



OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

Ohio Constitutional Modernization Commission

Co-Chair

Sen. Charleta B. Tavares
Assistant Minority Leader

Co-Chair

Rep. Ron Amstutz
Speaker Pro Tempore

November 10, 2016

Ohio Statehouse
Room 126

Ohio Constitutional Modernization Commission

Co-chair Sen. Charleta Tavares

Co-chair Rep. Ron Amstutz

Ms. Janet Abaray

Mr. Herb Asher

Mr. Roger Beckett

Ms. Karla Bell

Ms. Paula Brooks

Rep. Kathleen Clyde

Mr. Douglas Cole

Sen. Bill Coley

Rep. Robert Cupp

Rep. Mike Curtin

Ms. Jo Ann Davidson

Judge Patrick Fischer

Mr. Edward Gilbert

Mr. Jeff Jacobson

Sen. Kris Jordan

Mr. Charles Kurfess

Rep. Robert McColley

Mr. Fred Mills

Mr. Dennis Mulvihill

Sen. Bob Peterson

Mr. Chad Readler

Mr. Richard Saphire

Sen. Tom Sawyer

Sen. Michael Skindell

Rep. Emilia Sykes

Governor Bob Taft

Ms. Petee Talley

Ms. Kathleen Trafford

Mr. Mark Wagoner

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OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

COMMISSION MEETING

THURSDAY, NOVEMBER 10, 2016

1:30 P.M.

OHIO STATEHOUSE ROOM 126

AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of Minutes
 - Meeting of October 13, 2016
 - [Draft Minutes – attached]*
- IV. Standing Committee Reports
 - None Scheduled
- V. Subject Matter Committee Reports
 - None Scheduled
- VI. Reports and Recommendations
 - None Scheduled

VII. Rules of Procedure and Conduct (Wagoner)

- Proposed change to Rule 5.4, 5.5, and 5.6 of the Rules of Procedure and Conduct dealing with the number and title of standing committees.
 - First Presentation
 - Public Comment
 - Discussion

[Proposed Revised Rules 5.3, 5.4, and 5.5 – attached]

[Memorandum by Steven C. Hollon titled “OCMC Standing Committees,” dated July 7, 2016 – attached]

VIII. Old Business

- Update on Preparation of Joint Resolutions by Legislative Service Commission Based on Reports and Recommendations Issued by the Ohio Constitutional Modernization Commission (Hollon)

[Proposed Joint Resolution to Repeal Article IV, Section 19 (Courts of Conciliation) and Section 22 (Supreme Court Commission)]

[Proposed Joint Resolution to Amend Article VIII, Section 2 and to Repeal Sections 7, 8, 9, 10, and 11(Sinking Fund and Sinking Fund Commission)]

[Proposed Joint Resolution to Enact Article VIII, Section 18 and to Repeal Sections 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2j, and 2k (Obsolete Bonding Authorization Provisions)]

[Proposed Joint Resolution to Enact Article VIII, Section 2t (Authorizing Reissuance of Revenue Bonds as General Obligation Bonds)]

IX. New Business

X. Public Comment

XI. Adjourn

Co-Chair
Charleta B. Tavares
Assistant Minority Leader
15th Senate District



Co-Chair
Ron Amstutz
Speaker Pro Tempore
1st House District

OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

MINUTES FOR THE MEETING HELD THURSDAY, OCTOBER 13, 2016

Call to Order:

Co-chair Charleta Tavares called the meeting of the Ohio Constitutional Modernization Commission ("Commission") to order at 1:38 p.m.

Members Present:

A quorum was present with Commission Co-chairs Tavares and Amstutz, and Commission members Asher, Beckett, Bell, Brooks, Clyde, Cole, Coley, Cupp, Curtin, Davidson, Fischer, Jordan, Kurfess, McColley, Mills, Mulvihill, Peterson, Readler, Sapphire, Sawyer, Skindell, Sykes, and Taft in attendance.

Approval of Minutes:

The minutes of the September 8, 2016 meeting of the Commission were reviewed and approved.

Standing Committee Reports:

Coordinating Committee

Vice-chair Jo Ann Davidson, reporting on behalf of the Coordinating Committee, said the committee is reviewing steps that could be taken to make the constitution gender-neutral. She said the committee wishes to give chair Kathleen Trafford the opportunity to provide input as to which committee should have the task of determining how to handle the issue. She noted that Richard Sapphire, chair of the Bill of Rights and Voting Committee, had offered to have his committee address the question, and the Coordinating Committee would be deciding how to move forward at its next meeting.

