in back and forths between the witnesses and the committee members for all involved.

Ranking Member Brown ([00:15:51](#)):

Follow up, Chair.

Chair Wilkin ([00:15:52](#)):

Follow up.

Ranking Member Brown ([00:16:00](#)):

Is this a compromised map?

Senator McColley ([00:16:02](#)):

To the Chair, to the Representative, can you clarify what you mean by that question?

Ranking Member Brown ([00:16:08](#)):

Were there compromises that the Republican caucus in both and/or the House and/or the Senate made with anybody to come up with this map in 253?

Senator McColley ([00:16:23](#)):

To the Chair, to the Representative, to my knowledge, the map before you is one that made a number of changes that were suggested in the testimony and that that were suggested throughout our conversations with various members of our caucus and even members of the minority caucuses. Some of them I detailed earlier in one of my previous responses. Was there a compromise reached between the House and Senate Democrats, and the House and Senate Republicans? To my knowledge, there was not.

Chair Wilkin ([00:17:00](#)):

Representative Kelly.

Rep Kelly ([00:17:03](#)):

Thank you, Mr. Chairman. I was just wondering how many people have come in to testify in favor of this particular map?

Senator McColley ([00:17:13](#)):

To the Chair, to the Representative, I'm not aware of that number, but I don't know how many it's been.

Rep Kelly ([00:17:20](#)):

Follow up, Mr. Chairman.

Chair Wilkin ([00:17:23](#)):

Follow up.

Rep Kelly ([00:17:24](#)):

Thank you, Mr. Chairman. I have some concerns because I know that you had said that you had listened to a lot of testimony, but I think when we're talking about something like this, it's really helpful for people to have the specific map that is being considered in order to offer concrete feedback. And I know that you said that you had taken a lot of that into account, but being from Hamilton county, people in Hamilton county are already unhappy because they're split twice. The city of Cincinnati is kept whole. I recognize that you can split Hamilton county twice. It doesn't mean that you should. And I think especially when we talk about economic development areas and keeping communities of interest together, I'm just wondering if you could talk a little bit about why you made the decision to split Hamilton county the way that you did?

Senator McColley ([00:18:16](#)):

To the Chair, to the Representative, part of the reason that we did that was to comply,, and if I could, I'm going to try and find the specific constitutional section. And part of the reason we did that was to comply with the language set out in article 19, section 2b8 of the constitution in that essentially the way we read it, where possible, each district should have an entire county within it. And so in the case that we are presented with and kind of the difference I feel between the third district, you...

PART 1 OF 4 ENDS [00:19:04]

Senator McColley ([00:19:02](#)):

Between the 3rd District, you could argue the third dis... And 3rd District, 11th District, and then of course, Hamilton County. The 3rd District, there's other language in there that says that if a city is over the ratio population, you need to include a substantial portion of that within a district. And so the 3rd District complies with that. The 11th District, obviously Cuyahoga County, as a whole, is well over a million people. Much larger than Hamilton County, and so the practicality of being able to meet that requirement within the Constitution, to attempt to put a county in each district, would've been much more difficult.

Senator McColley ([00:19:46](#)):

But in the case of Hamilton County, where Hamilton County is a county of about 830,000 people, more or less, whereabouts, the language that was set out in Article 19, Section 2B8 of the Constitution was

language that actually could be followed at that point. And so part of the reason was we wanted to ensure that as many districts as possible had an entire county within them.

Chairman Wilkin ([00:20:14](#)):

Follow up.

Rep Kelly ([00:20:16](#)):

Thank you, Mr. Chairman. But you don't have to... Oh, sorry, through the Chairman. But the question is you don't have to necessarily split Hamilton County twice. You could only split Hamilton County once, and I noticing you reference in your testimony that there are two incumbent congresspeople, both in the city of Cincinnati. And so again, I really take exception to this because... I guess my question is, do you have to split it twice, or could you have split it once?

Senator McColley ([00:20:52](#)):

To the Chair, to the Representative, the Constitution, in our reading, I think it's pretty clear, allows us to split up to five counties twice. In the map you have before you, two of them are split twice, Cuyahoga and Hamilton County. Moreover, our reading of Section 2B8 of Article 19, in our reading, it basically says where possible, that you have to include a county, a whole county, in each district. And I know it reads, "You shall attempt to do this," but we view that the attempt portion of that as mandatory. We need to show that we made a good faith attempt. And since the population of Hamilton County is what it is, compared and relative to Franklin County, the city of Columbus, and Cuyahoga County, we viewed this as something that we had to do to comply with Section 2B8 of the Ohio Constitution... or 2B8 of Article 19 of the Ohio Constitution.

Chairman Wilkin ([00:21:58](#)):

Follow up. Representative Swearingen.

Rep Swearingen ([00:22:05](#)):

Thank you, Mr. Chairman, and thank you, Senator McColley, for being here today. I think it's necessary to clarify what is the language of Article 19, and you kind of alluded to that. Is the word fairness in Article 19 of the Ohio Constitution?

Senator McColley ([00:22:19](#)):

To the Chair, to the Representative, no, the word fairness is not in Article 19 of the Ohio Constitution.

Rep Swearingen ([00:22:27](#)):

Thank Mr. Chairman. Is community of interest in Article 19 of the Ohio Constitution?

Senator McColley ([00:22:32](#)):

To the Chair, to the Representative, no.

Chairman Wilkin ([00:22:36](#)):

Follow up.

Rep Swearingen ([00:22:37](#)):

And then we've heard this concept of, oh, well, Ohio's voted 55% for certain candidates and 45% Democrat for certain candidates. Is that breakdown of statewide percentages in Article 19 of the Ohio Constitution?

Senator McColley ([00:22:51](#)):

To the Chair, to the Representative, no, it is not.

Speaker 3 ([00:22:53](#)):

The question, Mr. Chairman.

Chairman Wilkin ([00:22:57](#)):

Follow up.

Rep Swearingen ([00:22:58](#)):

To talk about compromise, the House Democratic maps had seven Republican incumbents paired together in primary races. This map has two, and no Democrat incumbents paired together. Would you consider that a compromise of sorts?

Senator McColley ([00:23:18](#)):

To the Chair, to the Representative, and it's worth pointing out that the two that are paired together, it was unavoidable, because they both live in the city of Cincinnati and the Constitution would prohibit a city the size of Cincinnati from being split. And so whether people like the language or not, we have to abide by the language. We can't just simply decide, "Well, we don't like that so we're not going to follow it." And the language reads, you cannot unduly favor or disfavor a political party or its incumbents. And the incumbents part is still just as much a part of that as anything else. And so we viewed our duty in drawing this map to ensure that no incumbents who are running for reelection would be combined in any district with any other incumbent with, of course, the exception of the city of Cincinnati, where we had no choice.

Chairman Wilkin ([00:24:13](#)):

Follow up.

Rep Swearingen ([00:24:14](#)):

Two more, Mr. Chairman. You spoke about the public input portion of this map. I can see that Montgomery County being paired with Springfield was part of the public input process. Could you speak to that at all?

Senator McColley ([00:24:29](#)):

To the Chair, to the Representative, there were a number of people from the Dayton area, the Dayton region, who came in and expressed opposition to the way the map was composed as it concerned that part of the state. And primarily, their part of the opposition was we wanted Springfield to be in the same district as Dayton. And actually, the district that we came up with in the map, before you try to get a reference point here, if I could, the House Democrat district is similar, albeit not the same, in that the

difference being the House Democrat district kind of had a flipped image of Clark County and Greene County, in that the House Democrat district had all of Montgomery County, all of Clark County, and then a portion of Greene County over here. Instead, what we had decided to do was have Montgomery, Greene, and then a portion of Clark, largely that the aspirational goal in doing that would've been making sure that the city of Springfield is included within that district.

Chairman Wilkin ([00:25:47](#)):

Follow up.

Rep Swearingen ([00:25:48](#)):

Last one, Mr. Chairman. And then Senator McColley, I don't know how the process was over in the Senate, but at least in the House, are you aware that people have come in to testify on these maps paid by partisan interest groups?

Senator McColley ([00:25:59](#)):

To the Chair, to the Representative, I'm not aware of that. I never really inquired whether these people were paid by partisan interest groups. I do know, or at least have been told by people who probably would know, that there is an awful lot of activity, primarily from some groups that are funded by Eric Holder, former Attorney General Eric Holder. But aside from that, I don't really know a whole lot about that. Thank you.

Chairman Wilkin ([00:26:31](#)):

Representative Hicks-Hudson.

Rep Hicks-Hudson ([00:26:36](#)):

Thank you, Mr. Chair, and through the Chair, thank you, Senator for presenting this map. I'm going to start with the question that you were just asked by my colleague. Do you know whether or not the people that appeared before you and testifying were Ohio ones?

Senator McColley ([00:26:53](#)):

To the Chair, to the Representative, I don't know where their residence was. I know some of them would state where they were from. It's also worth noting that I was not on the committee, other than the joint committee. I was not on the actual Senate committee hearing this legislation. So I wasn't physically in the room for all the testimony.

Rep Hicks-Hudson ([00:27:15](#)):

May I follow up, Mr. Chair?

Chairman Wilkin ([00:27:17](#)):

Please.

Rep Hicks-Hudson ([00:27:17](#)):

So therefore, your comment about whether or not that folks were tied to Eric Holder's group or not is not something that you have firsthand knowledge of, is it?

Senator McColley ([00:27:28](#)):

Well, to the Chair, to the Representative, I alluded as much in my response-

Rep Hicks-Hudson ([00:27:33](#)):

I just-

Senator McColley ([00:27:33](#)):

... by saying I've been told by people that that was the case, but I don't have independent knowledge. That'd be fair.

Rep Hicks-Hudson ([00:27:38](#)):

Thank you. Follow up, if I may?

Chairman Wilkin ([00:27:40](#)):

Please.

Rep Hicks-Hudson ([00:27:41](#)):

You also mentioned, just kind of as a passing, aspirational goals or I don't know if you used the word, but you said aspirational. So I'm wondering whether or not you believe that the map that you have presented is aspirational, or that it follows the Constitutional requirements that you've made reference to throughout your testimony.

Senator McColley ([00:28:02](#)):

To the Chair, to the Representative, I have the utmost confidence that it follows the constitutional requirements laid out in Article 19.

Rep Hicks-Hudson ([00:28:10](#)):

Follow up, Mr. Chair?

Chairman Wilkin ([00:28:11](#)):

Please.

Rep Hicks-Hudson ([00:28:12](#)):

Thank you. And so therefore, you talked about the various sections of the Ohio Constitution. Did you, or any of the folks that helped you create this map, consider at all the Voting Rights Act and how it may have impact upon communities of color?

Senator McColley ([00:28:31](#)):

So to the Chair, to the Representative, Supreme Court precedent has stated that unless there is legally significant racially polarized voting patterns, that it is illegal and unlawful under federal law to consider race as a factor in determining the makeup of districts. And so race was not considered when we made the districts the way they are.

Rep Hicks-Hudson ([00:28:59](#)):

Thank you. Follow up if I may?

Chairman Wilkin ([00:29:02](#)):

Follow up.

Rep Hicks-Hudson ([00:29:03](#)):

Thank you. I want to turn your attention now to Congressional District 9, which you mentioned, and you talked very proudly about, keeping the city of Toledo whole for the first time, and I appreciate the comment. But could you give me the data and the, not so much the Constitutional requirement application, but the data and the information that was used to determine, to remove Lorain County and move the district further west to the western border of the state of Ohio?

Senator McColley ([00:29:35](#)):

To the Chair, to the Representative, primarily, we looked at it and decided that it made sense to keep Lucas County, not just the city of Toledo, but all Lucas County, as a whole county. And we also wanted to do it in a manner that was compact. And so I know there have been some attempts in other maps as to what this could look like, or what it should look like. For example, one of the reasons, and obviously the name that we've heard for the 9th District over the last 10 years, has been on the snake on the lake. Now, neither you nor I were here when that was drawn, but looking at some of the proposed maps, it appears that the snake on the lake wasn't something that some people wanted to get rid of. We, and on the other hand, wanted to draw a map that was compact, a map that was competitive, and a map that eliminated the snake on the lake.

Chairman Wilkin ([00:30:45](#)):

Follow up.

Rep Hicks-Hudson ([00:30:45](#)):

Yes, please. I'm not sure if you answered my question, because I was asking really about data and not just the idea about removing the snake on the lake, per se. So if there's not the actual data, numbers and things like that, that's fine. And if I may move on to another question, I'm if-

Senator McColley ([00:31:03](#)):

If I could clarify, Chairman?

Rep Hicks-Hudson ([00:31:05](#)):

Okay, please.

Senator McColley ([00:31:06](#)):

What type of... What do you mean by... Could you expound on that? What type of data are you talking about?

Rep Hicks-Hudson ([00:31:11](#)):

If I may?

Chairman Wilkin ([00:31:12](#)):

Please.

Rep Hicks-Hudson ([00:31:13](#)):

And I'd usually ask questions rather than try to answer them because you, as the map drawer, decided to create these maps the way that you did, and the districts the way that you did. And so I'm trying to understand what numbers, what demographics, what voters, what were you trying to capture in creating this district? And as you know, because I assume you're also a lawyer, and so we take the law and we apply the facts to the law. So I'm trying to get to the factual basis as to how you created Congressional District 9.

Senator McColley ([00:31:50](#)):

Okay. Thank you.

Rep Hicks-Hudson ([00:31:50](#)):

If that helps you.

Senator McColley ([00:31:51](#)):

Thank you. To the Chair, to the Representative, thank you for that explanation. Whenever you're drawing one of these districts, obviously there are multi-layered considerations. The first one, obviously, is population. We've endeavored in this state, over the past several decades at the very least, to draw it down to one person. And so that's something that you take into account when you're drawing this. And so population, I guess, would be the first base-level of data that you take into consideration when you're drawing one of these maps.

Senator McColley ([00:32:20](#)):

As I mentioned before, one of the other things we endeavored to do was to draw competitive maps. And so we're also looking in these counties, we're looking at what the vote breakdown has been in these federal elections over the last 10 years, and using that to inform us whether it meets our goal of drawing competitive districts, or whether it does not meet our goal of doing that. And so I guess to answer your question, the two primary and probably, the really, the two only pieces of data we used, was the population figures in each of these counties, and then also what the vote breakdown had been over the last 10 years in federal elections. Federal statewide elections, I should clarify.

Rep Hicks-Hudson ([00:33:06](#)):

Thank you. And just two more questions for follow up, if I may? When you say that "we" created, who is the "we" that you're talking about it? Is it the Royal "we," meaning you, or is it a group of folks? And if so, who are they, if you could name them?

Senator McColley ([00:33:26](#)):

Yeah. To the Chair, to the Representative, the first iteration of the map, and we kind of touched on this in the Senate but I'll reiterate it here. The first iteration of the map was a map that, in concept, was developed by me, and was then put into place and implementation through our staff, particularly Ray Dirossi, who has the map software that we've relied upon, and who really kind of fine-tuned a lot of that

and made sure that we were able to balance the population with the concept that was in place. And there were some differences that were, some would argue, somewhat significant between the two.

Senator McColley ([00:34:06](#)):

The map you have before you is the product, primarily, of a negotiation and a discussion between, or I should say a negotiation in several discussions, I'm sure, between the President of the Senate and Speaker of the House as to how to, not only reconcile the differences between the House and the Senate map, but also to make some improvements upon the map to ensure that we have competitive Districts within the map, and then also to ensure that we are implementing some of the changes that we've detailed before.

Rep Hicks-Hudson ([00:34:38](#)):

Okay. Thank you. My last question, if I may?

Chairman Wilkin ([00:34:41](#)):

Last one.

Rep Hicks-Hudson ([00:34:43](#)):

So therefore, the negotiation, the collaboration, the compromise, has really been just between the Senate and the House Republican Caucuses. Is that a fair statement?

Senator McColley ([00:34:53](#)):

To the Chair, to the Representative, I've been told that there have been conversations between... And I can't speak for the Speaker. I've not spoken with the Speaker about this. The Senate President has told me that he's had conversations with the minority leader over in the Senate. I don't know the answer to how those conversations went over in the House. But at the same time, it would be speculation for me to speculate, or to say in any manner, how many of those conversations happened, how long they were, when they happened, or anything like that. But I do know those conversations did happen, to one an extent or another, over in the Senate.

Rep Hicks-Hudson ([00:35:35](#)):

I just have-

Chairman Wilkin ([00:35:36](#)):

Representative Hicks-Hudson, I will allow you one more.

Rep Hicks-Hudson ([00:35:37](#)):

I just have to, because I want to be real clear about your answer. You're saying to me, that based upon your previous response to my question about who helped you to create the maps, and that it was primarily the discussion between the Senate President and the Speaker of the House, and that there may have been conversations, but you are not privy to those conversations. I see you're shaking... You're not shaking your head, but you were shaking your head before. So you are not privy to those conversations between the Senate minority leader, but that... So I think my question to you is that primarily, the drawing of substitute Senate Bill 258 is done through the negotiations, the compromised collaboration, of the majority party leaders. Is that a fair statement? Yes or no.

Senator McColley ([00:36:39](#)):

To the Chair, to the Representative, one of the reason I was kind of guarded in my response is because you are correct. I was not part of the conversations between Minority Leader Yuko and Senate President Huffman. And so, as an attorney, you'll understand I wouldn't be able to testify in court with, under the rules of evidence, saying I know how this conversation went if I wasn't in the room. And so that's one reason why I'm being relatively guarded about it.

Chairman Wilkin ([00:37:13](#)):

Representative Seitz.

Rep Seitz ([00:37:15](#)):

Thank you, Mr. Chairman. Thank you, Senator, for your testimony. Granting that the words "communities of interest" are not in the constitutional provision we're talking about today, but following up on Representative Kelly's desire that communities of interest be kept together as part of this process, wouldn't you agree with me that the very explicit, constitutional commands, that limit our ability to split counties, and cities, and townships actually achieve the goal of keeping communities of interest together? Because presumably-

PART 2 OF 4 ENDS [00:38:04]

Rep Seitz ([00:38:02](#)):

... communities of interest together, because presumably, if it is a city, they have a community of interest by reason of being in that city. If it is a county, they have a community of interest by reason of being all in the same county. If it is a township, same is true.

Rep Seitz ([00:38:20](#)):

So wouldn't you agree that because this map has fewer jurisdictional splits than any congressional redistricting map in the last 50 years, at least, and fewer jurisdictional splits than either of the maps submitted by the minority party, that we have actually, through your good work, done a marvelous job of keeping communities of interest together?

Senator McColley ([00:38:48](#)):

To the Chair, to the Representative, I would agree with your statement because I think we, as I stated before, we have to look at the plain meaning and the plain language in the Constitution. I would agree with you that you correctly pointed out that rather than put a term in there and leave it undefined, the drafters of this constitutional amendment that was then subsequently approved by the voters, puts in place guardrails to assure the goals stated are together. And in my view, we absolutely did comply with those guardrails, because as has been pointed out, we could split up to 23 counties, 18 counties once, five counties twice. We've only split 12 counties with two of them being split twice, which is the least county splits out of any map proposed as a bill in the general assembly.

Senator McColley ([00:39:50](#)):

We've also kept 98, as I mentioned before, other than cities that straddle county lines and don't count as a split, expressly stated in the Constitution don't count as a split. And then, of course, the city of Columbus, which doesn't count as a split because it's over the ratio of representation. We've also kept

98 out of 100 of the most populous cities in Ohio, whole. And that's been something that's been important for us as far as the Senate Republican map, even at the initial introduction. So that's something that we did in this map and I believe requires what the constitutional requirement placed upon us.

Chairman Wilkin ([00:40:35](#)):

Do you have follow-up?

Rep Seitz ([00:40:36](#)):

No, Senator.

Chairman Wilkin ([00:40:41](#)):

Representative Galonski.

Rep Hicks-Hudson ([00:40:44](#)):

Thank you to the Chair, and thank you, Senator McColley, for being here today. Sir, if you can, what bad would happen if everyday Ohioans would be allowed to come in here and testify either for or against substitute Senate Bill 258?

Senator McColley ([00:41:01](#)):

To the Chair, to the Representative, Ohioans were... These were public hearings. They could have come in and testified. I don't know what you're getting at.

Rep Hicks-Hudson ([00:41:11](#)):

Follow-up?

Chairman Wilkin ([00:41:12](#)):

Follow-up.

Rep Hicks-Hudson ([00:41:12](#)):

Through the Chair and to Senator McColley, so it sounds like you would agree that the people that are here today to testify about substitute Senate Bill 258 should be allowed to do that.

Senator McColley ([00:41:23](#)):

To the Chair and to the Representative, I know there have been a number of hearings in both chambers as it concerns multiple sets of maps. I think the chairs of those committees have allowed for that type of testimony to occur. As far as the individual procedure in any given hearing, I would defer to the Chair on that.

Rep Hicks-Hudson ([00:41:45](#)):

Follow up.

Chairman Wilkin ([00:41:46](#)):

Follow up.

Rep Hicks-Hudson ([00:41:47](#)):

Through the Chair and to Senator, thank you. But as you know, no one saw this map. None of the public saw this map before 8:30 on Monday night, is that accurate?

Senator McColley ([00:41:59](#)):

To the Chair, to the Representative, the map was released to both caucuses in the Senate and to the public via our comms team around 8:12, but yes, more or less.

Rep Hicks-Hudson ([00:42:12](#)):

17 minutes. Thank you. Follow up?

Chairman Wilkin ([00:42:14](#)):

Follow up.

Rep Hicks-Hudson ([00:42:16](#)):

Thank you. So just turning then to Summit County and the split there of Summit County in your 13-2 map, I see that you have split Summit County, even though Summit County, as you know, it has under 600,000 voters. And so can you explain to us why there would have been that split and why you were okay with dividing the very historical, Senator Schuring, Akron, Canton Metroplex economic development area?

Senator McColley ([00:42:51](#)):

To the Chair, to the Representative. First, I would disagree with you that this is a 13-2 map, but looking at the district the way it is right now, I think whenever you put a district like this together, especially when you're trying to balance to the one person, especially in Northeast Ohio, where clearly, if you look at a quadrant of the state, you're going to have more populous counties in Northeast Ohio than you're going to have anywhere else. And so, in some cases, with the county splitting rules and things of that nature, presents an interesting challenge when you're trying to draw this and balance it to the person.

Senator McColley ([00:43:31](#)):

And so the reason that we divided Summit County the way we did was to ensure that we could balance it to one person while also keeping... We wanted Stark County to be whole, as we mentioned before, but we also wanted Akron to be kept whole and also Akron to be more so part of the Cleveland area and the Cleveland Metro area in the map. And so that's the decision that was made in drawing both the 13th and the 7th district.

Chairman Wilkin ([00:44:03](#)):

Follow up.

Rep Hicks-Hudson ([00:44:04](#)):

Thank you to the Chair, and thank you, Senator. So the different question then related to the 13-2 map, would it be fair to say that you included the intent language regarding unduly or duly partisan, because you know that you haven't been working toward a 10 year map?

Senator McColley ([00:44:25](#)):

To the Chair, to the Representative, I would not say that we haven't been working toward a 10 year map. Our hope all along was that this would be a 10 year map. And unfortunately, we did not have the votes in the Senate to obtain a 10 year map at this point. And so, as far as the statement required, the statement is actually part of the bill. It's in the uncodified language at the end of the bill, where it talks about how this map does not unduly favor or disfavor a party or its incumbents.

Chairman Wilkin ([00:44:55](#)):

Follow up. Representative Howse.

Rep. Howse ([00:45:08](#)):

Good morning. Oh, I don't know if you can hear. Hello? Can people hear me? Okay. I wonder if the people on my camera, it don't even matter. Okay. So through the Chair to the sponsor bill, thank you so much. I know we've had a lot of conversations and I just really think about things in very practical matters. So I'm going to take a step back to what people actually voted on. So when we go back to 2018 and we look at the statewide issue, this is, "I, John Houston, certify that printed below are the full text, ballot language, explanation, and arguments that were certified to me by the Ohio Ballot Board, or filed with the Secretary of State as prescribed by law for the constitutional amendment proposed by the Ohio General Assembly." And this was done on the 15th of April.

