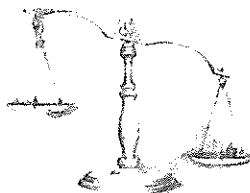


MORROW COUNTY COURT OF COMMON PLEAS
Morrow County Courthouse
48 East High Street, Mount Gilead, Ohio 43338
www.commonpleas.morrowcountyohio.gov

Robert C. Hickson, Jr., Judge
Tom C. Elkin, Judge
Gregory Thomas, Court Administrator
Kevin Collins, Magistrate
Celeste Brammer, Magistrate



General Division (419) 947-4515
Probate Division (419) 947-5575
Juvenile Division (419) 947-5575
Probation Dept. (419) 947-5512

February 8, 2022

Honorable Scott Wiggam
77 South High Street
13th Floor
Columbus, OH 43215

RE: Letter in Opposition to HB 405

Dear Representative Wiggam,

We are writing to you as Chairman of the House State and Local Government Committee, which is reviewing House Bill 405.

As the holders of concurrent judicial jurisdiction for both the Morrow County Common Pleas Court, General Division and Morrow County Common Pleas Court, Probate Division, **we both wish to voice our strongest opposition to H.B. 405. We have never been consulted about this bill.** There are several counties in the state which will be impacted by this legislation. There may be fabrication about any contact or input from us. We were surprised to learn of bill's existence and only recently reviewed its proposed purpose. Sadly, we are not sure what personal comments may have been added to the bill's introduction, but the purposes of legislation should be global, collaborative, and intentional without unintended consequences. H.B. 405 does none of these. Some care and time would be very prudent.

The bill's incomplete analysis speaks only to commissioner votes, permitting a board to function not as a board but with three individual votes. There could be ill-conceived consequences for other boards (boards of education, village councils). Could this set a precedent for other board of commissioner votes? Boards vote as boards not as individuals. Care and time would be prudent if that long-standing dynamic is changed.

More importantly, standard checks and balances between the branches of government at the county level appear to be under attack here, under the guise of a local, yet personal assault, on the two of us. Since other testimony or correspondence may have represented that H.B 405 is only a "local" issue, legislation changing decades of governmental functions is not appropriate. Reasons, wording, and possible consequences of the bill need to be discussed. The actual

conflict here is between the Morrow County Board of Commissioners and the Morrow County Hospital Board. Currently, the Hospital Board is in deep discussions on which health care organization is to manage its operation. This is just one more assault from a different angle. The judges who only appoint members to the Hospital Board are under attack when better communication between those two boards is really the key to solve a "local" issue.

The Hospital and the Commissioners have had an on-going disagreement. There may have been testimony that this is the same process started before. The MO is the same. There had been no communication with or notice to the judges about any prior legislation. There was a proposed legislative amendment to a large, unrelated bill, that impacted the way the Court of Common Pleas and County Commissioners would select hospital board members. H.B. 405's wording and the legislative analysis appears to significantly differ however. As all committee members know, how legislation is worded can differentiate bill versions significantly. An amendment is not the same as a separate bill. Sadly, in the prior assault, state senators and even the Ohio Hospital Association were falsely told that the we actually drafted the prior amendment when we had no knowledge of its initiation at all. No judicial association was consulted then, and has not been included in any discussion of the present bill's effect. Hasty passage of poor legislation can lead to irreversible consequences.

We are strongly opposed to the passage of H.B. 405.

Thank you for your consideration.

Sincerely,



Judge Robert C. Hickson, Jr.



Judge Tom C. Elkin