

IN THE SUPREME COURT OF OHIO

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

AMENDED REPLY BRIEF OF RELATORS

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TABLE OF CONTENTS

	<u>Page</u>
TABLE OF CONTENTS.....	i
TABLE OF AUTHORITIES	ii
REPLY BRIEF OF RELATORS.....	1
I. LAW AND ARGUMENT	2
A. The Petition Was Not Verified At Least Ten Days Before Commencement Of The 2016 Session As Required By The Ohio Constitution.....	2
B. Part-Petitions Submitted By Circulators Who Listed False Permanent Residence Addresses Must Be Stricken.....	5
C. All Part-Petitions That Contain Signatures Struck Out By Someone Other Than A Circulator, Signer, Or Attorney In Fact For A Signer Must Be Invalidated.....	7
D. All Part-Petitions That Contain A False Circulator Affidavit Must Be Invalidated	11
E. The Committee’s Claim That Relators Misrepresent Or Inflate The Impact Of Invalidating Signatures Is Wrong	15
F. The Committee’s Delay In Filing The Petition And Its Resistance To Discovery Estops It From Using Evidence It Should Have Produced	18
II. CONCLUSION.....	19
CERTIFICATE OF SERVICE	21

TABLE OF AUTHORITIES

	<u>Page</u>
 <u>CASES</u>	
<i>Cappelletti v. Celebrezze</i> , 58 Ohio St.2d 395, 390 N.E.2d 829 (1979)	4
<i>Cicco v. Stockmaster</i> , 89 Ohio St.3d 95, 728 N.E.2d 1066 (2000).....	6
<i>Howard v. Miami Twp. Fire Div.</i> , 119 Ohio St.3d 1, 2008-Ohio-2792, 891 N.E.2d 311	5
<i>In re Protest of Brooks</i> , 155 Ohio App.3d 370, 2003-Ohio-6348 (3rd Dist.).....	9
<i>Ohio Manufacturers’ Association v. Ohioans for Drug Price Relief</i> , Slip Opinion No. 2016-Ohio-3038	11, 13
<i>State ex rel. Citizens for Responsible Taxation v. Scioto Cty. Bd. of Elections</i> , 65 Ohio St.3d 167, 602 N.E.2d 615 (1992)	11, 12, 14
<i>State ex rel. Evans v. Blackwell</i> , 111 Ohio St.3d 1, 2006-Ohio-4334, 854 N.E.2d 1025	3
<i>State ex rel. Hodges v. Taft</i> , 64 Ohio St.3d 1, 591 N.E.2d 1185 (1992).....	9
<i>State ex rel. Linnabary v. Husted</i> , 138 Ohio St.3d 535, 2014-Ohio-1417	9
<i>State ex rel. Loss v. Bd. of Elections of Lucas Cty.</i> , 29 Ohio St.2d 233, 281 N.E.2d 186 (1972)	13, 14
<i>State ex rel. Schwartz v. Brown</i> , 32 Ohio St.2d 4, 288 N.E.2d 821 (1972)	19
<i>State ex rel. Sinay v. Soddors</i> , 80 Ohio St.3d 224, 685 N.E.2d 754 (1997).....	9
<i>State v. Awan</i> , 22 Ohio St.3d 120, 489 N.E.2d 277 (1986)	6
<i>State v. Chappell</i> , 127 Ohio St.3d 376, 2010-Ohio-5991, 939 N.E.2d 1234.....	5
<i>State v. Droste</i> , 83 Ohio St.3d 36, 697 N.E.2d 620 (1998)	7
<i>Tracy L. Jones, et al. v. Husted</i> , Case: 2:16-cv-00438, June 20, 2016.....	4
 <u>STATUTES</u>	
R.C. 3501.38	5, 7, 8
R.C. 3501.38(E)	7
R.C. 3501.38(E)(1)	5

R.C. 3501.38(G).....	7, 8
R.C. 3501.38(H).....	7, 8
R.C. 3501.39	9
R.C. 3501.39(A)(3).....	7, 8
R.C. 3519.02	19
R.C. 3519.05	7, 9
R.C. 3519.06	7, 9, 11
R.C. 3519.06(C).....	8, 9

CONSTITUTIONAL PROVISIONS

Article II, Section 1b, Ohio Constitution	4
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REPLY BRIEF OF RELATORS

As the chief election officer in Ohio, the Ohio Secretary of State (“Secretary”) has the authority to investigate “the administration of election laws, fraud, and irregularities in elections in any county.” R.C. 3501.05(N)(1). Contrary to the Committee’s arguments, the Secretary has absolutely *no* legal duty to verify a petition and transmit it to the General Assembly before these duties are complete. A petition that is later established to be so fraught with an unprecedented number of deficiencies, as was the Petition here, never qualified to be transmitted to the General Assembly. As the evidence before this Court shows, the Petition contains three legal infirmities, any one of which renders the Petition deficient: (1) circulators listed false residence addresses; (2) unauthorized persons improperly struck signatures; and (3) circulator affidavits were false.

Having been exposed by the facts, and unable to assert credible legal arguments to support its positions, the Committee devotes several pages of its Merit Brief to irrelevant and erroneous personal attacks against Relators, Relators’ counsel, and the Secretary. Yet the deposition testimony elicited by the Committee itself reveals the fallacy of the Committee’s own arguments.¹ The Committee’s tactics are not worthy of response and Relators instead respectfully direct this Court to the relevant legal and factual matters at hand.

While the Committee tries mightily to cloud the picture, the facts are that the Petition fails to meet the fundamental requirements of Ohio law and does so in a systemic and intentional manner. It is also telling that the Committee does *nothing* to refute (and in fact essentially admits) the following critical points:

¹ See Dep. of Matt Damschroder, at 79-80, 168-169, Ex. 14 to Comm. Br. and Dep. of Jack Christopher, at 93-95, Ex. 15 to Comm. Br. For example, the Committee repeatedly highlights that Relators’ counsel communicated with the Secretary’s office regarding the Petition before filing the Relators’ challenge. But, both the Assistant Secretary of State and Counsel to the Secretary testified that the Secretary’s office routinely engages in such communications, including with the Committee’s counsel.

(1) The Committee highlights that *Cappelletti v. Celebrezze*, 58 Ohio St.2d 395, 396, 390 N.E.2d 829 (1979), stands for the proposition that the phrase “and verified as herein provided” means verification by the boards of elections. But the Committee never disputes, or even comments upon, the fact that as of December 26, 2015, only 16 boards of elections had verified fewer than 5,000 signatures on the Petition.

(2) The Committee spends many pages assailing Relators’ arithmetic in a misconstrued attempt to undermine the impact of the overwhelming evidence against it.² Yet even if the Committee’s misconstrued version of the evidence were accurate on each of its points, the result is the same: the Petition is still deficient.

The Petition did not qualify to proceed to the General Assembly, let alone the ballot, and the Committee must cure that deficiency before the Petition is properly submitted to the General Assembly, much less advanced to the ballot.³

I. LAW AND ARGUMENT

A. The Petition Was Not Verified At Least Ten Days Before Commencement Of The 2016 Session As Required By The Ohio Constitution

The Committee apparently agrees that the Petition was not verified by either the Secretary or the board of elections before December 26, 2015, which was ten days prior to the commencement of the current legislative session. In light of this undisputed fact (and its desire to make the 2016 ballot), the Committee is forced to argue that the Constitution does not set any express deadline pertaining to verification of the Petition. This Court’s most recent

² As outlined later in this Reply Brief, the Committee’s attempt to cloud Relators’ evidence should be rejected.

³ Relators deny that they have engaged in delay tactics and refer the Court to their previous filings in which they have refuted similar arguments as those made in the Committee’s Brief. This is another effort by the Committee to distract from the real issues before the Court.

pronouncement on the issue in *State ex rel. Evans v. Blackwell*, 111 Ohio St.3d 1, 2006-Ohio-4334, 854 N.E.2d 1025 establishes the inconsistency of the Committee's position.

In *Evans* the petition committee filed a petition for initiated legislation with the Secretary on November 17, 2005. *Id.* at ¶ 3. After review by the boards of elections but while protests were still pending, the Secretary transmitted the petition to the General Assembly on December 28, 2005. *Id.* The relator filed a lawsuit and argued, in part, that because the Secretary did not receive the last of the petitions from the boards of elections until December 28, 2005, he could not transmit the petition until that date. *Id.* at ¶ 19. While *Evans* ultimately found against the relator, the Court's analysis is telling:

Finally, as the Secretary of State contends, ***Evans did not establish that the petition contained an insufficient number of signatures on the Section 1b, Article II deadline of "not less than ten days prior to the commencement" of the January 2006 session of the General Assembly.*** * * * That is, the Secretary of State did not need to wait for all of the counties' sufficiency reports to know that the petition contained sufficient verified signatures for transmission to the General Assembly.

Id. (emphasis added).⁴

The Court's discussion in *Evans* makes clear that the analysis does not turn singularly on the date of filing because verification by the Secretary and the boards in meeting that deadline was vital. This Court clearly linked verification to the "Section 1b, Article II deadline" and its decision turned on more than just the filing of the petition.

According to the Committee, the only requisite trigger for transmission to the General Assembly is the "date of filing, not the date of validation/certification * * *." Comm. Br., at 8. According to the Committee, the clauses "signed by three per centum of the electors" and

⁴ A critical fact distinguishes *Evans* from the instant case: in *Evans* the Secretary actually had a sufficient number of verified signatures as of 10 days prior to the commencement of the General Assembly's session to find the petition to be sufficient.

“verified as herein provided” are only modifiers and must be secondary to the clause regarding the date a petition is filed. Such an argument is not only legally infirm, but it strains reason.

By the Committee’s logic, a petition bearing just ten signatures, but filed ten days before the commencement of the next General Assembly session, must be transmitted to the legislature and can be fixed later because the clause “signed by three per centum of the electors” has no bearing on the Secretary’s timing or duty to transmit. Likewise, according to the Committee’s skewed reading of the Constitution, a petition signed by 100,000 fictional characters, but filed ten days before the next legislative session, must advance because the clause “verified as herein provided” takes an insignificant back seat to the date that a defective petition is filed.

The Ohio Constitution does not require the Secretary to blindly transmit, nor the General Assembly to mutely consider an initiative petition that fails to meet *all* of the requirements of Article II, Section 1b. Invoking the time and attention of the General Assembly must be a meaningful, justified action that is triggered by more than the date on a calendar. An initiative petition must be filed *and verified* no later than ten days before the next session of the General Assembly to be properly transmitted.

The Committee’s Petition was filed, but it was not verified by December 26, 2015. Even the Committee points out that, as this Court concluded in *Cappelletti*, verification “refers to the validation process conducted by the boards of elections * * *.” Comm. Br., at 6.

Moreover, while the Committee mistakenly persists in its argument that it has a “right” to the 2016 ballot, the federal district court handling the Committee’s injunction action recently rejected this argument. *Tracy L. Jones, et al. v. Husted*, Case: 2:16-cv-00438, June 20, 2016 Opinion and Order denying TRO, at 9 (“Further, even if the initiative could not appear on the November 8, 2016 ballot—due to expense, time constraints, or some other reason—the harm to

Plaintiffs would neither be severe nor wholly irreparable. * * * *Plaintiffs do not have a constitutional right for the initiative to appear on any ballot, far less any particular ballot.*”)

(Emphasis added, citations and footnote omitted.)⁵

The Committee delayed its filing to a point beyond which the boards of elections or Secretary could reasonably carry out their duties and still meet the Committee’s fabricated timetable. This self-inflicted wound does not invoke some constitutional or statutory entitlement.

B. Part-Petitions Submitted By Circulators Who Listed False Permanent Residence Addresses Must Be Stricken⁶

Ohio law is clear: a petition circulator must provide “the address of the circulator’s permanent residence.” R.C. 3501.38(E)(1). The Committee admits that that “[t]he address Ms. Harper gave on her statement does not meet the technical definition of a ‘residence’” and attempts to relegate that admission to a mere technicality subject to liberal interpretation. But no interpretation is needed because the law is clear on its face. Moreover, the Committee has waived its constitutional arguments (which Relators submit are without merit) and is estopped from raising these arguments by its own actions.

Although the Committee asks this Court to “interpret” R.C. 3501.38, there is no need to do so. This Court has repeatedly held that when the “language is clear and unambiguous, the court need not resort to any other means of interpretation, but must, instead, apply the statute as written.” *State v. Chappell*, 127 Ohio St.3d 376, 2010-Ohio-5991, 939 N.E.2d 1234, ¶16; *Howard v. Miami Twp. Fire Div.*, 119 Ohio St.3d 1, 2008-Ohio-2792, 891 N.E.2d 311, ¶20.

⁵ And, contrary to the Committee’s assertion, the “constitutional design of the initiative process” does not “clearly indicate” that it is to be completed in “under one year.” Comm. Br., at 9. The Ohio Constitution, Article II, Section 1b provides 90 days to circulate a supplementary petition. If the full 90 days is taken, the issue will always be on the ballot the following year.

⁶ Contrary to the Committee’s assertion, Relators have not waived their arguments as to the other three false statement circulators. Those are addressed in Relators’ pending motion for partial summary judgment.