Rep. Howse ([00:45:52](#)):

When you look at the ballot language, "Creates a bipartisan public process for drawing congressional districts, propose constitutional amendment, proposed by joint resolution of the General Assembly to amend the version of Section One, Article..." Is that 11? "11, that is scheduled to take effect January 1st, 2021. And to enact Sections 1, 2 and 3 of Article 19 of the Constitution of the state of Ohio to establish a process for congressional redistricting. A majority yes vote is necessary for the amendment to pass. The proposed amendment would end the partisan process for drawing congressional districts and replace it with the process with the goals of promoting bipartisanship, keeping local communities together and keep having district boundaries that are most compact. Ensure a transparent process to requiring public hearings and allowing public submission of proposed plans. Require the General Assembly or the Ohio District of Commission to adopt a new con new congressional district by a bipartisan vote for the plan to be effective for the full 10 year period. Require that if a plan is adopted by the General Assembly, without significant bipartisan support, it cannot be effective for the entire 10 year period and must comply with explicit anti gerrymandering requirements."

Rep. Howse ([00:47:01](#)):

"If passed the amendment will become effective immediately. Shall the amendment be approved, yes or no?" In the proposed constitutional amendment, "Approval for issue one. Vote yes on issue one. A fair bipartisan and transparent process. Vote yes on issue one. A yes vote will create a fair bipartisan and transparent process when drawing congressional districts that will make politicians more accountable to the voters. Issue one is supported by an overwhelmingly bipartisan majority of legislators, as well as non-partisan advocates. Currently it is too easy for one political party to gerrymander safeties in Congress, by dividing local communities and drawing a map without bipartisan support."

Rep. Howse ([00:47:46](#)):

"Voting yes on issue one will limit gerrymandering by requiring that congressional districts be drawn with bipartisan approval or utilizing strict anti gerrymandering criteria. It would also keep communities together by limiting splits of counties, townships, and cities, and promote geographically compact districts, fair. Voting yes on issue one will establish fair standards for drawing congressional districts through its requirement of bipartisan approval or use of strict anti gerrymandering criteria. Voting yes on issue one will help keep our communities together by limiting the number of splits of counties, cities, and townships, bipartisan. Voting yes on issue one will require significant bipartisan support to adopt new congressional districts for 10 years, transparent. Voting yes on issue one will require multiple public meetings before adopting a proposed plan for congressional districts. Voting yes on issue one will guarantee public participation by allowing members of the public to submit a plan for congressional districts. Voting yes on issue one will preserve citizens rights to referendum and to veto power of the governor when the General Assembly passes the plan for congressional districts. Make your vote count. Vote yes on issue one."

Rep. Howse ([00:48:56](#)):

Prepared by Senators Matt Huffman and Vernon Sykes and Representative Kirk Schuring and Jack Cera. This is what was presented to Ohioans in 2018. Is that the map that would, based on this, is this the map that's the product of what citizens in Ohio voted on?

Senator McColley ([00:49:14](#)):

To the Chair, to the Representative, the map before you complies with all the constitutional requirements that were acted in that election in 2018.

Rep. Howse ([00:49:23](#)):

Okay.

Senator McColley ([00:49:24](#)):

And so therefore, I would say that the map, while it didn't have the desired outcome that we hoped it would of a 10 year map and the Constitution contemplates that, and basically says that the party enacting the map or the amount of people who are enacting the map, are going to have to deal with the detriments of a four year map. It, as contemplated in the Constitution, it does comply with the Constitution as it was voted upon by the voters.

Rep. Howse ([00:49:54](#)):

Follow up.

Chairman Wilkin ([00:49:54](#)):

Follow up.

Rep. Howse ([00:49:55](#)):

Through the Chair, to the sponsor of the bill, I will absolutely tell you what you presented from us is absolutely nothing, nothing in the spirit, in the vein of, not only what voters voted yes on issue one for and what was outlined, outline and the actual, what a actual your spin. It is not fair, bipartisan or transparent. But my second question to you, what were your responsibilities as a co-chair for the

redistricting, re-apportionment and demographics research? Because you was a co-chair, right? So can you tell me what your responsibilities were?

Senator McColley ([00:50:28](#)):

To the Chair, to the Representative, are you talking about the legislative task force?

Rep. Howse ([00:50:33](#)):

You were the co-chair of the task force on redistricting, reapportionment and the demographics research was pre all of this other stuff. So when we were beginning to start things off, getting information off, what was your responsibility?

Senator McColley ([00:50:50](#)):

To the Chair, to the Representative, typically that committee was a committee that would go around and conduct hearings primarily after the census data had been released, as far as the historical precedent of that, after the census data had been released. And then it was also a committee responsible for allocating money that had been appropriated for the redistricting process, for the various caucuses within the Ohio General Assembly. Unfortunately, we did not receive the census data until August 15th. And so there really wasn't an awful lot for us to base our hearings off of. However, throughout the course of the summer, we were regularly approving of allocations of money for the caucuses to assist them in their redistricting efforts. And to my knowledge, nothing was ever denied as part of that.

Rep. Howse ([00:51:45](#)):

Okay. Follow up. Follow up.

Chairman Wilkin ([00:51:47](#)):

Follow up.

Rep. Howse ([00:51:47](#)):

Through the Chair, to the sponsor, so in your responsibility as the co-chair of the task force for redistricting, reapportionment and demographic research, can you explain to us how you operated in a fair, bipartisan and in a transparent way, as the co-chair of the task force?

Senator McColley ([00:52:06](#)):

To the Chair, to the Representative, are you saying in relation to this bill, or are you saying-

Rep. Howse ([00:52:16](#)):

It's a part of the process, it's all a part of the process that led us to this bill right now, substitute Senate Bill 258.

Senator McColley ([00:52:22](#)):

To the Chair, to the Representative, I don't view my role as the co-chair as one and the same with my view as the sponsor of this bill. I didn't even know I was going to be sponsoring this bill until shortly before it was introduced. And at that point, the redistricting process had largely, like I mentioned

before, the census data was not released until August. And at that point, the deadlines were upon us. And so it didn't make a whole lot of sense for the legislative task force on redistricting to be meeting, while at the same time, the redistricting commission was starting its work on state legislative maps, and the timeline was upon us as far as the other issues were concerned. And so I don't view them as one and the same between the two.

Rep. Howse ([00:53:16](#)):

Follow up.

Chairman Wilkin ([00:53:17](#)):

Follow up.

Rep. Howse ([00:53:17](#)):

Yes. Through the Chair, to the sponsor, again, this was the beginning process. I'm just trying to figure out how, even starting off as a co-chair of a task force, how you operated. Did you operate in the spirit of fair and transparent and bipartisanship... But I'm going to switch Cuyahoga County because I know the time is coming to an end. So looking at Cuyahoga County, our district is in three different areas. So you have district 11, district 14. So can you tell me why you chose to split Oakwood, which is a predominantly black community, compared to... Let's look at all of the... No. Just tell me why you chose to split Oakwood?

Senator McColley ([00:54:08](#)):

To the Chair, to the Representative, as I stated before, racial data was not considered in any of this. And so as far as why Oakwood was split, I couldn't answer the question to that. This was what was agreed upon, as I stated before in my response to Representative Hicks Hudson. But I will say the balancing of population is primarily the decision, or is primarily driving many of these decisions when we are coming up with these maps. And so it was an issue of what cities, especially in the case of Cuyahoga County, where mostly all of Cuyahoga County is incorporated, what cities or villages could we put together that would adequately get us to 786,630 people without unduly splitting too many communities.

Senator McColley ([00:55:06](#)):

And so we're contemplating not only population, but we're also contemplating, if we were keep this community in, does it mean we have to split two communities rather than one in order to keep the population? Now this is me just talking generally. I don't know the actual answer as to why Oakwood was or was not included in one district or another. But generally speaking, that's what's guided the decision as we've discussed some of this.

Rep. Howse ([00:55:32](#)):

Follow up.

Chairman Wilkin ([00:55:34](#)):

Follow up.

Rep. Howse ([00:55:34](#)):

Thank you. Through the sponsor, to the Chair, so you talked about what was agreed to, so I guess I'm just trying to get a clarified for who agreed to it and who can answer the question on why Oakwood was split?

Senator McColley ([00:55:46](#)):

To the Chair, to the Representative-

Rep. Howse ([00:55:47](#)):

Since you can't do it as a sponsor.

Senator McColley ([00:55:50](#)):

To the Chair, to the Representative, the decision to include Oakwood, I can tell you this, I'm sure it was guided by the principles that we've used this entire time as we've been redistricting is what communities can we put together that will get us to 786,630 people in a compact district and that also minimizes the splits of other communities across the entire map, not just in one instance. And so I think that's, frankly, probably the answer you're going to get from anybody as it concerns why Oakwood was included or was not included in one district or another. But as I mentioned before, the map before you was the product of discussions and negotiations, primarily between the Speaker and the Senate President. But it was a map that they have obviously took in whatever input they were getting throughout the process from members of their caucus and I'm sure members of the opposing caucuses as well. And so, that's how we came to the map that we are in front of us. But I will reiterate, I support the map in front of us and I wholly believe that it is-

PART 3 OF 4 ENDS [00:57:04]

Senator McColley ([00:57:03](#)):

... Iterate. I support the map in front of us and I wholly believe that it is constitutional.

Rep. Howse ([00:57:06](#)):

Follow up. Last question.

Chair Wilkin ([00:57:07](#)):

Follow up.

Rep. Howse ([00:57:08](#)):

Thank you. Through the chair to the sponsor. You gave your thoughts on why you kind of think Oakwood was split, but you don't know definitively how Oakwood was selected versus anything else, which is a predominantly African American community. But as you talked about who agreed to it, which you've talked about was the president of the Senate, and the speaker of the house, which did not include the minority leader here in the house, who received the map on Monday, like everyone else, which is not fair, transparent, or bipartisan, if you're supposed to give input.

Rep. Howse ([00:57:50](#)):

So it would be really helpful if you can, like ... I guess we need to ask a question to the president of the Senate, and the speaker at the house regarding this map, which is not fair, which is not transparent,

which is not bipartisan, which is what people voted in 2018. We have failed the people of Ohio, and I hope Ohioans are paying attention and we should deal with the consequences accordingly. So thank you.

Senator McColley ([00:58:15](#)):

To the chair, to the representative, I would not frame my response as not giving an answer. Not that you were saying that, but I would not frame it as not giving an answer, because what I can tell you is that the principles that I outlined in my previous response to you are what guided us throughout this entire process, as we were coming up with this district map. And so, I would argue, the response is as simple as I laid it out. There really isn't anything more to it than that. And so, I don't know that there would be anything that we should be searching for necessarily, as to why it would be included or not.

Rep. Howse ([00:58:58](#)):

Okay. Follow up, because you responded.

Chair Wilkin ([00:59:00](#)):

Final one.

Rep. Howse ([00:59:01](#)):

Yes. Through the chair to the sponsor. So the reason why I break up Oakwood, because you could have picked Minerva, Wintersfield, Richfield, Northfield, South Russell, Gulf [inaudible 00:59:12], North Baltimore, Galapalos, Green Hills, but Oakwood was chosen, which is a black community split in half. So I'm just trying to figure out why. And I know you can't answer that question, but again, even when you look at the populations, down to the one person, they could have selected another community, but they chose Oakwood, the majority black community to split. So appreciate that though. Thank you.

Chair Wilkin ([00:59:39](#)):

Would you like to respond?

Senator McColley ([00:59:40](#)):

I've answered the question.

Chair Wilkin ([00:59:41](#)):

Representative Brown.

Rep. Brown ([00:59:43](#)):

Thank you, Chair. You mentioned earlier, Senator, that Republicans were responsive to public input about certain decisions. And I think, as an example, you mentioned, I believe, it's district 10 where Springfield was included with Dayton and Montgomery County, is that correct? That was one of your examples.

Senator McColley ([01:00:08](#)):

To the chair, to the representative. Yes.

Rep. Brown ([01:00:09](#)):

Follow up, Chair.

Chair Wilkin ([01:00:10](#)):

Please.

Rep. Brown ([01:00:11](#)):

My question is, was public input part of the decision to include the Eastern [inaudible 01:00:19] county suburbs of Loveland, Montgomery, Indian Hill, Madeira, Fairfax, Marymont, Newtown, in district two with the good folks in Hawking, Vinton, Megs, Jackson, and Gaia counties? Was public input part of that decision?

Senator McColley ([01:00:38](#)):

To the chair, to the representative, as we are interpreting the constitutional provisions, particularly those concerning compactness, the compactness requirement applies to all districts in a 10-year map. In a four year map, it says you shall attempt to draw compact districts. The way we look at it is compact districts requires that these districts not be massive districts, geographically speaking. Now, that's unavoidable, as anybody who's attempted to draw a map will know. In some parts of the state, you're going to get districts that are long, you're going to get some districts that are big, because you need 786,630 people. And some of these counties are just small. And so, one way to ensure, and to view any of this in a silo, where one district doesn't affect any of the other districts is not really indicative of how this process goes.

Senator McColley ([01:01:42](#)):

And so you look at the size of the second district in this map. A lot of these counties are very, very, very small, okay? Vinton County, I think, may have 13-14,000 people. Somebody down there might be able to tell me. And so naturally, you need to put some of these districts in areas with higher population to ensure that these districts are able to be geographically-compact. Doing that allowed us to have a 12th district that is a compact district, doing that allowed us to have a sixth district that is about as compact as you could ask, when you're going up the Ohio River like that.

Senator McColley ([01:02:19](#)):

The alternative, as we've seen, even in the current map and in some other maps that have been submitted is, for example, even the House Republican map that went all the way from Lawrence County, all the way up into Trumble County.

Senator McColley ([01:02:41](#)):

And so, when you're evaluating your requirement under the Ohio constitution to draw compact districts, it's not that you can just simply say, "We're going to draw a compact district for this district, but we're going to let this district be as massive as it could possibly be." You have to take that into account as to what the geographic lines and population density in every district is going to impact other districts. And naturally, you're going to wind up with some areas that are less compact than others, but it's something that we to take into consideration.

Rep. Brown ([01:03:17](#)):

Follow up, Chair.

Chair Wilkin ([01:03:18](#)):

Follow up.

Rep. Brown ([01:03:20](#)):

I appreciate the conversation regarding compactness. Unfortunately, my question was not about compactness. My question was, was there public input that was part of the decision to include the Eastern suburbs of Hamilton County into district two. Now, if the answer is, "We considered compactness issues." That's the answer, but my question was, did public input play a role in the decision to include the Eastern suburban communities of Hamilton County into district two?

Senator McColley ([01:03:55](#)):

To the chair, to the representative, you would be correct in pointing out that people didn't want Hamilton County split twice. People also didn't want Franklin County split twice. We were able to make that work in large part because Franklin County is combined, or surrounded rather, by a number of much more populous counties that allow us to maintain compact districts in either direction. We did take that into consideration, but at the same time, at the time, we were hoping to have a 10-year map, which would've required compact districts. And that's something that is, if you're going to pass a 10-year map, is non-negotiable within the Ohio constitution.

Senator McColley ([01:04:32](#)):

And so the way we looked at, especially down here, where you get into these small counties, the way to accomplish that is that you draw them into potentially counties that have greater population, which anything that we did in that regard, I would argue is also contemplated within the Ohio constitution, by allowing us to split counties twice, independent of their population, which would allow us to potentially use that provision to draw compact districts.

Rep. Brown ([01:05:05](#)):

Follow up, Chair.

Chair Wilkin ([01:05:05](#)):

Follow up.

Rep. Brown ([01:05:07](#)):

Being a lawyer, I usually like to get an answer to my question, and I'm going to ask it again. The question is, was public input part of the decision made with regard to putting the Eastern suburbs of Hamilton County into district two? That's the simple question. Was the public input part of that decision? If it was not, then the answer is no, if it was, the answer is yes, which was it.

Senator McColley ([01:05:33](#)):

To the chair, to the representative. I'll try to summarize my answer in a better fashion to maybe answer your question better. Public input was made as to whether we should do that or not, but we viewed the more important requirement that was placed upon us by the Ohio constitution was to draw compact districts.

Rep. Brown ([01:05:51](#)):

Okay. Final, if I may follow up, Chair.

Chair Wilkin ([01:05:54](#)):

One more.

Rep. Brown ([01:05:58](#)):

With regard to District 15, was public input part of the decision to put these Franklin County suburbs of Westerville, Dublin, Hilliard, et cetera, into a district with Clinton County, Fayette Pickway, Ross, Medicine, part of Clark, was public input part of that decision?

Senator McColley ([01:06:27](#)):

To the chair, to the representative. I don't know that there was public input specifically referencing which counties. I know there were some people who preferred that it go up to Delaware County, but at the same token, public input, primarily as it concerned Franklin County, was don't split it twice. And due to, as I mentioned before, the fact that we have some fairly populous counties surrounding Franklin County, that gave us the opportunity to still draw compact districts without having to split Franklin County twice. And so, I would argue that public input was taken into account when drawing both the 15th and the third.

Chair Wilkin ([01:07:09](#)):

Representative Swearingen. And representative Swearingen, before we get started, I will cut you off at five, if there's that many.

Rep Swearingen ([01:07:16](#)):

I've got three.

Chair Wilkin ([01:07:18](#)):

Better.

Rep Swearingen ([01:07:19](#)):

Thank you, Mr. Chairman. And thank you, Senator McCauley, for your continued testimony today. Does a four-year map under article 19 of the constitution have to be bipartisan?

Senator McColley ([01:07:28](#)):

To the chair, to the representative. No, it just simply requires a simple majority.

Chair Wilkin ([01:07:34](#)):

Follow up.

Rep Swearingen ([01:07:35](#)):

So it's fair to say, Senator McCauley, that the voters who voted on article 19 in 2018 included a provision in there with leniency to a nonpartisan aspect of the process.

Senator McColley ([01:07:49](#)):

To the chair, to the representative. It appears that article 19 was crafted in such a way to recognize that, like other issues, there are periods of impasse within the legislature, and at the end of the day, we have to have maps. And that is the release valve or fail safe, or whatever you want to call it.

Rep Swearingen ([01:08:08](#)):

Last question, Mr. Chairman.

Chair Wilkin ([01:08:09](#)):

Please.

Rep Swearingen ([01:08:10](#)):

Did you use any firms out of Washington DC to draw your maps?

Senator McColley ([01:08:14](#)):

To the chair, to the representative. No.

Rep Swearingen ([01:08:16](#)):

No further questions.

Chair Wilkin ([01:08:18](#)):

Representative Hicks Hudson.

Rep Hicks-Hudson ([01:08:22](#)):

Thank you, Mr. Chair. Thank you again for standing here, answering our questions. I want to draw your attention to page 901 of the bill, under section three, where if you recall, and you've been reciting much of the sections of the constitution. So I draw your attention to article 19, section 1C3D, which requires that the bill provides the general assembly shall include, and this is a quote, in the plan, an explanation of the plans compliant with division C3A to C of this section.

Rep Hicks-Hudson ([01:09:02](#)):

So when you look at section three of the actual bill, the language here just repeats, "The congressional district plan does not unduly favor or disfavor a political party or its incumbents. The plan contains six Republican-leaning districts, two Democratic-leaning districts, and seven competitive districts." And it continues on. So I need you to explain to me, how do you believe that this particular section of the bill is truly in compliance with the constitutional requirement of an explanation. The mere regurgitation of what is contained in the bill to me is not an explanation. So could you explain to me how this particular section complies with the constitutional requirement of a true explanation?

Senator McColley ([01:09:50](#)):

To the chair, to the representative. I do believe it complies, in large part because we have to, as you pointed out, talk primarily about how it doesn't favor or disfavor a political party or its incumbents. In doing that, obviously, this is the first time we're doing this. There may or may not be a court interpreting those provisions. And so, when we're looking at that, as far as whether it favors or disfavors incumbents,

I think we were pretty clear in that section, the way we decided to do that was simply not combine any of them that are running for reelection.

Senator McColley ([01:10:26](#)):

Now, as it concerns, whether it favors or disfavors a political party over the other, I don't know that you have to get any more detailed than your analysis as to what the breakdown of the map is. I think, if the Democrats were to have passed a map, their explanation would've been this is an eight to seven map, and that would've been their explanation as to whether it favors or disfavors a political party. And so, I don't know that it has to be a voluminous 40-page report or anything like that, but it is something that we feel adequately complies with the constitution, and does so in a succinct manner.

Chair Wilkin ([01:11:09](#)):

Follow up?

Rep Hicks-Hudson ([01:11:09](#)):

Yes. Thank you. And I'll be very brief because we have to go, myself and the ranking member have to go. I respectfully disagree with your statement, because I believe that what we need to understand is how, at one part of your discussion, you're able to cite chapter and verse of the constitution, and then here, when it's a requirement for, I believe, not only just the regurgitation of the maps, but actually, as I talked earlier about data and information. So my question continues to be, how do you say that this map complies, when it doesn't really have, in my opinion, the factual data, information, and it maybe should be a 40-page explanation of section three, to comply with the constitutional requirement that I just read before you. And thank you, Mr. Chair.

Chair Wilkin ([01:12:13](#)):

Thank you

Senator McColley ([01:12:14](#)):

To the chair, to the representative. As I stated before, particularly when we are interpreting a provision of the constitution for the first time, we have to take it at its plain meaning. If the constitutional provision requiring us to contain an explanation does not require us to do the things that you're asking of us to do. And I respectfully disagree with you. I understand that that's what they teach us in law school. Reasonable minds can differ, but I would say that what we put in place is compliant with the constitution.

Chair Wilkin ([01:12:53](#)):

Thank you. This time, the chair would recognize Representative White for a motion.

Rep. White ([01:12:58](#)):

Thank you, chair. I move that we favorably report Senate bill 258 to the committee on rules and reference.

Chair Wilkin ([01:13:03](#)):

Clerk will take the role.

Clerk ([01:13:06](#)):

Chair woken.

Chair Wilkin ([01:13:07](#)):

Yes.

Clerk ([01:13:07](#)):

Vice Chair White.

Rep. White ([01:13:08](#)):

Yes.

Clerk ([01:13:09](#)):

Ranking Member Brown.

Brown ([01:13:10](#)):

No.

Clerk ([01:13:12](#)):

Representative Carvanaugh.

Rep. Carvanaugh ([01:13:13](#)):

Yes.

Clerk ([01:13:13](#)):

Representative Galansky.

Rep. Galansky ([01:13:13](#)):

No.

Clerk ([01:13:14](#)):

Representative Ginther.

Rep. Ginther ([01:13:14](#)):

Yes.

Clerk ([01:13:20](#)):

Representative Hicks Hudson.

Rep Hicks-Hudson ([01:13:22](#)):

No.

Clerk ([01:13:22](#)):

Representative House.

Rep. House ([01:13:24](#)):

No.

Clerk ([01:13:24](#)):

Representative Jones.

Rep. Jones ([01:13:26](#)):

Yes.

Clerk ([01:13:26](#)):

Representative Kelly.

Rep. Kelly ([01:13:27](#)):

No.

Clerk ([01:13:28](#)):

Representative Plumber.

Rep. Plumber ([01:13:29](#)):

Yes.

Clerk ([01:13:30](#)):

Representative Sykes.

Rep. Sykes ([01:13:32](#)):

No.

Clerk ([01:13:32](#)):

And representatives Sward.

Rep. Sward ([01:13:34](#)):

Yes.

Chair Wilkin ([01:13:37](#)):

With eight Yays and five Nays. The bill passes and will be referred favorably to rules and reference. Is there any further business to come before the committee? See none. Committee stands adjourned.

PART 4 OF 4 ENDS [01:13:49]

EXHIBIT 22

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Speaker ([00:00:06](#)):

The house will please come to order. With the core being present, I invite everyone to please rise and join with our members in the opening prayer, and to remain standing for the Pledge of Allegiance to the flag of the United States.

