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ATTORNEY GENERALS OFFICE

MAR 19 2012

March 19, 2011

RECEIVED
CONSTITUTIONAL OFFICES

Hon. Mike DeWine
Ohio Attorney General
30 E. Broad Street
Columbus, Ohio 43215

Re: Summary Petition

Dear Attorney General DeWine:

I am hereby filing with your office on behalf of my client, Voters First, and pursuant to R.C. § 3519.01(A), a petition to approve a summary of a constitutional amendment on legislative redistricting to be proposed by initiative petition. The petition contains 1,720 signatures of electors on 64 part-petitions and the summary and full text of the amendment to be proposed.

Please contact me if you have any questions. Thank you.

Very truly yours,



Donald J. McTigue

Number: A099

County: ATHENS

INITIATIVE PETITION

To the Attorney General of Ohio: Pursuant to Ohio Revised Code § 3519.01(A), the undersigned electors of the State of Ohio, numbering in excess of one thousand, hereby submit to you the full text of a proposed law and a summary of the same.

TITLE

Ohio Citizens Independent Redistricting Commission Amendment

SUMMARY

This proposed amendment would add and repeal language in Sections 1, 3, 4, 6, 7, 9, 10 and 13 of Article XI of the Ohio Constitution, repeal Sections 8 and 14 of Article XI and add a new Section 16 to Article XI, all regarding the process and criteria for the drawing of legislative district lines for Ohio's congressional and state legislative house and senate districts. The proposed amendment's provisions include among others, the following:

1. Create the Ohio Citizens Independent Redistricting Commission ("Commission") to establish the boundaries for Ohio's state legislative and congressional districts following approval of this amendment and again following each federal decennial census ("census").
2. Any plan adopted by the Commission shall comply with all applicable Ohio and federal constitutional provisions and all federal statutory provisions, including, but not limited to, those dealing specifically with protection of minority voting rights. Each congressional and state legislative district shall be comprised of contiguous territory, and the boundary of each district shall be a single non-intersecting continuous line and be in compliance with all other provisions of Article XI. The Commission shall adopt the redistricting plan that in its judgment most closely meets the following 4 factors without violating federal and state constitutional provisions, federal statutory provisions or the above contiguity requirement: a) community preservation by minimizing the number of governmental units that must be divided between different districts, combining areas of whole governmental units giving preference in order named to counties, municipalities, contiguous townships, and city wards; b) competitiveness by maximizing the number of districts where the average political party indexes, determined using actual election results from recent representative statewide elections, does not lean toward one party by more than 5%; c) representational fairness by balancing the number of districts leaning toward each political party so that the number of districts leaning toward each party closely corresponds to the preferences of the voters of Ohio as determined using actual election results from recent representative statewide elections; and d) compactness by creating districts that are compact. No plan shall be adopted with intent to favor or disfavor a political party, incumbent or potential candidate.
3. In no event shall any state House of Representatives district contain a population of less than 98% nor more than 102% of the ratio of representation in the House of

Representatives, except where reasonable effort is made to avoid dividing a county in accordance with Section 9 of Article XI. In no event shall any state Senate district contain a population of less than 98% nor more than 102% of the ratio of representation in the Senate. Where the population of a county is not less than 95% nor more than 105% of the ratio of representation in the state House of Representatives, reasonable effort shall be made to create a House of Representatives district consisting of the whole county.