The Committee's current factual assertions about Fifi Harper's circumstances ring hollow. The Committee contends that Harper arranged for the Pack and Ship facility "to send her a notification on her cell phone when she received a piece of certified mail." Comm. Br., at 12. Yet, there is absolutely no indication of such an arrangement. In fact, Harper did not complete the part of the Pack and Ship application that requested a phone number so that a text could be sent. *See* Ex. A to Aff. Jim Fenton, Ex. G to Motion for Partial Summary Judgment. More telling, as of May 5, 2016 when Relators' subpoena was honored, the contents of Harper's Pack and Ship box included a piece of uncollected certified mail from the Scioto County Board of Elections that had been mailed in January 2016. *Id.*

Although the Committee argues that Harper met the policy purpose of requiring petition circulators to provide an address so that they can be contacted by election officials, the facts in this very case establish that is not true. The Scioto County Board of Elections could not reach Harper, nor could Relators serve Harper. The Committee itself claims to have had difficulty in reaching Harper and ultimately did not reach her by using the address provided. *See* Response to Relators' Motion to Strike, filed June 2, 2016 at 2-3 (asserting how difficult it was for the Committee to find Harper and the other false address circulators). Contrary to the Committee's assertion, Harper could not "actually be contacted" at the Pack and Ship, thus neither the letter nor the spirit of the law was met.

Because Harper (and the other false address circulators) did not comply with Ohio law, the Committee purports to attack the law as unconstitutional. Failure to raise the constitutionality of a statute at the first opportunity constitutes a waiver of such issue. *State v. Awan*, 22 Ohio St.3d 120, 122, 489 N.E.2d 277 (1986); *Cicco v. Stockmaster*, 89 Ohio St.3d 95, 100, 728 N.E.2d 1066 (2000). The Complaint sets forth in detail Relators' argument regarding Ohio's permanent

residence requirement, citing R.C. 3519.06 and 3501.38(E). *See* Complaint, ¶¶23-37. Although the Committee was on notice that R.C. 3519.05 and 3501.38(E) were at issue, it did not raise any constitutional challenge to either statute in its answer (including its affirmative defenses), or in any filing with the Court until responding to Relators' motion for partial summary judgment on May 23, 2016. For the reasons set forth in the Relators' motion to strike, filed May 27, 2016, Relators urge this Court to find that the Committee has waived its right to bring a constitutional challenge and should be precluded from contesting the validity of the permanent residence requirement in this action.

C. All Part-Petitions That Contain Signatures Struck Out By Someone Other Than A Circulator, Signer, Or Attorney In Fact For A Signer Must Be Invalidated

Ohio law permits three individuals to strike signatures from a part-petition: (1) the circulator; (2) the signer; and (3) the signer's attorney-in-fact. R.C. 3501.38(G) and (H). The Committee does not dispute that someone other than these three individuals struck signatures from part-petitions in this case. Instead, the Committee argues that the part-petitions should not be invalidated on this ground. Relators disagree.

Apparently arguing that anyone can strike a signature from a part-petition the Committee attempts to argue in the negative and points out that the law does not state that signatures may "only" be struck by three individuals. To borrow the Committee's own words, the maxim *expressio unius est exclusio alterius* defeats its argument. The specific statutory inclusion of these three individuals in R.C. 3501.38 implies that the General Assembly intended that they be the only individuals permitted to strike signatures to the exclusion of all others. *See State v. Droste*, 83 Ohio St.3d 36, 39, 697 N.E.2d 620 (1998).

Moreover, the Committee's arguments that part-petitions containing improper strikethroughs cannot be rejected are ill-founded. R.C. 3501.39(A)(3) provides in relevant part:

The secretary of state or a board of elections *shall accept any petition* described in section 3501.38 of the Revised Code *unless * * * the petition violates the requirements of this chapter*, Chapter 3513 of the Revised Code, *or any other requirements established by law*. [Emphasis added.]

The unauthorized removal of signatures violates R.C. 3501.38(G) and (H), which is not only a requirement of Chapter 3501, but is also a requirement “established by law.”

Unable to refute the plain language of R.C. 3501.39(A)(3), the Committee instead takes a shot gun approach and posits several piecemeal arguments, none of which have merit. First, the Committee argues that nothing in R.C. 3501.38(G) or (H) authorizes the invalidation of the entire part-petition. But the argument misses the point. It is R.C. 3501.39(A)(3), which clearly references “any other requirements established by law,” that requires part-petitions to be invalidated *because of* the violation of R.C. 3501.38.

Second, the Committee argues that the Secretary has not yet taken the position in this case that an entire part-petition should be invalidated if someone other than the three statutorily-authorized individuals strike signatures. That is simply not true. In his February 4, 2016 transmittal letter, the Secretary invalidated every part-petition containing strikethroughs circulated by two circulating companies in Cuyahoga County based on the evidence before him at the time. *See* Transmittal Ltr. at 3. The Secretary found the practice of “purging the deck” to be a clear violation of Ohio law and struck part-petitions as a result. *Id.* Further, the Secretary reaffirmed this position in his Merit Brief. *See* Secretary Am. Br., at 8-9.

Third, the Committee claims that R.C. 3519.06(C) does not apply because the “statement required by R.C. 3519.05 is * * * *commonly referred to* as the ‘circulator statement,’ which appears at the end of each part-petition.” Comm. Br., at 21-22 (emphasis added). R.C. 3519.06(C) provides that: “No initiative or referendum part-petition is properly verified if it appears on the face thereof, or is made to appear by satisfactory evidence * * * that the statement

is altered by erasure, interlineation, or otherwise[.]” The “statement” referred to in R.C. 3519.06(C) is the statement required by R.C. 3519.05, which sets forth the requirements of the entire part-petition. It is wholly reasonable and consistent with R.C. 3519.05 to construe “statement” to include the entire part-petition and conclude, as the Secretary did here, that any alteration on any part of the part-petition violates R.C. 3519.06(C) and results in the entire part-petition being invalid. The statement that is in R.C. 3519.05 is the *entirety* of the initiative part-petition.⁷ It is wholly irrelevant what might be “commonly referred to” as a statement when the language of the actual statutes refer to the *entire* part-petition, including the signature blocks.

Next, the Committee points to *State ex rel. Sinay v. Sodders*, 80 Ohio St.3d 224, 228, 685 N.E.2d 754 (1997) and *State ex rel. Hodges v. Taft*, 64 Ohio St.3d 1, 5-6, 591 N.E.2d 1185 (1992) as support for its argument that the “statement” referred to in R.C. 3519.06 is that “commonly referred to” as the circulator statement. Comm. Br., at 22-23. But reliance on these cases does nothing to make the Committee’s point that the “circulator statement” is something other than what the General Assembly says it is in R.C. 3519.05. In fact, courts that have actually considered the legality of striking an entire part-petition have followed the plain letter of the law and adopted Relators’ position by applying the term “statement” to the entire part-petition. See *In re Protest of Brooks*, 155 Ohio App.3d 370, 2003-Ohio-6348 (3rd Dist.) (“a part-petition is invalid if [*the part petition*]” fails to comply with R.C. 3519.06) (emphasis added); see also *State ex rel. Linnabary v. Husted*, 138 Ohio St.3d 535, 2014-Ohio-1417, ¶ 18-19 (striking entire part-petition under R.C. 3501.39 for failure to comply with the law).

The Committee further argues that Relators failed to identify which part-petitions contain improper strikethroughs, but at the same time acknowledges that Relators included a list of part-

⁷ The full text of R.C. 3519.05 is attached as Ex. B because the LEXIS version of this statute is incomplete.

petitions that contain these strikethroughs. The Committee also glosses over the testimony of Angelo Paparella, the President of PCI, who confirmed that the striking of signatures by someone other than the circulator, signer, or the signer's attorney in fact was a statewide practice. *See* Paparella Dep. at 22-24, 53. PCI was retained by the Committee to oversee the entire signature collection effort. Paparella testified that all part-petitions circulated in Ohio by his contractors and their subcontractors were shipped to PCI's California processing center where "validators," who were not circulators, would review signatures and strike out those that they did not believe were valid. *Id.* at 22-24. Thus, this practice was not limited to any one specific company, but was uniformly done to every part-petition.

Based on the evidence before him as of February 4, 2016, the Secretary invalidated the part-petitions circulated by two companies (DRW and OPP) containing improper strikethroughs in Cuyahoga County. As the Secretary correctly observed, it was unlikely that these "improper practices by DRW and OPP under the direction of the PCI were limited only to those petitions circulated in Cuyahoga County." *See* Transmittal Ltr. at 3. We now have sworn testimony that these improper practices were not limited to two companies nor were they limited to Cuyahoga County. This practice was statewide and intentional. *See* Relators' Merit Br., at 24-28. Accordingly, the Secretary's reasoning and decision should be extrapolated statewide and any part-petition containing improper strikethroughs should be invalidated.

Finally, the Committee seeks to downplay the fact that it violated Ohio law by arguing that Relators have failed to present evidence of fraud. The Committee's argument misses the point. As noted by the Secretary in his February 4, 2016 transmission letter, "it is the duty of election officials, not a petition company, to determine whether a signature is valid." *See* Transmittal Ltr. at 3. Relators are not required to prove fraud, nor is fraud an element of R.C.

3519.06 or the cases that interpret and strictly construe it. The laws requiring the Secretary and the boards of elections to determine the validity of signatures exist to protect the integrity and reliability of the initiative process. This is because the eligibility of an elector to sign the petition is not determined at the time of signing or upon review by the Committee’s “validators,” but rather is based on who is a registered voter “at the time the boards examine the petition.” R.C. 3519.15.

Instead, the Committee took it upon themselves to usurp the duties of Ohio election officials and determine the validity of signatures. While the Committee argues that it was essentially doing the boards of elections a favor by striking invalid signatures and reducing their workload, Ohio law does not permit such conduct.

D. All Part-Petitions That Contain A False Circulator Affidavit Must Be Invalidated

The Committee continues to urge this Court to adopt a blanket rule that part-petitions may never be rejected on the basis of an overcount. The Committee cites to “decades of case law and instructions from the Secretary of State” in support of its position, placing particular emphasis on *State ex rel. Citizens for Responsible Taxation v. Scioto Cty. Bd. of Elections*, 65 Ohio St.3d 167, 602 N.E.2d 615 (1992). Yet the Committee ignores that this Court has already distinguished the holding of that case from the facts now at issue. *See Ohio Manufacturers’ Association v. Ohioans for Drug Price Relief*, Slip Opinion No. 2016-Ohio-3038 at ¶ 20 (Under “*those facts*, the court was willing to overlook the discrepancy if the error did not promote fraud.”) (emphasis added).

This Court has already rejected the application of the blanket rule urged by the Committee, stating that the validity of the part-petitions depends instead on a consideration of “the *specific facts* that are in dispute.” *Id.* at ¶ 21. The specific facts of *this* case are that fraud is

promoted by the systematic and intentional practices used by the Committee and the part-petitions that exhibit this practice should be stricken.

The discrepancies in signature counts at issue here far exceed those in *Citizens for Responsible Taxation*, which involved a total of five part-petitions that contained overcounts of *one* signature each. *See Citizens for Responsible Taxation*, 65 Ohio St.3d at 171. Contrast that to the instant matter which involves over 1,600 part-petitions with overcounts, hundreds of which contain discrepancies of more than 10 signatures. *See Third. Aff. of Hasman*, ¶ 14.

The Committee maintains that Relators “provided no evidence that circulators pre-affixed the number of signatures they purportedly witnessed prior to actually circulating the petition.” *Comm. Br.*, at 35. The Committee mischaracterizes Relators’ Complaint. Relators’ claim is not that someone pre-affixed the number “28” to the circulator statements. Indeed, the term “pre-affixed” does not appear once in Relators’ Complaint. Instead, from the outset, Relators have alleged that the circulators *falsely attested* to the number of signatures actually contained in the part-petitions. *See Relators’ Complaint*, at ¶ 62 (emphasis added).

Whether such numbers were pre-affixed, affixed during circulation, or affixed at a later date by some unknown person is not the point. Regardless of when the circulators completed the signature counts, such counts were false, they did not reflect the number of signatures actually witnessed, and they promoted fraud. *See Complaint*, at ¶ 67.

As a result, the Committee’s attack on Relators’ evidence and its attempts to undermine the testimony of Pamela Lauter, Gloria Torrence, and Adrienne Collins is without merit. Adrienne Collins testified that she was instructed by her superiors to “mark 28 in the box always,” *regardless of the number of signatures actually collected*, directly confirming Relators’ allegation that the circulator statements were falsified. *See Complaint*, App. 28, Ex. T,

Transcript of Adrienne Raishawn Collins by Franklin County Board of Elections, at 16, ¶¶ 19-20. Similarly, Gloria Torrence testified that *someone else filled in the number “28”* on her part-petitions, though the part-petitions did not in fact contain 28 signatures. *See* Rel. Br., Exhibit F, at 21-23. This evidence fully supports Relators’ contention, rather than undermining it as the Committee implies.

Regardless of why or when the number “28” was affixed to the challenged part-petitions, “28” is false. When circulators declared, under penalty of election falsification, that they were the circulator “of the foregoing petition paper containing the *signature of 28 electors*,” and their part-petitions never included 28 signatures, their statements were false.⁸ Significantly, the circulators’ failure to accurately attest to the actual number of signatures promotes fraud.

This Court has previously held that the statutory requirement to accurately indicate the number of signatures contained on the part-petition is subject to strict compliance and is intended to serve as “a protection against signatures being added later.” *State ex rel. Loss v. Bd. of Elections of Lucas Cty.*, 29 Ohio St.2d 233, 234, 281 N.E.2d 186 (1972). Whether a circulator or some other party pre-affixes “28” or adds “28” later to a partially filled-out part-petition, the effect is the same: there is “a question as to how many signatures the circulators actually witnessed, if any.” *Ohio Manufacturers’ Ass’n*, at ¶ 21. When a circulator does not accurately complete the number of signatures to which he or she has attested, there is a prime opportunity for signatures to be added later and for circulation companies that are paid by the signature to maximize their profits.

