



Opponent Testimony on Senate Bill 33

September 26th 2019

Mary Ellen Berger, 173 Chatham Road, Columbus, Ohio 43214

To: Chairman Jamie Callender and members of the Public Utilities Committee

My name is Mary Ellen Berger and I am a resident of Columbus. I appreciate the time to give opponent testimony on Senate Bill 33. I am a concerned citizen of Ohio and am strongly opposed to this bill. I am submitting this testimony in opposition to SB 33 on behalf of the Ohio Chapter of the Sierra Club.

It is clear that the intent of SB33 is to intimidate concerned citizens and non-profit groups and to discourage us from expressing our opposition to gas pipelines and other fossil fuel infrastructure in Ohio. We already have laws and penalties for criminal mischief and criminal trespass in Ohio. We should not be threatened with felony charges or excessive fines when exercising our First Amendment rights. This is an assault on our freedom of speech and right to assemble. We cannot criminalize non-violent protests - this is unconstitutional.

Senate Bill 33 is not just unnecessary but also vague, with a newly created “critical infrastructure” term that is all encompassing. Even a student hanging a flier on a telephone pole could face criminal charges. The vagueness creates a real potential for misinterpretation by law enforcement.

The timing of this bill is not a coincidence. There is a push by the fossil fuel and chemical industries, along with local, state and federal politicians to build out a massive petrochemical hub in the Ohio Valley. This would exponentially expand fracking in our state, along with the construction of hundreds of miles of pipelines, several plastic production facilities and the construction of gas storage sites under the Ohio River. This river is the water supply for millions of people. We would become the sacrifice zone for industries and other countries to profit on gas and plastic exports. Chinese investors have pledged over \$84 billion dollars to this project.

Residents in Ohio have already seen environmental destruction in their communities and farmland from fracking and related gas infrastructure. We've had earthquakes, water contamination, leaks at pipelines, accidents and health impacts. Methane is released from fracking which is 86 times more potent than CO₂ as a greenhouse gas.

The Intergovernmental Panel on Climate Change (IPCC) report was grim - we have less than 12 years to make serious strides to stop catastrophic climate change. We need to take bold action now, and transition from dirty fossil fuels to clean, renewable energy. If not, we will see more severe droughts and floods, rising seas, failing crops, extreme weather and deadly wildfires, and millions of climate refugees. We are facing a climate crisis - millions of people are protesting around the world. You cannot stop this in Ohio with an unconstitutional bill, designed to help the

fossil fuel industry and punish those who feel compelled to protect their communities and the planet. Here is a link to the IPCC's most recent report. <https://www.ipcc.ch/sr15/>

The tide is turning. Your constituents demand climate action - hundreds of us protested outside this statehouse last week and that number will only grow. We expect our legislators to serve and protect us, not the fossil fuel industry behind this bad bill. I urge you to oppose SB33.

Thank you for your time.