



OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

Coordinating Committee

Kathleen M. Trafford, Chair
Jo Ann Davidson, Vice-chair

January 14, 2016

Ohio Statehouse
Room 018

OCMC Coordinating Committee

Chair Ms. Kathleen Trafford
Vice-chair Ms. Jo Ann Davidson
Ms. Janet Abaray
Sen. Bill Coley
Judge Patrick Fischer
Mr. Dennis Mulvihill
Sen. Larry Obhof
Rep. Emilia Sykes

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OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

COORDINATING COMMITTEE

THURSDAY, JANUARY 14, 2016

12:30 P.M.

OHIO STATEHOUSE ROOM 018

AGENDA

I. Call to Order

II. Roll Call

III. Approval of Minutes

- Meeting of December 10, 2015

[Draft Minutes – attached]

IV. Reports and Recommendations

- Article II, Section 2 (Election and Term of State Legislators)
 - Presentation
 - Discussion
 - **Action Item: Consideration and Approval**

[Report and Recommendation for Option 1 and Option 2 – attached]

V. Presentations

- Status report of the Constitutional Revision and Updating Committee

Dennis Mulvihill, Chair

[Planning Worksheet – attached]

- Status report of the Judicial Branch and Admin. of Justice Committee

Janet Abaray, Chair

[Planning Worksheet – attached]

VI. Old Business

VII. New Business

VIII. Public Comment

IX. Adjourn



OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

MINUTES OF THE COORDINATING COMMITTEE

FOR THE MEETING HELD
THURSDAY, DECEMBER 10, 2015

Call to Order:

Judge Patrick Fischer called the meeting of the Coordinating Committee to order at 10:20 a.m. He explained that he was chairing the committee meeting due to Chair Kathleen Trafford being delayed and in the absence of the Vice-chair Jo Ann Davidson.

Members Present:

A quorum was present with Chair Trafford and committee members Abaray, Coley, Fischer, Mulvihill, and Obhof in attendance.

Approval of Minutes:

The minutes of the October 8, 2015 and November 12, 2015 meetings of the committee were approved.

Reports and Recommendations:

Article I, Section 20 (Powers Reserved to the People)

Judge Fischer first recognized Executive Director Steven C. Hollon, who presented to the committee a report and recommendation on Article I, Section 20 (Powers Reserved to the People), which was issued by the Bill of Rights and Voting Committee at its November 12, 2015 meeting.

Mr. Hollon indicated that the committee had recommended no change, wishing to retain the section in its current form. After reading the text of Article I, Section 20, Mr. Hollon described the history and purpose of the provision as well as related litigation. He indicated that there were no presentations to the committee on the section, which expresses the view that the powers of the government are derived from the people.

Judge Fischer then asked the committee if there were any questions regarding the report and recommendation, and there were none. On motion by Senator Bill Coley, seconded by Senator Larry Obhof, the committee voted unanimously to approve the report and recommendation as to form and completeness.

Article V, Section 4 (Exclusion from Franchise for Felony Conviction)

Mr. Hollon then presented a report and recommendation on Article V, Section 4, relating to the exclusion from franchise for felony conviction. Mr. Hollon indicated that, on November 12, 2015, the Bill of Rights and Voting Committee issued the report and recommendation, which recommends no change. Mr. Hollon explained that the section empowers the General Assembly to enact laws to exclude from the privilege of voting, or of being eligible to office, any person convicted of a felony. He further noted the report and recommendation's description of the history of the provision, which was revised in the 1970s to substitute the word "felony" for "bribery, perjury, or other infamous crime." Mr. Hollon concluded by indicating that the report and recommendation reflects the committee's consensus that the section should be retained in its current form.

Judge Fischer then asked the committee for comments, which there were none. Sen. Coley moved to approve the report and recommendation as to form and completeness, and Sen. Obhof seconded the motion, which passed unanimously.

Article II, Section 2 (Election and Term of State Legislators)

The committee then heard a presentation on a report and recommendation from Fred Mills, chair of the Legislative Branch and Executive Branch Committee, regarding Article II, Section 2 (Election and Term of State Legislators).

Mr. Mills explained that the section currently imposes an eight-year limit on legislative terms. He described that the Legislative Branch and Executive Branch Committee had voted to issue one recommendation with two options for extending these term limits to twelve years. Explaining the decision to create two options, he said that when the Commission was constituted it was clear that the issue of term limits was one of several important issues for his committee. Providing a brief history of the use of legislative term limits in Ohio and other states, Mr. Mills said his committee had considered testimony indicating that the trend of creating legislative term limits has stopped, and that the goals of term limits have not come to fruition. Mr. Mills noted that the committee heard from presenters on both sides of the issue. He said the committee discussed and considered the issue at several different meetings before voting eight to one to recommend that legislative term limits be expanded from eight to 12 years, a vote that required both options to be forwarded to the full Commission for the Commission to decide how to implement an expansion of the limits. He said the difference between the two options is that Option One would give current members the benefit of the additional four years, while Option Two would only apply to newly-elected members of the General Assembly. Mr. Mills having concluded his remarks, Judge Fischer then asked if committee members had any questions regarding the report and recommendation.

Committee member Dennis Mulvihill asked whether this recommendation, if adopted by the Commission, would constitute the Commission's first substantive recommendation to the public for an amendment to the constitution. Mr. Hollon answered that the full Commission has approved seven reports and recommendations, with five of those recommending no change and two recommending that the sections be repealed as obsolete.

Committee member Janet Abaray asked for clarification of the committee's function in reviewing reports and recommendations. Judge Fischer answered that the committee's function is to decide whether to approve a report and recommendation for review by the full Commission, stating that the committee deals with form rather than substance.

Sen. Coley asked about the issuance of two options for the Commission's consideration, wondering if that procedure was appropriate. Mr. Mills answered that the two options arose out of the discussions of the committee and that the issuance of two options resulted from the motion that was made in committee.

