

**IN THE SUPREME COURT OF OHIO**

<b>The Ohio Manufacturers' Association, et al.,</b>	:	
	:	
<b>Relators,</b>	:	<b>Case No. 2016-0313</b>
	:	
<b>v.</b>	:	<b>Original Action Under Article II,</b>
	:	<b>Section 1g of the Ohio Constitution</b>
<b>Ohioans for Drug Price Relief Act, et al.,</b>	:	
	:	
<b>Respondents.</b>	:	

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**APPENDIX 9  
TO  
RELATORS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

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Kurtis A. Tunnell (0038569)  
*Counsel of Record*  
Anne Marie Sferra (0030855)  
Nelson M. Reid (0068434)  
James P. Schuck (0072356)  
BRICKER & ECKLER LLP  
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*Counsel for Relators*

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Ohio Attorney General  
  
Steven T. Voigt (0092879)  
Senior Assistant Attorney General  
Brodi J. Conover (0092082)  
Assistant Attorney General  
Constitutional Offices Section  
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*Counsel for Respondent Secretary Jon Husted*

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*Counsel for Respondents William S. Booth,  
Daniel L. Darland, Tracy L. Jones, and  
Latonya D. Thurman*

Exhibit No.

Affidavit of David Hasman.....E  
Exhibit 3 – Kacey Veliquette Part-Petitions for Trumbull and Wood Counties

Respectfully submitted,

/s/ Anne Marie Sferra  
Kurtis A. Tunnell (0038569)  
*Counsel of Record*  
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Nelson M. Reid (0068434)  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served via electronic mail on

May 13, 2016 upon:

MICHAEL DeWINE  
Ohio Attorney General

Steven T. Voigt  
Senior Assistant Attorney General  
Brodi J. Conover  
Assistant Attorney General  
Constitutional Offices Section  
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*Counsel for Respondents William S. Booth, Daniel L. Darland, Tracy L. Jones, and Latonya D. Thurman*

/s/ Anne Marie Sferra \_\_\_\_\_  
Anne Marie Sferra (0030855)

**Exhibit 3 to**  
**Affidavit of David Hasman (cont'd)**

**(Kacey Veliquette Part-Petitions)**  
**(Trumbull and Wood Counties)**

**Kacey Veliquette**  
**Trumbull County Part-Petitions**



## CERTIFICATION OF ATTORNEY GENERAL

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed law.

MIKE DeWINE  
Ohio Attorney General  
August 3, 2015

## COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

William S. Booth  
1243 Wilson Dr.  
Dayton, Ohio 45402

Daniel L. Darland  
3811 N. Main St.  
Dayton, Ohio 45405

Tracy L. Jones  
5903 Bear Creek Dr.  
Bedford Heights, Ohio 44146

Latonya D. Thurman  
2618 N. Cassady Ave.  
Columbus, Ohio 43219

**NOTICE**

**Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.**

**MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS**

**(Sign with ink. Your name, residence, and date of signing must be given.)**

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
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(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

1. Signature <i>Hunter King</i>	Print First Name	Hunter	Initial	HK
	Print Last Name	King		

Address on file with the Board of Election  
495 Salt Springs Rd

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Lordstown		44481	Trumbull	9/29/15

2. Signature <i>Alison Gray</i>	Print First Name	Alison	Initial	
	Print Last Name	Gray		

Address on file with the Board of Election  
518 Bonnie Brae

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Niles		44440	Trumbull	9/29/15

3. Signature <i>John Massacci</i>	Print First Name	John	Initial	JM
	Print Last Name	Massacci		

Address on file with the Board of Election  
347 Adelaide SE

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Warren		44483	Trumbull	9-29-15

4. Signature <i>David Chambers</i>	Print First Name	David	Initial	
	Print Last Name	Chambers		

Address on file with the Board of Election  
~~2024~~ 2024 Celestia Dr

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Warren		44464	Trumbull	9-29-15

5. Signature <i>Anna Chirchic</i>	Print First Name	Anna	Initial	AC
	Print Last Name	Chirchic		

Address on file with the Board of Election  
193 Grove Drive

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Cortland		44410	Trumbull	09-29-15

6. Signature <i>Rebecca Barry</i>	Print First Name	Rebecca	Initial	A
	Print Last Name	Barry		

Address on file with the Board of Election  
7754 Ridge Rd

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Farmdale		44417	Trumbull	09/29/15

