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House Constitutional Resolutions Committee

Testimony on House Joint Resolution 1

Robert A. Davis, Political & Legislative Director

Good Morning Chairman Plummer, Vice Chair Hillyer, Ranking Member Mohamed and members of the House Constitutional Resolutions Committee. My name is Robert Davis, and I am the Political & Legislative Director of AFSCME Ohio Council 8; the union that represents more than 33,000 individuals that work both in the public and private sectors in Ohio and West Virginia and are employed by municipalities, counties, hospitals, K-12 public schools, and institutions of higher learning. I am submitting this written testimony to voice our organization's strong opposition to House Joint Resolution 1; legislation, which if passed, would have a lasting effect of making it harder pass citizen-led ballot initiatives in Ohio.

Since 1912, the citizens of Ohio have had the ability to amend the state's constitution through a simple majority vote of the electorate. This method has proven to be the best way in which citizens can directly affect the legislative process in Ohio. House Joint Resolution 1 threatens to undermine this process by placing provisions in the legislation that we believe will only be barriers in guaranteeing Ohioans maintain this right.

First is the provision that would require petitioners to obtain a minimum of 5 percent of the electors of each county in the state. Currently, a citizen-led constitutional ballot referendum or initiative requires its backers to go through a strenuous process just to make it to the ballot. Initially, petition circulators must obtain 1,000 signatures from registered voters in Ohio.



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Next, they then must collect a minimum number of signatures equal to 10 percent of the votes cast in the last gubernatorial election, which in 2023 would have the requirement of 420,137 valid signatures. These signatures must be collected from at least 44 of Ohio's 88 counties and must equal at least 5 percent of the votes cast for governor in those counties in the previous election. An argument could be made that if most Ohio voters live in just 7 counties, then why should petition circulators not be allowed to focus their efforts there? We believe that the current 44 county requirement allows for an exceptional cross section of voters that would decide by way of them signing a petition if an issue should be placed before Ohio voters.

Second, we believe that any legislative body elected by the people should not erect barriers that would make it more difficult for these same people to have the ability to govern themselves. A true democracy is one in which the citizenry determines what is best for themselves. Any barrier that makes it more difficult for them to utilize this self-determination is a threat to the democratic process.

Third and finally, the 60 percent voter approval threshold is counter to the principle of "Majority Rule." Like a sporting event in which a winner is determined by who has scored the most points and not a point threshold, so true it should be in determining the winner in an election. Because candidates for public office are not deemed unsuccessful simply because they failed to receive 60 percent of the vote, neither should an initiative or referendum fail because a minority of 40 percent of the voters did not support it.

Chairman Plummer, Vice Chair Hillyer, Ranking Member Mohamed and members of the committee. Thank you for allowing me to share AFSCME Ohio Council 8's strong opposition to House Joint Resolution 1 and I hope you share our view that this legislation is unfair, unpopular, and most of all undemocratic.