Sen. Coley wondered whether it is within the purview of the Coordinating Committee to send the report and recommendation back for clarification as to which option the Legislative Branch and Executive Branch was recommending. Judge Fischer said that the Coordinating Committee is not supposed to comment on the substance of a report and recommendation, and that "if we think it's wrong to send two options that is a process issue." Sen. Coley said process is what he is concerned about.

Mr. Mulvihill commented that Sen. Coley raised a good question, but wondered what the Legislative Branch and Executive Branch Committee actually decided. Mr. Mills said the discussion focused on the pros and cons, politically, of expanding term limits for current legislators, as opposed to newly-elected legislators. He said the decision was to allow the full Commission to weigh in, as opposed to restricting the decision to 11 members of one committee.

Mr. Mulvihill commented that, if the report and recommendation came out of committee on one motion, the recommendation to the Commission is to vote on either option.

Ms. Abaray asked whether the members of the committee expressed a preference for one option or the other. Mr. Mills said they did not take a vote on the separate options. Ms. Abaray wondered whether the legislative members preferred to recuse themselves from the vote. Mr. Mills answered that they probably would have preferred that, but it would be hard for the Commission to comply with its rules of order if legislative members do not vote on a recommendation.

Mr. Mulvihill wondered what will occur when the recommendation goes to the full Commission, asking whether the Commission will decide either option or neither option. Judge Fischer said the Commission could recommend both options, one or the other option, or neither option. Mr. Hollon offered that the Commission alternatively could let the General Assembly decide, or that the question could even be left to the voters.

Judge Fischer clarified the question as being whether the Coordinating Committee should be approving and sending forward two competing versions. Ms. Abaray asked whether doing so

created a constitutional issue. Judge Fischer answered that because it is the constitution that would not be a problem, but then one must apply rules of constitutional construction. Mr. Mills commented that his committee did discuss this question at length, and, although there was no formal vote on whether the expansion of term limits should apply to one set of legislators or another, no one on the committee objected to going from eight to 12 years. He said, instead, the discussion focused on whether to apply the expansion only to newly-elected members.

Mr. Mulvihill asked whether there is any rule that prohibits the Legislative Branch and Executive Branch Committee from making a recommendation with two options, and it was generally agreed that there is nothing to prevent this course of action.

Sen. Obhof then moved that the committee hold over a final decision on whether to approve the report and recommendation so that the committee could further discuss the procedural question. The motion was seconded by Sen. Coley. Judge Fischer then opened the floor for discussion of whether the committee should wait to vote on approving the report and recommendation.

Mr. Mulvihill asked what more the committee would want to know. Sen. Obhof said it seemed to him that the members of the committee need to have a broader discussion about what kinds of proposals can be made. He wondered whether the committees or the Commission is permitted to “just highlight big ideas” before sending them forward, or whether there is a requirement to send one specific proposal.

Ms. Abaray commented that she would like to send the two options to the full Commission now because it could be useful to get guidance on the procedural issue from the full Commission.

Mr. Mulvihill said he understands Sen. Obhof’s concern and that he has no problem tabling the question, but he also has no problem with letting the subject matter committee decide how it wants to bring issues forward. He said the Coordinating Committee is not here to second guess that decision.

Judge Fischer then asked for a roll call vote on whether the question of whether to approve the report and recommendation for Article II, Section 2 should be held over to the next meeting of the Coordinating Committee.

A roll call vote was taken with Sen. Coley, Judge Fischer, Mr. Mulvihill, and Sen. Obhof voting in favor of the motion, and Ms. Abaray voting against the motion. Judge Fischer reported that the motion passed, and that the question of whether to approve the report and recommendation for Article II, Section 2 would be brought up again at the next meeting of the Coordinating Committee.

Presentations:

Continuing the Coordinating Committee’s review of the progress of the subject matter committees, Judge Fischer then recognized Doug Cole, chair of the Finance, Taxation, and Economic Development Committee, who provided a status report on the committee’s work.

Chair Cole said the Finance, Taxation, and Economic Development Committee is charged with reviewing three articles: Article VIII, Article XII, and Article XIII. He said the majority of the work so far has focused on Article VIII, governing public debt and public works. He said Article VIII is the longest article in the constitution, and covers an exceedingly complex and inter-related subject matter. He said there are 17 listed sections in Article VIII, which is misleading because Section 2 actually has 2a through 2s. He said the difficulty the committee has faced is that, unlike other articles, these sections all work together. He noted the interrelationship of the sections has been a topic of some concern, because it deals with the state's ability to raise debt. He said the committee recognizes any changes to the article could affect the state's ability to raise capital and incur debt. He said the committee has been moving slowly and holistically, looking at the entirety of the article, and hearing extensive testimony, including from the Ohio Treasurer's office, the Office of Budget and Management, Professor Richard Briffault of Columbia University, and Senior Policy Advisor Steven H. Steinglass. He said the committee is nearly at the point of bringing forward a proposal for the entirety of Article VIII. He said he expects there to be a recommendation to remove sections that no longer have remaining bond issuing authority and so are obsolete. He said the committee also has heard recommendations for some more fundamental changes, but noted there is not an appetite for making too dramatic a change. He added he anticipates the report and recommendation will deal with everything in Article VIII, except for the lending aid and credit provisions. He said while Article VIII primarily deals with the way the state issues debt, it also has two provisions, Sections 4 and 6, dealing with joint ventures between the state, counties, and private enterprise. He said the committee has not done much with those provisions, but in the upcoming year he expects the committee to do so before moving on to the other articles.