Subject Matter Committee Reports:

Education, Public Institutions, and Local Government Committee

Chad Readler, Chair of the Education, Public Institutions, and Local Government Committee, reported that in September the committee heard a presentation by Senator Bill Coley regarding Article XV, Section 6 (Lotteries, Charitable Bingo, Casino Gaming). The committee also heard a presentation by Michael Kirkman, executive director of Disability Rights Ohio, regarding the public institutions provisions of Article VII. Mr. Readler said the committee has received reports and recommendations relating to Article VI, Section 5 (Loans for Higher Education), and for Section 6 (Tuition Credits Program), and is expected to vote to retain those sections in their current form. Mr. Readler added the committee has reviewed Article VI, Section 3 (Public School System; Boards of Education), and will be determining if there is a consensus to keep the provision as is or to recommend a change.

Finance, Taxation, and Economic Development Committee

Doug Cole, chair of the Finance, Taxation, and Economic Development Committee, reported that the Commission has approved three reports and recommendations from his committee on provisions related to state debt and general obligation bonds. He said those reports and recommendations largely wrap up the committee's work regarding Article VIII, other than the sections dealing with lending aid and credit. He said the committee will meet in November to continue that review.

Bill of Rights and Voting Committee

Reporting for the Bill of Rights and Voting Committee, Chair Richard Saphire said the year began with the committee recommending no change to Article I, Section 20 (Powers Reserved to the People), and that a report and recommendation to this effect was approved by the Commission in January 2016. He said the committee then recommended no change to Article V, Section 4 (Exclusion from Franchise), which relates to voting by persons convicted of a felony, and the Commission voted to adopt that recommendation. He said the committee's report and recommendation relating to Article V, Section 6 (Mental Capacity to Vote) had proposed changes to that section after nearly two years of deliberations. However, he said the report and recommendation did not receive sufficient votes to pass when it was submitted for the Commission's consideration. Mr. Saphire continued that the committee will be discussing whether to resubmit or revise that report and recommendation. He said the committee is currently reviewing Article V, Section 1 (Who May Vote), and he hopes the committee will complete its review of Article V in the coming months. He added the committee has several more Article I sections to consider, specifically slavery, involuntary servitude, health care, and property rights, and may recommend adding a provision related to a right to privacy.

Judicial Branch and Administration of Justice Committee

Patrick Fischer, vice-chair of the Judicial Branch and Administration of Justice Committee, reported the committee has been considering the grand jury system, and in this regard has heard

from a grand jury legal advisor in Hawaii about that state's system for conducting grand juries. He said the committee next expects to take up a review of changes to Article IV resulting from the Modern Courts Amendment.

Constitutional Revision and Updating Committee

Dennis Mulvihill, chair of the Constitutional Revision and Updating Committee, said the committee is making progress on proposing changes to the initiative and referendum process and expects to have something for full Commission review shortly.

He said the committee has addressed two primary concerns. The first is that Article II, Sections 1a through 1g, are difficult to read and understand, and so the committee is undertaking a rewrite of those sections. He said a second issue is the recent phenomenon of the misuse of the constitutional amendment process to create laws that should be statutory. He noted there have been 66 proposed initiated amendments to the constitution and only 12 initiated statutes since the initiative and referendum process was adopted as a result of the 1912 Ohio Constitutional Convention. He said only 18 of the proposed constitutional amendments and only three of the statutory initiatives have passed. Mr. Mulvihill said the committee would like to see those numbers flipped, because there is too much in the constitution that would be better placed in the revised code. He said while initiative and referendum is a right Ohioans hold dear, the process must be easier and more user-friendly.

Mr. Mulvihill said the committee, with the help of staff, is rewriting the sections in order to clarify their content. He said one improvement will be to improve the various steps in the process by making the calendar for accomplishing those steps prospective rather than retrospective. He added that, on a smaller scale, the committee may be recommending language that would allow the General Assembly to modernize the signature collection process. He said a more significant change, with regard to the statutory initiative process, would be to remove the requirement of a supplementary petition so that petitioners will not have to pursue a second round of petition signatures. He said that change will make it easier to engage in the statutory initiative process. At the same time, he said, the committee wants to improve the constitutional initiative process so that when a constitutional amendment is proposed, more people will consider and vote on it.

