

Testimony for the Ohio Constitutional Modernization Commission

6-8-2017

Issue: the consideration of the number of votes needed for passage of a referendum petition initiative, which would raise the number of votes needed for passage from 50% plus 1, to 60%.

Thanks to the members of the Constitutional Modernization Commission for listening to Ohioans before you make changes to the Ohio Constitution. Of course that is what members of the Legislature should be doing anyway, all the time, is listening to the people of the State.

The Ohio Constitution begins: “All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform, or abolish the same, whenever they may deem it necessary; and no special privileges or immunities shall ever be granted, that may not be altered, revoked, or repealed by the general assembly.”

“The people have the right to assemble together, in a peaceable manner, to consult for their common good; to instruct their representatives; and to petition the general assembly for the redress of grievances.”

As an Ohioan for 75 years, I get a strong sense that the Legislature is becoming more removed and isolated from the people. It has happened through severely Gerrymandered State House and Congressional Districts, now corrected in one, but not until 2022. We’re still waiting for a fix in the Congressional Districts.

It has happened through the principle of “State preemption” being applied by the Legislature to “everything that moves,” taking away rights of counties, cities, and townships to protect their own environments from corporations given broad permits to extract whatever they want, and leave behind the mess of whatever they don’t want.

This proposal to require ballot initiatives to have a 60% approval for passage is another dagger in the heart of any sense of “the right of the people to petition the general assembly for the redress of grievances.” I hear the legislature say through this rule, “We don’t care about what you say. We’re the ones who make the laws here, nobody else. So butt out!” That’s what I am hearing. I hear a lot better now, because I just got hearing aids.

If a 60% vote is such a good standard, then why hasn’t the legislature applied it to all the votes in the House and Senate? If it doesn’t apply to the legislature, then why should it apply to the citizens?

I doubt that few members of the Legislature have ever stood in front of libraries gathering signatures for a petition. Having done it many times, it is not easy. People are in a hurry, many worried about very human needs, and don’t want to be bothered about “big issues” about which they have not heard. It’s hot, it’s cold, it’s wet, they have 2 children pulling at them, so you are thrilled to get 15 people an hour to stop and sign. Now to add to that a 60% approval need, even if you jump through all the required “legal” hoops to get the petition approved to start with, makes a petitioner feel pretty stupid, and wondering whether it’s all worth it. And that’s the point of this Amendment, demoralize Ohioans...no petitions, no votes!

I hope that you will see this issue for what it is, a horrific corruption of the State Constitution. Please throw it in the trash!

Robert R. Krasen
566 Blenheim Road
Columbus OH 43214
614.261.0754