



**JIM PETRO**  
**ATTORNEY GENERAL**  
STATE OF OHIO

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May 13, 2005

VIA HAND-DELIVERY

Honorable J. Kenneth Blackwell  
Ohio Secretary of State  
180 E. Broad Street, 16<sup>th</sup> Floor  
Columbus, OH 43266

Re: Proposed Initiated Constitutional Amendment – Casino Gambling

Dear Mr. Blackwell:

In accordance with the provisions of Section 3519.01(A) of the Ohio Revised Code, a written petition proposing an amendment to Article XV, §6 of the Ohio Constitution was submitted for my examination, together with a summary of that initiated proposed amendment. A copy of the proposal and of the summary is enclosed.

Having considered only the language of the proposed constitutional amendment which the petitioners seek to submit to the Secretary of State for submission to the voters, and the summary of the proposed constitutional amendment appearing on the petition as submitted to my office, I conclude that the summary is a fair and truthful statement of the measure to be proposed, and have so certified this finding to the attorney representing the petitioners on this date as follows:

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 constitutional amendment to Article XV, §6 of the Ohio Constitution.

I am hereby filing with you this letter containing the above certification and the attached petition containing the measure to be referred and the petitioners' summary.

Sincerely,

  
JIM PETRO  
ATTORNEY GENERAL

JMP:ajm

Enclosure

cc: Chief Elections Counsel, Secretary of State

**INITIATIVE PETITION**

NUMBER \_\_\_\_\_

COUNTY CUYAHOGA

ISSUED TO GERALD 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.



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May 13, 2005

VIA FAX AND FIRST CLASS MAIL

George R. McCue, Esq.  
Laura MacGregor Comek, Esq.  
Crabbe, Brown & James, LLP  
500 S. Front Street, Suite 1200  
Columbus, OH 43215

Re: Proposed Initiated Constitutional Amendment – Casino Gambling

Dear Mr. McCue:

In accordance with the provisions of Section 3519.01(A) of the Ohio Revised Code, a written petition bearing a copy of a proposed amendment to Article XV, §6 of the Ohio Constitution was submitted for my examination, together with a summary of that proposed amendment, on April 22, 2005.

Having considered only the language of the constitutional amendment which you propose to submit to the Secretary of State for submission to the voters, and a summary of that proposed constitutional amendment appearing on the petition you have submitted, I am of the opinion that the summary is a fair and truthful statement of the measure to be proposed. I am therefore submitting to you the following certification, which will also be transmitted to the Secretary of State:

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 constitutional amendment to Article XV, §6 of the Ohio Constitution.

Sincerely,

  
JIM PETRO  
ATTORNEY GENERAL

JMP:ajm

Enclosure

cc: Chief Elections Counsel, Secretary of State