Judge Fischer wondered about the timeline for issuing a report and recommendation for Article VIII. Chair Cole answered that the committee has before it a proposed amendment that would accomplish these goals, but more discussion by the committee was needed on these issues. He said the committee would have that discussion at the meeting immediately following today's Coordinating Committee meeting, and that he anticipates that the committee would be in a position to finalize its work on Article VIII by mid-2016.

Ohio Constitutional Modernization Commission 2015 Annual Report

Judge Fischer then recognized Mr. Hollon, who presented to the committee a draft of an Annual Report that, with the committee's approval, would be presented to the full Commission at its next meeting. Mr. Hollon noted that the Commission's enabling statutes require it to issue a report at least every two years until its work is completed, but that staff is recommending that the Commission issue an annual report, so as to more frequently publicize the work that has transpired. Mr. Hollon then described that the Annual Report provides, in the same format as the Biennial Report, a summary of the work of all the committees, including the reports and recommendations that have been issued by the committees, approved by the Coordinating Committee, and adopted by the Commission.

There being no questions, Mr. Mulvihill then moved to approve the Annual Report for review by the Commission. Sen. Coley seconded the motion. The motion passed by unanimous vote, including Chair Trafford who was now in attendance.

Bill of Rights and Voting Committee

Judge Fischer then recognized Richard Saphire, chair of the Bill of Rights and Voting Committee, who reported on the progress of the work of that committee.

Mr. Saphire said, in October 2013 the committee approved a document that laid out two or two-and-a-half years of agenda items for the committee's consideration. He said they tried to arrange the agenda so that the least complicated and controversial provisions assigned to the committee would be taken up first. He said the committee is responsible for the Bill of Rights except for the criminal justice sections in Article I, all of Article V (Elective Franchise), and parts of Article XVII (Elections). He said the committee also was assigned the Preamble as well as Article I, Section 1 (Inalienable Rights).

Mr. Saphire then described the status of the committee's work on sections in Article I and Article V. He said the committee had issued reports and recommendations recommending no change to Article I, Section 2 (Right to Alter, Reform, or Abolish Government), Section 3 (Right to Assemble), and Section 4 (Bearing Arms). He continued that the committee had agreed to retain Article I, Section 6 (Slavery) in its current form and expects to review a report and recommendation on that section soon. He said Article I, Section 7 (Rights of Conscience) and Article I, Section 11 (Freedom of Speech) have not yet been reviewed. Mr. Saphire noted that the committee issued reports and recommendations for Article I, Section 13 (Quartering Troops), and Article I, Section 17 (No Hereditary Privileges), recommending no change.

Mr. Saphire continued that Article I, Section 18 (Suspension of Laws), has not yet been taken up by the committee, nor have Article I Section 19 (Eminent Domain) and Section 19b (Protect Private Property Rights in Ground Water, Lakes, and Other Water Courses).

Mr. Saphire said a report and recommendation for Article I, Section 20 (Powers Reserved to the People), was issued by his committee and approved by the Coordinating Committee earlier in the meeting, and that he would present it to the full Commission later in the day. Finally, with regard to Article I, Mr. Saphire said that Article I, Section 21 (Preservation of the Freedom to Choose Health Care and Health Care Coverage) had not yet been considered by the committee.

Regarding Article V, Mr. Saphire said the committee just began a discussion of Section 1 (Who May Vote). He noted that Sections 2 and 2a of Article I were discussed preliminarily, and the committee anticipates a report and recommendation that will advocate for no change to those sections. He said a report and recommendation for no change to Article V, Section 4 (Exclusion from Franchise for Felony Conviction) was issued by his committee and approved by the Coordinating Committee earlier in the meeting, and would be presented to the full Commission later in the day.

With regard to Article V, Section 6 (Mental Capacity to Vote), Mr. Saphire said this section had proved to be the most complicated so far, and that the committee has spent the better part of at least six meetings addressing that provision. He said the section, which deals with disenfranchising due to mental disability, has prompted some disagreement, but that he is hopeful the committee will be able to issue a report and recommendation for changing the provision in early 2016.

Mr. Saphire said that the committee had some preliminary discussions regarding Article V, Section 7 (Primary Elections), but has taken no formal action yet. He said Article V, Section 8 (Congressional Term Limits) was addressed early on by the committee, and there was a consensus to retain it notwithstanding its unconstitutionality. However, he said the matter was transferred to the Legislative Branch and Executive Branch Committee, which will also be dealing with Article V, Section 9 (Eligibility of Officeholders) because it deals with a related topic.

Mr. Saphire concluded that the Bill of Rights and Voting Committee has not yet begun a review of Article XVII (Elections).

Judge Fischer then opened the floor for questions. Ms. Abaray asked about the phrase “all men are created equal” in Article I, Section 1, wondering whether the committee has discussed modernizing the language. Mr. Saphire answered that he recalls there being discussions in the Commission about how to address provisions that are not gender neutral. He said he thinks it might be better to address that question as a Commission, rather than by committee.

There being no other questions, Judge Fischer then thanked Mr. Saphire for his presentation.

Adjournment:

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

Approval:

The minutes of the December 10, 2015 meeting of the Coordinating Committee were approved at the January 14, 2016 meeting of the committee.

Kathleen M. Trafford, Chair

Jo Ann Davidson, Vice-chair

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OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

REPORT AND RECOMMENDATION OF THE LEGISLATIVE BRANCH AND EXECUTIVE BRANCH COMMITTEE

OHIO CONSTITUTION ARTICLE II, SECTION 2

ELECTION AND TERM OF STATE LEGISLATORS [OPTION ONE]

The Legislative Branch and Executive Branch Committee of the Ohio Constitutional Modernization Commission issues this report and recommendation regarding Article II, Section 2 of the Ohio Constitution concerning the election and term of state legislators. It is issued pursuant to Rule 8.2 of the Ohio Constitutional Modernization Commission's Rules of Procedure and Conduct.