4. The Commission will consist of 12 members chosen as follows: by January 1 of the year the census is conducted, the Chief Justice of the Ohio Supreme Court will select by lot a panel of 8 judges of the Ohio courts of appeals ("judicial panel"), no more than 4 of whom may be members of the same political party; by April 1 of that year the judicial panel will appoint an independent auditor to assist the panel in determining the eligibility of potential members of the Commission; by May 1 of that year any Ohio citizen, not otherwise disqualified under the amendment, may apply for appointment as a member of the Commission; by August 1 of that year the judicial panel will select from among such applicants 42 to serve as potential Commission members, which shall include the 14 most qualified applicants affiliated with the two largest political parties based on the votes received by political party candidates at the most recent election for governor and the 14 most qualified applicants not affiliated with either of the two political parties during the 5 years prior to the selection; selection as a potential Commission member requires the affirmative vote of at least 5 of the 8 judges and is to be based on having relevant skills and abilities, including a capacity for impartiality, and reflecting the diversity of Ohio; by August 15 of the year the census is conducted, the speaker of the House of Representatives and the highest ranking member of the House not of the same party as the speaker may each respectively eliminate up to 3 persons from each of the three pools of 14 potential members selected by the judicial panel resulting in a final pool of not less than 24 potential members; from this final pool, the judicial panel will choose by lot 3 persons affiliated with the largest political party, 3 affiliated with the second largest political party and 3 not affiliated with either party to serve as Commission members; by October 1 of that year these 9 persons will select from the final pool of potential members 3 additional members, including 1 affiliated with the largest political party, 1 affiliated with the second largest political party and 1 not affiliated with either party; in making this selection of the final 3 members, the members shall seek a total Commission membership that has the relevant skills and abilities, including a capacity for impartiality.
5. Provide that certain persons will be ineligible to serve as Commission members as follows: a) a person who or whose immediate family member as defined in the amendment, within 10 years preceding the date of application, served as a federal or state elected official, was a paid employee of the Ohio legislature, the U. S. Congress, or the office of a federal or state elected official, was the director of a state department or agency, or was a paid lobbyist as defined under federal or state law; b) a person who, within 5 years preceding the date of application, was a candidate for federal or state office; was a paid employee or paid consultant of a campaign for a political candidate or political committee as defined by federal or state law; was an official or paid employee of any political party organization; or made monetary contributions to political campaigns or political parties that exceed a total of \$5,000 during a 2 year period, which amount shall be adjusted consistent with the consumer price index in future years; and c) any person who has not voted in at least 2 of the previous 3 general elections conducted in even numbered years.
6. In the event that a Commission member is unable to complete his or her term, the remaining members shall select a replacement member from the final pool of potential Commission members. The total membership of the Commission shall consist of 4

members affiliated with the largest political party, 4 members affiliated with the second largest political party and 4 members not affiliated with either party. Commission members shall not be subject to removal by the general assembly or any member of the executive branch. Commission members shall be ineligible to be elected or appointed to the state legislature for any districts established or modified by that Commission.

7. The Commission is authorized to hire staff, consultants and legal counsel and use the services of existing state employees to fulfill its responsibilities. The general assembly shall make appropriations to adequately fund the Commission, including, but not limited to, compensation for Commission members. All meetings of the Commission shall be open to the public and all records, communications and draft plans of the Commission, its members and staff related to the establishment or possible modification of district boundaries shall be public records. The Commission shall make available to the public in a timely fashion all information that is available to any member of the Commission and that may be used in preparing or evaluating redistricting plans or maps, including measures for the factors required to be used under the amendment and the consideration to be given to all factors. The Commission shall adopt rules for its operation and to guide its application of redistricting factors.
8. The Commission shall provide reasonable opportunity for the public to submit proposed redistricting plans and the Commission shall give full and fair consideration to such plans. Proposed redistricting plans and maps shall be made available to the public a reasonable period of time before approval by the Commission and the Commission shall provide a reasonable opportunity for the public to testify about proposed plans or maps prior to their being approved. The Commission shall make publicly available with each proposed redistricting plan a report that identifies for each district: boundaries, population, racial and ethnic composition, compactness measure, governmental units that are divided, and political party indexes. The Commission shall also make publicly available statewide totals of the number of governmental units of each type that are divided, the number of politically balanced districts and the number of districts that lean toward each political party.
9. The affirmative vote of at least 7 Commission members shall be required to adopt any plan. The Commission shall establish and publish the new district boundaries by October 1 of the year prior to the year elections will be held in the new districts. In the event the Commission fails to establish district boundaries by this date, an action may be initiated in the Ohio Supreme Court for the adoption of district boundaries and the Court shall adopt from among the plans submitted to or considered by the Commission the plan that most closely meets the requirements of Article XI and complies with the rules and measures established by the Commission under Section 1(E) and (G) of Article XI.
10. Upon the approval of the amendment, new district boundaries shall be established for Ohio's congressional and state legislative districts to be used in the next regularly scheduled federal and state elections that are held more than one year after adoption of the amendment. Upon approval of the amendment, the Chief Justice of the Ohio Supreme Court shall immediately select by lot a judicial panel in the manner described above. The remaining time frames described above shall be adjusted as necessary by the judicial panel to accomplish the selection of Commission members in time for the Commission to establish new districts for use in the next state or federal election.

