



2015

State Issue 3

Proposed constitutional amendment granting exclusive rights to cultivate, market, and sell recreational and medical marijuana to a few select corporations and to allow all Ohio adults over 21 to grow and use marijuana.

Table of Contents

ResponsibleOhio PAC's Marijuana Monopoly Amendment	3
<i>Issue 3 is much more than medical marijuana</i>	3
<i>Issue 3 is a money-grab</i>	3
<i>Responsible Ohio Prospectus</i>	3
<i>Facts About Issue 3</i>	4
<i>Who Opposes Issue 3?</i>	5
Proposed Marijuana Monopoly.....	6
<i>Limited Marijuana Growing Sites</i>	6
<i>Sweetheart Tax Deal</i>	6
What does Issue 3 Mean for Ohio?	7
<i>Marijuana Everywhere</i>	7
10 Reasons to Vote Against Issue 3.....	9
<i>Marijuana by the Numbers</i>	9
What Others Are Saying About Issue 3.....	11

Appendix 1: Responsible Ohio Prospectus

Appendix 2: News Articles & Commentary



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ResponsibleOhio PAC's Marijuana Monopoly Amendment

Issue 3 is much more than medical marijuana

ResponsibleOhio PAC, the group behind Issue 3, places much focus on medical marijuana, a concept that is widely supported by voters across the board. In reality, however, medical marijuana is one small provision within the much larger amendment ([click here](#) to see ResponsibleOhio's petition summary and full text of the amendment).

- The amendment locks into the Ohio Constitution 10 specified growing sites, the rights to which have already been promised to the small group of self-selected wealthy investors who are supporting and funding the campaign to pass the amendment.
- These already-wealthy investors will have exclusive rights to the legal marketing and sale of marijuana in Ohio, and stand to reap enormous financial profits if the amendment passes.
- The amendment legalizes recreational use and growth of marijuana by individuals 21 years of age and older, and allows every adult (21 or older) in Ohio to grow, possess, and use marijuana.
- The amendment permits more than just "joints." It allows for marijuana-infused products such as marijuana brownies, marijuana cookies, and marijuana candy (ex. lollipops and gummy bears), posing a very attractive threat to young people. Often, these infused products contain extremely high concentrations of THC, the active component in marijuana.
- The amendment allows for the creation of 1,159 retail marijuana stores – that's more locations than Starbucks or McDonalds, and nearly three times the number of state liquor stores.

For these reasons and more, Republican and Democrat elected officials, children's health advocates, hospitals, doctors, addiction counselors, faith leaders, mental health professionals, parents, educators, law enforcement officials, farmers, chambers of commerce and leading business groups. It's even opposed by many pro-marijuana activists who believe the monopoly created by Issue 3 is bad law.

Issue 3 is a money-grab

ResponsibleOhio PAC is a small group of wealthy investors and operatives who see an opportunity to capitalize on Ohio's initiative petition and turn their millions into billions through marijuana legalization.

ResponsibleOhio PAC Prospectus

ResponsibleOhio PAC has behaved like a financial opportunity from the beginning, by creating a "prospectus" for investors (see Appendix 1). The effort was sold to investors as a business opportunity, with a goal "to uniquely position Principal Funders for a growth market in Ohio where annual sales are expected to exceed \$1 billion dollars."



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Also from the ResponsibleOhio PAC Prospectus:

With potential gross revenues exceeding \$1 billion annually funders of Ohio's Marijuana Legalization Act will have a say in how the State defines, regulates and taxes this new and highly profitable market.

Clearly, marijuana legalization is coming. We seek to position the Principal Funders of this effort at the front end of a new market opportunity in the state that is known as "America's Test Market." Winning in the battleground state of Ohio will have an incredibly positive impact on the Midwest and nation. Being on the front line of a projected \$1+ billion annual sale potential is one thing. But being able to replicate this victory elsewhere places Principal Funders in a stronger position for ROI in other ventures. In short, if it works here, it will work anywhere, which follows the old saying, "As Goes Ohio, So Goes the Nation."

Facts about Issue 3

1. Issue 3 will create in Ohio's Constitution a marijuana monopoly, with 10 marijuana growing sites for all marijuana to be sold for recreational or medical use in Ohio.
2. Under the amendment, the tax rates on marijuana – dictated by ResponsibleOhio PAC and its investors and business associates – will be lower than those on beer, wine, and tobacco products. These rates could only be changed by passing another constitutional amendment.
3. The amendments allows for 1,159 retail marijuana outlets in Ohio – that's more locations than Starbucks, McDonalds, and nearly three times the number of state liquor stores.
4. Convicted felons can own marijuana establishments.
5. Municipalities cannot prohibit marijuana stores from locating within their jurisdictions.
6. The restrictions on zoning for marijuana outlets are a sham. The amendment restricts marijuana outlets from being located near schools, playgrounds, day cares, houses of worship, residential neighborhoods, and certain other locations, but only if those locations were in existence on or before January 1, 2015, or when the marijuana outlet first applies for a license to operate. These restrictions do not apply to any newly-established schools, playgrounds, day cares, churches, neighborhoods, etc.
7. Medical marijuana use/possession by adults and children is permitted in the workplace, including schools, day cares, public places, and prisons.
8. Medical marijuana must be accommodated by employers (in contrast to Colorado's marijuana legalization amendment).



