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April 22, 2005

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APR 22 2005

RECEIVED  
CONSTITUTIONAL OFFICES

***Via Hand Delivery***

Ohio Attorney General, Jim Petro  
Mr. Arthur Marziale  
Sr. Deputy Attorney General  
Constitutional Offices Section  
30 East Broad Street, 17th Floor  
Columbus, Ohio 43215

Re: Request for Certification of Initiative Petition  
Amendment to Ohio Constitution Article XV, Section 6  
(100 signatures)

Dear Mr. Marziale:

Enclosed please find an original initiative petition, submitted pursuant to Ohio Revised Code Section 3519.01 *et seq.*, for review and certification by the Office of the Attorney General, on behalf of our client. The petition is comprised of 3 part petitions, with 3 correlate solicitor certifications. There are a total of 242 signatures provided, which exceed the 100 required by law.

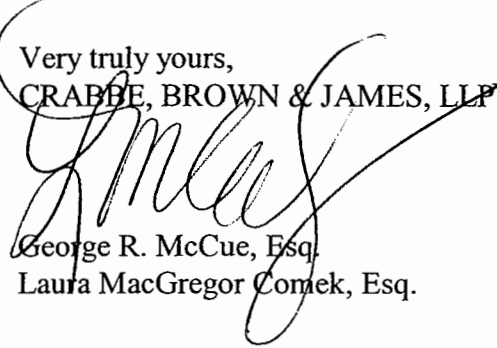
We would respectfully request a review of the enclosed petition and certification in accordance with O.R.C. Section 3519.01.

Ohio Attorney General, Jim Petro  
Mr. Arthur Marziale  
April 22, 2005  
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If you have any questions, or if we can provide additional information, please do not hesitate to contact us. I can be reached at 614-229-4542, and my partner Laura Comek can be reached at 614-229-4557.

Thank you for your assistance with respect to this matter.

Very truly yours,  
CRABBE, BROWN & JAMES, LLP



George R. McCue, Esq.  
Laura MacGregor Comek, Esq.

GRM:LMC:lag

Enclosures

**INITIATIVE PETITION**

NUMBER \_\_\_\_\_

COUNTY CUYAHOGA

ISSUED TO BERALD J. Austin

(Name)

DATE OF ISSUANCE 4/20/05

AMENDMENT TO THE OHIO CONSTITUTION  
HEREBY PROPOSED BY INITIATIVE PETITION,  
TO BE SUBMITTED DIRECTLY TO THE ELECTORS

**AMENDMENT**

**TITLE**

An initiative petition which proposes an amendment to  
Article XV, Section 6 of the Ohio Constitution.

**SUMMARY**

THE PROPOSED AMENDMENT WOULD ALLOW: (1) A HOME RULE CHARTER MUNICIPALITY THAT IS THE COUNTY SEAT; (2) A HOME RULE CHARTER MUNICIPALITY THAT HAS A POPULATION OF AT LEAST 50,000 PEOPLE; AND (3) A COUNTY WITH AN ENTERTAINMENT ATTRACTION THAT DRAWS AT LEAST ONE MILLION PATRONS ANNUALLY TO ESTABLISH CASINO GAMBLING WITHIN ITS JURISDICTIONAL BOUNDARIES, ONLY IF APPROVED BY A MAJORITY OF THAT LOCAL JURISDICTION'S ELECTORS. LAWS REGULATING CASINO GAMBLING WILL BE ENACTED BY THE LOCAL JURISDICTION WHICH ESTABLISHED CASINO GAMBLING, AND NOT BY GENERAL, UNIFORM LAWS ESTABLISHED BY THE STATE.

## FULL TEXT OF PROPOSED AMENDMENT

Be it resolved by the people of the State of Ohio:

Article XV Section 6 of the Ohio Constitution is amended to read as follows (deleted language is struck through and new language is in all capital letters):

### § 6. Lotteries

Except as otherwise provided in this section, lotteries, and the sale of lottery tickets, for any purpose whatever, shall forever be prohibited in this State.

The General Assembly may authorize an agency of the state to conduct lotteries, to sell rights to participate therein, and to award prizes by chance to participants, provided that the entire net proceeds of any such lottery are paid into a fund of the state treasury that shall consist solely of such proceeds and shall be used solely for the support of elementary, secondary, vocational, and special education programs as determined in appropriations made by the General Assembly.

The General Assembly may authorize and regulate the operation of bingo to be conducted by charitable organizations for charitable purposes.

THE LEGISLATIVE AUTHORITY OF ANY HOME RULE CHARTER MUNICIPALITY WITH A POPULATION OF AT LEAST 50,000, OR ANY COUNTY IN WHICH AN ENTERTAINMENT ATTRACTION IS LOCATED THAT DRAWS AT LEAST ONE MILLION PATRONS PER YEAR, OR ANY HOME RULE CHARTER MUNICIPALITY WHICH IS THE COUNTY SEAT REGARDLESS OF POPULATION MAY, BY A MAJORITY VOTE OF THE MEMBERS OF ITS LEGISLATIVE AUTHORITY OR THROUGH THE INITIATIVE PETITION OF ITS ELECTORS, AND UPON THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS ELECTORS, AUTHORIZE PRIVATE CASINO GAMBLING WITHIN THE MUNICIPALITY OR COUNTY JURISDICTIONAL BOUNDARIES. THE MUNICIPALITY OR COUNTY MAY THEREAFTER ENACT AND ENFORCE REGULATIONS REGARDING THE ESTABLISHMENT AND OPERATION OF PRIVATE CASINO GAMBLING.