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Ohio Senate Judiciary Committee

Chair Senator Bacon, Senator Hoagland.

Substitute Senate Bill 250 opposition

11/27/2018

Senator Bacon, Senator Hoagland and Judiciary Committee members,

I hereby submit testimony in opposition to Substitute Senate Bill 250 as a constituent residing in Athens county.

I would like to address the following concerns of this proposed legislation. I would like to say that the majority of people do not choose protest for any reason other than the regulatory and political structure does not address their concerns.

This oppositional protest is often an effort to encourage entities to consider, examine and evaluate the concerns of the protester and hopefully engage in consideration and evaluation. I have exercised the right many times. As a 63 year old person, I believe it is my civic duty to do so.

This bill appears to support the oil and gas industry and the infrastructure that they are building at the expense of communities, climate and a sustainable economy.

As a higher education educator that focuses on the education of science it is paramount that the Ohio legislature address climate change and the warnings by international entities as the Intergovernmental Panel on Climate Change. As it is the state of Ohio is 5th in the United States for CO2 emissions. This will only expand with increasing emissions from oil and gas infrastructure and industry. This bill will act to thwart and punish constituents who choose to attempt to bring this reality to the attention of Ohio legislators and the public.

The bill supports industry at the expense of the common good

The bill directly incorporates "model" legislation drafted by the Koch Brothers funded American Legislative Exchange Council ("ALEC") which calls this proposal "The Critical Infrastructure Protection Act."¹ The ALEC organization brings together corporate lobbyists and conservative state legislators to draft bills promoting a corporate agenda in statehouses nationwide. SB 250 is one of eight state bills introduced in 2018 based on the ALEC draft, with the others introduced in Oklahoma, Iowa, Pennsylvania, North Dakota, South Dakota, Colorado and Washington.

The bill seeks to discourage public participation guaranteed by the constitution

The fines and penalties imposed in SB 250 are anathema to free speech and protest, set forth by the constitution. This bill therefore in effect, violates the constitution and places corporate power and wealth above the rights of citizens.

Trespass

SB 250 addresses trespassing of industrial infrastructure. This is unnecessary -- there are already Ohio laws regulating trespassing. With this bill the legislature appears not to recognize Ohio's existing laws that prosecute anyone who trespasses on or damages infrastructure.

It is your duty, as legislators, entrusted to represent the public good and future of the public good to oppose substitute SB 250 in all forms.

Respectfully submitted,

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