



# THE BUCKEYE INSTITUTE

## **Interested Party Testimony Before the Ohio House Government Accountability and Oversight Committee on House Bill 506**

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Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde, and members of the Committee, thank you for the opportunity to testify today regarding House Bill 506 and the Ohio Constitution.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, a free-market think tank here in Columbus that advocates for low-tax, low-regulation policies that remove barriers to prosperity for Ohioans.

House Bill 506 would codify new rules for dog breeders. Fair enough. However, I am not here today to testify about dog breeders or their rules. I am here instead because House Bill 506 is before this Committee as part of a troubling new breed of preemptive legislation, a trend propounded by various special interest groups—in this case, dog breeders—designed to force constitutional amendments or preemptive laws that the legislature might not otherwise take up. The sponsor of House Bill 506 acknowledged as much several weeks ago.

Dog breeders and the merits of this particular legislation aside, bills like this one have lately percolated through the General Assembly as strategic alternatives to political maneuvers orchestrated by well-funded special interests that would otherwise seek to amend the Ohio Constitution and encumber our most fundamental governing document with countless rules and regulations. Thus, in this instance, House Bill 506 comes before the Committee so that Ohio's Constitution will not include an amendment for dog breeders.

The special interests' strategy is clever and remarkably effective, but it must be resisted. The General Assembly must not be muscled by special interest groups threatening unnecessary amendments to the state constitution unless their legislative demands are met. Such threats aim a dagger at the heart of our constitutional form of self-government.

The special interests argue that their strong-arm tactics—such as paying constituents for their signatures to put constitutional amendments on the ballot—are necessary in order to compel the General Assembly to act in the interest of the people. The asserted ends sound laudable, but the means are not.

First, beneath the altruistic rhetoric claiming to defend the “will of the people” lies the more self-serving purpose of simply bending the law—by preemptive statute like House Bill 506 or constitutional amendment, they do not care which—to protect their own special interest.

Second, as the cornerstone of our self-rule, the Ohio Constitution frames the very structure of our state government, and that structure will not stand under the constant pressures of change and amendment. Constitutional amendments therefore ought to be rare events and taken up only for the most significant purposes, not as a more permanent alternative to the Revised or Administrative codes. The state constitution is a foundational document, not a list of policy choices or a rule book for dog breeders.

If, as the special interests claim, the General Assembly fails to accomplish or defend the will of the people, our political system provides a remedy to hold the assembly accountable—elections. One hardly need remind this Committee that legislators who do not listen to their constituents and who do not pursue policies and legislation consistent with their constituents' concerns can and

should be voted from office. Thus, statutes and elections are and ought to be the people's recourse—not the bombastic threats of constitutional amendments or else.

Thank you for your consideration. I would be happy to answer any questions that the Committee might have at this time.

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