

Inquiry Design Model (IDM) Blueprint™

Compelling Question	Do Constitutional amendments make governments better?	
Standards and Practices	OH.HSGov. 16. As a framework for the state, the Ohio Constitution has similarities and differences to the federal Constitution; it was changed in 1851 to address difficulties governing the state.	
Staging the Question	Students will read the summary paragraph on the Ohio Loan Law of 1837 and an article from the <i>Cincinnati Inquirer</i> on ALEC and corporate-sponsored legislation. Lead a discussion on whether Ohio faces the same problem—corporate interest in public policy—now as it did in the mid-19 th century. Does Ohio need a constitutional amendment to address ALEC, as it enacted in 1851 to address the rising public debt as a result of lending state funds to corporations?	
Supporting Question 1	Supporting Question 2	Supporting Question 3
How did the 1851 Constitution address the governance challenges that led to the 1850 Convention?	What significant amendments have been made to the 1851 Constitution to modify the form or function of the Ohio Government?	Are there present-day challenges facing Ohio that you believe should be addressed through constitutional amendments?
Formative Performance Task	Formative Performance Task	Formative Performance Task
Construct a chart that lists, on one side, the governance challenges that led to the 1850 Convention and, on the other, the way that the 1851 Constitution addressed them.	Make an annotated timeline of the major amendments to the Ohio Constitution since 1851.	During a class discussion of challenges facing Ohio, categorize each as high priority, low priority, or no-priority. Provide a rationale for each choice.
Featured Sources	Featured Sources	Featured Sources
<p>A: “Reasons why the People should vote for a Convention to amend the Constitution of Ohio” (introduction and sections 3 and 6)</p> <p>B: Excerpt from Article II, 1851 Ohio Constitution (included below)</p> <p>C: Maps of Ohio counties: 1802 vs. 1845</p> <p>D: Excerpts from Article IV, 1851 Ohio Constitution (included below)</p> <p>E: Excerpt from Article VIII, 1851 Ohio Constitution (included below)</p>	<p>F: Article XVI, “Methods of Submitting Amendments to the Constitution” (1912; PDF pages 12-13)</p> <p>G: Amendment to the Ohio Constitution (1912) to ensure workers’ rights (included below)</p> <p>H: Amendment to the Ohio Constitution (1912) to adopt initiative and referendum (included below)</p> <p>I: Amendment to the Ohio Constitution (last amended 1973) to delineate governor’s veto power (included below)</p> <p>J: 2018 Ohio Issues Report, Congressional Redistricting Procedures Amendment</p> <p>K: “Ohio’s Constitutional growth through the decades”</p>	<p>L: DeRolph IV Ohio Supreme Court Decision (Majority opinion and Justice Resnick’s concurrence)</p> <p>M: 2014 Ohio Judicial Elections Survey (U. Akron)</p> <p>N: “Editorial: Spruce up the outdated Ohio Constitution” (below)</p> <p>O: “Ohio’s voter registration purge targeted thousands in error. Now, a call for change.”</p> <p style="text-align: center;">Additional sources TBD by students</p>
Summative Performance Task	Argument	In a four-minute presentation, using supporting evidence, a panel of 3-5 students will answer as a group whether constitutional amendments make governments better. After the four-minute presentation, students will then answer follow up questions for six

		minutes from a panel of judges that will further inquire into the students' knowledge and comprehension on this topic.
	Extension	Create an infographic or similar visual media (e.g. Public Service Announcement, explainer video, etc.) that would explain to a lay person the ways in which constitutional amendments do or don't make for a better government.
Taking Informed Action	<p>Assess: Refer back to the list of present-day challenges facing Ohio. Determine whether any of these challenges could/should be addressed via a constitutional amendment.</p> <p>Act: Write an opinion piece for the local newspaper advocating for or against a new constitutional convention to address the issues you identify as important (if any).</p>	

Staging the Question

In March 1837, the Ohio legislature passed the Ohio Loan Law of 1837. The legislation was designed to improve infrastructure in the state, primarily through the building of canals as well as railroads. It allowed the state government to lend one-third of the cost of building to private companies, provided that the company had already raised the other two-thirds, in hopes of enticing companies to bring their business to Ohio. Canals and railroads, the legislature believed, would have a positive impact on the state economy because it would increase manufacturing and bring in revenue.

