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STATE OF OHIO

OHIO CONSTITUTIONAL REVISION COMMISSION

**Recommendations for Amendments to
the Ohio Constitution**

**FINAL REPORT
INDEX TO PROCEEDINGS AND RESEARCH**



FILE COPY
JUNE 30, 1977

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**SERVICE COMMISSION
STATE HOUSE**



A Resolution

BY

MESSRS. OCASEK - MALONEY

Recognizing the members of the Ohio Constitutional Revision Commission for their outstanding contributions to the State of Ohio.

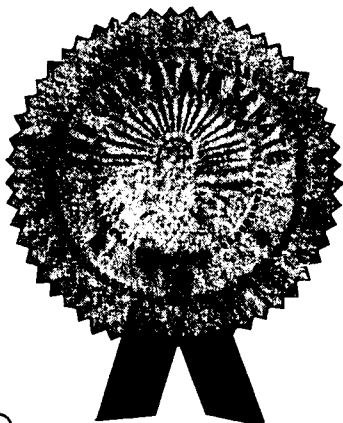
WHEREAS, The members of the Senate of the 112th General Assembly of Ohio are fully aware of the many invaluable contributions of the individuals who have served on the Ohio Constitutional Revision Commission since its creation by the General Assembly in 1969. The Commission, which began its work early in 1971 and expects to complete its efforts in June 1977, two years ahead of schedule, has thoroughly examined the entire Ohio Constitution; and

WHEREAS, Seeking public comment and expert advice, the Commission members, reimbursed only for actual expenses, met monthly, in addition to devoting countless hours of private study to the review of Ohio's Constitution. The work of the Commission has, thus far, resulted in eleven interim reports being submitted to the General Assembly, with the twelfth and final report expected to be completed shortly. These reports have resulted in the General Assembly placing before Ohio's electorate sixteen constitutional amendments, thirteen of which were accepted, to make Ohio's Constitution a living document capable of dealing with twentieth century problems; and

WHEREAS, Deserving of special recognition are Richard Carter, chairman; Linda Orfirer, vice chairman; Ann M. Eriksson, director; and the committee chairmen: John Skipton, Nolan Carson, Katie Soule, Don Montgomery, Joseph Bartunek, Craig Aalyson, and Alan Norris. The entire membership of the Commission is to be saluted for undertaking the voluminous task of reviewing the Ohio Constitution and researching and recommending changes to the members of the General Assembly and the citizens of Ohio; therefore be it

RESOLVED, That we, the members of the Senate of the 112th General Assembly, in adopting this Resolution, extend well-deserved recognition to the sixty-eight persons who have served as members of the Constitutional Revision Commission for their outstanding service to the State of Ohio; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this Resolution to Richard Carter, chairman of the Ohio Constitutional Revision Committee; to Ann M. Eriksson, Commission director; to the Columbus Dispatch; and to the Columbus Citizen-Journal.



I, William H. Chavanne, hereby certify that the above is a true and correct copy of Senate Resolution No. 149, adopted by the Ohio Senate, March 31, 1977.

William H. Chavanne, Clerk of the Senate

Oliver Ocasek, President Pro Tempore

Ohio Constitutional Revision Commission

41 South High Street
COLUMBUS, OHIO 43215

TEL. (614) 466-6293

Ann M. Eriksson, *Director*

SENATORS

CHARLES L. BUTTS
PAUL E. GILLMOR
TIM McCORMACK
WILLIAM H. MUSSEY
THOMAS A. VAN METER
MARCUS A. ROBERTO

May 1, 1977

To: The General Assembly of the State of Ohio

REPRESENTATIVES

DAVID HARTLEY
RICHARD F. MAIER
ALAN E. NORRIS
MICHAEL G. OXLEY
MIKE STINZIANO
JOHN D. THOMPSON, JR.

PUBLIC MEMBERS

CRAIG AALYSON
JOSEPH W. BARTUNEK
NOLAN W. CARSON
RICHARD H. CARTER, I
Chairman
ROBERT CLERC
WARREN CUNNINGHAM
CHARLES E. FRY
RICHARD E. GUGGENHEIM
EDWIN L. HEMINGER
ROBERT K. HUSTON
FRANK W. KING
D. BRUCE MANSFIELD
DON W. MONTGOMERY
MRS. ALEXANDER ORFIRER,
Vice-Chairman
ANTHONY J. RUSSO
JAMES W. SHOCKNESSY
JOHN A. SKIPTON
MRS. CLAUDE SOWLE
PAUL A. UNGER
JACK D. WILSON

The members of the Ohio Constitutional Revision Commission are proud to present this Final Report, two years in advance of time allotted to this task. It represents the culmination of more than six years of dedicated activity, involving numerous committee and Commission meetings and countless hours of private study and work. Arriving at conclusions about needed changes in Ohio's basic governmental document is not an easy task. Each word, each phrase, each sentence has its own historical significance and is interwoven with the remainder of the Constitution and with the whole fabric of state and local government; changes in basic institutions are not lightly proposed. The members of the Commission have taken their job seriously and, not being paid, view this assignment as pro bono publico work of the highest order.

This Final Report contains all of our recommendations -- those that have previously been presented to you, as well as some new recommendations. The entire Constitution has been reviewed. In many instances, no reason was found to recommend changes. In a few, a need for revision seemed evident but sufficient numbers of Commission members could not agree on what change was needed, and so no recommendation is made. The Final Report contains a rationale for all recommendations for the benefit of those interested in pursuing them further.

Commission members have had the satisfaction of seeing significant constitutional changes resulting from their work already take effect -- more appear on the horizon. The record of the Commission's analysis, deliberations, and ideas will offer future constitution-makers in Ohio a basis for the continuing task of providing better government for the citizens of Ohio.

It would be inappropriate to submit this report without acknowledging the assistance of the many individuals and organizations that have helped in this work, but it would be impossible to name them all. A competent staff; consultants, paid, unpaid, and underpaid; experts from within and without Ohio; and, most important, citizens of Ohio who had opinions and knowledge to share with us. We are grateful to all of them.

May 1, 1977

To: The General Assembly of the State of Ohio

Finally, as Chairman of the Commission since its work began, I believe that all members of the Commission, past and present, should be recognized for their dedication toward achieving its goals in a constructive, cooperative, and non-partisan spirit. This entire effort has been an outstanding example of how citizen involvement can make the democratic process truly meaningful and effective.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard H. Carter".

Richard H. Carter
Chairman

Ohio Constitutional Revision Commission

Members

Senate

Appointed by the President Pro Tempore:

Charles L. Butts
John T. McCormack
Marcus A. Roberto ¹

Appointed by the Minority Leader:

Paul E. Gillmor
William H. Mussey
Thomas A. Van Meter

House of Representatives

Appointed by the Speaker:

David Hartley
Mike Stinziano
John D. Thompson

Appointed by the Minority Leader:

Richard F. Maier
Alan E. Norris
Michael G. Oxley

Public Members

Craig Aalyson
Joseph W. Bartunek ²
Nolan W. Carson ²
Richard H. Carter, Chairman ²
Robert Clerc
S. Warren Cunningham, II ²
Charles E. Fry ^{1 3}
Richard E. Guggenheim ²
Edwin L. Heminger ²
Robert K. Huston

Frank W. King ²
D. Bruce Mansfield
Don W. Montgomery ²
Linda Unger Orfirer (Mrs. Alexander) ²
Vice-Chairman
Anthony J. Russo ^{1 3}
John A. Skipton ²
Kathryn Dix Sowle (Mrs. Claude)
Paul A. Unger
Jack D. Wilson ²

Past Members

Senate

Douglas Applegate ³
Charles P. Bolton
Anthony O. Calabrese
Charles J. Carney ³
Robert J. Corts
Max H. Dennis ³
James K. Leedy ³
William B. Nye ³
Oliver Ocasek
Robert E. Stockdale
Neal F. Zimmers, Jr.

House of Representatives

Eugene Branstool
Richard F. Celeste
Scribner L. Fauver
William L. Mallory
John C. McDonald ³
Robert A. Nader
Francine M. Panehal
Donna Pope
J. Barney Quilter ³
Sam W. Speck, Jr.
James E. Thorpe ³
Walter L. White ¹
Arthur R. Wilkowski

Public Members

Napoleon A. Bell ²
Norbert Brockman, S.M. ²
Q. Albert Corsi
John Duffey ²
Harold A. Hovey
Charles W. Ingler ²
Dean G. Ostrum ²

Frank W. Pokorny ²
Ray Ross ²
Oliver Schroeder, Jr. ²
James W. Shocknessy ⁴
Iola O. (Hessler) Silberstein
William W. Taft ^{3 5}

¹ Also served as a House of Representatives Commission member

² Original OCRC public member

³ Original OCRC legislative member

⁴ Died July, 1976

⁵ Also served as a Senate Commission member

Ohio Constitutional Revision Commission

Member Biographical Sketches

CRAIG AALYSON September 1973- Columbus
Private practice of law, Larrimer & Larrimer. B.S., U.S. Naval Academy; LL.B., Ohio State Univ. College of Law. Three years in the service. Member: American, Ohio State and Columbus Bar Associations; Franklin County Trial Lawyers Association; Ohio Association of Trial Lawyers; American Trial Lawyers; Professional Ethics Committee, Columbus Bar Association. Chairman, OCRC's What's Left Committee.

DOUGLAS APPEGATE September 1969 - December 1976 Steubenville
U.S. Congressman, 18th District 1977-. State Senator, 30th District 1969-1976. State Representative 1961-1968. Real estate broker. Former Member: Legislative Service Commission; Finance Commission; Ohio Controlling Board. Member: Jefferson County Young Democrats; Elks; Eagles; numerous other organizations. Recipient: 1965 U.S. Junior Chamber of Commerce America's Outstanding Young Men; National Hemophilia Foundation; Outstanding Legislator (Disabled American Veterans). Nominated: 1967 J.F.K. Award, Ohio's Young Democrat of the Year. Current Congressional Committees: Public Works & Transportation; Veterans Affairs; District of Columbia. Senate Committees included: Agriculture & Conservation; Finance; Ways & Means.

JOSEPH W. BARTUNEK September 1970- Cleveland
Partner, law firm of Bartunek, Bennett, Garofoli & Hill. B.S., Adelbert College, Case Western Reserve Univ. LL.B., Cleveland-Marshall Law School. Judge, Probate Division, Cuyahoga County Common Pleas Court 1964-1970. State Senator 1949-1958 and 1961-1964. Senate Minority Leader 1951-1958. Senate Clerk 1959-1960. Chairman, Cuyahoga County Democratic Executive and Central Committees; Vice-Chairman, Democratic State Executive Committee. National College State Trial Judges, Univ. of Nevada, 1970. Member: Cleveland, Cuyahoga County, Ohio State and American Bar Associations; American Judicature Society; American Trial Lawyers Association. Member Board of Trustees: Cleveland State Univ. (Chairman); St. Luke's Hospital; Cleveland Zoological Society; Catholic Charities Corporation; Judson Association; Greater Cleveland Hospital Association; Community Chest and Legal Aid Society. Chairman, OCRC Education and Bill of Rights Committee.

NAPOLEONA A. BELL September 1970 - March 1975 Columbus
Private practice of law, Bell, White, Saunders & Roy. B.A., Mount Union College; LL.B., Western Reserve Univ. Law School. Attorney Examiner, Ohio Industrial Commission 1955-1958. Vice-Chairman, Ohio Board of Tax Appeals. President and Chairman of the Board, Beneficial Acceptance Corporation. Franklin County Democratic Executive Committee; Democratic State Executive Committee; Democratic Party Structure and Delegate Selection Committee. Member Board of Directors: Columbus Area Chamber of Commerce; Central Ohio Boys Scouts; Columbus Urban League. Member: Mount Union College Board of Trustees; Columbus Traffic and Transportation Commission. State Chairman, United Negro College Fund; Chairman, Concerned Citizens of Columbus. Award of Merit: United Negro College Fund; Ohio Legal Center; Mahoning County Youth Club. 1976 NCAA Silver Anniversary Award Honoree.

CHARLES P. BOLTON May 1974 - January 1975 Mentor
Manager, Office of International Trade, Ohio Department of Economic and Community Development (to promote foreign investment in Ohio) 1975-1976. A.B., Harvard College; M.B.A., Harvard Business School. State Senator, 31st District (parts Cuyahoga, Geauga, Lake) 1974. Investment Banker, W.E. Hutton & Co. and Goodbody and Company, New York City 1968-1973. Trainee, Scudder, Stevens & Clark, Boston and Cleveland 1965-1966. Six years in U.S. Army Reserve. Member: Northern District Export Council of Ohio; World Trade Clubs of Cincinnati, Cleveland, Columbus, Dayton and Toledo; Ohio Historic Site Preservation Advisory Board; Interstate Legislative Committee on Lake Erie (Former); Committee to Review Correctional Institutions (Former). Ohio Commodore. Trustee: Lake Erie College; Hawken School.