⁸ Contrary to the Committee’s assertion, where a circulator submitted a part-petition with 28 signatures, but someone with a thick marker later crossed out some of the signatures, Relators intentionally did not include these part-petitions in the list of part-petitions that should be invalidated for false circulator attestations.

The facts of this case show that over 1,600 part-petitions listed the maximum “28” signatures even though they did not contain that many signatures. Instead, these already-attested part-petitions were shipped off to California and through various sets of hands containing blank lines where signatures could be added later. This practice unquestionably promotes fraud, resulting in the exact consequences that the election laws are designed to avoid and provides no “protection against signatures being added later.” *State ex rel. Loss*, 29 Ohio St.2d at 234.

The Committee attempts to offer a “rational explanation” for the discrepancies in the part-petitions by claiming that “circulators likely wrote down the number ‘28’ because it is the last numbered line on the part-petition with a signature.” Comm. Br., at 43. This explanation is nothing more than conjecture and is not supported by *any* evidence in the record. In addition, even if this explanation was supported by the record, it is nonetheless irrelevant, as this purported practice still resulted in false circulator statements, which violate Ohio election laws and promote fraud.

Relators’ argument has always focused on the fact that the circulator statements were falsely completed, *not* on when, where, or by whom they may have been completed. Relators are not required to prove that actual fraud occurred. That was not a requisite finding in *Rust*, *Loss*, *Scioto*, any of the numerous cases on this issue that have been previously decided or the Ohio Elections Officials Manual. The *Scioto* Court did not require that the relators in that case prove which specific signatures contributed to the undercount. Rather, because the number of signatures claimed to appear on the part-petition and witnessed by the circulators was false, the part-petition was invalid and properly stricken.

E. The Committee's Claim That Relators Misrepresent Or Inflate The Impact Of Invalidating Signatures Is Wrong

The Committee goes on at some length attempting to discredit the extensive evidence before this Court and the impact of that evidence. Comm. Br., at 30, 39-44. One need not scratch far beneath the surface of the Committee's argument to see that the criticisms raised are either flatly wrong or mischaracterize the true nature of the evidence before this Court.

For instance, the Committee tries to make much of the fact that the numbers presented to the Secretary on December 30, 2015 (based on the Petition as filed on December 22, 2015) do not match the numbers in Relators' Complaint or Merit Brief. *Id.* at 39-40. But the Committee seems to forget that the boards of elections invalidated numerous part-petitions and thousands of signatures for various reasons during their review. As the numbers of valid signatures dwindled, so did the scope of Relators' challenge.

Another example is the Committee's attack on the number of part-petitions that reflect a false circulator attestation. The December 30, 2015 letter included a list of 6,435 part-petitions each of which reflected fewer than 28 signatures, but the circulator attested to 28 signatures. The Committee agrees that these 6,435 part-petitions *actually* showed a discrepancy between the number of signatures and the number attested to, but then intermingles those that "contain only one or two signatures," with those having "any degree of discrepancy." Comm. Br., at 40, n.23. It should be no surprise that the number of part-petitions that contain "*any degree of discrepancy*" includes the subset of those part-petitions that contain "only one or two" signatures.

Likewise, the so-called "inexplicable" increase from 1,464 to 1,600 part-petitions is explained in several places. Cuyahoga and Delaware County data was "[i]ntentionally excluded from the spreadsheet * * * The analysis below, thus, reflects totals for the remaining 86 of 88

counties.”⁹ There are more than 1,600 total part-petitions, including those from Cuyahoga and Delaware Counties, with false circulator attestations. No doubt, some of the part-petitions which remain valid in Cuyahoga County are subject to challenge because they were circulated by someone who listed a false residence address, or include false circulator statements, or contain strikethroughs by other petition companies. But since Relators cannot definitively prove how many signatures remain in Cuyahoga County with those infirmities, Relators chose not to guess at the discrepancy. Instead, Relators assess the materiality of its arguments and the extent of the deficiency as if every remaining Cuyahoga County signature is valid. Relators applied the same reasoning to the 324 Delaware County signatures and note that even if every single Delaware County signature remains valid, the Petition is still deficient.

The Committee also attempts to discredit Relators’ evidence by cherry-picking eight part-petitions out of the more than 10,000 filed.¹⁰ Comm. Br., at 42-43. Despite being specifically selected, these part-petitions do not support the Committee’s contentions. For example, the Committee takes exception with the fact that “Relators contend that BUTLER _000097 contains only 10 signatures. . .” Comm. Br., at 42. Yet this is exactly the number of valid signatures remaining on BUTLER _000097 after the board’s review and is exactly the number of signatures that should be invalidated as a result of the instant challenge. The Committee also complains that “Relators omitted the invalid signatures from their calculation of the alleged discrepancy for

⁹ See Relators’ Merit Br., at 10-11, n. 4, and Ex. A thereto, Third Aff. of David R. Hasman, at ¶ 10 and Exhibit 4 thereto. As explained there, Relators could not obtain copies of the Cuyahoga County part-petitions stricken by the Secretary, and thus were unable to conclusively determine what signatures might be subject to challenge on the still-valid part-petitions in that county. Nor did Relators include Delaware County in its calculations because a tie vote by the board of elections remains unbroken. Even without those two counties included, the deficiencies proven on the basis of the other 86 counties are so significant as to render the entire Petition invalid.

¹⁰ For the Court’s convenience, all of the part-petitions referred to in the Committee’s Brief, at 42-43, are attached hereto as Exhibit A-1 through A-8.

virtually every part-petition they identified.” *Id.* Again, Relators did so very carefully and intentionally. Why would Relators challenge the 13 signatures on BUTLER_000097 which, even the Committee agrees, were already “invalidated by the Butler County Board of Elections”? *Id.* Each one of the eight part-petitions hand-chosen by the Committee equally undermines the Committee’s arguments (and Relators encourage the Court to review Exhibit A attached hereto against the Committee’s claims in its Merit Brief).

Finally, the Committee contends that the Relators’ “math is wrong” or that Relators committed an egregious “arithmetic error.” Comm. Br., at 30, 44. Once again, the Committee overlooks the fact that Cuyahoga and Delaware County data is not included in the calculations setting out the impact of the various legal issues presented on the sufficiency of the Petition. Although the Committee does its best to muddy the waters and call the data into question, the bottom line is this: *Even under the worst case scenarios the Committee attempts to portray, the Petition is still deficient.*

It is telling that after all of its arithmetic gymnastics, the best the Committee can do is to contend, as to the strikethrough issue, that the so-called correct math “would leave the Petition with 33,177 valid signatures, not 27,640 as Relators contend.” *Id.* at 30. Plainly, 33,177 valid signatures is still woefully deficient and remains so regardless of how Cuyahoga and Delaware County signatures are considered. Similarly, when the Committee’s math is done on the false attestation issue, only 87,347 signatures are valid Comm. Br., at 44. Plainly, 87,347 is still well short of the 91,677 signatures needed to qualify for transmittal to the General Assembly.

In sum, Relators have at all times done their best to present this Court with an accurate assessment of the number of signatures impacted by the arguments. This Court has before it every single part-petition filed. It also has the spreadsheets outlining the issues involved and the

number of valid signatures challenged. To the extent questions remain as a result of the Committee's attempts to interject confusion, this Court need only look to the record before it (or refer it to the Master Commissioner).

F. The Committee's Delay In Filing The Petition And Its Resistance To Discovery Estops It From Using Evidence It Should Have Produced

The Committee apparently believes there can be no negative consequences from its blatant stonewalling in discovery both before and after the condensed schedule ordered in this case and there is nothing Relators can do to address prejudice resulting from the Committee's refusal to cooperate particularly with respect to the whereabouts of the circulators on whose conduct its Petition balances.

The Committee's position is not only incorrect as set forth below, but it is also important to note what the Committee does not say. The Committee does not dispute that its discovery responses were inaccurate or incomplete. It cites no case law precluding quasi-estoppel and presents no legal argument to refute the cases that Relators cite. And it does not dispute that it knew where to find critical circulators and supervisors when it knew Relators were trying repeatedly (without success, based upon incorrect addresses) to serve them with subpoenas for depositions. The Committee allowed the short window of time for discovery to close while keeping critical information secret, for its own benefit and to the clear prejudice of Relators.

All of this goes to the heart of why quasi-estoppel does apply and, in fact, perfectly suits this unique scenario. The Court should not allow the Committee to have it both ways: to disavow knowledge of the whereabouts of circulators, then rely on their testimony; to pass along bad addresses and claim no knowledge of the right ones; to claim it did not have any dealings with the circulators, then produce their affidavits on quite short notice when it served the Committee's purposes.

This Court should reject the Committee contention that it bears no responsibility whatsoever for the Petition under Ohio law, except to act as a mail drop for receiving notices. The Committee's position is contrary to the plain language of R.C. 3519.02, which provides for an appointed committee to "represent" the petitioners in "all matters relating to" the petition. Further, the Committee's position is directly contrary to this Court's interpretation that R.C. 3519.02 makes a petition "that of" the appointed committee at this stage. *State ex rel. Schwartz v. Brown*, 32 Ohio St.2d 4, 288 N.E.2d 821, 824 (1972) (a proposal is "that of the 'committee' provided for in R.C. 3519.02" until such time as an initiative petition containing its full text has been signed by at least ten percent of the electors.) This finding is consistent with the broad language of R.C. 3519.02 setting forth the role of the petition committee. And it only makes sense, given the Committee's obvious position in this case that it is entitled to defend the Petition. Again, the Committee wants to have it both ways: to fully litigate to defend the Petition and yet to claim it is nothing more than a mail drop when it comes to performing obligations to provide Relators with discovery. The theory of quasi-estoppel exists precisely to prevent a party from taking inconsistent positions to suit its whim and it should be applied here against the Committee.

II. CONCLUSION

This case is about the tactics employed by petition circulation companies and others that either disregard or stretch the interpretation of Ohio law beyond all reasonable boundaries and time their efforts so that the boards of elections and Secretary are rushed through the review process. Then, when called on to be accountable, their response is to obstruct all attempts to uncover their tactics and all attempts to require strict compliance with Ohio law.

Relators are tired of these tactics and urge this Court to apply the laws as they are written and as they are intended to apply. While Ohio recognizes the right of citizens to petition their

government, that right must be exercised in a manner that complies with the Ohio Constitution and election laws. This Court has the opportunity to make that clear in this case and for the many others that are expected to follow.

The entire Petition is now before this Court. Even a cursory review will confirm that the same issues the Secretary noted in his transmittal letter to the General Assembly appear on the face of the part-petitions and are both significant and pervasive. As set forth above, the Petition is deficient and does not meet the requisite threshold number of signatures or counties. Accordingly, it should not have been transmitted to the General Assembly. Relators respectfully request that this Court find that the Petition was insufficient to transmit to the General Assembly and, if necessary, send it to the Special Master for a determination of the precise extent of that deficiency.

Respectfully submitted,

/s/ Anne Marie Sferra

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Counsel for Relators

CERTIFICATE OF SERVICE

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

June 29, 2016 upon:

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/s/ Anne Marie Sferra

Anne Marie Sferra (0030855)

APPENDIX TO
AMENDED REPLY BRIEF OF RELATORS

	<u>Exhibit No.</u>
FRANKLIN_000230	A-1
BUTLER_000097	A-2
FRANKLIN_000674	A-3
FRANKLIN_000770	A-4
CARROLL_000001	A-5
LAKE_000060	A-6
CLERMONT_000152	A-7
WARREN_000065	A-8
R.C. 3519.05	B

EXHIBIT A-1

000230

Number: _____

County: Franklin

24c

INITIATIVE PETITION

411634

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

TITLE

Ohio Drug Price Relief Act

21 VALID
3 IN VALID
Jm

SUMMARY

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:

- 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.