11. The Ohio Supreme Court shall have exclusive, original jurisdiction in all cases arising under Article XI. In the event it becomes necessary for any court to establish any district boundaries, it shall select from among the plans submitted to or considered by the Commission and shall adopt the plan that most closely meets the requirements of Article XI and complies with the rules and measures established by the Commission under Section 1(E) and (G) of Article XI. In the event that a court invalidates any district boundaries established by a Commission, the Commission shall reconvene to establish new boundaries. The boundaries established by the court shall not remain in effect longer than one election cycle.
12. Notwithstanding any other provision of the Ohio Constitution or any law regarding residency of state senators and representatives, a redistricting plan adopted under Article XI shall allow 30 days for persons to change residence in order to be eligible for election.
13. Authority for drawing congressional districts will be placed with the Ohio Citizens Independent Redistricting Commission, rather than with the the state legislature where it presently resides.
14. Certain existing provisions of the Constitution, as set forth in the full text of the proposed Amendment, would be repealed.

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:

Ann Henkener	3711 Olentangy Blvd., Columbus, Ohio 43214
Samuel Gresham, Jr.	2491 Waterfall Lane, Columbus, Ohio 43209
Ellis Jacobs	131 E. Davis St., Yellow Springs, Ohio 45387
Richard Gunther	40 W. Stafford Avenue, Worthington, Ohio 43085
Daniel Tokaji	2645 Fairfax Dr., Columbus, Ohio 43220

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.



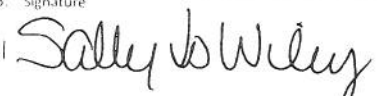


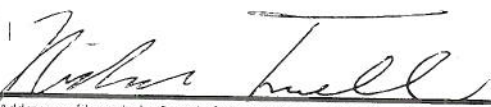
MUST USE MOST RECENT ADDRESS ON FILE WITH BOARD OF ELECTIONS
(Sign with ink. Your name, residence, and date of signing must be given)

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 1 	Print First Name SUSAN	Initial
	Print Last Name MITCHELL	
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue) 191 E. STATE ST		
City Athens	Ward/Precinct ---	Zip Code 45701
County Athens	Date of Signing 3-10-2012	
2. Signature 1 	Print First Name ALEXANDRA	Initial AA
	Print Last Name ANDERSON	
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue) 4811 Graham Chapel Rd		
City Athens	Ward/Precinct ---	Zip Code 45701
County Athens	Date of Signing 3/10/12	
3. Signature 1 	Print First Name Sally	Initial J
	Print Last Name WILEY	
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue) 3050 Glen Finnan Drive		
City Albany	Ward/Precinct ---	Zip Code 45710
County Athens	Date of Signing 3-10-12	
4. Signature 1 	Print First Name Marika	Initial
	Print Last Name BRESLER	
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue) 37 N. Lancaster		
City Athens	Ward/Precinct ---	Zip Code 45701
County Athens	Date of Signing 3/10/12	
5. Signature 1 	Print First Name SHANNON	Initial C.
	Print Last Name WELCH	
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue) 36 S. COURT ST. Apt 208		
City Athens	Ward/Precinct 3-1	Zip Code 45701
County Athens	Date of Signing 3/10/12	
6. Signature 1 	Print First Name Nicholas	Initial
	Print Last Name TWEll	
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue) 116 N Congress Street		
City Athens	Ward/Precinct ---	Zip Code 45701
County Athens	Date of Signing 3/10/12	

