

CERTIFIED QUESTIONS/ISSUES
Issued by the Fulton County Board of Elections
August 20, 2012

NOVEMBER 6, 2012 GENERAL ELECTION

State Issues		
Number	Title	Precincts
1	<p>State Issue 1 Question presented pursuant to Article XVI, Section 3 of the Constitution of the State of Ohio</p> <p>Article XVI, Section 3 of the Constitution of the State of Ohio reads as follows:</p> <p>“At the general election to be held in the year one thousand nine hundred and thirty-two, and in each twentieth year thereafter, the question: ‘Shall there be a convention to revise, alter, or amend the constitution[,]’ shall be submitted to the electors of the state; and in case a majority of the electors, voting for and against the calling of a convention, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same have been submitted to the electors of the state, and adopted by a majority of those voting thereon.”</p> <p>Shall there be a convention to revise, alter, or amend the Ohio Constitution? YES NO</p> <p>ISSUES CONTINUED ON NEXT PAGE</p>	Countywide (1 thru 36)

Number 2	State Issue 2	Countywide (1 thru 36)
	<p>To create a state-funded commission to draw legislative and congressional districts Proposed Constitutional Amendment Proposed by Initiative Petition</p> <p>To add and repeal language in Sections 1, 3, 4, 6, 7, 9 and 13 of Article XI, repeal Sections 8 and 14 of Article XI, and add a new Section 16 to Article XI of the Constitution of the State of Ohio. A majority yes vote is necessary for the amendment to pass.</p> <p>The proposed amendment would:</p> <ol style="list-style-type: none"> 1. Remove the authority of elected representatives and grant new authority to appointed officials to establish congressional and state legislative district lines. 2. Create a state funded commission of appointed officials from a limited pool of applicants to replace the aforementioned. The Commission will consist of 12 members (4 affiliated with the largest political party, 4 affiliated with the second largest political party, and 4 not affiliated with either of the two largest political parties) who will be chosen as follows: <ol style="list-style-type: none"> A. 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. B. 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. C. On or before August 1 of the year that the decennial census is conducted, the panel of eight judges described in subparagraph A 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. D. 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. E. 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. F. No member of the Commission shall be subject to removal by the general assembly or any member of the executive branch. 3. Require new legislative and congressional districts be immediately established by the Commission to replace the most recent districts adopted by elected representatives, which districts shall not be challenged except by court order until the next federal decennial census and apportionment. Affirmative votes of 7 of 12 Commission members are needed to select a plan. In the event the Commission is not able to determine a plan by October 1, the Ohio Supreme Court would need to adopt a plan from all the plans submitted to the Commission. 4. Repeals current constitutional requirements for drawing legislative districts that avoid splits to counties, townships, municipalities and city wards where possible, and when not possible, limiting such divisions to only one division per governmental unit, and also repeals requirements to form as many whole legislative districts solely within a county as possible. The foregoing would be replaced and require the Commission to adopt a plan that complies with all applicable federal and state constitutional provisions, federal statutory provisions, and the contiguity requirement and that most closely meets the factors of community preservation, competitiveness, representational fairness, and compactness. The Commission would also be required not to draw or adopt a plan with an intent to favor or disfavor a political party, incumbent, or potential candidate. 5. Mandate the General Assembly to appropriate all funds necessary to adequately fund the activities of the Commission including, but not be limited to, compensating: <ol style="list-style-type: none"> A. Staff B. Consultants C. Legal counsel D. Commission members <p>If approved, the amendment will be effective thirty days after the election. Shall the amendment be approved? YES NO</p>	