EUGENE BRANSTOOL January 1975-July 1976

Utica

State Representative, 1st District (Licking) 1975-. B.S., Ohio State Univ. North Fork Local Board of Education (President 1974). Farmer. Member: Licking County Democratic Central Committee; Legislative Land Use Review Committee; Licking County Farm Bureau Federation (Past Vice-President); Licking Soil and Water Conservation District (Past Secretary); Utica Jaycees (Past President); Utica American Legion; Utica Sertoma Club. Named Ohio's Outstanding Young Farmer of 1970. House Committees include: Agriculture & Natural Resources (Vice-Chairman); Economic Affairs & Federal Relations (Aging Subcommittee); Energy & Environment.

NORBERT BROCKMAN, S.M. September 1970 - June 1971

Dayton

Program Director, Bergamo Center, Dayton. A.B. with honors, Univ. of Dayton; M.A., Catholic Univ. Ph.D., Catholic Univ. Board of Trustees Scholar, Catholic Univ. 1957-1960. Summer Lecturer in Government, New York Univ. 1963. Instructor, Political Science, Univ. of Dayton 1962-1965; Asst. Professor 1965-1968; Assoc. Professor 1968-1970; Chairman of Department 1966-1969. Member: Dayton Human Relations Council 1967-1968; Special Committee on Urban Resources 1966-1970; Task Force on Police-Community Relations (Director) 1967-1968; Regional Law Enforcement Planning Committee (Chairman) 1969; Coordinator Law Enforcement Program, Univ. of Dayton 1966-1970. Author of many professional publications. Member: American Political Science Association; International Association of Chiefs of Police; American Society for Public Administration; Association for Religion and the Applied Behavioral Sciences.

CHARLES L. BUTTS January 1976-

Cleveland

State Senator, 23rd District 1975-. B.A., Oberlin College. Senate Committees include: Rules; Elections, Financial Institutions & Insurance; Ways & Means (Vice-Chairman); Energy & Public Utilities.

ANTHONY O. CALABRESE January 1971-January 1975

Cleveland

State Senator, 22nd District 1957-. Attended Wesley Business School and Cleveland College of Western Reserve Univ. Minority Leader, Ohio Senate 1971-1974. State Representative 1953-1956. Broker and Business Manager. Democratic Precinct Committee-Ward Leader 1944. Member, National Committee of the Democratic Party; State Chairman, Ohio Nationalities Division; Vice-Chairman, Democratic Executive Committee. Awarded Cross of Merit by Republic of Italy 1959. Member: Knights of Columbus; City Club; Cleveland YMCA; National Conference of State Legislators. Recipient: Humanitarian Award, 22nd Senatorial District Civic League 1972; American Service Award for Patriotic Service to Government. Senate Committees include: Energy & Public Utilities; Rules; Agriculture & Small Business (Vice-Chairman); Highways & Transportation.

CHARLES H. CARNEY September 1969-January 1971

Youngstown

U.S. Congressman, 19th District 1971-. Attended Youngstown State Univ.; Honorary Doctor of Humanities, Central State Univ.; Honorary Doctor of Laws, College of Osteopathic Medicine and Surgery, Des Moines Iowa. State Senator 1951-1970. Minority Leader 1969-1971. Member: Mahoning Valley Firemen's Association; Youngstown Catholic Services League; United Fund; Farm Grange; Fraternal Order of Eagles; Knights of Columbus; Loyal Order of Moose; Damon Runyon Cancer Committee. Current Congressional Committees include: Interstate & Foreign Commerce; Veterans' Affairs; Small Business. Subcommittees include: Health & The Environment; Communications; Hospitals; Housing; Commodities & Services; Government Procurement & International Trade.

NOLAN W. CARSON September 1970-

Cincinnati

Partner, law firm of Dinsmore, Shohl, Coates & Deupree, Cincinnati 1951-. A.B., Heidelberg College; J.D. with distinction, Univ. of Michigan Law School. Native of Bucyrus, Ohio. State Representative 1961-1962. Chairman, Ohio Elections Commission 1974-. Chairman, OCRC Finance and Taxation Committee.

RICHARD H. CARTER, Chairman September 1970-

Fostoria

Chairman, Fostoria Corporation, a financial holding company 1976-. B.S., Yale Univ. (magna cum laude) with membership in Phi Beta Kappa and Sigma Xi honoraries. Engineer, Vought Aircraft Division of United Aircraft 1942-1948. President, Fostoria Corp. 1959. Director, six companies. Charter Member, Business Leadership Advisory Council to Office of Economic Opportunity 1964-1967. Appointed in 1969 to President's Task Force on Improving the Prospects for Small Business. Chairman: Midwest Executive Council of the National Industrial Conference Board; United Community Fund; non-partisan city charter commission. Member: The Young President's Organization, Inc.; Chief, Executive Forum, Rotary International. Honorary Doctor of Laws, 1974 from and Trustee of Wilberforce Univ.

RICHARD F. CELESTE January 1973 - December 1974 Delaware
 Lieutenant Governor 1975-. Rhodes Scholar; graduate Yale Univ. Majority Whip, Ohio House of Representatives 1973-1974. State Representative, 5th District 1971-1974. Washington-based officer, Peace Corps. Member U.S. Foreign Service. Executive Assistant to Chester Bowles, President Kennedy's Ambassador to India for four years. Officer and Stockholder, National Housing Corporation, Cleveland firm that builds low cost housing for the elderly. Member: Italian Sons and Daughters of America; American Society for Public Administration; City Club; Cleveland Interfaith Housing Corp. Member of Board: Police Athletic League; Karamu West Side Community House; National Lieutenant Governors Food Policy Committee; Ohio Democratic Executive Committee; Rules Committee, 1976 Democratic National Convention; Governors Task Force on Drug Abuse.

ROBERT G. CLERC July 1974- Cincinnati
 Editorial writer, *Cincinnati Enquirer*. B.A. and M.A., Political Science, Xavier Univ, Cincinnati. Served in Army. Intelligence Analyst, CIA, Washington, D.C. Enrolled Soviet and East European Institute, Graduate School of Niagara Univ. Secondary School Teacher, Oak Hills Local School District. Past Chairman, *Cincinnati Enquirer* Middle Management Board and its Executive Committee. Member: Advisory Committee, School of Education and Allied Professions, Miami (Ohio) Univ.

Q. ALBERT CORSI August 1973-May 1974 Cleveland
 Special Counsel, Ohio Attorney General 1971-. B.S., Ohio State Univ.; J.D., Cleveland State Univ. Admitted Ohio Bar 1962. Assistant Cleveland Prosecutor 1964-1967. Deputy Director for Legal Affairs, Ohio Dept of Natural Resources 1973-1975. Member Greater Cleveland Bar Association.

ROBERT J. CORTS May 1974 - January 1975 Elyria
 Attorney. Graduate: Miami Univ; Harvard Law School. State Senator, 13th District (Huron, Erie, Lorain, Richland) 1969-1974. Lorain County Republican Chairman 1962-1969. Senate Committees included: Finance; Financial Institutions, Insurance & Elections; Judiciary (Vice-Chairman); Transportation & Local Government (Chairman).

S. WARREN CUNNINGHAM, II September 1970- Oxford
 Retired Professor, Miami (Ohio) Univ. B.A. and J.D., Univ. of California; Ph.D., Univ. of Washington. Taught at Univ. of California several years. Admin. Assistant county government in Calif, 9 years. Director of Research, Seattle Mayor's Commission on Post-War Planning, one year. Director, Institute of Government, Univ. of Washington, one year. Consultant to Brookings Institute; Associate, Stephen H. Wilder Foundation. Member: American Political Science Association; American Society for Public Administration; National Municipal League; Ohio College Association; Mid-West Conference of Political Scientists; American Academy of Political and Social Sciences; American Association of University Professors. Publications include an analysis of the Ohio State Constitution from 1851 to 1951.

MAX H. DENNIS September 1969 - September 1973 Wilmington
 Attorney. Attended Ohio State Univ. and Univ. of Michigan; LL.B., Washington and Lee Univ. State Senator, 10th District 1963-1976. State Representative 1955-1962. Member: American, Ohio State and local Bar Associations; Elks; Eagles; various Masonic bodies; Rotary. 1973 Outstanding Legislator Award, Ohio Trial Lawyers Association. Senate Committees included: Finance; Elections, Financial Institutions & Insurance; Health & Retirement.

JOHN DUFFEY September 1970 - September 1971 Columbus
 Partner, law firm of Topper, Alloway, Goodman, DeLeone & Duffey. B.A. and J.D., Univ. of Michigan; awarded Order of Coif. Associate Professor of Law, Ohio State Univ. 1954-1960. Chairman, Columbus City Planning Commission 1955-1960. Judge, Ohio Tenth District Court of Appeals 1960-1968.

SCRIBNER L. FAUVER August 1976 - February 1977 Elyria
 State Representative, 54th District 1973-. Graduate of Dartmouth College; Law Degree, Harvard Law School. Councilman-At-Large, Elyria City Council 1970-1974. President, Elyria City Council 1971. Attorney. Member Elyria Rotary Club. Trustee, Elyria Memorial Hospital. House Committees include: Energy & Environment; Finance & Appropriations (Human Resources Section).

CHARLES E. FRY September 1969- Springfield
Chairman and Chief Executive Officer, Fry, Inc., Builders. B.S., Ohio State Univ. President, Student Senate; Beta Gamma Sigma; Beta Alpha Psi; Phi Eta Sigma; Athletic and Publications Boards. State Representative 1965-1974. Speaker Pro Tempore 1969-1972. State Senator 1961-1962. Legislative Service Commission. President, National Society of State Legislators. Governing Board, Council of State Governments. Intergovernmental Relations Committee, National Legislative Conference. District Governor, Rotary International. President, YMCA. National Board Member and Local President, OSU Association. Presidents' Club. Vice-Chairman, Ohio Youth in Government Committee. Chairman, Pacesetters.

PAUL E. GILLMOR January 1974- Port Clinton
State Senator, 2nd District 1967-. B.A., Ohio Wesleyan Univ.; LL.B., Univ. of Michigan Law School; also attended Miami Univ. and College of Wooster. Assistant Senate Minority Leader, 112th General Assembly. Judge Advocate, U.S. Air Force. State Representative, Council of State Governments Committee on Suggested State Legislation. Member: Controlling Board; Ohio State, American Bar Associations; Phi Delta Phi legal fraternity; Pi Sigma Alpha National Political Science Honorary; Sigma Alpha Epsilon; Put-Han-Sen Council for Boy Scouts of America (Vice-President); Seneca County Heart Fund (1969 Chairman); Rotary; AmVets; Ohio Farm Bureau. Senate Committees include: Conservation & Environment; Legislative Ethics (Chairman); Finance; Highways & Transportation; Rules.

RICHARDE E. GUGGENHEIM September 1970- Cincinnati
Vice-President and Secretary, United States Shoe Corporation, Cincinnati. Univ. of Michigan; Harvard Law School. Admitted to Ohio Bar 1937. Director, Ohio Dept of Liquor Control 1971-1974. Chairman, Ohio Civil Rights Commission 1959-1962. Joined U.S. Shoe 1951. Deputy General Counsel, Economic Stabilization Agency 1950-1951. Attorney, Civil & Anti-Trust Division, U.S. Dept of Justice 1946-1950. Chairman, Ohio Democratic Party Platform Committee 1964-1970. Member: American, Ohio and Cincinnati Bar Associations; Mayor of Cincinnati's Friendly Relations Committee (Former); Cincinnati Civil Service Commission. Former Director, Federal Home Loan Bank of Cincinnati.

DAVID HARTLEY August 1976- Springfield
State Representative, 60th District 1973-. B.A. and graduate work, Univ. of Louisville. Factory worker, International Harvester Company. Member: Clark County Democratic Executive Committee; American Association of University Professors; Civitan; Project Woman (Board of Directors); UAW Local 402. House Committees include: Commerce & Labor; Human Resources (Vice-Chairperson); Transportation & Urban Affairs.

