



May 22, 2023

Chair Hillyer, Vice Chair Mathews, Ranking Member Galonski, and members of the House Civil Justice Committee,

Thank you for the opportunity to provide opponent testimony on House Bill 64. My name is Megan O'Callaghan; I serve as City Manager for the City of Dublin. I am submitting testimony in opposition to House Bill 64, as it would significantly impede our communities from conducting public infrastructure improvements. As these needs continually change, our duly elected local government officials must have the flexibility and authority to meet the demands of our residents. As a local government, the City is best suited to make decisions regarding the use of eminent domain generally based on circumstances on the ground in each particular situation.

The City of Dublin is a city of approximately 50,000 residents spanning portions of Franklin, Delaware, and Union County. Dublin's trail system is a crown jewel of the City and is treasured by both residents and visitors to the City. Many portions of this system were only made possible because of the power of eminent domain, and the City plans to continue using this power for these means in the future.

We are deeply concerned about language in House Bill 64 that would remove recreational trails from the definition of "public use" in Ohio's eminent domain law. Trails are a critical asset to Central Ohio, and the City of Dublin, both for recreational purposes and commuting, and are widely used across the region.

Trails are integral to our community's quality of life and offer numerous benefits to residents and visitors alike. They provide space for health and wellness activities, and are a key component in our transportation network, connecting neighborhoods to jobs, schools, health care, retail, and greenspace. Residents also like them. In a statewide survey conducted by the Ohio Department of Natural Resources, over 82 percent of respondents indicated trails are "extremely important" or "very important" to their daily lives. When asked what prevents them from using trails, 42 percent of respondents answered that there are not enough trails, and 35 percent said trails are too far away. This survey reaffirms what we already hear from our residents: trails and greenways are a resource people value. Restricting our ability to expand and enhance them will only hinder us from improving overall quality of life for our community.

We recognize that trails are just one part of a robust transportation network, and as transportation needs evolve in any community, local governments must be prepared to respond. New development, jobs, and housing will always bring new public service challenges and greater transportation needs. While local governments and park districts rarely use eminent domain for trails, it is a necessary tool of last resort when making significant investments in complex networks. House Bill 64 would eliminate this option and make it more difficult to fill gaps in the City's trail system.

More generally, the City of Dublin opposes any curbing of the appropriation authority of Ohio's municipalities. Eminent domain is an incredibly important tool for Ohio municipalities and empowers those municipalities to provide important services to residents while assuring that landowners receive just compensation. The heightened burden of proof included in HB 64 is an additional burden that threatens the autonomy of local governments and will certainly lead to delays in providing services and amenities to residents. Local government is best suited to make decisions regarding the use of eminent domain to achieve desired ends.

Chair Hillyer and members of the House Civil Justice Committee, thank you again for the opportunity to submit opponent testimony on House Bill 64. We strongly urge you to reject these measures and protect our ability to meet constituent needs.

Sincerely,



Megan O'Callaghan
City Manager
Dublin, Ohio USA

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