However, the legislation ultimately proved ineffective in its purpose of building more canals in the state, and it led to an explosion in the state debt. Most of the money went to railroad contracts, which were direct competitors with canals. The state loaned more money than it had in its treasury, and by the 1840s, state debt had increased to nearly \$20 million. Because of these effects, the Ohio Loan Law of 1837 was dubbed the "Plunder Law" by its critics.

Source B:

Article II, Legislative

Section 1. The legislative power of this state shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

Sec. 2. Senators and Representatives shall be elected biennially, by the electors in the respective counties or districts, on the second Tuesday of October; their term of office shall commence on the first day of January next thereafter, and continue two years.

[...]

Sec. 27. The election and appointment of all officers and the filling of vacancies not otherwise provided for by this Constitution, or the Constitution of the United States, shall be made in such a manner as may be directed by law; but no appointing power shall be exercised by the General Assembly, except as prescribed in this Constitution, and in the election of the United States senators; and in these cases the vote shall be taken "*viva voce*."

Source D:

Article IV, Judicial

Section 1. The judicial power of the state shall be vested in a supreme court, in district courts, courts of common pleas, courts of probate, justices of the peace, and in such other courts inferior to the supreme court, in one or more counties, as the General Assembly may, from time to time, establish.

Sec. 2. The supreme court shall consist of five judges, a majority of whom shall be necessary to form a quorum, or pronounce a decision. It shall have original jurisdiction in quo warranto, mandamus, habeas corpus, and procedendo, and such appellate jurisdiction as may be provided by law. It shall hold at least one term, in each year, at the seat of government or elsewhere, as may be provided by law. The judges of the supreme court shall be elected by the electors of the state at large.

Source F:

Article VIII: Public Debt and Public Works

Public debt; limit of deficit spending by state.

Section 1. The State may contract debts, to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars; and the money, arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

Source G

Sec. 34. Laws may be passed fixing and regulating the hours of labor, establishing a minimum wage, and providing for the comfort, health, safety and general welfare of all employes [sic]; and no other provision of the constitution shall impair or limit this power.

Sec. 35. Sec. 35. For the purpose of providing compensation to workmen and their dependents, for death, injuries or occupational diseases, occasioned in the course of such workmen's employment, laws may be United passed establishing a state fund to be created by compulsory contribution thereto by employers, and administered by the state, determining the terms and conditions upon which payments shall be made therefrom, and taking away any or all rights of action or defenses from employes [s] and employers; but no right shall be taken away from any employe [sic] when the injury, disease or death arises from failure to comply with any lawful requirement for the protection of the lives, health and safety of employes [sic]. Laws may be passed establishing a board which may be empowered to classify all occupations, according to their degree of hazard, to fix rates of contribution to such fund according to such classification, and to collect, administer and distribute such fund, and to determine all rights of claimants thereto.

Sec. 37. Except in cases of extraordinary emergency, not to exceed eight hours shall constitute a day's work, and not to exceed forty-eight hours a week's work, for workmen engaged on any public work carried on or aided by the state, or any political subdivision thereof, whether done by contract or otherwise.

Source H

Initiative and referendum to amend constitution.

Section 1a. The first aforesaid power reserved by the people is designated the initiative, and the signatures of ten per centum of the electors shall be required upon a petition to propose an amendment to the constitution. When a petition signed by the aforesaid required number of electors, shall have been filed with the secretary of state, and verified as herein provided, proposing an amendment to the constitution, the full text of which shall have been set forth in such petition, the secretary of state shall submit for the approval or rejection of the electors, the proposed amendment, in the manner hereinafter provided, at the next succeeding regular or general election in any year occurring subsequent to one hundred twenty-five days after the filing of such petition. [...] (1912, am. 2008)

Initiative and referendum to enact laws.