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9. The amendment conflicts with the Americans With Disabilities Act, which does not protect current users of illegal drugs, and marijuana use and possession remains illegal under federal law.
10. It is impossible to distinguish between homegrown marijuana and commercially purchased marijuana, making the amendment's purported limits on possession of each nearly impossible to enforce.

Who opposes Issue 3?

The list of those who have publicly voiced opposition to Issue 3 continues to grow.

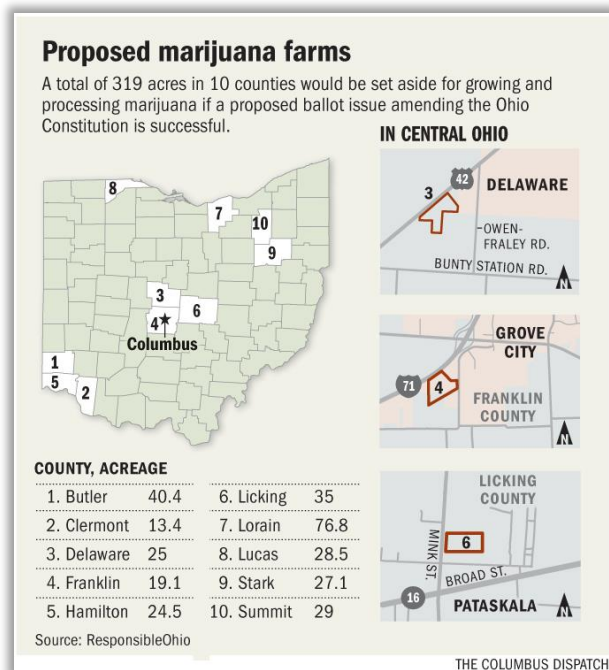
ADAMHS Board of Cuyahoga County
Buckeye State Sheriffs Association
Dayton Area Chamber of Commerce
Dayton Regional Employers Against Marijuana (DREAM)
Drug Free Action Alliance
Greater Cleveland Partnership
Council of Small Enterprises
Green Party of Ohio
Libertarian Party of Ohio
Nationwide Children's Hospital
Ohio Association of County Behavioral Health Authorities
Ohio Chapter, American Academy of Pediatrics
Ohio Children's Hospital Association
Ohio Council of Behavioral Healthcare Providers
Ohio Council of Retail Merchants
Ohio Farm Bureau Federation
Ohio Manufacturers' Association
Ohio Prosecuting Attorneys Association
Ohio State Medical Association
Prevent Blindness Ohio Affiliate



Proposed Marijuana Monopoly

Limited Marijuana Growing Sites

The proposed amendment requires that all marijuana grown for sale and medical use within the state is grown on 10 sites that are specifically designated in the amendment.



That's just 10 marijuana farms

vs.

Ohio's approximately 70,500 crop & livestock farms.

The owners of these 10 marijuana farms have already been determined – and are in business with investors backing the proposed amendment and funding the ballot campaign.

If this amendment is approved, it will create a marijuana monopoly for a small group of self-selected wealthy investors who will make huge profits from the sole rights for marketing and sale of marijuana for recreational and medical use.

Sweetheart Tax Deal

The backers of Issue 3 have created a sweetheart tax structure for themselves which can only be altered in the future by another constitutional amendment.

The tax structure contemplates a windfall for the select monopoly winners:

- Marijuana store owners will pay a minimal 5% tax on gross revenue (compared to 33% by the casinos).
- Store owners do not have to pay Ohio income tax on their distribution from their business.
- There is no sales tax provided for in the proposed amendment.

The authors of the amendment – who are also the investors and the ones who stand to benefit financially if the amendment passes – decided to tax marijuana at a rate lower than current state tax rate for beer, wine, and tobacco.



What Does Issue 3 Mean for Ohio?