EDWIN L. HEMINGER September 1970- Findlay
Publisher, *The Courier*; Vice-President and Director, Findlay Publishing Company. B.A., Ohio Wesleyan Univ.; MSJ, Northwestern Univ. President, Hancock Historical Museum Association. Director, First National Bank of Findlay. Past President: Findlay Area Chamber of Commerce; Ohio Chamber of Commerce. Past Member, Chamber of Commerce of U.S. Committee on U.S. Government Operations & Expenditures.

HAROLD A. HOVEY September 1970-December 1972 Washington, D.C.
Independent economic and management consultant, Arlington Virginia. B.A., Wabash College; LL.B. and Ph.D., George Washington Univ. Director, Illinois Bureau of the Budget 1973-1975. Director, Ohio Dept of Finance 1971-1973. Associate Professor, Economics and Public Administration, Ohio State Univ. 1970. Chief, Public Policy Economics Division, Battelle Memorial Institute 1967-1970. Previously employed in Washington by: Office of Secretary of Defense; Office of Management and Budget; trade association of electric utilities. Author of books on: U.S. military aid program; planning and budgeting systems; office of Governor.

ROBERT K. HUSTON October 1974- Cleveland
General Solicitor, Ohio Bell Telephone Company. B.S. and J.D., Univ. of Alabama. Joined Ohio Bell in 1945. Military Intelligence, U.S. Army. Assistant to Dean of Men, Univ. of Alabama 1940-1942. Recipient of several scholastic awards. Listed in: *Who's Who in Finance and Industry*. Member: Cleveland, Cuyahoga County, Ohio and American Bar Associations; a number of professional associations; Table Chairman, First Friday Club of Cleveland; Board of Directors, Chillicothe Telephone Company.

CHARLES W. INGLER September 1970-October 1971 Albany, New York
Associate Chancellor, State Univ. of New York. B.A. in Government and M.A., Oklahoma Univ.; graduate study, Northwestern Univ. Newspaper and radio reporting 1940-1943. Research Assistant, Oklahoma Univ. 1946-1948. Instructor of Political Science, Northwestern Univ. 1950-1951. Research Associate, Council of State Governments 1951-1953. Senior Associate, Cresap, McCormick and Paget, Management Consultants, New York 1953-1954. Assistant Director and Director, Research Staff, Ohio Legislature 1954-1959. Director, Community Research Incorporated, Dayton 1959-1961. Director, Public Affairs, National Cash Register 1961-1971. Chairman, Ohio Interim Commission on Higher Education 1959-1961. Secretary, Board of Trustees; Sinclair Community College; Wright State Univ. Board of Directors, Ohio Chamber of Commerce 1966-1971. Member, Society for College and University Planning. Author of many publications.

FRANK W. KING September 1970- Columbus
Liaison Officer, Office of State Auditor. President, Ohio AFL-CIO 1964-1974. State Representative, Lucas County 1949-1950. State Senator 1953-1969. Democratic Minority Leader 1961-1969. President Pro Tempore, Ohio Senate 103rd General Assembly. Senate Democratic Majority Leader. Toledo City Councilman 1951-1952. Selected Outstanding Senator by: Legislative Correspondents covering General Assembly; all senators as one of two outstanding senators. Member: Bricklayers Local 3, Toledo; Toledo Federation of Teachers Local 250. Former Apprentice Training Coordinator and Instructor of Bricklaying Apprentices, Toledo public school system.

JAMES K. LEEDY September 1969 - January 1972 Wooster
Lawyer. Graduate Muskingum College; LL.B., Ohio Northern Univ. Law School. State Senator, 19th District 1969-1972. Wayne County Prosecuting Attorney, 14 years. Member: Ohio State, Wayne County Bar Associations; Senate Judiciary Committee, four years. Chairman, Joint House-Senate Committee for Revision of Ohio Criminal Code, four years. Senate Committees included: Agriculture, Insurance & Financial Institutions; Commerce & Labor (Vice-Chairman); Environmental Affairs.

RICHARD F. MAIER January 1975- Massillon
State Representative, 48th District 1973-. B.A., Yale Univ. (Phi Beta Kappa) in Political Science; J.D., Michigan Law School. General law practice 1951-. Police Prosecutor, Massillon Municipal Court. Massillon City Solicitor. Involved in many civic groups. Member: Stark Metropolitan Housing Authority (Board of Directors); Massillon Urban League (Former); Executive Committee, Stark County Bar Association (Former); Massillon Rotary Club (Past President). Past President, Massillon Boys Club. Chairman: Ohio Area Council of Boy Scouts of America; Massillon Chapter, American Red Cross. House Committees include: Finance & Appropriations (Education Section); Human Resources (Ranking Minority Member).

WILLIAM L. MALLORY January 1971 - June 1973 Cincinnati
State Representative, 23rd District 1967-. Graduate Xavier Univ. and Univ. of Cincinnati; honorary Doctor of Laws, Central State Univ. Majority Floor Leader. Former School Teacher. Associate Professor, Univ. of Cincinnati. Member: Board of National Federation of Settlement Houses; West End Community Council (Past President); Citizens Committee to Lower Bus Fares and Improve Service (Co-Chairman); Democratic Executive Committee (Vice-Chairman). Recipient: Pioneer Award, Hamilton County; Outstanding Citizen Award, Cincinnati; Special Award from Former Manager Wichman as benefactor of Cincinnati. House Committees include: Rules; Judiciary (Judicial Administration Section).

D. BRUCE MANSFIELD January 1972- Akron
Retired President, Ohio Edison Company. A.B. magna cum laude, Kenyon College; LL.B., Duke Univ. Law School; J.S.D., Yale Univ. Law School; Phi Beta Kappa; The Order of the Coif. Taught Finance and Corporate Law at Temple Univ. Law School and School of Jurisprudence at Univ. of Calif at Berkeley. Senior Attorney, Securities and Exchange Commission. Member Canton law firm of Amerman, Mills, Mills, Jones and Mansfield. General Counsel, Ohio Edison beginning in 1948. Chairman of the Board, Pennsylvania Power Company, a subsidiary of Ohio Edison. Trustee and Vice-President, Akron General Medical Center. Past President and Chairman of the Board, Ohio Chamber of Commerce, and Greater Akron Area Chamber of Commerce. Former President: Edison Electric Institute (the principal national trade association of the investor-owned electric utilities); National Association of Electric Companies. Recipient: 1968 Doctor of Humane Letters, Univ. of Akron; 1971 LL.D., Kenyon College. Trustee Emeritus, Kenyon College. Former President, United Way of Summit County. Member, Akron, Ohio, American Bar Associations.

JOHN TIMOTHY MCCORMACK January 1975 Euclid
State Senator, 31st District 1975-. B.A., Miami Univ. of Ohio; J.D., Cleveland Marshall Law School; attended John Carroll Univ. Attorney, Zellmer & Gruber, Cleveland. State Representative, 18th District 1973-1974. Euclid City Councilman 1970-1971. Former Member: Joint Subcommittee on Prisons; Rehabilitation Study Commission. Member Ohio Bar Association. Senate Committees include: Conservation & Environment (Chairman); Finance (Vice-Chairman); Judiciary.

JOHN C. MCDONALD September 1969 - January 1971 Newark
Partner, law firm of Tingley, Hurd & Emens, Columbus 1972-. Legislative Counsel to the Governor 1971-1972. State Representative, 19th District 1964-1970. House Minority Whip 1967. Democratic Floor Leader 1968-1970. Member House Rules Committee.

DON W. MONTGOMERY September 1970- Celina
President and Chairman of the Board, Celina Group, comprised of 12 affiliated companies. B.A., DePauw Univ. J.D., Columbia Univ. Law School. Life Director and member of Executive Committee, Ohio Chamber of Commerce. Past Board Chairman and President, Ohio Chamber of Commerce. Chairman of the Board, Home Banking Company, St. Marys. Director-General: S & L Corporation, Findlay; Telephone Company of Ohio, Marion. Trustee: Ohio Insurance Institute; Griffith Memorial Foundation for Insurance Education. Past President, Insurance Federation of Ohio. Listed in: Who's Who in Insurance; Community Leaders in America. Recipient: Charter Membership, Executive Order of Ohio Commodores. Chairman, OCRC Judiciary Committee.

WILLIAM H. MUSSEY January 1975- Batavia
State Senator, 14th District (southern Ohio from Hamilton to Jackson) 1973-. Attended Ohio State Univ. State Representative 1967-1972. Retired journalist and former co-owner, chain of weekly newspapers, Clermont County area. Served in U.S. Army, 21 years; Major, Ohio National Guard. Member: Joint Land Use Study Committee; Batavia Businessmen's Association (Past President); Ohio Newspaper Association; Batavia Rotary Club (Past President); Batavia American Legion (Former Commander); V.F.W.; Little Miami River Valley Development Association; Batavia Masonic Lodge. Senate Committees include: Energy & Public Utilities; Highways & Transportation; Ways & Means.

ROBERT A. NADER September 1972 - December 1972 Warren
State Representative, 55th District (Trumbull) 1971-. B.A., Adelbert College; LL.B., Western Reserve Univ. School of Law. Former Warren City Councilman 1960-1966. Democratic Precinct and Executive Committeeman. Attorney. Member: Warren Area Chamber of Commerce; Trumbull County Bar Association; Warren City Golf League; Avalon Players Association; Knights of Columbus; Ohio Title Association; B.P.O.E.; Football Officials Association; Warren Equity Company; Trumbull County Law Library Association; Trumbull New Theatre, Inc. House Committees include: Finance & Appropriations (Education Section); Highways & Highway Safety; Rules.

ALAN E. NORRIS January 1973- Westerville
State Representative, 27th District (Franklin) 1967-. B.A., Otterbein College; La Sorbonne; LL.B., New York Univ. Law School. Attorney. House Minority Whip 1973-. Chairman, Ohio American Revolution Bicentennial Commission. Member: Kiwanis (Past President); Masonic Lodge (Past Master); Methodist Children's Home Board of Trustees. House Committees include: Governmental Affairs (Ranking Minority Member); Ethics (Vice-Chairman). Chairman, OCRC Grand Jury and Civil Trial Juries Committee.

WILLIAM B. NYE September 1969 - January 1971 Akron
Director, Ohio Dept of Natural Resources 1971-1974. State Senator, 28th District 1967-1970. State Representative, Summit County At-Large 1965-1966. House Committees included: Conservation & Agriculture; Judiciary. Senate Committees included: Elections; Commerce & Labor; Judiciary.

OLIVER OCASEK January 1971 - January 1975

Northfield

President Pro Tempore, Ohio Senate 1975-. B.S. and M.A., Kent State Univ. honorary Doctor of Laws, Kent State Univ. State Senator. 17th District (Summit County) 1959-. Professor of Education, Univ. of Akron. Author of over 400 laws, many of them in the field of education. Past Member: Ohio Education Association Executive Committee; N.E.A. Executive Committee; N.E.A. Legislative Commission. President, Akron YMCA Board of Trustees. Chairman, Ohio Youth in Government Committee. Member: Executive Committee and Board of Governors, Council of State Governments. Recipient: four outstanding legislator awards, including Assembly of Government Employees. Past President: Young Men's Democratic Club of Summit County; League of Young Democrats of Ohio. Past Vice President: Young Democrats of America; Summit County Democratic Central Committee. Chairman, Senate Rules Committee.

LINDA UNGER ORFIRER (MRS. ALEXANDER), Vice-Chairman September 1970-

Cleveland

Associate Director, Health Planning and Development Commission, Federation for Community Planning. Attended Wellesley College; B.A., Western Reserve Univ.; M.P.A., Kent State Univ. Former Director, School-Community Relations, Commission on Public School Personnel Policies in Ohio. Civic activities include: League of Women Voters of Shaker Heights (President); League of Women Voters of Ohio (Director); Finance Committee, Overseas Education Fund, League of Women Voters of the U.S.; Master Plan Committee of Shaker Heights (Secretary); Ohio Local Government Services Commission (Chairman). Chairman, OCRC Local Government Committee.

DEAN G. OSTRUM September 1970 - March 1974

New York

Vice President, Regulatory Matters, Western Electric Company, New York 1974-. A.B., Univ. of Kansas; LL.B., Yale Law School. Private law practice four years. Assistant Attorney General, Kansas, one year. Joined Bell System 1954. Vice-President and General Counsel, Ohio Bell 1963. Member: American, Kansas, Missouri, Texas, Oregon, Washington, Ohio and New York Bar Associations. Former Trustee: Cleveland Bar Association; Metropolitan YMCA; Case-Western Reserve Univ. (Chairman, Board of Overseers); Karamu House; Cleveland Play House; Musical Arts Association. Past President, Cleveland Museum of Natural History. Past Vice-President, Cleveland Federation for Community Planning.