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
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1. Signature <i>Scott Acton</i>	Print First Name <i>SCOTT ACTON</i>	Initial
	Print Last Name <i>ACTON</i>	

Address on file with the Board of Election
398 S. GRANT AVE. APT. 220

City/Village/Township <i>COLUMBUS</i>	Ward/Precinct <i>OH</i>	Zip Code <i>43215</i>	County <i>FRANKLIN</i>	Date of Signing <i>4/30/15 9-19-15</i>
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2. Signature <i>[Redacted]</i>	Print First Name <i>[Redacted]</i>	Initial
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[Redacted]

City/Village/Township <i>[Redacted]</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>FRANKLIN</i>	Date of Signing <i>9-19-15</i>
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3. Signature <i>Don Weirco</i>	Print First Name <i>Don</i>	Initial
	Print Last Name <i>PIERCE</i>	

Address on file with the Board of Election
398 S. Grant Ave apt #419

City/Village/Township <i>Columbus, OH</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>Franklin</i>	Date of Signing <i>9-19-2015</i>
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4. Signature <i>Deborah Aleson</i>	Print First Name <i>Deborah</i>	Initial
	Print Last Name <i>Aleson</i>	

Address on file with the Board of Election
398 S. Grant Ave #116

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>Franklin</i>	Date of Signing <i>9/19/15</i>
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5. Signature <i>Dollie Goshay</i>	Print First Name <i>Dollie</i>	Initial <i>M.</i>
	Print Last Name <i>GOSHAY</i>	

Address on file with the Board of Election
930 E 22 AVE

City/Village/Township <i>COLS. Ohio</i>	Ward/Precinct	Zip Code <i>43211</i>	County <i>Franklin</i>	Date of Signing <i>9-19-15</i>
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6. Signature <i>FRANK D Crowder</i>	Print First Name <i>Frank</i>	Initial
	Print Last Name <i>CROWDER</i>	

Address on file with the Board of Election
398 S. GRANT ave apt 319

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>FRANKLIN</i>	Date of Signing <i>9-19-15</i>
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7. Signature <i>Lisa Cronin</i>	Print First Name <i>LISA</i>	Initial
	Print Last Name <i>CRONIN</i>	

Address on file with the Board of Election
398 S GRANT AVE- #418

City/Village/Township <i>COLS. OH</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>Franklin</i>	Date of Signing <i>9/19/15</i>
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8. Signature <i>Alfred Hughes</i>	Print First Name	ALFRED	Initial
	Print Last Name	HUGHES	
Address on file with the Board of Election 398 S. Grant Ave #407			
City/Village/Township Columbus OH	Ward/Precinct	Zip Code 43215	County Franklin
			Date of Signing 09-19-15

9. Signature <i>Bobby Shepherd</i>	Print First Name	Bobby	Initial
	Print Last Name	Shepherd	
Address on file with the Board of Election 398 S. GRANT AVE 113			
City/Village/Township Col, OH	Ward/Precinct	Zip Code 43215	County FRANKLIN
			Date of Signing 9-19-15

10. Signature <i>Dalyn Brown Sr.</i>	Print First Name	Dalyn	Initial
	Print Last Name	Brown Sr.	
Address on file with the Board of Election 398 S. GRANT Ave 322			
City/Village/Township Col, OH	Ward/Precinct	Zip Code 43215	County FRANKLIN
			Date of Signing 9-19-15

11. Signature <i>Susan Miller</i>	Print First Name	Susan	Initial
	Print Last Name	Miller	
Address on file with the Board of Election 398 South Grant Ave Apt 103			
City/Village/Township Columbus	Ward/Precinct	Zip Code 43205	County Franklin
			Date of Signing 9/19/15

12. Signature <i>William A. Mack</i>	Print First Name	WILLIAM	Initial
	Print Last Name	MACK	
Address on file with the Board of Election 3656 EMBRY CLUB WAY			
City/Village/Township COLUMBUS	Ward/Precinct	Zip Code 43219	County FRANKLIN
			Date of Signing 9/19/15

13. Signature <i>Stanford M. Crary</i>	Print First Name	Stanford	Initial
	Print Last Name	M. CRARY	
Address on file with the Board of Election 398 S grant Apt 402			
City/Village/Township Col	Ward/Precinct	Zip Code 43215	County Franklin
			Date of Signing 9 19 15

14. Signature <i>Joey Braswell</i>	Print First Name	Joey	Initial
	Print Last Name	Braswell	
Address on file with the Board of Election 1925 South 22nd Street			
City/Village/Township Columbus	Ward/Precinct	Zip Code 43206	County Franklyn
			Date of Signing 9/19/15

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Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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✓ G	15. Signature	Jacqueline Miller		Print First Name	Jacqueline	Initial	
	Address on file with the Board of Election		480 Denwood Drive South		Print Last Name	Miller	
	City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing		
	Gahanna		OH 43230	Franklin	9/20/2015		
MRA	16. Signature	Michael Kay		Print First Name	Michael	Initial	
	Address on file with the Board of Election		398 South Grant APT 302		Print Last Name	KAY	
	City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing		
	COLUMBUS GA			FRANKLIN	9/20/15		
✓	17. Signature	Mildred Carter		Print First Name	MILDRED	Initial	S
	Address on file with the Board of Election		398 S. GRANT AVE #1222		Print Last Name	CARTER	
	City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing		
	col OH		43215	Franklin	9-20-15		
✓ G	18. Signature	Nathaniel Hill		Print First Name	NATHANIEL	Initial	
	Address on file with the Board of Election		1228 WOODNELL AVE		Print Last Name	HILL	
	City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing		
	COLUMBUS		43219	FRANKLIN	9-22-15		
✓	19. Signature	[Redacted]		Print First Name	Amy	Initial	I
	Address on file with the Board of Election		[Redacted]		Print Last Name	[Redacted]	
	City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing		
	COLUMBUS		43203	FRANKLIN	9-22-15		
✓	20. Signature	[Redacted]		Print First Name	[Redacted]	Initial	
	Address on file with the Board of Election		[Redacted]		Print Last Name	[Redacted]	
	City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing		
	[Redacted]		[Redacted]	[Redacted]	[Redacted]		
✓	21. Signature	[Redacted]		Print First Name	[Redacted]	Initial	
	Address on file with the Board of Election		[Redacted]		Print Last Name	[Redacted]	
	City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing		
	[Redacted]		[Redacted]	[Redacted]	[Redacted]		

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Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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22. Signature <i>Michael J Lake</i>	Print First Name Michael	Print Last Name Lake	Initial J
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Address on file with the Board of Election <i>924 Franklin Ave</i>					
City/Village/Township <i>Cds, Ohio</i>	Ward/Precinct	Zip Code <i>43205</i>	County <i>Franklin</i>	Date of Signing <i>9-22-15</i>	

23. Signature <i>Michael Pegrum</i>	Print First Name Michael	Print Last Name Pegrum	Initial MP
--	-----------------------------	---------------------------	---------------

Address on file with the Board of Election <i>926 E Broad ST #807</i>					
City/Village/Township <i>Cds Oh</i>	Ward/Precinct	Zip Code <i>43205</i>	County <i>Franklin</i>	Date of Signing <i>9-22-15</i>	

24. Signature <i>Florence Bayles</i>	Print First Name Florence	Print Last Name Bayles	Initial
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Address on file with the Board of Election <i>300 E. Rich St #806</i>					
City/Village/Township <i>Cds</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>Franklin</i>	Date of Signing <i>9-23-15</i>	

25. Signature <i>Pat Bowen</i>	Print First Name Patricia	Print Last Name Bowen	Initial R
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Address on file with the Board of Election <i>300 E Rich St #1101</i>					
City/Village/Township <i>Cds, OH</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>Franklin</i>	Date of Signing <i>9/23/15</i>	

26. Signature <i>Kevin Wilds</i>	Print First Name Kevin	Print Last Name Wilds	Initial
-------------------------------------	---------------------------	--------------------------	---------

Address on file with the Board of Election <i>300 E. Rich #1403</i>					
City/Village/Township <i>Cds</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>Franklin</i>	Date of Signing <i>9-23-15</i>	

27. Signature <i>James Scaler</i>	Print First Name JAMES	Print Last Name Scaler	Initial
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Address on file with the Board of Election <i>3005 Wicklow</i>					
City/Village/Township <i>Cds</i>	Ward/Precinct <i>0</i>	Zip Code <i>43204</i>	County <i>FRANKLIN</i>	Date of Signing <i>9/23/15</i>	

28. Signature <i>Jillie Goble</i>	Print First Name Jillie	Print Last Name Goble	Initial
--------------------------------------	----------------------------	--------------------------	---------

Address on file with the Board of Election <i>88 Hanford St</i>					
City/Village/Township <i>Columbus, OH</i>	Ward/Precinct	Zip Code <i>43206</i>	County <i>Franklin</i>	Date of Signing <i>9/23/15</i>	

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.

STATEMENT OF CIRCULATOR

I, Rayfield Hardy, 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

Elite Campaigns, Inc.
5047 West Main street, #279
Kalamazoo, Michigan 49009

(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.

Rayfield Hardy
(Signed)
398 S Grant AVE Apt 408
(Address of circulator's permanent residence)
Number and Street, Road or Rural Route
Colo OH
City, Village or Township
OH 43215
State Zip Code

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

EXHIBIT A-2

Number: 000097

County: Butler

Section 97 Valid 10

Invalid 9

INITIATIVE PETITION

Checked By JB Total 19

Audited by _____ NE 4

Law Proposed by Initiative Petition First to be Submitted

TITLE

Ohio Drug Price Relief Act

609328

SUMMARY

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:

- 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.

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
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B.N.E.

1. Signature 	Print First Name	Initial
	Print Last Name	
Address on file with the Board of Election 54 New Briton circle		
City/Village/Township Fairfield	Ward/Precinct	Zip Code 45014
County Butler	Date of Signing 10/21/15	

N.P.A.

2. Signature 	Print First Name	Initial
	Print Last Name	
Address on file with the Board of Election 1100 Cobblestone Apt - 2-3B		
City/Village/Township Fairfield	Ward/Precinct	Zip Code 45014
County Ohio Butler	Date of Signing 10/21/15	

N.P.A.

3. Signature 	Print First Name	Initial
	Print Last Name	
Address on file with the Board of Election 5824 Blossom ct		
City/Village/Township West Chester	Ward/Precinct	Zip Code 45011
County Butler	Date of Signing 10/21/15	

N.P.A.

4. Signature MONICA OWENS	Print First Name	Initial
	Print Last Name	
Address on file with the Board of Election 1 Westwood Dr		
City/Village/Township Fairfield	Ward/Precinct	Zip Code 45014
County Butler	Date of Signing 10/24/15	

N.P.A.

5. Signature 	Print First Name	Initial
	Print Last Name	
Address on file with the Board of Election 4 Fall River Ct		
City/Village/Township Fairfield	Ward/Precinct 0	Zip Code 45014
County Butler	Date of Signing 10/21/15	

6. Signature 	Print First Name	Initial
	Print Last Name	
Address on file with the Board of Election 3857 Woodridge Blvd		
City/Village/Township Fairfield	Ward/Precinct	Zip Code 45014
County Butler	Date of Signing 10/21/15	

7. Signature 	Print First Name	Initial
	Print Last Name	
Address on file with the Board of Election 3456 Lakebrook Ct.		
City/Village/Township Fairfield	Ward/Precinct	Zip Code 45014
County Butler	Date of Signing 10/21/15	

NOTICE

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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	[Redacted]				
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Address on file with the Board of Election					
150 Easton Manor Dr.					
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing	
Marroe		45050	Butler	10/23/15	

9. Signature	Print First Name	Initial
Roman Boyce	Roman	L
	Print Last Name	
	Boyce	

Address on file with the Board of Election					
150 Easton Manor Dr.					
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing	
Marroe		45050	Butler	10/23/15	

10. Signature	Print First Name	Initial
[Signature]	Arlen	
	Print Last Name	
	Jones	

Address on file with the Board of Election					
3854 Woodside					
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing	
Butler	11	45014	Butler	10/23/15	

11. Signature	Print First Name	Initial
Renardo Cimeron	Renardo	RC
	Print Last Name	
	Cimeron	

Address on file with the Board of Election					
201 Ramblewood					
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing	
Hairfield		45014	Butler	11-23-15	

12. Signature	Print First Name	Initial
Tyler Armon	Tyler	T
	Print Last Name	
	Armon	

Address on file with the Board of Election					
3292 Greenwich drive					
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing	
Fairfield		45014	Butler	10/23/15	

13. Signature	Print First Name	Initial
[Signature]	Heather	HLS
	Print Last Name	
	Scott	

Address on file with the Board of Election					
220 Bent Tree Drive 2D					
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing	
Fairfield		45014	Butler	10/23/15	

14. Signature	Print First Name	Initial
[Signature]	Richard	
	Print Last Name	
	Lee	

Address on file with the Board of Election					
3525 Woodside Blvd #71					
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing	
Parsippany		45014	Butler	10/23/15	

NOTICE

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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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15. Signature <i>[Handwritten Signature]</i>	Print First Name <i>Kenneth</i>	Initial <i>K</i>
	Print Last Name <i>Garner</i>	

Address on file with the Board of Election
20 Ramblewood

City/Village/Township <i>FAIRFIELD</i>	Ward/Precinct	Zip Code <i>45014</i>	County <i>Butler</i>	Date of Signing <i>10-27-15</i>
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16. Signature <i>[Redacted Signature]</i>	Print First Name	Initial
<i>[Redacted Signature]</i>		

Address on file with the Board of Election
WOODMOSS

City/Village/Township <i>Fairfield</i>	Ward/Precinct	Zip Code <i>45014</i>	County <i>Butler</i>	Date of Signing <i>10/3/15</i>
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17. Signature <i>V. Wats</i>	Print First Name <i>Vivacia Wats</i>	Initial <i>A</i>
	Print Last Name <i>Wats</i>	

Address on file with the Board of Election
211 Ramblewood dr. Apt 2e

City/Village/Township <i>Fairfield</i>	Ward/Precinct	Zip Code <i>45014</i>	County <i>Butler</i>	Date of Signing <i>10/23/15</i>
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18. Signature <i>[Handwritten Signature]</i>	Print First Name <i>Jacob</i>	Initial
	Print Last Name <i>Yanssen</i>	

Address on file with the Board of Election
3651 Woodridge Blvd Apt 12

City/Village/Township <i>Fairfield</i>	Ward/Precinct	Zip Code <i>45014</i>	County <i>Butler</i>	Date of Signing <i>20151023</i>
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19. Signature <i>[Handwritten Signature]</i>	Print First Name <i>Joseph</i>	Initial
	Print Last Name <i>Clark</i>	

Address on file with the Board of Election
210 Ramblewood Dr

City/Village/Township <i>Fairfield</i>	Ward/Precinct	Zip Code <i>45014</i>	County <i>Butler</i>	Date of Signing <i>10/23/15</i>
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20. Signature <i>[Redacted Signature]</i>	Print First Name	Initial
<i>[Redacted Signature]</i>		

Address on file with the Board of Election
[Redacted Address]

City/Village/Township <i>Fairfield</i>	Ward/Precinct	Zip Code <i>45014</i>	County <i>Butler</i>	Date of Signing <i>10-23-15</i>
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21. Signature <i>[Redacted Signature]</i>	Print First Name	Initial

Address on file with the Board of Election
1024 Menomonee Dr

City/Village/Township <i>Girdi</i>	Ward/Precinct	Zip Code <i>45251</i>	County <i>Hamilton</i>	Date of Signing <i>10/23/15</i>
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NR

NE

NE

BUENA

NE

NE

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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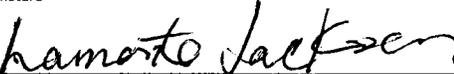
(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)
 (Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

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

22. Signature 		Print First Name <u>Davonte</u>			Initial <u>F</u>
		Print Last Name <u>Pritchett</u>			
Address on file with the Board of Election <u>3605 Woodridge Blvd Apt 11</u>					
City/Village/Township <u>Fairfield</u>	Ward/Precinct	Zip Code <u>43014</u>	County <u>Butler</u>	Date of Signing <u>10-24-15</u>	

MIA

23. Signature 		Print First Name <u>Lamonte Jackson</u>			Initial <u>LJ</u>
		Print Last Name			
Address on file with the Board of Election <u>2931 Mack Rd</u>					
City/Village/Township <u>Fairfield</u>	Ward/Precinct	Zip Code <u>45014</u>	County <u>US Butler</u>	Date of Signing <u>10/24/15</u>	

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	

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	

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	

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	

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	

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, Trishin Richard declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 28 ¹³ 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

Educated Voters
5216 Beechmont Ave.
Cincinnati, OH 45230

(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.

