

# Ohio Parks and Recreation Association



## Testimony on Amended Substitute House Bill 96

### Senate Finance Committee

May 27, 2025

Chairman Cirino, Vice Chair Chavez, Ranking Member Hicks-Hudson and Members of the Committee. I appreciate the opportunity to testify today

I am here on behalf of more than 2,500 members of the Ohio Parks and Recreation Association to express our concern with four specific provisions of Am. Sub. HB 96. The Ohio Parks and Recreation Association represents parks and recreation agencies of all sizes and types throughout the state including nearly every entity in the state providing these services to your constituents.

First, the House passed budget prohibits the use of eminent domain for recreational trails.

This provision could have the impact of raising the cost of many trail projects for local governments throughout the state. This amendment is the result of one problematic case that we have been aware of over the past twenty years. That case, in Mahoning County, has been resolved, and the park district there is no longer pursuing the properties in question through eminent domain.

Trails remain the most requested amenity by the public for parks and recreation agencies.

Eminent domain is a rarely used tool that is often utilized to bring out-of-state landowners to the negotiating table to agree on a reasonable price for land that may be used for trail development. A recent example from Medina County illustrates how the process works.

Several years ago, when Medina County Park District (MCPD) purchased the former Chippewa Lake Amusement Park, a 1.39-acre sliver of land bisected the acquisition. CSX was the owner; the railroad tracks had been abandoned in the early 1900s after ice harvesting and shipments to Cleveland ended. While the district paid \$22,000 per acre for the former park, CSX claimed that their sliver was worth more than \$200,000 per acre. The company was unwilling to negotiate, so the district eventually filed for eminent domain to bring CSX to the bargaining table. In the end, CSX was paid \$12,000. The ability to utilize eminent domain saved Medina County taxpayers as much as \$200,000.

And while this case provides an outstanding example, it is not even the most common use, or best use of this authority. Much more frequently, eminent domain is used when the owner of a piece of property cannot be identified. Because of frequent corporate mergers and ownership changes, most trail projects utilize eminent domain as a tool to acquire property which is derelict -- and sometimes dangerous.

With the one noted exception in Mahoning County, these are outstanding examples of how eminent domain is used for trail projects.

Therefore, we are requesting an amendment to either remove this provision by deleting lines 17110 through 17113 of the House passed bill or to modify the provision by applying it only to the impacted land owners in Mahoning County. Amendment number SC0314 would accomplish this.

Let me very briefly touch on three other issues.

First, for more than a century, Metropolitan Park Districts have been governed by Boards of Commissioners appointed by the County Probate Court Judge as outlined in ORC 1545. This system has worked well in Ohio throughout the history of Metropolitan Park Districts. The House passed budget creates a new process for appointing park district commissioners which appears to apply to just one county—not coincidentally Mahoning County—giving the county commissioners the authority to appoint commissioners while tying the hands of commissioners about who could be appointed.

This language is unnecessary and confusing and would further politicize and complicate park district governance. We are requesting an amendment, SC1186, to remove this provision.

Next, the bill before you cuts funding for the H2Ohio program by \$120 million from the Governor's request over the biennium. We urge you to restore this funding. Our members have worked with ODNR on significant water quality initiatives, including the creation of wetlands around the state. We are proud of the significant role that Ohio has taken in water quality, and restoring this funding would ensure that this progress continue.

Finally, ODNR requested appropriation authority to spend \$40 million (\$20 million each fiscal year) from bonus payments on oil and gas leases at the Division of Parks and Watercraft. The House budget cut this entire amount. The impact of this cut will be felt across the agency. The Division will be unable to retain law enforcement vital to the safety of visitors and surrounding communities. Additionally, ODNR will be forced to cut other important work, such as dredging, waterways management, and facilities maintenance, to cover the wage increases the Division is required by law to pay. We are requesting that the \$40 million appropriation be restored by the Senate.

Thank you, Mr. Chairman and members of the committee.