Thomas Hall ([00:00:25](#)):

Thank you, Mr. Speaker. I'm honored today to have my pastor, Lamar Farrell with us today. After moving from the nation's capital in 1984, Lamar graduated from Milton Christian High School. He and his wife Maryanne have been Middletown, Ohio residents since 1996. After graduating with a degree in Zoology and a pre-med from Miami University in 1992, Lamar knew that God was calling him into full-time vocational ministry. He received his Masters of Divinity degree from Mid-America Seminary in Memphis, Tennessee in 1996. That was one year after I was born. He is and has been the lead pastor of Berachah Church in Middletown for 25 years.

Thomas Hall ([00:01:08](#)):

For 16 years, Lamar has served his community as the lead police and fire chaplain in and around the Middletown area. He's the founder and chairman of the Master's Mission Golf Tournament, which is raised over \$350,000 to help children locally and globally by the theme of "Play golf, save lives." Lamar will be married to his lovely life Maryanne, who has joined us today for 25 years in April, and they both serve as advocates for families with special needs. They are proud Middletown Middie Parents and have a 22 year old college graduate and recently engaged son named Luke, and a 19 year old high school graduate daughter named Ellie, who is born with spina bifida, which opened their beautiful world of ministry to the most unreached people group, which are families of children's with disabilities and special needs.

Thomas Hall ([00:01:51](#)):

One of the highlights of their married life is organizing an annual special needs prom called One Special Night, which is open to 10 different school systems in Butler and Warren counties. Pastor Lamar's, passion is helping people while shepherding. His hobbies include golfing, traveling, watercolors, and cheering on the Ohio State Buckeyes. Go Bucks.

Lamar Berachah ([00:02:15](#)):

It's an honor to be here today. And I can say this. This isn't preacher speak. I feel at home here. I really do. Thank you to Mr. Speaker. Thank you to Representative Hall for this high honor on this day. I feel like saying this, "Mama, I've made it." Or I feel like saying, "Thank you, Jesus." One or the other. But I want to say that today I stand here just to represent the goodness of God. Every good and perfect gift comes from the Father. 24 years ago today, my wife reminded me this morning, my father passed away. He was my mentor, my friend, my father, and my pastor. 24 years ago today, I became the pastor of Berachah Church. Nothing happens by accident. And I believe I'm here today on the request of Representative Hall, but I believe today that God has allowed me this high esteemed privilege. Thank you for your service. Thank you for your commitment to this state. And I say it. We are blessed to live here in this great state of Ohio. And with God, all things are possible. Pray with me.

Lamar Berachah ([00:03:27](#)):

Lord, today we understand and realize that we are blessed to live in these United States. Today we are honored to stand in this sacred hall. And to each of the members, wow, they have extreme pressure. They have a very difficult job, and yet they have the wonderful opportunity to serve the people of this state. May you give them the humble leadership of Moses. May you give them the faith of Abraham. May you give them the determination of Nememiah to continue building. May you give them the courage of Queen Esther, to stand in the face of adversity. May you give them a heart of concern like Jeremiah. May you give them the judging acumen of Deborah. May you give them the wisdom of Solomon, the serving passion of Martha, the encouragement of Barnabas, and may above all, you give them the loving heart of you, Jesus.

Lamar Berachah (00:04:48):

Bless them, protect them, provide for their families, we do pray. And we ask on this long day that you would give them endurance. We praise you. We bless you. And we thank you today. In the name that's above every name, the name of our Lord and Savior Jesus Christ. Amen.

All (00:05:09):

I pledge allegiance to the flag of the United States of America and to Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Speaker (00:05:39):

At this time, we'd like to recognize the guests in our gallery.

Speaker 2 (00:05:43):

In the west gallery, a guest of Representative Miranda is her daughter, Gabriela Miranda. Please rise and receive a welcome from the house.

Speaker 2 (00:05:56):

In the west gallery, guests of Representatives Schmidt and Denson is Michelle Young. Please rise and receive a welcome from the house.

Speaker 2 (00:06:07):

In the west gallery, guests of Representative Click is Blake Frank. Please rise and receive a welcome from the house.

Speaker 2 (00:06:18):

In the west gallery, guests of Representative Hall are the members of Berachah Church. Please rise and receive a welcome from the house. In the west gallery, guests of Representative Mary Lightbody are Dr. Tommy Radd and Al Navarro from Gahana. Please rise and receive a welcome from the house.

Speaker 2 (00:06:43):

In the west gallery, guests of Representative Lightbody is Mike Ahern. Please rise and receive a welcome from the house.

Speaker (00:06:57):

Clerk will read the journal of the preceding legislative day.

Speaker 2 ([00:07:00](#)):

103rd day, Hall of the House of Representatives, Columbus, Ohio, Wednesday, November 17th, 2021 at 9:00 AM. The house might present to adjournment on motion of Representative Brent, with the house of adjourn until Thursday, November 18th, 2021 at 9:00 AM.

Speaker ([00:07:10](#)):

Without objection, the journal will be approved. Hearing no objection, the journal is approved. Introduction of bills, consideration of Senate amendments, reports of conference committees, reports of standing and select committees and bills for second consideration.

Speaker 2 ([00:07:27](#)):

Representative Brent submitted the following report. The standing Committee on Agriculture and Conservations, which was referred House Bill Number 321.

Speaker 2 ([00:07:33](#)):

Representative Kick, Young, Dean, and all having had the same under consideration reports back with the following amendments and recommends its passage, and so amended.

Speaker 2 ([00:07:39](#)):

Representative Kelly submitted the following report. The standing committee on state and local government, to which was referred House Resolution Number 147 rescinds stoles fees, having had the same under consideration reports it back and recommends its adoption.

Speaker 2 ([00:07:47](#)):

Representative Smith K submitted the following report, the standing committee on public utilities, which is referred House Bill Number 389.

Speaker 2 ([00:07:52](#)):

Representatives Leland, Sykes, and all having had the same under consideration reports back to substitute bill and recommends pass.

Speaker 2 ([00:07:57](#)):

Representative Upchurch submitted the following report. Standing committee on Economic Workforce Fulfillment, which is referred to Amendment Supplement Bill Number 166. Senator Reineke and all having had the same under consideration reports back the subsequent bill and recommends passage.

Speaker 2 ([00:08:07](#)):

Representative Upchurch submitted the following report. Standing committee on Economic and Workforce Development, which was referred sub Senate Bill Number 105. Senator Sykes, Schuring, and all having had the same under consideration reports back that the following amendments and recommends passage, and so amended.

Speaker 2 ([00:08:18](#)):

Representative Smith M submitted the following report. Standing committee on [inaudible 00:08:20], which was referred House Bill Number 218, whereas Cutrona and all having had the same under consideration reports back the substitute to bill and recommends its passage.

Speaker ([00:08:29](#)):

Motions and resolutions. The chair recognizes Representative Jones for an absence motion.

Representative Jones ([00:08:34](#)):

Thank you, Mr. Speaker. I move that majority party members asking leave to be absent or absent the week of Wednesday, November the 17th, 2021 be excused so long as written request is on file in majority leadership offices.

Speaker ([00:08:46](#)):

Without objection, the motion will be agreed to. Hearing no objection, the motion is agreed to. Chair recognizes Representative Hicks-Hudson for an absence motion.

Representative Hicks-Hudson ([00:08:56](#)):

Thank you, Mr. Speaker. I move that minority party members asking leave to be absent or absent the week of Thursday, November 17th, 2021 be excused, so long as a written request is on file in the minority leadership office. Thank you.

Speaker ([00:09:09](#)):

Without objection, the motion will be agreed to. Hearing no objection, the motion is agreed to. Bills for third consideration.

Speaker 2 ([00:09:17](#)):

Sub Senate Bill Number 258, Senator McColley and others to enact and repeal section of advised cut to establish congressional district boundaries for the state based on the 2020 decennial census and delay certain deadlines related to the 2022 congressional primary election.

Speaker ([00:09:27](#)):

Question is shall the bill pass? The chair recognizes Representative Wilken.

Shane Wilken ([00:09:35](#)):

Thank you, Mr. Speaker. I rise in support of Substitute Senate Bill 258. As the chair of the government oversight and co-chair of the Joint Committees, we have heard hours of testimony. For our legislative districts, for note in process, there were 15 total hearing, with 10 of those being held across the state for public input. The remaining five exceeded the constitutional requirement. For these congressional maps there have been a total of 17 hearings, including the Redistricting Commission, the Joint Committee, the House Committee, and the Senate Committee, meeting and exceeding all constitutional requirements.

Shane Wilken ([00:10:17](#)):

For the government oversight, there's no time limit imposed on testimony or questions when we had a committee, and many people testified multiple times through different committees. And I know we hear a bunch of terms as we go through this redistricting process. And I just want to focus in on one that I talked about in the Joint Committee. And that term is fair. And we heard that a lot throughout this process, is, "What is fair?" And I think all of our colleagues can agree, everybody has a different interpretation of what fair actually means.

Shane Wilken ([00:10:50](#)):

So in this specific one, I'm going to focus in on my district that I brought up in the Joint Committee. And let's look at Appalachia, Ohio. Appalachia, if you look at a Wikipedia map, runs from Claremont County all the way around to Ashtabula County. 32 counties, to be exact. Now, within 32 counties, how many congressional districts should that be? Now my good friend across the aisle, Representative Kelly is probably going to talk to you later today about Hamilton County, and how part of that is part of the Second District. Well, my question back, "Then how big should the Second District be?" As it stands right now, the Second District on these maps is 12 full counties and two partial counties. So representing 14 counties. How many counties should one Congressman or Congresswoman represent? Should it be 16, 18, 20? Does that not dilute the voice of those of us in Southern Ohio who often get left behind, and Southeastern Ohio who are often not heard, get the leftovers? I think it's fair to say that every county affects other counties. Every district line is going to affect another district. Substitute Senate Bill 258 has the lowest amount of county splits of any map presented. It keeps all of our major cities in one district, except for the city of Columbus, which is two and not three, which it started off, and has the least amount of subdivision splits. Speaker, my colleagues will follow up with more details on these maps. But this is the best map I have seen, and I urge concurrence, or support of the maps. Thank you.

Speaker ([00:12:37](#)):

The question is, shall the bill pass? Chair recognizes Representative Galonski?

Tavia Galonski ([00:12:45](#)):

Mr. Speaker, move to amend with amendment number 1342314.

Speaker ([00:12:56](#)):

The chair has the amendment. Amendment is in order. The representative may proceed.

Tavia Galonski ([00:13:00](#)):

Thank you. Permission to speak to the amendment?

Speaker ([00:13:02](#)):

Representative may proceed.

Tavia Galonski ([00:13:03](#)):

Mr. Speaker, I rise today to ask my colleagues to support amendment AM 1342314. This amendment replaces the 13/2 map proposed by my colleagues across the aisle. And it proposes to replace all of it with Representative Brown and my introduced map earlier this month. Ohioans told us in no uncertain terms that they wanted to see communities stay together, especially cities in our largest counties. In its current form, SB 258 does the exact opposite. Splitting communities apart doesn't allow for better

representation. In fact, it prevents communities from having the representation they deserve. Ohioans expect us to create a bipartisan tenure map. To accomplish that, we're going to need to compromise. The proposed map in this amendment is a compromise. It's fair, compact, and keeps communities together. It adheres to all constitutional requirements voters set for us. It reflects not only the preferences of the voters whose candidate wins statewide office, but also the preferences of the 45% of Ohio voters who consistently prefer a different candidate.

Tavia Galonski ([00:14:20](#)):

Unlike the map proposed, that is the 13/2 map, this replacement map is not partisan. It does not contort our districts to maximize partisan advantage. It is a compromise, one that ensures Ohioans who share a community can decide who represents them. The amendment supplants the 13/2 map that had no public testimony with a fair 9/6 map that reflects what our voters want. It was developed in the light of day, not behind closed doors, and received ample public agreement. What this body decides today will shape our politics for the next decade or more. Moving forward with a compromised map protects against a veto from the governor. It protects against a voter referendum on the map. It protects against districts that modify unduly favor one political party at the expense of all Ohioans. Mr. Speaker, thank you again for giving me the opportunity to speak on this amendment. I urge my colleagues to vote in support AM 1342314.

Speaker ([00:15:26](#)):

Question is, shall the amendment be agreed to? Should I recognize this representative's words?

DJ Swearingen ([00:15:32](#)):

Thank you Mr. Speaker, and I appreciate the intent behind this amendment. However, I ask for opposition to this amendment for several reasons today. When we say the word compromise, that implies that there's two parties at the table. There was only one party at the table when this map was drafted. And that party was a consulting firm out of Washington DC, who drew this map that's being offered on this amendment. In addition, when we talk about splitting counties and political subdivisions, which I'll get to in my future floor remarks, this map presented to you today, Senate Bill Number 258, offered by Senator McColley keeps together a record number of counties, local political subdivisions, including our biggest cities. And for those reasons, I would offer opposition to the amendment and it should be tabled.

Speaker ([00:16:18](#)):

Question is, shall the amendment be agreed to? Chair recognizes Representative Sykes.

Speaker 1 ([00:16:23](#)):

Thank you, Mr. Speaker. I move we lay the amendment upon the table.

Speaker ([00:16:26](#)):

Motion is to lay the amendment upon a table. The house will prepare and proceed to vote. Have all members now voted? Clerk will take the role. 59 affirmative votes, 32 negative votes. The motion has been agreed to, and the amendment is laid upon the table. The question is, shall the bill pass? Chair recognizes Representative Brown.

Richard D Brown (00:17:10):

Thank you, Mr. Speaker. I rise in opposition to Senate Bill 258. In 2015 and 2018 Ohioans went to the ballot, and overwhelmingly voted for constitutional amendments that were intended to reform the process of how we draw district maps for both the state, house, and congressional districts. Ohioans voices were loud and clear. They voted for fair districts that fairly represent the preferences of Ohioans. Ohioans wanted maps that kept our largest county's whole with our largest cities as anchors of those districts. Ohioans voted for reforms to ensure that communities that live and work together stay together. Ohioans voted for reforms that would result in the most compact districts possible, with easily understood boundaries. And Ohioans voted overwhelmingly for constitution reforms that result in districts that reflect the preferences of the voters, including the 45% of voters who in the last 10 years in statewide elections have voted for democratic candidates.

Richard D Brown (00:18:24):

The Republican congressional map of Senate Bill 258 does not meet the letter of the constitution or the spirit of the reforms of 2015 and '18. Hamilton County, for example, is split two times in this map, creating three districts in Hamilton County. Geauga County is also split two times, resulting in three districts in Geauga county. Summit County is split into two districts. And the map that Democrats proposed, House Bill 483, the so-called Brown-Galonski map, Hamilton and Cuyahoga counties were split only once, resulting in two districts in each. And Summit County was not split at all. The multiple splits in the Republicans map under consideration here today have Hamilton and Cuyahoga counties and the splitting of Summit County are not necessary, and are therefore undue splits. Article 19, Section 1C3B of the Ohio Constitution mandates that in a four year map, which what the map in question undoubtedly is, the GA shall not pass the plan that unduly splits governmental units, giving preference to keeping whole counties, and then townships and municipal corporations.

Richard D Brown (00:19:45):

The map in question unduly splits Hamilton, Cuyahoga, and Summit counties, and therefore violates this provision of the Ohio Constitution. Article 19, Section 1C3A of the Ohio Constitution mandates that in a four year map, the general assembly shall not pass a map that unduly favors or disfavors a political party. Dave's redistricting describes the map in question as a 13/2 map. And it is, notwithstanding Republican claims to the contrary.

Richard D Brown (00:20:20):

This map clearly unduly favors Republicans and disfavors Democrats, and therefore violates this provision of the Ohio Constitution. Now in testimony, yesterday before the Government Oversight Committee, the Senate sponsor of Senate Bill 258 claimed that this map was in part the product of input from the public, and that the map reflected the concerns of Ohioans. I directed the sponsor's attention to the eastern portion of Hamilton County, which includes the greater Cincinnati suburbs of Loveland, Montgomery, Madeira, Mariemont, and Indian Hill among others. In District 2, which is a sprawling district with stretches to the east across all of Southern Ohio, to include Appalachian counties like Meigs, Vinton, Hawking, Jackson, and Lawrence to name some.

Richard D Brown (00:21:14):

I asked the sponsor whether public input was part of the mapmaker's decision to include the Eastern Cincinnati suburbs in the district with these Appalachian counties. The sponsor gave a lengthy monologue about the issue of compactness. I did not ask him about compactness. So his answer was

completely nonresponsive. So I asked the sponsor a second time whether public input was part of the mapmaker's decision to include the Eastern Hamilton County suburbs of greater Cincinnati into District 2, which again extends all the way across southern part of the state. The sponsor again responded with a torrent of words that were not responsive at all to my question. So I asked the sponsor a third time whether public input was part of the mapmaker's decision to include the Eastern Cincinnati suburbs in the district with these Appalachian counties. And finally, the sponsor answered the question. He testified that the mapmakers knew that folks in Hamilton County and elsewhere around Ohio did not want the county split twice and did not want the eastern suburbs to be in the district with these Appalachian counties. However, the mapmakers apparently ignored this desire and created this sprawling suburban/rural district anyway. Why? Why ignore the public input from these folks in Hamilton County? Was it to create a district that cracks apart people with similar interests and concerns and to weaken the votes of Democrats in the packed District 1 of Cincinnati? I'll leave that to all of those here to determine that answer. In other words, in my view, this was done for purely partisan political advantage, which is classic gerrymandering. Now, when I gave testimony in the Government Oversight Committee about the democratic Brown-Galonski map proposal, I was questioned by a Republican member of this body about one of our districts, which he felt had grouped disparate Appalachian counties together. He noted that Noble County and Lincoln County were two totally different counties, which were both included in our District 6, any thought that they should not be grouped together.

Richard D Brown ([00:23:37](#)):

The member further criticized our map, stating that, "We need to look at and keep Appalachia with Appalachia counties," which we in fact had done. He just didn't like which counties we included together. And then this member stated that the Appalachian counties, "Don't want to be with these big metropolitan areas." And yet the map in question does the very thing that this Republican member said we should not do, lumping Appalachian counties in with a big metropolitan area, specifically District 2.

Richard D Brown ([00:24:18](#)):

Now the map in question also unduly splits Summit County, and places Akron and Canton in separate districts. In the Brown-Galonski map, Summit County was not split at all. It was kept whole. And Akron and Canton were placed in the same district. We did this in response to the well known desire of many of the area's business leaders, most of whom I assume my Republican, and others like Senator Kirk Schuring, who for years have been advocating for the development and branding of the area as the "Akron-Canton Metroplex." There is even a magazine called the Akron-Canton Metroplex Magazine, extolling the economic virtues and advantages of combining metropolitan statistical areas, MSAs for a variety of business and economic reasons like increasing tourism and creating larger markets, which give all of the communities in the metroplex greater power to compete for new businesses, new industries, and jobs.

Richard D Brown ([00:25:27](#)):

The map at issue today tears asunder the Akron-Canton metroplex economic development areas in terms of congressional representation, and ignores the needs and desires of the people of this area. And again, demonstrates the fallacy of the sponsors claim that the mapmakers drew districts in part in response to public input.

Richard D Brown ([00:25:52](#)):

Finally, since the sponsor yesterday wanted to talk about compactness, even though no one asked that question, I'd be derelict if I failed to mention compactness. Now, one way of measuring compactness, a common sense way, is to compute the drive time and driving distance between the two furthest points in the district. Comparing the democratic Brown-Galonski map to the map in question today, it is clear that the districts in the subject map are not nearly as compact as those in the Brown-Galonski map. The average driving distance in the Brown-Galonski map of all the proposed districts together and averaged is 95.4 miles. But the average driving distance in the map at issue is 108.7 miles. The maximum driving distance in the subject map is longer in 11 of the 15 proposed districts, compared to the Brown-Galonski map. Many of the districts in the subject map are not compact, such as District 5, which starts with the north coast Lake Erie County of Lorraine and stretches westward all the way to the Indiana border, including the rural farming counties of Paulding, Van Wert, and Mercer.

Richard D Brown (00:27:07):

Now the exchange I had yesterday with the bill's sponsor is a microcosm of the entire process, which has unfolded regarding both the state house maps and the congressional maps. There has been a lack of transparency in the process. There has been deflection, distortion, and at times deception about these maps. This map in question violates certain constitutional provisions. It is unfair. It does not comply with the letter of the law or the spirit of the reforms Ohioans overwhelmingly voted for in 2015, in 2018. It unduly splits Cuyahoga and Hamilton counties twice. It unduly splits Summit County. It tears apart the Akron-Canton metroplex. It carves out downtown Columbus from District 3, and places it in District 15 with rural counties like Clark, Fayette, Madison, Clinton, Pickaway, and Ross. And all of this is done clearly for partisan political advantage. It is sad and unfortunate that we are here at this point today. The people of Ohio deserve so much more. I urge a no vote.

Speaker (00:28:24):

Question is, shall the bill pass? Chair recognizes Representative Swearingen.

DJ Swearingen (00:28:30):

Thank you, Mr. Speaker. And there's an old saying in the legal profession that when the law is on your side, pound the law. When the facts are on your side, pound the facts. And when neither are on your side, pound the table. Well, the day proponents of this bill are going to be pounding the law and pounding the facts because we have absolutely no reason to pound the table, or in some cases, our desks. When you look at the plain language of Article 19 Section 1 and Section 2, pertaining to the maps, this map satisfies the plain meaning of that text. This is what the voters voted on in 2018 when they went to the voting booth, and we've satisfied their intent in that regard. The first subsection, like my colleague mentioned, you cannot pass a plan that unduly favors or disfavors a political party or its incumbents.

DJ Swearingen (00:29:28):

This map does not unduly favor or disfavor a political party or their incumbents. Under this map, utilizing the federal election data over the last 10 years for the state of Ohio, there are six lean Republican seats. Seven districts are competitive districts, meaning the index is plus or minus four points. And there are two lean Democrat seats. When you look at the text of Article 19 and the rules provided for the mapmakers, and you look at the population in Ohio, there are only about three to four counties, and the Trump election indicated this. There are only about three to four counties from which mapmakers have to pick Democrat population.

DJ Swearingen ([00:30:14](#)):

So you go into those counties as well to also make the districts competitive. And thus, you have the map before you, you have of today. If you have the right candidate on the right issues, you can win a competitive district. Whereas the democratic map that was offered in the house offered a predetermined outcome. And I think Senator McColley said it best in his sponsor testimony. "What captures the spirit of what the voters passed in 2018 is competitive districts that are subject to the political wins of Ohio." Again, if you have the right candidate with the right message, you can win a competitive district. And this is the way that we make sure that the maps do not unduly favor or disfavor a political party. This map only puts two incumbents against each other in the same district. They are Republicans, and no Democrats are double bunked in the same district.

DJ Swearingen ([00:31:11](#)):

However, if you look at the map that was offered by the House Democrats, seven Republicans are put into three districts to run against each other, thus unduly favoring Democrats and disfavoring Republican incumbents, which violates the text of Article 19. Moreover, this map only has 40% of the seats at a partisan index above 60%. That's less than half of the seats. Whereas the house democratic map that was offered has 53% of the seats, over half, at a partisan index of 60% or more. And we have to talk about the federal election data. It's proper to use the 10-year federal election data on this issue. Because Ohioans distinguish between state issues and federal issues, and their vote pattern indicates accordingly. So since 1994, Republicans have won every statewide constitutional elected office save for 2006. But they voted for Republicans and Democrats at the federal level for president, for senator. So you can see that using federal data is more indicative of where Ohioans are at on federal issues. So the federal data was used. This map is the most competitive map offered in the general assembly to date.

DJ Swearingen ([00:32:34](#)):

The next element, the general assembly shall not unduly split government units. Let's look at the county splits. The proposed map includes 76 whole counties, which is more whole counties than any Ohio congressional plan in over 50 years. The proposed map splits less counties than both the house and senate Democrat proposals. The Ohio Constitution allows for 23 splits currently. However, this plan only splits 12 counties. The map approved in 2011 actually split 23 counties, and we've gone from 23 to 12. Each congressional district that is not wholly contained in a single county also includes at least one whole county within the congressional district boundary.

