

Written Testimony in Opposition to SB 33

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Greetings, Chairman Callender and public utilities committee members. I am submitting my testimony in opposition to Senate Bill 33.

The first question anyone must ask when new legislation is proposed is, "Is there a need for this bill?" The answer is clearly no since current Ohio laws cover acts of trespassing and vandalism.

A second question to ask is, "What prompted this legislation?" Well, the first thing to note is that it definitely did not come from the people of Ohio. There has been no event to precipitate such a bill. It is telling to observe that not a single citizen on their own, who was not representing an organization, testified as a proponent for this bill.

A third question is, "If this legislation does not come from the people of Ohio then where does it come from?" The answer is the American Legislative Exchange Council (ALEC) which peddle corporate written model laws mostly benefitting the fossil fuel industry and is heavily funded by the Koch brothers and other big money interests. Corporations should be following laws written by the people, not people following laws written by corporations!

A fourth question is, "What have been the effects of previously ALEC sponsored bills on the citizens of Ohio?" Examining a few important examples show that bills which have ALEC origins have systematically benefitted the oil and gas industry, to the detriment of the people of Ohio and their rights. HB 278 in 2004, took away all local say in oil and gas activities, even though Ohio is supposed to be a home-rule state. SB 315 in 2012 created physician gag orders whereby doctors are not allowed to disclose information about the chemicals from fracking that have affected the health of a person. It also made the use of chemicals less transparent under the use of so-called "trade secrets". Another example is SB 310 in 2016 which froze renewable energy standards in Ohio for 2 years.

Another question to ask is, "What is the real intent of this legislation if it is not needed and it did not come from the people?" Clearly, it is meant to stifle legitimate protest by greatly increasing penalties for vaguely defined infractions like "tampering" and holding organizations liable for the actions of some members, even if the organization does not approve of the member's actions. Naturally, protests give bad PR for corporations and their activities. We know that people and organizations could be wrongly charged under this bill and when the penalties are so high, some might not want to take the risk or have the monetary resources to fight the injustice in court, thereby preventing them from exercising their fundamental right of free speech. Either way, the corporations, mostly the fossil fuel companies, win and the people lose.

One final question, and this one is for you, Representatives, "Who are your constituent and who are you working for?" If it is big-money interests, corporations, and the fossil fuel industry then I am sure you will vote for this legislation. However, if it is the people, and I sincerely hope that it is, then you should vote against moving this legislation forward.

Thank you.