

May 24, 2023

Chairman Dolan, Vice Chair Cirino, Ranking Member Sykes and members of the Senate Finance Committee. My name is Daryl Davis and I provided written and oral testimony in opposition to HB434 during the 134th General Assembly. It appears that bill is now reincarnated in the budget bill.

I am opposed to the section 4164.01 through 4164.20 and ask that it be removed from the budget bill. One might say so that it can be evaluated on its own merits but I just don't see any. It appears that little has changed from HB434 in the language of this section. This will be bad for Ohio and bad for future budgeting efforts.

There is still a lot we don't know about what specific goals or results this bill will have. One of the things we do know is that there won't be any way to find out if and when it becomes law. The section 4164.02 describes one goal: It is the intent of the general assembly in enacting this chapter of the Revised Code to encourage its use as a model for future legislation to further the pursuit of innovative research and development for any industry in this state. This is a foot-in-the-door for more secretive agencies

This version of the ONDA legislation alters Section 4164.04 by the elimination of the phrase "...and properties acquired." This is a bald faced attempt to remove the threat of eminent domain. I don't think that means that eminent domain would not be used if the Authority thought it was "a public necessity."

As we observed in our opposition to HB434 there remains the most important question, How long and how much will Ohioans pay for this ONDA? Nuclear research can cost billions. How can Ohioans expect to afford the cost of the oversight and running of research reactors with no results guaranteed and no public oversight?

Another question that seems to be unaddressed is: What exactly is an Ohio Authority? As we noted in our previous statements the difference between a state agency and an authority can be murky. Even without considering JobsOhio, unlike traditional state agencies, many state authorities conduct business outside of the typical oversight and accountability requirements for operations such as employment practices, contracts, procurement procedures, and financial reporting. State authorities can issue bonds or dip into public treasuries.

And speaking of JobsOhio here is an authority to be situated in the Department of Development with no jobs mentioned. Very few jobs would be created initially, and those would be for researchers. The public does not have to pay for the salaries or the infrastructure of private solar and wind development. What is the purpose of the Department of Development if not to create jobs through development?

It is possible that this bill is in violation of the constitution of the state of Ohio. If it is what redress do Ohioans have other than to foot the bill for an expensive and lengthy lawsuit?

On behalf of the Green Party of Ohio and of the Green Party of Cuyahoga County I oppose HB 33 unless and until the language creating an Ohio Nuclear Development Authority is removed. Please remove this section from the Budget Bill HB33.

Sincerely,
Daryl Davis, Cleveland Ohio