

**Ohio Constitutional Modernization Commission  
Interim Rules of Procedure and Conduct – Final Draft**

- 1) **Statutorily prescribed objectives of the Ohio Constitutional Modernization Commission:**
  - a) To study the Constitution of Ohio,
  - b) To promote an exchange of experiences and suggestions respecting desired changes in the Constitution;
  - c) To consider the problems pertaining to the amendment of the Constitution; and
  - d) To make recommendations from time to time to the General Assembly for the amendment of the Constitution.
  
- 2) **Grants, gifts, bequests.** The Commission will accept a gift, bequest, or devise only if:
  - a) Two-thirds of the sitting members of the Commission agree that neither the objectivity of the Commission's work and its recommendations to the General Assembly nor the public's perception of the Commission's objectivity is threatened by the gift, bequest, or devise; and
  - b) The donor is:
    - i) An individual,
    - ii) A public or private not-for-profit university,
    - iii) An organization exempt from Federal Income Tax under Internal Revenue Code § 501(c)(3),
    - iv) A publicly-traded corporation,
    - v) A Limited Liability Company, including a foreign 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; or
    - vi) 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.

3) **Procedural Rules for conducting the Commission's work:**

a) Meetings of the Commission:

- i) The Co-Chairs or either of them will preside at all Commission meetings, maintain order, and, subject to appeal to the Commission, decide questions of order. If neither Co-Chair expects to attend a meeting of the Commission, the Co-Chairs will select a member as Chair pro tem to preside at the meeting of the Commission in the Co-Chairs' absence.
- ii) Except to the extent that it conflicts with the law of Ohio, Robert's Rules of Order Newly Revised (11th ed.) will govern the deliberative actions of the Commission.
- iii) The Commission will normally meet once a month on a date specified by the Co-Chairs and at such other times as the Co-Chairs may call. The Co-Chairs may cancel a monthly meeting of the Commission unless the meeting in the immediately previous month had not convened.
- iv) The Commission's monthly meeting will normally meet in Franklin County at a location recommended by the Organization and Administration Committee. The Co-Chairs may from time to time designate a location outside Franklin County to conduct a monthly meeting of the Commission.
- v) All meetings of the Commission and of its committees and subcommittees will be conducted in public sessions in accordance with the Open Meetings Policy adopted by the Commission.
- vi) The Commission will maintain a website that will
  - (1) reflect the work of the Commission and the issues before it,
  - (2) serve as a means for the public
    - (a) to comment on the Commission's work, and
    - (b) to submit suggestions regarding the Ohio Constitution.
- vii) Copies of public records of the Commission will be available to the public as provided by law.

b) Quorum and Voting:

- i) The presence of 21 members of the Commission constitutes a quorum to do business. Except when otherwise prescribed by law or by these Rules, all issues, including changes to these Rules, requires the affirmative vote for approval by 17 members of the Commission.
- ii) No member may vote by proxy.
- iii) Unless otherwise provided by these Rules, a member of the Commission must be present at the location of the Commission's meeting in order to participate. A member may designate a representative to attend the meeting on the member's behalf. The representative may not vote or participate in the meeting.
- iv) Recommendations to the General Assembly require the affirmative vote of 22 member of the Commission.

- (1) The Commission will not vote on a proposed recommendation to the General Assembly unless the proposal was on the agenda for discussion at the regular meeting of the Commission immediately preceding the meeting at which the Commission is to vote on the proposal.

- (2) A vote of the Commission on any recommendation to the General Assembly will be taken by Roll Call vote.

c) Committees and Subcommittees.

- i) Each Committee formed by the Commission may determine its own rules of procedure not inconsistent with these Rules.
- ii) Each Committee of the Commission may determine the number and composition of its subcommittees.

iii) The Standing Committees and their composition:

- (1) Standing Committees and Subject-Matter Committees should have the same ratio of public members and legislative members as the full Commission, except partisan balance among legislative members should be maintained.

- (2) Standing Committees:

- (a) *Organization and Administration*: This Committee will make recommendations to the Commission regarding budget, staffing, ethics, and procedural rules. It will also offer its recommendations to the

Commission for new members as Commission members leave the Commission.