7. Signature <i>Jordan Penton</i>	Print First Name	Jordan	Initial	A
	Print Last Name	Penton		

Address on file with the Board of Election  
955 Center St W

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Warren		44481	Trumbull	9/29/15

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8. Signature <i>Nyla Henderson</i>	Print First Name <i>Nyla</i>	Initial <i>E</i>
	Print Last Name <i>HENDERSON</i>	

Address on file with the Board of Election  
*3440 BREEZE KNOX DRIVE*

City/Village/Township <i>Youngstown</i>	Ward/Precinct	Zip Code <i>44505</i>	County <i>Trumbull</i>	Date of Signing <i>9-29-15</i>
--	---------------	--------------------------	---------------------------	-----------------------------------

9. Signature <i>Michael Jastak</i>	Print First Name <i>Michael</i>	Initial <i>MJ</i>
	Print Last Name <i>JASTAK</i>	

Address on file with the Board of Election  
*2402 SLEEP HOLLOW DR. NE*

City/Village/Township <i>Warren</i>	Ward/Precinct	Zip Code <i>44404</i>	County <i>Trumbull</i>	Date of Signing <i>10/01/15</i>
--	---------------	--------------------------	---------------------------	------------------------------------

10. Signature <i>Steven Garland</i>	Print First Name <i>Steven</i>	Initial <i>SG</i>
	Print Last Name <i>Garland</i>	

Address on file with the Board of Election  
*403 Garfield Ave*

City/Village/Township <i>McDonald</i>	Ward/Precinct	Zip Code <i>44437</i>	County <i>Trumbull</i>	Date of Signing <i>10/01/15</i>
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11. Signature <i>Anne K</i>	Print First Name <i>Anne</i>	Initial <i>K</i>
	Print Last Name <i>KOJX</i>	

Address on file with the Board of Election  
*500 Helen Oakes Drive*

City/Village/Township <i>Kent</i>	Ward/Precinct	Zip Code <i>44420</i>	County <i>Portage</i>	Date of Signing <i>October 1st</i>
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12. Signature <i>Kyle Tingle</i>	Print First Name <i>Kyle</i>	Initial <i>KT</i>
	Print Last Name <i>Tingle</i>	

Address on file with the Board of Election  
*426 Brown St*

City/Village/Township <i>Niles</i>	Ward/Precinct	Zip Code <i>44446</i>	County <i>Trumbull</i>	Date of Signing <i>10/11/15</i>
---------------------------------------	---------------	--------------------------	---------------------------	------------------------------------

13. Signature <i>Nicholas Naples</i>	Print First Name <i>Nicholas</i>	Initial
	Print Last Name <i>NAPLES</i>	

Address on file with the Board of Election  
*2125 Blapp Drive*

City/Village/Township <i>Cortland</i>	Ward/Precinct	Zip Code <i>44410</i>	County <i>USA Trumbull</i>	Date of Signing <i>10/01/15</i>
--	---------------	--------------------------	-------------------------------	------------------------------------

14. Signature <i>Haley Brannen</i>	Print First Name <i>Haley</i>	Initial
	Print Last Name <i>Brannen</i>	

Address on file with the Board of Election  
*22 Oak Tree Lane*

City/Village/Township <i>Hawland</i>	Ward/Precinct	Zip Code <i>44484</i>	County <i>Trumbull</i>	Date of Signing <i>10/11/15</i>
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15. Signature	Print First Name		Initial
	Print Last Name		
Address on file with the Board of Election			
City/Village/Township	Ward/Precinct	Zip Code	County
			Date of Signing

16. Signature	Print First Name		Initial
	Print Last Name		
Address on file with the Board of Election			
City/Village/Township	Ward/Precinct	Zip Code	County
			Date of Signing

17. Signature	Print First Name		Initial
	Print Last Name		
Address on file with the Board of Election			
City/Village/Township	Ward/Precinct	Zip Code	County
			Date of Signing

18. Signature	Print First Name		Initial
	Print Last Name		
Address on file with the Board of Election			
City/Village/Township	Ward/Precinct	Zip Code	County
			Date of Signing

19. Signature	Print First Name		Initial
	Print Last Name		
Address on file with the Board of Election			
City/Village/Township	Ward/Precinct	Zip Code	County
			Date of Signing

20. Signature	Print First Name		Initial
	Print Last Name		
Address on file with the Board of Election			
City/Village/Township	Ward/Precinct	Zip Code	County
			Date of Signing

21. Signature	Print First Name		Initial
	Print Last Name		
Address on file with the Board of Election			
City/Village/Township	Ward/Precinct	Zip Code	County
			Date of Signing



## FULL TEXT OF LAW

Be it Enacted by the People of the State of Ohio that the following chapter and section are added to Title I of the Revised Code.

