

Written Testimony in Opposition to HJR 19

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Good morning Chairman Blessing and committee members. I wish to speak in opposition to House Joint Resolution 19.

The Ohio Constitution, Article 1, Section 2 states that *“All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform, or abolish the same, whenever they may deem it necessary; and no special privileges or immunities shall ever be granted, that may not be altered, revoked, or repealed by the general assembly.”* HJR 19 is a direct attack on this important principle of our constitution.

The peoples' right of initiative has been part of our state constitution since 1912 which granted Ohio citizens the right to act as co-legislators with the general assembly. This important act of checks and balances is needed when the legislature is not acting in Ohioan's best interests. After all, isn't our government supposed to be of, by, and for the people? Then it is preposterous that a standard be set that would make this right subservient to the legislature. Why should proposed constitutional amendments coming from the legislature require a simple majority of 50%, whereas, proposed constitutional amendments coming from the people require 60%, which is one-fifth or 20% more votes than the legislature path? This seems to suggest the arrogance that the legislature knows best and the people, not so much.

Initiative is already an onerous process that requires tremendous cooperation and effort. I personally have been involved in collecting signatures for several initiatives and know first-hand about the hard work and over one thousand hours I have put in collecting several thousand signatures, without pay. Many volunteers like me have done the same because they believe in democracy and have worked on an issue that they feel will benefit the people in their community or all Ohioans. For an Ohio constitutional amendment the bar just became even more difficult, now requiring 41% more signatures than before (431,809 up from 305,591) because of the turnout in the latest elections.

Supposedly, one justification for this is to protect the Ohio constitution from outside big-money interest. I find this hypocritical because many of the laws proposed and enacted by the legislature come from big-money corporate interests like ALEC and oil and gas lobbying groups. This proposal would make sure that only big-money corporate interest groups could initiate constitutional amendments. True grass-roots groups would not be able to meet these extreme requirements. The current process is working just fine. Only a small percent of initiated constitutional amendments are successful. Since 1983 less than one-third or only 6 out of 19 have passed.

Also, just because some money for the most recent proposed constitutional amendments came from out of state, many Ohioans saw a need for these issues and supported them. I think most people feel that reducing the price of drugs is a good thing and so is criminal justice reform. Maybe they were defeated because they had some flaws or maybe it was the negative ads from big-money interests that convinced people to vote against their best interests. Either way, it is good that these issues were raised and Ohioans were given the opportunity to consider them and vote on them. Another positive outcome of this is that communities, like Columbus, are now considering bipartisan criminal justice reform that was prompted by the most recent initiative, Issue 1.

If the legislature is so concerned about initiated amendments to the constitution then they should work to make initiated statutes more attractive and abandon this undemocratic resolution.