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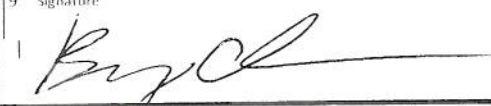
(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)


(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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7. Signature 	Print First Name	Sarah			Initial
	Print Last Name	Williams			
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue)					
156 Mill Street					
City	Ward/Precinct	Zip Code	County	Date of Signing	
Athens		45701	Athens	3/10/2012	

8. Signature 	Print First Name	SASHA			Initial
	Print Last Name	MILLIKEN			
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue)					
23 GRAHAM DRIVE					
City	Ward/Precinct	Zip Code	County	Date of Signing	
ATHENS		45701	Athens	3/10/12	

9. Signature 	Print First Name	Brigid			Initial
	Print Last Name	IVERSON			C
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue)					
59 E Green Dr rm 203					
City	Ward/Precinct	Zip Code	County	Date of Signing	
Athens	1-5	45701	Athens	3/10/2012	

10. Signature 	Print First Name	Maryann			Initial
	Print Last Name	Garber			G.
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue)					
10 Earick Rd					
City	Ward/Precinct	Zip Code	County	Date of Signing	
Athens	1-2	45701	Athens	3/10/12	

11. Signature	Print First Name				Initial
	Print Last Name				
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue)					
City	Ward/Precinct	Zip Code	County	Date of Signing	

12. Signature	Print First Name				Initial
	Print Last Name				
Address on file with the Board of Election (i.e. W - West) and Street (i.e. Ave - Avenue)					
City	Ward/Precinct	Zip Code	County	Date of Signing	

Full Text of Proposed Amendment

(Proposed new language is in bold type. Current language that would be repealed is in italicized, non-bold type and inside brackets. Current language that is not changed is in non-italicized, non-bold type.)

Be it Resolved by the People of the State of Ohio that Article XI, Sections 1, 3, 4, 6, 7, 9, 10 and 13 of the Ohio Constitution be amended, Article XI, Sections 8 and 14 of the Ohio Constitution be repealed and Article XI, Section 16 of the Ohio Constitution be adopted as follows:

Article XI, Section 1 **Ohio Citizens Independent Redistricting Commission**

[Repeal Current Section 1 - The governor, auditor of state, secretary of state, one person chosen by the speaker of the house of representatives and the leader in the senate of the political party of which the speaker is a member, and one person chosen by the legislative leaders in the two houses of the major political party of which the speaker is not a member shall be the persons responsible for the apportionment of this state for members of the general assembly.

Such persons, or a majority of their number, shall meet and establish in the manner prescribed in this Article the boundaries for each of ninety-nine house of representatives districts and thirty-three senate districts. Such meeting shall convene on a date designated by the governor between August 1 and October 1 in the year one thousand nine hundred seventy-one and every tenth year thereafter. The governor shall give such persons two weeks advance notice of the date, time, and place of such meeting.

The governor shall cause the apportionment to be published no later than October 5 of the year in which it is made, in such manner as provided by law.]

(A) In order to provide for the fair and effective representation of the citizens of Ohio, there is hereby created the Ohio Citizens Independent Redistricting Commission, which shall meet and establish in the manner prescribed in this article the boundaries for each of Ohio's state legislative and congressional districts.

(B) The Commission shall be established upon the approval of this amendment to the Ohio Constitution by the voters of Ohio and again following each federal decennial census.

