



SENATE ENERGY AND PUBLIC UTILITIES COMMITTEE – OPPONENT TESTIMONY, HB 205, 11.14.23

Chairman Reineke, Vice Chair McColley, Ranking Member Smith, and members of the Senate Energy and Public Utilities Committee, thank you for the opportunity to provide opponent testimony on HB 205. My name is Donovan O’Neil and I serve as the State Director of Americans for Prosperity, Ohio.

AFP believes when government protects people’s rights, important market signals can function. But when anticompetitive, cronyist policies that violate people’s rights are put forward and enacted, the openness of the free market is eroded and opportunities for competition for are significantly reduced and limited.

AFP’s opposition to HB 205 should not come as a surprise to most members in this General Assembly. My organization strongly opposed the previous iteration of HB 205 – HB 235 - via the committee process, in direct conversations with legislators, and with constituent outreach via our statewide grassroots network. You’ll be hearing from industry experts more familiar with the technical facts and nuances of operations that would be affected by this bill, but AFP is opposed to HB 205 for the following reasons:

- HB 205 creates a government mandated labor quota system which would require Ohio’s refineries to only hire construction workers for maintenance and/or new construction projects who have completed a training program, which is offered almost exclusively by the forced organized labor bosses pushing this legislation;
- HB 205 contains stringent and costly compliance provisions that would mandate excessive fines (\$10k/day/employee) of employers should any mandates be violated;
- And, most importantly, at a time when American energy dominance is in doubt due to dysfunction in Washington DC – this legislation directly mirrors big government mandates designed to inhibit the domestic production of fossil fuel.

This is a protectionist, anti-free market policy designed by cronyists, to directly benefit cronyism.

Finally, the notion that refining companies are not fully invested in and highly concerned with operational safety is ludicrous. What possible reason would they have for maintaining anything less than the highest standards for safety, when even relatively minor accidents can result shutdowns, delays, lawsuits, and insurance payouts? Businesses operating in a truly free market tend to do everything in their power to maximize profit, which in the refining business means safe, uninterrupted operational output.

AFP – Ohio opposes HB 205 in the strongest possible terms. It is legislation rooted in the culture of cronyism that weakens our free market system, both in spirit and in practice. The arguments against the bill are rooted in fact and reality. **AFP – Ohio strongly urges members of this committee to vote no on HB 205.**

Thank you for the opportunity to address this committee today. I’ll be happy to take questions.

Americans for Prosperity (AFP) exists to recruit, educate, and mobilize citizens in support of the policies and goals of a free society at the local, state, and federal level, helping every American live their dream – especially the least fortunate. AFP has more than 3.2 million activists across the nation, a local infrastructure that includes 36 state chapters, and has received financial support from more than 100,000 Americans in all 50 states. For more information, visit www.AmericansForProsperity.org.