

Good afternoon. Thank you Chair Shaffer, Vice Chair Landis, Ranking Member Hicks-Hudson, and members of the Senate. Thank you so much for taking the time to consider House Bill 364 today.

My name is David Donofrio, I am a lifelong resident of Ohio, and am actually Representative Dobos' constituent. I am here today as the president of the Ohio Prairie Association, and we are proud to have been the organization to spearhead House Bill 364. This legislation was actually first introduced in 2022 by former Representative Lanese, but it was near the end of the General Assembly, and so I am grateful to Representatives Dobos and Klopfenstein for taking this on, and to the Ohio Department of Agriculture for significantly strengthening our vision for this bill. I am also grateful to the Ohio House of Representatives, who unanimously passed this legislation in June. I am hopeful that this committee and the Senate will soon do the same.

This legislation essentially will allow Ohio's residents who are interested in conservation to make their common practices in compliance with the law. This (shows milkweed pod/seed) is a milkweed pod. Contained within it are native milkweed seeds. Milkweed is the host plant of the monarch butterfly – its caterpillars can only eat milkweed, nothing else. So without milkweed, the monarch butterfly would cease to exist. Now because many of us can agree that this important species, which goes on an epic migration across the continent each year and has been the subject of countless lessons across Ohio and beyond, many of us believe that we should do what we can to help it – which unfortunately, is on the brink of being endangered. This is due to habitat loss. In Ohio and many other states, milkweed is still classified in many places as a noxious weed, meaning it has no protection and currently must be removed from toll roads, railroads, and other places by state law. In addition, if you agreed with me that we might want to plant some more milkweed to help save this species, I'd like to give you some of these seeds right now. But if I were to hand you these seeds, I would be breaking an 1800's portion of Ohio Revised Code.

This story is but one example of how an outdated law is preventing common sense conservation practices from being more widespread. In fact, Soil and Water Conservation Districts across Ohio do milkweed collections every fall already – a practice which has occurred, technically, illegally for many years. Home gardeners and conservationists, or those who love native plants, have given seeds to their neighbors forever, yet they would technically be in violation of state law doing so.

House Bill 364, which incurs zero cost to taxpayers, simply clarifies that non-commercial seed sharing which would support conservation of pollinators and threatened or endangered species, planting and creation of native plant habitats, propagation of native plants for their specific conservation, and operation of a seed library for the general public would now be permitted in Ohio – and that some what are currently classified as “noxious weeds,” including milkweed, are aligned with the list of noxious weeds currently determined by the Department of Agriculture. This common sense legislation will only allow citizens and concerned organizations to legally and more freely continue practices which support important plant and animal species across Ohio.

I thank you very much for your time today, and would welcome any questions you may have.