Mr. Mulvihill noted one option the committee is considering is to require a proposal for an initiated amendment to be approved in two separate elections. He said the committee is considering raising the threshold of the number of voters who must approve a ballot issue, but the committee also recognizes that if the number is too high an initiative would not pass. He said the committee is considering that idea, but has not reached a consensus yet. He added that the proposal to require two consecutive elections is gaining momentum, and the committee is still working on that process. Mr. Mulvihill noted the excellent rewrite of the sections that staff provided to the committee, saying it will make it easier for people to understand the process and will assist the courts and the secretary of state's office. He said these changes will meet the goal of the Commission to modernize the constitution, and the committee hopes to have something for the full Commission to consider shortly.

In relation to Mr. Mulvihill's comments, Representative Mike Curtin asked whether there has been any public comment period yet on the changes the committee is considering. Mr. Mulvihill said the public has been at the meetings, and there have been some presentations and comments related to the proposals. He added that the committee has received correspondence as well, and that there will continue to be input as the committee moves forward. Rep. Curtin replied that, given the historic significance of the initiative and referendum process, it would seem the public relations component of the Commission should make an effort to notify the public about the contemplated changes, so that interested parties could testify and provide opinions about the proposals. He emphasized the importance of having maximum public exposure before the recommendations would come to the full Commission. Mr. Mulvihill agreed that this is important and thanked Rep. Curtin for his comments.

Legislative Branch and Executive Branch Committee

Fred Mills, chair of the Legislative Branch and Executive Branch Committee, said the committee will meet next to continue to discuss categories of various sections of Article II relating to the legislative branch. Mr. Mills said Steven C. Hollon, executive director, has analyzed those sections and put them into ten categories. He said the committee has drafts of two reports and recommendations to discuss. He said after completing its coverage of Article II, the committee would be moving on to Article III, relating to the executive branch.

Rules of Procedure and Conduct:

Co-chair Tavares recognized Mr. Hollon, appearing on behalf of the Organization and Administration Committee, to present for the second time a proposal to amend Section 3, Rule 3.9 of the Rules of Procedure and Conduct. Mr. Hollon said the Commission heard a first presentation on September 8, 2016. He said the proposal is to amend Rule 3.9 to define a quorum of the full Commission to be 17 instead of 21 members. He said that change would allow the Commission to pass on minutes or otherwise conduct business, but does not change the existing rule with regard to needing 22 members to pass a proposal to change an existing constitutional provision.

Co-chair Tavares then asked for public comment or discussion by Commission members. There being none, she entertained a motion by Mr. Sapphire to adopt the proposed rule change, which was seconded by Commission member Jo Ann Davidson.

Co-chair Tavares asked for a roll call vote, which was as follows:

Co-chair Tavares – yea
 Co-chair Amstutz – yea
 Asher – yea
 Beckett – yea
 Bell – yea
 Brooks – yea
 Clyde – yea
 Cole – yea

Coley – yea
 Cupp – yea
 Curtin – yea
 Davidson – yea
 Fischer – yea
 Jordan – yea
 Kurfess – yea
 McColley – yea
 Mills – yea
 Mulvihill – yea
 Peterson – yea
 Readler – yea
 Sapphire – yea
 Sawyer – yea
 Skindell – yea
 Taft – yea

The motion passed unanimously, by a vote of 24 in favor and none opposed, with 7 absent.

Executive Director's Report:

Mr. Hollon reported that Commission members were being provided with magnets indicating the meeting dates for 2017, and thanked staff for putting that together.

New Business:

Co-chair Tavares then recognized Rep. Curtin for the purpose of introducing an item of new business.

Rep. Curtin noted that the Commission is scheduled to sunset at the end of 2017. He said, with that in mind, it behooves the Commission to have a process in place to move with as much expeditiousness as possible regarding recommendations to the General Assembly. He noted the Commission has proposed five amendments that were voted to be recommended. He said he is not aware of who has responsibility for ensuring those recommendations are put in joint resolution form by the Legislative Service Commission (LSC). He said he met with the co-chairs to discuss the process going forward. He said it is possible to get these recommendations voted out of the General Assembly and onto the 2017 ballot, and he wants to ascertain how the Commission will proceed.

