

**Written testimony of Michael Ahern opposing proposed House Joint Resolution 6
December, 2022**

Dear Chair Wilken, Vice-Chair Swearingen, and Ranking Member Brown:

I am writing to you opposing the proposed H.J.R. 6 requiring any future constitutional amendment must be approved by at least 60% of the voters, instead of by a simple majority (50% plus one vote) as currently required under the Constitution. I also oppose placing this proposed change on the May 2, 2023, primary election ballot.

Basis for opposing requiring a 60% threshold for constitutional amendments.

- The current simple majority (50% plus one vote) as currently required under the Constitution is rooted in long-standing, and unchanging language since it was established September 3, 1912. The sponsor of today's proposed change to a 60% threshold has provided no, I reiterate, no basis for establishing a threshold greater than a simple majority vote of the electors. The Secretary of state, who supports this change, has cited ballot initiatives pushed by "special interests" with just a couple of examples (e.g., changes to the Constitution that resulted in establishing casinos and the sale of medical marijuana) - both of which affect State revenues and had the support of deep pockets to support the proposed changes. If the stated goal is genuine, to avert similar future changes to the Constitution, then the higher threshold should be applied **only** to ballot initiatives that would directly affect state revenues. I believe that this simple change would garner wide support rather than the significant opposition that the current language has garnered. Below is my suggested language building upon the proposed change Article II Section 1b:

"Any proposed amendment to the constitution submitted to the electors as provided in sections 1a and 1b of this article **that would directly affect revenue collected by the State of Ohio**, if approved by at least sixty per cent of the electors voting thereon, shall take effect thirty days after the election at which it was approved and shall be published by the secretary of state. Any proposed amendment to the constitution submitted to the electors as provided in sections 1a and 1b of this article **that would not directly affect revenue collected by the State of Ohio**, if approved by a **simple majority of the electors** voting thereon, shall take effect thirty days after the election at which it was approved and shall be published by the secretary of state."

- **Basis for opposing placing this proposed change on the May 2, 2023, primary election ballot.**

As an unaffiliated voter, I am opposed to placing ANY proposed changes to the ballot initiative thresholds and criteria on a primary ballot. The proposed legislation submitted by Representative Stewart is based, in part, on a supposed concern that a simple majority threshold for modifying our State Constitution is not sufficient but this proposal itself would establish a higher threshold via a primary election where a fraction of a minority of eligible electors vote. This smacks of a disingenuous effort to “slip a mickey” to Ohio voters by attempting to leverage the most motivated partisan electors to push this change over the goal line. This year, only 17% of registered voters voted in the May primary. If a simple majority is the threshold for the proposed amendments in House Joint Resolution 6 to pass, and the percentage of voters in the May 2023 primary is similar to those of the May 2022 primary, less than 9% of registered Ohio voters will determine the threshold for approving future ballot initiatives. This is unconscionable. At a minimum, the proposed amendments should be voted on during a general election.