



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

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30 E. Broad Street, 17th Fl
Columbus, Ohio 43215
www.Ohio.AttorneyGeneral.gov

February 21, 2012

VIA HAND DELIVERY & ELECTRONIC MAIL

The Ohio Ballot Board
c/o Hon. Jon Husted
180 East Broad Street, 15th Floor
Columbus, Ohio 43215

Re: **Submitted Proposed Initiated Constitutional Amendment
to add Section 2s of Article VIII to the Ohio Constitution,
The Ohio Clean Energy Initiative**

Dear Jon:

In accordance with the provisions of Section 3519.01(A) of the Ohio Revised Code, a written petition bearing a copy of a proposed initiated constitutional amendment to Article VIII of the Ohio Constitution was submitted to this office for examination, together with a summary of the proposed amendment, on February 10, 2012.

It is my statutory duty to determine whether the submitted summary of the proposed amendment “is a fair and truthful statement of the proposed law or constitutional amendment.” *Id.* If the summary is fair and truthful, then I am to “so certify and then forward the submitted petition to the Ohio ballot board for its approval.” *Id.* I must also verify with county boards of election that signatures accompanying the petition total at least 1,000 registered voters. By statute, I am required to perform these duties within ten days of receiving the petition. In this instance, the tenth day fell on Monday, February 20, 2012. Because the Attorney General’s Office was closed on Monday in observance of Presidents’ Day, the deadline for certification fell to today, Tuesday, February 21, 2012.

Having received verification that the submission was accompanied by more than 1,000 valid signatures, and having considered the language of the initiated constitutional amendment and its summary, I conclude that the summary is fair and truthful. I now forward the proposal to you in your capacity as Chair of the Ballot Board for consideration under Revised Code Section 3505.062, certifying to the Ohio Ballot Board 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.

Once the Ballot Board meets pursuant to Ohio Revised Code Section 3505.062, I will forward its certification(s) to you in accordance with my statutory duties.

Very respectfully yours,



Mike DeWine
Ohio Attorney General

Enclosure: Text and Summary

cc: Betsy Luper Schuster, General Counsel, Secretary of State *(by email)*



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February 21, 2012

VIA U.S. MAIL, & ELECTRONIC MAIL

Donald J. McTigue
McTigue & McGinnis, LLC
545 East Town Street
Columbus, Ohio 43215
dmctigue@electionlawgroup.com

Re: **Submitted Proposed Initiated Constitutional Amendment
to add Section 2s of Article VIII to the Ohio Constitution,
The Ohio Clean Energy Initiative**

Dear Don:

In accordance with the provisions of Section 3519.01(A) of the Ohio Revised Code, a written petition bearing a copy of a proposed initiated constitutional amendment to Article VIII of the Ohio Constitution was submitted to this office for examination, together with a summary of that proposed amendment, on February 10, 2012.

It is my statutory duty to determine whether the submitted summary of the proposed amendment “is a fair and truthful statement of the proposed law or constitutional amendment.” *Id.* If the summary is fair and truthful, then I am to “so certify and then forward the submitted petition to the Ohio ballot board for its approval.” *Id.* I must also verify with county boards of election that signatures accompanying the petition total at least 1,000 registered voters. By statute, I am required to perform these duties within ten days of receiving the petition. In this instance, the tenth day falls on Monday, February 20, 2012. Because the Attorney General’s Office was closed on Monday in observance of Presidents’ Day, the deadline for certification fell to today, Tuesday, February 21, 2012.

Having received verification that the submission was accompanied by more than 1,000 valid signatures, and having considered the language of the initiated constitutional amendment and its summary, I concluded that the summary is fair and truthful. I forwarded the proposal to Secretary of State Jon Husted in his capacity as Chair of the Ballot Board for consideration under Revised Code Section 3505.062, certifying to the Ohio Ballot Board 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.

Very respectfully yours,



Mike DeWine
Ohio Attorney General

Enclosure: Tally Sheet of Signatures by County

cc: *Committee to Represent the Petitioners*

Evonne Richardson
6065 Nasby Drive
Galloway, Ohio 43119

Kevin Howard
5273 Sweet William Court
Gahanna, Ohio 43230

Maria Yonamine
124 Webster Park Avenue
Columbus, Ohio 43214

David Renner
2333 Brandon Road
Upper Arlington, Ohio 43221