(C) The Commission shall consist of twelve members, selected as follows:

1. Any Ohio citizen shall be eligible to serve as a member of the Commission, unless disqualified by subparagraph two.
2. The following persons shall not be eligible to serve as members of the Commission:
 - a. Within the ten years preceding the date of application, the person, or a member of his or her immediate family:
 - i. Served as a federal or state elected official;
 - ii. Was a paid employee of the Ohio Legislature, the United States Congress, or the office of a federal or state elected official;
 - iii. Was the director of a state department or agency; or
 - iv. Was a paid lobbyist, as defined under federal or state law.

For purposes of this paragraph, "immediate family" means spouse, parent, child, sibling, father-in-law, mother-in-law, brother-in-law, or sister-in-law.

- a. Within the five years preceding the date of application, the person:

- i. Was a candidate for federal or state office;
 - ii. Was a paid employee or paid consultant of the campaign for a political candidate or for a political committee as defined by federal or state law;
 - iii. Was an official or paid employee of any political party organization; or
 - iv. Made monetary contributions to political campaigns or political parties that exceed a total of \$5,000 during a two year period, which amount shall be adjusted consistent with the consumer price index in future years;
 - c. Any person who has not voted in at least two of the previous three general elections conducted in even numbered years.
3. On or before January 1 of the year that the decennial census is conducted, the Chief Justice of the Supreme Court of Ohio shall select by lot a panel consisting of eight judges of the courts of appeals of Ohio, no more than four of whom may be members of the same political party. This panel of judges shall be responsible for selecting potential members of the Commission. On or before April 1 of the year that the decennial census is conducted, this panel of judges shall appoint an independent auditor who shall assist the judges in determining the eligibility of potential members of the Commission.
4. Eligible persons may submit applications for membership on the Commission to the Secretary of State by May 1 of the year that the decennial census is conducted. The Secretary of State shall make available an appropriate application form designed to help determine the eligibility and qualifications of applicants and shall publicize the application process. The Secretary of State shall provide the panel of judges with the applications and any other records necessary to determine eligibility of the applicants.
5. On or before August 1 of the year that the decennial census is conducted, the panel of eight judges described in subparagraph three shall select from the applicants forty-two individuals to serve as potential members of the Commission. The judges, after adopting a selection procedure, shall select applicants who have the relevant skills and abilities, including a capacity for impartiality, and who reflect the diversity of Ohio. These shall include the fourteen most qualified applicants affiliated with each of the two largest political parties, and the fourteen most qualified applicants who have been unaffiliated with either of these political parties during the prior five years. The selection of potential members shall require the affirmative vote of at least five of the eight judges. The two largest political parties shall be determined based on the votes received by the candidates for Governor in the most recent gubernatorial election.
6. On or before August 15 of the year that the decennial census is conducted, the speaker of the Ohio House of Representatives and the highest ranking member of the House not of the same political party as the speaker may each respectively eliminate up to three of the fourteen potential members affiliated with the largest political party, up to three of the fourteen potential members affiliated with the second largest political party, and up to three of the fourteen potential members not affiliated with either of these parties. This shall result in a final pool of not less than twenty-four potential members of the Commission.

