Ohio ACEP's Non-Partisan Ballot Issue Guide

Issue 1

Currently, the Ohio Constitution prohibits a judge from taking office on or after his or her seventieth birthday. Issue 1 would amend the Constitution to increase this age limit and also slightly change when that age limit is effective. The proposed amendment would change the Ohio Constitution to say that a judge may not be *elected or appointed* (rather than taking office) on or after their *seventy-fifth* birthday.

While the age limit provision of Issue 1 has garnered the most attention, the amendment also includes language to eliminate the rarely-used authority the General Assembly to establish courts of conciliation, which are created to resolve disputes between two parties that have agreed beforehand to abide by the court's judgment.

Issue 1 would also eliminate the rarely-used authority of the Governor—with the advice and consent of the Ohio Senate—to appoint a five-member Supreme Court Commission, which would assist the Ohio Supreme Court to dispose of matters on the Court's docket.

A "YES" vote is to adopt the proposed changes to the Ohio Constitution. A "NO" vote is to reject the proposed changes and leave the Ohio Constitution as is.

A link to download the official ballot language (PDF).

Ohio ACEP has not taken an official position on Issue 1, but we're happy to provide our members a summary of the arguments for and against the proposed constitutional amendment:

Arguments for Issue 1	Arguments against Issue 1
• Allows those with extensive knowledge and experience with Ohio's judicial system to continue to serve as judges • Quality of life and life expectancy have increased significantly since the last time Ohio voters addressed the judicial retirement age in 1968 • Judges are the only elected officials in Ohio that have an age limit mandated by the constitution • Safeguards to ensure that judges are physically, mentally and intellectually capable of holding their positions remain in tact • Ohio voters will continue to have the final say in whether or not a judge should be elected or re-elected • The proposed amendment creates no additional burdens for Ohio's taxpayers	• The judicial age limit in Ohio's Constitution protects the bench from being held by long-term, entrenched interests • The current system of a reasonable age limit, along with elections every six years, have worked and have served Ohio well • Current language of the Ohio Constitution does not prohibit a judge older than 70 from serving (i.e., they could potentially be elected or appointed at age 69 and serve until the age of 75) • The two additional provisions of Issue 1—to remove the authority of the Governor and General Assembly over rarely-used court systems—should be addressed separately, not combined with the proposed judicial age limit

Issue 2

In March, the Governor signed into law Senate Bill 5, which repealed and revised various Ohio laws concerning collective bargaining rights for public employees. Issue 2 is a referendum to repeal Senate Bill 5.

The provisions of Senate Bill 5 include: limits the list of rights and benefits for which public employees can negotiate; prohibits public employees from striking and imposes financial penalties on public employees that do participate in strikes; permits some public employee bargaining units to decertify a bargaining contract through petition; prohibits collective bargaining units from requiring employers to provide written notice of termination or suspension of contract in cases of fiscal emergency; alters provisions related to employee/employer dispute resolution; Expands the list of "unfair labor practices" for potential actions taken by public employee unions, their agencies, or by public employees themselves; eliminates salary increase schedules; requires the wages of teachers to be performance-based, determined in part by teacher evaluations; limits the amount of vacation or sick leave that may be taken by a public employee per bi-weekly pay period; limits public employer contributions toward health care benefit costs at 85 percent; removes consideration of seniority by itself when considering which public employees will be terminated in the event of layoffs.

A "YES" vote is to keep the above changes to public employee collective bargaining rights. A "NO" vote is to repeal the changes listed above.

A link to download the official ballot language (PDF).

Ohio ACEP has not taken an official position on Issue 2, but we're happy to provide our members a summary of the arguments for and against the referendum:

Arguments for Issue 2	Arguments against Issue 2
• Ending seniority-based layoff and pay raise practices will ensure that the best teachers are kept and rewarded, rather than just the longest-serving teachers • Senate Bill 5 brings more public transparency to teacher contract negotiations • Senate Bill 5 requires public employees pay 15 percent of their health insurance, which is still only half of what the average private sector employee pays • The law requires public employees to contribute only 10 percent to their retirement pensions • Senate Bill 5 will save many communities money and allow them to balance their budgets • Senate Bill 5 allows voters to reject public employee contracts, giving more control over the cost of government to Ohio taxpayers	• Issue 2 makes it harder for emergency responders, police and firefighters to negotiate for resources and training that will help them to do their jobs better • Issue 2 will eliminate the right of nurses and other clinical personnel to negotiate safe staffing levels for state and county hospitals • Ohio's public employees' unions have already made most concessions asked by management, including unpaid furlough days and pay freezes • Issue 2 requires wage and benefit concessions only from those public employees that are part of collective bargaining units and not from non-union employees (who tend to be higher-paid staffers, directors and elected/appointed officials)

Issue 3

Issue 3 is the proposed amendment to the Ohio Constitution which aims to exempt Ohio from one of the major components of the Patient Protection and Affordable Care Act. This component is often referred to as the "individual mandate." The language of the proposed amendment would make unconstitutional any law which compels an individual, employer or health care provider to participate in or buy into a health care system.

Since federal law supercedes state law, it's fairly clear that passage of Issue 3 would have no significant effect on the implementation of the Affordable Care Act in Ohio.

A "YES" vote is to amend the Ohio Constitution to make unconstitutional the individual mandate component of the Affordable Care Act. A "NO" vote is to reject the proposed amendment to the Ohio Constitution.

A link to download the official ballot language (PDF).

Ohio ACEP has not taken an official position on Issue 3, but we're happy to provide our members with links to Ohio newspapers which have editorialized for or against the proposed constitutional amendment:

Against Issue 3:

- The Columbus Dispatch
- The Cleveland Plain Dealer
- The Akron Beacon Journal
- The Athens Messenger
- The Toledo Blade
- The Canton Repository
- The Cincinnati Enquirer
- The Youngstown Vindicator

For Issue 3:

- The Findlay Messenger