### **Chapter 194: Drug Price Relief**

#### **Section 194.01**

##### **(A) Title.**

This Act shall be known as "The Ohio Drug Price Relief Act" (the "Act").

##### **(B) Findings and Declarations.**

The People of the State of Ohio hereby find and declare all of the following:

- (1) Prescription drug costs have been, and continue to be, one of the greatest drivers of rising health care costs in Ohio.
- (2) Nationally, prescription drug spending increased more than 800 percent between 1990 and 2013, making it one of the fastest growing segments of health care.
- (3) Spending on specialty medications, such as those used to treat HIV/AIDS, Hepatitis C, and cancers, are rising faster than other types of medications. In 2014 alone, total spending on specialty medications increased by more than 23 percent.
- (4) The pharmaceutical industry's practice of charging inflated drug prices has resulted in pharmaceutical company profits exceeding those of even the oil and investment banking industries.
- (5) Inflated drug pricing has led to drug companies lavishing excessive pay on their executives.
- (6) Excessively priced drugs continue to be an unnecessary burden on Ohio taxpayers that ultimately results in cuts to health care services and providers for people in need.
- (7) Although Ohio has engaged in efforts to reduce prescription drug costs through rebates, drug manufacturers are still able to charge the State more than other government payers for the same medications, resulting in a dramatic imbalance that must be rectified.
- (8) If Ohio is able to pay the same prices for prescription drugs as the amounts paid by the United States Department of Veterans Affairs, it would result in significant savings to Ohio and its taxpayers. This Act is necessary and appropriate to address these public concerns.

##### **(C) Purposes and Intent.**

The People of the State of Ohio hereby declare the following purposes and intent in enacting this Act:

- (1) To enable the State of Ohio to pay the same prices for prescription drugs as the prices paid by the United States Department of Veterans Affairs, thus rectifying the imbalance among government payers.
- (2) To enable significant cost savings to Ohio and its taxpayers for prescription drugs, thus helping to stem the tide of rising health care costs in Ohio.
- (3) To provide for the Act's proper legal defense should it be adopted and thereafter challenged in court.

**(D) Drug Pricing.**

- (1) Notwithstanding any other provision of law and insofar as may be permissible under federal law, neither the State of Ohio, nor any state department, agency or other state entity, including, but not limited to, the Ohio Department of Aging, the Ohio Department of Health, the Ohio Department of Insurance, the Ohio Department of Jobs and Family Services, and the Ohio Department of Medicaid, shall enter into any agreement with the manufacturer of any drug for the purchase of a prescribed drug or agree to pay, directly or indirectly, for a prescribed drug, unless the net cost of the drug, inclusive of cash discounts, free goods, volume discounts, rebates, or any other discounts or credits, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (2) The price ceiling described in subsection (1) above also shall apply to all programs where the State of Ohio or any state department, agency or other state entity is the ultimate payer for the drug, even if it did not purchase the drug directly. This includes, but is not limited to, the Ohio Best Rx Program and the Ohio HIV Drug Assistance Program. In addition to agreements for any cash discounts, free goods, volume discounts, rebates, or any other discounts or credits already in place for these programs, the responsible department, agency or entity shall enter into additional agreements with drug manufacturers for further price reductions so that the net cost of the drug, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (3) All state departments, agencies and other state entities that enter into one or more agreements with the manufacturer of any drug for the purchase of prescribed drugs or agreement to pay directly or indirectly for prescribed drugs shall implement this section no later than July 1, 2017.
- (4) Each such department, agency or other state entity, may adopt administrative rules to implement the provisions of this section and may seek any waivers of federal law, rule, or regulation necessary to implement the provisions of this section.
- (5) The General Assembly shall enact any additional laws and the Governor shall take any additional actions required to promptly carry out the provisions of this section.

**(E) Liberal Construction.**

This Act shall be liberally construed to effectuate its purpose.

**(F) Severability.**

If any provision of this Act, or part thereof, or the applicability of any provision or part to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. If this Act and another law are approved by the voters at the same election with one or more conflicting provisions and this Act receives fewer votes, the non-conflicting provisions of this Act shall go into effect.

