

The Ohio Senate
Tom Niehaus, President
Eric Kearney, Minority Leader



*The Ohio House of
Representatives*
Bill Batchelder, Speaker
Armond Budish, Minority Leader

OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

MINUTES December 28, 2011 - Organizational Meeting

Speaker William Batchelder called organizational meeting of the Ohio Constitutional Modernization Commission meeting to order at 3:05PM. He proceeded to ask the legislative members of the Commission to introduce themselves; present were Rep. Kathleen Clyde, Rep. Dennis Murray, Rep. Lynn Slaby, Rep. Vernon Sykes, Sen. Larry Obhof, Sen. Charleta Tavares, Sen. Michael Skindell, and Sen. Mark Wagoner.

Speaker Batchelder asked for a motion with regards to the selection of the two co-chairs by the legislative members of the Commission. Sen. Obhof moved to nominate Speaker Batchelder a co-chair; the motion was seconded. Speaker Batchelder asked for a motion with regards to the second co-chair. Sen. Tavares moved to nominate Rep. Vernon Sykes as co-chair; the motion was seconded. The roll was called and Speaker Batchelder and Rep. Sykes were elected co-chairs by a vote of 9-0.

Speaker Batchelder noted that it had been recommended that the Commission adopt interim rules of order such as Roberts, Masons, or Hughes under which to operate until all seats on the Commission were filled. Chairman Sykes moved that the Commission operate under Roberts Rules of Order. Without objection, the motion to operate under Robert's Rules of Order until the full Commission was appointed was adopted.

Speaker Batchelder proceeded to provide background on the Commission, noting that under Art. XVI, §3, the Ohio Constitution provides that the question of whether or not to hold a constitutional convention must be put to the voters every 20 years. He noted that in 1972, the Ohio Constitutional Revision Commission was created to conduct a thorough study of the content and structure of the Ohio Constitution in anticipation of the 20-year interval question, and that a number of the Commission's recommendations were put on the ballot and passed by the voters. Speaker Batchelder further noted that, like the previous Commission any recommendations of this body would require two-thirds vote of the membership. He concluded that the work of the present Commission would be the groundwork for and supplement the work of a Constitutional Convention should the voters approve one, but in the absence of a convention it would still provide a forum within which to examine Ohio's Constitution.

Speaker Batchelder raised the topic of the procedure and timeline for receiving and reviewing resumes for the additional 20 public members of the Commission. He suggested that resumes be sent to the House and Senate Clerks' offices with a deadline of the end of January. Chairman

Sykes moved in the alternative that resumes be jointly submitted to the co-chairs offices and immediately provided to Commission members. Sen. Skindell asked to clarify if Tuesday, January 31, 2011 was the deadline by which resumes must be submitted, to which Speaker Batchelder responded in the affirmative. Hearing no objections, Speaker Batchelder stated that applications for the 20 open public member seats on the commission should be submitted jointly to the Co-chairs offices by January 31, 2011. Sen. Obhof asked if the Commission would be reconvening in March or April to appoint the 20 public members, to which Speaker Batchelder said he anticipated that the Commission would reconvene in mid-February, and that the Co-Chairs would confer on a specific date. Speaker Batchelder said the Commission could work with various public interest groups and associations to publicize the submission process, and asked that Commission members please share their suggestions on such groups with the Commission.

Speaker Batchelder acknowledged the presence of Nancy Rogers, former Dean of the Ohio State University Moritz College of Law, and asked her to speak to the work being done by a Constitutional Modernization Colloquium Steering Committee through the Ohio State University Moritz College of Law. She stated that the Steering Committee was researching the work of the predecessor Commission and similar Commissions from other states, and offered to host a colloquium for the Commission. Rep. Sykes asked if this effort would be provided free to the Commission, to which Professor Rogers responded in the affirmative. Sen. Tavares asked Professor Rogers how the colloquium would be initiated, to which Ms. Rogers responded that while they had originally held three days at the end of January, they wanted to work with the Commission's schedule. Sen. Skindell commented that the colloquium should be timed to benefit all 32 members of the full Commission, not just the legislative members. Rep. Murray suggested that the Steering Committee could provide written materials to the Commission in advance of the colloquium and then hold the colloquium after the full Commission was in place.

Sen. Skindell suggested that the Commission consider choosing co-secretaries for the Commission and requested that detailed minutes be taken.

Speaker Batchelder asked if there was any other business to come before the Commission. Seeing none, the Commission stood adjourned.

Speaker William Batchelder
Co-Chair

Rep. Vernon Sykes
Co-Chair