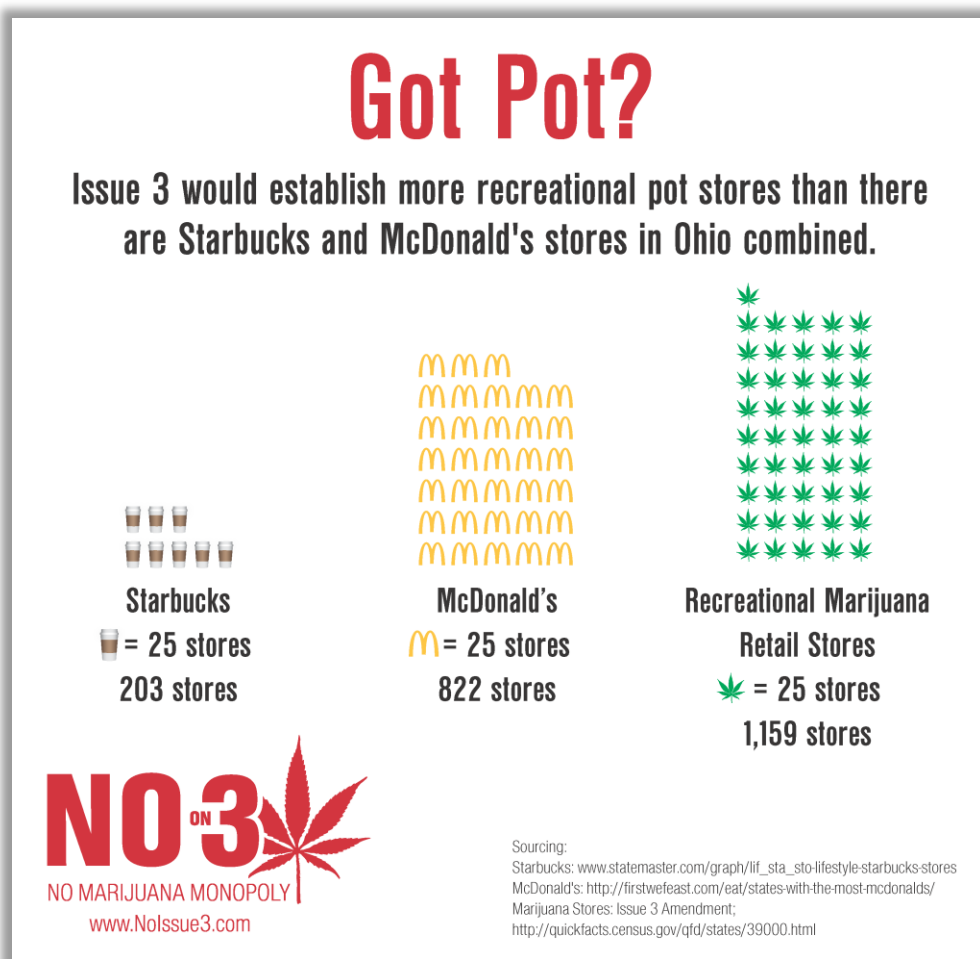
Marijuana Everywhere

Issue 3 backers have talked about allowing possession of small amounts of marijuana which would be legal for personal use. But that's not what the amendment provides.

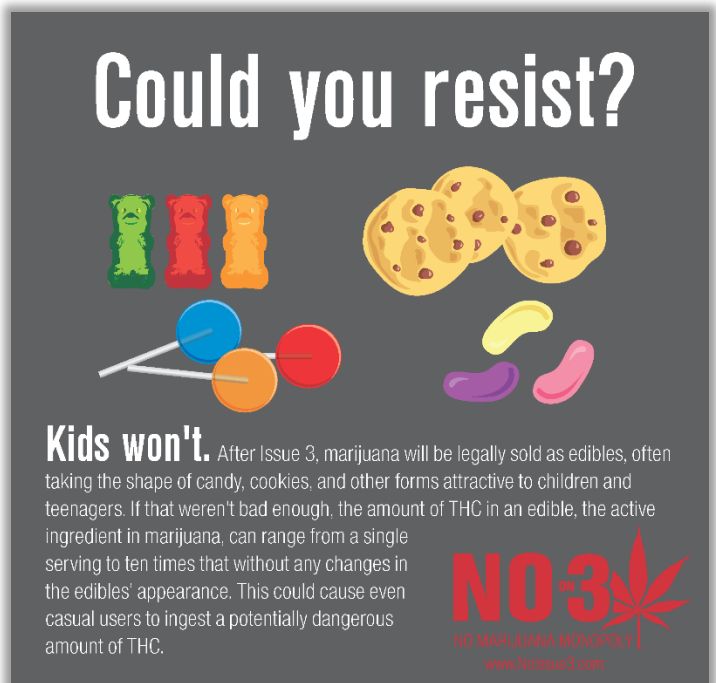
Under the Issue 3 proposal, marijuana will become widely available in large quantities, making it likely that it would fall into the hands of children.

Consider:

- There will be more than 1,100 marijuana stores – more than the number of Starbucks in Ohio, more than the number of McDonalds, and nearly three times the number of state liquor stores. This number will increase as Ohio's population increases.