**(G) Legal Defense.**

If any provision of this Act is challenged in court, it shall be defended by the Attorney General of Ohio. The People of Ohio, by enacting this Act, hereby declare that the committee of individuals responsible for the circulation of the petition proposing this Act ("the Proponents") have a direct and personal stake in defending this Act from constitutional or other challenges. In the event of a challenge, any one or more of the Act's Proponents shall be entitled to assert their direct and personal stake by defending the Act's validity in any court of law, including on appeal. The Proponents shall be indemnified by the State of Ohio for their reasonable attorney's fees and expenses incurred in defending the validity of the challenged Act. In the event that the Act or any of its provisions or parts are held by a court of law, after exhaustion of any appeals, to be unenforceable as being in conflict with other statutory or constitutional provisions, the Proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the State of Ohio, but shall have no other personal liability to any person or entity.

STATEMENT OF CIRCULATOR

I, Kacey Veliquette, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 28 electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

**DRW Campaigns, Inc.**  
**3549 Dort Hwy**  
**Flint Mi. 48507**

(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Kacey Veliquette  
(Signed)

1900 ocean blvd  
(Address of circulator's permanent residence)  
Number and Street, Road or Rural Route

Myrtle beach  
City, Village or Township

Sc State      29577 Zip Code

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.**

**Kacey Veliquette**  
**Wood County Part-Petitions**

Number: 000057

County: Wood

13

**INITIATIVE PETITION**

**310908**

Law Proposed by Initiative Petition First to be Submitted to the General Assembly.

**TITLE**

Ohio Drug Price Relief Act

*a voucher  
5 invouch*

**SUMMARY**

*11 total  
Bk*

The Act would enact Section 194.01 of the Ohio Revised Code to require that notwithstanding any other provision of law and in so far as permissible under federal law, the State of Ohio shall not enter into any agreement for the purchase of prescription drugs or agree to pay, directly or indirectly, for prescription drugs, including where the state is the ultimate payer, unless the net cost is the same or less than the lowest price paid for the same drug by the U. S. Department of Veterans Affairs. Among other provisions, the Act also:

*12/23/15*

- Sets forth the title of the Act as "The Ohio Drug Price Relief Act."
- Sets forth Findings and Declarations and Purposes and Intent of the Act.
- Sets forth factors in determining "net cost."
- Authorizes state departments, agencies and other state entities to adopt administrative rules to implement the provisions of the Act.
- Provide that the Act shall liberally construed to effectuate its purpose.
- Provide that if any provision of the Act is held to be invalid, the remaining provisions shall remain in effect.
- Provide that if the Act is challenged in court, it shall be defended by the Attorney General.
- Declare that the committee of individuals responsible for circulation of the petition ("the proponents") have a direct and personal stake in defending the Act and any one or more of them may do so in court if challenged. Provide that the proponents shall be indemnified by the state for their reasonable attorney's fees and expenses in defending against a legal challenge to the Act. Provide that the proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the state if the Act or any of its provisions are held by a court to be unenforceable, but shall have no other personal liability.
- Provide that in the event that the Act and another law are adopted by the voters at the same election and contain conflicting provisions and the Act received less votes, the non-conflicting provisions of the Act shall take effect.
- Require the General Assembly to enact any additional laws and the Governor to take any additional actions required to promptly implement the Act.

*14 2/2*

## **CERTIFICATION OF ATTORNEY GENERAL**

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed law.

MIKE DeWINE  
Ohio Attorney General  
August 3, 2015

## **COMMITTEE TO REPRESENT THE PETITIONERS**

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

William S. Booth  
1243 Wilson Dr.  
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 (Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