Trishin Richard

(Signed)

666 Harcourt Dr

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

Cinti, OH

City, Village or Township

OH

State

45246

Zip Code

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

EXHIBIT A-3

Number: 000674

County: Franklin

1/2 18

INITIATIVE PETITION

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

TITLE

Ohio Drug Price Relief Act

*194.01
Sinnott* **013733**

SUMMARY

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:

- 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.

7

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

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

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GR

1. Signature <i>Joseph Warnimont</i>	Print First Name	<i>Joseph Warnimont</i>	Initial	<i>JAW</i>
	Print Last Name	<i>Warnimont</i>		

Address on file with the Board of Election
222 W Lane Ave Apt 309

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43201</i>	<i>Franklin</i>	<i>11-3-15</i>

✓

2. Signature <i>Leila Ben-Nasr</i>	Print First Name	<i>Leila</i>	Initial	<i>LB</i>
	Print Last Name	<i>Ben-Nasr</i>		

Address on file with the Board of Election
6069 O'SWEENEY LANE

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>DUBLIN</i>		<i>43016</i>	<i>Franklin</i>	<i>11.3.15</i>

NR

3. Signature <i>Nataly Deniz</i>	Print First Name	<i>Nataly</i>	Initial	
	Print Last Name	<i>Deniz</i>		

Address on file with the Board of Election
2307 Meadow Tynny Cir.

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43235</i>	<i>Franklin</i>	<i>11/3/15</i>

N6

4. Signature <i>Jessica Wayne</i>	Print First Name	<i>Jessica</i>	Initial	
	Print Last Name	<i>Wayne</i>		

Address on file with the Board of Election
184 West 11th Avenue

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43210</i>	<i>Franklin</i>	<i>11/04/15</i>

NR

5. Signature <i>Cynthia M. Wiese</i>	Print First Name	<i>Cynthia</i>	Initial	
	Print Last Name	<i>Wiese</i>		

Address on file with the Board of Election
92 E. Frames Ave.

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43201</i>	<i>Franklin</i>	<i>11/04/15</i>

✓

6. Signature <i>Kyle Dixon</i>	Print First Name	<i>Kyle</i>	Initial	<i>K</i>
	Print Last Name	<i>Dixon</i>		

Address on file with the Board of Election
2608 Baker Hall East 932 12th Avenue

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43210</i>	<i>Franklin</i>	<i>11/4/15</i>

✓

7. Signature <i>Kayla Robertson</i>	Print First Name	<i>Kayla</i>	Initial	
	Print Last Name	<i>Robertson</i>		

Address on file with the Board of Election
1500 Neil Ave

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43201</i>	<i>Franklin</i>	<i>11/4/15</i>

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8. Signature <i>[Signature]</i>	Print First Name Montanna	Initial MS
	Print Last Name Stanley	

Address on file with the Board of Election
578 Harley Drive

City/Village/Township Columbus Franklin	Ward/Precinct	Zip Code 43202	County Franklin	Date of Signing 11/4/15
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9. Signature <i>[Signature]</i>	Print First Name Kelley	Initial KF
	Print Last Name Fiorello	

Address on file with the Board of Election
115 Chickenden Ave

City/Village/Township Columbus	Ward/Precinct	Zip Code 43201	County Franklin	Date of Signing 11/4/15
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10. Signature <i>[Signature]</i>	Print First Name Awen	Initial
	Print Last Name Morris	

Address on file with the Board of Election
288 E. 14th Street

City/Village/Township Columbus	Ward/Precinct	Zip Code 43201	County Franklin	Date of Signing 11/7/2015
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11. Signature <i>[Signature]</i>	Print First Name Ethel	Initial
	Print Last Name Walker	

Address on file with the Board of Election
50 W 14th Ave

City/Village/Township Columbus	Ward/Precinct	Zip Code 43210	County Franklin	Date of Signing 11/4/15
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12. Signature <i>[Signature]</i>	Print First Name Sabrina	Initial
	Print Last Name McDermott	

Address on file with the Board of Election
60 E Norwich Ave Apt 301

City/Village/Township Columbus	Ward/Precinct	Zip Code 43201	County Franklin	Date of Signing 11/4/15
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13. Signature <i>[Signature]</i>	Print First Name Anthony	Initial A
	Print Last Name Gregory	

Address on file with the Board of Election
4785 Teter Ct

City/Village/Township Columbus	Ward/Precinct	Zip Code 43210	County Franklin	Date of Signing 11-4-15
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14. Signature <i>[Signature]</i>	Print First Name Nicholas	Initial A
	Print Last Name Pennington	

Address on file with the Board of Election
1122 S. Perry Drive

City/Village/Township Reynoldsburg	Ward/Precinct	Zip Code 43068	County Franklin	Date of Signing 11-4-15
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PG
 NCR
 NCR
 NG

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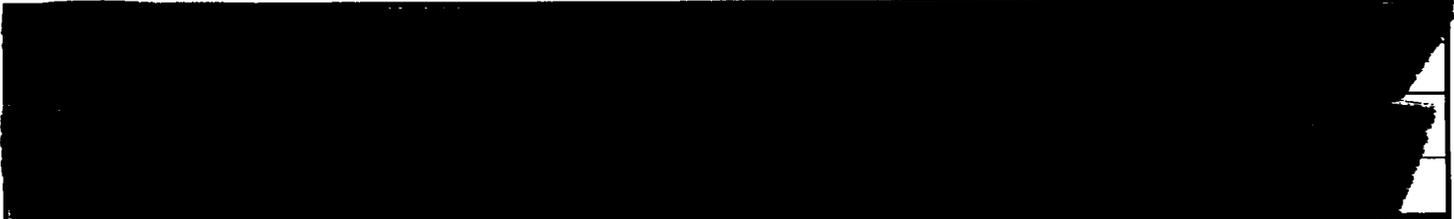
(Sign with ink. Your name, residence, and date of signing must be given.)

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16. Signature <i>Debra Hill</i>	Print First Name <i>Debra</i>	Initial <i>DH</i>
	Print Last Name <i>Hill</i>	

Address on file with the Board of Election
2520 Homcroft

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43211</i>	County <i>Franklin</i>	Date of Signing <i>11/5/15</i>
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17. Signature <i>Gina Lewis</i>	Print First Name <i>Gina</i>	Initial
	Print Last Name <i>Lewis</i>	

Address on file with the Board of Election
6445 Adler Court

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43235</i>	County <i>Franklin</i>	Date of Signing <i>11/5/15</i>
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18. Signature <i>Holly Hoagland</i>	Print First Name <i>Holly</i>	Initial
	Print Last Name <i>Hoagland</i>	

Address on file with the Board of Election
2016 Tulca Avenue

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43201</i>	County <i>Franklin</i>	Date of Signing <i>11/5/15</i>
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19. Signature <i>Tony Jelenic</i>	Print First Name <i>Tony</i>	Initial <i>TJ</i>
	Print Last Name <i>Jelenic</i>	

Address on file with the Board of Election
406 East Lane Avenue

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43201</i>	County <i>Franklin</i>	Date of Signing <i>11-4-15</i>
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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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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.

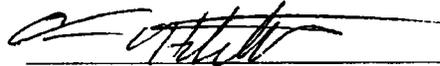
STATEMENT OF CIRCULATOR

I, Oscar Hefele, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 19 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.



(Signed)

501 Minerva Ave

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

AKRON

City, Village or Township

OHIO

State

44320

Zip Code

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

EXHIBIT A-4

Number: 000770

County: Franklin

13
11c

INITIATIVE PETITION

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

TITLE

Ohio Drug Price Relief Act

013829

SUMMARY

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:

- 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.

CERTIFICATION OF ATTORNEY GENERAL

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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

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Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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1. Signature 	Print First Name Courtney	Initial T
Address on file with the Board of Election 		

City/Village/Township Columbus	Ward/Precinct	Zip Code 43207	County Franklin	Date of Signing 10-8-15
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2. Signature 	Print First Name Corey	Initial S
Address on file with the Board of Election 205 Rugby Ct		

City/Village/Township Gahanna	Ward/Precinct	Zip Code 43230	County Franklin	Date of Signing 10/8/15
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3. Signature 	Print First Name Heather	Initial
Address on file with the Board of Election 5248 Eureka Ave		

City/Village/Township Columbus	Ward/Precinct	Zip Code 43204	County Franklin	Date of Signing 10/8
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4. Signature 	Print First Name Regina	Initial L
Address on file with the Board of Election 1376 S Champion		

City/Village/Township Columbus	Ward/Precinct 0	Zip Code 43206	County FRANKLIN	Date of Signing 10/8
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5. Signature 	Print First Name Janet	Initial J
Address on file with the Board of Election 1637 Park Trail Dr		

City/Village/Township Westerville	Ward/Precinct 017	Zip Code 43081	County Franklin	Date of Signing -
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6. Signature 	Print First Name Robert	Initial A
Address on file with the Board of Election 343 Haymarket Dr		

City/Village/Township GAHANNA	Ward/Precinct	Zip Code	County 432 Franklin	Date of Signing 10/6/15
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7. Signature 	Print First Name Celeste	Initial
Address on file with the Board of Election 963 Sullivant Ave		

City/Village/Township Coe	Ward/Precinct	Zip Code 43223	County Franklin	Date of Signing 10/8/15
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B. Signature <i>[Handwritten Signature]</i>	Print First Name <i>Amber</i>	Initial <i>C</i>
	Print Last Name <i>Robb</i>	

Address on file with the Board of Election

671 Wilson Ave

City/Village/Township <i>Col Ohio Franklin</i>	Ward/Precinct	Zip Code <i>43205</i>	County <i>Franklin</i>	Date of Signing <i>10-8-15</i>
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9. Signature <i>Darisha Nathan</i>	Print First Name <i>Darisha</i>	Initial
	Print Last Name <i>Nathan</i>	

Address on file with the Board of Election

891 Linwood Ave

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43206</i>	County <i>Franklin</i>	Date of Signing <i>10-8-15</i>
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10. Signature <i>[Redacted]</i>	Print First Name <i>Cynthia</i>	Initial <i>M</i>
	Print Last Name <i>[Redacted]</i>	

Address on file with the Board of Election

[Redacted Address]

City/Village/Township <i>Green City OH</i>	Ward/Precinct	Zip Code <i>43123</i>	County <i>Franklin</i>	Date of Signing <i>10-8-15</i>
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11. Signature <i>Shawn Calloway Sr</i>	Print First Name <i>Shawn</i>	Initial
	Print Last Name <i>CALLOWAY SR</i>	

Address on file with the Board of Election

1110 22nd Ave

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43206</i>	County <i>Franklin</i>	Date of Signing <i>10-8-15</i>
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12. Signature <i>Stephenowitz</i>	Print First Name <i>Stephen</i>	Initial
	Print Last Name <i>owitz</i>	

Address on file with the Board of Election

848 S Weyant Ave Columbus OH 43227

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43227</i>	County <i>Franklin</i>	Date of Signing <i>10-8-15</i>
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13. Signature <i>Michelle Rogers</i>	Print First Name <i>Michelle</i>	Initial <i>L</i>
	Print Last Name <i>Rogers</i>	

Address on file with the Board of Election

5193 Parkline Dr

City/Village/Township <i>Tubo</i>	Ward/Precinct	Zip Code <i>43232</i>	County <i>Franklin</i>	Date of Signing <i>10-8-15</i>
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14. Signature <i>[Redacted]</i>	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

[Redacted Address]

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
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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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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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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.

STATEMENT OF CIRCULATOR

I, James Mitchell, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 80 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

Elite Campaigns, Inc.