7. From the final pool of potential members, the panel of eight judges, or their designee, shall choose by lot, and in public, three individuals affiliated with each of the two largest political parties and three individuals not affiliated with either of these parties to serve as members of the Commission. On or before October 1 of the year that the decennial census is conducted, these nine members shall meet to select from the final pool of potential members three additional members, which shall include one member affiliated with the largest political party, one member affiliated with the second largest political party, and one member not affiliated with either of these parties. In selecting the final three members, the members of the Commission shall seek a total commission membership that reflects the diversity of Ohio and that has the relevant skills and abilities, including a capacity for impartiality, which will allow the Commission to fulfill its responsibilities. The nine members selected by lot and the three additional members selected by the original nine members shall comprise the full Commission.
 8. Upon the approval of this amendment to Ohio's Constitution, the Chief Justice of the Supreme Court of Ohio shall immediately select by lot a panel consisting of eight judges of the courts of appeals of Ohio, in the manner described in subparagraph three. The remaining time frames set forth in this paragraph shall be adjusted by this panel of judges, as necessary to accomplish the selection of commission members in time for the Commission to establish new districts for use in the next state or federal election.
 9. In the event that Ohio becomes legally required to modify district boundaries that were established by a Commission at any time prior to the next succeeding decennial census, the Commission, as previously established, shall reconvene to establish new district boundaries.
 10. In the event that any member of the Commission is unable to complete his or her service on the Commission, the remaining members of the Commission shall select a new member from the final pool of potential members. The total membership of the Commission shall consist of twelve members, which shall include a total of four members affiliated with the largest political party, four members affiliated with the second largest political party, and four members not affiliated with either of these parties.
 11. No member of the Commission shall be subject to removal by the general assembly or any member of the executive branch.
 12. Members of the Commission shall be ineligible to be elected or appointed to the State Legislature for any districts that were established or modified by that Commission.
- (D) The Commission is authorized to hire necessary staff, experts, and legal counsel and use the services of existing state employees in order to fulfill the Commission's responsibilities. The general assembly shall make appropriations necessary to adequately fund the activities of the Commission including, but not limited to, funds to compensate Commission members; pay for necessary staff, office space, experts, legal counsel and the independent auditor; and purchase necessary supplies and equipment.
- (E) All meetings of the Commission shall be open to the public. The Commission shall adopt rules for its operation and to guide its application of the redistricting factors.

- (F) All records, communications, and draft plans of the Commission, its individual members, or staff that are related to the establishment or possible modification of any Ohio congressional or state legislative district boundaries are public records.
- (G) The Commission shall make available to the public in a timely fashion all information that is available to any member of the Commission and that may be used for preparing or evaluating redistricting plans or maps, including the measures to be used in evaluating community preservation, politically balanced districts, representational fairness, and compactness in accordance with section 7(C) of this article, as well as the consideration to be given to all factors.
- (H) The Commission shall provide a reasonable opportunity for the public to submit proposed redistricting plans, and the Commission shall give full and fair consideration to plans submitted by the public.
- (I) All proposed redistricting plans and maps shall be made available to the public for a reasonable period of time before being approved by the Commission, and a reasonable opportunity shall be provided for the public to testify about proposed plans or maps prior to their being approved.
- (J) The affirmative vote of at least seven members of the Commission shall be required to adopt any plan.
- (K) The Commission shall establish and publish the new district boundaries no later than October 1 of the year prior to the year elections shall be held in the new districts. In the event that the Commission fails to establish district boundaries by this date, an action may be initiated in the Supreme Court of Ohio for the adoption of district boundaries. The Supreme Court shall select from among the plans submitted to or considered by the Commission and shall adopt the plan that most closely meets the requirements of this article and complies with the rules and measures established by the Commission under paragraphs (E) and (G) of this section.

Article XI, Section 3.

The population of each house of representatives district shall be substantially equal to the ratio of representation in the house of representatives, as provided in section 2 of this Article, and in no event shall any house of representatives district contain a population of less than ninety-~~five~~eight per cent nor more than one hundred ~~five~~two per cent of the ratio of representation in the house of representatives, except in those instances where reasonable effort is made to avoid dividing a county in accordance with section 9 of this Article.

Article XI, Section 4.

The population of each senate district shall be substantially equal to the ratio of representation in the senate, as provided in section 2 of this Article, and in no event shall any senate district contain a population of less than ninety-~~five~~eight per cent nor more than one hundred ~~five~~two per cent of the ratio of representation in the senate as determined pursuant to this Article

Article XI, Section 6.