1. Signature <i>Jessica J Auna</i>	Print First Name	JESSICA	Initial	
	Print Last Name	AUNA		
Address on file with the Board of Election <i>156 East Strong Ave Wayne</i>				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Wayne</i>	<i>1</i>	<i>43466</i>	<i>WOOD</i>	<i>10-27-15</i>
2. Signature <i>[Signature]</i>	Print First Name	<i>CINDSY</i>	Initial	
	Print Last Name	<i>WALTER</i>		
Address on file with the Board of Election <i>608 N Enterprise St 1161 E Mary St.</i>				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Wayne</i>		<i>43403</i>	<i>WOOD</i>	<i>10-27-15</i>
3. Signature <i>[Signature]</i>	Print First Name	<i>NICASHA</i>	Initial	
	Print Last Name	<i>CRAMER</i>		
Address on file with the Board of Election <i>5209 DILL AVE</i>				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Wayne</i>	<i>WOOD</i>	<i>43402</i>	<i>WOOD</i>	<i>10-27-15</i>
4. Signature <i>[Signature]</i>	Print First Name	<i>TAVOR</i>	Initial	
	Print Last Name	<i>KENDRICK</i>		
Address on file with the Board of Election <i>13767 Klapencker Rd</i>				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Bowling Green</i>		<i>43402</i>	<i>WOOD</i>	<i>10-27-15</i>
5. Signature <i>[Signature]</i>	Print First Name	<i>ERIC ROBINSON</i>	Initial	
	Print Last Name	<i>ROBINSON</i>		
Address on file with the Board of Election <i>5675 Holcomb Rd</i>				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Wayne</i>		<i>43466</i>	<i>WOOD</i>	<i>10-27-15</i>
6. Signature <i>[Signature]</i>	Print First Name	<i>GARRETT</i>	Initial	
	Print Last Name	<i>HINDLEY</i>		
Address on file with the Board of Election <i>15125 Liberty Hi</i>				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>RG</i>		<i>43402</i>	<i>WOOD</i>	<i>10-28-15</i>

**NOTICE**

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

**MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS**

*(Sign with ink. Your name, residence, and date of signing must be given.)*

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
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(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)  
 (Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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8. Signature <i>[Signature]</i>	Print First Name	Francis	Initial	OO
	Print Last Name	Ozuna		

Address on file with the Board of Election 3217 Lake Pointe Dr				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Northwood		43619	Wood	10/29/15

9. Signature <i>[Signature]</i>	Print First Name	Ryan	Initial	
	Print Last Name	Messner		

Address on file with the Board of Election 466 Sunset Dr				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Bowling Green		43402	Wood	10/27/2015

10. Signature <i>[Signature]</i>	Print First Name	Katip	Initial	KH
	Print Last Name	Holmes		

Address on file with the Board of Election 11 Cove Ln Apt 104				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Rosford		43960	Wood	10/29/15

11. Signature <i>[Signature]</i>	Print First Name	Alvin	Initial	E
	Print Last Name	CHANCEY		

Address on file with the Board of Election 118 MAPLE ST. P.O. BOX 86				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
RISING SUN		43457	WOOD	10-30-15

12. Signature <i>[Signature]</i>	Print First Name	ROBERT	Initial	C
	Print Last Name	YOUNG		

Address on file with the Board of Election 3474 W. MILLGROVE RD				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
RISING SUN		43457	WOOD	10-30-15

13. Signature <i>[Signature]</i>	Print First Name	MARTHA	Initial	
	Print Last Name	MCBETH		

Address on file with the Board of Election 830 Oak Cove Dr.				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Rosford			Wood	10-30-15

14. Signature <i>[Signature]</i>	Print First Name	Vance	Initial	
	Print Last Name	Norman		

Address on file with the Board of Election 7554 2511				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
RISING SUN		43407	WOOD	10-30-16

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Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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15. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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16. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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17. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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18. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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19. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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20. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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21. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
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Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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22. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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23. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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24. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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25. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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26. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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27. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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28. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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## FULL TEXT OF LAW

Be it Enacted by the People of the State of Ohio that the following chapter and section are added to Title I of the Revised Code.

### **Chapter 194: Drug Price Relief**

#### **Section 194.01**

##### **(A) Title.**

This Act shall be known as "The Ohio Drug Price Relief Act" (the "Act").

##### **(B) Findings and Declarations.**

The People of the State of Ohio hereby find and declare all of the following:

- (1) Prescription drug costs have been, and continue to be, one of the greatest drivers of rising health care costs in Ohio.
- (2) Nationally, prescription drug spending increased more than 800 percent between 1990 and 2013, making it one of the fastest growing segments of health care.
- (3) Spending on specialty medications, such as those used to treat HIV/AIDS, Hepatitis C, and cancers, are rising faster than other types of medications. In 2014 alone, total spending on specialty medications increased by more than 23 percent.
- (4) The pharmaceutical industry's practice of charging inflated drug prices has resulted in pharmaceutical company profits exceeding those of even the oil and investment banking industries.
- (5) Inflated drug pricing has led to drug companies lavishing excessive pay on their executives.
- (6) Excessively priced drugs continue to be an unnecessary burden on Ohio taxpayers that ultimately results in cuts to health care services and providers for people in need.
- (7) Although Ohio has engaged in efforts to reduce prescription drug costs through rebates, drug manufacturers are still able to charge the State more than other government payers for the same medications, resulting in a dramatic imbalance that must be rectified.
- (8) If Ohio is able to pay the same prices for prescription drugs as the amounts paid by the United States Department of Veterans Affairs, it would result in significant savings to Ohio and its taxpayers. This Act is necessary and appropriate to address these public concerns.

