



OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

MINUTES OF THE ORGANIZATION AND ADMINISTRATION COMMITTEE

FOR THE MEETING HELD
THURSDAY, SEPTEMBER 8, 2016

Call to Order:

Vice-chair Ed Gilbert called the meeting of the Organization and Administration Committee to order at 12:45 p.m.

Members Present:

A quorum was present with Vice-chair Gilbert and committee members Clyde, Cupp, Kurfess, and Skindell in attendance.

Approval of Minutes:

The minutes of the September 10, 2015 and July 14, 2016 meetings of the committee were approved.

Discussion:

Vice-chair Gilbert recognized Steven C. Hollon, executive director, to explain proposed changes to the Ohio Constitutional Modernization Commission Rules of Procedure and Conduct. Mr. Hollon indicated this was the committee's second presentation on a suggestion to alter the rules to reduce from 21 to 17 the number of Commission members needed to form a quorum for the purpose of conducting business. Mr. Hollon explained the change does not alter the number needed to recommend a change to the constitution, but instead would alter the number required to approve minutes and conduct other business. Mr. Hollon identified that the proposed change, if adopted, would alter Rule 3.9.

Mr. Hollon continued that the committee also is considering a proposal to reduce the number of standing committees, and to reorganize the standing committees to better facilitate their functions. He said a primary feature of the proposal would be to combine the Public Education and Information Committee with the Liaisons with Public Offices committee, renaming it the Public Information and Liaisons with Public Offices Committee. Mr. Hollon noted the two

current committees meet jointly, so it made sense to combine them. Mr. Hollon also described proposed changes to the Coordinating Committee that would substitute current members with the chairs of each subject matter committee. Finally, Mr. Hollon noted a suggested change to the Organization and Administration Committee that would add two members in order to distribute all members of the Commission among the reduced number of standing committees. Mr. Hollon identified that the proposed change, if adopted, would alter Rules 5.3, 5.4, 5.5, and 5.6.

Mr. Hollon indicated the proposed change to Rule 3.9 was slated to be on the agenda for the full Commission later that day as a first presentation, with the proposed changes to Rules 5.3 through 5.6 to be presented at a future Commission meeting, should they be approved by the committee.

Vice-chair Gilbert then asked if committee members had questions about the proposed changes.

Representative Bob Cupp asked what percentage of the whole Commission is represented by the number 17. Mr. Hollon said this would be 50 percent plus one. He noted that to recommend a change to the constitution the Commission would still require 22 affirmative votes.

Rep. Cupp asked, if only 17 members attend the Commission meeting, constituting a quorum, whether a majority of the quorum can conduct the business of the Commission. Mr. Hollon noted that Rule 3.11 would remain unchanged, requiring the affirmative vote of 17 members in order to take action or approve any question pending before the Commission.

Committee member Charles Kurfess wondered if the rule would continue to be that a simple majority of the full Commission can approve any recommendation of no change. Mr. Hollon said that was the case. Mr. Kurfess continued, expressing the concern that a recommendation for no change could be as substantial as a recommendation for change, giving those who are arguing on the side of the status quo a distinct advantage. Mr. Hollon clarified that the rule has always been that a simple majority is required for a vote of no change. Vice-chair Gilbert said that is not the precise issue being considered by the committee with regard to this proposal.

Representative Kathleen Clyde said she thought this discussion had nothing to do with votes required on actual review of constitutional provisions, including a no change vote. Mr. Hollon agreed with Rep. Clyde's assessment, continuing that the recommendation of a committee on any issue is a simple majority. Then, he said, the question goes to the full Commission, which must have 17 votes to approve no change. He noted that has always been the rule, and the current proposal does not recommend a change to that rule. He said, instead, the proposal is simply to require that there be a quorum to start the meeting.

Vice-chair Gilbert asked for a motion, and Rep. Cupp so moved. Rep. Clyde seconded the motion. A voice vote was taken, and, there being no opposition, the motion passed.

The committee then discussed proposed changes to Section 5 of the Rules. Vice-chair Gilbert said, as he understands it, the change would result in there being three, instead of four, standing committees. Mr. Hollon agreed, saying the combination of two committees was because they always met together.

Vice-chair Gilbert asked what the new membership of the committees would be. Mr. Hollon said membership would be up to the new co-chairs of the joint committee. He continued that the membership of the Organization and Administration Committee would be a little larger, and that the Coordinating Committee would be revised because it acts as the executive committee of the organization. He said, as a result, the proposal is that the chairs of each of the subject matter committees would be on the Coordinating Committee.

Vice-chair Gilbert noted that, because one member had left the meeting, there was no longer a quorum, and so approving proposed changes to Rules 5.3, 5.4, 5.5, and 5.6 would be tabled until the next meeting.

Adjournment:

There being no further business to come before the committee, the meeting was adjourned at 1:00 p.m.

Approval:

The minutes of the September 8, 2016 meeting of the Organization and Administration Committee were approved at the November 10, 2016 meeting of the committee.

/s/ Mark Wagoner
Mark Wagoner, Chair

/s/ Edward L. Gilbert
Edward L. Gilbert, Vice-chair