Co-chair Ron Amstutz said his response is that this proposal makes common sense. He said he likes the suggestion that the default be that the day the Commission adopts a recommended change to the constitution, the co-chairs or their designees get the recommendations drafted through LSC in proper haste. He said that seems to make sense, and would allow the Commission to make recommendations and offer proposed language. He said his understanding is that the LSC function works only when a legislator asks for drafting. He said, if that connection is made, LSC can work with Commission staff. He said he would like to see the

Commission put that plan into operation. He said, in his mind, the Commission is already going down that road from last month's meeting, and should formalize it.

Mr. Mulvihill asked whether the proposal is to allow the committees to enlist help from LSC, or if it is to happen after full Commission adoption of the recommendation. Co-chair Amstutz said his sense of the process is that the function of the Commission is to develop the language, so that is what the LSC would be drafting anyway, with the rest just being procedural or mechanical. He said the Commission would have to draft the proposed language as soon as it has taken action on the recommendation.

Mr. Hollon indicated that LSC has assisted on a few early questions, but to have LSC redraft after every committee meeting makes it difficult. Mr. Hollon said, upon the passage of each report and recommendation, he drafts letters to the House and Senate leaders of the General Assembly and hand delivers the reports and recommendations as signed by the co-chairs, so that the General Assembly is on notice as to the actions of the Commission. He added, when he delivers those letters, the Commission could contact LSC to have them draft language according to the recommendation of the Commission. He said a recommendation for repeal would not need language. He noted that one recommendation adopted by the Commission offered proposed language, but there may be some necessity for the General Assembly to slightly modify a recommendation.

Rep. Curtin said his sense is it would be incumbent on the co-chairs to follow up with leadership in each of the houses to communicate to get things scheduled for introduction in the General Assembly. Co-chair Tavares then asked for a motion to this effect, and Rep. Curtin so moved, with Judge Fischer seconding the motion.

Co-chair Tavares asked for a roll call vote, which was as follows:

Co-chair Tavares – yea
 Co-chair Amstutz – yea
 Asher – yea
 Beckett – yea
 Bell – yea
 Brooks – yea
 Clyde – yea
 Cole – yea
 Coley – yea
 Cupp – yea
 Curtin – yea
 Davidson – yea
 Fischer – yea
 Jordan – yea
 Kurfess – yea
 McColley – yea
 Mills – yea
 Mulvihill – yea

Peterson – yea
 Readler – yea
 Sapphire – yea
 Sawyer – yea
 Skindell – yea
 Taft – yea

The motion passed unanimously, by a vote of 24 in favor and none opposed, with 7 absent.

Co-chair Tavares then indicated the co-chairs would work with their respective caucuses to move the Commission's recommended language along.

Adjournment:

There being no further business to come before the Commission, the meeting adjourned at 2:12 p.m.

Approval:

The minutes of the October 13, 2016 meeting of the Commission were approved at the November 10, 2016 meeting of the Commission.

Co-chair
 Senator Charleta B. Tavares
 Assistant Minority Leader

Co-chair
 Representative Ron Amstutz
 Speaker Pro Tempore

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OCMC Rules of Procedure and Conduct

Section 5.0 Standing Committees

Rule 5.1 Creation

The Commission shall maintain ~~four~~ three standing committees as set forth in Rules 5.3, 5.4, 5.5, and 5.6. The Commission may form additional standing committees as required.

Rule 5.2 Membership

Each member of the Commission shall be assigned to sit on one standing committee.

Rule 5.3 Organization and Administration Committee

The Organization and Administration Committee shall serve as a standing committee for the purpose of making recommendations to the Commission and staff regarding budget, staffing, ethics, and rules.

Rule 5.4 ~~Public Education and Information~~ and Liaisons with Public Offices Committee

The ~~Public Education and Information~~ and Liaisons with Public Offices Committee shall serve as a standing committee for the purpose of making recommendations to the Commission and staff on how best to disseminate information to the public regarding the Commission and its operation, educate the citizens of Ohio regarding the Commission's proposals, ~~and~~ receive input from the public, and provide information and maintain relations with all public offices reasonably affected, if at all, by any proposal or action of the Commission.

Rule 5.5 ~~Liaisons with Public Offices~~ Committee

~~The Liaisons with Public Offices Committee shall serve as a standing committee for the purpose of providing information and maintaining relations with all public offices reasonably affected, if at all, by any proposal or action of the Commission.~~

Rule 5.6 Coordinating Committee

The Coordinating Committee shall serve as a standing committee for the purpose of coordinating the study of the Ohio Constitution by each subject matter committee. In addition to the provisions of the Ohio Constitution assigned to each subject matter committee for review under Rules 6.3, 6.4, 6.5, 6.6, 6.7, and 6.8, the Coordinating Committee may assign additional provisions or topics for a subject matter committee to review and consider. The Coordinating Committee may provide input to the co-chairs of the Commission for the purpose of developing the agenda for full Commission meetings.

