

# **OHIO CONSTITUTIONAL MODERNIZATION COMMISSION**



## **RULES OF PROCEDURE AND CONDUCT**

## **Table of Contents**

<b>Section 1.0</b>	<b>Purpose and Scope</b>	<b>Page 1</b>
<b>Section 2.0</b>	<b>Commission Member Aspirations</b>	<b>2</b>
<b>Section 3.0</b>	<b>Commission Meetings</b>	<b>3</b>
<b>Section 4.0</b>	<b>Committees and Subcommittees</b>	<b>5</b>
<b>Section 5.0</b>	<b>Standing Committees</b>	<b>6</b>
<b>Section 6.0</b>	<b>Subject Matter Committees</b>	<b>7</b>
<b>Section 7.0</b>	<b>Committee and Subcommittee Meetings</b>	<b>9</b>
<b>Section 8.0</b>	<b>Review of Existing Constitutional Provisions</b>	<b>11</b>
<b>Section 9.0</b>	<b>Review of Proposed Constitutional Amendments</b>	<b>13</b>
<b>Section 10.0</b>	<b>Action by Commission</b>	<b>15</b>
<b>Section 11.0</b>	<b>Public Records and Website</b>	<b>17</b>
<b>Section 12.0</b>	<b>Recording and Broadcasting of Meetings</b>	<b>18</b>
<b>Section 13.0</b>	<b>Grants, Gifts, Devises and Bequests</b>	<b>19</b>
<b>Section 14.0</b>	<b>Reimbursement of Expenses</b>	<b>20</b>
<b>Section 15.0</b>	<b>Miscellaneous</b>	<b>21</b>

## **Section 1 Purpose and Scope**

### **Rule 1.1      Creation of Commission**

The Ohio Constitutional Modernization Commission (“Commission”) is created by HB 188 of the 129<sup>th</sup> General Assembly and codified in Revised Code Sections 103.61 to 103.67, et seq.

### **Rule 1.2      Purpose of Commission**

Pursuant to Revised Code Section 103.61, the Commission shall meet for the purpose of:

- (A) Studying the Constitution of Ohio;
- (B) Promoting an exchange of experiences and suggestions respecting desired changes in the Constitution;
- (C) Considering the problems pertaining to the amendment of the Constitution;
- (D) Making recommendations from time to time to the General Assembly for the amendment of the Constitution.

### **Rule 1.3      Purpose of Rules**

These Rules of Procedure and Conduct (“Rules”) are adopted for the purpose of providing structure to the Commission that is not otherwise set forth in statute, a procedural framework for conducting its business, and guidance for the conduct of Commission members and staff while engaging in the activity their positions require, all in furtherance of the purpose of the Commission as set forth above.

**Section 2**  
**Commission Member Aspirations**

**Rule 2.1 Valuing Citizen Input**

Commission members shall value the input of all Ohio citizens and their thoughtful and meaningful suggestions for preserving or amending provisions of the Ohio Constitution.

**Rule 2.2 Open Mindedness**

Commission members shall keep an open mind regarding every proposal pending before the Commission until they have had a reasonable opportunity to review, study, and consider all relevant presentations and research regarding the proposal.

**Rule 2.3 Attentiveness; Consideration**

Commission members shall listen attentively and provide full consideration to the opinions and interests of all participants and presenters before the Commission and its committees.

**Rule 2.4 Independence**

Commission members shall speak only for themselves and not ascribe views or opinions to others when speaking outside Commission or committee meetings regarding proposals that are pending before or could come before the Commission or its committees for consideration.

### **Section 3 Commission Meetings**

#### **Rule 3.1 Meetings**

The Commission shall meet regularly, but not less than once every three months, on a date mutually agreed upon and specified by the Commission co-chairs, and at such other times as the co-chairs may jointly call.

#### **Rule 3.2 Location**

The Commission shall meet in Columbus at a location selected by the Commission co-chairs. The co-chairs may from time to time jointly designate a location outside Columbus to conduct a meeting of the Commission.

