

March 31, 2009

The Honorable Ted Strickland
Governor of Ohio
Riffe Center, 30th Floor
77 South High Street
Columbus, OH 43215-6108

Re: HB 2 Veto Request

Dear Governor Strickland:

On behalf of the Ohio Township Association (OTA), I am writing to respectfully request you veto a provision of Am. Sub. HB 2, the transportation budget. Specifically, the OTA is requesting veto of language in HB 2 that would require local governments, including townships, which receive American Recovery and Reinvestment Act (ARRA) funds to pay for the relocation of utility and cable lines on projects that are funded with ARRA money. This language was inserted during the Senate committee process on HB 2 and a variation of the Senate language was inserted in the bill as reported by the Conference Committee.

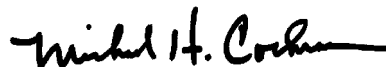
First and foremost, this is a significant change from current law. Unlike state law requiring the state to pay for relocation of utility facilities, current state law does not require a local government to pay for utility relocation. In fact, state law permits townships to require permits of the utility companies for use. Utility companies are granted permission to use the rights-of-way at their own expense and generally bear the full cost of relocation in exchange for the privilege to use the local rights-of-way.

The language contained in HB 2 will impose new and unnecessary costs on local governments that are ready to begin work on stimulus projects. Townships that receive ARRA funds will be required to incorporate the cost of utility relocations on projects. We are very concerned with the amount of money that will be diverted for utility relocation considering that when stimulus proposals were submitted, the costs for utility and cable relocation were not included in the proposal. Diverting this money to the utility and cable companies and away from important public stimulus projects seems to contradict the intent of the ARRA.

Finally, we have been informed by ODOT representatives that federal funds may not be used for utility and cable relocation. This means that the entire cost for relocation must come from other township revenue sources. At a time when budgets are tight and residents are not willing to support levy requests for additional funds, townships cannot incur any unplanned expenses.

Again, the OTA respectfully requests you veto this provision. We appreciate your consideration of this request and should you have any questions or wish to discuss this matter further, please do not hesitate to contact me or OTA Director of Governmental Affairs Heidi Fought at (614) 863-0045.

Sincerely,



Michael H. Cochran
Executive Director

MHC:hf