

PROPOSED LAW

Argument For the Issue

A YES VOTE ON ISSUE 1 RESTORES OHIO'S 80-YEAR TRADITION OF PROTECTING MOURNING DOVES AND STOPS THE CRUEL AND UNNECESSARY KILLING OF THESE GENTLE BACKYARD BIRDS.

- *Dove hunting is cruel:* The U.S. Fish & Wildlife Service estimates that up to 30% of doves are wounded and unretrieved. These crippled birds slowly suffer until they die, according to The Humane Society of the United States.

- *Dove hunting is unnecessary:* Ohio Division of Wildlife publications state, "Obviously, doves don't have to be hunted." Doves don't overpopulate. They cause no damage in Great Lakes states, such as Michigan, Minnesota, New York, and Wisconsin, where they have long been protected.

- *Dove hunting is target practice:* A dove contains only an ounce or two of meat. They're used as targets, not food. FIELD & STREAM hunting columnist George Reiger says "I've witnessed opening days in which shooters competed to see who would be the first to kill 100 birds. I've seen doubles and triples fall to gunners who still hadn't bothered to look for the doubles and triples they'd previously shot."

- *Dove hunting is not an Ohio tradition:* Doves are backyard birds valued by millions of Ohioans. Acting as a natural (as opposed to chemical) herbicide and doing no damage to agricultural crops, doves help farmers and gardeners by eating weed-producing seeds. Responsible sportsmen are satisfied with the 47 species traditionally hunted here.

- *Dove hunting is bad for the environment:* Dove hunters discharge tons of toxic lead shot, polluting water and poisoning wildlife.

- *The Toledo Blade writes in an editorial:* "This issue deserves the support of all Ohioans, hunters included, who reject senseless cruelty exercised for the mere purpose of sharpening a shooter's aim."

Committee For the Law

Don Atkinson, former district director, League of Ohio Sportsmen
Gene Branstool, former Assistant Secretary, U. S. Agriculture Dept.
John Butterworth, Marion County Sheriff
Dick Schafrath, Republican State Senator and Cleveland Browns All-Pro Lineman
Dr. Tami Shearer, veterinarian
Sandy Rowland, Ohio Director of The Humane Society of the United States

Argument Against the Issue

Vote No On Issue One

The organizations behind Issue One oppose using animals--for farming, medical research...even fishing, circuses and zoos! Like all social reform movements, their goal is to begin with an "easy sell," then move on to bigger issues.

The main backers of Issue One are national organizations--The Fund for Animals, New York, People for the Ethical Treatment of Animals (PeTA), Virginia, and others. They have paid 75 percent of the costs of Issue One to date. They, not Ohioans, paid for the Arizona Firm, which used professional signature gatherers to get Issue One on the ballot.

Tell them NO. There is simply no reason to outlaw dove hunting.

Mourning doves are the most abundant game bird in America. Numbering some 500 million, more doves exist than all species of ducks and geese combined! State and federal wildlife officials tell us that hunting doesn't impact dove numbers; there is no difference in states in which they are hunted and the few in which they are not. Tens of thousands of Ohioans and millions of Americans hunt and eat doves. One dove equals 10 large shrimp, one chicken leg, two chicken wings, 2 1/2 wieners, three sausage patties or one bratwurst.

Why, then, Is Issue One on the ballot?

The answer is in their own words. Issue One backers have said:

"Even if animal research resulted in a cure for AIDS, we'd be against it." (PeTA spokesperson. *Vogue*, 9/89)

"Eating meat mocks God by torturing animals, polluting the earth and destroying our own health." (PeTA. *Washington Post*, 1/31/98)

"Ultimately our goal is to outlaw all hunting...dove hunting is particularly vulnerable." (Fund for Animals. *Columbus Dispatch* 9/17/96)

Issue One is the tip of the iceberg. It threatens freedoms and endangers our health and pocketbooks.

Vote No on Issue One.

Committee Against the Law

State Senator Gary C. Suhadolnik, 24th District
State Senator Robert Latta, 2nd District
State Senator Michael Shoemaker, 17th District
State Senator Greg DiDonato, 30th District
State Representative Joseph E. Haines, 74th District
State Representative Jim Buchy, 84th District
State Representative Jerry Krupinski, 98th District
State Representative Sean Logan, 3rd District

PROPOSED LAW Proposed by Initiative Petition

To amend Sections 1531.01 and 1531.02 of the Ohio Revised Code to prohibit the hunting or taking of mourning doves in Ohio.

The proposed law would:

(1) Amend Section 1531.01(S) of the Ohio Revised Code by removing the words "mourning doves" from the definition of "Game birds."

(2) Amend Section 1531.01 of the Ohio Revised Code by removing the final sentence of that section which states:

"The chief shall not establish a season for the hunting of mourning doves that opens prior to the fifteenth day of September of any year."

(3) Amend Section 1531.02 of the Revised Code by adding the words "NO PERSON SHALL HUNT OR TAKE A MOURNING DOVE."

If adopted, this law as amended would be effective on December 3, 1998.

A majority yes vote is necessary for passage.