- Every Ohio adult will be able to buy and possess up to one ounce of commercial marijuana, or enough for about 55 marijuana joints.
- Marijuana will be able to be grown at home by every adult (not just every household) in the state.
 - ✓ Each adult will be able to possess up to eight ounces of homegrown marijuana, or enough for 440 joints.
 - ✓ A couple with small children could have eight flowering plants (and an unlimited number of non-flowering plants) and the home-grown equivalent of 900 joints, and more if legal possession of store-bought marijuana is taken into account.
- It will be legal to possess marijuana in edible form, like candy, gummy bears, cookies, extracts, etc.
- Under the amendment, homegrown marijuana would have to be kept under lock and key to keep it from minors. But there is no such requirement for supplies of commercial marijuana or edible marijuana products, which can often have much higher THC concentrations than marijuana joints. Edible products also have a delayed effect, making it more likely that user would consume a potentially dangerous level of THC.
 - ✓ Under the proposal, it would be perfectly legal for parents of small children to keep 110 marijuana cigarettes or an equivalent amount in the form of candy or cookies in plain sight in the home. Even marijuana plants locked away will be magnets for the natural curiosity of children.
- Possession and use of marijuana among college students will be especially difficult to prevent. For example, four 21-year old seniors living together in an apartment could possess 16 flowering marijuana plants and up to 32 ounces (about 1,800 cigarettes) of usable marijuana. This outsized possession limits will make it a virtual certainty that large amounts of marijuana will be shared with other students, since they is far more than one individual can consume.





10 Reasons to Vote NO on Issue 3

2. **Issue 3 creates billion-dollar marijuana monopoly.** Issue 3 is being sold on the basis of legalizing medical marijuana, but in fact it creates a billion-dollar monopoly for ten investors who are using Ohio's initiative laws to try and write themselves into Ohio's Constitution. Issue 3 would give them exclusive right to commercial marijuana profits in Ohio, and insulate them from any business competition or act of the legislature.
3. **Issue 3 would flood Ohio with marijuana.** Issue 3 purports to allow possession of small amounts of marijuana for personal use. But in reality it would allow every adult 21 or over in the state the right to possess as much as 9 ounces of marijuana, or about 500 average sized marijuana cigarettes. In addition every adult could possess four flowering marijuana plants for home growth, and an unlimited number of flowering plants.
4. **Issue 3 allows far more marijuana stores than liquor stores.** Compounding the problem of broad availability, Issue 3 would permit more than 1,159 commercial marijuana retail outlets around Ohio, nearly three times the number of state liquor stores.
5. **Issue 3 will expose Ohio children to marijuana.** Issue 3 will provide broad exposure of marijuana to large numbers of children and to underage high school and college students. A husband and wife, for example, could keep 1,000 marijuana joints and eight flowering marijuana plants around their home where it is inevitable marijuana will fall into the hands of children. Moreover, Issue 3 makes edible marijuana legal in forms like candy and cookies, a further temptation to children, including very young children.
6. **Issue 3 makes access by children inevitable.** Issue 3 says parents must keep home-cultivated marijuana plants behind locked doors. Because of the huge amounts that can legally be possessed, Issue 3 will make marijuana as easily obtainable by teenagers as tobacco currently is.
7. **Issue 3 aids criminals.** The high legal marijuana possession levels allowed by Issue 3 will provide major cover for criminal black marketers. Issue 3 will allow any underground dealer to walk around with nine ounces of marijuana without any fear of

MARIJUANA BY THE NUMBERS

One ounce of marijuana doesn't sound like very much, but in fact it's a lot – enough to produce a marijuana "high" each day for nearly two months:

- 1 ounce = 28 grams.
- Average marijuana cigarette (joint) = ½ gram.
- Therefore, 1 ounce of marijuana = about 56 joints.

Issue 3 provides that every Ohioan 21 or older can possess:

- 1 ounce of commercial marijuana, AND
- 8 ounces of usable* homegrown marijuana.

9 ounces total = 504 joints
(9 ounces x 56 joints to the ounce)

A single joint is considered more than enough to produce a marijuana "high." A joint-a-day user would be considered a very heavy user of marijuana.

Under Issue 3, even this heavy user could possess at any one time about a 16-month supply – far more than is needed for "responsible" personal use.

* "Usable" generally means the dried leaves of the plants commonly used to roll cigarettes.



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being arrested. This is an amount greater than the 7 ounces that is deemed felony possession under current law, a crime serious enough to warrant a fine of \$2,500 and a year in jail.