Local Questions and Issues

Number	Title	Precincts
3	<p>Proposed Charter Amendment</p> <p>Shall section 12.06 of the Charter of the Village of Delta be amended to read “The Mayor’s salary shall be as it is currently established by ordinance in effect at the time of the November 6, 2012 election and shall continue unchanged. From November 6, 2012 until January 1, 2013, the salary for individual Council Members shall be \$3,000.00. Effective January 1, 2013, the annual salary for individual Council Members shall be \$3,000.00. The Mayor and Council may change the salaries of any elected official of the municipality by ordinance adopted by a vote of not less than two-thirds (2/3) of the members of Council and shall be effective at the next election for open positions which is in accordance with State law?”</p>	Village of Delta (32,33,34)
4	<p>Proposed Tax Levy (Replacement)</p> <p>A replacement of a tax for the benefit of the Village of Fayette for the purpose of parks and recreation at a rate not exceeding 2 mills for each one dollar of valuation, which amounts to \$0.20 for each one hundred dollars of valuation, for 5 years, commencing in 2013, first due in calendar year 2014.</p>	Village of Fayette (18)
5	<p>Proposed Tax Levy (Replacement)</p> <p>A replacement of a tax for the benefit of the Village of Fayette for the purpose of current operating expenses at a rate not exceeding 2.9 mills for each one dollar of valuation, which amounts to \$0.29 for each one hundred dollars of valuation, for 5 years, commencing in 2013, first due in calendar year 2014.</p>	Village of Fayette (18)
6	<p>Proposed Tax Levy (Additional)</p> <p>An additional tax for the benefit of the Village of Metamora for the purpose of parks and recreation at a rate not exceeding 0.5 mill for each one dollar of valuation, which amounts to \$0.05 for each one hundred dollars of valuation, for 5 years, commencing in 2012 first due in calendar year 2013.</p>	Village of Metamora (01)
7	<p>Proposed Tax Levy (Renewal)</p> <p>A renewal of a tax for the benefit of Franklin Township for the purpose of providing fire apparatus and the payment of fire-fighting companies to operate the same and to provide ambulance and emergency medical services operated by a fire department or fire-fighting company at a rate not exceeding 0.6 mill for each one dollar of valuation, which amounts to \$0.06 for each one hundred dollars of valuation, for 5 years, commencing in 2012, first due in calendar year 2013.</p>	Franklin Township (12)

8	<p>Proposed Tax Levy (Renewal) Fulton, Lucas and Wood Counties</p> <p>Shall a levy renewing an existing levy be imposed by the Anthony Wayne Local School District for the purpose of PROVIDING FOR THE EMERGENCY REQUIREMENTS OF THE DISTRICT in the sum of \$3,000,000 and a levy of taxes to be made outside of the ten-mill limitation estimated by the county auditor to average 3.4 mills for each one dollar of valuation, which amounts to \$0.34 for each one hundred dollars of valuation, for a period of ten (10) years, commencing in 2013 first due in calendar year 2014?</p>	<p>Swan creek East Two (Part 28-2) Anthony Wayne School District</p>
9 10	<p>Local Option for Particular Use at Business Location (Form 5-R)</p> <p>Shall the sale of spirituous liquor be permitted by Stephen G. Lester and Linda G. Compo, DBA Anchor Bay Carryout & Pub an applicant for a D-5 liquor permit who is engaged in the business of a Carryout/Pub at 12328-30 County Road 27, West Unity, OH 43570, in this precinct?</p> <p>Shall the sale of beer be permitted for sale on Sunday between the hours of eleven a.m. and midnight by Stephen G. Lester and Linda G. Compo, DBA Anchor Bay Carryout & Pub, a holder of a D-1 and D-2 and an applicant for a D-5 liquor permit, who is engaged in the business of a Carryout/Pub at 12328-30 County Road 27, West Unity, OH 43570, in this precinct?</p>	<p>Gorham Township (19)</p>
11	<p>Local Option for Particular Use at Business Location (Form 5-R)</p> <p>Shall the sale of beer be permitted for sale on Sunday between the hours of ten a.m. and midnight by Alright Petroleum Inc., dba Archbold Sunoco a holder of a C-1 liquor permit, who is engaged in the business of operating a convenience store at 1500 S. Defiance St., Archbold, OH 43502, in this precinct?</p>	<p>Archbold One (14)</p>