#### **Rule 3.3 Public Notice**

Notice of all meetings of the Commission shall be posted to the Commission's website prior to the occurrence of the meeting and at a time not later than required by R. C. 121.22, Ohio's Open Meetings Act.

#### **Rule 3.4 Public Session**

All meetings of the Commission shall be conducted in public session in accordance with R.C. 121.22, Ohio's Open Meetings Act.

#### **Rule 3.5 Agenda**

The Commission co-chairs shall set the agenda for all regular and special meetings of the Commission. The agenda for a Commission meeting shall be circulated to the members of the Commission not less than two business days prior to the date of the scheduled meeting.

#### **Rule 3.6 Co-Chairs Presiding**

The Commission co-chairs shall preside at all Commission meetings, maintain order, and, subject to appeal to the Commission, decide questions of order. If either co-chair anticipates missing a meeting of the Commission, that co-chair may select a member of the Commission as co-chair *pro tem* to serve at the meeting of the Commission in the co-chair's absence. If either co-chair unexpectedly misses a meeting of the Commission, the remaining co-chair shall preside over the Commission meeting without the need to name a co-chair *pro tem*.

#### **Rule 3.7 Rules of Order**

Except to the extent that it conflicts with the law of Ohio or these Rules, Robert's Rules of Order Newly Revised (11<sup>th</sup> ed.) shall govern the deliberative actions of the Commission.

**Rule 3.8 Attendance**

Unless otherwise provided by these Rules, a member of the Commission must be physically present at a meeting of the Commission in order to participate. A member shall not be permitted to name a designee to participate in a meeting of the Commission in place of the member.

**Rule 3.9 Quorum**

The presence of seventeen members of the Commission shall constitute a quorum.

**Rule 3.10 Proxy Voting**

No member of the Commission shall be permitted to vote on a question pending before the Commission by proxy vote.

**Rule 3.11 Action by the Commission**

Except as otherwise prescribed by law or these Rules, the Commission shall take no action or approve any question pending before it unless upon the presence of a quorum and the affirmative vote for approval by seventeen members of the Commission.

**Rule 3.12 Minutes**

All actions of the Commission shall be documented through the taking of minutes at every Commission meeting. Once a draft of the minutes is prepared, it shall be distributed to Commission members by the Executive Director or the director's designee. The proposed minutes shall then be considered for approval at the next meeting of the Commission.

**Section 4**  
**Committees and Subcommittees**

**Rule 4.1      Committee Formation**

The Commission may form as many committees as necessary for the purpose of completing its statutory duties. Committees shall only be created upon approval by the full Commission and shall be specifically referenced in these Rules.

**Rule 4.2      Committee Membership**

The co-chairs of the Commission shall appoint members to the committees formed by the Commission. In appointing members to the committees, the co-chairs of the Commission may consider the preferences of the members, but shall strive to maintain the same ratio of public and legislative members as serving on the full Commission and partisan balance among legislative members.

**Rule 4.3      Committee Chair and Vice-Chair**

The co-chairs of the Commission shall name a chair and vice-chair of each committee.

**Rule 4.4      Subcommittees**

Each committee may form as many subcommittees as it deems necessary for the purpose of completing its duties as set forth in these Rules. The chair of each committee shall appoint the membership of a subcommittee. The membership of a subcommittee shall reflect the same ratio of public and legislative members as serving on the full committee and partisan balance among legislative members. The chair of the committee creating the subcommittee shall name a chair of the subcommittee.

**Section 5**  
**Standing Committees**

**Rule 5.1      Creation**

The Commission shall maintain four 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 Information and Liaisons with Public Offices Committee**

The Public 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, 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      [Repealed]**

**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.

## **Section 7 Subject Matter Committees**

### **Rule 6.1      Creation**

The Commission shall maintain six subject matter committees as set forth in Rules 6.3, 6.4, 6.5, 6.6, 6.7, and 6.8. The Commission may form additional subject matter committees as required.

### **Rule 6.2      Membership**

Each member of the Commission shall be assigned to sit on two subject matter committees.