MICHAEL G. OXLEY February 1977-

Findlay

State Representative, 82nd District (Hancock, Putnam, parts Henry and Van Wert) 1973-. B.A., Miami Univ.; J.D., Ohio State Univ. College of Law. Attorney. Member: Society of Former Special Agents of the F.B.I.; American, Ohio and Findlay Bar Associations; Rotary International. House Committees include: Governmental Affairs (State Government Subcommittee); Insurance, Utilities & Financial Institutions (Financial Institutions Subcommittee); Judiciary (Judicial Administration Section).

FRANCINE M. PANEHAL January 1975 - July 1976

Cleveland

State Representative, 5th District (Cuyahoga County) 1975-. Attended Baldwin-Wallace College; B.A., Ursuline College. Ward 1 Councilman, City of Cleveland 1971-1973. Cleveland City Planning Commission 1965-1971. Ohio Bell Service Representative 1948-1950. Socony Vacuum Oil 1943-1945. Member: Cuyahoga County Democratic Executive Committee; Aviation Committee, Cleveland City Council (Vice-Chairman); League of Women Voters; Citizens League; Board Member, Cleveland Landmarks Commission. House Committees include: Finance & Appropriations; Governmental Affairs (Vice-Chairman); Urban Crises Committee (Vice-Chairman).

FRANK R. POKORNY September 1970 - January 1975

Cleveland

State Representative for 10 years (Former) and Democratic leader. J.D., Cleveland Marshall School of Law. Former County Commissioner, Cuyahoga County, involved in numerous planning commissions and civic foundations. Commission on Local Government Services. Trustee: Welfare Federation of Cleveland; Board of Greater Cleveland Growth Association. Former President, Criminal Justice Coordinating Council of Greater Cleveland. Director: National Association of County Officials; National Association of Regional Councils; Catholic Big Brothers of Greater Cleveland. Chairman, Law Enforcement Planning Agency.

DONNA POPE January 1975 - July 1976

Parma

State Representative, 12th District 1972-. Republican State Central Committeewoman 1966-1972. Member: Citizens League of Greater Cleveland; National Society of State Legislators; International Platform Association; National Order of Woman Legislators; Cuyahoga County Republican Executive Committee. Listed in: Who's Who in American Women; Who's Who in Government. House Committees include: Governmental Affairs (State Government Subcommittee); Judiciary; Ways & Means.

J. BARNEY QUILTER September 1969 - October 1971

Toledo

State Representative, 47th District (Lucas) 1967-. Speaker Pro Tempore of House 1975-. Attended DeSales College. Director, Public Relations, Toledo Health and Retiree Center, Inc. Member: V.F.W.; American Legion; AmVets; Eagles; Moose; Boys Club; Chamber of Commerce; Lions Club; Knights of Columbus; Toledo Board of Relators; Senior Citizens Board of Trustees; Channel 30 (Toledo) Educational Board of Trustees. Member House Rules Committee.

MARCUS A. ROBERTO January 1973-

Ravenna

State Senator, 18th District 1977-. State Representative, 62nd District 1971-1976. B.S. in Education and M.A. in History, Kent State Univ; LL.B., Univ. of Akron Law School. Secondary School Social Studies Teacher 1957-1970. Air Force staff sergeant. Former Chairman, House Education Committee (Teacher Education Subcommittee); Former Vice-Chairman, House Ways & Means Committee. Member: Portage County, Ohio and American Bar Associations; Rotary International; American Legion; Grange. Senate Committees include: Conservation & Environment; Education & Health (Vice-Chairman); Judiciary; Ways & Means.

RAY ROSS September 1970 - December 1971

Columbus

Director, United Auto Workers Region 2A (Southern Ohio, Western Pennsylvania and West Virginia) 1949-. Graduate, Springfield Business College. Employed at International Harvester Company, Springfield 1934. President, Local 402, UAW. President, Ohio CIO Council. Vice-President, Ohio AFL-CIO Council until 1968. Chairman, Ohio State UAW CAP Council. First Vice-President, Springfield and Clark County United Appeals Fund, 12 years. Member: Advisory Committee, Ohio State Univ. Labor Education and Research Service; Ohio Citizens Council. Vice-President: Ohio Council for Economic Education; Columbus International Airport Commission.

ANTHONY J. RUSSO September 1969-

Mayfield Heights

Vice-President, Shaker House Motor Hotel, Cleveland. Attended Case Western Reserve Univ. President, N.A.C.U.A., Inc. 1972-1975. State Representative 1964-1974. Assistant Minority Leader 1969-1970. Business Consultant 1961-1964. Member: American Legion; Catholic War Vets; Cuyahoga County Democratic Executive Committee; State Democratic Central Committee; Italian American Democratic League; Italian Sons and Daughters of America; Parents Volunteer Association for Mentally Retarded; National Conference on Crime and Delinquency; National Society of State Legislators; American Academy of Political and Social Science; American Judicature Society. Secretary: Ohio Council on State Affairs; Democratic State Convention Platforms Committee, 1958.

OLIVER SCHROEDER, JR. September 1970 - March 1972

Cleveland Heights

Professor of Law, Western Reserve Univ. 1953-. A.B. summa cum laude, Western Reserve Univ; J.D., Harvard Univ. Assistant General Counsel, Cleveland Transit System 1946-1948. Western Reserve Univ. Assistant Professor 1948-1951; Associate 1951-1953; Acting Dean Administrative Affairs 1961-1965. Director, Law-Medicine Center. Councilman, Vice-Mayor and Mayor, City of Cleveland Heights. Member: Scanning Committee, Republican County Central Committee; Republican County Executive Committee. Fellow, World Rule of Law Center. Consultant, U.S. Civil Rights Commission. Member: Inter-American, American, Ohio, Cleveland Bar Associations; American Academy of Forensics; American Association of Law Schools; U.S. Citizens Commission on NATO; Technical Committee, Criminal Code Revision, Ohio Legislative Service Commission; Ohio Crime Commission; Ohio Organized Crime Prevention Council; Greater Cleveland YMCA Board of Trustees; Cleveland Welfare Federation. Chairman: Ohio Program Commission Workmen's Compensation Study; Ohio Workmen's Compensation Advisory Council; Public Safety Study Committee; Cleveland Metropolitan Services Commission. Both author and editor of many publications in the field of forensic sciences and law.

JAMES W. SHOCKNESSY January 1972-July 1976 Columbus
 Died July 1976. Attorney. Chairman, Ohio Turnpike Commission 1951-1976. Member and Chairman, Ohio State Univ. Board of Trustees. Twice Delegate, Democratic National Convention. Vice-Chairman, State Democratic Executive Committee. Presidential Elector. Trustee; American Cancer Society; Blue Cross of Central Ohio; Mid-Ohio Health Planning Federation. Vice-Chairman, Franklin County Hospital Commission. Co-Chairman, Harvard Law School Foundation. Recipient: 1964 Ohio Newspaper Association's Governor's Award; 1955 and 1964 Columbus *Citizen-Journal's* Top 10 Men. Member: Columbus Sinking Fund; Bar Examiners of Ohio Supreme Court; Ohio Advisory Committee to U.S. Commission on Civil Rights; Transportation Advisory Committee; Ohio Building Authority; Columbus Town Meeting Association; Mount Carmel Medical Association; Wilberforce Univ. Foundation.

IOLA O. (HESSLER) SILBERSTEIN (MRS. BERNARD) January 1972- May 1973 Cincinnati
 Senior Research Associate, Institute of Governmental Research, Univ. of Cincinnati. Former Director, Taft Institute of Government. Former Executive Director, Hamilton County Research Foundation. Former Director, Hamilton County Good Government League. Former Member, Cincinnati City Planning Commission. Recipient: 1974 Ohio Planning Conference Special Award for the advancement of city and regional planning. Author of many publications on government and planning.

JOHN A. SKIPTON September 1970- Findlay
 Executive, Marathon Oil Company 1959-. B.S. and J.D., Ohio State Univ. Director of Finance, State of Ohio 1957-1959; Director, Ohio Legislative Service Commission 1953-1957. Former Director Ohio Chamber of Commerce; Former Vice-Chairman Board of Trustees, Medical College of Ohio at Toledo; Former Committee Chairman, Ohio Citizens' Committee on State Legislature; Former Secretary, Ohio Tax Study Commission. Member: Findlay Bar Association; Ohio Republican Finance Committee; American Petroleum Institute; U.S. Public Affairs Council; Findlay and U.S. Chambers of Commerce; Ohio Manufacturers' Association; American Political Science Association; American Academy of Political and Social Sciences; Rotary; Public Affairs Research Council; National Conference Board; Area Council of Boy Scouts (Vice-President). Chairman, OCRC Legislative/Executive Committee.

KATHRYN DIX SOWLE (MRS. CLAUDE) September 1972- Columbus
 Assistant Professor of Law, The Ohio State Univ. College of Law. B.A., Wellesley; J.D., Northwestern Univ. School of Law; Order of the Coif. National Secretary, National Law Student Association 1954-1955. Member, Northwestern Univ. Law Review. Research Associate, Corporate Law Project, American Bar Foundation 1956-1957. Law Clerk to Judge Julius J. Hoffman, U.S. District Court for Northern District of Illinois 1957-1958 and 1959-1961. Managing Editor, *Journal of Criminal Law, Criminology & Police Science* 1961-1963. Vice-President, Woman's City Club, Cincinnati 1968-1969. Lecturer, Communications Law, The Ohio Univ. 1972-1974. Chairman, OCRC Elections and Suffrage Committee.

SAMUEL W. SPECK, JR. January 1973-January 1975 New Concord
 State Senator, 10th District 1977-. State Representative, 95th District 1971-1976. B.A., Muskingum College, summa cum laude M.A. and Ph.D., Harvard Univ. Danforth and Woodrow Wilson Fellow. Ohio Men's Inter-Collegiate Oratory Champion. Africa: Rotary Fellow, one year; Ph.D. field research, one year. Associate Professor of Political Science, Muskingum College. Chairman of Dept 1968-1971. Member: American Political Science Association; African Studies Association (Fellow); Ohio Association of Economists and Political Scientists (President 1970-1971); Joint Budget Committee; Legislative Service Commission's Prison Study Committee; Jaycees; Masons. Recipient: 1975 Ohio Conservation Achievement Award; 1971 Outstanding Legislator, Ohio Conservation Society; recognized in 1973 by League of Ohio Sportsmen; 1971 Man of Year, *Cambridge Daily Jeffersonian*. Appointed: African Advisory Council, U.S. Dept of State 1972; Citizens' Task Force on Higher Education 1973. Listed in: Outstanding Young Men in America; Outstanding Educators in America. Senate Committees include: Education & Health; Elections. Financial Institutions & Insurance; Energy & Public Utilities.

MIKE STINZIANO August 1976- Columbus
State Representative, 30th District 1973-. B.A., Ohio State Univ. Member: Ohio Association for Retarded Citizens; National Organization for Women; Open Door Clinic (Former Board of Directors); Columbus Association for the Developmentally Disabled; Columbus Tenants Union; Foundation of Community Urban Services; Columbus Free Access Radion Station; Southwest Area Mental Health Center; City of Columbus Housing Code Revision Commission; Central Ohio Seventh Step Foundation; University Community Association; Italian Village Society; Victorian Village Society; Peace and Justice Committee, Columbus Diocesan Priests Senate; Chairman's Council, Franklin County Democratic Party; Central Ohio Bicentennial Observance Festival Committee; Executive Committee, Ohio Democratic Party. Democratic State Central Committeeman. Recipient: 1974 and 1976 Awards, Columbus Council for Exceptional Children. Outstanding Legislator Awards: Ohio Legislative Correspondents' Association. Central Ohio Appalachian Council; Ohio Halfway House Association (1976). House Committees include: Finance & Appropriations (Human Resources Section); Judiciary (Commercial Affairs Section).

ROBERT E. STOCKDALE October 1973 - May 1974 Kent
State Senator, 31st District (Geauga, Portage, Lake, Ashtabula) 1963-1974. B.S. and M.A., Kent State Univ; additional graduate work, Western Reserve Univ. State Representative 1961-1962. Sheriff, Portage County 1953-1957. Ravenna Councilman 1939-1940. Professor, Kent State Univ. Member: Elks; American Legion; Masonic bodies (33 degree); Lions; Red Cross; American Association of University Professors. Senate Committees included: Rules, Finance (Vice-Chairman); Applied Technology & Local Services (Chairman).