Section 1b. When at any time, not less than ten days prior to the commencement of any session of the General Assembly, there shall have been filed with the secretary of state a petition signed by three per centum of the electors and verified as herein provided, proposing a law, the full text of which shall have been set forth in such petition, the secretary of state shall transmit the same to the General Assembly as soon as it convenes. If said proposed law shall be passed by the General Assembly, either as petitioned for or in an amended form, it shall be subject to the referendum. If it shall not be passed, or if it shall be passed in an amended form, or if no action shall be taken thereon within four months from the time it is received by the General Assembly, it shall be submitted by the secretary of state to the electors for their approval or rejection, if such submission shall be demanded by supplementary petition verified as herein provided and signed by not less than three per centum of the electors in addition to those signing the original petition, which supplementary petition must be signed and filed with the secretary of state within ninety days after the proposed law shall have been rejected by the General Assembly or after the expiration of such term of four months, if no action has been taken thereon, or after the law as passed by the General Assembly shall have been filed by the governor in the office of the secretary of state. The proposed law shall be submitted at the next regular or general election occurring subsequent to one hundred twenty-five days after the supplementary petition is filed in the form demanded by such supplementary petition which form shall be either as first petitioned for or with any amendment or amendments which may have been incorporated therein by either branch or by both branches, of the General Assembly. If a proposed law so submitted is approved by a majority of the electors voting thereon, it shall be the law and shall go into effect as herein provided in lieu of any amended form of said law which may have been passed by the General Assembly, and such amended law passed by the General Assembly shall not go into effect until and unless the law proposed by supplementary petition shall have been rejected by the electors. ... Any proposed law or amendment to the constitution submitted to the electors as provided in section 1a and section 1b, if approved by a majority of the electors voting thereon, shall take effect thirty days after the election at which it was approved and shall be published by the secretary of state. If conflicting proposed laws or conflicting proposed amendments to the constitution shall be approved at the same election by a majority of the total number of votes cast for and against the same, the one receiving the highest number of affirmative votes shall be the law, or in the case of amendments to the constitution shall be the amendment to the constitution. No law proposed by initiative petition and approved by the electors shall be subject to the veto of the governor. (1912, am. 2008)

Referendum to challenge laws enacted by General Assembly.

Section 1c. The second aforesaid power reserved by the people is designated the referendum, and the signatures of six per centum of the electors shall be required upon a petition to order the submission to the electors of the state for their approval or rejection, of any law, section of any law or any item in any law appropriating money passed by the General Assembly. No law passed by the General Assembly shall go into effect until ninety days after it shall have been filed by the governor in the office of the secretary of state, except as herein provided. When a petition, signed by six per centum of the electors of the state and verified as herein provided, shall have been filed with the secretary of state within ninety days after any law shall have been filed by the governor in the office of the secretary of state, ordering that such law, section of such law or any item in such law appropriating money be submitted to the electors of the state for their approval or rejection, the secretary of state shall submit to the electors of the state for their approval or rejection such law, section or item, in the manner herein provided, at the next succeeding regular or general election in any year occurring subsequent to one hundred twenty-five days after the filing of such petition, and no such law, section or item shall go into effect until and unless approved by a majority of those voting upon the same. If, however, a referendum petition is filed against

any The Constitution of the State of Ohio 9 such section or item, the remainder of the law shall not thereby be prevented or delayed from going into effect. (1912, am. 2008)

Source I

II.16 Bills to be signed by governor; veto

If the governor approves an act, he shall sign it, it becomes law and he shall file it with the secretary of state.

If he does not approve it, he shall return it with his objections in writing, to the house in which it originated, which shall enter the objections at large upon its journal, and may then reconsider the vote on its passage. If three-fifths of the members elected to the house of origin vote to repass the bill, it shall be sent, with the objections of the governor, to the other house, which may also reconsider the vote on its passage. If three-fifths of the members elected to the second house vote to repass it, it becomes law notwithstanding the objections of the governor, and the presiding officer of the second house shall file it with the secretary of state. In no case shall a bill be repassed by a smaller vote than is required by the constitution on its original passage. In all cases of reconsideration the vote of each house shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered upon the journal.

If a bill is not returned by the governor within ten days, Sundays excepted, after being presented to him, it becomes law in like manner as if he had signed it, unless the general assembly by adjournment prevents its return; in which case, it becomes law unless, within ten days after such adjournment, it is filed by him, with his objections in writing, in the office of the secretary of state. The governor shall file with the secretary of state every bill not returned by him to the house of origin that becomes law without his signature.

The governor may disapprove any item or items in any bill making an appropriation of money and the item or items, so disapproved, shall be void, unless repassed in the manner prescribed by this section for the repassage of a bill.

(Amended, effective May 8, 1973; HJR No.5.)