	YES	SHALL THE PROPOSED LAW BE ADOPTED?
	NO	

ISSUE I TEXT OF PROPOSED LAW

1531.01 DEFINITIONS

As used in this chapter and Chapter 1533. of the Revised Code:

(A) "Person" means individual, company, partnership, corporation, municipal corporation, association, or any combination of individuals, or any employee, agent, or officer thereof.
(B) "Resident" means any individual who has resided in this state for not less than six months next preceding the date of making application for a license.
(C) "Nonresident" means any individual who does not qualify as a resident.
(D) "Division rule" or "rule" means any rule adopted by the chief of the division of wildlife under section 1531.10 of the Revised Code unless the context indicates otherwise.
(E) "Closed season" means that period of time during which the taking of wild animals protected by this chapter and Chapter 1533. of the Revised Code is prohibited.
(F) "Open season" means that period of time during which the taking of wild animals protected by this chapter and Chapter 1533. of the Revised Code is permitted.
(G) "Take or taking" includes pursuing, shooting, hunting, killing, trapping, angling, fishing with a trotline, or netting any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, wild bird, or wild quadruped, and any lesser act, such as wounding, or placing, setting, drawing, or using any other device for killing or capturing any wild animal, whether it results in killing or capturing the animal or not. "Take or taking" includes every attempt to kill or capture and every act of assistance to any other person in killing or capturing or attempting to kill or capture a wild animal.
(H) "Possession" means both actual and constructive possession and any control of things referred to.
(I) "Bag limit" means the number, measurement, or weight of any kind of crayfish, aquatic insects, fish, frogs, turtles, wild birds, and wild quadrupeds permitted to be taken.
(J) "Transport and transportation" means carrying or moving or causing to be carried or moved.
(K) "Sell and sale" means barter, exchange, or offer or expose for sale.
(L) "Whole to include part" means that every provision relating to any wild animal protected by this chapter and Chapter 1533. of the Revised Code applies to any part thereof with the same effect as it applies to the whole.
(M) "Angling" means fishing with not more than two hand lines, or not more than two units of rod and line, or a combination of not more than one hand line and one rod and line, either in hand or under control at any time while fishing. The hand line or rod and line shall have attached to it not more than three baited hooks, not more than three artificial fly rod lures, or one artificial

bait casting lure equipped with not more than three sets of three hooks each.
(N) "Trotline" means a device for catching fish that consists of a line having suspended from it, at frequent intervals, vertical lines with hooks attached.
(O) "Fish" means a cold-blooded vertebrate having fins.
(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail.
(Q) "Wild birds" includes game birds and nongame birds.
(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.
(S) "Game birds" includes mourning doves, pheasants, quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, duck, geese, brant, and crows.
(T) "Nongame birds" includes all other wild birds not included and defined as game birds.
(U) "Wild quadrupeds" includes game quadrupeds and fur-bearing animals.
(V) "Game quadrupeds" includes hares or rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, groundhogs or woodchucks, deer, wild boar, and bears.
(W) "Fur-bearing animals" includes minks, weasels, raccoons, skunks, opossums, muskrats, fox, beavers, badgers, otters, coyotes, and bobcats.
(X) "Wild animals" includes mollusks, crustaceans, aquatic insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, and all other wild mammals.
(Y) "Hunting" means pursuing, shooting, killing, following after or on the trail of, lying in wait for, shooting at, or wounding wild birds or wild quadrupeds while employing any device commonly used to kill or wound wild birds or wild quadrupeds whether or not the acts result in killing or wounding. "Hunting" includes every attempt to kill or wound and every act of assistance to any other person in killing or wounding or attempting to kill or wound wild birds or wild quadrupeds.
(Z) "Trapping" means securing or attempting to secure possession of a wild bird or wild quadruped by means of setting, placing, drawing, or using any device that is designed to close upon, hold fast, confine, or otherwise capture a wild bird or wild quadruped whether or not the means results in capture. "Trapping" includes every act of assistance to any other person in capturing wild birds or wild quadrupeds by means of the device whether or not the means results in capture.
(AA) "Muskrat spear" means any device used in spearing muskrats.
(BB) "Channels and passages" means those narrow bodies of water lying between islands or between an island and the mainland in Lake Erie.
(CC) "Island" means a rock or land eleva-