WILLIAM W. TAFT September 1969-January 1975 Cleveland
Partner in law firm of Arter and Hadden, Cleveland B.A., Amherst; LL.B., Harvard Law School. State Senator, 26th District 1966-1972. State Representative, Cuyahoga County 1961-1964. Member Cleveland, Ohio State Bar Associations. Former Member Board of Trustees, Cleveland State Univ. Former President, Cleveland Association of Phi Beta Kappa. Senate Committees included: Agriculture, Insurance & Financial Institutions; Finance (Vice-Chairman); Ways & Means.

JOHN D. THOMPSON, JR. August 1976- Cleveland
State Representative, 15th District (Cleveland) 1971-. Attending Franklin Univ. School of Law. Real Estate Certificate, Finn College. Member, Ohio Retirement Study Commission. Real Estate Broker 1961-. Former Public Relations Official, Cleveland Electric Illuminating Co. Former Air Pollution Control Office, City of Cleveland. Insurance Consultant, Metropolitan Insurance Co, 1966-1969. Sub-Foreman, U.S. Steel 1951-1966. Assistant Director Minority Affairs, Ohio Democratic Party. Executive Board Member, Cuyahoga County Democratic Party. Member: Black Elected Democrats of Ohio; Lee Harvard Community Association; Mt. Pleasant Community Council; Masons; El Hassa Shrine. House Committees include: Health & Retirement (Chairman); Insurance, Utilities & Financial Institutions (Insurance Subcommittee); Transportation & Urban Affairs.

JAMES E. THORPE September 1969 - January 1973 Alliance
Attorney: State Representative 1961-1964 and 1967-1974. State Senator 1965-1966. House Committees included: Health & Welfare; Local Government & Urban Affairs; Transportation.

PAULA A. UNGER April 1975- Cleveland
President, The Unger Co (national baker packaging firm headquartered in Cleveland). A.B., Harvard College. Chairman, Cleveland Urban Renewal Task Force 1967. Director, U.S. Trade Commission to Australia and New Zealand 1964. Deputy Administrator, Business & Defense Services Administration, U.S. Dept of Commerce 1962-1963. Directed relief work in Egypt and Yugoslavia after World War II. President: Council of International Programs (Honorary); Neighborhood Centers Association. Member: Cleveland Inner-City Action Committee; National Council for Revision of State Constitutions (Secretary). Delegate, White House Conference on Children and Youth. Board Member: National Federation of Settlements; National Council for Community Services to International Visitors; Cleveland Urban Coalition; National Council on Social Welfare; Cleveland Area Arts Council. Chairman: Cleveland Advisory Subcommittee of U.S. Commission on Civil Rights; Task Force to Save Public Housing. Trustee: PATH Association; Cleveland Minority Economic Developers Council. Headed election campaigns in Cleveland for several presidential candidates.

- THOMAS A. VAN METER** January 1975- Ashland
 State Senator, 19th District 1973-. A.B., Ashland College. Senate Minority Whip, 112th General Assembly. Past Student Body President, Ashland College. Former Congressional Assistant to U.S. Congressman John Ashbrook. U.S. Army Combat Infantry Officer, Vietnam. Reserve Company Commander. Former Executive and Finance Chairman, Ashland County Republican Party. Member: V.F.W.; American Legion; Gubernatorial Task Force on Commission Review (Vice-Chairman); Public Employees Deferred Compensation Board; Pesticide Control Commission; Board of Unreclaimed Strip Mine Lands. Board of Directors: U. Brand Corporation of Ashland; Independent Colleges and Universities. Vice-Chairman Platform Committee, Republican State Convention. Former Member: Education Review Committee; Education Assessment Committee; Rapid Rail Transit Study Committee; Select Committee on PUCO; Select Committee on Hiring and Layoff Procedures of State Employees; Ashland College Board of Trustees. Senate Committees include: Commerce & Labor; Elections, Financial Institutions & Insurance; Energy & Public Utilities; Finance.
- WALTER L. WHITE** September 1969 - January 1972 Lima
 State Senator, 12th District (Allen, Auglaize, Hardin, part Logan, Mercer, Shelby, part Wyandot, part Darke) 1973-. Ohio Northern Univ.; Oberlin College; Ohio Northern Law School; B.A. and J.D. Member law firm of Bowers, White and DeMeo, Lima. State Representative 1957-1972. Assistant House Majority Leader 1968-1972. Assistant Prosecuting Attorney, Allen County eight years. Member: Bar Associations; Rotary Club; Allen County Historical Society; Ohio Kidney Foundation; Ohio Society for Prevention of Blindness. Former Member: Ohio Retirement Study Committee; Juvenile Justice Task Force; Legislative Service Commission; Ohio Tax Study Commission. Senate Committees include: Judiciary; Local Government & Urban Affairs; Ways & Means.
- ARTHUR R. WILKOWSKI** January 1972 - August 1972 Toledo
 State Representative, 46th District 1969-. B.S., Bowling Green State Univ; J.D., Univ. of Toledo Law School. Partner, law firm of Wilkowski & Bloom. U.S. Commissioner, Northern Ohio, Western District 1967-1968. Assistant Lucas County Prosecutor, 1963. Assistant Law Director, Toledo 1961-1962. Secondary School Teacher 1951-1959. Member Toledo Bar Association. House Committees include: Economic Affairs & Federal Relations (Housing Subcommittee); Reference; Ways & Means; Ethics (Chairman).
- JACK D. WILSON** September 1970- Piqua
 Certified Public Accountant. Engaged in public accounting since graduation, U.C.L.A. 1948. Piqua City Commissioner 1957-1977. Mayor, City of Piqua 18 years. Past President: Ohio Mayors' Association (1967); Ohio Municipal League (1970). Member: Governor Gilligan's Citizens Task Force on Tax Reform 1970-1971; Ohio Commission on Local Government Services. Atomic Energy & Environmental Quality Committees, National League of Cities 1960-1977.
- NEAL F. ZIMMERS, JR.** January 1975 - January 1976 Dayton
 State Senator, 5th District (parts of Montgomery and Miami) 1975-. B.A. in Government, Denison Univ; LL.B. with honors, George Washington Law School. Legislative Assistant to U.S. Congressman Rodney Love. Prosecutor, Federal Trade Commission, Washington D.C. Attorney. Judge, Montgomery County Court 1968-1974. Chairman, Consumer Protection Advisory Council, City of Dayton. Member: Jaycees; Dayton "Y" Athletics Club; American, Ohio and Dayton Bar Associations; Kiwanis Club; Dayton Agonis Club; Ohio County Judges Association (Executive Board); Ohio County Court Judges Association; Northeast YMCA (Past Director); Greenmont Village Housing Authority (Past Board Member); Visiting Lecturer in Government, Denison Univ; Supervisory Council on Crime and Delinquency of Dayton; County Volunteer Probation Department; National Conference on State Legislatures; Educational Review Commission; Council of State Governments. Recipient: 1974 Outstanding Young Man of the Year Award, Ohio Jaycees. Senate Committees include: Education & Health; Energy & Public Utilities (Chairman); Highways & Transportation; Judiciary; Ethics.

Staff Biographical Sketches

Ann M. Eriksson, the Director of the Commission, served as Assistant Director and Chief of Legal Services for the Legislative Service Commission from 1967-1971. She graduated from Dickinson School of Law, and summa cum laude from Wilson College in Pennsylvania. Mrs. Eriksson has been active in the American Association of University Women, and served as President for the Central Ohio Chapter of the American Society for Public Administration, which selected her Outstanding Public Employee of Central Ohio in 1967. A member of the Ohio State Bar and the American Bar Associations, Mrs. Eriksson is listed in Who's Who of American Women.

Julius J. Nemeth is a staff attorney for the Commission, receiving his J.D. from Georgetown University, and graduating cum laude from Youngstown University. Prior to joining the Commission staff, Mr. Nemeth was an Assistant Attorney General for the State of Ohio, and law clerk for the Seventh District Court of Appeals in Youngstown. He is a member of the Columbus and Ohio Bar Associations, the American Judicature Society, and is listed in Who's Who in Ohio.

Brenda Susan Buchbinder began as research associate for the Commission in 1973. A graduate in Philosophy from The Ohio State University, Ms. Buchbinder was employed by the Attorney General in the transportation department, and as a graduate assistant in Philosophy at O.S.U. She also serves as fiscal officer for the Commission.

Andrea Jane Ralston has been secretary for the Commission since the fall of 1975. A Columbus native, Mrs. Ralston graduated from DePauw University with a B.A. in English Literature. She was previously employed as a secretary by the Hon. Chalmers Wylie, the Protestant Episcopal Church, and as editorial assistant at O.S.U.

Ellen H. Denise retired as secretary and fiscal officer for the Commission in the spring of 1976. Mrs. Denise was employed by the State of Ohio for 24 years - serving as a secretary to the Director of the Legislative Service Commission for 18 years. She received her B.A. from Wellesley College.

Nancy Ellen Gertner served as research associate for the Commission from 1972-1973. An honors graduate of Goucher College, Mrs. Gertner majored in Political Science where she was a student government representative.

CONSULTANTS

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Judy Avner
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Hon. Robert Leach
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Hon. Henry Lewis
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The Ohio Constitutional Revision Commission

The 108th General Assembly (1969-1970) created the Ohio Constitutional Revision Commission and charged it with these specific duties:¹

- (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.

Although there is no legislative history in Ohio from which the rationale for specific legislation can be ascertained with certainty, it is not difficult to reach conclusions about the reasons for the passage of this legislation. The decades of the 50's and 60's saw intense interest in the role of state and local government in the federal system and part of this interest focussed on state constitutions. Examination of these constitutions, many of which dated from the mid- or latter-19th century, revealed that they restricted operations of state and local governments in ways that prevented growth and the provision of services needed by people in the modern age, and that they included statutory details, many of which had become seriously obsolete. An examination of Ohio's Constitution, adopted by the people in 1851 and amended more than 100 times since then, became part of a well-documented trend.

Another reason for the creation of the Commission at that particular time was realization that Ohio voters would face the question: "Shall there be a convention to revise, alter, or amend the Constitution?" at the general election in November, 1972. Ohio constitution-makers in 1851 followed Thomas Jefferson's philosophy that each generation should have an opportunity to choose its own form of government, and provided that the question of calling a convention should be placed on the ballot every twenty years. Anticipating the convention question, the General Assembly also instructed the Commission, if a convention were called by the voters in 1972, to report its recommendations with respect to the organization of a convention to the General Assembly (which has the responsibility to pass enabling legislation if a convention is called) and to report its recommendations for constitutional amendments to the convention. Thus, the Ohio Commission was viewed by the General Assembly that created it as serving two purposes -- a preparatory body to a convention, if a convention should be called, and a revisory body to study the Constitution and advise the General Assembly with respect to needed changes.

Two important citizen organizations, the National Municipal League and the League of Women Voters had been instrumental in promoting state constitutional study and, where appropriate, revision or the adoption of a new constitution. Materials published by the National Municipal League, including the League's Model State Constitution, have been studied and used extensively by the Commission. In Ohio, the League of Women Voters was prominent among the groups that encouraged the General Assembly to create a study commission. The League has studied many aspects of the Ohio Constitution, published useful background materials available not only to its own members but to the public, and taken an active role in educating voters on constitutional issues. Another group active in urging the creation of the Commission was the Citizens for a Modern Ohio Constitution, a group of citizens in both public and private life who believed that Ohio's Constitution needed serious study.

Two other projects in Ohio in the late 60's and early 70's were geared toward examining constitutional issues and providing information to Ohio voters in 1972. The Stephen H. Wilder Foundation commissioned the Institute of Government Research, at the University of Cincinnati to make a systematic study of the Ohio Commission, and that Report, written by W. Donald Heisel and Iola O. Hessler, was published in 1970 under the title "State Government for Our Times: A New Look at Ohio's Constitution". It was very helpful in the work of the Commission. The Wilder Foundation had authorized the publication of a similar report in 1951, entitled "An Analysis and Appraisal of the Ohio State Constitution, 1851-1951", prior to the question of calling a convention appearing on the ballot in 1952. The 1951 report was prepared by twelve members of the Social Science Section of The Ohio College Association.

¹Am. Sub. H.B. 240. See Appendix L

The second project was sponsored by the Center for Urban Regionalism at Kent State University, with financial support from the Greater Cleveland Associated Foundation. A conference in November, 1969, attended by faculty members and students from 29 Ohio colleges and universities, was followed by the commissioning of papers on specific topics related to constitutional revision. These papers were published in 1972 by The Kent State University Press in the book "Political Behavior and Public Issues in Ohio", edited by John J. Gargan and James G. Coke, of Kent State University. These papers, also, proved most helpful in the work of the Commission.