8. **Issue 3 creates restrictions on home-grown marijuana that are virtually impossible to enforce.** Issue 3 requires home-grown marijuana plants to be kept under lock and key. This is nearly impossible to enforce under current law, and Issue 3 is silent on both an enforcement mechanism for this provision and on consequences if this provision is violated.
9. **Issue 3 sets a sweetheart tax rate for marijuana monopoly.** The monopoly backers of Issue 3 have set up a sweetheart tax structure for themselves which couldn't be altered in the future by the General Assembly. The tax structure contemplates a windfall for the select monopoly winners:
 - Marijuana store owners will pay a minimal 5% tax on gross revenue (compared to 33% by the casinos).
 - Store owners do not have to pay Ohio income tax on their distribution from their business.
 - There is no sales tax provided for in the proposed amendment.
10. **Issue 3 complicates employment law.** By legalizing the product, Issue 3 will make it far more difficult for businesses to find workers who can pass drug tests. Businesses also fear the Issue 3 will impact existing law concerning liability for workplace accidents.
11. **Marijuana can open the door to more serious drug abuse.** The National Institute on Drug Abuse considers marijuana use, especially among teenagers, a door-opener to greater drug abuse later in life.



What Others Are Saying About Issue 3

Governor John Kasich:

I'm totally opposed to it, it is a scourge in this country.

Ohio Senate President Keith Faber:

[I have] grave concern ... with this new trend of people proposing things that give certain individuals constitutionally protected property rights. I'm really concerned about what that does for democracy.

Ohio House Speaker Cliff Rosenberger:

I don't believe in it, and I don't think it's a good thing for the state of Ohio.

State Representative Mike Curtin:

Issue 3 represents some of the worst public policy I've seen in my lifetime.

Joe Roman, Greater Cleveland Partnership President and CEO:

GCP's membership understands that marijuana legalization is a topic that warrants serious consideration by employers. On behalf of Ohio's employers and businesses, we advise a no vote on the ResponsibleOhio amendment. If Ohio is going to legalize marijuana, especially for recreational use, more time should be taken to learn from the states that have gone down this path. I suspect we can do far better than the ResponsibleOhio plan before us.

Dr. Ewald Horwath, Chairman, Psychiatry

Department, MetroHealth Medical Center (Cleveland):

If we as a state decide to go ahead and make marijuana more available — either medically or for recreational use — we should do so with the understanding that it will lead to an increase in use. And it will lead to a variety of adverse health outcomes and probably a variety of motor-vehicle and job-related heavy-equipment bad outcomes.

Ohio Association of County Behavioral Health Authorities (Ratified April 17, 2015):

The member Boards of the Ohio Association of County Behavioral Health Authorities oppose the legalization and commercialization of marijuana for recreational purposes. The Association also opposes

THE ENQUIRER
Cincinnati.Com August 10, 2015

Teen indicted for giving pot brownie to teacher

[The young man], 19, of Springboro, Ohio, is accused of distributing the weed-laced brownies to at least four students and one teacher April 10 at Springboro High School in this suburb about 20 miles south of Dayton, Ohio.

Issue 3 could turn a prank into something far more harmful.

How? Issue 3 would completely legalize marijuana edibles like pot brownies and THC-infused candy, but because marijuana is still illegal under federal law, the Food & Drug Administration has zero ability to regulate the amount of THC an edible contains or its product labeling.

CBS NEWS July 24, 2015

Marijuana cookie death highlights need for warning labels, CDC says

New details are emerging about the case of a 19-year-old who died in Colorado last year after eating six times the recommended dose of a marijuana cookie and then jumping off a fourth-story balcony.

The Issue 3 proposal lacks oversight and lacks appropriate safety controls.

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the constitutional amendment process for the purpose of legalizing the personal use of marijuana, designation of growth sites, and designation of testing facilities.

Legalizing marijuana for medical use should not be decided by legislative or voter initiative. Marijuana should be subject to the same research, consideration, and study as any other potential medicine, under the same standards of the U.S. Food and Drug Administration (FDA).

Elise Spriggs, Drug Free Action Alliance:

Responsible Ohio's backers care less about good public policy and more about lining the pockets of their already-wealthy investors by creating a constitutional marijuana monopoly that will legalize the cultivation and sale of marijuana and marijuana candy, cookies and brownies.

Jack Fisher, Executive Vice President, Ohio Farm Bureau Federation:

The state constitution is about guaranteeing Ohioans' basic freedoms, not guaranteeing a few people's profits. Manipulating the constitution in a way that's legally questionable to profit a small number of investors is just a really bad idea.

Kevin Sabet, co-founder of Smart Approaches to Marijuana, Former adviser under President Obama:

Voters just need to answer a simple question: Do they want to create another Big Tobacco with marijuana, and do they want more wealth concentrated among a small number of people who stand to make a lot of money off of having five times as many stores as we have Starbucks in the state?

Nicole Scholten, Co-founder, Ohio Families CANN:

We certainly question that the limited grow facilities would secure the necessary quantities. There's no requirement for those facilities to grow the necessary medical strains. There are far too many questions, as far as I'm concerned, and we need the guarantee of safe, sustainable, high-quality lab-tested medicine.