DJ Swearingen ([00:33:18](#)):

Let's move on to the subdivision splits. The proposed map has 14 political subdivision splits the house Democrat plan split 21 subdivisions, most of them Republican townships. Columbus, approximately 70% of Columbus in the subdivisions are within Congressional District 3, which is a higher percentage than both Democrat proposals. The population of Columbus is greater than the target population for a congressional district, so it had to be split. Cleveland, it was first split in congressional plans in the late 1800s. Cleveland is wholly contained within Congressional District 11 under the proposed plan. Cincinnati is also wholly contained within one congressional district for the first time in over 100 years. Akron.

PART 1 OF 6 ENDS [00:34:04]

DJ Swearingen ([00:34:00](#)):

District for the first time in over 100 years. Akron, currently divided into two congressional district is also wholly contained within congressional district 13. Dayton, wholly contained within congressional district 10 and it's also paired with Wright-Patterson Air Force Base. Toledo, which is currently divided into two congressional districts, is also who contained within congressional district nine. Only three of the top 100 most populous cities are split. Thus, the general assembly by voting yes on this map today has satisfied the constitutional requirement in article XIX that county and political subdivisions are not unduly split. You also at this point must attempt compactness. That's the direct verbiage contained in article XIX, attempt compactness. Now this map, just looking at it, it's all on our laptops, it satisfies the eye test. You look at it, there's no snakes. There's no ducks. There's no slivers on the river. Or my favorite, there's no Us around the shoe.

DJ Swearingen ([00:35:07](#)):

These maps are as compact as you can get when you're required to fit 786,629 people into congressional districts which include very rural areas of Ohio. It keeps together political subdivision counties, like we just explained. And that in and of itself is evidence of the fact that these indeed satisfy the criteria for compactness. Last, you have to have an explanation for your plan, which is also included, and you can feel comfortable voting on today. Now, I want to talk a little bit about the process that I witnessed as a member of the government oversight committee. And yes, there were people that came in and we had public hearings. However, we have to call out to Ohioans the special interests that were involved in influencing this congressional map. First off, there were special interest groups themselves that represented various industries in our state. That's fine. You have free speech rights. You can come in and testify, but as their testimony went on, it became obvious that they were less concerned about the maps themselves and a little more concerned about getting a map that satisfied their preferred policy preferences. And that itself is not in article XIX of the Ohio Constitution. We have to call out the National Democratic Redistricting Commission that came in and funded groups to influence the maps. And these are the same organizations that gave to political candidates in the 2020 race. They supported Ohio Supreme Court justices that also ran on a message of further attempting to influence the maps. These organizations are in states like Ohio, Georgia, Wisconsin, North Carolina. They're curiously absent from states like Illinois, New York, and New Jersey. However, after the last election, they might put New Jersey on the list. The map drawn by the Ohio Democrats which was just offered before you as an amendment was not a compromise map. No Republicans were around the table. We weren't invited to be around the table when it was drawn. It was drawn with a consulting firm out of Washington, DC. So when we talk about who's sitting around the table, compromise, and who's invited to testify, let's be clear about that. This map before you does have input from the public. It's a good map. It satisfies, most importantly, article XIX of the constitution. And I would urge a yes vote today.

Robert R. Cupp ([00:37:34](#)):

Question is, shall the bill be agreed to? Chair recognizes Representative Hicks-Hudson.

Paula Hicks-Hudson ([00:37:40](#)):

Thank you, Mr. Speaker. Permission to speak to sub bill Senate bill 578?

Robert R. Cupp ([00:37:45](#)):

The representative may proceed.

Paula Hicks-Hudson ([00:37:47](#)):

Thank you, Mr. Speaker. I rise in opposition and to give voice to the Ohioans who expressed their will in 2015, 2018, and 2021. I'm going to talk about two things, not only the voice that was silenced by this process, but also my colleague ended his conversation to us discussing the constitutionality of this particular piece of legislation. I choose to disagree and strongly disagree with that statement. And specifically, I want to reference Article XIX subsection 1C 3d, which states, "The general assembly shall include in the plan an explanation of the plan's compliance with division C3 A2c of this particular section." He glossed over that particular statement in his remarks just a minute ago, because if you look to page 901 of this bill, it is not an explanation. It is merely a regurgitation, a description of what this plan does, how it exists, but not explaining why it exists or how it became part of this bill.

Paula Hicks-Hudson ([00:39:05](#)):

So therefore on its face, this particular section shows that this bill is not constitutional. And we can go into the other parts, but I think that my colleague in his explanation really pointed out the problems that this legislation has. But more importantly, let's talk about those citizens who voted to create this process. Let's talk about those citizens from the beginning of this year until this week who came before us at different times and different venues and different times to talk about what they expected of us. So today, as we vote upon this bill, it is a truly, a sad day in Ohio. The people of Ohio put their faith in the Ohio legislature, into us, when they voted for what they thought would be an open and fair process for creating the congressional maps. Instead of fair representation, we are looking at a 13-2 map. I don't care how you parse it. It is a 13-2 map.

Paula Hicks-Hudson ([00:40:10](#)):

Unfortunately, this legislature has failed and this legislation has failed and it is a disgrace. It does not represent the will of the people. What is before us today is a map that was not based upon listening to the Ohioans who came from around the state to offer input on how they wanted to choose their representatives. Further, this is a map that is not constitutional and rather that is merely saying that it is unconstitutional. It is a map that was not public until Monday night, November 15th, 2021. We did not get the official shape map until Wednesday morning, because I too serve on government oversight to actually review and evaluate the data behind this map. And I raise the issue about data because it is so important. We talk about the basis for why we do these things.

Paula Hicks-Hudson ([00:41:05](#)):

And unfortunately, the basis for this particular map is not founded in data. And one of the things we know that we can look at different things and come up with different conclusions. But the true fact remain that the citizens of Ohio expected us to put together a map that reflected what they believe was important. I will not talk about the farce that occurred in the Senate that resulted in this bill, but I will talk to you about the farce that occurred in our own House. We should no longer call this The People's House because the people's voices were not listened to nor were they heard nor given an opportunity to speak on this particular piece of legislation. The sponsor said that this bill reflects the voices of the people who did testify. I strongly disagree. In fact, I don't know how the statement can be made since no regular Ohioan was given the opportunity to react or respond to this legislation that we're voting on.

Paula Hicks-Hudson ([00:42:07](#)):

I have before me proponent testimony, there was only one proponent and I put that air quotes, from a Dr. Mark Rylan, who spoke before our committee in support of and his proponent testimony is titled, "In support of fair maps and redistricting." He says he is from Stow, Ohio. And I'm just going to read the last

part of his testimony. "Despite this overwhelming opinion of Ohio voters for legislators to act and come up with a fair map and three years to do it, nothing of any real meaning or value has been done. The legislators and the Redistrict Commission has failed the people miserably and should be ashamed of themselves. You do not deserve our votes and you do not deserve our respect. I personally feel your inaction has been intentional and guided by partisan politics and ultra-conservative beliefs, and you should all resign. We deserve better from our elected officials."

Paula Hicks-Hudson ([00:43:15](#)):

This past Friday, Friday a week ago, I had the opportunity to speak to a number of students in Toledo Public Schools about the maps that they had drawn, the congressional maps that they had drawn as part of an exercise to learn about democracy, to learn about voting, to understand how important it is to be participating in our government. When they showed me their maps and compared their maps to the maps that we were just talking about, we didn't have this map for me to be able to show it to them for them to react. The one question that I heard over and over from these young people, the people that are supposed to look up to us were saying, "How could this be? We looked at the rules. We followed the rules. We did the best that we could to put together a map. And our map does not look anything like this map. How is this map fair?" So I had to try to explain to them what's important and how things are and whether or not it is fair.

Paula Hicks-Hudson ([00:44:23](#)):

So Mr. Speaker, it is important that we today be real clear about why we're voting the way we do. And I do urge a no vote on this map because it does not reflect the will or the voices of the people. So we should no longer call this The People's House. I'm not sure exactly what we should call it, but I do know that this is a sad day for Ohio and it's a sad day for all of us and for those who vote in favor of this map. Thank you.

Robert R. Cupp ([00:44:54](#)):

Question is, how the bill pass? Chair recognizes Representative Howse.

Stephanie Howse ([00:44:59](#)):

Thank you, Mr. Speaker. Permission to speak on sub SB number 258?

Robert R. Cupp ([00:45:03](#)):

Representative may proceed.

Stephanie Howse ([00:45:04](#)):

Okay. Thank you. One of the things, we were in committee yesterday, and there's all these conversations about what is in the bill and we're sticking to the constitution. And I always like to take a step back to figure out, how did we get there if this was a vote of the people? And this thing, I took a step back and went to 2018 to figure out, "Well, what did people actually vote on?" So we want to read it.

Stephanie Howse ([00:45:35](#)):

"I, Jon Husted, certify the printed below are the full text, ballot language, explanation, and arguments that were certified to me by the Ohio Ballot Board or filed with the Secretary of State as prescribed by

law for the constitutional amendment proposed by the Ohio General Assembly, pursuant to article XVI, section one of the Ohio constitution. This was done on the 15th in April in 2018, the actual ballot language which people voted on. Issue one, creates a bipartisan public process for drawing congressional districts, proposed constitutional and amendment proposed by joint resolution of the general assembly to amend the version of section one of article 11 that is scheduled to take effect January 1st, 2021. And to enact sections one, two, and three of article XIX of the constitution of the state of Ohio to establish a process for congressional redistricting. A majority yes vote is necessary for the amendment to pass. The proposed amendment would, one, end the partisan process for drawing congressional districts and replace it with a process with the goals of promoting bipartisanship, keeping local communities together, and having district boundaries that are more compact.

Stephanie Howse ([00:46:51](#)):

"Number two, ensure a transparent process for requiring public hearings and allowing public submission of proposed plans. Point three, require the General Assembly or the Ohio Redistricting Commission to adopt new congressional districts by a bipartisan vote for the plan to be effective for the full 10-year period. Point four, require that if a plan is adopted by the general assembly without significant bipartisan support, it cannot be effective for the entire 10-year period and must comply with explicit anti-gerrymandering requirements. If passed, the amendment will become effective immediately. Shall the amendment be approved? Yes or no?

Stephanie Howse ([00:47:30](#)):

"When you go to the explanation, vote yes on issue one, a fair bipartisan and transparent process. Vote yes on issue one, a yes vote will create a fair bipartisan and transparent process when drawing congressional districts that will make politicians more accountable to voters. Issue one is supported by an overwhelmingly bipartisan majority of legislators, as well as nonpartisan advocates. Currently it is too easy for one political party to gerrymander safe seats in Congress by dividing local communities and drawing a map without bipartisan support. Voting yes on issue one will limit gerrymandering by requiring that congressional districts be drawn with bipartisan approval or utilizing strict anti-gerrymandering criteria. It will also keep communities together by limiting splits of counties, townships, and cities, and promote geographically compact districts. Fair. Voting yes on issue one will establish fair standards for drawing congressional districts through its requirement of bipartisan approval or use of strict anti-gerrymandering criteria. Voting yes on issue one will help keep our communities together by limiting the number of splits of counties, cities, and townships. Bipartisan. Voting yes on issue one will require significant bipartisan support to adopt new congressional districts for 10 years. Transparent. Voting yes on issue one will require multiple public meetings before adopting a proposed plan for congressional districts.

Stephanie Howse ([00:48:59](#)):

"Voting yes on issue one will guarantee public participation by allowing members of the public to submit a plan for congressional districts. Voting yes on issue one will preserve citizens' right to referendum and to veto power of the governor when the General Assembly passes the plan for congressional districts. Make your vote count. Vote yes on issue one, prepared by Senators Matt Huffman and Vernon Sykes and Representatives Kirk Schuring and Jack Cera." On May 8th, 2018 Ohioans overwhelmingly voted to support issue one to the tune of 1,178,468 people. That was 74%. When you look even further, every single county in Ohio voted to support issue one. The smallest gap was in Benton county at 59%. The largest county in support was in Cuyahoga County at 82%. Now I asked the sponsor of the bill yesterday,

"Do you think the people that voted on May 8th, 2018, wanted what we got and what we are voting on today?"

Stephanie Howse ([00:50:04](#)):

And I will tell you, unequivocally no. Absolutely not. That is not what people voted for. And I will go through the ways when you talk about in the partisan process for drawing congressional districts and keeping communities together. One of the things I asked is, "Oh, we know we have to do splits somewhere." And I asked again the sponsor of this bill, "Well, how did you decide to split Oakwood Village, which is a predominantly black community?" "Oh, we had to do it to the number." And I said, "Well, why didn't you choose some of the other communities?" "Oh, we didn't look at race." Well, that's really problematic because I know there are some violations of the Voting Rights Acts. Then when you look at, ensure a transparent process by requiring public hearings and allowing public submission. When you look at this process, this bill in and of itself came to us, it came in the Senate on October 27th. So first, it was never an intention of this body to try to get bipartisanship because we had a first deadline of September 30th and none of us even met.

Stephanie Howse ([00:51:04](#)):

So it was never the intent of this body to do bipartisanship. When we talk about public submission and public participation, when we had the meeting on... The House got our version on November 3rd, and then it was the following week where we had conversations about the public being able to participate in this process. On November 10th, we still didn't have a venue for public individuals to submit their votes. And it wasn't until I brought it up that they actually changed the language actually on the website for people to do. Today is November 18th. So we think it suffice, And you think people back in 2018 voted to have public participation for seven days? Absolutely not. So let's not fool ourselves, just not convince ourselves that we are working, or let me be very explicitly clear that the Republican party is working on behalf of people. Absolutely not. I always talk about, let's just keep it 100. Let's keep it real. It's even word that many of y'all was having a hissy fit because Jim Jordan wasn't going to be your Congressman. So let's be for real, that is not what people voted for on May in 2018. They deserve better. We need to do better and we need to absolutely vote this mess down. Absolutely vote no on sub bill Senate bill number 258. Thank you, Mr. Speaker.

Robert R. Cupp ([00:52:32](#)):

Question is, shall the bill pass? The chair recognizes Representative Kelly.

Brigid Kelly ([00:52:36](#)):

Thank you, Mr. Speaker, we've heard from people who've spent their own time collecting signatures, trying to put reform on the ballot. And we've heard from some of them in hearings. We've heard from some of them via calls and emails to our offices. And why have we heard from them about this? Because they're sick and tired of gerrymandered maps and elective representatives who choose their voters instead of voters having the opportunity to actually elect someone of their choosing. What else did we hear from these people? That this process and these maps do not live up to the language outlined in the ballot initiatives, that this process and these maps are not what people demanded when they amended the Constitution for fair maps. When you have a process that's cloaked in secrecy and maps pulled out of the can at the last minute, it's hard to imagine us anywhere but where we are right now.

Brigid Kelly ([00:53:27](#)):

And Mr. Speaker, this map drawing process reminded me a little bit of playing Monopoly with my dad when we were little. Every time we played Monopoly, my brothers and I would always think that we had a shot at winning. We'd always think that maybe he'd make a deal with us so that we'd be able to prevail. But eventually we understood that when it came to Monopoly, my dad just failed to follow the rules. So today this is way more important than our family game nights. When Ohioans came together to change the constitution and end political gerrymandering, they expected us to follow the rules. They voted for a process they expected to be fair, bipartisan, and transparent, but it appears that citizens have gotten none of these. This process was not created to provide a loophole for one party to draw maps, railroad them through and say, "Well, we couldn't get the other side to agree on our 13-2 map, so we really had no choice but to do this by ourselves. We had to negotiate ourselves instead of making a good faith effort to get to a 10-year bipartisan map."

Brigid Kelly ([00:54:38](#)):

Instead of providing transparency by releasing maps in a timely fashion and real accessibility so that people could come testify on actual maps, not on hypothetical lines, not on mystery maps. The map was released just 14 hours before its first scheduled vote and without any of the underlying data necessary to perform a thorough analysis on its impact on our communities. As you heard, I asked in committee about how many people came to testify on this particular map, came to testify in favor of this particular map, and as you've heard, the answer is zero. Now, if we were actually committed to a fair, transparent bipartisan process, people would've had time to analyze the maps. The maps wouldn't have come out of the can at the last minute with no time for people to come in and testify on this specific map.

Brigid Kelly ([00:55:28](#)):

And now I know that folks will say that we fulfilled the requirements. We had a sufficient number of public hearings, but it doesn't mean you made the process transparent and accessible to people. Holding hearings in the middle of the work day in the middle of the work week can hardly be calling this process transparent. Announcing committee meetings at the last minute, having hearings at the same time, and also providing zero opportunities for members of the public to testify on the maps on which we are voting today is not transparent. We could have worked together. We could have worked together in a bipartisan way to build a fair map that keeps communities together and does not unduly favor one political party. But here we are with a 13-2 map that's more of the same old gerrymandering we've had in the state for the last decade.

Brigid Kelly ([00:56:17](#)):

The Princeton Gerrymandering Project does nonpartisan analysis to understand and eliminate partisan gerrymandering on a state by state level. So on a scale from A to F the Princeton Gerrymandering Project gave Senate bill 258 an F, that's the worst, on its partisan fairness scale, even though the people's constitutional reform requires partisan fairness by prohibiting unduly favoring a political party or its incumbents. This map unduly favors the Republican political party and its incumbents in violation of article XIX, section 1C 3a. A fair map would keep Ohio's communities together as much as possible, particularly those in and around the state's largest cities, in order to ensure adequate political representation. A fair map limits county splits as much as possible. And while the constitution allows for a certain number of county splits, it's not necessary to use all the allowable splits. Not only is it not necessary, unduly splitting political subdivisions is prohibited by article XIX Section 1C 3b, but this map does it anyway.

Brigid Kelly ([00:57:20](#)):

Not to mention that no one has really been able to explain why they made the decisions they did on these maps, only that the decisions were made. And of course, I'm going to talk about Hamilton County, the biggest loser on these maps. Cincinnati is kept whole, but just because the city is kept whole doesn't mean the community is kept whole. Splitting Hamilton County twice was a choice. Neighborhoods in Cincinnati are paired with Warren county instead of with its own exurbs and suburbs. Some of those exurbs and suburbs, including the predominantly black communities of Forest Park, Woodlawn, and Lincoln Heights have been put together with Butler County, Preble County, Darke County. The remaining neighborhoods, including places like Silverton, Indian Hill, Madeira, haven't been grouped together with Warren or Preble County, but have been shuffled into a district that includes 13 rural counties to the east. How are these people actually able to elect representatives of their choice?

Brigid Kelly ([00:58:25](#)):

Now, some people say that Hamilton County should be thrilled to have three congressional representatives, but when you crack communities apart and group them with dissimilar areas, you don't end up with three representatives. You effectively end up with zero representatives. Now, some might say it's a small example, but I think it's illustrative of why people in Hamilton County are so frustrated. "We're already cracked apart now. We're going to be cracked apart in this map. We are home to one of the worst bridges, one of the most dangerous bridges in the entire nation, perhaps you've heard of it, the Brent Spence Bridge, and neither of the congressional representatives in Cincinnati voted for the infrastructure bill which actually gives us a shot at fixing our bridge, nor did the third representative who will under this map represent the North central part of the county."

Brigid Kelly ([00:59:23](#)):

Now I'm going to borrow some words from my constituent Whitney Sadiki who said, "Gerrymandering is a complex subject, but as soon as people understand how redistricting has diluted their voting power and rigged our elections in Ohio, people become frustrated, appalled, and passionate about this subject. This is not the democracy our community members studied in civics class or learned about when immigrating to the United States. It is critical that as citizens, we understand how redistricting has pushed our nation and specifically Ohio to the political extremes, leading to predictable election outcomes and disengaged voters, and perhaps most significantly how it has diluted the voting power of marginalized communities by splitting our communities. No matter what party you're affiliated with, you deserve adequate political representation. My hope for this round of redistricting is that Cincinnati will not be split up in such a way that it dilutes the collective voting power of this community." Mr. Speaker, it seems like some folks want to make this process about everything else except for what it actually is. These maps, this process has failed to deliver on the promise of real reform to the people of Ohio. It is a failure to deliver fair districts to the people of Ohio. It is a failure to create a pathway for Ohioans to elect voters of their choosing instead of politicians choosing their voters. We can do better. We should do better. Ohioans trusted us to do better. We have the power to do a lot of good for the people in this state, and we have the power to strengthen our democracy if we actually have the courage to use it. I urge a no vote on this gerrymandered map.

Robert R. Cupp ([01:01:14](#)):

Question is, shall the bill pass? Chair recognizes Representative Brinkman.

Thomas Brinkman, Jr. ([01:01:26](#)):

Thank you, Mr. Speaker. I stand here with a smile as wide as the Ohio river that that bridge faithfully crosses because Hamilton County is now going to have three congressmen representing it in the US Congress. Think about that. 800,000 people will have three congressmen fighting for all their issues up in Congress. That's as many as the state of Wyoming, the state of Delaware, and take your pick of one of the states of the Dakotas. I think it's a great thing. And we will have an outsized representation up in the US House of Representatives. And I want to thank the folks who drew those maps because it's really going to help Hamilton County. As a lifelong resident, I think these are great maps. We've heard how well they were drawn and I think they will withstand the court muster. Thank you very much. Please vote yes.

Robert R. Cupp ([01:02:24](#)):

Question is, shall the bill pass? Chair recognizes Representative West.

Thomas West ([01:02:28](#)):

Thank you, Mr. Chairman. Mr. Speaker, I think when they first came and started speaking out about redistricting, that the conversation was that African Americans, black and brown people wasn't thought of in this process. But Mr. Speaker, I think that's wrong. I believe that we were, and I think this was all about color. As the president of the Ohio Legislative Black Caucus, this whole redistricting process was about color. It was about red and blue and it was about black and white. And we see it played out in this map. The black and brown communities were diluted, which means that our voice is not as strong as it is today. That's not okay. We had one job to do, just one job, and that was to create fair maps. And if you ask some of the children in our schools today, is 13-2 fair map, they would tell you no. At every level of our grade or education system would tell you, 13-2 is not a fair map.

Thomas West ([01:03:52](#)):

It's time for us to get back to the table and draw the map that people asked us to do. Whether you are of the majority of the minority party, we were supposed to come together and create a map that was strong for Ohio. It was not about red, and it's not about blue. It's about making certain that Ohio is fairly represented in this house and in this state house. It reminds me of the little story. Whenever there's an important job to be done, there was sure that somebody would do it. Anybody could have done it, but nobody did it. When nobody did it, everybody got angry because it was everyone's job. Somebody thought that everybody would do it. Nobody thought anybody would do it. I forgot the whole statement. But at the end of the day, nobody did what the people asked them to do.

Thomas West ([01:04:52](#)):

And it's important for us to get back to the table and do what's right for all of our communities, Cincinnati, Cleveland, Hamilton County. Everybody in Ohio deserves to be heard and they deserve to have representation that meets their needs. That's why we're here. That's why each and every one of us are here. Let's stop talking about colors. Let's deal with the issues. I think that's what we want to do when we get here. Let's stop playing games with Ohio. Let's make Ohio the greatest state on this earth, but we do that by drawing fair districts. Not by packing, not by cracking, not by diluting voices, not by saying we did it when we really didn't. Let's stand tall for the American people for Ohio, and let's make certain that all voices are heard. So with that being said, I would not support this bill. Thank you.

Robert R. Cupp ([01:06:01](#)):

Question is, shall the bill pass? Chair recognizes Leader Sykes.

Emilia Strong Sykes ([01:06:07](#)):

Thank you, Mr. Speaker. "Marked by impartiality and honesty, free from self-interest prejudice or favoritism." That is the definition of fair, based on Merriam Webster's dictionary. That is not substance in bill 258, nor the process by which we got here. But if you do look a little bit further in that definition of fair in the Merriam Webster dictionary, there's another definition that I do think is much more appropriate, and it is, "not very good or very bad." That is what substitute Senate Bill 258 is. And so as we talk about what is fair, I guess we can consider what definitions we're looking at because there is a definition. "Impartiality, honesty, free from self-interest, favorability, or prejudice" is what people voted for in 2018. It's what my colleague alluded to from that certification from our then Secretary of State, now Lieutenant Governor Jon Husted about what would be on the ballot.

