

*Constitutional Modernization Commission
Legislative Branch and Executive Branch Committee
Testimony of Rob Walgate
March 12, 2015*

Chairman Mills, Vice Chair Brooks, and members of the committee, thank you for the opportunity to testify this morning. I will start my remarks by taking a brief look at how the term limits language in the Ohio Constitution originated.

At the time this language was drafted, the committee had multiple options. Public opinion clearly favored a total of six years in office, as did a majority of the widely diverse coalition of supporting organizations. After lengthy debate, the committee agreed to eight years to maintain balance between the legislative and executive branch. It did not seem to be a proper balance of powers between the branches to permit House and Senate members to serve longer in office than the Ohio governor or members of the executive branch.

A second concession was made in favor of the legislature. Public opinion wanted immediate implementation of term limits. The committee chose to grandfather the existing legislature so that no years (zero) previously served would be held against existing lawmakers. Everyone had a clean, clear start.

A third concession was made in favor of the legislature. Public opinion and the original consensus of the committee was to **not** permit lawmakers to move from one body of the legislature to the next and by so doing serve more than a total of eight years in the legislature. Language was drafted with this "eight years and out" provision. Across the country other states were doing the same. The Ohio committee avoided that language, which allowed elected officials to **double** the eight-year term in office, provided they moved to the other chamber of the General Assembly. In addition, the Ohio committee left such movement open-ended so that a lawmaker could repeat that process indefinitely if the voters so chose.

A fourth concession was made to favor the legislature in that a member being appointed to serve a partial term would not have that partial term credited against the eight year limit. This was done to prevent penalizing anyone willing to step into office on behalf of someone who could not complete the term.

It is important to acknowledge the careful balance of the existing language. Several of these provisions have made Ohio term limits laws most effective and permitted a good number of lawmakers the opportunity to serve for a lifetime in the legislature. This completely debunks the myth that seniority and institutional knowledge have disappeared from the Ohio Legislature. Regardless of these facts, opponents of term limits continue to spin the myth.

Finally, a sad reality of the existing proposals by the Commission is that they have been generated by the legislature and people who make a living working near the legislative process. It is the career politicians and their lobbying allies alone who are advocating for these changes, which uniquely serve them. The people of Ohio are not asking for these changes. No petitions have been drawn. No signatures gathered. This is exclusively born out of self-interest on the part of politicians who simply want longer terms for their own reasons. Even though it is possible to serve a lifetime in the Ohio Legislature, this is not enough. The political class asks for more. They ask for an easier path to perpetual office holding and all the attending benefits.

This amendment would be placed on the ballot at taxpayer expense, absent the request of the taxpayers. It is forwarded in an off-election year where turnout will be less than a third of what it will be in 2016. This is all designed for special interests to railroad this measure through the ballot process with hardly anyone knowing it even exists. Ohio citizens that sacrificed their time, energy and effort to amend the Ohio Constitution in 1992 deserve better.

Thank you for your time and I would be happy to answer any questions you may have.

Sincerely,

Rob Walgate
Vice President
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