Recommendation

The committee recommends that Article II, Section 2 be amended to add one term to the current limit imposed on state senators, and two terms to the current limit imposed on state representatives. The committee further recommends that Article II, Section 2 be amended to allow legislators holding office at the time of the effective date of the amendment to continue to serve up to a total of 12 consecutive years.

Background

Article II, Section 2, reads as follows:

Representatives shall be elected biennially by the electors of the respective house of representatives districts; their term of office shall commence on the first day of January next thereafter and continue two years.

Senators shall be elected by the electors of the respective senate districts; their terms of office shall commence on the first day of January next after their election. All terms of senators which commence on the first day of January, 1969 shall be four years, and all terms which commence on the first day of January, 1971 shall be four years. Thereafter, except for the filling of vacancies for

unexpired terms, senators shall be elected to and hold office for terms of four years.

No person shall hold the office of State Senator for a period of longer than two successive terms of four years. No person shall hold the office of State Representative for a period longer than four successive terms of two years. Terms shall be considered successive unless separated by a period of four or more years. Only terms beginning on or after January 1, 1993 shall be considered in determining an individual's eligibility to hold office.

In determining the eligibility of an individual to hold office in accordance [with] to this article, (A) time spent in an office in fulfillment of a term to which another person was first elected shall not be considered provided that a period of at least four years passed between the time, if any, [in] which the individual previously held that office, and the time the individual is elected or appointed to fulfill the unexpired term; and (B) a person who is elected to an office in a regularly scheduled general election and resigns prior to the completion of the term for which he or she was elected, shall be considered to have served the full term in that office.

Article II concerns the Legislative Branch, providing the organizational structure and membership requirements of the General Assembly, the governor's veto power, and the procedures for initiative and referendum.

Amendments, Proposed Amendments, and Other Review

The 1802 Constitution provided for terms of only one year for representatives and two years for senators.¹ The 1851 Constitution increased the terms to two years for each. Term lengths of two years for senators remained in place until 1956, when voters approved, by a vote of 57.4 percent to 42.6 percent, an amendment that increased the term of office to four years.² Another amendment in 1967 staggered senate terms, requiring only half of the senate to stand for election at a time.³

In the early 1990s, some 21 states enacted state legislative term limits, responding to public opinion that "career politicians" were to blame for perceived governmental deficiencies.⁴ In line with that trend, Ohio voters adopted an amendment limiting all state legislators to eight consecutive years of service, with the result that senators may only serve two successive terms of four years, and representatives may only serve four successive terms of two years.⁵ Placed on the ballot by initiative petition as Issue 3, the measure was approved on November 3, 1992 by a margin of 2,982,285 to 1,378,009, or 68.4 percent to 31.6 percent.⁶

In the 1970s, the Ohio Constitutional Revision Commission did not review this provision.

Litigation Involving the Provision

Article II, Section 2 has not been the subject of litigation; however, similar state constitutional provisions by which Ohio and other states imposed term limits upon federal congressional offices were rejected in *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779 (1995) (“Allowing individual States to adopt their own qualifications for congressional service would be inconsistent with the Framers' vision of a uniform National Legislature representing the people of the United States.”).

Presentations and Resources Considered

The committee received two presentations from John C. Green, Ph.D., Director of the Bliss Institute of Applied Politics at the University of Akron, and one presentation from Ann Henkener, First Vice President of the League of Women Voters of Ohio on this issue.

First Green Presentation

John C. Green first presented to the committee on April 10, 2014. According to Dr. Green, Ohio’s model, called the “common model,” imposes eight-year consecutive limits in each chamber, while other models include six- or eight-year consecutive limits for the house and senate respectively, twelve-year lifetime limitations in both chambers combined, and twelve-year consecutive limits in each chamber. Dr. Green indicated that, between 1997 and 2012, six states repealed or struck down term limits, while one state enacted term limits. Thus, in 2014, 15 states had legislative term limits.

Describing the impact of legislative term limits, Dr. Green stated that term limits have impeded the development of legislative leaders, reducing leaders’ agenda-setting and coalition-building capabilities. He further indicated that the limits reduce the influence of the legislative branch in state government, instead empowering the executive branch, administrative agencies, nonpartisan staff, and lobbyists. Dr. Green also indicated that term limits increase partisanship and reduce the time legislators have to accomplish legislative goals. He noted that term limits have failed to achieve the goal of increasing the number of “citizen legislators,” as opposed to career legislators. Dr. Green observed that term limits have not increased gender, racial, or ethnic diversity in state legislatures.

Dr. Green stated that term limits have had only a modest impact on the electoral process, with no increase in the overall competitiveness of elections, no decrease in campaign spending, and an increase in the role of party caucuses in legislative campaigns. Dr. Green opined that, despite these drawbacks, term limits will continue to have strong public support. However, he stated that increasing the limits from 8 years to 12 years may alleviate the problem of a diminished role for legislative leadership. He also indicated that allowing former legislators to return to office mitigates some of the impact of term limits.

Second Green Presentation

In his second presentation to the committee, on June 12, 2014, Dr. Green presented polling data related to term limits. Conducted by the Center for Marketing and Opinion Research for the Bliss Institute in April 2014, the “2014 Akron Buckeye Poll” surveyed a random sample of 1,078 registered Ohio voters, including both landline and cell phone users. Participants were asked whether they thought term limits produced poor government or good government and whether the limits have helped or hurt the state. The resulting data, with a margin of error of plus or minus three percentage points, indicates that 57 percent of those polled indicated they thought that term limits have helped the state, with 30 percent stating that the limits hurt the state and 13 percent having no opinion. These figures may be compared with 2005 polling data indicating that 59 percent of voters believed that term limits help the state, with 30 percent saying the limits hurt the state and 11 percent indicating they had no opinion.