The General Assembly created a Commission composed of thirty-two members, 12 of whom are members of the legislature chosen, three each, by the four legislative leaders, and an additional twenty nonlegislators chosen by the twelve legislators. The first meeting of the legislative members was held in January, 1970, and the twenty public members were chosen at a meeting in September, 1970. Mrs. Ann M. Eriksson was named Director and staff were employed, and the Commission's study of the Ohio Constitution began in earnest in February, 1971.

The Commission elected Mr. Richard H. Carter as Chairman and Mrs. Linda Orfirer as Vice-Chairman. In his remarks accepting the chairmanship, at the February meeting, Mr. Carter stated that the sizeable task of constitutional revision in Ohio would call for the best efforts of all Commission members and emphasized the nonpartisan nature of the job. He also noted that a major chore of public education lay ahead if the Commission's work is to be successful. Four committees were created in order to establish a format and procedures for Commission operations.

The Organization and Administration Committee was originally chaired by Senator Applegate and later by Senator Ocasek. This committee reviewed the Commission budget, handled subject-matter committee assignments, and prepared Rules for Commission consideration.

The Committee on Liaison with Governmental and Public Groups was chaired by Representative Fry. This committee was made a number of recommendations with respect to contacts with governmental and other organizations. As a result of these recommendations, letters explaining the organization and purposes of the Commission were sent to all members of the General Assembly, the head of each state department or agency and the Chief Justice of the Ohio Supreme Court. In addition, professional and business organizations were contacted.

The Public Information Committee was chaired originally by Mr. Ross and later by Mr. Heminger. The committee made several recommendations to the Commission, including proposing information meetings for members of the Commission to acquaint them with the problems of constitutional revision generally, standards for the content and drafting of state constitutions and information on the various subjects undertaken for study by the Commission or its committees. The committee also proposed meetings or seminars to be held for the purpose of providing public information on subjects of Commission study or for explaining Commission recommendations to the public and offering an opportunity for public comment or testimony. Later, a monthly newsletter was instituted to provide public information about the activities of the Commission.

The Subject Matter Committee was chaired by Senator Taft. This committee recommended that the Commission be divided into four committees to begin studies of four different constitutional topics as follows: The Legislature, the Executive Branch, Local Government, and Finance and Taxation. This plan was adopted by the Commission, and the Subject Matter Committee then indicated to each committee the particular portions of the Constitution which appeared to fall within the scope of the committee assignment.

Pursuant to its statutory duties, the Commission, early in its deliberations, considered "the problems pertaining to the amendment of the Constitution", particularly whether it was necessary to seek an amendment to the Constitution to broaden the purposes for which subsequent amendments could be placed before the voters. After a review of the amending provisions of the Ohio Constitution (Article XVI), precedents, and court interpretations of these provisions and precedents, the Commission reached a consensus that its work could be effectively accomplished within the present constitutional provisions, and an amendment to the amending procedures need not be sought.

The Commission then proceeded to the specific task of studying the Constitution and proposing recommendations for amendments to the General Assembly. The four original subject matter committees were organized with Mr. Pokorny serving as chairman of the Committee to Study the Executive Branch; Mr. Skipton, chairman of the Legislative Committee; Mr. Duffey, chairman of the Local Government Committee; and Mr. Carson, chairman of the Finance and Taxation Committee. Several changes in Commission membership resulted in reducing the number of subject matter committees to three by combining the Legislative and Executive Committees into one under the chairmanship of Mr. Skipton, and the resignation of Mr. Duffey brought the Local Government Committee under the leadership of Mrs. Orfirer.

As the three original subject matter committees completed their work, additional committees were established to study the remaining topics in the Constitution. The Education and Bill of Rights Committee was chaired by Mr. Bartunek; the Judiciary Committee by Mr. Montgomery; the Elections and Suffrage Committee by Mrs. Sowle; the What's Left Committee by Mr. Aalyson; and the Committee to Study the Grand Jury and Civil Trial Juries by Representative Norris.

Speakers were invited to Commission meetings during 1971 to share with Commission members and the public their experiences in constitution-making efforts in other states, to give a general overview of the Ohio Constitution, and to explain generally accepted standards of a "good" state constitution and compare provisions of the Ohio Constitution with these standards. These speakers included such distinguished persons as Dr. John P. Wheeler, Jr., of Hollins College, Virginia, who had an active role in recent constitutional revision in several states, including Maryland and Virginia; Dr. Harvey Walker², retired Ohio State University political science professor and a noted Ohio constitutional expert; and Dr. Albert L. Sturm, University Research Professor of Political Science at Virginia Polytechnic Institute and State University, a national expert on state constitutional revision.

The Honorable John J. Gilligan, Governor of Ohio, addressed the Commission at its May, 1971, meeting. The Governor emphasized the importance of the work of the Commission and indicated his concept of the task ahead with these words:

Thus, what you here today have been charged with by the people of Ohio is a responsibility perhaps far deeper and far more significant than many had anticipated. I would urge you then to start with this question: if we had no kind of government at all, what kind of government would we construct in Ohio? What kind of government would we create that would protect our liberties and yet enable us to solve the massive problems we face? That I suggest, you might regard as your task. Not to paste and patch and mend but to start afresh with the fundamental question of what kind of basic framework should we have for our society? Having made that decision, the second decision follows, how? -- whether all in one big gulp and one big jump we achieve it or do we achieve it piecemeal over a long period of time? Unless we know where we want to get how will we ever recognize whether or not the steps that we take along the way are in the direction of our final goal or just up some kind of constitutional blind alley? A lot of us are going to be waiting for the answers you'll be producing.

Dr. Sturm³ commented on the general nature of a state constitution, and on some common ideas of standards of excellence expressed in writings on state constitutions, as follows:

All American state constitutions as fundamental laws embody the basic principles of political democracy such as popular sovereignty and especially limited government, which is implemented through the familiar tripartite separation of powers, checks and balances, the bill of rights, and other limitations, particularly on the legislature. State constitutions set forth the basic structural framework of government in varying detail, and they contain both positive and restrictive provisions for the exercise of governmental powers. They define boundaries, specify suffrage qualifications and the manner of conducting elections, and provide methods for amendment and revision. Much of their verbiage is accounted for by articles reflecting the complexity and diversity of functional growth--local government, finance, education, highways, corporations, welfare, health, and other areas of governmental activity.

²Dr. Walker's sudden death in the Spring of 1971, was noted with sadness by members of the Commission.

³An address prepared for Delivery at an Open Meeting of the Constitutional Revision Commission, September 16, 1971, mimeographed.

Unlike the makers of the Constitution of the United States, the framers of state organic laws traditionally have been far more concerned with limiting government than with enabling and vitalizing it as an effective instrument for accomplishing social objectives. In essence, state constitutions are bundles of limitations on the states in the exercise of residual powers. They have been far less flexible than the federal document. The Constitution of the United States has been adapted to changing times and needs mainly by statutory and executive elaboration and judicial interpretation, with only twenty-six formal amendments during 182 years of effective operation. In contrast, the states have relied far more on formal amendments.

General Documentary Characteristics: Consistency with the Constitution of the United States; inclusion only of fundamental matters, excluding substance of a detailed or temporary nature that is essentially statutory, use of clear, direct, simple language readily intelligible to the average citizen, and arrangement of contents in logical order; and, conversely, avoidance of obscure and technical phraseology ("legalese"), inconsistencies, obsolete provisions, and poor organization.

In November, the Commission co-sponsored with the Ohio State University College of Law and the Ohio Municipal League, a local government seminar, focusing on a number of problems of local government with emphasis on their constitutional aspects. Papers from the seminar were published as a Local Government Symposium in the Ohio State Law Journal in 1972, Vol. 33, No. 3. Many outstanding speakers participated in this seminar, headed by Jefferson B. Fordham, retired Dean of the University of Pennsylvania Law School and formerly Dean of the Ohio State University College of Law. Dr. Fordham is a leading national expert on local home rule, and contributed to an examination of many provisions of the Ohio Constitution when the question of calling a convention was on the ballot in 1952.

The Commission determined, after discussion of the convention question, that it should not take a position on whether or not a convention should be called, and proceeded with its studies of the Constitution according to schedule. As had happened in 1932 and 1952, the question of calling a convention was defeated at the polls in 1972; 62% of those voting on the question voted "no".

Each subject matter committee met approximately monthly; studied research materials prepared by staff and consultants on the topic under consideration; invited public comment on the issues before it; solicited opinions and testimony from experts on the subject; and finally formulated recommendations to be presented to the Commission. The statute creating the Commission required that 2/3 of the members agree before a recommendation becomes a Commission recommendation to the General Assembly, thus requiring a substantial consensus, of necessity eliminating strictly partisan considerations, for a Commission recommendation.

The Rules adopted by the Commission required that all Commission and committee meetings be open to the public, and that at least one opportunity for public testimony be offered on all proposed recommendations before their submission to the General Assembly.

The Commission has attempted to inform and educate the public on constitutional matters, as well as to solicit information and opinions, by issuing press releases of Commission meetings inviting public attendance and testimony, by mailing information about both committee and Commission meetings, research materials, brief summaries of meetings, copies of reports, and a monthly newsletter, to all who requested such materials, and by mailing the monthly newsletter to a larger group of persons and organizations, including all the news media in the state.

Several principles discussed and agreed to early in Commission operations guided the work of the committees and the Commission. It was agreed that the Commission would take no position, either for or against, on constitutional issues and questions other than Commission recommendations. With respect to the question of recommending changes solely for the purpose of improving language or arrangement, it was agreed that such changes would be avoided, although both language improvement and rearrangement have been recommended where they serve the purposes of improving understanding, clarity, and logic of arrangement. The principles of drafting that have been followed are those enunciated in the "Bill Drafting Manual" of the Ohio Legislative Service Commission.

The first report was presented to the General Assembly early in 1972 and covered the organization, administration, and procedures of the General Assembly. It resulted from the work of the Legislative-Executive Study Committee. It included substantive changes such as constitutionally requiring annual sessions and permitting the General Assembly leadership to call the Assembly into special session, as well as the elimination of obsolete language such as requiring bills to be "read" on three separate occasions before passage and replacing this requirement with a requirement for three considerations of each bill. Among the important substantive recommendations in the first report was one for the joint election of the Governor and Lieutenant Governor and replacing the duty of the Lieutenant Governor to preside over the Senate with provision for establishing clearly executive responsibilities for that office.

All of the recommendations in the first report were incorporated in a single resolution and introduced into the General Assembly in 1972. Several sections were eliminated in the course of legislative action on the resolution but most were retained and placed on the ballot in May of 1972. In considering the various ways of presenting the recommendations to the voters, Commission members studied court decisions interpreting the language of Section 1 of Article XVI of the Constitution: "When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment, separately." Commission members viewed all the recommendations in the resolution as relating to the same subject, and therefore properly submitted as one amendment. However, the proposal was challenged and the Ohio Supreme Court concluded (*State, ex rel. Roahrig, et al. v. Brown* (1972), 30 Ohio St. 2d 82) that it did violate the "one amendment" rule of Section 1 of Article XVI and it was ruled off the ballot. Subsequently, the proposals in the first report were reintroduced in the General Assembly as four separate amendments, and three of them, including the bulk of the recommendations relating to strictly legislative matters, were placed on the May, 1973 ballot. The most important of the three (legislative organization and procedures) was adopted; the two defeated issues would have repealed sections that the Commission considered obsolete but which, because of the ballot language used to present them to the voters, apparently were viewed as substantive matters by the voters. The fourth, which was the joint election of Governor and Lieutenant Governor, was not adopted again by the General Assembly and placed on the ballot until June of 1976. Only two proposals in the first report have never reached the ballot -- one dealing with an extraordinary majority of the General Assembly necessary to create new courts or judgeships, which has been included in the Judiciary Report, and one proposing the payment of expenses to legislators.

Early in 1973, the second report was presented to the General Assembly, dealing with State Debt. The third report dealt with the problem of presenting constitutional amendments to the voters in a fair and objective manner and language that they could understand, without the inclusion of unnecessary and confusing detail and legalese. It proposed the creation of a Ballot Board to prepare ballot language, and standards for contents of the ballot language and for information to be supplied to the voters. It was placed on the ballot by the General Assembly in May, 1974, and adopted by the voters. Subsequent reports, in the order in which presented, were: Taxation, The Indirect Debt Limit, The Executive Branch, Elections and Suffrage, Local Government, Initiative and Referendum, Judiciary and The Bill of Rights. The recommendations and explanatory material from all eleven reports will be found in the Appendix.