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OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

MEMORANDUM

TO: Chair Mark Wagoner, Vice-chair Ed Gilbert, and
Members of the Organization and Administration Committee

FROM: Steven C. Hollon, Executive Director

DATE: July 7, 2016

RE: OCMC Standing Committees

The purpose of this memorandum is to explore how the four standing committees of the Ohio Constitutional Modernization Commission (Commission) might be restructured to provide for greater efficiency in their operation.

Coordinating Committee

The Coordinating Committee has perhaps the most important role of the standing committees. It operates in many ways as the executive committee for the Commission. One of its duties is to review the reports and recommendations issued by each of the subject matter committees for form and completeness. In addition, pursuant to Rule 5.6 of the Commission's Rules of Procedure and Conduct, the committee concerns itself with coordinating the study of the constitution by each subject matter committee, assigning additional provisions or topics of study, and providing input to the Commission co-chairs for the purpose of developing agendas for Commission meetings. Because of these duties, this committee has met more often than any of the other standing committees.

Current Members

There are eight members of the Coordinating Committee, as follows:

- Trafford(D) Chair
- Davidson(R) Vice-chair
- Coley(R) Senate
- Jordan(R) Senate
- Sykes(D) House

- Abaray(D) Committee chair (Judicial Branch and Administration of Justice)
- Mulvihill(D) Committee chair (Constitutional Revision and Updating)
- Fischer(R) Committee vice-chair (Judicial Branch and Administration of Justice)

The committee has equal representation from each political party, including two senators and one representative, two subject matter committee chairs, and one subject matter committee vice-chair.

Possible New Membership

After reviewing the operation of this and the other standing committees, the Organization and Administration Committee may wish to consider recommending that the Coordinating Committee be restructured to increase its membership from eight to 12, and include the following members:

- Trafford(D) Chair
- Davidson(R) Vice-chair
- Commission co-chair
- Commission co-chair
- Member of the Senate
- Member of the House
- Abaray(D) Committee chair (Judicial Branch and Administration of Justice)
- Mulvihill(D) Committee chair (Constitutional Revision and Updating)
- Cole(R) Committee chair (Finance, Taxation, and Economic Development)
- Mills(R) Committee chair (Legislative Branch and Executive Branch)
- Readler(R) Committee chair (Education, Public Institutions, and Local Government)
- Sapphire(D) Committee chair (Bill of Rights and Voting)

If this structure is approved, the Coordinating Committee would retain its current chair and vice-chair (Trafford and Davidson) and add the Commission co-chairs (Tavares and Amstutz) to the committee. If the Organization and Administration Committee recommends adding the Commission co-chairs to the Coordinating Committee, then the Organization and Administration Committee may also wish to recommend that one Senator and one Representative from the opposite political parties of the Commission co-chairs be added to the committee for political and chamber balance.

In addition, the Organization and Administration Committee may also wish to add as members the four chairs of the other subject matter committees who are currently not members of the committee.

In total, this new structure would add six new members and would drop off two members. There would be an equal number of representatives from each political party and there would be four legislative members.

Since this committee concerns itself with the tasks of coordinating the study of the constitution by each subject matter committee, plus the assignment of additional provisions or topics for

study, and the provision of input to the Commission co-chairs for the purpose of developing the agenda for Commission meetings, it seems the Commission co-chairs and the committee chairs should be at the same table to discuss these issues. Also, by increasing the committee membership total from eight to 12, it will increase the possibility of achieving a quorum for each meeting since the Commission co-chairs and committee chairs have an increased likelihood of attending meetings due to their responsibilities as Commission and committee leaders.

Organization and Administration Committee

The Organization and Administration Committee is responsible for making recommendations to the Commission regarding budget, staffing, ethics, and rules.

Current Members

The committee consists of the following eight members:

- Wagoner(R) Chair
- Gilbert(D) Vice-chair
- Skindell(D) Senate
- Clyde(D) House
- Cupp(R) House
- Brooks(D) Public Member
- Cole(R) Public Member
- Kurfess(R) Public Member

The committee currently consists of an even number of members from each political party, with four from each party. It also has one senator as a member and two representatives as members, with three members from the public.