Asked whether term limits should be kept at eight years, extended to 12 years, or repealed altogether, 70 percent of those polled favored keeping term limits at eight years, with 13 percent willing to extend the limits to 12 years, 12 percent agreeing that they should be repealed altogether, and five percent having no opinion. Queried as to whether they could accept an increase in the limit to 12 years, 38 percent of participants answered that they were firm on keeping the total number of years served at eight, with 32 percent willing to accept a 12-year limit, 13 percent being firm on a 12-year limit, 12 percent supporting a complete repeal of term limits, and five percent having no opinion.

Asked whether they would support increasing state legislative terms by two years, meaning that representatives would serve a four-year term and senators a six-year term, 61 percent of participants indicated they would support such a measure, with 36 percent indicating they would not and three percent having no opinion.

Sixty-two percent of participants stated that it should take a legislator less than five years to learn the job, while 28 percent said five-to-ten years was appropriate, seven percent identifying more than 10 years as the correct time span, and three percent having no opinion.

Henkener Presentation

Ann Henkener, First Vice President of the League of Women Voters of Ohio (“League”), presented to the committee on July 10, 2014. According to Ms. Henkener, the League’s long opposition to term limits is based upon the rationale that terms are inherently limited to two years for representatives and four years for senators, requiring legislators to seek re-election at the end of those terms. Ms. Henkener asserted that the arguments against term limits as presented by the League to voters in 1992, when the current version of Article II, Section 2 appeared on the ballot, have proved mostly true. As she described them, those arguments are that term limits create more “lame duck” legislators, reduce competition for legislative seats, result in less-experienced legislators, reduce institutional memory, impede long-term thinking about societal problems, and increase the power of staff, bureaucrats, and lobbyists. Ms. Henkener opined that voters continue to support the concept of term limits because they are perceived as a counterbalance to

problems attributed to the redistricting process. She stated that if redistricting reform occurs, allowing for more competitive districts, then voters might look more favorably on extending term limits.

Conclusion

The Legislative Branch and Executive Branch Committee concludes that Article II, Section 2 should be amended to expand term limits for state senators by one term, and for state representatives by two terms. The committee also concludes that these extensions should apply to legislators who are in office at the time of the effective date of an amendment, with the result that senators serving their first term would be eligible to hold office for two more four-year terms, while senators in their second term would be eligible for one additional four-year term. Likewise, representatives in their first term may hold office for five more two-year terms, those in their second term would be permitted four more two-year terms, and so on. The modified provision additionally would allow newly-elected legislators to be eligible to serve twelve consecutive years in their respective houses.

The committee also recommends that Article II, Section 2 be reorganized to first describe the length of term and term limits for state senators, followed by a description of the length of term and term limits for state representatives. This reorganization does not substantially change the meaning of the provision but is intended to assist the reader's comprehension of the meaning of the section. These proposed changes bring the format of the section in line with the structure of other sections in Article II.

Thus, the committee recommends Section 2 be amended as shown in Attachment A, which provides a marked-up version of the provision. Attachment B provides a clean version of Section 2, if the proposed amendment is adopted.

Date Issued

After formal consideration by the Legislative Branch and Executive Branch Committee on March 12, 2015, and April 9, 2015, the committee voted to issue this report and recommendation on April 9, 2015.

Endnotes

¹ Steven H. Steinglass & Gino J. Scarselli, *The Ohio State Constitution*, 140 (2nd prtg. 2011).

² Michael F. Curtin, *Ohio Politics Almanac*, 83 (3rd ed. 2015).

³ Steinglass & Scarselli, *supra*.

⁴ Steven F. Huefner, *Term Limits in State Legislative Elections: Less Value for More Money?*, 79 Ind. L.J. 427, 428 (2004).

⁵ Steinglass & Scarselli, *supra*, at 141.

⁶ *Id.*, Appendix B.

Option One

Article II, Section 2

~~Representatives shall be elected biennially by the electors of the respective House of Representative districts; their term of office shall commence on the first day of January next thereafter and continue two years.~~

Senators shall be elected by the electors of the respective Senate districts; ~~their~~ The terms term of office of a senator shall commence on the first day of January ~~next after their~~ following the election. All terms of senators which commence on the first day of January; 1969 shall be four years, and all terms which commence on the first day of January; 1971 shall be four years. Thereafter, except for the filling of vacancies for unexpired terms, senators shall be elected to and hold office for terms of four years. No person shall hold the office of senator for a period longer than three successive terms of four years. Terms shall be considered successive unless separated by a period of four or more years.

Representatives shall be elected biennially by the electors of the respective House of Representative districts. The term of office of a representative shall commence on the first day of January following the election and continue two years. No person shall hold the office of representative for a period longer than six successive terms of two years. Terms shall be considered successive unless separated by a period of four or more years.

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In determining the eligibility of an individual to hold office in accordance ~~to~~ with this article, (A) time spent in an office in fulfillment of a term to which another person was first elected shall not be considered provided that a period of at least four years passed between the time, if any, in which the individual previously held that office, and the time the individual is elected or appointed to fulfill the unexpired term; and (B) a person who is elected to an office in a regularly scheduled general election and resigns prior to the completion of the term for which he or she was elected, shall be considered to have served the full term in that office.

Option One*Article II, Section 2*

Senators shall be elected by the electors of the respective Senate districts. The term of office of a senator shall commence on the first day of January following the election. All terms of senators which commence on the first day of January 1969 shall be four years, and all terms which commence on the first day of January 1971 shall be four years. Thereafter, except for the filling of vacancies for unexpired terms, senators shall be elected to and hold office for terms of four years. No person shall hold the office of senator for a period longer than three successive terms of four years. Terms shall be considered successive unless separated by a period of four or more years.

