

Delivering a Double Standard

June 6, 2017

Former State Representative Matt Lynch got right to the point in his *Cleveland Plain Dealer* op-ed: “The people’s right to amend the Ohio Constitution through the ballot initiative is under attack.”

Created by the Ohio Legislature to consider constitutional amendments, the Ohio Constitutional Modernization Commission (OCMC) has a hidden purpose: provide cover for that same legislative body. As Lynch aptly notes, the OCMC “is filled with politicians and lobbyists. Thus, commission recommendations must be scrutinized for fidelity to the public good versus the special interests of political insiders.”

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This Thursday at the capitol in Columbus, OCMC will consider whether to recommend that state legislators propose an amendment to the state constitution to make future amendments more difficult. That’s an awfully bad idea in itself. But, bizarrely, the greater difficulty would depend



entirely on *who* proposes the amendment.

The working OCMC recommendation makes no change to the legislature’s ability to propose and pass constitutional amendments. What it would do is make it tougher for *citizen*-initiated amendments. Most unhelpfully, the recommendation would require only citizen-proposed amendments to garner a supermajority of 55 percent of the vote.

Consequence? Suppose a measure proposed by citizens — term limits, ethics reform, government transparency — was massively outspent by powerful interests, and yet still won 54.9 percent of the vote. It would lose.

Yes, the 45.1 percent of voters would defeat the 54.9 percent of voters.

Call it “New Math.”

The very same issue proposed by legislators would win . . . and be added to the state constitution.

“The double standards are breathtaking,” writes Lynch,* adding, “and no other state has such unfair rules.”

This is Common Sense. I’m Paul Jacob.

* *Sunday at Townhall*, I also discussed this double standard. And the word may be getting out. *Townhall* always adorns my column with a photograph — this time featuring Ohio Attorney General Mike DeWine, also a Republican candidate for governor in 2018. DeWine’s campaign objected to being pictured, arguing they have no involvement with the OCMC. DeWine’s picture has been removed.