##### **(C) Purposes and Intent.**

The People of the State of Ohio hereby declare the following purposes and intent in enacting this Act:

- (1) To enable the State of Ohio to pay the same prices for prescription drugs as the prices paid by the United States Department of Veterans Affairs, thus rectifying the imbalance among government payers.
- (2) To enable significant cost savings to Ohio and its taxpayers for prescription drugs, thus helping to stem the tide of rising health care costs in Ohio.
- (3) To provide for the Act's proper legal defense should it be adopted and thereafter challenged in court.

**(D) Drug Pricing.**

- (1) Notwithstanding any other provision of law and insofar as may be permissible under federal law, neither the State of Ohio, nor any state department, agency or other state entity, including, but not limited to, the Ohio Department of Aging, the Ohio Department of Health, the Ohio Department of Insurance, the Ohio Department of Jobs and Family Services, and the Ohio Department of Medicaid, shall enter into any agreement with the manufacturer of any drug for the purchase of a prescribed drug or agree to pay, directly or indirectly, for a prescribed drug, unless the net cost of the drug, inclusive of cash discounts, free goods, volume discounts, rebates, or any other discounts or credits, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (2) The price ceiling described in subsection (1) above also shall apply to all programs where the State of Ohio or any state department, agency or other state entity is the ultimate payer for the drug, even if it did not purchase the drug directly. This includes, but is not limited to, the Ohio Best Rx Program and the Ohio HIV Drug Assistance Program. In addition to agreements for any cash discounts, free goods, volume discounts, rebates, or any other discounts or credits already in place for these programs, the responsible department, agency or entity shall enter into additional agreements with drug manufacturers for further price reductions so that the net cost of the drug, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (3) All state departments, agencies and other state entities that enter into one or more agreements with the manufacturer of any drug for the purchase of prescribed drugs or agreement to pay directly or indirectly for prescribed drugs shall implement this section no later than July 1, 2017.
- (4) Each such department, agency or other state entity, may adopt administrative rules to implement the provisions of this section and may seek any waivers of federal law, rule, or regulation necessary to implement the provisions of this section.
- (5) The General Assembly shall enact any additional laws and the Governor shall take any additional actions required to promptly carry out the provisions of this section.

**(E) Liberal Construction.**

This Act shall be liberally construed to effectuate its purpose.

**(F) Severability.**

If any provision of this Act, or part thereof, or the applicability of any provision or part to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. If this Act and another law are approved by the voters at the same election with one or more conflicting provisions and this Act receives fewer votes, the non-conflicting provisions of this Act shall go into effect.

**(G) Legal Defense.**

If any provision of this Act is challenged in court, it shall be defended by the Attorney General of Ohio. The People of Ohio, by enacting this Act, hereby declare that the committee of individuals responsible for the circulation of the petition proposing this Act ("the Proponents") have a direct and personal stake in defending this Act from constitutional or other challenges. In the event of a challenge, any one or more of the Act's Proponents shall be entitled to assert their direct and personal stake by defending the Act's validity in any court of law, including on appeal. The Proponents shall be indemnified by the State of Ohio for their reasonable attorney's fees and expenses incurred in defending the validity of the challenged Act. In the event that the Act or any of its provisions or parts are held by a court of law, after exhaustion of any appeals, to be unenforceable as being in conflict with other statutory or constitutional provisions, the Proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the State of Ohio, but shall have no other personal liability to any person or entity.

11/10/17 1:17

STATEMENT OF CIRCULATOR

I, Kacey Veliquette, declare under penalty of election falsification that I am the circulator, of the foregoing petition paper containing the signatures of 28 electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

**DRW Campaigns, Inc.**  
**3549 Dort Hwy**  
**Flint Mi. 48507**

(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Kacey Veliquette  
(Signed)

1900 S Ocean Blvd  
(Address of circulator's permanent residence)  
Number and Street, Road or Rural Route

Myrtle beach  
City, Village or Township

SC 29755  
State Zip Code

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY  
OF A FELONY OF THE FIFTH DEGREE.**