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OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

REPORT AND RECOMMENDATION OF THE LEGISLATIVE BRANCH AND EXECUTIVE BRANCH COMMITTEE

OHIO CONSTITUTION ARTICLE II, SECTION 2

ELECTION AND TERM OF STATE LEGISLATORS [OPTION TWO]

The Legislative Branch and Executive Branch Committee of the Ohio Constitutional Modernization Commission issues this report and recommendation regarding Article II, Section 2 of the Ohio Constitution concerning the election and term of state legislators. It is issued pursuant to Rule 8.2 of the Ohio Constitutional Modernization Commission's Rules of Procedure and Conduct.

Recommendation

The committee recommends that Article II, Section 2 be amended to allow all newly-elected state legislators to serve a total of twelve consecutive years, consisting of three four-year terms for senators and six two-year terms for representatives. The committee also recommends that this expansion of the current eight-year limit on consecutive terms of legislative service not apply to current members of the General Assembly, with the result that all members already in office at the time of the effective date of the amendment would be limited to eight years consecutive service.

Background

Article II, Section 2, reads as follows:

Representatives shall be elected biennially by the electors of the respective house of representatives districts; their term of office shall commence on the first day of January next thereafter and continue two years.

Senators shall be elected by the electors of the respective senate districts; their terms of office shall commence on the first day of January next after their election. All terms of senators which commence on the first day of January, 1969 shall be four years, and all terms which commence on the first day of January,

1971 shall be four years. Thereafter, except for the filling of vacancies for unexpired terms, senators shall be elected to and hold office for terms of four years.

No person shall hold the office of State Senator for a period of longer than two successive terms of four years. No person shall hold the office of State Representative for a period longer than four successive terms of two years. Terms shall be considered successive unless separated by a period of four or more years. Only terms beginning on or after January 1, 1993 shall be considered in determining an individual's eligibility to hold office.

In determining the eligibility of an individual to hold office in accordance [with] to this article, (A) time spent in an office in fulfillment of a term to which another person was first elected shall not be considered provided that a period of at least four years passed between the time, if any, [in] which the individual previously held that office, and the time the individual is elected or appointed to fulfill the unexpired term; and (B) a person who is elected to an office in a regularly scheduled general election and resigns prior to the completion of the term for which he or she was elected, shall be considered to have served the full term in that office.

Article II concerns the Legislative Branch, providing the organizational structure and membership requirements of the General Assembly, the governor's veto power, and the procedures for initiative and referendum.

Amendments, Proposed Amendments, and Other Review

The 1802 Constitution provided for terms of only one year for representatives and two years for senators.¹ The 1851 Constitution increased the terms to two years for each. Term lengths of two years for senators remained in place until 1956, when voters approved, by a vote of 57.4 percent to 42.6 percent, an amendment that increased the term of office to four years.² Another amendment in 1967 staggered senate terms, requiring only half of the senate to stand for election at a time.³

In the early 1990s, some 21 states enacted state legislative term limits, responding to public opinion that "career politicians" were to blame for perceived governmental deficiencies.⁴ In line with that trend, Ohio voters adopted an amendment limiting all state legislators to eight consecutive years of service, with the result that senators may only serve two successive terms of four years, and representatives may only serve four successive terms of two years.⁵ Placed on the ballot by initiative petition as Issue 3, the measure was approved on November 3, 1992 by a margin of 2,982,285 to 1,378,009, or 68.4 percent to 31.6 percent.⁶

In the 1970s, the Ohio Constitutional Revision Commission did not review this provision.

Litigation Involving the Provision

Article II, Section 2 has not been the subject of litigation; however, similar state constitutional provisions by which Ohio and other states imposed term limits upon federal congressional offices were rejected in *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779 (1995) (“Allowing individual States to adopt their own qualifications for congressional service would be inconsistent with the Framers' vision of a uniform National Legislature representing the people of the United States.”).

Presentations and Resources Considered

The committee received two presentations from John C. Green, Ph.D., Director of the Bliss Institute of Applied Politics at the University of Akron, and one presentation from Ann Henkener, First Vice President of the League of Women Voters of Ohio on this issue.

First Green Presentation

John C. Green first presented to the committee on April 10, 2014. According to Dr. Green, Ohio’s model, called the “common model,” imposes eight-year consecutive limits in each chamber, while other models include six- or eight-year consecutive limits for the house and senate respectively, twelve-year lifetime limitations in both chambers combined, and twelve-year consecutive limits in each chamber. Dr. Green indicated that, between 1997 and 2012, six states repealed or struck down term limits, while one state enacted term limits. Thus, in 2014, 15 states had legislative term limits.

Describing the impact of legislative term limits, Dr. Green stated that term limits have impeded the development of legislative leaders, reducing leaders’ agenda-setting and coalition-building capabilities. He further indicated that the limits reduce the influence of the legislative branch in state government, instead empowering the executive branch, administrative agencies, nonpartisan staff, and lobbyists. Dr. Green also indicated that term limits increase partisanship and reduce the time legislators have to accomplish legislative goals. He noted that term limits have failed to achieve the goal of increasing the number of “citizen legislators,” as opposed to career legislators. Dr. Green observed that term limits have not increased gender, racial, or ethnic diversity in state legislatures.

Dr. Green stated that term limits have had only a modest impact on the electoral process, with no increase in the overall competitiveness of elections, no decrease in campaign spending, and an increase in the role of party caucuses in legislative campaigns. Dr. Green opined that, despite these drawbacks, term limits will continue to have strong public support. However, he stated that increasing the limits from 8 years to 12 years may alleviate the problem of a diminished role for legislative leadership. He also indicated that allowing former legislators to return to office mitigates some of the impact of term limits.

