

INITIATIVE PETITION

Amendment to the Constitution

Proposed by Initiative Petition

To be submitted directly to the electors

Amendment

Title. To require the Ohio Livestock Care Standards Board to adopt certain minimum standards that will prevent the cruel and inhumane treatment of farm animals, enhance food safety, and strengthen Ohio family farms.

SUMMARY

To add Section 2 of Article XIV of the Constitution of the State of Ohio

This proposed amendment would:

1. Require the Ohio Livestock Care Standards Board to establish minimum humane standards for certain farm animals within six years after adoption of the amendment. The minimum standards would:
 - Prohibit a farm owner or operator from tethering or confining any calf raised for veal, pig during pregnancy, or egg-laying hen, on a farm, for all or the majority of a day, in a manner that prevents such animal from lying down, standing up, fully extending his or her limbs, or turning around freely. This prohibition would not apply during certain times set forth in the amendment, including, but not limited to, during veterinary treatment, certain livestock exhibitions, and scientific or agricultural research.
 - Require that the killing of cows and pigs on farms be performed in a humane manner, as set forth in the amendment.
 - Prohibit the killing of cows and pigs on farms by strangulation as a form of euthanasia.
 - Prohibit the transport, sale, or receipt, for use in the human food supply, of any cow or calf too sick or injured to stand and walk.
2. Provide that any farm owner or operator who violates these standards is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000, or both.
3. Set forth definitions for certain terms used in the amendment, including, but not limited to: farm, farm owner or operator, fully extending his or her limbs, enclosure, and turning around freely.

CERTIFICATION OF THE ATTORNEY GENERAL

The certification of the Attorney General, pursuant to Ohio Revised Code Section 3519.01(A), will be inserted when it is provided. This initial petition must be submitted with at least one thousand (1,000) valid signatures of Ohio electors before the Attorney General will issue that certification.

COMMITTEE TO REPRESENT THE PETITIONERS

The following people are designated as the committee to represent the petitioners in all matters relating to the petition or its circulation:

Vickie Askins
6335 Solether Road
Cygnet, OH 43413

Julie O'Connell, DVM
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John Dinon
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Candace Hertzell
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FULL TEXT OF AMENDMENT

Be it resolved by the people of the State of Ohio that Article XIV, Section 2 of the Ohio Constitution be adopted and read as follows:

MINIMUM STANDARDS TO PREVENT INHUMANE TREATMENT OF FARM ANIMALS, ENHANCE FOOD SAFETY, AND STRENGTHEN OHIO FAMILY FARMS

Section 2. (A) Within six years of the date of the adoption of this amendment, the Ohio Livestock Care Standards Board shall establish minimum humane standards for cows, poultry, and pigs that, at minimum:

(1) prohibit a farm owner or operator from tethering or confining any calf raised for veal, pig during pregnancy, or egg-laying hen, on a farm, for all or the majority of any day, in a manner that prevents such animal from lying down, standing up, fully extending his or her limbs, or turning around freely. This prohibition shall not apply: (a) during scientific or agricultural research; (b) during examination, testing, individual treatment, or operation for veterinary purposes; (c) during transportation; (d) during rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions or programs; (e) during the slaughter of livestock or poultry as provided by law; or (f) to a pig during pregnancy during the seven-day period prior to the pig's expected date of giving birth;

(2) require a farm owner or operator to ensure that all on-farm killing of cows or pigs be performed in a humane manner using methods explicitly deemed "Acceptable" by the American Veterinary Medical Association. This standard shall also include a prohibition on strangulation of cows and pigs as a form of euthanasia; and

(3) prohibit a farm owner or operator from engaging in the transport, sale, or receipt, for use in the human food supply, of any cow or calf too sick or injured to stand and walk.

(B) Any farm owner or operator who violates any standard adopted by the Board pursuant to this section is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than one thousand dollars (\$1,000), or both.

(C) As used in this section:

(1) "Calf raised for veal" means any calf of the bovine species kept for the purpose of producing the food product described as veal.

(2) "Cow" means any member of the bovine species, including calves.

(3) "Egg-laying hen" means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.

(4) "Enclosure" means any cage, crate, or other structure (including what is commonly described as a "gestation crate" for pigs, a "veal crate" for calves, or a "battery cage" for egg-laying hens) used to confine a calf raised for veal, a pig during pregnancy, or an egg-laying hen.

(5) "Farm" means the land, buildings, support facilities, and other equipment that are wholly or partially used for the commercial production of animals or animal products used for food or fiber, and does not include live animal markets.

- (6) "Farm owner or operator" means any person who owns or controls the operation of a farm, and does not include any non-management employee, contractor, or consultant.
- (7) "Fully extending his or her limbs" means fully extending all limbs without touching the side of an enclosure or another animal. In the case of egg-laying hens, "fully extending his or her limbs" means (1) fully spreading both wings without touching the side of an enclosure or another egg-laying hen, and (2) having access to at least 1.5 square feet of usable floor space per hen; but does not mean that all egg-laying hens in an enclosure must be able to simultaneously spread their wings without touching the side of an enclosure or another egg-laying hen.
- (8) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.
- (9) "Pig" means any member of the porcine species.
- (10) "Pig during pregnancy" means any pregnant pig kept for the primary purpose of breeding.
- (11) "Poultry" means any chicken, turkey, duck, goose, or guinea fowl.
- (12) "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side of an enclosure or another animal.

STATEMENT OF CIRCULATOR

I, Eriyah Flynn, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 1 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 the same. I am employed to circulate this petition by Volunteer

(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 in accordance with section 3501.38 of the Revised Code 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) Eriyah Flynn
(Address of circulator's permanent residence) 3544 Fishinger Mill Dr
Hilliard, OH 43026
(City, State, and ZIP Code)

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