Emilia Strong Sykes ([01:07:16](#)):

But instead this bill gives people another definition of fair, not very good or very bad. And if you think that is what the reforms from 2018 intended to do, you, my friends are sadly, sadly mistaken. I have been a part of this redistricting process, whether through the redistricting commission or as leading in this caucus, and had the benefit of listening to a lot of people across the state of Ohio. And they had an awful lot to say, because quite frankly, what I heard in these hearings, what I read in the letters and emails and thousands of postcards that I've received over the past year or so-

PART 2 OF 6 ENDS [01:08:04]

Emilia Strong Sykes ([01:08:00](#)):

... in thousands of postcards that I've received over the past year or so, is that people are sick of politicians fighting about literally everything. People want a government that works for them. They want to be able to believe in democracy and believe of the ideals of the founding of this country, that all men are created equal, that we all have the ability to pursue life, liberty, and the pursuit of happiness. But unfortunately, people in suits and dresses get in the way, because politics and power becomes more important than the people. And when the people of the state said that they are fed up, they took the law into their own hands, using the state constitution and helped us get a constitutional amendment that would allow for us to stop fighting, so they thought.

Emilia Strong Sykes ([01:09:07](#)):

We had people come in and talk about literally every policy matter under the sun. And I heard in response, "What does that have to do with the maps?" It has everything to do with the maps, because the most predictable thing, the thing that predicts an outcome of an election, a legislative election, is how the maps are drawn, how the lines are drawn. That is the biggest predictor of any election. So when we hear things about, "You all just aren't good enough. You all don't do this right. You all have the right wrong candidates," that is a simple, easy distraction for the reality that the lines drawn are the single highest predictor of an outcome of an election.

Emilia Strong Sykes ([01:10:01](#)):

And what people have come to see and notice is that that decision that we make the year after the census is conducted will determine our destiny at the state and federal level for the next 10 years. And it simply was not working for the people of this state to continue down the path we had gone down before war. So we are here on this floor today, and we have an opportunity to work for the people who elected us to be here and to do the exact thing that they asked us to do in 2018, when they voted

overwhelmingly in support of that institutional amendment. But that again is not what we're doing today, because those fair maps that they voted for were the ones marked by impartiality and honesty, free from self interest in prejudice or favoritism, but instead, what they're getting is not very good or very bad.

Emilia Strong Sykes ([01:11:07](#)):

It doesn't take a rocket scientist to understand the irony, if you will, of the fact that this bill was being threatened by members of the Republican super majority to pass another bill that is extreme, unnecessary, and one that people don't even want in this state, in order to pass congressional maps. This process, perhaps the most consequential thing that we will do, it is the most consequential thing that we will do in this general assembly, but that was even hijacked by the fact that we have already gerrymandered maps, which allows political extremism to take precedence over public policy.

Emilia Strong Sykes ([01:12:06](#)):

And now we are voting on not very good, very bad maps, and we will then later vote on an even worse bill that was used to hijack this process. So it's pretty clear where we are today with this. This bill will likely pass, unfortunately, on party lines. So I will reserve the remaining parts of my comments, not to this chamber, not to the members who are here, but to those who are watching on the Ohio channel and our esteemed governor, because this is a bill, and the executive branch has the ability to veto a bill that he, and maybe one day she, sees as inappropriate. And when our current governor Mike DeWine was running for governor, he said in 2018, "The rules are pretty clear. The voters said that the redistricting process should be done in a bipartisan way. And when I am governor, there will be an expectation that the new district maps honor the voters' wishes."

Emilia Strong Sykes ([01:13:21](#)):

I think it's worth reading that again. "The rules are pretty clear. The voters said that the redistricting process should be done in a bipartisan way. And when I am governor," said Mike DeWine, "There will be an expectation that the new district maps honor the voters' wishes." Governor DeWine, I do hope that you honor your words from 2018, or even your words from just a couple of weeks ago where you said, "I think it's pretty clear neither one of these maps, the 13:2 maps are going to fly." Substitutes into Bill 258 is a redesign of the 13:2 map that you said quote, "It's pretty clear neither one of these maps are going to fly." I think that the governor has made his own case for vetoing these maps. Mr. Governor, I would 100% support you in that. And you will receive a letter shortly.

Emilia Strong Sykes ([01:14:19](#)):

But in the event that the governor DeWine does not have the fortitude to stand up to the Republican super majority and does not give you the definition of fair, which is impartial, honest, free from self-interest, prejudice, or favoritism, I am going to talk to the voters of the state of Ohio, because the state of this constitution, this state's constitution also allows for referendum of bills if they are offensive to the public. Now, 10 years ago, another Senate bill ... and we think that the Senate is our superior 10. That's what they say, but here we are again on the precipice of another referendum. Senate Bill five, 10 years ago was voted on because it was an awful terrible bill for the future of our state. And the people said, "We are getting rid of this." The people of the state have the opportunity to do that again. Now I know, you shouldn't have to. And I am very sorry that we are here at this point. And if there is anything I can do to apologize for that, I will take on the burden of apologizing. And I apologize to you that the Republican super majorities failed to live up to what they were supposed to do for you and decided that

they did not have to work for you and will not be accountable to you, but you can still make them accountable. And I hope that the voters of the state are not fatigued and overwhelmed with despair so much so that they give up this fight, because it is not over. For all of you who came to committee hearings and you shared with us about your communities, you shared with us about your common interests, you talked about how beautiful certain neighborhoods were and how much you loved living here, why you moved here, why you stayed here, why you want to see your grandchildren raised here, even those of you who laughed with us, those of you who cried in front of us, those of you who even yelled at us, and some of you all called us names, your voices are, and still are, very, very important. And you can still get the government that you want and the government that you deserve.

Emilia Strong Sykes ([01:16:45](#)):

Our government is created by and for the people. And sometimes the people have to rise up and tell the elected officials when they're doing things wrong. I hope that you maintain that mustard seed of faith and you keep fighting, because I recall telling all of you that I keep a mustard seed of faith. Even in this position as a Democrat in the super minority, I get my faith from a much higher power than any man in this room or others. And while I may not have any faith that the Republican leadership will do the right thing, I do have faith in the people of this state. And I do have faith that things will work out for all of us in the end, in the way that they are supposed to.

Emilia Strong Sykes ([01:17:41](#)):

So I am encouraging every single Ohioan who happens to be tuned into the Ohio channel this lovely fall afternoon, and reminding them that there are people who are willing to work for them. And we are willing to work with you to get the results that you deserve in this state, because it is just that important. So ladies and gentlemen of this chamber, again, I encourage you all to vote no on substitutes into Bill 258. Ohioans deserve better than not very good or very bad, which this bill is. Governor DeWine, I am asking you personally to veto this map. And to the people of the state, I am encouraging you to keep fighting for your Ohio promise of better lives and brighter features in an economy that works for everyone. Thank you, Mr. Speaker.

Speaker ([01:18:37](#)):

Question is, shall the bill pass? The chair recognizes representative Seitz.

Bill Seitz ([01:18:41](#)):

Thank you, Mr. Speaker. We've had a lively debate this afternoon and we've heard a lot about how we, the citizens of Ohio, are tired of having the politicians pick their voters rather than the voters pick their politicians. During all the public testimony, which I would remind everyone we had far many more meetings and public opportunities for input this time around than we did 10 years ago when I was here, we heard all those voices. Some of the loudest were from the former chairman of the Ohio democratic party, who said that neither most of the Republican congressmen in Ohio, nor most of the Republican members in this chamber could ever win election but for gerrymandered districts. The whole problem is gerrymandered districts. He called us hacks, he called the former Justice of the Supreme Court a hack, he called Senator Huffman a hack. He called many of you hacks, couldn't win without gerrymandered districts, but he, and those that expressed that point of view never fessed up to an interesting fact.

Bill Seitz ([01:20:06](#)):

If it's all about gerrymandered districts, then tell me why the governor of Ohio is a Republican, the lieutenant governor of Ohio is a Republican, the Secretary of State of Ohio is a Republican, the attorney general of Ohio is a Republican, the treasurer of state is a Republican, the auditor of state is a Republican. Is the whole state gerrymandered, or have we become a red state? Perhaps those arguing for fairness might next propose a constitutional amendment that we somehow reach up and draw Detroit down into the state of Ohio to make it more fair, or to draw Pittsburgh over the Ohio river to make it more fair, but I'm sure the democratic parties of Michigan and Pennsylvania would have something to say about that. We've heard a lot about the 13 to 2 map. 13 to 2 map, 13 to 2 map. Says who? Dave? Who's Dave? Predictions are predictions and predictions often turn out to be wholly untrue.

Bill Seitz ([01:21:23](#)):

Let me give you exhibit A, the state of Virginia, which voted for Joe Biden by over 10 points in last year's presidential election, and yet a scant couple weeks ago elected a Republican governor in something on the order of a 12 to 14 point reversal of fortunes. And while they were at it, they elected their first African American lieutenant governor, Republican, and their first Latino attorney general, Republican. So all statewide offices to be elected in Virginia this past year turned on a dime, overcame a 10 point deficit, and are now Republicans. Exhibit B, the state of New Jersey, 16 points last year, victory for President Biden over Trump. And yet the democratic governor of New Jersey held on by a scant two points. Again, a 14 point reversal of fortune in one year. Exhibit C, just two days ago, Columbia, South Carolina, in a county that voted by Joe Biden in South Carolina by over 40 points last year, 40, not four, 40, just elected their first Republican mayor on a 52% to 48% victory, their first Republican mayor in the city of Columbia in over 30 years.

Bill Seitz ([01:22:59](#)):

Now how does exhibits A, B, and C stack up against the so called 13 to 2 map? Well, my expert here, Mr. Swearington tells that in nine of the 15 districts in the map before you today, the partisan index is 8% or less, something on the order of 54 to 46. And in seven of the 15, it is 4% or less. Well folks, the red wave is a coming at you like a freight train, and we've seen it in Virginia and we've seen it in New Jersey and we see it in Columbia, South Carolina. And if we can overcome 10 points, 16 points, 40 points in one year, you can too. It certainly isn't because of bad leadership on the part of the democratic party. Mr. Pepper was chairman during all that time the Republicans won all those seats.

Bill Seitz ([01:24:12](#)):

Now we've heard a lot about Hamilton County, and I feel compelled to talk about Hamilton County because I've lived in Hamilton County longer than anybody else in this room here today has lived in Hamilton County. And I can tell you that my part of Hamilton County, we are pleased as punch to be allied with our great friends in Warren County, representative Zeltwanger, representative Lips, Senator Wilson. We all work together to get good capital projects for our region. We have a lot more in Greene Township and Delhi Township, Harrison, Colerain Township, Crosby Township, Whitewater Township. We got a lot more in common with the good folks of Deerfield Township and Mason and Springboro and some of those other ... South Lebanon, Lebanon, and Ronnie [mag 01:25:15]. I remember all the great people from Warren County. So the idea that everybody in Hamilton County is mad is fiction.

Bill Seitz ([01:25:22](#)):

The Democrats are mad. And the Democrats are mad because it was their single-handed objective for these maps to create a map in which Congressman Shavit would lose, would lose. Those of you that talk about fair, impartial, honest need to review the history of Congressman Shavit. Congressman Shavit defeated two incumbent congressman over his career, Mann and Drehouse, four Cincinnati mayors over his career, Mann, Cranley, Qualls, and Peraval, four. And in every one of his elections, it's always been within a whisker. He has had more competitive elections than anybody else in Ohio in Congress over the last 25 years.

Bill Seitz ([01:26:25](#)):

And guess what? The map before us today creates a district that according to Dave or the eggheads at Princeton favor Shavit by a point or two, at best. One or two points. One or two points. Is he calling us up, "Oh, oh, you're really hurting me?" No, he's took on those of fights for 25 years. He's going to take it on again, but he wasn't going to put up with the rigged map that the Democrats submitted. They're just mad because they haven't been able to beat him. And I have every reason to believe it'll be a spirited contest and that we have, in this map that we've proposed, far more competitive districts than the Democrats did with far fewer jurisdictional splits than the Democrats' map showed. We're doing what the city of Cincinnati always wanted. Shavit had 75% of the city of Cincinnati before. Now he's got a hundred percent of the city of Cincinnati. Instead of them doing somersaults and saying, "Well, you finally did what we wanted," no, they moved on to something else to complain about.

Bill Seitz ([01:27:42](#)):

In closing folks, there's been enough hypocrisy around this whole issue to fill a Texas-sized outhouse. We drew maps that keep communities of interest together, because the best definition of what a community of interest is, is a city boundary or a township boundary or a county boundary. And as I said a minute ago, the maps we're about to vote on have fewer jurisdictional splits than any other map that was presented and fewer jurisdictional splits than any map in the last 50 years. So we kept that community of interest together. We did a marvelous job of keeping communities of interest together.

Bill Seitz ([01:28:35](#)):

And to show you just how hypocritical this is, about 45 minutes ago on the little Twitter feed, I saw a Twitter from the Equal Districts, which is one of the allied liberal organizations that came down here and beat the drums for what they called fair maps, and they said, "These maps would give Republicans 80-87% of Ohio seats in Congress, even though Republicans only win 55% of the vote. Stop cheating us." That's what they said. But when the state redistricting commission considered maps for the general assembly a few weeks ago, they looked at the map submitted by the democratic members of that commission, which would've taken the seven house seats in Hamilton County, a county which lately votes 55% Democrat, 45% Republican based on the results of DeWine versus his opponent and Trump versus Biden, 55% Democrat, but the democratic map submitted to the redistricting commission gave the Democrats at least five of the seven seats.

Bill Seitz ([01:30:02](#)):

71% of the seats would go to Democrats in a county that votes 55% Democrat. Somehow that's not cheating, but what we're about to do is cheating. And one of the expert witnesses filed an affidavit on behalf of the people suing the redistricting commission in the Supreme court. And in that affidavit, some professor whose name is Latiner, I believe, said that the fair map for Hamilton County would be six Democrat seats and one Republican seat. Six Democrat seats and one Republican seat. Guess what

folks? That's 86% of the seats in Hamilton County, a county that votes 55% Democrat. Oh, but that's fair. Fair, ladies and gentlemen, is in the eyes of the beholder. We have followed the constitution. We have done our duty. We have listened to the people. Listening to them does not mean agreeing with them. We are prepared to forge ahead in eager anticipation of the election results in 2022. I urge a yes vote.

Speaker ([01:31:16](#)):

Question is, shall the bill pass? The House will prepare and proceed to vote. Have all members now voted? Clerk will take the role. 55 affirmative votes, 36 negative votes. Having received a required constitutional majority, the bill is hereby pass and entitled.

Speaker 3 ([01:31:55](#)):

Enact to an act section of the [inaudible 01:31:56] code to establish congressional district boundaries for the state based on the 2020 decennial census delay, certain deadlines with it to the 2022 congressional primary election.

Speaker ([01:32:04](#)):

Question is, shall the title be agreed to? Representative Wilkin moves to amend the title. If you wish to add your name to the title, please do so at this time. Without objection, the title will be agreed to. Hearing no objection, the title is agreed to. Bills for third consideration.

Speaker 3 ([01:32:27](#)):

[inaudible 01:32:27] household number 292, representative [inaudible 01:32:28] and others to amend to a section of the advised code to create a temporary sales tax exemptions for electric vehicle production parts and to create the electric vehicle commission.

Speaker ([01:32:35](#)):

Question is, shall the bill pass. The chair recognizes representative Sobecki.

Rep. Sobecki ([01:32:40](#)):

Thank you, Mr. Speaker. Permission to speak to the bill?

Speaker ([01:32:42](#)):

Representative may proceed.

Rep. Sobecki ([01:32:44](#)):

Thank you, Mr. Speaker. I urge my colleague support House Bill 292 in its current form, which establishes an electric vehicle commission. First I'll explain what is in the bill. And then second, I will tell you why we need it. House Bill 292 is actually a true bipartisan piece of legislation that establishes the electric vehicle commission and creates a temporary sales tax exemption for electric vehicle production parts. The commission consists of 10 people, four current lawmakers, two from the Senate and two from the House, each one split between the majority and minority caucuses. The governor that appoints six members, one to each represents the following local governments: organized labor, operating in the automotive industry, the automotive industry itself, the Ohio Automobile Dealers Association, the electric vehicle charging station of manufacturing industry, and Clean Fuels Ohio. The commission is

responsible for evaluating the impact on jobs related to electric vehicle production, trading, research and development, and the effectiveness of the tax exemption.

Rep. Sobecki ([01:34:12](#)):

The commission is required to submit an annual report to the Department of Transportation and leadership of each chamber. House Bill 292 also creates a temporary exemption on the sales tax for qualifying property. The [inaudible 01:34:30] expiration is December 31st, 2026. The definition of qualified property is narrow. It is for parts specifically designed for electric vehicle production. It does not include car parts, such as tires or radios that are also used for combustion engine vehicles. The commission is modeled after similar legislation in Indiana, which was passed and enacted in April of this year. Additionally, five of our fellow states in the Midwest created a regional Electric Vehicle Coalition, of which we were not a part of. These are examples of what other states are doing to prepare for the onset of electric vehicle industry. If they prioritize this issue, we as state need to prioritize this issue too.

Rep. Sobecki ([01:35:27](#)):

Establishing an Electrical Vehicle Commission is critical to Ohio's future. Ohio has a long history as a powerhouse in the automotive industry, from the creation of the electric starter by Dayton native Charles Kettering, to Cleveland's Alexander Winton, who created the first horseless carriage. The buckeye state has always been home to automotive innovators. It's time for us to take the next step. Companies like Ford, GM, and Honda have each declared their intent to begin producing new electric vehicles, each with aggressive plans for new technologies. Ohio must be in the center of this new innovation. As a number one producer of engines in America and historic home to the auto industry, we must ensure Ohio is prepared to make this shift to greener vehicles. Like many other states with large auto industries, we must be prepared for this shift to new technologies and must assure Ohio remains competitive in the changing industry.

Rep. Sobecki ([01:36:44](#)):

We must evolve and coordinate workforce development, infrastructure, and supply chain operations to support an emerging industry that has created well paying jobs for Ohioans. By taking a look at how Ohio can adapt and grow, we can be the center of a revolution in the electric vehicle technology. House Bill 292 is favorably reported by the House Transportation Committee 11 to one. And I want to thank members of the House Transportation and public safety committee, including Chair Baldrige. Thank you, my friend, and ranking member Representative Sheehy for their support. I want to thank my joint sponsor, Rep. [inaudible 01:37:32], his legislative aid, Zen Taylor. Thank you for our policy advisor for Transportation Committee, the minority policy director, Nick Mutuo. Thank you to the LSC staffers who worked on the bill. And most importantly, I thank my legislative aid, Benjamin Lynn. Thank you Mr. Speaker for bringing House Bill 292 to the floor for a vote today and by establishing an Electric Vehicle Commission, House Bill 292 thrust Ohio forward into overdrive, an electric vehicle future. I urge a vote on House Bill 292.

Speaker ([01:38:12](#)):

Question is, shall the bill pass? The chair recognizes representative Cutrona.

Rep. Cutrona ([01:38:16](#)):

Thank you, speaker. And I'd also like to reiterate that this is really an essential bill for the state of Ohio. We must stay competitive, and that's exactly what this piece of legislation does. And my joint sponsor

had mentioned exactly what this bill does and I won't waste any additional time. And I know we're all busy, but it does show that we can work together, doesn't it? And that's what this legislation will accomplish. And Ohio is a manufacturing place and we will continue to do that. And we need to let the rest of the country know that we are here, we are open to manufacturing these EV vehicles. As we start producing those, this will continue to make us competitive amongst bordering states. I urge a yes vote, and I'd like to thank you, Mr. Speaker, for allowing this to hit the House floor and for chairman Baldrige.

Speaker ([01:39:07](#)):

Question is, shall the bill pass? The chair recognizes representative Sheehy.

Rep. Sheehy ([01:39:11](#)):

Thank you, Mr. Speaker. I rise today in support of House Bill 292, which will establish the Electric Vehicle Commission within the Department of Transportation and authorizes the temporary sales and use tax exemption for certain parts used in the production of electric vehicles. The Electric Vehicles Commission study will make recommendations related to the EV production in Ohio. This body will help position Ohio retain its dominant role future of the automotive industry. Through House Bill 292, we can assure that the transition into the electric vehicle benefits all consumers, supports American workers, and enhances our state and national competitiveness and national security. House Bill 292 will not have any opponents that passed ... did not have any opponents and passed through the Transportation and Public Safety Committee 11 to one. I want to thank Representative Subeky and Representative [inaudible 01:40:20] for their work on this bill, chairman Baldrige, again, for his leadership in the committee, and all the members of the Transportation Committee and Public Safety Committee for their careful consideration on House Bill 292. And you Mr. Speaker, again, thank you for bringing this bill to the floor. I urge passage.

Speaker ([01:40:38](#)):

Question is, shall the bill pass? The House will prepare and proceed to vote. Have all members now voted? Clerk will take the role. 78 affirmative votes, 10 negative votes. The bill has received the required constitutional majority and the bill is hereby passed and entitled.

Speaker 3 ([01:41:14](#)):

[inaudible 01:41:14] section of the advised to create a temporary sales tax exemption for electric vehicle production parts and to create the Electric Vehicle Commission.

Speaker ([01:41:19](#)):

Question is, shall the title be agreed to? Representative Subecky moves to amend the title. If you wish to add your name to the title, please do so at this time. Without objection, the title be agreed to. Hearing no objection, the title is agreed to. Bills for third consideration.

Speaker 3 ([01:41:42](#)):

House Bill number 371, Representative Schmidt and others to amend section revised code to amend the laws governing coverage of screening mamography and patient notice of dense breast tissue.

Speaker ([01:41:49](#)):

Question is, shall the bill pass? The chair recognizes representative Schmidt.

Rep. Schmidt ([01:41:53](#)):

Thank you, Mr. Speaker. I rise today and ask for you to support House Bill 371, which will bring breast cancer screening into the 21st -

PART 3 OF 6 ENDS [01:42:04]

Jean Schmidt ([01:42:00](#)):

Which will bring breast cancer screening into the 21st century. This bill allows for the use of modern technology, which will increase breast cancer screening accessibility and early detection for patients. Mammography is the first line of breast cancer detection. In years ago, when I was in this body, I fought to make sure insurance companies would pay for our mammographies. Today, our fight continues. I became aware of this needed legislation when my close friend, Michelle Young found out she had advanced stage breast cancer. In 2014, her mammogram showed she had dense breasts, but the image failed to show a small tumor was lurking inside. Four years later, the tumor grew large enough to be detected with that 20 year old technology. The cancer spread and costly aggressive treatments were used. Using modern technology coupled with additional screenings could have caught that tumor in its earliest stage. The surgery, the chemotherapy, and the radiation would have been unnecessary.

Jean Schmidt ([01:43:23](#)):

House Bill 371 allows all women and men to have tomosynthesis during all visits, which is an improvement in mammography technology. Women of any age will be eligible for a mammogram every year and not limit it based on age or risk factors or multi-year waiting periods. If dense breast are detected, they will receive an updated letter describing the underlying risks they have and suggest they may need additional screenings. And that it is up to them and their healthcare providers to decide which additional screenings may be needed. Digital breast tomosynthesis is like a mammogram, but provides better quality images for more accurate diagnosis, which is included in the definition of a mammogram in this bill. This bill also ensures that women who are diagnosed with dense breast tissue will have full access to primary and supplemental breast cancer screenings and be made more aware of the risks we face.