Second Green Presentation

In his second presentation to the committee, on June 12, 2014, Dr. Green presented polling data related to term limits. Conducted by the Center for Marketing and Opinion Research for the Bliss Institute in April 2014, the “2014 Akron Buckeye Poll” surveyed a random sample of 1,078 registered Ohio voters, including both landline and cell phone users. Participants were asked whether they thought term limits produced poor government or good government and whether the limits have helped or hurt the state. The resulting data, with a margin of error of plus or minus three percentage points, indicates that 57 percent of those polled indicated they thought that term limits have helped the state, with 30 percent stating that the limits hurt the state and 13 percent having no opinion. These figures may be compared with 2005 polling data indicating that 59 percent of voters believed that term limits help the state, with 30 percent saying the limits hurt the state and 11 percent indicating they had no opinion.

Asked whether term limits should be kept at eight years, extended to 12 years, or repealed altogether, 70 percent of those polled favored keeping term limits at eight years, with 13 percent willing to extend the limits to 12 years, 12 percent agreeing that they should be repealed altogether, and five percent having no opinion. Queried as to whether they could accept an increase in the limit to 12 years, 38 percent of participants answered that they were firm on keeping the total number of years served at eight, with 32 percent willing to accept a 12-year limit, 13 percent being firm on a 12-year limit, 12 percent supporting a complete repeal of term limits, and five percent having no opinion.

Asked whether they would support increasing state legislative terms by two years, meaning that representatives would serve a four-year term and senators a six-year term, 61 percent of participants indicated they would support such a measure, with 36 percent indicating they would not and three percent having no opinion.

Sixty-two percent of participants stated that it should take a legislator less than five years to learn the job, while 28 percent said five-to-ten years was appropriate, seven percent identifying more than 10 years as the correct time span, and three percent having no opinion.

Henkener Presentation

Ann Henkener, First Vice President of the League of Women Voters of Ohio (“League”), presented to the committee on July 10, 2014. According to Ms. Henkener, the League’s long opposition to term limits is based upon the rationale that terms are inherently limited to two years for representatives and four years for senators, requiring legislators to seek re-election at the end of those terms. Ms. Henkener asserted that the arguments against term limits as presented by the League to voters in 1992, when the current version of Article II, Section 2 appeared on the ballot, have proved mostly true. As she described them, those arguments are that term limits create more “lame duck” legislators, reduce competition for legislative seats, result in less-experienced legislators, reduce institutional memory, impede long-term thinking about societal problems, and increase the power of staff, bureaucrats, and lobbyists. Ms. Henkener opined that voters continue to support the concept of term limits because they are perceived as a counterbalance to problems attributed to the redistricting process. She stated that if redistricting reform occurs,

allowing for more competitive districts, then voters might look more favorably on extending term limits.

Conclusion

The Legislative Branch and Executive Branch Committee concludes that Article II, Section 2 should be amended to expand term limits for newly-elected state senators by one term, and for state representatives by two terms. The committee does not recommend extending term limits for current members of the General Assembly, who would be limited to eight consecutive years of service in their respective houses.

The committee also recommends that Article II, Section 2 be reorganized to first describe the length of term and term limits for state senators, followed by a description of the length of term and term limits for state representatives. This reorganization is intended to assist the reader's comprehension of the meaning of the section. The committee further recommends that the provision be reorganized to include a supplemental paragraph entitled "Effective Date and Repeal," consisting of a description of when the provision, if adopted, would take effect. The committee also recommends the inclusion of "Schedule 1," consisting of an explanation that the extended term limits contained in the revised provision will only apply to newly appointed or elected legislators. These proposed changes bring the format of the section in line with the structure of other sections in Article II.

Therefore, the committee recommends Section 2 be amended as shown in Attachment A, which provides a marked-up version of the provision. Attachment B provides a clean version of Section 2, if the proposed amendment is adopted.

Date Issued

After formal consideration by the Legislative Branch and Executive Branch Committee on March 12, 2015, and April 9, 2015, the committee voted to issue this report and recommendation on April 9, 2015.

Endnotes

¹ Steven H. Steinglass & Gino J. Scarselli, *The Ohio State Constitution*, 140 (2nd prtg. 2011).

² Michael F. Curtin, *Ohio Politics Almanac*, 83 (3rd ed. 2015).

³ Steinglass & Scarselli, *supra*.

⁴ Steven F. Huefner, *Term Limits in State Legislative Elections: Less Value for More Money?*, 79 Ind. L.J. 427, 428 (2004).

⁵ Steinglass & Scarselli, *supra*, at 141.

⁶ *Id.*, Appendix B.

Option Two

Article II, Section 2

~~Representatives shall be elected biennially by the electors of the respective House of Representatives districts; their term of office shall commence on the first day of January next thereafter and continue two years.~~

Senators shall be elected by the electors of the respective Senate districts; ~~their~~ term of office of a senator shall commence on the first day of January ~~next after their~~ following the election. All terms of senators which commence on the first day of January, 1969 shall be four years, and all terms which commence on the first day of January, 1971 shall be four years. Thereafter, except for the filling of vacancies for unexpired terms, senators shall be elected to and hold office for terms of four years. No person shall hold the office of senator for a period longer than three successive terms of four years. Terms shall be considered successive unless separated by a period of four or more years.

Representatives shall be elected biennially by the electors of the respective House of Representative districts. The term of office of a representative shall commence on the first day of January following the election and continue two years. No person shall hold the office of representative for a period longer than six successive terms of two years. Terms shall be considered successive unless separated by a period of four or more years.

~~No person shall hold the office of State Senator for a period of longer than two successive terms of four years. No person shall hold the office of State Representative for a period longer than four successive terms of two years. Terms shall be considered successive unless separated by a period of four or more years. Only terms beginning on or after January 1, 1993 shall be considered in determining an individual's eligibility to hold office.~~

In determining the eligibility of an individual to hold office in accordance ~~to~~ with this article, (A) time spent in an office in fulfillment of a term to which another person was first elected shall not be considered provided that a period of at least four years passed between the time, if any, in which the individual previously held that office, and the time the individual is elected or appointed to fulfill the unexpired term; and (B) a person who is elected to an office in a regularly scheduled general election and resigns prior to the completion of the term for which he or she was elected, shall be considered to have served the full term in that office.