5047 West Main street, #279

Kalamazoo, Michigan 49009

(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.

James Mitchell
(Signed)
1151 Sherman Ave
(Address of circulator's permanent residence)
Number and Street, Road or Rural Route
Co15
City, Village or Township
OH 43205
State Zip Code

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

EXHIBIT A-5

Number: 000001

County: Carroll

27

INITIATIVE PETITION

25 Valid
2 Invalid

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

TITLE

Ohio Drug Price Relief Act

135394

By *[Signature]*

SUMMARY

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:

- 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.

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

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Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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1. Signature <i>Amanda Busham</i>	Print First Name Amanda	Initial M
	Print Last Name Busham	

Address on file with the Board of Election 7982 Lakewood Dr.					
City/Village/Township Camblton	Ward/Precinct	Zip Code 44615	County Carroll	Date of Signing 10/8/15	

2. Signature <i>Kathleen Gerasimof</i>	Print First Name Kathleen	Initial K
	Print Last Name Gerasimof	

Address on file with the Board of Election 150 W. Green St					
City/Village/Township Leesville	Ward/Precinct	Zip Code 44689	County Carroll	Date of Signing 10-8-15	

3. Signature <i>Morgan Lloyd</i>	Print First Name Morgan	Initial J
	Print Last Name LLOYD	

Address on file with the Board of Election 8094 CUMBERLAND RD					
City/Village/Township BOWERSTON	Ward/Precinct	Zip Code 44695	County Carroll	Date of Signing 10/8/2015	

4. Signature <i>John Rutledge</i>	Print First Name John	Initial C
	Print Last Name Rutledge	

Address on file with the Board of Election 4210 Waynesburg Rd.					
City/Village/Township Camblton	Ward/Precinct	Zip Code 44615	County Carroll	Date of Signing 10/08/15	

5. Signature <i>Keri Reed</i>	Print First Name Keri	Initial J
	Print Last Name Reed	

Address on file with the Board of Election 325 Avalon Rd.					
City/Village/Township Dellroy	Ward/Precinct	Zip Code 44620	County Carroll	Date of Signing 10/9/15	

6. Signature <i>Janet Fithen</i>	Print First Name Janet	Initial
	Print Last Name Fithen	

Address on file with the Board of Election Van East St.					
City/Village/Township Dellroy	Ward/Precinct	Zip Code 44620	County Carroll	Date of Signing 10-10-15	

7. Signature <i>Karen Enold</i>	Print First Name Karen	Initial C
	Print Last Name Enold	

Address on file with the Board of Election 8201 Deer Pt. S.W.					
City/Village/Township Bowerston	Ward/Precinct	Zip Code 44695	County Carroll	Date of Signing 10-10-15	

MRA
B

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8. Signature <i>David P. Hill</i>	Print First Name <i>Linda</i>	Initial <i>P</i>
	Print Last Name <i>Hill</i>	
Address on file with the Board of Election <i>118 3rd St. S.E.</i>		
City/Village/Township <i>Carrollton</i>	Ward/Precinct	Zip Code <i>44615</i>
County <i>Carroll</i>	Date of Signing <i>10-21-15</i>	

9. Signature <i>Brian S. Sarty</i>	Print First Name <i>Brian</i>	Initial
	Print Last Name <i>Sarty</i>	
Address on file with the Board of Election <i>9056 Saco Rd. So.</i>		
City/Village/Township <i>SLW</i>	Ward/Precinct	Zip Code <i>43988</i>
County <i>Carroll</i>	Date of Signing <i>10-24-15</i>	

10. Signature <i>Carol Y. Bellville</i>	Print First Name <i>Carol</i>	Initial <i>A</i>
	Print Last Name <i>Bellville</i>	
Address on file with the Board of Election <i>7084 Dial Rd. SW</i>		
City/Village/Township <i>Carrollton</i>	Ward/Precinct	Zip Code <i>44615</i>
County <i>Carroll</i>	Date of Signing <i>10/26/15</i>	

11. Signature <i>Robert L. Bellville</i>	Print First Name <i>Robert</i>	Initial <i>L</i>
	Print Last Name <i>Bellville</i>	
Address on file with the Board of Election <i>7084 Dial Rd.</i>		
City/Village/Township <i>Carrollton</i>	Ward/Precinct	Zip Code <i>44615</i>
County <i>Carroll</i>	Date of Signing <i>10/26/15</i>	

12. Signature <i>Debbly Dukosic</i>	Print First Name <i>Debbly</i>	Initial <i>A</i>
	Print Last Name <i>Dukosic</i>	
Address on file with the Board of Election <i>2088 Vesper Rd SW</i>		
City/Village/Township <i>Carrollton</i>	Ward/Precinct	Zip Code <i>44615</i>
County <i>Carroll</i>	Date of Signing <i>10-26-15</i>	

13. Signature <i>Barbara Spears</i>	Print First Name <i>Barbara</i>	Initial
	Print Last Name <i>Spears</i>	
Address on file with the Board of Election <i>3010 Antigua Rd.</i>		
City/Village/Township <i>Carrollton</i>	Ward/Precinct	Zip Code <i>44615</i>
County <i>Carroll</i>	Date of Signing <i>10-26-15</i>	

14. 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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Anthony S. Rozicki

15. Signature <i>Anthony S. Rozicki</i>	Print First Name <i>Anthony</i>	Initial <i>AR</i>
	Print Last Name <i>Rozicki</i>	
Address on file with the Board of Election <i>6067 Glen Drive SW</i>		
City/Village/Township <i>Sherrillsville</i>	Ward/Precinct	Zip Code <i>44675</i>
	County <i>Carroll</i>	Date of Signing <i>10/16/15</i>

16. Signature <i>Wilma Johnson</i>	Print First Name <i>Wilma</i>	Initial <i>WJ</i>
	Print Last Name <i>Johnson</i>	
Address on file with the Board of Election <i>7378 Canton Rd NW</i>		
City/Village/Township <i>Mulvum</i>	Ward/Precinct	Zip Code <i>44644</i>
	County <i>Carroll</i>	Date of Signing <i>10-16-15</i>

17. Signature <i>Bardie Miller</i>	Print First Name <i>Bardie</i>	Initial <i>BM</i>
	Print Last Name <i>Miller</i>	
Address on file with the Board of Election <i>7229 Lark Rd NW</i>		
City/Village/Township <i>Waynesburg</i>	Ward/Precinct	Zip Code <i>44688</i>
	County <i>Carroll</i>	Date of Signing <i>10-16-15</i>

18. Signature <i>Rougin Williams</i>	Print First Name <i>Rougin</i>	Initial <i>RW</i>
	Print Last Name <i>Williams</i>	
Address on file with the Board of Election <i>1200 Richwood Rd NW</i>		
City/Village/Township <i>Waynesburg</i>	Ward/Precinct	Zip Code <i>44688</i>
	County <i>Carroll</i>	Date of Signing <i>10-16-15</i>

19. Signature <i>Clare M. Oliver</i>	Print First Name <i>Clare</i>	Initial <i>CO</i>
	Print Last Name <i>Oliver</i>	
Address on file with the Board of Election <i>81 S Lynnwood Dr</i>		
City/Village/Township <i>Magnolia</i>	Ward/Precinct	Zip Code <i>44643</i>
	County <i>Carroll</i>	Date of Signing <i>10-16-15</i>

Brenda

20. Signature <i>Brenda Leggett</i>	Print First Name <i>Brenda</i>	Initial <i>BL</i>
	Print Last Name <i>Leggett</i>	
Address on file with the Board of Election <i>350 Meady Ave</i>		
City/Village/Township <i>Carrollton</i>	Ward/Precinct	Zip Code <i>44615</i>
	County <i>Carroll</i>	Date of Signing <i>11-5-15</i>

21. Signature <i>Martin Williams</i>	Print First Name <i>Martin</i>	Initial <i>D</i>
	Print Last Name <i>Williams</i>	
Address on file with the Board of Election <i>18 North Arch St</i>		
City/Village/Township <i>Dellaoy</i>	Ward/Precinct	Zip Code <i>44615</i>
	County <i>CARROLL</i>	Date of Signing <i>11-5-15</i>

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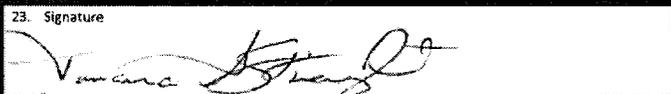
(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

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

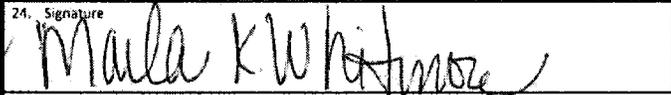
Address on file with the Board of Election
3258 Camille Rd

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Shenandoah		44675	Carroll	11-5-15

23. Signature 	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
4213 Caddy Rd SW

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Bowerston		44695	Carroll	11-5-15

24. Signature 	Print First Name	Initial
	Print Last Name	

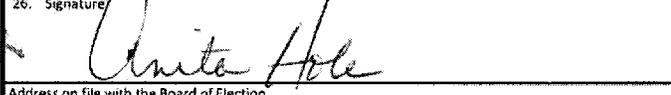
Address on file with the Board of Election
1028 Fisherman

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Carrollton		44615	Carroll	11/5/15

25. Signature 	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
2225 Scroll Rd

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Carrollton		44615	Carroll	11/5/15

26. Signature 	Print First Name	Initial
	Print Last Name	

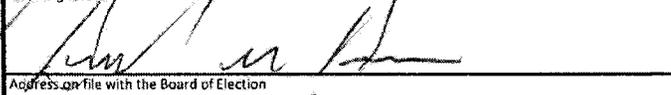
Address on file with the Board of Election
7279 CASHMERE RD

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Sum		43988	Carroll	11/5/15

27. Signature 	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
7135 PEARL RD. SE

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Angerlan		43903	Carroll	11-5-15

28. Signature 	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
7312 FERGUSON ST

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Carrollton		44615	Carroll	11-5-15

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HARRIS

(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, Steven G. Sidlovsky, 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.

Steven G. Sidlovsky
(Signed)

1109 W. P+H St.
(Address of circulator's permanent residence)
Number and Street, Road or Rural Route

Lorain
City, Village or Township

Ohio 44052
State Zip Code

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

EXHIBIT A-6

Number: 000060

County: Lake

(25)

INITIATIVE PETITION

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

(24)
AK

TITLE

350815

Ohio Drug Price Relief Act

SUMMARY

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:

- 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.

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
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Signature <i>Michael J Beck</i>	Print First Name	MICHAEL	Initial	J
	Print Last Name	BECK		
Address on file with the Board of Election <i>279 E 3881</i>				
City/Village/Township <i>WILLOWICK</i>	Ward/Precinct	Zip Code <i>44095</i>	County <i>LAKE</i>	Date of Signing <i>09/21/15</i>

Signature <i>Laura McFarland</i>	Print First Name	Laura	Initial	L
	Print Last Name	McFarland		
Address on file with the Board of Election <i>145 E. 293rd St</i>				
City/Village/Township <i>Willowick</i>	Ward/Precinct	Zip Code <i>44095</i>	County <i>Lake</i>	Date of Signing <i>9-21-15</i>

Signature <i>Lisa Wulford</i>	Print First Name	Lisa	Initial	
	Print Last Name	Wulford		
Address on file with the Board of Election <i>31920 Willowick Dr</i>				
City/Village/Township <i>Willowick</i>	Ward/Precinct	Zip Code <i>44095</i>	County <i>Lake</i>	Date of Signing <i>9/23/15</i>

Signature <i>Cody Kmiec</i>	Print First Name	Cody	Initial	R
	Print Last Name	Kmiec		
Address on file with the Board of Election <i>29801 west willowick drive</i>				
City/Village/Township <i>willowick</i>	Ward/Precinct	Zip Code <i>44094</i>	County <i>Lake</i>	Date of Signing <i>9/23/15</i>

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

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

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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8. Signature <i>Carolyn J Nolan</i>	Print First Name <i>Carolyn</i>	Initial <i>J</i>
	Print Last Name <i>Nolan</i>	

Address on file with the Board of Election
30 E. Shore Blvd.

City/Village/Township <i>Timberlake</i>	Ward/Precinct	Zip Code <i>44095</i>	County <i>Lake</i>	Date of Signing <i>10/11/15</i>
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9. Signature <i>M. Manzanarez</i>	Print First Name <i>Mina</i>	Initial <i>MM</i>
	Print Last Name <i>Manzanarez</i>	

Address on file with the Board of Election
3719 Portsmouth Cv.

City/Village/Township <i>Perry</i>	Ward/Precinct <i>5</i>	Zip Code <i>44081</i>	County <i>Lake</i>	Date of Signing <i>10/11/15</i>
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10. Signature <i>Christine Redfern</i>	Print First Name <i>CHRISTINE</i>	Initial
	Print Last Name <i>REDFERN</i>	

Address on file with the Board of Election
8887 Daxon Dr.

