

Chairman Plummer, Vice Chair Hillyer, Ranking Member Mohammed, and members of the OHR Constitutional Resolutions Committee, Thank you for allowing me to testify today. My name is William C. Lowers. I am a 74 year old US Naval Vietnam veteran and I run a small product safety consulting business. I hold associate and bachelor's degrees in Public Administration from Franklin University here in Columbus, and have done graduate work in City and Regional Planning at Ohio State. I am strongly opposed to Bill Number SJR2 for the following reasons:

I think every American who is paying attention knows that the United States Congress is a dysfunctional legislative body, and I think nearly every American knows that the reason so very little gets done in Washington is that the United States Senate is continually bound up by the filibuster, also known as Senate Rule 22, in which a minority of 41 Senators can hold up the work of the other fifty-nine on a procedural basis, which has come to be routinely abused in recent decades.

I believe that many elected members the Ohio General Assembly wish to impose this same dysfunction to the Initiative Petition process that our Constitution now provides citizens the power to amend the Constitution with a simple majority vote of 50 per cent plus one vote. The proposal before the General Assembly will create an effective filibuster in which a minority of Ohio voters will be able to thwart the will of the majority of on questions where it has been determined that the only equitable solution to a public problem is to amend the Constitution.

If this amendment is enacted at a low turnout August election by a smaller than normal minority of Ohio voters, which this body as already said is the wrong time to hold an election, the economics of changing our Constitution will flip strongly in favor of the minority, and I will explain why I feel this way.

1. Let's assume that on any important public policy decision, that about 35 percent of Ohioans will be on one side or the other, which leaves 30 per cent undecided, and the job of those advocating either the passage or defeat of the measure must convince 15 percent plus one voter that their position is the correct one.
2. Assuming that each side must convince half of the undecided voters, then we can logically assess that both sides will need to spend about the same amount of money to persuade voters to the rightness of their positions.
3. Now, if this amendment passes, then the forces against passage of all subsequent amendments to the Ohio Constitution will only need to convince 5 percent plus one voter in order to defeat it, and those advocating passage will need to convince 15 percent plus one voter in order to pass it.
4. It costs a lot more money to convince 15 per cent of voters than it does to convince 5 percent. We can assume that those seeking passage will need to spend at least three times as much as those who are opposed.
5. As an alternative to an amendment proposal is one that holds broad support by the electorate, but the legislature fails to act in a manner consistent with the majority of the people, leaving the people no choice but to force the legislature's hand in the form of a Constitutional Amendment that expresses the will of the people at the ballot box. Again, the 60 percent rule proposed by the General Assembly would hand the advantage to a minority as only a few voters would need

to be persuaded or scared into voting for the negative side, requiring a large investment for the affirmative side to maintain 60 percent plus one voter. Again the result is an un-American minority rule.

6. This is blatantly unfair to citizens who see amending the Constitution as the only means available to deal with an important public policy issue, and this measure, if passed in a low turnout election will enshrine minority rule on Ohio citizens.
7. THIS IS WRONG AND I STAND STRONGLY AGAINST THIS AMENDMENT.

Before I finish, I would like to relate a shattering experience I had when I was in the Navy. I was a sailor on the USS Midway, an Aircraft Carrier which is now a museum in San Diego. On September 23, 1972, President Ferdinand Marcos of the Philippines declared martial law under Proclamation number 1081. On that day and the next few days, I was a witness to a nation with a vigorous free press, and personal freedoms similar to our own, lose its freedom and freedoms. I saw opposition newspapers get shut down. Soldiers carrying M-16 assault rifles roamed the streets to maintain order. (The M-16 is the prototype for the AR-15 we see on our streets). Ferdinand Marcos had authoritarian rule until February 25, 1986, or the Philippines lost their freedom for 14 years. Enshrining minority rule in America is a step down the path that Ferdinand Marcos took in the Philippines, let's not do it in Ohio. Minority rule is UNAMERICAN.

Thank you again for the opportunity to testify. I will now take any questions you may have.