This Final Report contains those recommendations not previously presented to the General Assembly, covering Education, Corporations, Public and Private Employees and Employment, Apportionment, Militia, Public Institutions, Grand Juries and Civil Trial Juries, and miscellaneous matters.

Working closely with the legislative leadership and with the legislative members of the Commission, the Commission has attempted to have its proposals introduced in the General Assembly and placed before the voters for voter action. The greatest amount of legislative action on Commission proposals was during the 1975-1976 session, after nine of the eleven reports had been submitted. As of this writing, sixteen amendments emanating from Commission recommendations have gone to the voters and thirteen have been adopted. The sixteen included proposals relating to General Assembly organization and procedures and creation of the Ballot Board (noted above), joint election of Governor and Lieutenant Governor, gubernatorial succession and disability

clarification of taxation provisions, removal of restrictions on the right to vote and clarifications of election provisions, expansion of industrial development revenue bond purposes, removing the "indirect" debt limit restrictions on local government, and others. Among the significant recommendations of the Commission that the General Assembly has considered but not yet submitted to the voters are proposals for a flexible state debt limit, increasing the powers of county government, and permitting limited classification of counties, removing some barriers to adoption of county charters and clarifying provisions for the adoption of county and municipal charters, changes in the initiative and referendum provisions to simplify and increase citizen understanding of these processes, and changes in the structure of the judicial system, notably to provide for a unified trial court. Several proposals are pending in the 112th General Assembly, and may be placed on the November, 1977 ballot.

As 1976 drew to a close, it was apparent to Commission members, twelve of whom had been members of the Commission since its beginning, that the primary task of the Commission -- a comprehensive study of the Ohio Constitution with recommendations for amendments to the General Assembly -- would be completed within the next few months. Although the statutory date for completion of the Commission's work and expiration of the terms of the members was July 1, 1979, the Commission determined that little justification existed for continuing after its task was completed and that it would present a Final Report to the General Assembly two years earlier than originally planned. The research documents and all Commission and committee meeting summaries are being printed in limited quantities for placement in libraries across the state where they will be readily available for public inspection and study. It is hoped, of course, that the recommendations, materials, and the discussions of the Commission and its committees will continue to be of value to the General Assembly and to all interested in Ohio's Constitution for many years to come.

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Mr. Carter
Mr. Duffey
Mr. Guggenheim

Mr. King
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Mrs. Sowle

Ohio Constitutional Revision Commission
Summary of Recommendations for Amendments to the Constitution

Article I. BILL OF RIGHTS

1. Permit denial of bail prior to trial if the offense charged is a felony committed while the accused was released on prior bail.

2. Repeal provision permitting comment on failure of an accused to testify.

Education and Bill of Rights Committee, Mr. Joseph Bartunek, chairman

Report No. 11, Appendix K, Page 437

3. Require one probable cause hearing in every felony case before a court of record or a grand jury but not both (except in capital cases) and give both the prosecutor and the accused the option of choosing a grand jury; permit presence of counsel in grand jury room to advise a grand jury witness on privileges; require state to present any evidence it has tending to negate guilt of person accused.

Grand Jury and Civil Trial Juries Committee, Representative Alan Norris, chairman

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Article II. LEGISLATIVE

1. Rewrite sections dealing with procedures for enactment of laws and gubernatorial veto, including the following substantive changes: eliminate the requirement that a bill must be read on three different days and require, instead, consideration of a bill on three different days; prohibit passage of a bill until it has been reproduced and distributed to members of the house in which it is pending, and require that copies of amendments be made available if requested; eliminate the requirement that bills which have passed be signed "publicly" by the presiding officers and require, instead, that they simply be signed, and that the signing is for the purpose of certifying that the procedural requirements for passage have been met.

2. Require the General Assembly to meet annually.

3. Permit the presiding officers of the two houses to call the General Assembly into special session (in addition to the authority, already in the Constitution, of the Governor to call special sessions).

4. Permit adjournment of one house of the legislature for five days (instead of two) without the consent of the other.

5. Make corrective changes in sections dealing with filling vacancies and organizing each house.

6. Require both houses of the General Assembly to choose presiding officers from their own membership and designate the presiding officers the President of the Senate and the Speaker of the House of Representatives.

Adopted by voters in May, 1973 and June, 1976

7. Repeal a section prohibiting persons guilty of a specific felony from holding public office.

Rejected by voters in May, 1973

8. Permit payment of allowances for reasonable and necessary expenses to members of the General Assembly

Legislative/Executive Committee, Mr. John Skipton, chairman

Report No. 1, Appendix A, Page 96

9. Remove ineligibility of member of the General Assembly to be appointed to a public office created or the compensation of which was increased during his term, for the period of the term to which he was elected and for one year thereafter.

What's Left Committee, Mr. Craig Aalyson, chairman

Final Report, Page 38

10. Remove section dealing with county boundaries to Article X.

Local Government Committee, Mrs. Linda Orfirer, chairman

Report No. 8, Appendix H, Page 278

Article II INITIATIVE AND REFERENDUM

Remove the initiative and referendum provisions from Article II to a new Article XIV. The three basic features of the present provisions, direct constitutional initiative, indirect statutory initiative, and referendum are retained. The required number of signatures on petitions is changed from a percentage of voters at preceding gubernatorial elections to a fixed number, specified in the resolutions for each method, and other modifications have been made to make procedures less cumbersome, including removal of the requirement that the full text of a proposal be printed as part of the petition, but the solicitor is required to carry a copy for public inspection. The resolution requires that initiated laws contain only one subject, and repeals an obsolete provision prohibiting the use of the initiative to pass certain types of property laws. The requirement that a certain portion of signatures on petitions must be secured from 1/2 of the counties is removed. The ballot board is required to prepare a summary for printing on the petitions, and the ballot language and an explanation of each issue that is on the ballot, and initiative and referendum matters are permitted to appear on a primary election ballot as well as at a general election.

Elections and Suffrage Committee, Mrs. Katie Sowle, chairman
Report No. 9, Appendix I, Page 343

Article II OTHER

1. Permit General Assembly to provide for worker compensation for occupational disease and injury either through a state fund or through private insurance.

What's Left Committee, Mr. Craig Aalyson, chairman

Final Report, Page 44

2. Repeal provision for eight-hour day on public works.

What's Left Committee, Mr. Craig Aalyson, chairman

Final Report, Page 49

3. Permit General Assembly to regulate prison labor.

What's Left Committee, Mr. Craig Aalyson, chairman

Final Report, Page 50

Article III EXECUTIVE BRANCH OF GOVERNMENT

1. Require the joint election of Governor and Lieutenant Governor; remove Lieutenant Governor as presiding officer in the Senate and provide for executive and administrative duties for Lieutenant Governor.

Adopted by voters in June, 1976

Legislative/Executive Committee, Mr. John Skipton, chairman

Report No. 1, Appendix A, Page 96

2. Repeal sections dealing with gubernatorial disability and the filling of vacancies in that office, and the enactment of new sections in that article relating to the same subject. Authorize the Lieutenant Governor to assume the office of Governor when the latter vacates the office or becomes disabled, and provide for succession to the office of Governor should the Lieutenant Governor become incapable, first by the President of the Senate and second by the Speaker; establish a procedure for the determination of gubernatorial disability and confer jurisdiction upon the Supreme Court to determine all questions concerning succession; clarify the distinction between succeeding to the office of Governor when it becomes vacant and serving as Governor when the Governor is unable to discharge the duties of office by reason of disability; require election of Governor and Lieutenant Governor when a vacancy occurs in both offices prior to expiration of the first 20 months of a term; extend disability and succession provisions to cover a Governor-elect.

Adopted by voters in November, 1976.

Legislative/Executive Committee, Mr. John Skipton, chairman

Report No. 6, Appendix F, Page 222

3. Require declaration of election results of six elected state executive officials to be made to the next regular session of the General Assembly and removes obsolete provisions.

Adopted by voters in November, 1976

Elections and Suffrage Committee, Mrs. Katie Sowle, chairman

Report No. 7, Appendix G, Page 253

Article IV. JUDICIARY

1. Consolidate all trial courts into the Common Pleas Court and authorize the General Assembly to create additional courts with special subject-matter jurisdiction and statewide territorial jurisdiction; require the state to pay the expense of the judicial system; authorize the Supreme Court to provide for subject-matter divisions of Common Pleas Courts, other than probate, by rule subject to amendment or rejection by the General Assembly; require the Court to develop criteria and advise the General Assembly on the need for additional judges and changes in judicial districts; make other changes in the administration of the court system.

Judiciary Committee, Mr. Don Montgomery, chairman

Report No. 10, Appendix J, Page 371

2. Repeal requirement of a 2/3 legislative majority to increase or decrease the number of judges and to establish courts.

Legislative/Executive Committee, Mr. John Skipton, chairman

Judiciary Committee, Mr. Don Montgomery, chairman

Reports No. 1 and 10, Appendices A and J, Pages 96 and 371

3. Repeal obsolete provision which requires a 2/3 legislative majority to create a commission to dispose of accumulated business of the Supreme Court.

Rejected by voters in May, 1973

Included in two reports as Article IV, 2, above

Article V. ELECTIVE FRANCHISE

1. Reduce the voting age to 18, eliminate the six month state residency requirement and repeal the prohibition against voting by persons living on military reservations, all in accord with federal constitutional provisions or court decisions; repeal an obsolete and unnecessary section granting voters privilege from arrest, and clarify a section granting the General Assembly power to deny the privilege of voting or eligibility to office to any person convicted of a felony.

Adopted by the voters in June, 1976

Elections and Suffrage Committee, Mrs. Katie Sowle, chairman

Report No. 7, Appendix G, Page 253

2. Repeal a provision denying the franchise to idiots and insane persons, and substitute a provision granting the General Assembly power to deny the privileges of an elector to any person adjudicated mentally incompetent for the purpose of voting only during the period of such incompetency.

Elections and Suffrage Committee, Mrs. Katie Sowle, chairman

Report No. 7, Appendix G, Page 253

3. Repeal constitutional requirement for perfect rotation of candidates' names on the ballot and give the General Assembly flexibility to devise methods of giving candidates "reasonably equal treatment" on the ballot in a manner appropriate to the voting procedure used.

Adopted by the voters in November, 1975

Elections and Suffrage Committee, Mrs. Katie Sowle, chairman

Report No. 7, Appendix G, Page 253

Article VI. EDUCATION

No recommendations for amendments.

Education and Bill of Rights Committee, Mr. Joseph Bartunek, chairman

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Article VII. PUBLIC INSTITUTIONS

Repeal obsolete provisions relating to directors of the penitentiary and trustees of other benevolent institutions and filling vacancies in such offices.

What's Left Committee, Mr. Craig Aalyson, chairman
Final Report, Page 71

Article VIII. STATE DEBT and PUBLIC WORKS

1. Establish a constitutional debt formula, replacing the \$750,000 limit, based on an average of state revenues, by which the state, by a three-fifths (3/5) vote of the General Assembly, could incur debt for capital improvement purposes. The proposed formula would in effect limit the amount of money which could be spent to repay such debt to six per cent (6%) of the base, which is the average of the revenues of the state, as defined in the Constitution, for the then preceding two fiscal years. The proposed formula would also limit the amount of the principal of new debt which could be issued in any fiscal year to eight per cent (8%) of the base, and require that a specific part of the total be repaid every fiscal year.
 2. Continue the authority of the state to contract debt outside the debt limit to repel invasion, suppress insurrection, and defend the state in war.
 3. Authorize short-term borrowing by the state to meet appropriations and require that money borrowed for this purpose be repaid within the fiscal year in which it is borrowed.
 4. Require voter approval in a referendum for incurring debt outside the debt limit or for purposes other than capital improvements.
 5. Require the General Assembly to prescribe the methods and procedures for evidencing, refunding, and retiring state debt, and to provide for its full and timely payment and to perform certain functions of a technical nature in connection with the state's bonded debt, and impose certain duties on the Treasurer of State in regard to it.
 6. Permit that state debt be contracted, and the credit of the state be extended, only for a public purpose declared by the General Assembly in the law authorizing such debt or use of credit.
 7. Continue the authority of the state to issue revenue bonds in the manner and for the purposes enumerated in present Section 2i of Article VIII.
 8. Continue to prohibit local governmental entities in this state from becoming stockholders in, raise money for, or lending credit to, a joint stock company, corporation or association unless permitted to do so by law.
 9. Repeal specific debt-authorizing sections, many of which are now obsolete.
 10. Repeal unnecessary provisions relating to the Sinking Fund and the Commissioners of the Sinking Fund.
- Finance and Taxation Committee, Mr. Nolan Carson, chairman
Report No. 2, Appendix B, Page 150
11. Repeal the provision relating to the Superintendent of Public Works.
 12. Expand the purposes for which the state may issue industrial development bonds, to include situations in which the issuance of such bonds helps to preserve existing jobs in Ohio. Also, the present prohibition against

the issuance of such bonds for public utilities would be modified to the extent of permitting issuance of such bonds for public utilities for the purpose of financing facilities used primarily for pollution control.