### **Rule 6.3      Bill of Rights and Voting Committee**

The Bill of Rights and Voting Committee shall serve as a subject matter committee for the purpose of reviewing the provisions of Article I (Bill of Rights) of the Ohio Constitution dealing with the rights of all, including Sections 1, 2, 3, 4, 6, 7, 11, 13, 17, 18, 19, 19b, 20, and 21. In addition, the Committee shall review the provisions of the Ohio Constitution dealing with voting rights, including all sections of Article V (Elective Franchise) and Article XVII (Elections).

### **Rule 6.4      Constitutional Revision and Updating Committee**

The Constitutional Revision and Updating Committee shall serve as a subject matter committee for the purpose of reviewing the provisions of the Ohio Constitution dealing with amending, revising and updating its provisions through initiative and referendum, including Sections 1, 1a, 1b, 1c, 1d, 1e, 1f, and 1g of Article II (Legislative) and all sections of Article XVI (Amendments).

### **Rule 6.5      Education, Public Institutions, and Local Government Committee**

The Education, Public Institutions, and Local Government Committee shall serve as a subject matter committee for the purpose of reviewing the provisions of the Ohio Constitution dealing with the topics of education, school funding, public institutions, county and township organizations, municipal corporations, home rule, and miscellaneous matters, as well as the general topics of adjoining regionalization and economic development, including all sections of Article VI (Education), Article VII (Public Institutions), Article X (County and Township Organizations), Article XV (Miscellaneous), and Article XVIII (Municipal Corporations).

### **Rule 6.6      Finance, Taxation, and Economic Development Committee**

The Finance, Taxation, and Economic Development Committee shall serve as a subject matter committee for the purpose of reviewing the provisions of the Ohio Constitution dealing with the topics of public debt, public works, finance, taxation, and corporations, as well as the general topics of tax reform and statewide economic development, including all sections of Article VIII (Public Debt and Public Works), Article XII (Finance and Taxation), and Article XIII (Corporations).

**Rule 6.7      Judicial Branch and Administration of Justice Committee**

The Judicial Branch and Administration of Justice Committee shall serve as a subject matter committee for the purpose of reviewing the provisions of Article I (Bill of Rights) of the Ohio Constitution dealing with all rights under justice, including Sections 5, 8, 9, 10, 10a, 12, 14, 15, 16, and 19a. In addition, the Committee shall review the provisions of the Ohio Constitution dealing with the judicial branch of Ohio government, as well as the general topics of judicial organization, the criminal and civil justice systems, and the rights of the criminally accused, including all sections of Article IV (Judicial).

**Rule 6.8      Legislative Branch and Executive Branch Committee**

The Legislative Branch and Judicial Branch Committee shall serve as a subject matter committee for the purpose of reviewing the provisions of the Ohio Constitution dealing with the legislative branch and executive branch of Ohio government, the militia, apportionment and districting, term limits, and livestock care standards, as well as the general topic of global, statewide, and regional economic development, including Sections 2 through 42 of Article II (Legislative), Article III (Executive), Article IX (Militia), Article XI (Apportionment), Article XIV (Livestock Care Standards Board).

## **Section 7.0 Committee and Subcommittee Meetings**

### **Rule 7.1 Meetings**

The committees of the Commission shall meet regularly, but not less than once every three months, on dates mutually agreed upon and specified by the chair of the committee and the co-chairs of the Commission, and at such other times as the chair of the committee may call. A subcommittee shall meet as frequently as required for the timely completion of its work.

### **Rule 7.2 Location**

The committees of the Commission shall meet in Columbus at a location selected by the chair of the committee. With the approval of the co-chairs of the Commission, the chair of a committee may from time to time designate a location outside Columbus to conduct a meeting of the committee. A subcommittee shall meet at a location convenient for the participants in the meeting.

### **Rule 7.3 Public Notice**

Notice of all meetings of committees and subcommittees of the Commission shall be posted to the Commission's website prior to the occurrence of the meeting and at a time not later than required by R.C. 121.22, Ohio's Open Meetings Act.