City/Village/Township <i>Burton</i>	Ward/Precinct	Zip Code <i>44094</i>	County <i>Lake</i>	Date of Signing <i>10/11/15</i>
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11. Signature <i>Patrick Toth</i>	Print First Name <i>PATRICK</i>	Initial <i>PTM</i>
	Print Last Name <i>TOTH</i>	

Address on file with the Board of Election
8678 Sylvia Dr

City/Village/Township <i>Lake Mentor</i>	Ward/Precinct	Zip Code <i>44060</i>	County <i>LAKE</i>	Date of Signing <i>10/11/15</i>
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12. Signature <i>Adam Alexander</i>	Print First Name <i>ADAM</i>	Initial <i>AA</i>
	Print Last Name <i>ALEXANDER</i>	

Address on file with the Board of Election
7431 Cordle ave

City/Village/Township <i>Mentor</i>	Ward/Precinct <i>0</i>	Zip Code <i>44060</i>	County <i>LAKE</i>	Date of Signing <i>10/11/15</i>
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13. Signature <i>Adam Buskirk</i>	Print First Name <i>Adam</i>	Initial <i>AB</i>
	Print Last Name <i>Buskirk</i>	

Address on file with the Board of Election
7995 Mentor Ave #108

City/Village/Township <i>Mentor</i>	Ward/Precinct	Zip Code <i>44060</i>	County <i>Lake</i>	Date of Signing <i>10/19/15</i>
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14. Signature <i>Sean Bannon</i>	Print First Name <i>SEAN</i>	Initial
	Print Last Name <i>BANNO</i>	

Address on file with the Board of Election
18746 Jamesway Ct.

City/Village/Township <i>Mentor</i>	Ward/Precinct	Zip Code <i>44060</i>	County <i>LAKE</i>	Date of Signing <i>10/19/15</i>
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Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
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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
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14. Signature <i>J. Wagner</i>	Print First Name	Jeff	Initial	S
	Print Last Name	Wagner		
Address on file with the Board of Election 9510 Carberry Dr.				
City/Village/Township Mentor	Ward/Precinct	Zip Code 44060	County Lake	Date of Signing 10/12/15

15. Signature <i>Lynette Jeric</i>	Print First Name	Lynette	Initial	L
	Print Last Name	Jeric		
Address on file with the Board of Election 7324 Demshar				
City/Village/Township Mentor	Ward/Precinct	Zip Code 44060	County Lake	Date of Signing 10/12/15

17. Signature <i>Louann Mishic</i>	Print First Name	Louann	Initial	
	Print Last Name	Mishic		
Address on file with the Board of Election 95 Woodland Rd.				
City/Village/Township Painesville	Ward/Precinct	Zip Code 44077	County Lake	Date of Signing 10/12/15

18. Signature <i>John F. Kocs</i>	Print First Name	John	Initial	F
	Print Last Name	Kocs		
Address on file with the Board of Election 7139 Woodwood Ln				
City/Village/Township Mentor	Ward/Precinct LC	Zip Code 44060	County LAKE	Date of Signing 10-12-15

19. Signature <i>Gina Margoff</i>	Print First Name	Gina	Initial	M
	Print Last Name	Margoff		
Address on file with the Board of Election 118 Shelton Blvd				
City/Village/Township Eastlake	Ward/Precinct 1	Zip Code 44095	County Lake	Date of Signing 10-12-15

20. Signature <i>Robert Dietzel</i>	Print First Name	Robert	Initial	D
	Print Last Name	Dietzel		
Address on file with the Board of Election 5986 Campbell Rd				
City/Village/Township Mentor on the Lake	Ward/Precinct AA	Zip Code 44060	County LAKE	Date of Signing 10-12-15

21. Signature <i>Sarah Little</i>	Print First Name	Sarah	Initial	L
	Print Last Name	Little		
Address on file with the Board of Election 791 Mentor Ave Apt A12				
City/Village/Township Mentor	Ward/Precinct	Zip Code 44060	County Lake	Date of Signing 10-12-15

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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
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Signature ✓ <i>Diane Sharp</i>	County	Township	Rural Route or other Post office Address	Month / Day / Year
Address on file with the Board of Election <i>1089 E. 343 ST.</i>		City/Village/Township <i>LAKE</i>	Ward/Precinct	Date of Signing <i>10/12/15</i>
Print First Name <i>DIANE</i>	Print Last Name <i>SHARP</i>	Initial <i>DS</i>		
City/Village/Township <i>LAKE</i>	Ward/Precinct	Zip Code <i>44060</i>	County <i>LAKE</i>	Date of Signing <i>10/12/15</i>

Signature ✓ <i>Valerie L. Morgan</i>	County	Township	Rural Route or other Post office Address	Month / Day / Year
Address on file with the Board of Election <i>180 Spruce Lane</i>		City/Village/Township <i>Mentor</i>	Ward/Precinct	Date of Signing <i>10/12/15</i>
Print First Name <i>VALERIE L. MORGAN</i>	Print Last Name	Initial <i>V.L.M.</i>		
City/Village/Township <i>Mentor</i>	Ward/Precinct	Zip Code <i>Ohio</i>	County <i>Lake</i>	Date of Signing <i>10/12/15</i>

Signature ✓ <i>Thomas D. [unclear]</i>	County	Township	Rural Route or other Post office Address	Month / Day / Year
Address on file with the Board of Election <i>8439 BUSHWELL CT</i>		City/Village/Township <i>MENTOR</i>	Ward/Precinct <i>4</i>	Date of Signing <i>10-12-15</i>
Print First Name <i>THOMAS</i>	Print Last Name <i>WELLS</i>	Initial		
City/Village/Township <i>MENTOR</i>	Ward/Precinct <i>4</i>	Zip Code <i>44060</i>	County <i>LAKE</i>	Date of Signing <i>10-12-15</i>

Signature ✓ <i>Lynn Murphy</i>	County	Township	Rural Route or other Post office Address	Month / Day / Year
Address on file with the Board of Election <i>8031 BRICHFORD RD.</i>		City/Village/Township <i>MENTOR</i>	Ward/Precinct	Date of Signing <i>10-12-15</i>
Print First Name <i>Sheri</i>	Print Last Name <i>MURPHY</i>	Initial <i>S.M.</i>		
City/Village/Township <i>MENTOR</i>	Ward/Precinct	Zip Code <i>44060</i>	County <i>LAKE</i>	Date of Signing <i>10-12-15</i>

Signature ✓ <i>Laurel [unclear]</i>	County	Township	Rural Route or other Post office Address	Month / Day / Year
Address on file with the Board of Election <i>9118 KOPHART DR.</i>		City/Village/Township <i>MENTOR</i>	Ward/Precinct	Date of Signing <i>10-12-15</i>
Print First Name <i>LAUREL [unclear]</i>	Print Last Name <i>KILNES</i>	Initial <i>A.</i>		
City/Village/Township <i>MENTOR</i>	Ward/Precinct	Zip Code <i>44060</i>	County <i>LAKE</i>	Date of Signing <i>10-12-15</i>

Signature ✓ <i>Lynn Graham</i>	County	Township	Rural Route or other Post office Address	Month / Day / Year
Address on file with the Board of Election <i>8244 Findley Dr.</i>		City/Village/Township <i>mentor</i>	Ward/Precinct	Date of Signing <i>10/12/15</i>
Print First Name <i>Lynn</i>	Print Last Name <i>Graham</i>	Initial <i>M</i>		
City/Village/Township <i>mentor</i>	Ward/Precinct	Zip Code <i>44060</i>	County <i>Lake</i>	Date of Signing <i>10/12/15</i>

Signature ✓ <i>Tiffany Spriggs</i>	County	Township	Rural Route or other Post office Address	Month / Day / Year
Address on file with the Board of Election <i>11 Meadowlawn Dr. Unit 2</i>		City/Village/Township <i>mentor</i>	Ward/Precinct	Date of Signing <i>10/12/15</i>
Print First Name <i>Tiffany</i>	Print Last Name <i>Spriggs</i>	Initial <i>TS</i>		
City/Village/Township <i>mentor</i>	Ward/Precinct	Zip Code <i>44060</i>	County <i>Lake</i>	Date of Signing <i>10/12/15</i>

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.

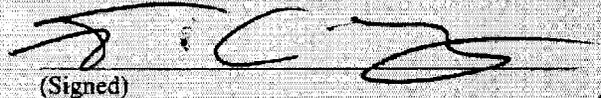
STATEMENT OF CIRCULATOR

I, Jonathan C. McAule, 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.


(Signed)

8119 Conover Ln/Ae
(Address of circulator's permanent residence)
Number and Street, Road or Rural Route

WARREN
City, Village or Township

Mi. 48089
State Zip Code

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

EXHIBIT A-7

Number: 000152

County: Clermont

231

INITIATIVE PETITION

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

000152

TITLE

Ohio Drug Price Relief Act

SUMMARY

PAGE # 152 VALID 22 158281
 CHECKER SH INVALID 6
 TOTAL 28

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:

- 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.

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

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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

Rebecca Wetherington

Print First Name: Rebecca
Print Last Name: Wetherington
Initial: _____

Address on file with the Board of Election: 5570 Pleasant View Dr

City/Village/Township: Milford Ward/Precinct: _____ Zip Code: 45150 County: Clermont Date of Signing: 10-5-15

2. Signature

Robert Hastings

Print First Name: Robert
Print Last Name: Hastings
Initial: _____

Address on file with the Board of Election: 1191 Cedar Hill Ct.

City/Village/Township: Batavia Ward/Precinct: _____ Zip Code: 45103 County: Clermont Date of Signing: 10/5/2015

3. Signature

Summer Beer

Print First Name: Summer
Print Last Name: Beer
Initial: _____

Address on file with the Board of Election: 1609 St Rt 28

City/Village/Township: Goshen Ward/Precinct: _____ Zip Code: 46140 County: Clermont Date of Signing: 10/5/15

4. Signature

RSM

Print First Name: Robert
Print Last Name: Martin
Initial: RCM

Address on file with the Board of Election: 2127 Oakwood Drive

City/Village/Township: Milford Ward/Precinct: _____ Zip Code: OA 45150 County: Clermont Date of Signing: 10/05/2015

5. Signature

Kathryn Hacker

Print First Name: Kathryn
Print Last Name: Hacker
Initial: _____

Address on file with the Board of Election: 5950 Deerfield Rd

City/Village/Township: Milford Ward/Precinct: 041 Zip Code: 45150 County: Clermont Date of Signing: 10-5-15

6. Signature

Mick Criswell

Print First Name: Mick
Print Last Name: Criswell
Initial: MSC

Address on file with the Board of Election: 254 Staghorn Dr.

City/Village/Township: Cincinnati Ward/Precinct: _____ Zip Code: 45245 County: Clermont Date of Signing: 10-5-15

7. Signature

Geraldine Fancher

Print First Name: Geraldine
Print Last Name: Fancher
Initial: _____

Address on file with the Board of Election: 2953 St. Rt. 131

City/Village/Township: Batavia Ward/Precinct: _____ Zip Code: 45103 County: Clermont Date of Signing: 10-5-15

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15. Signature <i>Kathryn J Glover Grever</i>	Print First Name	Kathryn	Initial	J
	Print Last Name	Glover Grever		

Address on file with the Board of Election 210 Mt. Holly Road				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
America		45150	Clermont	10/5/2015

16. Signature <i>James Parks</i>	Print First Name	James	Initial	
	Print Last Name	Parks		

Address on file with the Board of Election 2847 Crane School house Rd				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Bethel		45106	Clermont	10-5-15

17. Signature <i>Kathy Martin</i>	Print First Name	Kathy	Initial	KSM
	Print Last Name	Martin		

Address on file with the Board of Election 334 Center St.				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Miamiville		45147	Clermont	10-5-15

18. Signature <i>David E Martin</i>	Print First Name	DAVID	Initial	DEM
	Print Last Name	MARTIN		

Address on file with the Board of Election 334 Center St				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Miamiville		45147	Clermont	10-5-15

19. Signature <i>Charlene Hanners</i>	Print First Name	CHARLENE	Initial	
	Print Last Name	HANNERS		

Address on file with the Board of Election 529 Hudson Ave.				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Milford	A	45158	Clermont	10-5-15

20. Signature <i>Christina M. Chert</i>	Print First Name	Christina	Initial	
	Print Last Name	M. Chert		

Address on file with the Board of Election 239 Redbird dr				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Loveland/Miami		45140	Clermont	10-5-15

21. Signature <i>Alexander</i>	Print First Name		Initial	
	Print Last Name			

Address on file with the Board of Election [Redacted]				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
America		45102	Clermont	10/5/15

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Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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22. Signature <i>Barbara Dyer</i>	Print First Name <i>Barbara</i>	Initial <i>A</i>
	Print Last Name <i>Dyer</i>	
Address on file with the Board of Election <i>5859 State Route 132</i>		
City/Village/Township <i>Botavia</i>	Ward/Precinct	Zip Code <i>45103</i>
County <i>Clermont</i>	Date of Signing <i>10/5/15</i>	

23. Signature <i>Celeste Dyer</i>	Print First Name <i>Celeste</i>	Initial <i>CD</i>
	Print Last Name <i>Dyer</i>	
Address on file with the Board of Election <i>5859 St Rt 132</i>		
City/Village/Township <i>Botavia</i>	Ward/Precinct	Zip Code <i>45103</i>
County <i>Clermont</i>	Date of Signing <i>10/5/15</i>	

24. Signature <i>Laurence Lauer</i>	Print First Name <i>LAURENCE</i>	Initial <i>LL</i>
	Print Last Name <i>LAUER</i>	
Address on file with the Board of Election <i>564 Commonwealth</i>		
City/Village/Township <i>Union</i>	Ward/Precinct	Zip Code <i>45204</i>
County <i>Clermont</i>	Date of Signing <i>10/5/15</i>	

25. Signature <i>Jennifer Drydyk</i>	Print First Name <i>JENNIFER</i>	Initial <i>JD</i>
	Print Last Name <i>DRYDYK</i>	
Address on file with the Board of Election <i>6049 Bridgehaven</i>		
City/Village/Township <i>Milford, Oh 45150</i>	Ward/Precinct	Zip Code <i>45150</i>
County <i>Clermont</i>	Date of Signing <i>10/5/15</i>	

26. Signature <i>Mary Maimone</i>	Print First Name <i>Mary</i>	Initial <i>MM</i>
	Print Last Name <i>MAIMONE</i>	
Address on file with the Board of Election <i>1097 Hayward Circle</i>		
City/Village/Township <i>Milford Miami</i>	Ward/Precinct	Zip Code <i>45150</i>
County <i>Clermont</i>	Date of Signing <i>10/5/15</i>	

27. Signature <i>Jill Dixon</i>	Print First Name <i>Jill</i>	Initial <i>JD</i>
	Print Last Name <i>DIXON</i>	
Address on file with the Board of Election <i>6360 St. Rt. 727</i>		
City/Village/Township <i>Goshen/Wayne</i>	Ward/Precinct	Zip Code <i>45122</i>
County <i>Clermont</i>	Date of Signing <i>10/5/15</i>	

28. Signature <i>Daniela Heston</i>	Print First Name <i>Daniela</i>	Initial <i>K</i>
	Print Last Name <i>Heston</i>	
Address on file with the Board of Election <i>6328 Belfast Rd</i>		
City/Village/Township <i>Goshen</i>	Ward/Precinct	Zip Code <i>45122</i>
County <i>Clermont</i>	Date of Signing <i>10/5/15</i>	

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.