Theresa Daniello, Co-Founder, Ohio Families CANN:

[The most medically effective plants] are very slow-growing, low-yield plants that take a lot of space. The concern we have is that the people crafting the amendment don't know this. It's not going to be profitable to grow these plants. It'll be more profitable to grow recreational strains, which will leave the patient out.

Tricia Sprankle, Political Director, Libertarian Party of Ohio:

There is nothing "responsible" about ResponsibleOhio. This isn't a proposal to restore rights to Ohioans. It's a crony scheme to line the pockets of a few wealthy investors.

Bob Fittrakis, Co-Chair, Green Party of Ohio:

[ResponsibleOhio's plan would be] "exchanging an illegal cartel, for a legal one, representing the worst of cannabis capitalism.

Kevin Burch, President, Jet Express, Inc.:

This amendment is bad for employers in Ohio, and is therefore bad for careers. Legalizing marijuana use in this way would damage the perception of our state's business climate.



Appendix 1

Responsible Ohio Prospectus



Prospectus 2015
Ohio Marijuana Legalization and Regulation

Presented for the
2015 General Election Ballot

Foreword

With a population of more than 11.5 million, Ohio is roughly the size of Colorado and Washington State combined, where legalized and regulated marijuana is in its infancy (after years of Medical Marijuana dispensing).

In Ohio, citizens have the right to participate directly in the law-making process, giving them the ability to develop and implement a smart, strategically planned campaign to change Ohio's Constitution. Investing in this campaign would allow entrepreneurs to help draft the winning Amendment language, and work with a professional campaign team that won the 2009 casino ballot initiative campaign, elected (then re-elected) President Obama, and engineered victorious campaigns for countless US Senators, Congressmen, Governors and Legislators throughout the country.

But winning at the ballot box is only part of the equation. As detailed in this prospectus, we define success through what we provide contributors *after* the successful ballot initiative. To that end, we will deploy a seasoned legal and governmental affairs team to assist government officials in drafting the critical Enabling Legislation and to guide the actual implementation of the Marijuana Legalization Act.

With potential gross revenues exceeding \$1 billion annually, funders of Ohio's Marijuana Legalization Act will have a say in how the State defines, regulates and taxes this new, and highly profitable, market. The knowledge and perspective funders gain from this process will give them multiple opportunities to realize substantial returns on their contribution in this ballot initiative, not to mention the satisfaction of helping to ensure that marijuana is legalized in a fair and responsible manner.

Ian James, CEO

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TABLE OF CONTENTS

Executive Summary

1) Campaign Overview

- a) Ballot Issue Committee Creation
- b) Campaign Finance Compliance
- c) Amendment Language Drafting and Testing
- d) Ballot Timing
- e) Reporting Protocols
- f) Legal Counsel
- g) Projected Costs

2) Campaign Strategy & Policy Development

- a) Analysis of Ohio
- b) Competitive Analysis
- c) Economic Impact Study
- d) Petition Overview
- e) Messaging
- f) Opinion Leaders
- g) Opposition Research

3) Organizational Structure

- a) The Campaign Team
- b) Campaign Finances
- c) Legal Structure
- d) Public Opinion Research
- e) Opposition Research
- f) Signature Gathering Process
 - i. Phase I: Petition Preparation Process
 - ii. Phase II: Initial Signature Filing
 - iii. Supplemental Signature Collection
- g) Public Relations and Communications
- h) Data and Analytics
- i) Online Advocacy
- j) Grassroots Organizing
- k) Building Local Support
- l) Working with Natural Constituencies
- m) Television/Radio

- n) Vote-By-Mail
- o) Direct Mail
- p) Phone Program
- q) Governmental Affairs

4) Management Team

- a) The Strategy Network
- b) McTigue, McGinnis and Colombo
- c) Markovits, Stock and DeMarco
- d) Grant Street Consulting
- e) The Kitchens Group
- f) Precision New Media
- g) 270 Strategies
- h) Third Wave Communications
- i) Midwest Communications
- j) The Baughman Company

5) Enabling Legislation and Implementation

- a) Legal Counsel
- b) Government Affairs
- c) Public Relations
- d) Grassroots Advocacy

6) Financial & Timeline Planning

- a) Financial Overview
- b) Detailed Costs by Line Item
- c) Detailed Activities by Month
 - Phase 1 – June 2014
 - Phase 2 – July to October 2014
 - Phase 3 – November 2014 to July 2015
 - Phase 4 – August to November 2015
- d) Monthly Cash Flow
- e) Bookkeeping and Accounting

7) Biographies of Principals

EXECUTIVE SUMMARY

The Ohio Marijuana Regulation Constitutional Amendment campaign plan below will allow a Constitutional Amendment to be drafted to legalize and regulate marijuana by way of a ballot issue. Because Ohio allows citizen initiatives, working with you as a Principal Funder, our team will test Amendment language with polling, then draft a Constitutional Amendment that will be placed before Ohio voters via the petition process, and won via a robust campaign operation. Coalition partners from across the state will be asked to join the effort to provide organizational skills, capacity, financial resources, and lend the campaign additional credibility.