EFFECTIVE DATE AND REPEAL

If adopted by a majority of the electors voting on this proposal, Section 2 of Article II as amended by this proposal shall take effect on January 1, 2017, and existing Section 2 of Article II shall be repealed effective January 1, 2017.

SCHEDULE 1

The version of Section 2 of Article II in effect on December 31, 2016, shall apply to senators and representatives who are in office on that date.

The version of Section 2 of Article II as amended by this proposal shall first apply to senators and representatives who are appointed or elected on or after the effective date of this amendment and who are not in office on December 31, 2016.

Option Two

Article II, Section 2

Senators shall be elected by the electors of the respective Senate districts. The term of office of a senator shall commence on the first day of January following the election. All terms of senators which commence on the first day of January 1969 shall be four years, and all terms which commence on the first day of January 1971 shall be four years. Thereafter, except for the filling of vacancies for unexpired terms, senators shall be elected to and hold office for terms of four years. No person shall hold the office of senator for a period longer than three successive terms of four years. Terms shall be considered successive unless separated by a period of four or more years.

Representatives shall be elected biennially by the electors of the respective House of Representatives districts. The term of office of a representative shall commence on the first day of January following the election and continue two years. No person shall hold the office of representative for a period longer than six successive terms of two years. Terms shall be considered successive unless separated by a period of four or more years.

In determining the eligibility of an individual to hold office in accordance with this article, (A) time spent in an office in fulfillment of a term to which another person was first elected shall not be considered provided that a period of at least four years passed between the time, if any, in which the individual previously held that office, and the time the individual is elected or appointed to fulfill the unexpired term; and (B) a person who is elected to an office in a regularly scheduled general election and resigns prior to the completion of the term for which he or she was elected, shall be considered to have served the full term in that office.

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If adopted by a majority of the electors voting on this proposal, Section 2 of Article II as amended by this proposal shall take effect on January 1, 2017, and existing Section 2 of Article II shall be repealed effective January 1, 2017.

SCHEDULE 1

The version of Section 2 of Article II in effect on December 31, 2016 shall apply to senators and representatives who are in office on that date.

The version of Section 2 of Article II as amended by this proposal shall first apply to senators and representatives who are appointed or elected after the effective date of this amendment and who are not in office on December 31, 2016.

Constitutional Revision and Updating Committee

Planning Worksheet (Through December 2015 Meetings)

Article II – Legislative (Select Provisions)

Sec. 1 – In whom power vested (1851, am. 1912, 1918, 1953)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 1a – Initiative and referendum to amend constitution (1912, am. 2008)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 1b – Initiative and referendum to enact laws (1912, am. 2008)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 1c – Referendum to challenge laws enacted by General Assembly (1912, am 2008)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 1d – Emergency laws; not subject to referendum (1912)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 1e – Powers; limitation of use (1912)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 1f – Powers of municipalities (1912)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 1g – Petition requirements and preparation; submission; ballot language; Ohio ballot board (1912, am. 1971, 1978, 2008)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Article XVI - Amendments

Sec. 1 – Constitutional amendment proposed by joint resolution of General Assembly; procedure (1851, am. 1912, 1974)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 2 – Constitutional amendment proposed by convention; procedure (1851, am. 1912)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 3 – Question of constitutional convention to be submitted periodically (1851, am. 1912)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

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Judicial Branch and Administration of Justice Committee

Planning Worksheet (Through December 2015 Meetings)

Article I – Bill of Rights (Select Provisions)

Sec. 5 – Trial by jury (1851, am. 1912)

Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 8 – Writ of habeas corpus (1851)

Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 9 – Bail (1851, am. 1997)

Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec.10 – Trial for crimes; witness (1851; am. 1912)

Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 10a – Rights of victims of crime (1994)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 12 – Transportation, etc. for crime (1851)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 14 – Search warrants and general warrants (1851)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 15 – No imprisonment for debt (1851)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 16 – Redress for injury; due process (1851; am. 1912)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 19a – Damages for wrongful death (1912)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Article IV - Judicial

Sec. 1 – Judicial power vested in court (1851, am. 1883, 1912, 1968, 1973)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 2 – Organization and jurisdiction of Supreme Court (1851, am. 1883, 1912, 1944, 1968, 1994)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 3 – Organization and jurisdiction of court of appeals (1968, am. 1994)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 4 – Organization and jurisdiction of common pleas court (1968, am. 1973)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 5 – Powers and duties of Supreme Court; rules (1968, am. 1973)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 6 – Election of judges; compensation (1968, am. 1973)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 13 – Vacancy in office of judge, how filled (1851, am. 1942)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 15 – Changing number of judges; establishing other courts (1851, am. 1912))							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 17 – Judges removable (1851)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 18 – Powers and jurisdiction of judges (1851)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. 19 – Courts of conciliation (1851)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved
Completed	11.13.14	1.15.15	1.15.15	2.12.15	2.12.15	4.9.15	4.9.15

Sec. 20 – Style of process, prosecution, and indictment (1851)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

Sec. [21] 22 – Supreme Court commission (1875)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved
Completed	11.13.14	1.15.15	1.15.15	2.12.15	2.12.15	4.9.15	4.9.15

Sec. 23 – Judges in less populous counties; service on more than one court 1965)							
Draft Status	Committee 1 st Pres.	Committee 2 nd Pres.	Committee Approval	CC Approval	OCMC 1 st Pres.	OCMC 2 nd Pres.	OCMC Approved

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OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

2016 Meeting Dates

February 11

March 10

April 14

May 12

June 9

July 14

August 11

September 8

October 13

November 10

December 8