

**Testimony by Trevor P. Martin,
In Opposition to House Joint Resolution 1,
Before the House Constitutional Resolutions Committee
April 19, 2023**

Chair Plummer, Vice Chair Hillyer, Ranking Member Mohamed, and honorable members of the Constitutional Resolutions Committee, thank you for providing me the opportunity to testify today in opposition to House Joint Resolution 1, a proposal to require a 60% vote to approve any constitutional amendment.

My name is Trevor Martin, I am a citizen and resident of Ohio where I was born and raised. I am a registered voter in the state of Ohio and I am a dues-paying member of and financial contributor to a large number of special interests. In fact, I have been employed by some of the very special interests that I have donated to, and continue to be to this very day. Some of the special interests I have given money to or worked for represent “Big Environment” or “Mother Earth”. Others have greased the wheels of the mysterious and reticent “truth and accountability in government” lobby. Some have carried water for so-called “water protectors”, while still others had the audacity to put “people over profit.”

Seriously though, in all candor, when considering all of the membership organizations, the citizen and civic associations, public policy advocate groups, and nonprofit social welfare orgs that I am an active member of, I know that they act in my best interests because we share the same interests. We have a common cause if you will. And each individual organization requires and depends on the same exact thing to continue the work that they do—People like me. Motivated, inspired, engaged and active community members willing to sacrifice their time, talent and treasure to increase public understanding and empower their fellow citizens to participate in all aspects of the democratic process.

House Joint Resolution 1 is anathema to an engaged and participatory citizenry. In no uncertain terms, it is an assault on direct democracy and the right of the people to rule themselves. A right that has served the people of Ohio well for over one hundred years. Convention delegates wrote 41 amendments, which were submitted to Ohioans at the general election of November 1912. Voters approved thirty-three of the amendments and rejected eight others. Approved amendments granted the power to pass legislation that regulated working conditions in factories, set an eight-hour day for public works employees, and created a mandatory workmen’s compensation system. Many of the amendments aimed to check the power of corrupt Statehouse politicians of the era. Municipal home rule, and direct primary elections were approved. Though perhaps most

significant of these efforts was the passage of the initiative and referendum amendment and the overwhelming support that it received from Ohio voters.

Years ago, I was fortunate enough to work with a “special interest group” that put me in direct subordination to one of the nation's leading authorities on the initiative and referendum processes, Mr. David Schmidt. In his acclaimed book entitled *Citizen Lawmakers*, David goes beyond viewing the initiative as an extension of citizens’ right to petition governments by describing it as capable of preventing or correcting the overconcentration of political power. He wrote that, “American history is rife with instances of corruption and misrule, but even under an honest government, political power in a given city or state can fall into the hands of an individual, a small group, or a single party. With the initiative process, however, the people retain the ultimate authority, thus preventing any monopoly power, even when an individual party controls the legislative, executive, and judicial branches of government.” There have been numerous studies that have shown evidence that the initiative places pressure on legislators to act and be representatives of the citizenry and in turn neutralizes party bosses and monied interests within the statehouse, precisely what it was intended to do when put in place.

The initiative and referendum process increases the citizen’s stake in government. It allows the electorate to help establish the legislative agenda, circumvent inertia, and makes legislative bodies more responsive to the concerns of their voters, all the while comporting with the principles of electoral representative democracy. A major advantage to this is the fact that it makes the operation of special interest groups more visible in comparison with their lobbying activities in the state legislature or local legislative body. I would even venture to say that special interests have not captured control of the initiative process as they have captured control of the legislative decision-making processes on certain subjects.

There are already protections in place to address concerns about wealthy interests abusing the initiative process. The Ohio Initiated Monopolies Amendment, also known as Issue 2, was on the November 3, 2015 ballot as a legislatively referred constitutional amendment, where it was approved by just 51.33% of voters. The measure aims to protect the Ohio Constitution from corporate interests and requires the Ballot Board to determine if a proposed constitutional amendment violates prohibitions on granting “a monopoly, oligopoly, or cartel for their exclusive financial benefit or to establish a preferential tax status.”

Requiring a 60% supermajority to pass ballot measures strays from the intention of the 1912 convention delegates and the will of the Ohio people. The higher threshold is a balk to the tradition of majority rule and will most likely have the opposite of the

sponsor's desired effect: it will make it almost impossible for anyone except big money special interests to pass ballot measures in Ohio successfully. The special interests that I work for and that represent me do not have corporations and billionaires lining their pockets, they rely on the generosity of small individual donors, and the voluntary efforts of myself, my family and friends, and my neighbors and community members. Please, do not shut us out of the democratic process.

I urge you to oppose House Joint Resolution 1. Thank you.