Jean Schmidt ([01:44:42](#)):

Supplemental breast screenings or any additional screening deemed necessary by their healthcare provider in accordance with the American College of Radiology, including MRIs, ultrasound or other molecular breast imaging. Women and their primary caregivers will decide what screenings are necessary, not insurance companies. Commercial insurance companies, and Medicaid will be required to cover the cost for these supplemental life saving screenings for adult women and men, who have dense breast tissue or have a primary history of breast cancer or have ancestral or genetic predisposition to breast cancer as determined by their healthcare provider. One out of eight women will get breast cancer and 95% will have had no prior breast cancer history in their family. Women with dense breast will have a greater risk. We know early detection is the key to survival. We know it reduces costs and hopefully finds a complete cure. Most importantly, we know that the human cost to families, to the employers, to society, when a woman fights for her life is enormous.

Jean Schmidt ([01:46:07](#)):

We have the advanced technology to identify cancer at its earliest stage. This bill will make sure we are using it. I would like to thank the medical team at the University of Cincinnati Hospital that helped both Representative Denson and myself with this bill, including doctors Brown, Lauer and Mahoney. I also want to thank my former aide, Steven Caraway, my current aide, Tyler Harmon, my intern, John [Oche 01:46:37] for their help and for chairman Manchester and the Committee On Family And Aging for unanimously voting this to this floor. I also want to finally thank my very dear friend, Michelle Young for bringing this to my attention, this life saving bill and I urge your support. Thank you.

Speaker ([01:47:01](#)):

Question is, shall the bill pass? The chair recognizes representative Denson.

Sedrick Denson ([01:47:05](#)):

Permission to speak to the bill.

Speaker ([01:47:07](#)):

Representative may proceed.

Sedrick Denson ([01:47:08](#)):

Thank you, Mr. Speaker. I want to go and add a little bit more to this bill. Representative Schmidt gave a lot of details, but I want to talk about some other things that you may not know. Compared to other types of cancer, breast cancer causes one of the highest rates of cancer related deaths amongst women. Among all of the fighters we have lost, African American women have breast cancer mortality rate higher than any other racial ethnic group at 31%. White and black women are amongst the racial and ethnic group that are most affected by breast cancer. However, the mortality rate for black women diagnosed with breast cancer is over 40% higher than that of white women. Improvements in follow up of abnormal screening tests treatment for breast cancer for black women is critical as we continue to address racial disparities. We must also empower women who often feel marginalized by our medical system.

Sedrick Denson ([01:48:03](#)):

By improving the way we notify women with dense breast tissue. This bill will increase one's ability to advocate for themselves and push for the necessary screening. Increasing accessibility to that supplemental screening by expanding what is covered by Medicaid and commercial plans for women will allow for more women to be diagnosed and receive treatment earlier. The bottom line is, measures to ensure access to quality breast cancer care and the best available treatments for all women diagnosed with breast cancer can help with racial disparities. This is a huge part of why House Bill 371 is so important. Today, we are in a position to do something that is very important and that save lives. We do a lot of things in these chambers, we just spent some time working on one issue, but today we have the option to do something that is going to be along the lines of preventative healthcare. It can also mean the difference of whether a mother comes home to her family.

Sedrick Denson ([01:49:05](#)):

It could simply mean the difference of whether a mom is sitting at a dinner table with her family. It could mean the loss of a conversation with a loved one. I get emotional about it, but because as the representative Schmidt mentioned, my dear friend, Michelle Young made me aware of this and she

courageously stepped forward when she didn't have to. And she found out that she was lucky enough to save herself, but not everyone is. When she made us aware of this bill, we got busy and she was right there along the way. Michelle, I love you. You're our hero today. Thank you. I'd like everybody to please acknowledge her.

Sedrick Denson ([01:49:57](#)):

She was going to make sure I got this bill passed one way or the other. She's been working on this hard. But I also want to thank my co-sponsor, joint sponsor, Representative Schmidt, I've learned so much from you working on this. Thank you for being there along the way with me and making sure we got this over the finish line. I want to thank Rep Manchester for getting this through committee during breast cancer month. I want to thank my aide, Felicia White and I want to thank my illustrious minority leader, Leader Sykes. And you Mr. Speaker for bringing this to the floor today. I hope my colleagues will join us in supporting this bill today. Thank you.

Speaker ([01:50:34](#)):

Question is, shall the bill pass? The house will prepare and proceed to vote. If all members now voted, Clerk will take the role.

Clerk ([01:51:02](#)):

87 affirmative votes, no negative votes.

Speaker ([01:51:04](#)):

Vote is 87 affirmative votes, no negative votes. Having received the required constitutional majority, the bill is here by passed and entitled.

Speaker 4 ([01:51:12](#)):

An act to enact section and revised schedule of the laws governing coverage of screening mammography and patient dense breast tissue.

Speaker ([01:51:18](#)):

The question is, shall the title be agreed too? Representative Schmidt moves to amend the title, if you wish to add your name to the title, please do so at this time. That objection title be agreed too. You're in objection, the title is agreed too. Bills for third consideration.

Speaker 4 ([01:51:41](#)):

Sub House Bill number 218, Representatives Cutrona and others to amend to enact section advice cut to address medical requirements for employees and students to address qualified immunity, regarding certain coronavirus's authorized emergency medical technicians to administer COVID-19 tests to expressly cover COVID-19 vaccine injuries under the worker's compensation system and to repeal section of the revised code on September 30th, 2025.

Speaker ([01:52:00](#)):

Question is, shall the bill pass? The chair recognizes Representative Cutrona.

Al Cutrona ([01:52:05](#)):

Thank you, Speaker. I wish I could take credit for this bill here on the house floor, but that wouldn't be right. The reason being is that there's so many different members and this caucus that worked diligently to provide a good solid bill that would provide the necessary medical freedoms and the individual rights for so many Ohioans. With that being said, a lot of people here have already heard my background. They're familiar with it. They know that I run an infectious disease medical practice. They know that. And I can down that long line of the medical background, but the truth is this piece of legislation has absolutely nothing to do with the validity of the COVID-19 vaccination and how it works. What this is, is a bill that balances the individual freedoms and balances businesses. We're doing this weighing option right now.

Al Cutrona (01:53:10):

And at the end of the day, the people must come first. And so that's what this piece of legislation is looking to accomplish. And how does it do that? You might ask. It does it with the use of exemptions. We've seen these exemptions, the religious and medical exemptions. Those are exemptions that are just being codified, that are already given through the federal government. We're codifying that here. Additional added into this piece of legislation is the antibody test and naturally just being able to object on your own grounds for the reason not taking it.

Al Cutrona (01:53:53):

Additionally, this piece of legislation has passport vaccination talked in into this. Now this is a piece of legislation that I had worked very hard on with HB 253 and was able to implement this in this piece of legislation. But like I mentioned, so many members had also saw this as a concern for so many Ohioans. And what that will do is prevent people from having whether the public or private prevent them from entry due to their vaccination status. A step further, we do not want to discriminate against our children. They should be afforded the opportunity to have an education and not be treated differently based upon their or vaccination status. That is exactly what this piece of legislation does, prevents discrimination.

Al Cutrona (01:54:43):

And I want to also note that this piece of legislation will leave no healthcare worker cut and hung out to dry. They work so diligently and so hard to save so many folks during this pandemic. There's no reason that they should lose their job, their employment, based upon this COVID-19 vaccination. With that being said, I would also like to point to the fact that this bill has teeth to it, which is essential for this piece of legislation to be used and to be enforceable. A lot of people ask why now, why this at this point, why this time. Well, what better time than now? OSHA says that they are going to go ahead and agree with what the federal courts have said, this is perfect timing. Let's get this legislation through and do what we can do for Ohioans. That's important. We need to take a stand on that.

Al Cutrona (01:55:46):

Now, frankly, as far as I'm concerned, Ohio medical decisions should not be held hostage rather by the radical left or by special interest groups. I refuse to let that happen, as so many of my colleagues here, they have been fighting hard, so many of us. And you can see that, that this is truly the voice of the people here of Ohio, by all the amounts of legislation, from all across the state of Ohio. Listen, I have heard from them and I have spoken to them. At the end of the day, I do not want this piece of legislation to get a bunch of red herrings out there and just go down a path of the validity of vaccinations. I want this piece of legislation to look at the fact that we are protecting Ohioans' jobs. We are protecting

Ohioans' individual freedoms for their medical decisions. I urge support and I'm sure that we're going to have a lot of folks here stand up and talk, because this is an important issue for the state of Ohio. I urge passage of sub bill 218. Thank you, Speaker.

Speaker ([01:56:58](#)):

Question is, shall the bill pass? The chair recognizes Representative Stein.

Dick Stein ([01:57:04](#)):

Thank you, Speaker. Thank you, Speaker cup for the opportunity to speak favor of House Bill 218. But before I make my remarks on the bill, I feel compelled to offer a special thanks to you and the leadership team. And especially the members are caucus, who collaborated together for the good of all Ohioans. This is an emotionally charged issue, and yet a compromise through teamwork. We have taken a monumental step in restoring the personal freedoms of our citizens. To Bob Reed, to Pat Tully, to Christine Mortenson, whom I've talked to in the last few days more than my wife, thank you for your professionalism and support. We would not be here without you. House Bill 18 is a bill about trust and putting trust in the people of Ohio and their right to make personal healthcare decisions that will have long life consequences for themselves and their families.

Dick Stein ([01:58:10](#)):

This legislation is not as was mentioned, anti-vaccs bill, many of us on both sides of the aisle have been fully vaccinated, including myself. No, House Bill 218 is about individual personal freedom of self-determination and the American principle of freedom to exercise our free will. House Bill 218 is based on the concept that have been discussed here for several months in multiple committees and incorporates members amendments from the most recent version of House Bill 435 with three principle additional provisions. One, fairness for our school children, regardless of their vaccination status. Two, equal access to businesses for all citizens, regardless of their vaccination status. And three, that a good faith effort by our hospital administrators to assign our healthcare professionals working as our heroes in our ICUs and children hospitals to alternate departments when they are unable, due to medical or personal reasons of conscience, from receiving the COVID-19 vaccination. This bill is a collaboration of the possible, not the perfect. The time has come to pass this bill. The urgency of our constituents has grown louder and more visceral. As I mentioned earlier, House Bill 218 is a bill about restoring the trust in a broken system that has created doubt in the mind of our constituents. In the beginning, we were told we need to close non-essential businesses just for a few days to slow the curve, to keep us safe, to keep us alive. Early on, we are told no need to mask. They don't help. No, wait, wear a mask, keep us safe, slow the curve. It'll keep us alive. Don't give hugs. Don't touch. Don't shake hands. Don't shop online or go to church online, go to school online. We need to slow the curve to keep us safe. Don't look at the data on increased depression or suicides or drug overdoses or how our children's education is declining.

Dick Stein ([02:00:42](#)):

We need to keep us safe. Some things are unavoidable. Government knows best. Trust us. We'll keep you safe. All of us, show all of us the data, we said to our government. It's complicated. Trust us. We're the government and we're here to help. We need to slow the spread to keep you alive and keep you safe. Finally, we have a vaccine, it's safe. Trust us. You can stop masking. No, wait, keep masking. It's not for you. We need to reach herd immunity to keep us safe. Big Pharma, the government tells us that natural immunity is not a thing. Only the vaccination can stop the pandemic. No, wait. You may might

need a booster. Okay, for sure. Those that have risk and comorbidities. Well, okay. Everybody should get a booster. It's for your own good. It'll keep you safe.

Dick Stein ([02:01:44](#)):

Finally, Washington admits. Well, if you're vaccinated for COVID-19, yes, you can still be hospitalized. You can still die. You can still spread it. Go back, wear a mask, keep your distance. Don't touch your face. Stay away from your loved ones during the holidays. And remember we're all in this together. Who do you trust? Do you trust Washington? Do you trust your state? How about Big Pharma? Do you trust them? Should Ohioans trust our employers to make personal healthcare decisions on our behalf? Trust is earned. Ask yourself, have they earned our trust? House Bill 218 is a bill that allows individual personal freedom to choose to opt out of the vaccine merry-go-round, to work with your healthcare providers to decide what is the best path forward, for you, your family, your loved ones, anyone who is a part of your life. Federal, state, or business mandates will never rebuild the trust of this broken system. Only the freedom to choose through an informed and educated decision will ever accomplish this goal. In closing, we are the representatives of over 11 million Ohioans, who today must decide who do we trust, our federal government, our state government, Big Pharma, or our families, the individuals we were elected to serve. I trust the people and ask you to join me in supporting 218. Thank you.

Speaker ([02:03:44](#)):

Question is, shall the bill pass? The chair recognizes Representative Brent.

Juanita Brent ([02:03:50](#)):

Thank you, speaker. I may speak to the bill.

Speaker ([02:03:53](#)):

Representative may proceed.

Juanita Brent ([02:03:54](#)):

Thank you so much. This bill, House Bill 218 is a straight bait and switch. If you look at the original bill, it was a straight up liquor bill. It was a liquor bill. I was not excited about, had one hearing some months ago, looked like a bill that they like forgot about. And then it was a straight baiting switch with this anti-vaccine bill. So when the sponsor of the bill came to the Florida house and said, "Oh, this is something from the radical left." You calling the Chamber of Commerce, the radical left? These cybers, Republican former congressmen, are you calling the Ohio Manufacturers' Association the radical left? Ross McGregor, who's a former Republican state rep. We could keep on going on. Because those groups in particular are against this House Bill 218, House Bill 435.

Juanita Brent ([02:04:46](#)):

We could keep on going on because it impedes when it comes to businesses being able to do their job and that's to have a safe work environment for people. It has to be a combination of healthcare and make sure we have access to businesses. This does not do that at all, at all. When businesses are taking the advice of the CDC, the World Health Organization, our public health organizations within the state, they are not being led by what we individually are telling them to do. They're being led by science and public health to make sure that our spouses, our children, our loved ones, our constituents can go to a safe workplace. And this bill is impeding against that, completely. Now, if somebody doesn't want to get

it, they want to work at a hospital, most hospitals right now have you take at least 25 vaccines just to be a nurse, physician.

Juanita Brent ([02:05:43](#)):

Even if you want to change the trash, you have to have some type of form of immunization within our hospital system. Because that's what's needed to work there. Even coming here to the State House, there are certain rules that all of us have to have to work here. It's called standards. Every workplace has its own standards. When you go to the cafeteria, what does the person wear who's serving your food? A hair net, because that's their standard to have a safe work environment. So what we're seeing in this situation is that safety, the public health and what employees are saying was best, so they can be able to make sure that people can still go home and make their paycheck, is not important. We are putting people in legal obligations... Legal problems, not legal obligations, but making legal problems for businesses. They don't need those situations at all.

Juanita Brent ([02:06:36](#)):

We are not mixing between being pro-business, pro-science and pro-people with this at all. It's not working. Like I said at the beginning, this is a straight bait and switch. There was not time for us to really go over this bill. I'm not done. When it comes to all of this, it's just very problematic. And as much as somebody says, "Well, my business does this," was it like you and two other people in your business, you all probably live in the same house, you don't have to worry about those standards, but people who are going to a business, they want to make sure that when people leave and come out, their health is not being jeopardized with that. Maybe this job might have to implement six feet away, or it might have to implement, you can test it for whatever reason you cannot get vaccinated, but it has to be something of that.

Juanita Brent ([02:07:27](#)):

But this is not where this bill is going. And this is very problematic for the state of Ohio. And enough is enough. If people say they really want to care about Ohio, then help try to bring some more people to this state. This is why people don't want to live here. We just pass a congressional map with 15 congressional districts because we lost population. People don't want to stay here because of stuff like this. And it keeps on happening over and over again with the things that are coming, our state is becoming less and less populated, where people are going to other states, Michigan, for one, they're even going to Pennsylvania, they're going to Georgia. They're going anywhere but Ohio, anywhere. And it's reflective of what we do right here in this chamber and addressing public health and making sure that businesses can stay open, which is a priority.

Juanita Brent ([02:08:20](#)):

I hope he don't respond to me because he not even listening. He over talking to somebody else. But if we're just saying, we're just so pro-business, then let's listen to the authorities of business. And that's a Chamber Of Commerce. The Ohio Manufacturers' Association, the Hospital Association, where their entity is protecting people and making sure that people can have a job and a paycheck. So I advise everyone to vote no, if you really are concerned about being pro-business, pro-public health and making sure that businesses have a real pathway, that they can make the decisions, not the state, they can make the decisions that's best for their business. No for House Bill 218. Please, somebody else stand up, so he don't talk. Thank you.

Speaker ([02:09:08](#)):

Question is, shall the bill pass? The chair recognizes Representative Russo.

Allison Russo ([02:09:14](#)):

Thank you, Mr. Speaker, move to amend amendment number 2332.

Speaker ([02:09:22](#)):

The chair has the amendment. The amendment is in order and you may proceed.

Allison Russo ([02:09:25](#)):

Thank you. Permission to speak to both the bill and the amendment.

Speaker ([02:09:29](#)):

Representative may proceed.

Allison Russo ([02:09:29](#)):

Thank you. Mr. Speaker, here we are again, debating bad public policy that undermines public health trust in science and the vaccine and puts the lives of Ohioans at risk. All for the sake of a vocal minority who represents a very extreme view on this COVID-19 virus. And let me start by saying, very firmly, that vaccines, including the COVID-19 vaccine, they are safe and effective, and we know that they are the fastest way for us to get out of this pandemic and to reduce our chances of going into another surge. And it's no accident that as we're talking about this on the floor today, we get news that Ohio is probably on the precipice of going into another surge of the Delta variant. We have one of the lowest vaccination rates in the country. We are in the bottom 10 of states in terms of the percent of our population that is vaccinated. We are extremely vulnerable to continued surges.

Allison Russo ([02:10:49](#)):

If we want to move past this, if we want to keep our businesses open, if we want to keep kids in schools as much as possible in the classroom, we need to increase our vaccination rates. And what is the consequence of us not having high vaccination rates? I wrote some of these comments by the way, at the end of September, when we were in the middle of the last Delta variant surge. And when we thought House Bill 435 was going to be coming onto the floor for a vote. And at that point we had full ERs, many of them were on diversions. We had full ICUs, we had hospitals right here in Columbus and Franklin County, where we have some of the highest concentration of medical centers at full capacity. We had children that were in ICU at all of our children's hospitals across this state because of COVID-19 and children on ventilators. And in addition to that, I wrote down the number of Ohioans who had died on that date on September 29th.

Allison Russo ([02:12:01](#)):

The last time we thought we were going to be on the floor, talking about this bill, and it was 21,945. Today after the Delta variant surge, which we came out of, may possibly be going into another one, we're 4,000 deaths higher. A month and a half later a 25,813 Ohioans who have died because of this virus. And here we are again in this chamber today, voting on a bill whose language was first seen this morning at 9:10. And it is based, I will remind you, on language, that the health committee did not see until less than 24 hours before it got voted out of committee. We had no proponent testimony, no

opponent testimony for either one of these bills, House Bill 435 or Substitute House Bill 218, no testimony. It's a bill whose own original sponsors, because this is a version of House Bill 435 when they were in front of the Health Committee testifying, admitted that they had no input from doctors, nurses, patient groups, aging advocates, schools, labor groups. And most importantly, the public.

Allison Russo ([02:13:35](#)):

Even the small groups of organizations that they purported to include in their discussions, business groups in the hospitals have both on September 29th and today said that they do not support this bill and they have issued statements against this bill. As was mentioned, the Ohio Chamber Of Commerce, the Ohio Manufacturers' Association, the Ohio Hospital Association, the Ohio Children's Hospital Associations, as well as dozens of other organizations and patient groups. Now, Mr. Speaker, in reading the details of this bill, I will admit it's not as bad as some other bills that we've seen on this topic, but it is absolutely not a balanced bill. It is still lipstick on a pig. It still continues to give vaccine disinformation a platform. It still creates confusion when businesses and organizations have to navigate conflicting requirements. So, the amendment that I have put forward specifically tries to address some of this confusion that is created, specifically with regards to exempting healthcare providers from this bill in totality, because we've heard when the original version of this bill came forward, as well as the substitute bill, that the limited carve outs of children's hospital and critical care units are arbitrary in protecting our most vulnerable patients. There are many units within hospitals and with facilities that have very vulnerable patients, not just ICUs and not just children's hospitals. This also creates confusion because it directly conflicts with current rules, for Medicare and Medicaid payment. That just went into effect on November 5th, that says that all eligible Medicare and Medicaid providers who get payment from those programs...

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Rep. Allison Russo ([02:16:00](#)):

... providers who get payment from those programs, which is every single healthcare provider in this state and facility, has to have their staff vaccinated or they become ineligible. We are now putting at risk payment to every single hospital, long-term care facility, provider, et cetera, because of this language that directly conflicts with that. And so, I urge that you accept this amendment into the bill to reduce that confusion and eliminate it. And if you don't, I urge a no on this legislation.

Speaker ([02:16:43](#)):

Question is shall the amendment be agreed to? Chair recognizes Representative Cutrona.

Rep. Al Cutrona ([02:16:48](#)):

Thank you, Speaker. The only confusion is on the other side of the aisle. I'm going to clear up some of the misinformation that's being spread. First of all, bait-and-switch is not occurring at all. This piece of legislation has had very... has been debated countless hours. We've had similar legislation that talks on these very points in Health Committee. We've had the same conversations in Commerce and Labor. The bill is almost identical, but yet you guys want to sit there and say you didn't have enough time. I think you did have the time. You know how I know? Because I sat in those, both in the Health Committee and Commerce and Labor. I'm a really lucky guy.

Rep. Al Cutrona ([02:17:34](#)):

First of all, on that point, that is wrong. And then when we refer to groups, radical left, I am not referring to necessarily the Chamber. I think if you listen to what I said, I said radical left and special interest groups. We represent the people, the people, and this bill is for the people. Now, I would like to also rectify the confusion with regards to population. Ohio did not lose population. It just didn't grow as fast as other states. Now, you know what states did grow? Texas and Florida. Now, they've enacted legislation very similar to this. Heck, you know what I think? Perhaps Ohio should start acting a lot more like Florida and perhaps we'd be better off.

Rep. Al Cutrona ([02:18:39](#)):

And you know what? I'm glad though that we can admit on some things that you have seen similar legislation, because we have seen this in committee. I hope that this would hope... I hope that this would help rectify that. This legislation is good as it stands. We have no need for any additional amendments. And I hope that we can somehow move forward and I urge a yes vote on the bill without this amendment. Folks, no on the amendment, yes on the bill. And hopefully, we can get out of here soon enough and get back to our district so we can continue to represent our constituents. And I plan on doing that all day long and twice on Sunday.

Speaker ([02:19:25](#)):

Question is shall the amendment be agreed to? Chair recognizes Representative Seitz.

Rep. Seitz ([02:19:31](#)):

Thank you, Mr. Speaker. I move we lay the amendment upon the table.

Speaker ([02:19:34](#)):

Motion is to lay the amendment upon the table. The House will prepare and proceed to vote.

Speaker ([02:19:57](#)):

Have all members now voted? Clerk will take the roll.

Clerk ([02:20:02](#)):

55 affirmative votes. 30 negative votes.

Speaker ([02:20:04](#)):

Vote is 55 affirmative votes.

Clerk ([02:20:06](#)):

30 negative.

Speaker ([02:20:07](#)):

30 negative votes. The motion is agreed to and the amendment is laid upon the table. The question is shall the bill pass? Chair recognizes Representative Liston.

Rep. Beth Liston ([02:20:23](#)):

Thank you, Mr. Speaker. I suspect you are not surprised that I rise in opposition yet again talking about public health and trying to keep the Ohio House from meddling in science that it doesn't understand, which I think has become clear as people talk and give a lot of confusion that they're voicing.

Rep. Beth Liston ([02:20:47](#)):

We are living in this time of distrust and misinformation and it is up to us as elected representatives to lead, to stand up for good policy and not undermine the recommendations of real experts and cause that confusion. Yet, here we are. Bills such as these that give credence to fear over the real world safety data are harmful and prioritizing the imagined possible risks related to the COVID vaccine over the clear and immediate risks of the COVID pandemic is deadly. The talk of civil liberties rings hollow in our state that doesn't even provide protections for LGBTQ individuals and won't recognize the harmful impacts of racism on public health.

