

April 25, 2017

Ref: HB 49 – proposed amendment HC 1793

Chairman Ryan Smith –

Thank you for taking time to allow me to express my concern with the proposed amendment HC 1793 to HB 49, a damaging expansion of Ohio probate judge's role in park district control.

First, there is no positive benefit to HB 49 from this amendment, and the content should really be addressed as a separate piece of legislation instead of a hasty last minute addition to HB 49. I ask that the amendment be rejected for reconsideration on its own merit alone at a later date.

Secondly, the topic of the current section of Ohio Revised code addressed by the amendment (1545.06) is the procedure for dismissal of park commissioners. This proposed amendment's additional text for that section suddenly changes to a new topic - granting additional powers of enforcement against the public in general (as opposed to commissioners) to the probate judge, for generalized "interference" with the parks "purpose". In this context, a new section – say 1045.091 would be more appropriate. More importantly, the vague language used for providing for these additional powers and the stated reason for exercising these new powers is alarming, especially given the recent history of events in Geauga County. If such powers need specification in the Ohio Revised Code, I would expect specific and limiting language to spell out both the exact nature of the offense being addressed, and the maximum penalty to be imposed (much like the rest of the 1045 section) – instead of the open-ended language of HC 1793.

To pass the amendment as written would be to open the door to the possibility of abuse and subsequent legal challenges during disagreements over the direction of Ohio county parklands.

I really wish I could be present in person to speak with everyone about this topic, and I am sorry that I cannot be there - please be my voice for me, and thanks again for your precious time!

Bruce Bennett

A handwritten signature in cursive script, appearing to read "Bruce Bennett".

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