Upon the approval of this amendment to the Ohio Constitution, new district boundaries shall be established for Ohio's state legislative and congressional districts. The new district boundaries

shall be used in the next regularly scheduled federal and state elections that are held more than one year after the adoption of this amendment. Thereafter, *[D]*district boundaries established by the Ohio Citizens Redistricting Commission pursuant to this Article or by the Ohio Supreme Court pursuant to section 1(K) of this Article shall not be changed until the ensuing federal decennial census and the ensuing apportionment *[or]* **except** as provided in section 13 of this Article, notwithstanding the fact that boundaries of political subdivisions or city wards within the district may be changed during that time. District boundaries shall be created by using the boundaries of political subdivisions and city wards as they exist at the time of the federal decennial census on which the apportionment is based, or such other basis as the general assembly has directed.

Article XI, Section 7

[Repeal Current Section 7- (A) Every house of representatives district shall be compact and composed of contiguous territory, and the boundary of each district shall be a single nonintersecting continuous line. To the extent consistent with the requirements of section 3 of this Article, the boundary lines of districts shall be so drawn as to delineate an area containing one or more whole counties.

(B) Where the requirements of section 3 of this Article cannot feasibly be attained by forming a district from a whole county or counties, such district shall be formed by combining the areas of governmental units giving preference in the order named to counties, townships, municipalities, and city wards.

(C) Where the requirements of section 3 of this Article cannot feasibly be attained by combining the areas of governmental units as prescribed in division (B) of this section, only one such unit may be divided between two districts, giving preference in the selection of a unit for division to a township, a city ward, a city, and a village in the order named.

(D) In making a new apportionment, district boundaries established by the preceding apportionment shall be adopted to the extent reasonably consistent with the requirements of section 3 of this Article.]

(A) Any plan adopted by the Commission shall comply with all applicable Ohio and federal constitutional provisions and all applicable federal statutory provisions, including, but not limited to, those dealing specifically with the protection of minority voting rights.

(B) Every state legislative and congressional district shall be composed of contiguous territory, and the boundary of each district shall be a single nonintersecting continuous line and must be in compliance with all other requirements of this article.

(C) The Commission shall adopt the redistricting plan that, in its judgment, most closely meets the following four factors, without violating paragraphs A and B of this section:

- 1. Community preservation - minimizes the number of governmental units that must be divided between different districts, by combining the areas of whole governmental units giving preference in the order named to counties, municipalities, contiguous townships, and city wards.**
- 2. Competitiveness - maximizes the number of politically balanced districts. A "politically balanced district" is a district where the average political party indexes, determined using actual election results from recent representative statewide elections, does not lean toward one party by more than five percent.**
- 3. Representational fairness - balances the number of districts leaning toward each political party so that the number of districts leaning toward each party closely corresponds to the preferences of the voters of Ohio, as determined using actual election results from recent representative statewide elections.**

4. Compactness - creates districts that are compact.

(D) The Commission shall make publicly available with each proposed redistricting plan a report that identifies the following information for each district: boundaries, population, racial and ethnic composition, compactness measure, governmental units that are divided, and political party indexes. The Commission shall also make publicly available statewide totals of the number of governmental units of each type that are divided, the number of politically balanced districts, and the number of districts that lean toward each political party. The Commission shall use this information in evaluating each plan and shall adopt the plan that most closely meets the requirements of this section.

(E) No plan shall be drawn or adopted with intent to favor or disfavor a political party, incumbent, or potential candidate.

Article XI, Section 8

[Repeal Current Section 8 - A county having at least one house of representatives ratio of representation shall have as many house of representatives districts wholly within the boundaries of the county as it has whole ratios of representation. Any fraction of the population in excess of a whole ratio shall be a part of only one adjoining house of representatives district.

The number of whole ratios of representation for a county shall be determined by dividing the population of the county by the ratio of representation for the house of representatives determined under section 2 of this Article]

Article XI, Section 9

In those instances where the population of a county is not less than ninety-five per cent nor more than one hundred *[ten]* five per cent of the ratio of representation in the house of representatives, reasonable effort shall be made to create a house of representatives district consisting of the whole county.

Article XI, Section 10.

