

To: Ryan Smith, Chairman Finance Committee

Re: HB49, Amendment Number HC1793
Proposed change to Ohio Revised Code 1545 concerning County Parks

From:
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Chairman Smith,

I am writing to strongly object to Amendment HC1793 to HB49, and to encourage the Finance Committee to remove it from the bill.

It was not the intent of the legislators who originally drafted this law to provide probate judges the power to arbitrarily muzzle and punish law-abiding citizens (who, it should be stated, fund those parks) simply for publicly holding the judge and his appointees accountable for their stewardship, or lack thereof, of those public lands.

The probate judge, as with any other public servant, does not, and should never, have the power to hinder such lawful free speech at his or her sole discretion. It is, after all, the right of all US citizens, provided by the First Amendment to our federal Constitution, to lawfully speak on public matters. Such unneeded and inappropriate power in the hands of a single individual opens the door for exploitation and misuse, without even the restraint normally provided by separation of powers.

We can all agree that public park systems are not static entities, and the citizenry who fund those parks may over time wish to see the by-laws or even the mission statement revisited and tweaked. But that is a process conducted in an orderly democratic manner via open communications, community surveys, public meetings, open and welcoming park district meetings, and so on. It should never be implemented arbitrarily and haphazardly by an appointed probate judge and his/her hand-selected commissioners behind closed doors and/or refusing public input. And it most certainly should not be implemented while threatening those who peacefully and lawfully dissent with accusations of “interfering” and imposition of “duties or restrictions.”

Our parkland stewardship in Ohio counties has passed the test of time and has no need for Amendment HC1793. Any probate judge who would feel the need for such an amendment should be looking in the mirror and reconsidering the direction of his/her stewardship of the treasured public lands in that county. Amendment HC1793 is vague, expansive, mean-spirited and undemocratic. Drop Amendment HC1793 from HB49!

Thank you,
Ken Vinciguerra