

December 6, 2018

The Hon. Louis Blessing, Chair
House Government Accountability &
Oversight Committee
Ohio General Assembly
Statehouse
Columbus, OH 43215

RE: HJR 19

Dear Chairman Blessing and Members of the Committee:

My name is Jacqueline F. Bird. I am a 40+ year resident of Ohio and an active, independent voter since the age of 18. While I have associated with activities of some citizens' groups in the past year (specifically redistricting reform) I am not a member of any. I am representing only myself as a true "grassroots" volunteer who recently has donated time and some of my own (limited) funds to issues via in-kind contributions of stationery supplies. I have some very strong concerns with a few recent proposals proposed at the federal and state levels that have the effect of restricting our democracy and have become more engaged. Thus I ask that you please consider my comments below regarding HJR 19.

I was able to attend and listen to testimonies and committee questions this past Tuesday, and I would like to respond to some of what transpired. (Regrettably, other obligations kept me from the Wednesday/Thursday hearings.) Please consider the following comments (in no particular order or rank) and include them in your deliberations on this important matter.

60% Vote: A question was asked that if the General Assembly is required to reach a 60% vote on an Ohio Constitutional amendment (constitution), why shouldn't the same be required of the electorate?

Response: This is a FALSE EQUIVALENCY. The Ohio House has 99 representatives and the Ohio Senate has 33 senators, totaling 132 legislators. By comparison, 60% of the 305,000+ (the number needed for the recent redistricting amendment) is 183,000 voters. It's vastly different to educate 132 people whose JOB it is to know all sides of a given issue and VOTE on

it than it is to educate and turn out a major portion of the electorate. And, of course, with the good voter turnout in the November 2018 election, that number is even higher now. Obviously, educating fewer than 200 known legislators vs. educating a minimum of nearly 200,000 random voters is VERY DIFFERENT. There is a huge cost in money and time for grassroots volunteers.

Other states similar statutes: Another question was that only 18 other states have a similar type of referendum regarding their constitution and/or law on their books. So should we just abolish ours all together?

Response: First, I believe the actual number of states having something akin to what Ohio has is 26, more than half of the US. Second, the answer is NO. Why would we want Ohio to go backwards? Ohioans knew exactly what they were doing when they put in this SAFETY VALVE. The frames planned for what to do if the Legislature did not pay attention to or ignored the will of the majority of the electorate.

Direct vs Representative Democracy: The above also addresses the (rhetorical) **question** asked (several times) of whether we should have a **direct democracy** rather than the **representative democracy** we presently have.

Response: In fact, it is ALREADY a combination of both. We have a representative democracy, but the people have the SAFETY VALVE—intentionally put into our constitution—of exercising direct democracy via referenda when they believe their representatives are not being responsive to their expressed concerns. Referendum initiatives don't just pop up willy-nilly; they only arise after years of long and repeated frustration with the General Assembly as a whole body not addressing a given matter. It is not and never was an "either/or" paradigm.

Consequences: If HJR 19 passes in its present form, several have testified to the perfectly foreseeable consequence that the qualifications to put a citizen-led referendum on the ballot will be set so high as to provide real barriers to citizens' concerns, while actually enabling only those organizations with huge pots of funds who can buy chunks of the Ohio constitution. Any easily foreseeable consequence is by definition an INTENDED CONSEQUENCE.

Response: It seems all parties recognize that the current mechanism of amending the Ohio constitution can be improved. I heard various presenters and groups at the Tuesday hearing offer to sit down with the Committee and find a reasonable path through the thicket that will not violate and unreasonably restrict citizens' ability to participate in their government—which HJR 19 as presently worded will do. I urge the committee to work with these groups for the benefit of all Ohioans and an efficient state government.

If we work together, we can craft a workable solution that both protects the Ohio constitution's integrity and our democracy. Thank you for your consideration.

Sincerely,

Jacqueline F. Bird

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For any questions, I may be contacted at: Jbird1@insight.rr.com