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I, DUSTIN ROZMARSKI, 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

Educated Voters
5216 Beechmont Ave.
Cincinnati, OH 45230

(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.

Dustin Rozmarski

(Signed)

445 26th Ave N

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

ST. PETER

City, Village or Township

FI

State

33702

Zip Code

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

EXHIBIT A-8

Number: 000065

County: Warren

23✓

INITIATIVE PETITION

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

TITLE

Ohio Drug Price Relief Act

SUMMARY

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:

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- Authorizes state departments, agencies and other state entities to adopt administrative rules to implement the provisions of the Act.
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MIKE DeWINE
Ohio Attorney General
August 3, 2015

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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

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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
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1. Signature <i>Margaret L. Cross</i>	Print First Name	<i>MARGARET</i>	Initial	<i>LC</i>
	Print Last Name	<i>CROSS</i>		
Address on file with the Board of Election <i>935 Brook Crest Drive</i>				
City/Village/Township <i>Mason</i>	Ward/Precinct	Zip Code <i>43040</i>	County <i>Warren</i>	Date of Signing <i>9-21-15</i>

2. Signature <i>Nancy Zwolinski</i>	Print First Name	<i>NANCY Zwolinski</i>	Initial	<i>NZ</i>
	Print Last Name	<i>Zwolinski</i>		
Address on file with the Board of Election <i>8747 Creekside Dr</i>				
City/Village/Township <i>Marietta</i>	Ward/Precinct	Zip Code <i>45039</i>	County <i>Warren</i>	Date of Signing <i>9-21-15</i>

3. Signature <i>Colleen Hoffman</i>	Print First Name	<i>Colleen</i>	Initial	<i>L</i>
	Print Last Name	<i>Hoffman</i>		
Address on file with the Board of Election <i>436 E HART-SWANK</i>				
City/Village/Township <i>Loveland</i>	Ward/Precinct	Zip Code <i>45140</i>	County <i>Warren</i>	Date of Signing <i>9-21-15</i>

4. Signature <i>Robert D. ...</i>	Print First Name	<i>Robert</i>	Initial	<i>RD</i>
	Print Last Name	<i>DUNCAN</i>		
Address on file with the Board of Election <i>3543 Twenty Mile Way</i>				
City/Village/Township <i>Loveland</i>	Ward/Precinct	Zip Code <i>45140</i>	County <i>Warren</i>	Date of Signing <i>9-21-15</i>

5. Signature <i>Corinne Smith</i>	Print First Name	<i>Corinne</i>	Initial	
	Print Last Name	<i>Smith</i>		
Address on file with the Board of Election <i>6509 Grand Cypress Way</i>				
City/Village/Township <i>MASON</i>	Ward/Precinct	Zip Code <i>45040</i>	County <i>Warren</i>	Date of Signing <i>9-21-15</i>

6. Signature <i>Jennifer Bailey</i>	Print First Name	<i>Jennifer</i>	Initial	
	Print Last Name	<i>Bailey</i>		
Address on file with the Board of Election <i>878 Birch Grove</i>				
City/Village/Township <i>Mason</i>	Ward/Precinct <i>08</i>	Zip Code <i>43192</i>	County <i>Warren</i>	Date of Signing <i>9/21/15</i>

7. Signature <i>Molly Dabbelt</i>	Print First Name	<i>Molly</i>	Initial	<i>MD</i>
	Print Last Name	<i>Dabbelt</i>		
Address on file with the Board of Election <i>3705 Townsley Drive</i>				
City/Village/Township <i>Loveland</i>	Ward/Precinct	Zip Code <i>45140</i>	County <i>Warren</i>	Date of Signing <i>9/21/15</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>Danielle Aruri</i>	Print First Name Danielle	Initial D
	Print Last Name Aruri	

Address on file with the Board of Election
4130 Oak Tree Ct.

City/Village/Township Lorain	Ward/Precinct	Zip Code 45140	County Warren	Date of Signing 9-21-15
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9. Signature <i>Senia Kwiatkowski</i>	Print First Name Senia	Initial SK
	Print Last Name Kwiatkowski	

Address on file with the Board of Election
9100 Cedar Gate DR

City/Village/Township Lorain	Ward/Precinct	Zip Code 45140	County Warren	Date of Signing 9-21-15
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10. 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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11. 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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12. 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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13. 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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14. 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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(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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15. Signature <i>William Robert Price</i>	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
9333 ELIZABETH RD

City/Village/Township <i>MASON</i>	Ward/Precinct	Zip Code <i>45040</i>	County <i>WARREN</i>	Date of Signing <i>9-21-2015</i>
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16. Signature <i>Suzette Foltas</i>	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
2377 Harness Ct

City/Village/Township <i>Maineville</i>	Ward/Precinct	Zip Code <i>45039</i>	County <i>Warren</i>	Date of Signing <i>9-21-2015</i>
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17. Signature <i>Jeffrey V. Hamilton</i>	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
9443 MAPLE DR.

City/Village/Township <i>LOVELAND</i>	Ward/Precinct	Zip Code <i>45140</i>	County <i>WARREN</i>	Date of Signing <i>9-21-2015</i>
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18. Signature <i>Brandon Miller</i>	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
1014 Wildflower Lane

City/Village/Township <i>Maineville</i>	Ward/Precinct	Zip Code <i>45039</i>	County <i>Warren</i>	Date of Signing <i>9-21-2015</i>
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19. Signature <i>John Shimada</i>	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
1066 DUNSTON CT

City/Village/Township <i>MORROW</i>	Ward/Precinct	Zip Code <i>45152</i>	County <i>WARREN</i>	Date of Signing <i>9-21-2015</i>
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20. Signature <i>Diane Tieke</i>	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
5675 PEPPERIDGE CT.

City/Village/Township <i>MAINEVILLE</i>	Ward/Precinct <i>OHIO</i>	Zip Code <i>45039</i>	County <i>WARREN</i>	Date of Signing <i>9/21/15</i>
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21. Signature <i>Daniel Lee</i>	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election
2710 Maineville Bank Row

City/Village/Township <i>Maineville</i>	Ward/Precinct <i>OHIO</i>	Zip Code <i>45039</i>	County <i>Warren</i>	Date of Signing <i>9/21/15</i>
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MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

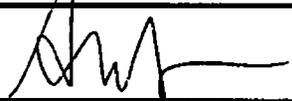
(Sign with ink. Your name, residence, and date of signing must be given.)

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.)

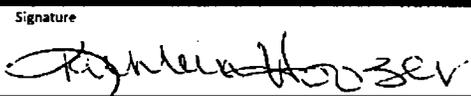
(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

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

Address on file with the Board of Election
7387 Victoria Falls Ave

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Maineville		45039	Warren	9-21-15

23. Signature 	Print First Name	KATHLEEN	Initial	KH
	Print Last Name	HOUSE		

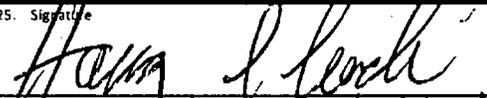
Address on file with the Board of Election
6612 Winters Way

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Maineville		45039	Warren	9-21-15

24. Signature 	Print First Name	James	Initial	
	Print Last Name	Dapic		

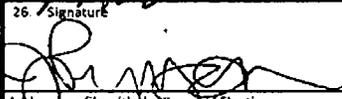
Address on file with the Board of Election
6537 Midway Ln

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Maineville		45039	Warren	9-21-15

25. Signature 	Print First Name	HENRY	Initial	HJ
	Print Last Name	LEACH		

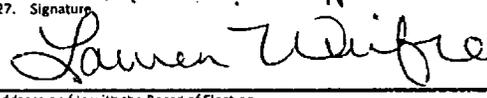
Address on file with the Board of Election
7114 Elizabeth Ln

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Maineville		45039	Warren	9-21-15

26. Signature 	Print First Name	Tina	Initial	
	Print Last Name	TIN		

Address on file with the Board of Election
199 Rollingwood Dr

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Hamilton Township		45039	Warren	9/21/15

27. Signature 	Print First Name	Lauren	Initial	
	Print Last Name	Winfree		

Address on file with the Board of Election
8615 Creekwood Lane

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Maineville		45039	Warren	9/21/15

28. Signature 	Print First Name	Anthony	Initial	
	Print Last Name	Walters		

Address on file with the Board of Election
8267 Creekwoods

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
Maineville		45039	Warren	9-21-15

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.

0832A 10/10/2010
0832A 10/10/2010
0832A 10/10/2010

STATEMENT OF CIRCULATOR

I, Fifi Harper, 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

Educated Voters

5216 Beechmont Ave.
Cincinnati, OH 45230

(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.

Fifi Harper
(Signed) # 11312

4022 E Greenway Rd
(Address of circulator's permanent residence)
Number and Street, Road or Rural Route

Phx
City, Village or Township

AZ 85032
State Zip Code

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

EXHIBIT B

3519.05 Form of petitions.

(A) If the measure to be submitted proposes a constitutional amendment, the heading of each part of the petition shall be prepared in the following form, and printed in capital letters in type of the approximate size set forth:

"INITIATIVE PETITION

Amendment to the Constitution

Proposed by Initiative Petition

To be submitted directly to the electors"

"Amendment" printed in fourteen-point boldface type shall precede the title, which shall be briefly expressed and printed in eight-point type. The summary shall then be set forth printed in ten-point type, and then shall follow the certification of the attorney general, under proper date, which shall also be printed in ten-point type. The petition shall then set forth the names and addresses of the committee of not less than three nor more than five to represent the petitioners in all matters relating to the petition or its circulation.

Immediately above the heading of the place for signatures on each part of the petition the following notice shall be printed in boldface type:

"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."

The heading of the place for signatures shall be substantially as follows:

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

Rural Route or other Post-Signature County Township office Address Month Day Year

(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"

The text of the proposed amendment shall be printed in full, immediately following the place for signatures, and shall be prefaced by "Be it resolved by the people of the State of Ohio." Immediately following the text of the proposed amendment must appear the following form:

"I,, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 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 (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.)

(Signed)

(Address of circulator's permanent residence in this state)

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

(B) If the measure proposes a law, the heading of each part of the petition shall be prepared as follows:

"INITIATIVE PETITION

Law proposed by initiative petition first to be submitted to the General Assembly."

In all other respects, the form shall be as provided for the submission of a constitutional amendment, except that the text of the proposed law shall be prefaced by "Be it enacted by the people of the state of Ohio."

The form for a supplementary initiative petition shall be the same as that provided for an initiative petition, with the exception that "supplementary" shall precede "initiative" in the title thereof.

(C) The general provisions set forth in this section relative to the form and order of an initiative petition shall be, so far as practical, applicable to a referendum petition, the heading of which shall be as follows:

"REFERENDUM PETITION

To be submitted to the electors for their approval or rejection"

The title, which follows the heading, shall contain a brief legislative history of the law, section, or item of law to be referred. The text of the law so referred shall be followed by the certification of the secretary of state, in accordance with division (B)(2)(b) of section 3519.01 of the Revised Code, that it has been compared with the copy of the enrolled act, on file in the secretary of state's office, containing such law, section, or item of law, and found to be correct.

(D) The secretary of state shall prescribe a form for part petitions to be submitted during the ten-day period beginning on the first day following the date that the secretary of state notifies the chairperson of the committee interested in the petition that the petition has an insufficient number of valid signatures. The secretary of state shall provide to each particular committee a different form that contains a unique identifier and that is separate from the forms prescribed in divisions (A), (B), and (C) of this section. The secretary of state shall make the form available to the committee only as described in division (F) of section 3519.16 of the Revised Code. The form shall not be considered a public record until after the secretary of state makes it available to the committee under that division.

The form shall comply with the requirements of Section 1g of Article II, Ohio Constitution and, except as otherwise provided in this division, with the requirements of divisions (A), (B), and (C) of this section.

Amended by 130th General Assembly File No. 3, SB 47, §1, eff. 6/21/2013.

Effective Date: 08-28-2001; 05-02-2006