This effort has an incredible team of seasoned campaign and governmental affairs professionals to develop a strong foundation for a campaign that is strategically developed and scalable. This campaign will work to join together political, community, medical and faith leaders as well as newspaper Editorial Boards to support the effort and minimize/deflect public opposition while facilitating a first-class winning campaign. Success at the ballot in 2015 will ensure that marijuana legalization and regulation becomes a Constitutional right in Ohio, and cannot later be minimized by the political whims of the General Assembly.

Strategic planning begins with the basics: identifying Principal Funders who understand and appreciate the “return on investment” of legalized and regulated marijuana and who, in 2014, are prepared to spend \$250,000 on campaign set-up including robust ballot language drafting and testing, \$2.4 million to secure the signatures needed to place the issue on the ballot, \$1.85 million for the development of necessary campaign infrastructure, and another \$15.5 million in a campaign to identify and mobilize majority voter support as well as a post-campaign phase to properly prepare for Amendment’s enabling legislation and implementation. Our goal with this business opportunity is to uniquely position Principal Funders for a growth market in Ohio where annual sales are expected to exceed \$1 billion dollars.

This professional campaign will conduct qualitative and quantitative public opinion research (polling) to determine the most effective Amendment language. This information will better assist us to work with you and our legal team in drafting the Constitutional Amendment and prepare for the summary petition signature collection of 1,000 valid signatures. This is required to allow for Attorney General certification and Secretary of State review and consideration before the Ohio Ballot Board. Upon Ballot Board approval of the petition, the committee may begin to collect no fewer than 385,245 valid signatures from Ohio voters.

PLEASE NOTE: The signature requirements are derived from the gubernatorial turnout. Therefore, and signatures collected and filed before the November 2014 Gubernatorial Election, are subject to the 385,245 qualification (based upon the 2010 gubernatorial turnout). Ideally, we are filing signatures prior to the November 2014 Election so that we have clear target of signatures required to qualify early.

Clearly, the economy is going to take more time to turn around. This plays to our advantage, as the marijuana regulation amendment offers the state jobs and additional revenue. Constitutional Amendments in Ohio win when they are short and easy to understand. To best position the campaign for success, we need strong language in a Constitutional Amendment that is polling tested. Specific language to test includes:

- The strategic siting of 10 wholesale growth and cultivation facilities as well as providing the state the ability to issue 2 additional licenses each year during the initial 5 years (via lottery) if the demand warrants;
- Definitive language as to the tax rate the Amendment will provide (i.e. percentage paid to county or other governmental entity);
- Language that speaks to voter approval of retail dispensaries (i.e. local option by Precinct like alcohol sales);
- Language that speaks to the real property, income taxes (etc.) that would be paid with voter approval of the marijuana legalization and regulation issue (e.g. host county fund as well as overall state or other tax);
- Language about funding to schools;
- Funding for addiction services;
- Establishment and financing of the marijuana dispensary licensing board;
- Substantial licensing fees;
- Wholesale grow and cultivation facilities, as well as retail dispensaries, employees and owner, operators, Principal Funders must undergo and pass criminal background checks, and
- Any other high-valued message learned from polling and message testing.

Throughout the campaign, the Polling team will test a variety of messages (pro and con), breaking the answers into a variety of demographic groups for greater control of the message. The research elements include: Benchmark (a broad range of messages and concepts) and Brushfire (which is a limited look into the community), Internet Ad testing (testing commercials on-line), Focus Groups (to learn more about specific message points by demographic groups), and Nightly Tracking (to determine how the campaign's messages are resonating with demographic groups).

The key to winning is developing a Constitutional Amendment that will resonate with voters and will not negatively impact their quality of life.

While the petition is circulating, a robust public relations and community outreach program will need to be executed to identify areas of opportunity and market segmentation. This will culminate in a strong campaign that relies upon a detailed road map for planning and supervising all marketing activities, including creative elements like online digital media including social media outreach, print and electronic media, as well as grassroots campaign activities.

As this Amendment cements the right to purchase marijuana in Ohio, it will be a target for those who hold tight to the dated notion that marijuana be treated as harmful drug. We expect that certain individuals will mount a significant effort to repel any attempts to legalize and regulate marijuana. To combat any such efforts, our team includes politically astute Democratic and Republican operatives who can communicate and advocate with those at the highest level of government in Ohio. While we do not expect all elected and other leaders to join the effort, our goal will be (in part) to keep as many as possible from becoming vocal in their opposition. In doing so, we will build the necessary support to change a system that fails to best serve the majority of Ohioans.