Potential New Membership

If the Organization and Administration Committee recommends reducing the number of standing committees from four to three, then, as part of the restructuring, it may also wish to consider increasing the membership of its own committee from eight to ten and include the following members:

- Wagoner(R) Chair
- Gilbert(D) Vice-chair
- Member of the Senate
- Member of the Senate
- Member of the House
- Member of the House
- Public Member
- Public Member
- Public Member
- Public Member

If this idea is looked upon with favor, the Organization and Administration Committee could recommend retaining its current chair and vice-chair (Wagoner and Gilbert). It could then add one senator to the existing senator already on the committee, retain both House members, and have four members of the public.

Public Information and Liaisons with Public Offices Committee

The Organization and Administration Committee may also wish to recommend that the Public Education and Information Committee and the Liaisons with Public Offices Committee be combined into one committee known as the Public Information and Liaisons with Public Offices Committee.

Pursuant to Rule 5.4, the current Public Education and Information Committee, is charged with making recommendations to the Commission on how best to disseminate information to the public regarding the Commission and its operation, educating the citizens of Ohio regarding the Commission's proposals, and receiving input from the public. According to Rule 5.5, the Liaisons with Public Offices Committee is responsible for providing information to and maintaining relations with public offices reasonably affected by any proposal of the Commission.

Current Members

The Public Education and Information Committee consists of the following eight members:

- Beckett(R) Chair
- Macon(D) Vice-chair
- Peterson(R) Member of the Senate
- Sawyer(D) Member of the Senate
- Curtin(D) Member of the House
- Jacobson(R) Public Member
- Readler(R) Public Member
- Sapphire(D) Public Member

The Liaisons with Public Offices Committee consists of the following eight members:

- Asher(D) Chair
- Taft(R) Vice-chair
- Tavares(D) Senate (Commission Co-chair)
- Amstutz(R) House (Commission Co-chair)
- McColley(R) Member of the House
- Bell(D) Public Member
- Mills(R) Public Member
- Talley(D) Public Member

The breakdown of committee members on each of these committees is consistent with the other standing committees. There are an equal number of members from each political party on each of the two committees, and each committee has an equal number of public members. There are also three legislative members on each committee, with one committee having two senators and one representative, and the other committee having one senator and two representatives.

Since January 2014, these two committees have met jointly seven times. They have not met independent of one another in that time period. For all intents and purposes, the two committees operate as one. For that reason, the Organization and Administration Committee may wish to recommend to the full Commission that the two committees be combined into one committee to be known as the Public Information and Liaisons with Public Offices Committee.

Potential New Membership

The newly formed committee could consist of the following ten members:

- Asher(D) Co-chair
- Beckett(R) Co-chair
- Member of the Senate
- Member of the Senate
- Member of the House
- Member of the House
- Public Member
- Public Member
- Public Member
- Public Member

The combined membership of the current two separate committees totals sixteen, while the membership of the proposed new committee would consist of ten. The potential new membership of the new combined committee is listed above. The new membership shows a reduction of six members.

If the Organization and Administration Committee recommends that the total number of standing committees be reduced from four to three, this would create an odd number of chair opportunities, which would create an imbalance between the parties. To resolve that difficulty, the committee may wish to propose that the chairmanship of a new Public Information and Liaisons with Public Offices Committee be exercised as a co-chairmanship. This is how the combined meetings of the committees have been conducted in the past, so to adopt this would merely take the past practice and adopt it into formal status.

Conclusion

The Organization and Administration Committee may wish to make a formal recommendation to the full Commission to revise the Commission's Rules of Procedure and Conduct to reflect these changes.

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Lr_131_0258

131st General Assembly
Regular Session
2015-2016

. J. R. No.

A JOINT RESOLUTION

Proposing to amend Section 2 and to repeal Sections 7, 8,
9, 10, and 11 of Article VIII of the Constitution of
the State of Ohio to adopt the recommendation of the
Ohio Constitutional Modernization Commission that
certain provisions concerning the sinking fund and the
Sinking Fund Commission be eliminated.