### **Rule 7.4 Public Session**

All meetings of committees and subcommittees of the Commission shall be conducted in public session in accordance with R.C. 121.22, Ohio's Open Meetings Act.

### **Rule 7.5 Agenda**

The chair of each committee and subcommittee shall, in consultation with the members of the committee or subcommittee, set the agenda for all regular and special meetings of the committee and subcommittee.

### **Rule 7.6 Chair Presiding**

The chair of each committee and subcommittee shall preside at all meetings of the committee or subcommittee, maintain order, and, subject to appeal to the committee or subcommittees, decide questions of order. If the chair of a committee expects to miss a meeting of a committee, the vice-chair shall preside over the committee meeting.

### **Rule 7.7 Rules of Order**

Except to the extent that it conflicts with the law of Ohio or these Rules, Robert's Rules of Order, Newly Revised (11<sup>th</sup> ed.) shall govern the deliberative actions of every committee and subcommittee.

**Rule 7.8 Attendance**

Unless otherwise provided by these Rules, a member of a committee or subcommittee must be physically present at a meeting of the committee or subcommittee in order to participate in the proceedings. A member shall not be permitted to name a designee to attend a meeting of a committee or subcommittee in place of the member.

**Rule 7.9 Quorum**

The presence of a majority of the members of a committee or subcommittee shall constitute a quorum.

**Rule 7.10 Proxy Voting**

No member of a committee or subcommittee shall be permitted to vote by proxy on a question pending before the committee or subcommittee.

**Rule 7.11 Action by a Committee or Subcommittee**

Except as otherwise prescribed by law or these Rules, a committee or subcommittee shall take no action or approve any question pending before it unless upon the presence of a quorum and the affirmative vote of a majority of the members of the committee or subcommittee.

**Rule 7.12 Minutes**

All actions of a committee or subcommittee shall be documented by the taking of minutes at each committee and subcommittee meeting. Once a draft of the minutes is prepared, it shall be distributed to committee or subcommittee members by the Executive Director or the director's designee. The proposed minutes shall then be considered for approval at the next meeting of the committee or subcommittee.

**Section 8.0**  
**Review of Existing Constitutional Provisions**

**Rule 8.1      Review by Subject Matter Committee**

To facilitate the full examination of the Ohio Constitution by the Commission, each subject matter committee shall review every section of the Ohio Constitution as assigned to it by these rules and, when required, the Coordinating Committee, and issue a report and recommendation to the Coordinating Committee as to whether the section should be amended in whole or in part, deleted in whole or in part, or whether no change should be made.

**Rule 8.2      Report and Recommendation**

(A)      A report and recommendation as issued by a subject matter committee regarding existing sections of the Ohio Constitution shall include (i) a summary of the history and meaning of the current section, (ii) a plain language summary of any proposed amendment, (iii) copies of all materials, testimony and other documents relied upon by the committee in preparing the report and recommendation, and (iv), as fully as necessary to provide for a thorough understanding of the examination which it undertook in review of the section, the rationale for its recommendation.

(B)      For the purpose of clarity and at the discretion of the subject matter committee, a report and recommendation may be issued for (i) each section of an article of the constitution, (ii) all sections contained within the same article, or (iii) sections contained in separate articles provided the subject matter of the material in each section is reasonably related to the same topic.

**Rule 8.3      Agenda**

Before voting to approve a report and recommendation regarding existing sections of the Ohio Constitution, a subject matter committee shall place the proposed report and recommendation on its written agenda. If the report and recommendation finds that an existing section should be amended, it shall be on the agenda for not less than two meetings for the purpose of allowing discussion by committee members and to receive comment from the public. If the report and recommendation finds that an existing section should not be changed, it shall be on the agenda for at least one meeting. The report and recommendation shall also be made available on the Commission's website as part of the notice of the meeting for the subject matter committee.

