



OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

MEMORANDUM

TO: Chair Kathleen Trafford, Vice-chair Jo Ann Davidson, and Members of the Coordinating Committee

CC: Steven C. Hollon, Executive Director

FROM: Steven H. Steinglass, Senior Policy Advisor

DATE: October 18, 2016

RE: Supplemental Memo--Gender-Based Pronouns

This memorandum supplements the September 26, 2016, memorandum, addressing *Gender-Based Pronouns in the Ohio Constitution*.

This memorandum supplements the earlier memo by updating the chart and including a column on proposed replacements of the relevant pronouns. In addition, it includes a second chart identifying gender-based nouns used in the Ohio Constitution (i.e., man or men) and identifying proposed replacements for those nouns.

Gender-Based Pronouns in the Ohio Constitution

Art.	Sec.	Pronoun & number	Text	Replacements
I	16	him and his	All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay. Suits may be brought against the state, in such courts and in such manner, as may be provided by law.	to his or her
II	1g	he	* * * To each part of such petition	

			shall be attached the statement of the circulator, as may be required by law, that he witnessed the affixing of every signature. The secretary of state shall determine the sufficiency of the signatures not later than one hundred five days before the election * * *.	the circulator
II	4	he (4)	<p>No member of the general assembly shall, during the term for which he was elected, unless during such term he resigns therefrom, hold any public office under the United States, or this state, or a political subdivision thereof; but this provision does not extend to officers of a political party, notaries public, or officers of the militia or of the United States armed forces.</p> <p>No member of the general assembly shall, during the term for which he was elected, or for one year thereafter, be appointed to any public office under this state, which office was created or the compensation of which was increased, during the term for which he was elected.</p>	<p>the member</p> <p>the member</p> <p>the member</p> <p>the member</p>
II	5	he	No person hereafter convicted of an embezzlement of the public funds, shall hold any office in this state; nor shall any person, holding public money for disbursement, or otherwise, have a seat in the general assembly, until he shall have accounted for, and paid such money into the treasury.	the member of the general assembly
II	11	he (2)	No person shall be elected to fill a vacancy in the Senate or House of Representatives, as the case may be, unless he meets the qualifications set forth in this Constitution and the laws of this state for the seat in which the vacancy occurs	the member of the general assembly



			The Secretary of State shall, upon receipt of such certification, issue a certificate of election to the person so elected and upon presentation of such certificate to the Senate or the House of Representatives, as the case may be, the person so elected shall take the oath of office and become a member of the Senate or the House of Representatives, as the case may be, for the term for which he was so elected.	the member of the general assembly
II	16	he (3) and him (2)	<p>If the governor approves an act, he shall sign it, it becomes law and he shall file it with the secretary of state.</p> <p>If he does not approve it, he shall return it with his objections in writing, to the house in which it originated, which shall enter the objections at large upon its journal, and may then reconsider the vote on its passage * * *.</p> <p>If a bill is not returned by the governor within ten days, Sundays excepted, after being presented to him, it becomes law in like manner as if he had signed it, unless the general assembly by adjournment prevents its return; in which case, it becomes law unless, within ten days after such adjournment, it is filed by him, with his objections in writing, in the office of the secretary of state * * *.</p>	<p>the governor</p> <p>the governor the governor</p> <p>the governor</p> <p>the governor</p>
III	1b	him	The lieutenant governor shall perform such duties in the executive department as are assigned to him by the governor and as are prescribed by law.	the lieutenant governor
III	6	He	He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices; and shall see that	The governor



			the laws are faithfully executed.	
III	7	He	He shall communicate at every session, by message, to the general assembly, the condition of the state, and recommend such measures as he shall deem expedient.	The governor the governor
III	9	he (2)	In case of disagreement between the two houses, in respect to the time of adjournment, he shall have power to adjourn the general assembly to such time as he may think proper, but not beyond the regular meetings thereof.	the governor the governor
III	10	he	He shall be commander-in-chief of the military and naval forces of the state, except when they shall be called into the service of the United States.	the governor
III	12	him	There shall be a seal of the state, which shall be kept by the governor, and used by him officially; and shall be called "The Great Seal of the State of Ohio."	the governor
IV	5(C)	him	(C) The chief justice of the supreme court or any judge of that court designated by him shall pass upon the disqualification of any judge of the courts of appeals or courts of common pleas or division thereof. Rules may be adopted to provide for the hearing of disqualification matters involving judges of courts established by law.	the governor
IV	6(A) (3) and (C)	He (2) and his (2)	(A) * * * (3) The judges of the courts of common pleas and the divisions thereof shall be elected by the electors of the counties, districts, or, as may be provided by law, other subdivisions, in which their respective courts are located, for terms of not less than six years, and each judge of a court of common pleas or division thereof shall reside during his term of office in the	the judge's



			<p>county, district, or subdivision in which his court is located * * *.</p> <p>(C) No person shall be elected or appointed to any judicial office if on or before the day when he shall assume the office and enter upon the discharge of its duties he shall have attained the age of seventy years. Any voluntarily retired judge, or any judge who is retired under this section, may be assigned with his consent, by the chief justice or acting chief justice of the supreme court to active duty as a judge and while so serving shall receive the established compensation for such office * * *.</p>	<p>the judge</p> <p>the judge</p> <p>the judge's</p>
IV	13	he	<p>In case the office of any judge shall become vacant, before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the governor, until a successor is elected and has qualified * * *.</p>	<p>the judge</p>
V	1	he	<p>Every citizen of the United States, of the age of eighteen years, who has been a resident of the state, county, township, or ward, such time as may be provided by law, and has been registered to vote for thirty days, has the qualifications of an elector, and is entitled to vote at all elections. Any elector who fails to vote in at least one election during any period of four consecutive years shall cease to be an elector unless he again registers to vote.</p>	<p>the judge</p>
V	9	he or she	<p>* * * [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.</p>	<p>the officer</p>



VI II	2b	he	* * * The treasurer of state shall set aside part of each such dollar before paying out, transferring, or disposing of in any other manner, such dollar or any part thereof for any other purpose whatsoever, and he shall make the transfer of one million dollars each month to the World War II compensation bond retirement fund * * *.	the treasurer
XI	12	he	Repealed eff. Jan. 1, 2021	
XI II	3	him or her	Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable otherwise than for the unpaid stock owned by him or her * * *.	the stockholder



Gender-Based Nouns in the Ohio Constitution

I	1	men	All men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety.	people
I	7	men	All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. * * *	people
II	33	material men	Laws may be passed to secure to mechanics, artisans, laborers, sub-contractors and material men , their just dues by direct lien upon the property, upon which they have bestowed labor or for which they have furnished material.	material providers
II	35	workmen	For the purpose of providing compensation to workmen and their dependents, for death, injuries or occupational disease, occasioned in the course of such workmen's employment, laws may be passed establishing a state fund to be created by compulsory contribution thereto by employers, and administered by the state, determining the terms and conditions upon which payment shall be made therefrom. ***	workers



II	37	workmen	Except in cases of extraordinary emergency, not to exceed eight hours shall constitute a day's work, and not to exceed forty-eight hours a week's work, for workmen engaged on any public work carried on or aided by the state, or any political sub-division thereof, whether done by contract, or otherwise.	workers
XIII	5	men	No right of way shall be appropriated to the use of any corporation, until full compensation therefor be first made in money or first secured by a deposit of money, to the owner, irrespective of any benefit from any improvement proposed by such corporation; which compensation shall be ascertained by a jury of twelve men , in a court of record, as shall be prescribed by law.	people