The standards prescribed in sections 3, 7, 8, and 9 of this Article shall govern the establishment of house of representatives districts, which shall be created and numbered in the following order to the extent that such order is consistent with the foregoing standards:

(A) Each county containing population substantially equal to one ratio of representation in the house of representatives, as provided in section 2 of this Article, but in no event less than ninety-five per cent of the ratio nor more than one hundred five per cent of the ratio shall be designated a representative district

(B) Each county containing population between ninety and ninety-five per cent of the ratio or between one hundred five and one hundred ten per cent of the ratio may be designated a representative district.

[Repeal Current Divisions C and D of Section 10 – (C) Proceeding in succession from the largest to the smallest, each remaining county containing more than one whole ratio of representation shall be divided into house of representatives districts. Any remaining territory within such county containing a fraction of one whole ratio of representation shall be included in one representative district by combining it with adjoining territory outside the county.

(D) *The remaining territory of the state shall be combined into representative districts.]*

Article XI, Section 13.

[Repeal Current Section 13 -The supreme court of Ohio shall have exclusive, original jurisdiction in all cases arising under this Article. In the event that any section of this Constitution relating to apportionment

or any plan of apportionment made by the persons responsible for apportionment, by a majority of their number, is determined to be invalid by either the supreme court of Ohio, or the supreme court of the United States, then notwithstanding any other provisions of this Constitution, the persons responsible for apportionment by a majority of their number shall ascertain and determine a plan of apportionment in conformity with such provisions of this Constitution as are then valid, including establishing terms of office and election of members of the general assembly from districts designated in the plan, to be used until the next regular apportionment in conformity with such provisions of this Constitution as are then valid

Notwithstanding any provision of this Constitution or any law regarding the residence of senators and representatives a plan of apportionment made pursuant to this section shall allow thirty days for persons to change residence in order to be eligible for election

The governor shall give the persons responsible for apportionment two weeks advance written notice of the date, time, and place of any meeting held pursuant to this section]

- A. The Supreme Court of Ohio shall have exclusive, original jurisdiction in all cases arising under this Article.**
- B. In the event that the district boundaries for any of Ohio's state legislative or congressional districts are determined to be invalid by either the Supreme Court of Ohio or the federal courts, the Ohio Citizens Redistricting Commission shall establish new boundaries in conformity with this article.**
- C. If at any time it becomes necessary for any court to establish any district boundaries, it shall select from among the plans submitted to or considered by the Commission and shall adopt the plan that most closely meets the requirements of this article and complies with the rules and measures established by the Commission under Section 1(E) and (G) of this Article. In the event that a court invalidates any district boundaries established by the Commission and establishes new district boundaries, the Commission shall reconvene in accordance with section 1(C)(9) of this article to establish new boundaries. The boundaries established by the court shall not remain in effect for longer than one election cycle.**
- D. Notwithstanding any provision of this Constitution or any law regarding the residence of state senators and representatives, a redistricting plan made pursuant to this Article shall allow thirty days for persons to change residence in order to be eligible for election.**

Article XI, Section 14

[Repeal Current Section 14 - The boundaries of house of representatives districts and senate districts from which representatives and senators were elected to the 107th general assembly shall be the boundaries of house of representatives and senate districts until January 1, 1973, and representatives and senators elected in the general election in 1966 shall hold office for the terms to which they were elected. In the event all or any part of this apportionment plan is held invalid prior to the general election in the year 1970, the persons responsible for apportionment by a majority of their number shall ascertain and determine a plan of apportionment to be effective until January 1, 1973, in accordance with section 13 of this Article.]

Article XI, Section 16.

All sections of this article shall also apply to the establishment or modification of Ohio's congressional districts, except as otherwise required to comply with applicable federal law.

STATEMENT OF CIRCULATOR

I, DAVID T GIVES, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 10 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.)

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)

5041 GREENSBORO CT
(Address of circulator's permanent residence in this state)
Number and Street, Road or Rural Route

Columbus
City, Village or Township

OH 43220
State Zip Code

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