

Date: December 3, 2018

To: The Government Accountability and Oversight Committee
Chair: Rep. Louis Blessing, III
Ranking member: Rep Kathleen Clyde

Subject: Written testimony against proposed H.J.R. No. 19

From: Denis M. Osowski
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Rep. Blessing, Rep. Clyde, and members of the Government Accountability and Oversight Committee:

I am asking you to vote NO on H.J.R. 19 which seeks to modify the Initiative Process. Please do not put this resolution before the legislature for a vote.

As a citizen of Ohio who has participated circulating petitions for the all-volunteer, Fair Districts Ballot Initiative effort, I know what it takes to reach signature thresholds under current rules. Under the current rules, I know how many hours I and other volunteer citizens had to stand outside libraries, post offices, on the sidewalks at festivals and music events, walk parade routes and find public places where the circulation of petitions is permitted. Fair Districts was a nearly impossible task and H.J.R 19 would effectively end all grassroots, citizen-based initiatives in favor of wealthy, well-funded, and often outside Ohio groups who have the money to hire massive numbers of workers and signature collectors.

Specifically, the following elements of H.J.R. 19 are particularly onerous and incompatible with traditional democratic norms:

The deadline for signatures changes to April 1 and signatures gathered would only be valid for 180 days. I find this provision particularly outrageous and cruel. With this provision, signatures can only be collected in the coldest and most inclement weather in Ohio which is a significant deterrent to a grassroots and volunteer efforts. From experience, I know that volunteer citizens who may be willing to circulate petitions will find standing outside in single digit temperatures and windy conditions challenging and prohibitive. Snow, sleet, high winds, and low temperatures are all deterrents to petition circulation. Many citizens, due to health concerns will be unable to help. I know from experience, citizens who will stop in sunny, warm, and temperate conditions, will not stop to be educated about an initiative, ask questions and take the time to decide to sign a petition when frigid temperatures make it hard to even hold the pen or the wind is not only blowing papers around but decreasing already uncomfortable temperatures. I know from experience that finding inside collecting venues is very difficult.

The 180-day life of a signature makes signature collecting a very daunting proposition for a grassroots organization without huge coffers with which to organize the effort and to pay people to circulate petitions. Further, the provision would not stop well-funded national organizations from seeking constitutional amendments and statutes in Ohio. Indeed, it is only those kinds of groups that could possibly prevail because of the passage of this bill. The people that would be all but denied participation

in the initiative process are the regular citizen, volunteer based, and grassroots natured groups seeking to act when a gerrymandered Statehouse has refused to hear them.

Instead of a simple majority, a constitutional ballot initiative must pass with 60% of voters voting in favor. A supermajority represents another barrier to citizens right to act and is unnecessary. The electorate has demonstrated repeatedly that they do evaluate well ballot initiatives put to them (case in point, Issue 1 this past November) and they pass them at very low rates. There is no need to hold Ohio citizens to an even higher standard. A simple majority is adequate.

Signature threshold for a statute initiative to increase from 3 to 5 percent of the vote for Governor in the prior midterm election. Increasing the number of signatures needed to 5% is unnecessary and creates an overly restrictive barrier to grassroots citizen groups and does little to impede wealthy and well-funded groups, many coming from outside the state of Ohio. The average citizen is again the subject of what would seem to be an effort to favor in law the wealthy over the average citizen.

Given the above and other provisions of H.J.R 19, the bill would effectively remove the ballot initiative for both constitutional amendment and for initiating statutes as a tool of democracy from the average citizen and I urge you to vote NO on H.J.R. 19.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Denis M. Osowski". The signature is fluid and cursive, with a large initial "D" and "O".

Denis M. Osowski