**Rule 8.4      Legislative Style; Joint Resolution Style**

When considering a report and recommendation that includes a proposal to amend a section in whole or in part or delete a section in whole or in part, a subject matter committee shall have the proposed section prepared in legislative style and joint resolution style. Subject matter committees shall work with Commission staff and, if appropriate, the Legislative Services Commission to assist in formatting the language in the appropriate styles.

**Rule 8.5      Majority Vote**

A report and recommendation prepared pursuant to Rule 8.2 may only be approved by affirmative vote of a majority of the members constituting the subject matter committee taken by roll call vote and recorded in the minutes of the meeting at which the vote was cast.

**Rule 8.6      Review by Coordinating Committee**

Upon receipt of a report and recommendation from a subject matter committee, the Coordinating Committee shall review the report and recommendation to determine if it meets the requirements of Rules 8.2 and 8.4. If the Coordinating Committee finds the report and recommendation to be complete, it shall forward the report and recommendation to the Commission co-chairs for the purpose of placing the matter on the agenda at a future Commission meeting. If the Coordinating Committee finds the report and recommendation not to be complete, it shall return the matter to the subject matter committee for further consideration.

**Section 9.0**  
**Review of Proposed Constitutional Amendments**

**Rule 9.1 Proposed Constitutional Amendments**

Commission members wishing to propose amendments on subject matters outside the scope of the committees on which they serve may offer proposed amendments by submitting the proposed amendment, in writing, to the Coordinating Committee to be assigned to a subject matter committee for its review. If the Coordinating Committee does not assign the proposed amendment to a subject matter Committee within ninety days of receipt of the proposal, a majority of the Commission members present at a Commission meeting may vote to assign the proposed amendment to a subject matter committee for its consideration.

**Rule 9.2 Review by Subject Matter Committee**

To facilitate the full examination of each proposed amendment assigned to a subject matter committee by the Coordinating Committee pursuant to Rule 9.1, the subject matter committee shall review the proposed amendment and issue a report and recommendation to the Coordinating Committee as to whether the proposed amendment should be adopted as presented, adopted after amendment in whole or in part, or not adopted.

**Rule 9.3 Report and Recommendation**

(A) A report and recommendation as issued by a subject matter committee regarding proposed amendments of the Ohio Constitution submitted pursuant to Rule 9.1 shall include (i) a summary of the history of any similar versions of the proposed amendment that may have been part of the Ohio Constitution in the past or considered at the ballot by the voters of the state and meaning of the current section, (ii) a plain language summary of the proposed amendment, (iii) copies of all materials, testimony and other documents by the committee in preparing the report and recommendation, and (iv), as fully as necessary to provide for a thorough understanding of the examination which it undertook in review of the section, the rationale for its recommendation.

(B) For the purpose of clarity and at the discretion of the subject matter committee, a report and recommendation of a proposed amendment prepared pursuant to this rule should be prepared for the entirety of the proposed amendment.

**Rule 9.4 Agenda**

Before voting to approve a report and recommendation prepared pursuant to Rule 9.3, a subject matter committee shall place the proposed report and recommendation on its written agenda for not less than two consecutive meetings for the purpose of allowing discussion by committee members and to receive comment from the public. The proposed report and recommendation shall also be made available on the Commission's website as part of the notice of the meeting for the subject matter committee.

**Rule 9.5 Legislative Style; Joint Resolution Style**

When considering a report and recommendation that includes a proposal to amend a section in whole or in part or delete a section in whole or in part, a subject matter committee shall have the proposed section prepared in legislative style and joint resolution style. Subject matter committees shall work with Commission staff and, if appropriate, the Legislative Services Commission to assist in formatting the language in the appropriate styles.

**Rule 9.6 Majority Vote**

A report and recommendation prepared pursuant to Rule 9.3 may only be approved by affirmative vote of a majority of the members constituting the subject matter committee taken by roll call vote and recorded in the minutes of the meeting at which the vote was cast.