Adopted by the voters in November, 1974

Finance and Taxation Committee, Mr. Nolan Carson, chairman

Report No. 2, Appendix B, Page 150

Article IX. MILITIA

No recommendations for amendments.

What's Left Committee, Mr. Craig Aalyson, chairman

Final Report, Page 72

Article X. COUNTIES AND TOWNSHIPS

1. Enact a section giving Ohio counties limited powers of local self-government. The proposal gives counties the power to adopt and enforce local self-government measures within the county, including local police and sanitary regulations, permits the General Assembly to limit, by general law, the local self-government powers of counties; prohibits counties from adopting measures that are at variance with general laws enacted by the legislature; provides that, in case of conflict with the exercise of powers by a municipal corporation in the county, the municipal corporation would prevail over the county; prohibits counties from levying taxes unless specifically authorized by the General Assembly.
2. Amend section providing the procedures for elections of county charter commissions and the framing and submission to the electors of proposed county charters and amendments; reduce the number of required petition signatures from 10% to 6%; establish procedures for submitting a proposed charter or amendment to the board of elections for determination of sufficiency of signatures and placement on the ballot; specifically permit public office holders to be members of charter commissions, specify the vote necessary by the commission for submission of a proposed charter or amendment; establish procedures for repeal of a charter; permit a charter commission to resubmit or revise and resubmit, one time only, a charter that had been defeated at the polls, and make other changes to clarify and simplify procedures.
3. Permit the General Assembly to classify counties by general law for purposes of organization and government. The purposes of each classification must be set forth in the law creating the classification, and no classification may contain less than two counties or more than four classes of counties.
4. Permit a county charter, regardless of its provisions, to become effective if adopted by a majority of the voters voting thereon in the county. The present requirements for other majorities depending on the provisions in the charter would be removed.

Local Government Committee, Mrs. Linda Orfirer, chairman

Report No. 8, Appendix H, Page 278

Article XI. APPORTIONMENT

No recommendations for amendment

What's Left Committee, Mr. Craig Aalyson, chairman

Final Report, Page 74

Article XII. TAXATION

1. Require state to pay principal, as well as interest, on state debt as due; add references to estate tax, as well as inheritance tax, in relevant constitutional sections.
2. Consolidate into one section separate sections authorizing the General Assembly to levy income, inheritance (estate), franchise taxes, and prohibiting an excise tax on food for human consumption off the premises where sold; remove the limitation of \$20,000 as the maximum amount of exemption permitted under the estate law.

Adopted by the voters in June, 1976

Finance and Taxation Committee, Mr. Nolan Carson, chairman

Report No. 4, Appendix D, Page 192

3. Repeal debt prohibition

Finance and Taxation Committee, Mr. Nolan Carson, chairman
Report No. 2, Appendix B, Page 150

4. Revises the "indirect debt limit" which presently prohibits bonded indebtedness from being incurred or renewed by the state or any political subdivision unless the legislation provides for levying and collecting, annually, by taxation an amount sufficient to pay the interest and to provide a sinking fund for the redemption of bonds at maturity. The "indirect debt limit" has arisen by court interpretation of Section 2 of Article XII, prohibiting levying ad valorem property taxes in excess of one percent of property value without a vote of the people in the taxing district, read in conjunction with Section 11 of Article XII, to limit the bonded indebtedness of the state or subdivision to within one percent of property value (10 mills). The proposal continues the guarantee of Section 11, requiring timely payment of principal and interest on general obligation debt, and requires money to be set aside from lawfully available moneys of the subdivisions sufficient amounts for payment if sufficient provision is not made. Reference to the state is eliminated from the section since the present constitutional debt limit is a sufficient barrier to the state incurring debt; the sinking fund requirement is eliminated, since most bonds today are serial bonds. The proposal would specifically state that the tax limitation of Section 2 is not a debt limit and reinforces the provision that the General Assembly may provide for political subdivision debt limitations, and specifically states that the new section does not authorize the levy of any ad valorem property tax other than as authorized by Section 2 of Article XII, without a vote of the people, thereby prohibiting violation of the one percent tax limit by construction of the new section.

Rejected by the voters in June, 1976

Local Government Committee, Mrs. Linda Orfirer, chairman
Report No. 5, Appendix E, Page 219

Article XIII. CORPORATIONS

1. Replace corporation sections in Article XIII with a single section to be placed in Article XV, simplifying language and removing unnecessary provisions from the Constitution.

What's Left Committee, Mr. Craig Aalyson, chairman
Final Report, Page 81

2. Remove specific provision that jury to try corporation right-of-way cases must be "of twelve men".

Education and Bill of Rights Committee, Mr. Joseph Bartunek, chairman
Report No. 11, Appendix K, Page 437

3. Repeal section relating to municipal corporations and include provisions in Article XVIII.

Local Government Committee, Mrs. Linda Orfirer, chairman
Report No. 8, Appendix H, Page 278

Article XV. MISCELLANEOUS

1. Repeal of sections 2, 5, and 8 to eliminate obsolete and unnecessary provisions. Section 2 granted authority to contract public printing to the lowest responsible bidder or to have it done directly in the manner prescribed by law, and required all stationery and supplies to be purchased as provided by law. Section 5 prohibited duelists from holding public office. Section 8 granted authority to establish a bureau of statistics in the office of the Secretary of State.

Adopted by the voters in November, 1976

Legislative/Executive Committee, Mr. John Skipton, chairman
Report No. 6, Appendix F, Page 222

2. Require a person appointed to office to become a resident of the state when assuming the office and eliminate requirement that an appointee be an elector when appointed.

What's Left Committee, Mr. Craig Aalyson, chairman
Final Report, Page 87

Article XVI. AMENDMENTS TO THE CONSTITUTION

1. Create an Ohio Ballot Board to draft the ballot language and explanations for constitutional amendments submitted to the voters by the General Assembly, and require the language on the ballot, which need not contain the entire text or a condensed text of the proposal, to properly identify the substance of the proposal.
2. Require the General Assembly to file constitutional amendments with the Secretary of State at least 90 days before the election at which they are to be submitted and require the Ballot Board to prepare and file the ballot language and an explanation of the proposal with the Secretary of State 75 days before the election.
3. Give the Ohio Supreme Court exclusive, original jurisdiction in cases challenging the adoption or submission of a constitutional amendment to the voters and limit the time within which such suits can be brought.
4. Provide for preparation of arguments for and against proposed constitutional amendments and for publication in newspapers for three weeks prior to the election.
5. Require the General Assembly to provide for other dissemination of information about proposed amendments.

Adopted by the voters in May, 1974

Elections and Suffrage Committee, Mrs. Katie Sowle, chairman

Report No. 3, Appendix C, Page 187

Article XVII. ELECTIONS

Repeal provisions regarding terms of office and filling of vacancies in executive, legislative, and judicial offices that are duplicated elsewhere or obsolete, and remove ambiguous language in order to clarify the provision that the Governor does not fill a vacancy in the office of the Lieutenant Governor.

Adopted by the voters in June, 1976

Elections and Suffrage Committee, Mrs. Katie Sowle, chairman

Report No. 7, Appendix G, Page 253

Article XVIII. MUNICIPAL CORPORATIONS

1. Make changes in the municipal charter sections similar to those in the county charter section with respect to procedure for repeal of charters, to permit public office holders to serve on charter commissions, to permit resubmission of a defeated charter one time, to reduce the percentage of petition signatures from 10% to 6% to place a charter commission question on the ballot, and other changes to clarify language, and to remove ambiguities.
2. Permit the issuance of municipal utility bonds to improve the utility, in addition to its present authority to use such bonds for acquisition, construction and extension; permit issuance of anticipatory notes; permit the sale of transportation or solid waste management utility services outside the municipal boundaries without limit, and make optional instead of mandatory the mortgage and franchise aspects of the bonds. The proposal allows refunding of notes or bonds, including general obligation bonds, by revenue bonds.
3. Eliminate duplication from the constitution concerning the power of the legislature to control municipal taxes and debts.
4. Add to the constitutional requirement that the General Assembly provide by general law for the incorporation and government of municipal boundaries, provision for consolidation, division, dissolution, and alteration of boundaries in cities and villages.
5. Rearrange sections to place in logical order.

Local Government Committee, Mrs. Linda Orfirer, chairman

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RECOMMENDATIONS NOT PREVIOUSLY REPORTED

Article I, Section 5

Trial by Jury

Present Constitution

Section 5. The right of trial by jury shall be inviolate, except that, in civil cases, laws may be passed to authorize the rendering of a verdict by the concurrence of not less than three-fourths of the jury.

Commission Recommendation

The Commission recommends no change in this section.

Comment

This section was adopted in its present form in 1912, when the provision allowing the passage of laws authorizing a verdict by not less than three-fourths of the jury in civil cases was added. The section was reviewed by the Bill of Rights Committee, which recommended no changes in it. The Committee to Study the Grand Jury and Civil Trial Juries reviewed the section only with respect to civil juries and considered whether the jury size should be stated in the Constitution, whether non-unanimous verdicts should be permitted, and whether the Constitution should specify a minimum dollar amount below which civil cases are not eligible for jury trial, as the Federal Constitution does. Also discussed were the status of a court's power (particularly the power of a court of appeals) to change the dollar amount of a jury verdict in a case involving unliquidated damages, where the only issue is that the verdict is either inadequate or excessive. Discussed in connection with "ideal" jury size was the possible relationship between jury size and the outcome of a case.

Civil jury size in Ohio ("eight members unless the demand specifies a lesser number"), and except in one circumstance in which such size is specified by the Constitution, is set forth in Civil Rule 38(B), and the special majority requirement is recognized in Civil Rule 48.

Suggestions for change ranged from one that trial juries be abolished (because jurors at times do not do in practice what they are supposed to do in theory and because juries are viewed by some as wasteful of time and money) to one that perhaps even more types of cases should be tried by juries than at present (because jurors most often represent a cross-section of, and the good sense of, the community). There was some evidence presented that jury size may have an effect on outcome in that larger juries appear to be less extreme in their verdicts. Upon consideration, the Commission concluded that the available evidence is insufficient to warrant a recommendation to limit the use of the jury, to change jury size, to abolish the authority for a less than unanimous verdict in civil cases, or to change the locus of the power to determine civil jury size.

Related to the right to trial by jury guaranteed by Section 5 of Article I is the prohibition, in Section 19a of the same article, against a limit on the amount of damages recoverable for wrongful death. Consideration of the implications of Section 19a led to a broader discussion both in the committee and in the Commission, of the desirability of state constitutional provisions which would: (1) permit the General Assembly, by law, to limit the amount of damages recoverable in a civil action (such as product liability or malpractice); 2) permit an appellate court to alter the amount of a jury verdict which is inadequate or excessive; or 3) permit the General Assembly, by law, to limit or abolish the recovery of punitive damages. With respect to the limitation or abolition of punitive damages, research indicates that this would probably be possible now, without the need for a constitutional amendment. With respect to the limitation of damages recoverable in a civil action, the present state of the case law does not permit a definitive answer, although there does not appear to be a federal constitutional block against it. With respect to granting the appellate court power to alter the size of a jury verdict in a case involving unliquidated damages where the only error is the amount of such verdict, it is possible that such a provision might be held to contravene, or be inconsistent with, the right to jury trial and to due process. While the Commission recognizes these as problem areas and appreciates the valid concerns expressed with regard to them, the Commission also believes that a proper resolution of the questions raised demands more research

and deliberation than the Commission was able to devote to them. Therefore, it makes no recommendation on Section 19a of Article I or the desirability of constitutional provisions such as enumerated above. The Commission does suggest, however, that further study of these areas by the General Assembly would be appropriate.

The committee received additional suggestions relating to juries, including one to limit the amount of investigation of prospective jurors attorneys are permitted to do prior to voir dire, in order to prevent the selection of a jury which is favorably disposed one way or the other at the beginning of a trial; and to give the trial judge the dominant role in the voir dire examination, on the theory that the judge will be more thorough and less biased than counsel for the parties. It was concluded that while these suggestions have merit as topics of discussion, whether or not they are implemented should be left to statute or court rule.