Be it resolved by the General Assembly of the State of
Ohio, three-fifths of the members elected to each house
concurring herein, that there shall be submitted to the electors
of the state, in the manner prescribed by law at the general
election to be held on November 7, 2017, a proposal to amend
Section 2 and to repeal Sections 7, 8, 9, 10, and 11 of Article
VIII of the Constitution of the State of Ohio to read as
follows:

ARTICLE VIII

Section 2. In addition to the above limited power, the
State may contract debts to repel invasion, suppress
insurrection, defend the State in war, or to redeem the present
outstanding indebtedness of the State: but the money, arising
from the contracting of such debts, shall be applied to the



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purpose for which it was raised, or to repay such debts, and to 21
 no other purpose whatever; and all debts, incurred to redeem the 22
 present outstanding indebtedness of the State, shall be so 23
 contracted as to be payable by the ~~sinking fund, hereinafter~~ 24
~~provided for State,~~ as the same shall accumulate. 25

EFFECTIVE DATE AND REPEAL 26

If adopted by a majority of the electors voting on this 27
 proposal: 28

(A) The amendment of Section 2 of Article VIII of the 29
 Constitution of the State of Ohio shall take effect immediately, 30
 and existing Section 2 of Article VIII of the Constitution of 31
 the State of Ohio shall be repealed from such effective date. 32

(B) Sections 7, 8, 9, 10, and 11 of Article VIII of the 33
 Constitution of the State of Ohio are repealed effective 34
 immediately. 35

Lr_131_0259

131st General Assembly
 Regular Session
 2015-2016

. J. R. No.

A JOINT RESOLUTION

Proposing to enact Section 18 of Article VIII and to 1
 repeal Sections 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2j, and 2k 2
 of Article VIII of the Constitution of the State of 3
 Ohio to adopt the recommendation of the Ohio 4
 Constitutional Modernization Commission that obsolete 5
 bond-authorizing provisions be eliminated. 6

Be it resolved by the General Assembly of the State of 7
 Ohio, three-fifths of the members elected to each house 8
 concurring herein, that there shall be submitted to the electors 9
 of the state, in the manner prescribed by law at the general 10
 election to be held on November 7, 2017, a proposal to enact 11
 Section 18 of Article VIII and to repeal Sections 2b, 2c, 2d, 12
 2e, 2f, 2g, 2h, 2j, and 2k of Article VIII of the Constitution 13
 of the State of Ohio, the section enacted to read as follows: 14

ARTICLE VIII 15

Section 18. If any section of this article that authorizes 16
the issuance of debt or other obligations is repealed, any 17
outstanding debt or other obligations issued under authority of 18
that section prior to its repeal shall remain in full force and 19
effect and continue to be secured in accordance with the 20



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<u>original terms of the debt or obligations.</u>	21
EFFECTIVE DATE	22
If adopted by a majority of the electors voting on the proposal:	23
(A) Section 18 of Article VIII of the Constitution of the State of Ohio shall take effect immediately.	24
(B) Sections 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2j, and 2k of Article VIII of the Constitution of the State of Ohio are repealed effective immediately.	25
	26
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Lr_131_0260

131st General Assembly
Regular Session
2015-2016

. J. R. No.

A JOINT RESOLUTION

Proposing to enact Section 2t of Article VIII of the 1
 Constitution of the State of Ohio to adopt the 2
 recommendation of the Ohio Constitutional 3
 Modernization Commission relative to the issuance of 4
 general obligation bonds to pay the costs of 5
 facilities for mental health and developmental 6
 disabilities, parks and recreation, and housing of 7
 agencies of state government. 8

Be it resolved by the General Assembly of the State of 9
 Ohio, three-fifths of the members elected to each house 10
 concurring herein, that there shall be submitted to the electors 11
 of the state, in the manner prescribed by law at the general 12
 election to be held on November 7, 2017, a proposal to enact 13
 Section 2t of Article VIII of the Constitution of the State of 14
 Ohio to read as follows: 15

ARTICLE VIII 16

Section 2t. (A) The General Assembly may provide by law, 17
subject to the limitations of and in accordance with this 18
section, for the issuance of bonds and other obligations of the 19
state for either of the following purposes: 20