**Rule 9.7 Review by Coordinating Committee**

Upon receipt of the report and recommendation from a subject matter committee recommending the action to be taken on a proposed amendment of the Ohio constitution as submitted pursuant to Rule 9.1, the Coordinating Committee shall review the report and recommendation to determine if it meets the requirements of Rules 9.2 and 9.5. If the Coordinating Committee finds the report and recommendation to be complete, it shall forward the report and recommendation to the Commission co-chairs for the purpose of placing the matter on the agenda of a future Commission meeting. If the Coordinating Committee finds the report and recommendation not to be complete, it shall return the matter to the subject matter committee for further consideration.

**Rule 9.8 Failure to Act**

If a subject matter committee fails to issue a report and recommendation regarding a proposed amendment submitted to it for its review pursuant to Rule 9.1 within one year from the date it was referred to the committee by the Coordinating Committee, the chair of the subject matter committee shall issue a written report to the co-chairs of the Commission explaining why no action has been taken. The Commission co-chairs may then direct the Coordinating Committee to reassign the proposed amendment to another subject matter committee for its review and recommendation.

**Section 10.0**  
**Action by Commission**

**Rule 10.1     Agenda**

Upon receipt of a report and recommendation from the Coordinating Committee, as issued by a subject matter committee, the Commission co-chairs shall place the matter upon the written agenda for a future Commission meeting. The proposed report and recommendation shall also be made available on the Commission's website as part of the notice of the Commission meeting.

**Rule 10.2     Presentation to Commission**

(A)     When the report and recommendation of a subject matter committee is placed upon the agenda for a Commission meeting, the Commission co-chairs shall require the chair of the subject matter committee that has issued the report and recommendation to present an oral summary of the report and recommendation to the Commission members.

(B)     Following the oral summary, the Commission co-chairs shall allow an opportunity for public testimony regarding the report and recommendation.

**Rule 10.3     Action by Commission**

At the Commission meeting following the oral summary of a report and recommendation and an opportunity for public testimony, the Commission may take any one of the following actions:

(A)     If the report and recommendation of a subject matter committee finds that an existing section or sections of the Ohio Constitution should not be changed, the report and recommendation may be approved by affirmative vote of seventeen members of the members constituting the Commission taken by roll call vote as recorded in the minutes of the meeting at which the vote was cast.

(B)     If the report and recommendation of a subject matter committee finds that an existing section or sections of the Ohio Constitution should be amended by the addition to or deletion from language contained in the existing section, the Commission shall take the matter under advisement until the next Commission meeting. At the Commission meeting following that meeting, the report and recommendation may be approved by affirmative vote of twenty-two members of all members constituting the Commission taken by roll call vote and recorded in the minutes of the meeting at which the vote was cast.

(C)     If the report and recommendation of a subject matter committee finds that a proposed amendment to the Ohio Constitution as submitted pursuant to Rule 9.1 should be adopted, the Commission shall take the matter under advisement until the next Commission meeting. At the Commission meeting following that meeting, the report and recommendation may be approved by affirmative vote of twenty-two members of all

members constituting the Commission taken by roll call vote and recorded in the minutes of the meeting at which the vote was cast.

(D) Table the report and recommendation until the next meeting of the Commission.

(E) Refer the report and recommendation to the subject matter committee which issued the report and recommendation for further consideration or action.

#### **Rule 10.4 Referral to General Assembly**

If the Commission votes to adopt a report and recommendation of a subject matter committee pursuant to Rule 10.3 that finds a section or sections of the Ohio Constitution should be amended by the addition to or deletion from language contained in the existing section or sections or that a proposed new amendment should be adopted, the Commission co-chairs shall present the report and recommendation as approved by the Commission to the President of the Senate and Speaker of the House of Representatives by filing it with the clerk of each respective chamber of the Ohio General Assembly.

**Section 11.0**  
**Public Records and Website**

**Rule 11.1     Public Records**

Copies of public records maintained by the Commission shall be made available to the public as provided by R.C. 149.43.

**Rule 11.2     Website**

The Commission shall maintain a website for the purpose of chronicling the work of the Commission, allowing for the submission of suggestions for repealing or amending provisions of the Ohio Constitution, and serving as a means for the public to comment on the work of the Commission.

