



OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

REVISED MINUTES OF THE CONSTITUTIONAL REVISION AND UPDATING COMMITTEE

FOR THE MEETING HELD
THURSDAY, MAY 9, 2013

Call to Order:

Chair Dennis Mulvihill called the meeting of the Constitutional Revision and Updating Committee to order at 11:32 a.m.

Members Present:

A quorum was present with Chair Mulvihill, Vice-chair Kurfess, and committee members Abaray, Asher, Beckett, Cafaro, Murray, Obhof, Readler, and Walinski in attendance.

Approval of Minutes:

This being the first meeting of the committee, there were no minutes to approve.

Discussion:

Chair Mulvihill discussed how the committee should be run, whether members should communicate outside of regular meetings, and how such communication should be handled. He pointed out that conference calls might violate open meeting requirements. Chair Mulvihill commented that the time constraints on the various committees and their members would make finishing all committee duties difficult without some work outside of regularly-scheduled committee meeting times. Committee member Richard Walinski mentioned that recommendations on compliance with open meetings requirements were forthcoming. Representative Dennis Murray said that phone calls likely would not comply with open meeting requirements, but that emails would be acceptable provided that they avoided voting or making group decisions outside of the regularly-scheduled meetings.

Chair Mulvihill commented that the committee has the fewest pages of the constitution to deal with but that they cover a very tough topic in the amendment and referendum process. He suggested bringing witnesses from other states to discuss the systems in place around the country. Rep. Murray suggested that other witnesses might include groups which had gone

through the process in Ohio recently, as well as witnesses from the National Conference of State Legislatures (NCSL), which he and Senator Capri Cafaro then explained for the benefit of the public members. Chair Mulvihill recognized Senior Policy Advisor Steven H. Steinglass, who suggested that some of Ohio's constitutional officers such as the secretary of state, or members of the ballot board and other election officials may be useful witnesses. Mr. Steinglass also offered to create a reading list for the committee.

Mr. Walinski asked how many amendments had been on the ballot in Ohio since 1980, and Mr. Steinglass offered to bring statistics on the use of the initiative, referendum, and amendment processes in general in Ohio. Committee member Janet Abaray and Mr. Walinski discussed the contents of the materials provided by the Colloquium on the Constitutional Modernization Commission, and Mr. Steinglass reiterated his intention to provide statistics to the committee.

Chair Mulvihill suggested that the committee should try to define the scope of its task. Vice-chair Charles Kurfess suggested that Ohioans who have experienced the amendment process may be able to identify problems and the committee should solicit suggestions from those people. Chair Mulvihill said the committee would invite the secretary of state and the Ohio Ballot Board to speak at the committee's next meeting, and could also invite members of the public to testify at future meetings. Ms. Abaray suggested looking at relevant law review articles, which Chair Mulvihill said the reading list Mr. Steinglass was preparing and any material provided by NCSL should cover that.

Mr. Walinski and Chair Mulvihill discussed which parts of the constitution are to be covered by the committee. Chair Mulvihill said that supplemental petitions are a possible topic for discussion, and that public notice provisions could be examined. Senator Larry Obhof suggested that when the committee finds instances of confusing or unnecessarily wordy language, the committee should work to simplify that language.

Chair Mulvihill discussed issues relating to future meetings of the Committee.

Adjournment:

With no further business to come before the committee, the meeting adjourned at 11:52 a.m.

Approval:

The minutes of the May 09, 2013 meeting of the Constitutional Revision and Updating Committee were approved at the June 13, 2013 meeting of the committee.

/s/ Dennis P. Mulvihill
Dennis P. Mulvihill, Chair

/s/ Charles F. Kurfess
Charles F. Kurfess, Vice-chair