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(1) Paying the costs of facilities for mental health and developmental disabilities (formerly referred to as "mental hygiene and retardation"), parks and recreation, and housing of branches and agencies of state government; 21
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(2) Refunding obligations previously issued under the authority of the fifth paragraph of Section 2i of Article VIII, Ohio Constitution, for the purposes described in division (A) (1) of this section. 25
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(B) Each obligation issued under division (A) (1) of this section shall mature not later than the thirty-first day of December of the twenty-fifth calendar year after its issuance or, if issued under division (A) (2) of this section to refund obligations, not later than the thirty-first day of December of the twenty-fifth calendar year after the date the debt was originally contracted. If obligations are issued as notes in anticipation of the issuance of bonds, provision shall be made by law or in the bond or note proceedings for the establishment and maintenance, during the period in which the notes are outstanding, of a special fund or funds into which shall be paid, from the sources authorized for the payment of such bonds, the amount that would have been sufficient to pay the principal that would have been payable on those bonds during that period if bonds maturing serially in each year over the maximum period of maturity set forth in this division had been issued without the prior issuance of the notes. The fund or funds and investment income on the fund or funds shall be used solely for the payment of principal of those notes or the bonds in anticipation of which the notes have been issued. 29
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(C) The obligations issued under this section are general obligations of the state. The full faith and credit, revenue, and taxing power of the state shall be pledged to the payment of 49
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debt service on those obligations as they become due, and bond 52
retirement provisions shall be made for payment of that debt 53
service. Provision shall be made by law for the sufficiency and 54
appropriation, for purposes of paying debt service, of excises, 55
taxes, and revenues so pledged to that debt service, and for 56
covenants to continue the levy, collection, and application of 57
sufficient excises, taxes, and revenues to the extent needed for 58
that purpose. Notwithstanding Section 22 of Article II, Ohio 59
Constitution, no further act of appropriation shall be necessary 60
for that purpose. The obligations and provisions for the payment 61
of debt service on the obligations are not subject to Sections 62
5, 6, and 11 of Article XII, Ohio Constitution. Moneys referred 63
to in Section 5a of Article XII, Ohio Constitution, may only be 64
pledged to or used for the payment of debt service on 65
obligations issued for purposes permitted by Section 5a of 66
Article XII, Ohio Constitution. 67

(D) The obligations issued under authority of this 68
section, their transfer, and the interest, interest equivalent, 69
and other income or accreted amounts on them, including any 70
profit made on their sale, exchange, or other disposition, shall 71
at all times be free from taxation within the state. 72

(E) This section shall be implemented in the manner and to 73
the extent provided by the General Assembly by law, including 74
provision for the procedure for incurring, refunding, retiring, 75
and evidencing obligations issued as referred to in this 76
section. The total principal amount of obligations issued under 77
this section shall be as determined by the General Assembly, 78
subject to the limitation provided for in Section 17 of this 79
article. 80

(F) The authorizations in this section are in addition to, 81
cumulative with, and not a limitation on, authorizations 82

contained in other sections of this article or on the authority 83
of the General Assembly under other provisions of this 84
Constitution, and do not impair any law previously enacted by 85
the General Assembly. 86

(G) As used in this section: 87

(1) "Costs of facilities" includes, without limitation, 88
the costs of acquisition, construction, improvement, expansion, 89
planning, and equipping. 90

(2) "Debt service" means the principal and interest and 91
other accreted amounts payable on the obligations referred to. 92

EFFECTIVE DATE 93

If adopted by a majority of the electors voting on the 94
proposal, Section 2t of Article VIII of the Constitution of the 95
State of Ohio shall take effect immediately. 96

Lr_131_0255

131st General Assembly
Regular Session
2015-2016

. J. R. No.

A JOINT RESOLUTION

Proposing to repeal Sections 19 and 22 of Article IV of 1
the Constitution of the State of Ohio to adopt the 2
recommendation of the Ohio Constitutional 3
Modernization Commission to eliminate the authority of 4
the General Assembly to establish courts of 5
conciliation and to eliminate the authority of the 6
Governor to appoint a supreme court commission. 7

Be it resolved by the General Assembly of the State of 8
Ohio, three-fifths of the members elected to each house 9
concurring herein, that there shall be submitted to the electors 10
of the state, in the manner prescribed by law at the general 11
election to be held on November 7, 2017, a proposal to repeal 12
Sections 19 and 22 of Article IV of the Constitution of the 13
State of Ohio. 14

EFFECTIVE DATE 15

If adopted by a majority of the electors voting on this 16
proposal, Sections 19 and 22 of Article IV of the Constitution 17
of the State of Ohio are repealed, effective immediately. 18



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OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

2016 Meeting Dates

December 8

2017 Meeting Dates

January 12

February 9

March 9

April 13

May 11

June 8

July 13

August 10

September 14

October 12

November 9

December 14