



TO: House Government Oversight Committee
FROM: Greer Aeschbury, Ohio Campaign Manager, All Voting is Local Action
DATE: 4/26/2023
RE: SB 92 Allow special election to be held in August for certain purposes

Chair Peterson, Ranking Member Forhan, and members of the Government Oversight Committee:

My name is Greer Aeschbury, and I am the Campaigns Manager at All Voting is Local Action, an organization that exists to expose and dismantle threats to voter freedom in order to make voting safe, fair, and accessible, to build a democracy for us all. AVL Action Ohio is also a member of the Ohio Voter Rights Coalition, a coalition of pro-voter organizations. We are here in strong opposition to SB 92.

Just a few months ago, this body passed HB 458, which was titled “Eliminate August Special Elections Except for US House Nominations.” We testify today to hold you accountable to the fact that those of you who support this bill are attempting to reverse yourselves for your own short term gain.

SB 92 is an attempt to change the rules of the game because you are afraid of losing a ballot measure in November. Our organization was one of hundreds present last week against HJR 1, and our Ohio State Director was one of the six who were permitted to testify. HJR 1 is a foolish, short-sighted and undemocratic attempt to change how the Ohio constitution is amended and is an incredibly serious proposition. It fundamentally changes the rules of our democracy and dilutes the votes of individual Ohioans. Changing the citizen-initiated ballot measure process for Ohio’s constitution is bigger than any one issue.

No matter what issues you may support or oppose, changing the rules of our state constitution in order to suppress majority rule because one does not like the potential outcome of an issue is no democratic way to combat it. It is simply undemocratic, unfair, and unpopular, and will cost every Ohio voter the promise of one person, one vote,

because it will end majority rule. Those in power at the moment may think this will protect your interests for generations to come, but it will have a deep, perverse and lasting impact on the state of democracy in Ohio. Ohioans could feel the detrimental ramifications of this bill for the rest of our lives.

When such a monumental change to our constitution is proposed, the least it deserves is time, reflection, and robust public debate. SB 92 attempts to resurrect the August Special Elections in order to pass this serious change to our constitution when Ohio voters are not up to speed on the rapid changes occurring in the statehouse. I think this quote sums up the reason this is undemocratic and unfair:

“August special elections generate chronically low turnout because voters aren't expecting an election to occur. This is bad news for the civic health of our state. Interest groups often manipulatively put issues on the ballot in August because they know fewer Ohioans are paying attention. As a result, the side that wins is typically the one that has a vested interest in the passage of the issue. Voters are just as capable of voting on these important issues during the standard primary and general elections.”

Who spoke these sage words? Those are not the words of any organization, individual or group who stands opposed to HJR 1 or SB 92. In fact, those words come directly from our Secretary of State Frank LaRose. Secretary LaRose knows better than many the expense and burden of August Special elections, as this was a common theme in his testimony leading up to the vote on HB 458. He called them “costly, low-turnout, and unnecessary election(s) for our county boards to administer.” Yet he and the rest of the legislators who support this cause seem willing to spend \$20 million dollars - out of the pocket of Ohioans - on an August Special Election to serve their own special interest.

The effort to use an August Special Election in order to pass the changes in HJR1 is deeply hypocritical and cynical. HJR 1 would require a 60% threshold of voters to pass a constitutional amendment. Yet you want a tiny minority of Ohio voters - typically 10% or less - to vote this into law? We call *that* a tyranny of the *minority*. Every legislator supporting SB 92 should be embarrassed. It's a slap in the face to our democracy and the oath you took to uphold our constitution.

Ohioans from every political persuasion, with a range of values and beliefs, can all agree that our democracy is about the will of the majority. If you attempt an August Special Election, you will find that we will make sure that not only are Ohioans caught up to

speed about what you're trying to do, but they will also not stand for it. They will cut off this power grab in the very election you're calling for. We'll make sure of it.

Ohioans cannot trust public officials who seek to manipulate the rules of the game in order to get their win.

Ohioans cannot trust public officials who say one thing on Dec. 9 and a completely different thing on April 27; who vote on laws banning special elections in January and then completely change their tune to hold special elections in August in order to undermine a ballot initiative they don't like in November.

The entire effort to jam this bill through should be an embarrassment to every legislator supporting it. It is a blatant power grab. We urge this committee to vote no if they truly believe in our democracy and want to protect Ohio.