tion above the waters of Lake Erie having an area of five or more acres above water.
(DD) "Reef" means an elevation of rock, either broken or in place, or gravel shown by the latest United States chart to be above the common level of the surrounding bottom of the lake, other than the rock bottom, or in place forming the base or foundation rock of an island or mainland and sloping from the shore thereof. "Reef" also means all elevations shown by that chart to be above the common level of the sloping base or foundation rock of an island or mainland, whether running from the shore of an island or parallel with the contour of the shore of an island or in any other way and whether formed by rock, broken or in place, or from gravel.
(EE) "Fur farm" means any area used exclusively for raising fur-bearing animals or in addition thereto used for hunting game, the boundaries of which are plainly marked as such.
(FF) "Waters" includes any lake, pond, reservoir, stream, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial.
(GG) "Crib" or "car" refers to that particular compartment of the net from which the fish are taken when the net is lifted.
(HH) "Commercial fish" means those species of fish permitted to be taken, possessed, bought, or sold unless otherwise restricted by the Revised Code or division rule and are alewife (*Alosa pseudoharengus*), American eel (*Anguilla rostrata*), bowfin (*Amia calva*), burbot (*Lota lota*), carp (*Cyprinus carpio*), smallmouth buffalo (*Ictiobus bubalus*), bigmouth buffalo (*Ictiobus cyprinellus*), black bullhead (*Ictalurus melas*), yellow bullhead (*Ictalurus natalis*), brown bullheads (*Ictalurus nebulosus*), channel catfish (*Ictalurus punctatus*), flathead catfish (*Pylodictis olivaris*), whitefish (*Coregonus* sp.), cisco (*Coregonus* sp.), freshwater drum or sheepshead (*Aplodinotus grunniens*), gar (*Lepisosteus* sp.), gizzard shad (*Dorosoma cepedianum*), goldfish (*Carassius auratus*), lake trout (*Salvelinus namaycush*), mooneye (*Hiodon tergisus*), quillback (*Carpiodes cyprinus*), smelt (*Allosmerus elongatus*, *Hypomesus* sp., *Osmerus* sp., *Spirinchus* sp.), sturgeon (*Acipenser* sp., *Scaphirhynchus* sp.), sucker other than buffalo and quillback (*Carpiodes* sp., *Catostomus* sp., *Hypentelium* sp., *Minytrema* sp., *Moxostoma* sp.), white bass (*Morone chrysops*), white perch (*Roccus americanus*), and yellow perch (*Perca flavescens*). When the common name of a fish is used in this chapter or Chapter 1533. of the Revised Code, it refers to the fish designated by the scientific name in this definition.

(II) "Fishing" means taking or attempting to take fish by any method, and all other acts such as placing, setting, drawing, or using any device commonly used to take fish whether resulting in a taking or not.
(JJ) "Fillet" means the pieces of flesh taken or cut from both sides of a fish, joined to form one piece of flesh.
(KK) "Part fillet" means a piece of flesh taken or cut from one side of a fish.
(LL) "Round" when used in describing fish means with head and tail intact.
(MM) "Migrate" means the transit or movement of fish to or from one place to another as a result of natural forces or instinct and includes, but is not limited to, movement of fish induced or caused by changes in the water flow.
(NN) "Spreader bar" means a brail or rigid bar placed across the entire width of the back, at the top and bottom of the cars in all trap, crib, and fyke nets for the purpose of keeping the meshes hanging squarely while the nets are fishing.
(OO) "Fishing guide" means any person who, for consideration or hire, operates a boat, rents, leases, or otherwise furnishes angling devices, ice fishing shanties or shelters of any kind, or other fishing equipment, and accompanies, guides, directs, or assists any other person in order for the other person to engage in fishing.
(PP) "Net" means fishing devices with meshes composed of twine or synthetic material and includes, but is not limited to, trap nets, fyke nets, crib nets, carp aprons, dip nets, and seines, except minnow seines and minnow dip nets.
(QQ) "Commercial fishing gear" means seines, trap nets, fyke nets, dip nets, carp aprons, trotlines, other similar gear, and any boat used in conjunction with that gear, but does not include gill nets.
(RR) "Native wildlife" means any species of the animal kingdom indigenous to this state.
(SS) "Gill net" means a single section of fabric or netting seamed to a float line at the top and a lead line at the bottom, which is designed to entangle fish in the net openings as they swim into it.
(TT) "Small game" includes pheasants, quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, Hungarian partridge, Chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coot, gallinules, ducks, geese, brant, crows, rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, and groundhogs or woodchucks.
(UU) "Tag fishing tournament" means a

contest in which a participant pays a fee, or gives other valuable consideration, for a chance to win a prize by virtue of catching a tagged or otherwise specifically marked fish within a limited period of time, but does not include a scheme of chance conducted under division (D)(1) of section 2915.02 of the Revised Code.
(VV) "Tenant" means an individual who resides on land for which the individual pays rent and whose annual income is primarily derived from agricultural production conducted on that land, as "agricultural production" is defined in section 929.01 of the Revised Code.
(WW) "Nonnative wildlife" means any wild animal not indigenous to this state.
~~The chief shall not establish a season for the hunting of mourning doves that opens prior to the fifteenth day of September of any year.~~

Hunting Stamp Act," 48 Stat. 452 (1934), U.S.C. 718, as amended, on Sunday or use a rifle, at any time, in taking migratory game birds.

OFFICE OF THE SECRETARY OF STATE OF OHIO

I, Bob Taft, Secretary of State, do hereby certify that the foregoing is the full text of a certain statute proposed by initiative petition and filed in the office of the Secretary of State pursuant to Article II, Section 1b of the Constitution of the State of Ohio, together with the ballot language certified to me by the Ohio Ballot Board and arguments submitted to me by the proponents and opponents of the proposed law, as prescribed by law.

IN TESTIMONY WHEREFORE, I have hereunto subscribed my name and affixed my official seal at Columbus, Ohio this 2nd day of September, 1998.

Bob Taft
SECRETARY OF STATE