Rep. Beth Liston ([02:21:38](#)):

Yesterday in Ohio, over 6,000 people got sick and several hundred were hospitalized. Every day, dozens of Ohioans are dying from a disease that we can prevent. We should not pander to extremist groups and conspiracy theorists who have led the charge in pushing anti-vaccine bills. And we should not get in the way of experts, businesses, schools, and community efforts to get... to provide safety and get things back to normal. And this bill gets in the way. This isn't government overreach... Excuse me, this isn't addressing government overreach, this bill is preventing businesses and schools and communities from doing what they believe they need to do to keep their customers and communities safe.

Rep. Beth Liston ([02:22:35](#)):

I have been taking care of COVID patients since March of 2020. I have seen hundreds of patients, adults, and children admitted to the hospital with COVID 19. I have seen no one admitted with a COVID vaccine reaction. Ask any hospitalist you can find and they will tell you the same thing. I work with hundreds of well-informed doctors. We are all vaccinated. We should be focusing on energy on protecting people from COVID, not protecting people from an incredibly safe vaccine and undermining public health recommendations. This is a bill that will prolong the pandemic, worsen the confusion and all of the problems that we see from that while leading to more people dying in our state. I urge a no vote. Thank you.

Speaker ([02:23:30](#)):

Question is shall the bill pass? The chair recognizes Representative Gross.

Rep. Jennifer L. Gross ([02:23:34](#)):

Thank you, Mr. Speaker. The Ohio Constitution in Article I Section 1 specifically states that all men are by nature free, independent, and have certain inalienable rights, among which are those of enjoying and defending life, liberty, acquiring and possessing and protecting property, and seeking and obtaining happiness and safety. Safety for an individual Ohioan could mean getting a vaccine. It could also mean not choosing to be vaccinated. Article I Section 7 goes on to say, and this is the section regarding reasons of conscience and religion, that no person shall be compelled to attend, erect or support any place of worship or maintain any form of worship against his consent, and no preference shall be given by law to any religious society nor shall any interference with the rights of conscience be permitted. Now, I'm not an attorney, but I do understand that our fallible law created by us, the legislature and the ORC, is always trumped by the constitution, sir.

Rep. Jennifer L. Gross (02:24:49):

And so, though H.B. 218 is not H.B. 248, which was the anti... The Vaccine Choice Anti-Discrimination Act, that bill, which was heard in the Ohio Health Committee was seen and witnessed and witnessed by over 1,350 Ohioans. I know of no other bill that within the matter of six months received that many witness statements. Some of my colleagues on the other aisle say we did not listen to the people of Ohio. My office has received thousands of emails, public records request me and voicemails by the hundreds as well. And I know that all of you have received them. And I apologize for requiring you to listen to your constituents, but the fact of the matter is this is an emotional thing and it does require an opportunity for us to understand that we have inalienable rights and that's the right to our body and decide what goes in our bodies. In our bodies, not with another body.

Rep. Jennifer L. Gross (02:26:02):

I am pleased that my colleagues have put forth this bill to help protect Ohioans against discrimination. I recognize that vaccination is a personal choice for a variety of reasons not all Ohioans want to receive a vaccine, and I believe that protecting the freedom of Ohioans is our role as legislators. We need to protect Ohioans from forced vaccination whether it comes from the government, a school, our employer, or a local retailer. I am an advocate of informed choice, which most healthcare providers give. We explain to people, this is what's good for you, this is what we believe is right for you, but it's always your decision to make. It's not mine.

Rep. Jennifer L. Gross (02:26:53):

H.B. 248 was about unalienable rights, which may be... those are rights that cannot be removed by us, they were given to us by God and they are supported by the US Constitution, and as you heard, our Ohio Constitution. They are not given based on our acceptance of a medical product. The concept that a state would allow any individual or any entity, public or private, to compel an invasive medical intervention on another individual through coercive tactics or mandate sets a very dangerous precedent for us in Ohio. With that being said, I want to thank Representatives Ferguson, Representative Cutrona, the Ohio Health Committee, which has spent many, many days and many hours hearing this to the tune of more than 1,350 Ohioans, more than any other bill besides the heartbeat bill, which took nine years to pass.

Rep. Jennifer L. Gross (02:28:05):

I want to thank Commerce and Labor and especially Chairman Stein. He has been well-balanced, unemotional and very steadfast. And for that, I honor you, sir. This bill offers protections for Ohioans that are absolutely needed. I stand before you conflicted, however, because our Constitution already provides the rights and the freedoms for which we stand to make a law to support our Constitution, so for me, I don't even know how I'm going to vote right now. Am I going to vote red or green? I've supported you and I do support all that you're doing, but our Constitution already provides these rights for which we're going to codify. And if it conflicts with our Constitution, whether it's our federal or our state Constitution, then I stand before you unsure and I apologize I didn't speak in caucus, but I'm not really sure.

Rep. Jennifer L. Gross (02:29:07):

I want to give a special thanks to my aide. We have walked through this for eight months. This is so hard. I'm a clinician and I love people and I love Democrats and I love Republicans. This is not easy, but freedom matters, always freedom and that is always what has driven me no matter what you read in the paper. It is freedom that our soldiers died for. It is freedom that our soldiers would say do not quit. And

even if this bill does not achieve that which we are trying to achieve, then I would ask that we continue to go back because I never believe that as Americans or Ohioans that it can't be done. I ask you to vote according to your conscience for this bill. If you're leaning left and you're leaning not to vote, then don't vote on this bill. If you are leaning in support of this bill, then vote for it, but vote according to the Constitution. And I appreciate your time and I thank you, sir, for the opportunity to speak.

Speaker ([02:30:22](#)):

Question is shall the bill pass? Chair recognizes as Representative Smith.

Rep. Monique Smith ([02:30:28](#)):

Thank you, Mr. Speaker. Permission to speak to the bill.

Speaker ([02:30:30](#)):

Representative, you may proceed.

Rep. Monique Smith ([02:30:32](#)):

Thank you. As a new person around here, I just thought I would share a couple of things that I think it might be helpful for the public to know about sort of how this process worked because it was out of the ordinary and I am in the committee where this bill ended up. This is the Labor and Commerce Committee, which I have loved serving on because it's usually non-controversial and love the rapport that we have in that committee. And I think we ask good, smart, hard questions about business. And then all of a sudden, a few weeks ago, H.B. 435 lands in our committee. It is a healthcare bill that all of the language for 218 that we are voting on now was taken from, and we were called on very short notice to informal committee meetings.

Rep. Monique Smith ([02:31:20](#)):

And so, we got childcare. We dropped what we had to do and we came up for those hearings. And I heard questions that were leading questions to the witnesses in healthcare and business, asking about all the problems that they might experience if they mandate vaccines in healthcare settings or in certain business settings. And what we heard from in the testimony was that actually, businesses are trying to avoid vaccine mandates at all costs because they're smart and they don't want to lose employees. What they're really trying to do is they're trying to do everything they can up to having to do a vaccine mandate. There's actually no crisis with mandates. In the healthcare world, my husband was an employee of the Cleveland Clinic in the IT department. He had to get vaccines. That was what you understood if you were going to work at that place.

Rep. Monique Smith ([02:32:15](#)):

And so, we heard that there is no mandate pressure on most employees. We heard that there's no crisis. And we also heard a lot of misinformation. Last night, we were brought into committee to talk about H.B. 218, which as Rep. Brent told us was a bill on hours of operation for bars. And that's what we came in thinking we were voting on last night. We were then told that we would not adjourn the meeting, but we would just go into recess so that we could be called back at a time to be determined who knows when. And we would be then voting on who knows what. And so, we were called back this morning from recess and we were told at 9:00 AM that we would be voting on 218, not knowing what was in 218. When we came into the room this morning, we were told that 218 would have all of this content about

vaccines. And we were almost about to take the vote until thankfully, Rep. Brent said, "Well, wait a minute. I'm confused. Does it also still have the information about bars and liquor?" We wouldn't have even known what we were voting on if she hadn't stopped the vote and asked that question. We literally had no idea. It was then that we were told, oh no, all of that liquor information was taken out of the bill and now, 218 is just about vaccines. I tell you all that to say, I might be new, but I know that this is not how we should do business. This is not how we should do business in Ohio. This is not how we should do business in this chamber. No wonder people in the public get confused and have a tough time following politics. We can do better than this, you guys. This breaks down our trust in here and I hope that going forward, we can follow a standard process. We can be open and transparent to the public and just tell people what we're actually doing, because this is very confusing. I want to urge a no vote on this for many reasons, including process reasons. Thank you.

Speaker ([02:34:21](#)):

Question is shall the bill pass? Chair recognizes Representative Miller.

Rep. Joe Miller ([02:34:25](#)):

Mr. Speaker, rise to speak to Sub House Bill... Sub House Bill 218. I don't usually get up here that often. Twice in one week is even more rare than Representative Fraizer over there, but I will make this brief, I promise. And I had gotten some calls, hey, your name's on House Bill 218. And I'm thinking in my mind, well sure. I, as my colleagues know, if they've got a good bill across the aisle, I will reach across the aisle, listen to it, I'll hear from them, and I'll get in full support if I think it's going to help my neighbors, my constituents, our fellow Ohioans. That's what I promised I would do down here that I would work with both sides, my caucus, your caucus, anybody out there that could give us good information to put good policy together. I'm kind of pragmatic about that.

Rep. Joe Miller ([02:35:23](#)):

You know I will do that, and of course, I'm on here with a few of my colleagues that who I respect and I was on this because this was a good original bill. I mean, it was not only just pro-business. I mean, we were in the middle of a pandemic and I want to remind that I'm not going to speak to that lane right now and I think my colleagues and everybody here can speak to it much more eloquently and knowledgeably than I can, but it was a good bill because it was going to help... help business owners in the restaurant and bar industry. It was going to help them. And therefore, it was going to provide an opportunity for them to help their employees and help their customers. This was a good bill. It's a positive pro Ohioan bill.

Rep. Joe Miller ([02:36:11](#)):

And now, it's not. It's actually taking away from businesses opportunities to keep their employees and their customers safe. And I think that we need to leave it up to them to make that decision. You go make an agreement with an employer and you hope that you can come to an agreement of what that was working conditions are. I'm not going to get into labor relations. I'm not going to get into vaccines or the anti-vax movement. I will say this, and I'm stealing this from somebody else, when I make my decisions, I trust in God. Everybody else, bring data. And right now, the data shows that we need to be listening to this and we need to be making vaccinations a priority. Thank you for the chance to speak to this. And I urge a no vote.

Speaker ([02:37:06](#)):

Question is the bill pass? Chair recognizes Representative Carruthers.

Rep. Sara Carruthers ([02:37:10](#)):

Mr. Speaker, I think there are a couple things that need to be clarified about at least this side's choice on vaccines. This has nothing to do with whether or not we believe in vaccines. As a matter of fact, an interesting point is that minority groups tend not to get the vaccines. I'm fully vaccinated. I haven't had a booster, but Moderna doesn't seem to require a booster right now. I am pro-vaccine and I believe many of the members in this house are. What I'm against is someone forcing that on anyone. I do not like mandates. Mandate is the key word here, I think. And that is something that this bill handles. And that is the selling point for me. Now, I agree with Rep. Liston or Dr. Liston. I believe in vaccination. However, how many of those people that you spoke about that are very sick in the hospital were fully vaccinated and still got corona?

Rep. Sara Carruthers ([02:38:27](#)):

You see, it's a little difficult to say that that's the end all be all. We know that's a possibility. Unfortunately, doesn't seem to work as well as we had hoped. There was a promise that if you were fully vaccinated, you didn't have to wear that mask. Remember those days? God, that was good. Wasn't it? But the thing about it is it's the mandate. It's the force. And I have had good friends that have lost their jobs and that just doesn't seem right to me because they're good people and they needed those jobs and they believed in vaccines, but they just weren't sure. Now, that's not me, that's them, but I respect them. I urge you to vote yes, because of those people. Thank you.

Speaker ([02:39:33](#)):

Question is shall the bill pass? Chair recognizes Representative Liston.

Rep. Beth Liston ([02:39:38](#)):

Sorry, I'll be brief. I just invite my colleagues to take a look the information on the vaccination versus non-vaccinated COVID rates are very clear. It is I think somewhere in the range of 4% of people who are vaccinated are the ones that are hospitalized, whereas 96% of those not vaccinated are the ones that are hospitalized, but if... You don't have to trust me, because I'm doing the math briefly off the top of my head. It is on our coronavirus.ohio.gov. The specific numbers are on the website, I invite you to take a look because vaccines are incredibly effective. They save lives and I want everyone to know that. I just wanted to answer that question. I appreciate it.

Speaker ([02:40:21](#)):

Chair recognizes Representative Brent.

Juanita Brent ([02:40:23](#)):

Thank you, Speaker. I'm to speak to the Bill H.B. 218. Thank you. It's been a lot of things that's been discussed here on this floor, but what we're not going to try to do is try to justify people's will [inaudible 02:40:39] for this bill because minorities or particularly, we're just going to say Black people that you're trying to refer to are not getting vaccinated. This bill is having to do with businesses and I understand what the person did say on the floor is true. There is a disparity in numbers when it comes to particularly African Americans and Black and Brown people who are getting the vaccine, but you got to

look at the reason behind it. When people come up here and say, "Well, Black people are not..." Excuse me, the person said minorities, so I want to make sure I'm quoting the person correctly.

Juanita Brent ([02:41:14](#)):

You got to look at the back history of that and that's a mistrust of information that's going out. And it's in multiple times in history where African Americans were treated as guinea pigs as a whole. Don't shake your head. We not even cool like that, because when people come up here and try to give information on validation for against something, you got to give the whole story of the mistrust when it comes to the Tuskegee experiment or when it comes to processes on the OBGYN department on how Black women were experimented upon to figure out how do things happen or you talk about people using our tissue to determine on credibility of different things.

Juanita Brent ([02:41:56](#)):

Black people have been experimented upon for many different things, so there's a lack of trust. And there was a lack of investment when it came to this whole process within our state. When we received all that money, when it came to the dollars to put out marketing information, the other side decided to do a lottery. They decided to do a lot other things instead of putting boots on the ground to educate people on the importance of this vaccine.

Juanita Brent ([02:42:25](#)):

When you talk about people, particularly minority people, Black can Brown people, African Americans, not receiving the vaccine, you got to look at the lack of investment and the lack of concern to even get them to get vaccinated. There has not been that type of investment at all. And I'll just say from having a neighbor who just passed from COVID having three people who live across the street from me, who just passed away from COVID, no one was coming to our community to get us to get vaccinated. And even there were places that people were telling us to go get vaccinated were not accessible because, we as a state, took away the necessary funding for public transit. When you talk about minorities not being vaccinated, why is that?

Juanita Brent ([02:43:10](#)):

It's because it's things that we have done right here in this chamber that has chipped away the trust that Black people who are enslaved in our country for 400 years, for Mexican and for Brown people who were disregarded within our workplace system, who are still getting treated should decide are not being paid fairly within our state because we don't want to increase the minimum wage should be a livable wage, that all builds up on the thing of trust. When you say a statement, you got to understand the full depth of why statistics are like that are showing up within our system as a whole.

Juanita Brent ([02:43:48](#)):

And I do agree with myself and I'm going to double down on this, that this was a bait-and-switch that when you show up with a sub bill at 9:10 in the morning for a 10:00 committee, yes, people at home, we received the bill at 9:10 today, not yesterday. And you're expecting us to have amendments, testimony. What do you think this is? Burger King? You couldn't have it your way. Well, I guess you could because you did, but how is that trying to say we're trying to engage with the public when we're doing things in such a quick way, when you do an informal hearing and my colleague sitting behind me did a great job explaining. When you have informal hearings, you cannot do amendments. You cannot do a sub bill, because exactly that, informal. All we did was listen to testimony. That's it. The Bill was never... The

original House Bill 435 was never formally assigned to Commerce and Labor, so that's why I say it's a bait-and-switch.

Juanita Brent ([02:44:56](#)):

You didn't want a process where people could actually come in and testify and be able to do amendments and to be able to just changes in committee, it was a bait-and-switch. You had some of the liquor people come in there to committee thinking we were going to talk about the liquor hours, and it was a bait-and-switch for a whole different subject. Bait-and-switch.

Juanita Brent ([02:45:23](#)):

This has been a whole hot mess within our state. And so, it is looking like it's being very who's side are you on, the vaccine or the unvaccine? When we got to just figure out how we can get back to a new normal, where people can have a good quality of life, people can keep their jobs and be secure, and that people can have trust in the decisions that we are making, because those vaccines numbers are just telling us they don't trust what we're pumping out. And I'm not in the majority, so people, the decisions that are being pumped out are not coming from the caucus I belong to. This is a bait-and-switch. This is a hot mess and I highly suggest you guys vote no. If you are here for public health, for science, for medicine, and if you're pro-business, then you'll be voting no. Thank you, Speaker.

Speaker ([02:46:12](#)):

Question is shall the bill pass? The House will prepare and proceed to vote. Have all members now voted? The clerk will take the roll.

Clerk ([02:46:45](#)):

58 affirmative votes, 32 negative votes.

Speaker ([02:46:46](#)):

The vote is 58 affirmative votes, 32 negative votes. Having received the required constitution majority, the bill is hereby passed and entitled...

Speaker 4 ([02:46:55](#)):

An act to enact section of the Revised Code to address medical requirements for employees and students to address qualified immunity regarding certain coronaviruses to authorize the emergency medical technicians, to administer COVID-19 tests, to express and cover COVID-19 vaccine injuries under the workers' compensation system and to appeal sections of the Revised Code on September 30, 2025.

Speaker ([02:47:11](#)):

The question is shall the title be agreed to? Representative Cutrona moves to amend the title. If you wish to add your name to the title, please do so at this time.

Speaker ([02:47:19](#)):

Any objection to the title be agreed to? Hearing no objections. Title is agreed to. Bills for third consideration.

Speaker 4 ([02:47:33](#)):

Sub Senate Bill number 58, Senators Antonio, Brenner and others to amend into an act section of the Revised Code to permit a resident of the long-term care facility to conduct electronic monitoring of the resident's room, to designate this act as Esther's Law.

Speaker ([02:47:42](#)):

Question is shall the bill pass? The chair recognizes Representative Manchester.

Rep. Susan Manchester ([02:47:47](#)):

Thank you, Mr. Speaker. I rise today in support of Substitute Senate Bill 58, legislation that would enact Esther's Law to allow residents of long-term care facilities to have electronic monitoring of their rooms. This bill was named after Esther Piskor, who was a resident of a nursing home in Ohio. After her family became concerned about unexplained bruising on her body, they placed video cameras in her room and caught extensive footage of her being physically abused by multiple healthcare professionals. Esther's story is unfortunately one of many in our state. In recent years, aides and nurses from across Ohio have been charged with elder abuse, neglect, and manslaughter. In 2019, an aide in Dayton was caught violently jerking a woman into sitting and standing positions when she could not get up on her own. In 2017, seven nurses in Franklin County were charged with involuntary manslaughter and patient neglect. Because of a lack of monitoring and accountability, there are many more cases like this that happen today.

Rep. Susan Manchester ([02:48:55](#)):

As chair of the Families, Aging, and Human Services Committee, we heard proponent testimony from a number of people with family members that had gone through horrific elder abuse and neglect in nursing homes. We heard from Esther's son, Steve Piskor, who shared the details of her abuse and how his placement of cameras in her room was necessary to catch her abusers and stop further neglect. Multiple other witnesses had lost their loved ones as a result of such abuse and they advocated for this bill because electronic monitoring would have likely saved lives. During the committee process, an amendment was added that permits the Department of Health to adopt rules as necessary to implement the requirements of the bill as opposed to imposing rule making requirements. This amendment was supported by the stakeholders of the bill as well as the sponsors. We also added another amendment that adds an exemption from the provisions of this bill of an electronic monitoring devices installed by a law enforcement agency. This amendment was supported by the sponsors and the Attorney General's Office.

Rep. Susan Manchester ([02:49:58](#)):

The purpose of this legislation is to give family members of residents in long-term care facilities peace of-

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Rep. Susan Manchester ([02:50:00](#)):

... give family members of residents in long-term care facility's peace of mind by allowing electronic monitoring devices to be placed in a fixed position within resident rooms. Family members would be able to remotely check in on them and protect the resident from any abuse or neglect. This bill takes into account privacy, as well as protection of the residents. It is an important piece of legislation that is a step forward in supporting the aging citizens of Ohio and making sure that they are treated with dignity

and respect. Illinois, Louisiana and New Jersey already have this type of law in place, and seven other states have introduced similar legislation. Substitute Senate Bill 58 was unanimously voted out of the House Families, Aging and Human Services Committee. I'd like to thank the committee members, the sponsors of the bill and the Senate for working so diligently on this. And to everyone in this House, I urge you to vote yes on this. Thank you, Speaker.

Speaker ([02:50:57](#)):

Question is, shall the bill pass? The Chair recognizes Representative Brent.

Juanita Brent ([02:51:01](#)):

Thank you, Speaker. I'm speaking to Substitute Senate Bill 58. I think God laughed at our plans. And for those who do or not know the journey of Esther's Law, I introduced this last general assembly and this journey of even getting here was just very fulfilling from talking to our union members at SEIU to going to numerous long-term facilities, care facilities, to going to nursing homes to even being invited to a couple people's churches. Wherever someone had a concern, I showed up. Senator Antonio showed up. And we became this duo of two kick rocking people from Cuyahoga County working on this bill. But this bill, like our Chairwoman just said, came from the inspiration of Esther Piskor who dealt with something that no one ever wants to experience, and that's abuse.

Juanita Brent ([02:52:04](#)):

And so this bill in particular, it sheds a light on how we have to take care of our most vulnerable population. That's our children and that's our senior citizens. All of us at one time were young. Some of us are still young. And all of us, if God spares us and bless us, will get old and we will have somewhere, no matter if it's your own home or it might be a long care facility. You going to get old too. And wherever we decide to go, people want to retire with safety and security, because that's our Ohio's promise of how we protect people and why people will want to stay here in Ohio. Remember that's the goal, and that's keeping people in Ohio, having more people to retire here in Ohio within this.

Juanita Brent ([02:52:49](#)):

And it does something just real easy. It allows people, especially if you have a roommate... People always ask me when it comes to this bill, "What if they have a roommate and their roommate doesn't want the camera?" Try to work with the roommate as much as possible to make sure that the camera itself that's going to be put in the room can be adapted that it does not show them, or you have to be in a place where you won't be able to have it at all, but it has to be some type of compromise between the two different roommates.

Juanita Brent ([02:53:16](#)):

And also it works with the actual resident themselves that if that's something they want, then there can be accommodation that would be made so that can be put in their room. It's completely the resident's responsibility to get the camera, to get it installed and make sure that's all together. But this is a huge step, because there's so many things that happen to senior citizens besides abuse. Sometimes it could be a fall. If you are over the age of 60 and live in a long care facility, you are 50 to 75% more likely to have a fall within that time period.

Juanita Brent ([02:53:49](#)):

So I know there's been a [inaudible 02:53:51] emphasis on this bill when it comes to abuse, but there's also a thing of just protecting people sometimes from themselves, sometimes from family. During this journey, I had numerous people tell me how they were robbed by family members being in long-term care facilities. Could you believe that? It's crazy. But stuff like that is really happening where people do not feel protected. They do not feel heard and they do not feel seen. But I tell you with the passing of this bill, and it's going to the Governor's office, there's so many people that are going to feel very seen because Ohio is getting ready for a silver tsunami, where we're going to have more people that are getting ready to retire than we have kids that are being born here within our state.

Juanita Brent ([02:54:37](#)):

So this is a great direction as we are looking to protect one of our most vulnerable populations, and that's our senior citizens, and doing it in a respectable way, that they are working with the facility that if you come to your grandma's or your cousin's place, there's a sign outside of their door that's saying, "This room has electronic monitoring." It's no, "Got you," joke going on. People fully know what's going on within that room. Everyone needs to feel protected because thank goodness, God bless us all, we all get old. So thank you, Esther. Thank you, Steve. And thank you for all the advocates and union members all across the state who were advocating to make sure that Esther is not just a name we know from the news, but form of protection that all of us can have here within Ohio. And with that, I ask for a yes vote.