**Section 12.0**  
**Recording and Broadcasting of Meetings**

**Rule 12.1     Broadcasting, Recording, and Photographing of Commission Meetings.**

(A) To the extent available and under such conditions as they may jointly establish, the Commission co-chairs shall permit and arrange for real time, broadcast coverage of Commission meetings through Ohio Government Telecommunications.

(B) To the extent available and under such conditions as they may jointly establish, the Commission co-chairs shall permit and arrange for the video and audio recording of Commission meetings through Ohio Government Telecommunications.

(C) The Commission co-chairs, upon written request and under such conditions as they may jointly establish, may permit the photographing of Commission meetings through the Ohio Legislative Correspondents Association.

**Rule 12.2     Broadcasting, Recording, and Photography of Committee Meetings**

(A) A committee chair or vice-chair, with the approval of the Commission co-chairs and under such conditions as they shall jointly establish, may permit and arrange for real time, broadcast coverage of a committee meeting through Ohio Government Telecommunications.

(B) A committee chair or vice-chair, with the approval of the Commission co-chairs and under such conditions as they may jointly establish, may permit and arrange for the video and audio recording of a committee meeting through Ohio Government Telecommunications.

(C) A committee chair or vice-chair, upon written request and under such conditions as the chair or vice-chair shall establish, may permit the photographing of committee meetings through the Ohio Legislative Correspondents Association.

**Rule 12.3     Forms**

The Organization and Administration Committee may promulgate forms to facilitate the fair and efficient application of Rules 12.1, 12.2 and 12.3.

**Section 13.0**  
**Grants, Gifts, Devises, and Bequests**

**Rule 13.1 Approval by Commission; Appearance of Undue Influence**

The Commission may accept a grant, gift, devise, or bequest, provided two-thirds of the sitting members of the Commission agree that neither (i) the objectivity of the Commission's work or its recommendation to the General Assembly nor (ii) the public's perception of the Commission's objectivity of its work or its recommendation to the General Assembly, may reasonably be drawn into question or raise an appearance of undue influence.

**Rule 13.2 Donors**

The Commission may accept a grant, gift, devise, or bequest from one or more of the following:

- (A) an individual;
- (B) a public or private not-for-profit university;
- (C) an organization exempt from federal income tax under I.R.S. Code Sec. 501(c)(3);
- (D) a publicly-traded corporation;
- (E) a limited liability corporation, including a limited liability company registered with the Ohio Secretary of State, that discloses to the Commission both the identity of its members and the sources of the financial support it offers;
- (F) any other entity that discloses to the Commission both the identity of its officers, directors, and trustees and the sources of the financial support it offers.

## **Section 14.0**

### **Reimbursement of Expenses**

#### **Rule 14.1     Reimbursement**

Commission members and staff may obtain reimbursement for actual and necessary expenses, including mileage, parking, meals, and lodging, incurred while performing official duties for the Commission, including special research or study relating to the Ohio Constitution.

#### **Rule 14.2     Reimbursement Rates**

Pursuant to R.C. 126.31(B), Commission members and staff shall be reimbursed for their expenses at the rates set by the Office of Budget and Management.

#### **Rule 14.3     Forms**

The Commission may adopt forms for the purpose of claiming reimbursement of expenses upon the recommendation of the Organization and Administration Committee.

**Section 15.0**  
**Miscellaneous**

**Rule 15.1      Amendment of Rules**

The Commission may from time amend or expand these Rules upon recommendation of the Organization and Administration Committee.

**Rule 15.2      Suspension of Rules**

The application of any one of these Rules may be suspended by affirmative vote of twenty-two members of the Commission.

**Rule 15.3      Effective Date**

Adopted effective September 11, 2014; amended effective September 10, 2015; amended effective October 13, 2016; amended effective December 15, 2016.





Ohio Constitutional Modernization Commission  
77 South High Street, 24<sup>th</sup> Floor  
Columbus, Ohio 43215  
(614) 644-2022  
[www.ocmc.ohio.gov](http://www.ocmc.ohio.gov)