

## Columbus Office

Vern Riffe Center  
77 S. High Street, 11th Floor  
Columbus, Ohio 43215-6111

Phone: (614) 466-8100

Fax: (614) 719-0005

Email: Rep77@ohiohouse.gov

Web: www.ohiohouse.gov



## Committees

Ways and Means, Chairman  
Energy and Natural Resources  
Aging and Long Term Care  
Ohio 2020 Tax Policy Study  
Commission, Co-Chair  
Study Committee on Receivership  
Laws

## **Tim Schaffer** **State Representative, 77<sup>th</sup> House District**

### **House Bill 48 Sponsor Testimony** **House Criminal Justice Committee** **Tuesday, June 20, 2017**

Chairman Manning, Vice Chair Rezabek, Ranking Member Celebrezze, members of the House Criminal Justice Committee—thank you for the opportunity to bring sponsor testimony on House Bill 48.

First of all, thank you to the Chairman for doing a quick amendment to the bill. This amendment limits the definition of a war relic to include cannons, artillery and equipment, which are all the accessories associated with these weapons. As I am sure many of you have seen, cannons and artillery are often displayed at cemeteries, courthouses and other public places like veterans' monuments. Many times, they are also accompanied by a cart or other piece of equipment, which we have addressed in the new definition.

We are pursuing this amendment because we want to tightly tailor the bill to address the problem at hand, which I will describe shortly.

Now, I would like to bring your attention to a few individuals whom you have probably noticed. These are gentlemen from the Sons of Union Veterans, William McKinley Camp, from Central Ohio. They have been invaluable advocates to me on this bill, and I want to thank them for their attention to the matter at hand, and also for making the trip up to the Statehouse today.

Not only are they here to lend support for House Bill 48, they are also proudly manning a display of a truly historic war relic. In fact, this relic is the crown jewel of Lancaster—an authentic Civil War cannon used by Ohio native General William Tecumseh Sherman during the Battle of Shiloh and his famed March to the Sea through the South.

If you have not yet seen the cannon, I would invite you to join me out on the west lawn after this committee is over, from 11:00-4:00, so you can experience this invaluable piece of history firsthand.

That brings me now to the intent for House Bill 48. Like the Sherman cannon, Ohio is blessed to have numerous pieces of history on display throughout our great state. Stretching back to the Revolutionary Era, the War of 1812, the Civil War, the wars of the 20<sup>th</sup> Century to our current conflicts in the Middle East, these pieces of history remind us of the sacrifices brave men and women made in the name of freedom and liberty. They let us pause so we can remember how high the cost truly is to preserve the rights and privileges we enjoy as Americans.

These relics carry another high price as well—the amounts that unscrupulous private dealers and collectors will pay to hide them away from public view forever. Again, thanks is due to the Sons of Union Veterans, who brought this issue to my attention. It is far from uncommon for these collectors to approach cash-strapped local governments or cemetery associations and offer them what seems like a sizable amount of money for their historic cannons. For some of these organizations, it can be an offer too good to pass up. They can erase a deficit by liquidating one of their assets, which may appear on the surface to be a reasonable financial strategy to pursue.

However, there are flaws to that decision to sell a piece.

First of all, cannons, artillery and their equipment are often still property of the federal government, making the transaction an illegal sale in the first place.

Second, these war relics have a value that no private collector can match, which is again, the reminder of what it has taken to preserve our freedoms throughout the generations. Taking that reminder away is a detriment to the public as a whole, and a stain on the memory of those who served.

It is my intention in House Bill 48 to provide the necessary protections these war relics deserve. Here is what I propose in the bill:

First, House Bill 48 would prohibit a war relic located on public property or on the property of a cemetery association from being sold, destroyed, relocated, removed, altered or otherwise disturbed by any person. The major exception to this is if the war relic is returned to the federal government, and other minor exceptions include repair work, placing it on a temporary display or using it for re-enactment purposes. The bill does provide exemptions for the state and political subdivisions, but only if they can clearly prove their ownership of the war relic in writing.

Second, the legislation targets purchasers of these war relics by levying a \$10,000 fine against them. This is a significant financial disincentive, but it also serves to target their reputation as well. No reasonable collector will engage in this activity with the threat of this fine being attached to their name and background.

On the seller's side—local governments or cemetery associations—their fine includes only the amount that they received from the sale of the war relic. There is no additional penalty. The fines for both the purchaser and seller would be paid to the county veterans' services commission the county where the relic was located. Half of the money will be used to preserve veterans' memorials, and the other half will go to the congressionally chartered veterans' services organizations that support our veterans. The State would receive none of the fine money, because that is not the goal.

In closing, I believe it is time that the State adopt legislation to protect these invaluable pieces of history from disappearing from public view forever—or worse, being melted down for scrap. We owe it to the memories of the men and women who served to establish and then preserve our

freedoms. We owe it to our children and grandchildren to preserve the artifacts they will one day experience for themselves.

Thank you again for the opportunity to present this testimony. I would like to remind you to come see the Sherman cannon if your schedule allows and will be happy to take any questions you have.