- (b) *Public Information, Education, and Input:* This Committee will make recommendations to the Commission regarding
  - (i) disseminating information to the public regarding the Commission and its operation,
  - (ii) educating the citizens of Ohio regarding the Commission's proposals, and
  - (iii) receiving input from the public.
- (c) *Liaison with Public Offices:* This Committee will provide information and maintain relations with all public offices reasonably affected, if at all, by a proposal from the Commission.
- (d) *Coordinating Committee:*
  - (i) This Committee
    - 1. will assign to each Subject-Matter Committee provisions of the Ohio Constitution it is to study, and
    - 2. will coordinate the study of the Ohio Constitution to ensure that the Subject-Matter Committees move forward with responses and viewpoints.
    - 3. To ensure that the work of the Subject-Matter Committees is conducted timely, efficiently, and in an orderly way, this Committee may require Subject-Matter Committees to report their progress to the Committee.
  - (ii) All proposals received from the public proposing amendment to the Commission will be referred to this Committee.
    - 1. This Committee will report to the Commission all proposals received from members of the Commission and from the public.
    - 2. If at least 13 members of the Commission vote in favor of the Commission studying a proposal, this Committee will assign the proposal a Subject-Matter Committee for study.

- (3) The Co-Chairs will name the chair and vice-chair of each committee.
  - (4) The Co-Chairs will appoint members to the Standing Committees. Each member of the Commission will be designated to sit on one Standing Committee.
- iv) The Subject-Matter Committees and their composition.
- (1) Subject-Matter Committees should have the same ratio of public members and legislative members as the full Commission, except partisan balance among legislative members should be maintained.
  - (2) Subject-Matter Committees:
    - (a) Bill of Rights and Voting,
    - (b) Legislative Branch,
    - (c) Education, Public Institutions, and Miscellaneous,
    - (d) Executive Branch,
    - (e) Judiciary and Administration of Justice
    - (f) Local Government,
    - (g) Finance, Taxation, and Economic Development,
    - (h) Constitutional Revision and Updates.
  - (3) The Co-Chairs will appoint members to the Subject-Matter Committees.
    - (a) Each member of the Commission will be designated to sit on at least two Subject-Matter Committees.
    - (b) In making the Subject-Matter Committee assignments, the Co-Chairs will take into consideration each member's choice of Subject-Matter Committees.
  - (4) Each Subject-Matter Committee will study (a) those provisions of the Ohio Constitution that the Coordinating Committee has assigned to it for study and (b) any proposals and suggestions received from members of the Commission or the public that the Coordinating Committee or the Commission has assigned to it for study.

- (5) Each Subject-Matter Committee will report its activities and its progress to the Coordinating Committee at intervals established by the Coordinating Committee.
- (6) [Insert here Rules regarding the methods and procedures for the fact-finding sessions convened by the Commission and its Committees, including a provision that fact-finding sessions be conducted at various locations in the state.]
- (7) Each Subject-Matter Committee will report to the Commission the results of its study and any recommendation it may have regarding amendment of the Ohio Constitution.

4) Expenses.

- a) Members of the Commission and its staff may obtain reimbursement for actual and necessary expenses, including travel, food, and lodging, they incur while engaging
  - i) in official duties, or
  - ii) in special research or study relating to the Constitution of Ohio.
- b) The Organization and Administration Committee will establish the procedure for seeking reimbursement. The travel-related items that are reimbursable and the reimbursement rates are:
  - i) Transportation expenses: Ohio Admin. Code § 126-1-02(C)(2)-(4);
  - ii) Food: Ohio Admin. Code § 126-1-02(D);
  - iii) Lodging: Ohio Admin. Code § 126-1-02(F)(1).

5) **Aspirational rules to guide the Commission and its Members:**

- a) The Commission hopes to receive every idea that any citizen of the state has about changing or preserving any part of the Constitution.
- b) Members of the Commission should not make up their minds on whether to propose a change to the Ohio Constitution until the members of the Commission have had a reasonable time to study the proposal and have made study of the present Constitution and of the proposal to change it.

- c) Unless a proposed change serves to clarify an unresolved ambiguity in the current text, the Commission will avoid recommending changes to the Ohio Constitution solely for the purpose of improving language or its arrangement.
  - d) Members of the Commission should commit themselves to listen to and to consider the opinions and interest of all participants in the proceedings of the Commission.
  - e) Members of the Commission, when speaking outside of the Commission about matters that are or could be within the jurisdiction of the Commission, will speak only for themselves and not for the Commission. In speaking outside Commission, members will not ascribe views or opinions to other individual members of the Commission.
- 6) The Commission may from time to time amend or expand these Rules as provided herein.