Speaker ([02:55:27](#)):

Question is, shall the bill pass? Chair recognize Representative Crossman.

Jeffrey Crossman ([02:55:33](#)):

Thank you, Mr. Speaker. Permission to speak to the bill?

Speaker ([02:55:35](#)):

Representative may proceed.

Jeffrey Crossman ([02:55:36](#)):

Thank you, Mr. Speaker. I just want thank the good work on this bill, this good bipartisan bill, by Senator Brenner and Senator Antonio and my colleague, Representative Brent. As she mentioned, this bill came out of a tragic situation that happened actually to one of my constituents in the Cleveland area, Mr. Piskor and his family. And this is just a great example of what can happen when we truly listen to our constituents about the issues and the needs that they have in their communities. So I want to applaud Representative Brent for taking the lead on this in this House chamber and listened to Mr. Piskor and others, like Paula Mueller, and other advocates for the elderly that really advocated for this piece of important legislation.

Jeffrey Crossman ([02:56:20](#)):

It's only a shame we didn't get this done a little bit sooner with COVID. I think it would've been nice to have these cameras in the rooms to give people some comfort that their loved ones were being well taken care of. This bill is not a perfect bill. There's no such thing, I think. There's going to be some enhancements, I think, that are going to be needed in the long-term. There's certain facilities that are not included in this piece of legislation. But I don't want to let perfect be the enemy of the good here. We're going to pass this bill today. We're going to get it to the Governor and we're going to keep

working to protect our elderly in Ohio. So thanks to everybody for their great work on this bill. And I urge you yes vote

Speaker ([02:56:52](#)):

Question is, shall the bill pass? The House will prepare and proceed to vote. Have all members now voted? Clerk will take the roll.

Speaker 5 ([02:57:15](#)):

87 affirmative votes, no negative votes.

Speaker ([02:57:19](#)):

The vote is 87 affirmative votes, no negative votes. The bill has received the required constitutional majority and is hereby passed and entitled.

Speaker 6 ([02:57:24](#)):

An act to enact section of the Revised Code to permit the resident of a long-term care facility to conduct electronic monitoring of resident's room and to designate this act as Esther's Law.

Speaker ([02:57:32](#)):

Question is, shall the title be agreed to? Representative Manchester moves to amend the title. If you wish to add your name to the title, please do so at this time.

Speaker ([02:57:39](#)):

Without objection, the title will be agreed to. Hearing no objection. The title is agreed to. Bills for third consideration.

Speaker 6 ([02:57:52](#)):

Senate Bill Number 115, Senator [inaudible 02:57:54] and others to amend section of Revised Code to make changes to the Ohio Pooled Collateral Program.

Speaker ([02:57:58](#)):

Question is, shall the bill pass? Chair recognizes Representative Jordan.

Kris Jordan ([02:58:03](#)):

Thank you, Mr. Speaker. Senate Bill 115 makes the needed changes to the Ohio's Pooled Collateral Program to ensure that public deposits are in compliance and public deposits are properly collateralized. By way of background, it's important to note that public deposits are not insured in the same way that private deposits are under the FDIC. In Ohio, a financial institution that is a public depository can provide security for the repayment of public deposits in one of two ways. A financial institution may either secure the public deposits made by each public depositor or by spreading the risk through pledging the collateral within a pool of public deposits managed by the Treasurer of State.

Kris Jordan ([02:58:51](#)):

This program is known as the Ohio Pooled Collateral Program. Under the Pooled Collateral Program, when a financial institution that is a public depository accepts additional funds, it must pledge additional securities to match the market values of the deposit. Senate Bill 115 clarifies and gives better guidance to the financial institution to ensure that they are in compliance with the program by giving them two business days to pledge additional securities to the pool in accordance with the amount stipulated by the Treasurer of State. These new standards will protect public treasurers and depositors who deal with public depositories and most importantly ensure that the public dollars are safe, secure and properly collateralized.

Kris Jordan ([02:59:38](#)):

This bill had no opponents and passed unanimously in the House Financial Institutions Committee, as well as in the Senate Financial Institutions and Technologies Committee and on the Senate floor. It's endorsed by the Ohio Bankers League, the County Treasurers Association of Ohio and the Ohio Treasurer of State. I urge passage of Senate Bill 115. Thank you, Mr. Speaker.

Speaker ([03:00:00](#)):

Question is, shall the bill pass? Chair recognizes Representative Crossman.

Jeffrey Crossman ([03:00:04](#)):

Thank you, Mr. Speaker. Permission to speak to the bill?

Speaker ([03:00:06](#)):

Representative may proceed.

Jeffrey Crossman ([03:00:07](#)):

Thank you, Mr. Speaker. The Chairman accurately and perfectly explained this bill. It's about good fiscal responsibility for our state treasuries. It's endorsed by all the folks that matter. And it had no opposition this term nor in the last term when we all supported this bill. So I urge a yes vote. Thank you.

Speaker ([03:00:27](#)):

Question is, shall the bill pass? The House will prepare and proceed to vote.

Speaker ([03:00:41](#)):

Have all members now voted? The clerk will take the roll.

Speaker 5 ([03:00:48](#)):

82 affirmative votes, no negative votes.

Speaker ([03:00:51](#)):

Vote is 82 affirmative votes, no negative votes. The bill has received the required constitutional majority and is hereby passed and entitled.

Speaker 6 ([03:00:55](#)):

An act to enact section of the Revised Code to make changes to the Ohio Pooled Collateral Program.

Speaker ([03:00:59](#)):

Question is, shall the title be agreed to? Representative Jordan moves to amend the title. If you wish to add your name to the title, please do so at this time.

Speaker ([03:01:05](#)):

Without objection, the title will be agreed to. Hearing no objection. The title is agreed to. Bills for third consideration.

Speaker 6 ([03:01:18](#)):

Sub. Senate Bill number 229, Senator Blessing and others to amend to enact section of the Revised Code regarded blending remote learning models for the 2021-2022 school year. The State Report Card Emergency Management Plans withdrawal of untested students from internet or computer based schools. The Third Grade Rating Guarantee, High school Financial Literacy Instruction, Educational Choice and Cleveland Scholarship payments, operating subsidies for educational service centers and to declare an emergency.

Speaker ([03:01:40](#)):

Question is, shall the emergency clause remain a part of the bill? The chair recognizes Representative Manning.

Gayle Manning ([03:01:47](#)):

Mr. Speaker, thank you. And may I speak about the amendment first? No? Emergency clause.

Speaker ([03:01:56](#)):

Yeah. Representative may speak to the emergency clause.

Gayle Manning ([03:01:58](#)):

Okay. As we know, this is a bill that is very important to the schools and it will give them some coverage when it comes to blended learning. So that's why we need the emergency clause and need it immediately. So...

Speaker ([03:02:14](#)):

Question is, shall the emergency clause remain a part of the bill? The House will prepare and proceed to vote.

Speaker ([03:02:29](#)):

Have all members now voted? Clerk will take the roll.

Speaker 5 ([03:02:36](#)):

77 affirmative votes, four negative.

Speaker ([03:02:38](#)):

77 affirmative votes, four negative votes. The emergency clause remains as part of the bill. The question is, shall the bill pass as an emergency? Chair recognizes Representative Manning.

Gayle Manning ([03:02:50](#)):

May I speak to the amendment?

Speaker 5 ([03:02:52](#)):

She'll need to move to amend first.

Speaker ([03:02:54](#)):

If you move to amend, you may.

Gayle Manning ([03:02:57](#)):

Move to amend 2322.

Speaker ([03:03:02](#)):

Chair has the amendment is in order, and you may proceed to speak to the amendment.

Gayle Manning ([03:03:06](#)):

This amendment does two things. It clarifies that the decision to retain or promote a student involves a parent or a guardian and it also makes a date correction. So [inaudible 03:03:17] fix.

Speaker ([03:03:21](#)):

Question is, shall the amendment be agreed to? Without objection, the amendment will be agreed to. Hearing no objection. The amendment is agreed to. Chair recognizes Representative Manning.

Gayle Manning ([03:03:34](#)):

Thank you, Mr. Speaker. I rise in support of Substitute Senate Bill 229. The bill gives our schools necessary flexibility as they navigate the school year in the midst of the coronavirus pandemic. To help children stay safe while ensuring education continues, Senate Bill 229 provides an extension to April 30th, 2022 for a school to notify ODE of its intent to operate a blended learning model for the school year. In addition, the bill lays a framework a district must follow for operating a blended learning model in addition to filing the requirements of the Ohio Revised Code. The framework includes ensuring students have an internet access and devices necessary to access online content, monitoring and assessing achievement and progress and reporting the number and duration of students participating in a blended and learning environment.

Gayle Manning ([03:04:34](#)):

Senate Bill 229 also requires each school district to submit a remediation plan to address the learning lost due to the pandemic. Under a previous version of this bill, districts were required to create a new remediation plan to submit to ODE, but through compromise, districts are now able to submit a local use of funds plan or an extended learning plan to satisfy this provision of the bill.

Gayle Manning ([03:05:02](#)):

Other amendments that we've accepted during committee include, one, permitting rather than requiring a student to participate in the online learning school for the duration of the student's quarantine, two, requiring a district to submit quarterly instead of monthly data of students participated

in blended learning, three, adds individuals to the Report Card Study Committee, four, corrects a drafting error from Senate Bill 1 that relates to our financial literacy instruction, five, removes a provision that relates to the purchases of real property leased to a community STEM or non-public school, six, includes an amendment that ensures educational service centers would receive adequate funding for the additional students they serve, and lastly, the committee accept an amendment that would for 2021-2022 school year exempt public and chartered non-public schools from retaining a student under the Third Grade Reading Guarantee based solely on the students score on the Third Grade English Language Arts Test.

Gayle Manning ([03:06:07](#)):

This provision is an extension of the flexibility the general assembly gave school districts for the 2019-20 year and the 2021 school year. Many parents have shared concerns about their students being retained based on one score of a high stakes test. The flexibility offered by this provision gives parents an opportunity to be involved with their classroom teacher and the principal in the decisions to promote or retain a student.

Gayle Manning ([03:06:36](#)):

I would like to thank members of the Primary and Secondary Education Committee on their diligence and thorough work. I would like to thank the suggestions from the interested parties and their willingness to work together to make this a better bill for Ohio students. I would also like to thank the sponsor of the bill, Senator Blessing and Chair Brenner for helping us to make this a better bill. And I would also like to thank Brianna Austin, my LA, and also LSC for all the due diligence that they did to make sure that we could get these amendments in. Mr. Speaker, I would like to lastly, thank you for bringing this to the floor. And I ask for everyone's support.

Speaker ([03:07:21](#)):

Question is, shall the amended bill pass as an emergency measure? Chair recognizes Representative Robinson.

Phillip Robinson ([03:07:27](#)):

Thank you, Mr. Speaker. Permission to speak to the bill?

Speaker ([03:07:30](#)):

Representative may proceed.

Phillip Robinson ([03:07:31](#)):

Thank you. I'll be very brief. Chairwoman Manning covered it very well. This bill does three things in particular. I just want to double down on one. It provides local control so schools and their school boards know best what to do with children who are learning and recovering from the pandemic. And it's great that public, chartered and private schools all will have to follow the same rules and regulations there. Second and Third Grade Guarantee is really important. And in fact, Representative Manning and I hope to have something soon for you regarding working further on this. This is a good stop-gap measure for this year, but moving forward a third grade guarantee. And then also additionally, [inaudible 03:08:07] want to make sure that some of the measures on the report card, including chronic

absenteeism and also adjusting for the graduation rate over four years, has also been eliminated from being held on this report card.

Phillip Robinson ([03:08:18](#)):

Also like to thank Senator Blessing and Senator Brenner for allowing for this, all the members on both sides of the aisle who work to make amendments to the sub bill. And finally, I want to thank Chairwoman Manning. Working together, we were able to make a compromise that we think works on behalf of all children, which helped renew Ohio promise. Thank you.

Speaker ([03:08:36](#)):

Question is, shall the amended bill pass as an emergency measure? The House will prepare and proceed to vote.

Speaker ([03:08:53](#)):

Have all members now voted? The clerk will take the roll.

Speaker 5 ([03:09:01](#)):

81 affirmative votes, two negative votes.

Speaker ([03:09:03](#)):

Vote is 81 affirmative votes and two negative votes. The amended bill has received the required constitutional majority and the bill is hereby passed and entitled as an emergency measure.

Speaker 6 ([03:09:10](#)):

An act to amend section of the Revised Code regarding blending learning or remote learning models for the 2021-2022 school year, the State Report Card Emergency Management Plans withdrawal in untested students from internet or computer based schools, Third Grade Reading Guarantee, High School Financial Literacy Instruction, Educational Choice and Cleveland Choice Scholarship payments, operating subsidies for educational service centers and to declare an emergency.

Speaker ([03:09:30](#)):

Question is, shall the title be agreed to? Representative Manning moves to amend the title. If you wish to add your name to the title, please do so at this time.

Speaker ([03:09:45](#)):

That objection to title be agreed to. Hearing no objection. The title is agreed to. Bills for third consideration.

Speaker 6 ([03:09:51](#)):

House Concurrent Resolution number 36 [inaudible 03:09:54] Young and others to urge a federal proposal to require financial institutions and other financial service providers to report most customer service net account inflows and outflows not be passed or implemented by government officials.

Speaker ([03:10:03](#)):

The question is, shall the title be agreed to? Representative Young moves to amend the title. If you wish to add your name to the title, please do so at this time.

Speaker ([03:10:22](#)):

That objection to title be agreed to. Hearing no objection. The title is agreed to. The question is, shall the resolution be adopted? The Chair recognizes Representative Young.

Bob Young ([03:10:32](#)):

Thank you, Mr. Speaker. Permission to speak.

Speaker ([03:10:35](#)):

Representative may proceed.

Bob Young ([03:10:37](#)):

I rise today in support of H.C.R 36, a concurrent resolution to urge non-passage of a proposal originally inserted in the House Version Budget Reconciliation Bill allowing for the Internal Revenue Service to monitor the net inflows and outflows of bank accounts of average American citizens. While I agree tax cheating is not right, fair or legal, I believe this proposal goes beyond the scope of vision of the current White House administration and creates a virtual drag net in which millions of innocent Americans will find their selves caught.

Bob Young ([03:11:10](#)):

While the current version of the Budget Reconciliation Bill has removed this provision, and I'm thankful for that, we, the general assembly, need to take a stand. The first reason being the Budget Reconciliation Bill has not yet become law, thus this provision could be reinserted at any time. Secondly, we, the general assembly, need to take a stand for the privacy and data security of Ohioans, and lastly, against government overreach and send a message to any future administration that this is unacceptable. While this provision, meant to pay for trillions in federal debt spending, is essentially a banking surveillance program. The program amounts to an unfunded mandate for financial institutions and is estimated the cost \$79 billion to implement.

Bob Young ([03:11:58](#)):

Every financial institution from huge corporate banks to small community banks and credit unions will now have an onerous workload added to them to flag everyday customer's accounts if its accumulative inflows and outflows are valued above \$10,000. Numerous sources have testified a government program like this will deteriorate the trusting relationship an individual has with their financial institution.

Bob Young ([03:12:26](#)):

I want to take a second and thank our interested parties who help support this resolution, the Ohio Treasurer's office, the Attorney General's office, the Ohio Banker's League and the Ohio Credit Union League. Also, I'd like to say thank you to Chairman Jordan and the members of the Financial Institutions Committee for their work and support on this resolution. I'd like to take a moment and thank my legislative aid, Amanda Magneto, for her hard work on this resolution. She helped bring this to my attention. I'd also like to say thank you to you, Mr. Speaker, for bringing this resolution to the House

floor today. Colleagues, today, I'm asking this general assembly to stand for the banking privacy and security rights of our citizens. I'm asking the general assembly to stand up for constitutional principles of due process, probable cause, not allowing unreasonable searches and seizures, innocent until proven guilty. And I'm asking my fellow members to take the stand today and vote yes on H.C.R 36.

Speaker ([03:13:30](#)):

Question is, shall the resolution be adopted? Chair recognizes Representative Crossman.

Jeffrey Crossman ([03:13:36](#)):

Thank you, Mr. Speaker. I move to refer this resolution back to rules and reference. And with your indulgence, Mr. Chair, I would like to speak to that motion.

Speaker ([03:13:45](#)):

Representative may proceed.

Jeffrey Crossman ([03:13:47](#)):

Great. Thank you, Mr. Speaker. I often wonder whether these House resolutions that we consider have any value. I mean, they're not binding in law and all they really are messages to whoever we decide send these resolutions to. But the prerequisite for these resolutions, if we want them to be effective, should be that they should be accurate and they should be honest and truthful. And so I think in looking at this resolution, there is a point here. There is a point here. It just misstated in this resolution. And we tried in committee before this was voted out of committee to work with the majority caucus to come with a better revised version that everybody could get behind, because we are also concerned about privacy issues. We're also concerned about the practical effects on lenders having to report a lot of data to the government for a threshold of \$600, but we're also concerned about finding ways, legitimate ways, to find people that aren't paying their fair share of taxes. There's billions of dollars left on the table every year because people are just not reporting their income accurately.

Jeffrey Crossman ([03:14:56](#)):

So we shared some concern about the proposal, as did many of our colleagues in Washington DC. That's why this proposal is not among the reconciliation provisions included in the current version of the bill. It's completely unlikely that this would ever make its way into any Senate version, especially given the fact that moderate Democrats are opposed to this. So we did draft a revised version. It was not accepted in committee. We even offered to continue working on this to come up with bipartisan language that would be acceptable to everybody. And I think we passed this quite frankly, Mr. Speaker, a little prematurely. So as I said, if we're going to pass resolutions that want to be considered, they should at least be accurate. Otherwise, they're going to be just ruled out of hand to begin with. And so, all right, I would respectfully urge us to send this back to committee for some additional work. Thank you, Mr.... Otherwise, Mr. Speaker, I would say no on this. Thank you.

Speaker ([03:15:58](#)):

The question is, shall the motion to re-refer be agreed to? The Chair recognizes Representative Sykes.

Speaker 7 ([03:16:05](#)):

Thank you, Mr. Speaker. I move we lay the motion upon the table.

Speaker ([03:16:09](#)):

Question is, shall the motion be laid upon the table? The House will prepare and proceed to vote.

Speaker ([03:16:22](#)):

Have all members now voted? Clerk will take the roll.

Speaker 5 ([03:16:28](#)):

54 affirmative votes, 26 negative votes.

Speaker ([03:16:29](#)):

Votes is 54 affirmative votes, 26 negative votes. The motion has been laid upon the table. And the question is, shall the resolution be adopted? The House will prepare and proceed to vote.

Speaker ([03:16:50](#)):

Have all members now voted? Clerk will take the roll.

Speaker 5 ([03:16:56](#)):

54 affirmative votes, 27 negative votes.

Speaker ([03:16:57](#)):

The vote is 54 affirmative votes, 27 negative votes. The resolution is adopted. Yep. Hold on. Bills for third consideration.

Speaker 6 ([03:17:11](#)):

House Resolution number 147, Representative Stoltzfus and others to urge The United States Congress and President of the United States with haste to take action to bring home the missionaries who have been taken hostage in Haiti.

Speaker ([03:17:20](#)):

The question is, shall the title be agreed to? Representative Stoltzfus moves to amend the title. If you wish to add your name to the title, please do so at this time.

Speaker ([03:17:28](#)):

Without objection, the title will be agreed to. Hearing no objection. The title is agreed to. The question is, shall the resolution be adopted? The Chair recognizes Representative Stoltzfus.

Reggie Stoltzfus ([03:17:49](#)):

Thank you, Mr. Speaker. It's been 34 days since 17 missionaries were taken hostage in Haiti on October 16th by the 400 Mawozo gang. The hostages consist of one Canadian and 16 Americans from Ohio, Pennsylvania, Wisconsin, Oregon, Michigan and Tennessee. They range in age from 48 to eight months old. The kidnappers have stated they will kill all the hostages if their demands of \$1 million per person ransom are not met. The mission organization, Christian Aid Ministries, is based in Ohio, right here in Holmes County. About two weeks ago, I stopped hearing about this situation and I wondered if these

hostages had been released. The news media had stopped reporting on the story. So I did some digging and some research, and I found out the situation had just become old news.

Reggie Stoltzfus ([03:18:50](#)):

So I felt the need to bring to light this situation so that these folks are not forgotten about. So I wrote an op-ed and a few newspapers picked it up. And I thought to myself, "What more could I do to bring attention to this situation?" And I thought a House resolution would be appropriate. This is by no means a partisan resolution. This is an Ohio resolution. It is a simple way for this body to help bring attention to this situation and ultimately help bring home these folks.

Reggie Stoltzfus ([03:19:27](#)):

I cannot imagine what these people are going through at this moment in time. Do they have food? Do they have shelter? Are they all still alive? I also cannot imagine what the family members here are dealing with having a loved one being held hostage for over a month in a foreign country. Friends, we must intervene now. These are Ohioans and Americans. They need our help. And we are duty bound to provide them with assistance. This resolution is to urge the US Congress and the President to take action to bring these 17 missionaries home as soon as possible. The intent of this resolution is not to tell the federal government how to do their job or by what means to use to free the hostages. They have experts in that field who can handle that. The resolution only urges the federal government to act swiftly and bring these folks home to their family.

Reggie Stoltzfus ([03:20:29](#)):

Proverbs chapter 3 verse 27 says, "Do not withhold good from those to whom it is due when it is within your power to act." These hostages deserve our attention and our efforts to act on their behalf. This resolution passed unanimously yesterday in state and local. I want to thank Chairman Wiggam for his help. And I want to thank you, Mr. Speaker, for bringing it to the floor today and bringing attention to this situation. Please join me in bringing attention and awareness and support this resolution to bring these Ohioans and Americans home.

Speaker ([03:21:13](#)):

Question is, shall the resolution be adopted? Pursuant to House Rule 57, Representative Adam Miller is excused from voting. The question is, shall the resolution be adopted? The House will now prepare and proceed to vote. Have all members now voted? Clerk will take the roll.

Speaker 5 ([03:21:48](#)):

78 affirm votes, no negative votes.

Speaker ([03:21:51](#)):

78 affirmative votes, no negative votes. The resolution is adopted. Message from the Senate.

Speaker 6 ([03:21:56](#)):

Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has refused to concurrent the House Amendments to amend its Sub. Senate Bill number 19, Senator Schaffer.

Speaker ([03:22:03](#)):

Chair recognizes Representative Merrin.

Speaker 8 ([03:22:09](#)):

Mr. Speaker, I move that the House insists on its amendments to amended Substitute Senate Bill 19, and I ask for a committee of conference.

Speaker ([03:22:17](#)):

Without objection, the motion will be agreed to. Hearing no objection. The motion is agreed to. Message from the Speaker.

Speaker 6 ([03:22:24](#)):

Pursuant to House Rules 1328 and 30, the Speaker hereby makes the following changes to the House Standing Committee on Commerce and Labor, remove Representative Romar, appoint Representative [inaudible 03:22:32], remove Representative Lepore-Hagan, appoint Representative Sobecki as ranking member.

Speaker ([03:22:36](#)):

Announcement of committee meetings. The Chair recognizes Representative Fowler Arthur at this time for a point of personal privilege.

Sarah Fowler Arthur ([03:22:50](#)):

Thank you, Mr. Speaker. I just wanted to acknowledge and welcome from Northeast Ohio Asheville County auditor, David Thomas, for coming down and watching our proceedings today. Thank you.

Speaker ([03:23:08](#)):

The Chair recognizes Representative Ginter.

Tim Ginter ([03:23:12](#)):

Thank you, Mr. Speaker. I moved that the House now stand in recess until a time to be determined for the purpose of a non-voting session.

Speaker ([03:23:18](#)):

Without objection, the House stands in recess.

PART 6 OF 6 ENDS [03:23:22]