Dovetailing into the elected official outreach above, our team will use its extensive experience in Ohio government to ensure smooth implementation of the law. We will do so to minimize oppositional, jurisdictional and other hurdles during the enabling legislation and bureaucratic process. To that end, our team of governmental affairs professionals will maintain contact and communications with various government officials to address concerns well in advance of passage. Our team will also work with government officials to draft the all-important enabling legislation. In doing so, we will ensure that the enabling legislation follows a trajectory of successful implementation.

Over the last several years, Ohio (like many other states) has experienced attempts to allow marijuana legalization. These efforts include numerous failed legislative and ballot attempts to legalize medical marijuana. While well intentioned, each effort was lacking – lack of strategic foresight, proper structure and/or adequate funding. However, with a properly structured and funded effort, marijuana legalization and regulation can secure a majority of voters' approval in 2015. In doing so, passage would bring an incredible growth industry to Ohio, provide needed jobs and revenue for Ohio, and usher in cost savings by ending costly court battles and incarceration of low-level marijuana possession.

This is a critical time in Ohio and this country. Clearly, marijuana legalization is coming. We seek to position the Principal Funders of this effort at the front end of a new market opportunity in the state that is known as “America’s Test Market.” Winning in the battleground state of Ohio will have an incredibly positive impact on the Midwest and nation. Being on the front line of a projected \$1+ billion annual sale potential is one thing. But being able to replicate this victory elsewhere places Principal Funders in a stronger position for ROI in other ventures. In short, if it works here, it will work anywhere, which follows the old saying, *“As Goes Ohio So Goes the Nation.”*

1. CAMPAIGN OVERVIEW

We propose a Constitutional Amendment to legalize and regulate marijuana like alcohol sales in the State of Ohio for the 2015 General Election Ballot. Our team's unique experience in ballot issue and other political campaigns as well as issue advocacy and governmental affairs will ensure that we develop and test winning Amendment language, engage the public and opinion leaders early. Our goal is to pass this Amendment and properly position the effort and Principal Funders for the enabling legislation period.

Campaign Team and Staffing – The campaign team brings a cumulative of hundreds of years of practical political experience to winning the Marijuana Legalization and Regulation Amendment. Providing overall management is the firm that developed Ohio's 2009 casino campaign blueprint. This team also oversaw the collection of more than 4 million signatures to successfully place Ohio's largest and most complex ballot issues on the ballot including the 2009 winning casino campaign, and stopping the Collective Bargaining Repeal in 2011. In addition, this campaign includes a Legal team that has drafted more winning Constitutional Amendments than any firm in the country; a polling team that has extensive experience nationally and in Ohio, and is currently tracking Florida's marijuana ballot campaign; a Data and Analytics Team that led President Obama's data driven campaign to victory in 2008 and 2012; a Communications Team that works directly with the Ohio Democratic Party and Organized Labor on public relations and public affairs; a Direct Mail team that produces visually impactful and winning mail programs across the nation, professional media production and placement teams with decades of success in Ohio, and a team of governmental affairs experts solutions that will be engaged to ensure successful implementation after winning at the ballot.

Below is an overview of the campaign structure:

a) Ballot Issue Committee Creation – The team will create a ballot issue committee to serve as the legal entity that will receive contributions and make expenditures for the campaign. The Committee may allow an attorney to represent them at the initial filing (see "summary petition filing" below).

The ballot issue committee should be registered with the IRS as a 501c(4) social welfare organization. As such, it may receive unlimited contributions from individuals, non-profit corporations and organizations regardless of tax-exempt category, foundations, business entities (including for-profit corporations, limited liability companies, partnerships) and other federal and state political entities (PACs, candidate committees,

political parties). All contributions count as a lobbying expense against a 501c(3) organization's lobbying limit. Most other non-profit organizations do not have a lobbying limit. The ballot issue committee need have a legal team to provide legal insight and employ the generally accepted accounting principles and reporting of all funds received and expended.

Two accounts will be established for this effort: a 501c(4) operating account and a 501c(4) PAC account. The PAC must report the names of all donors to the PAC. However, a donor to the 501c(4) operating account is not publicly disclosed so long as:

1. The contribution to the operating account was not solicited for the PAC and not earmarked by the donor for the PAC; and
2. The majority of the operating account's expenditures are not for the direct costs of the petition effort (printing, distribution, circulation, etc.) and/or express advocacy urging a vote for the ballot issue.

The 501c(4) can transfer 49.9% of funds from its operating account to the PAC without disclosure of donors to the 501c(4) operating account so long as these two conditions are met.

b) Campaign Finance Compliance – Legal Counsel will create a Ballot Issue Committee that is registered with the IRS as a 501c(4) social welfare organization. The Legal Counsel will need to provide legal insight and work directly with the committee's Treasurer to employ the generally accepted accounting principles and reporting of all funds received and expended.

The Legal Team will also assist in compliance and implementation of the Amendment when passed.

c) Amendment Language Drafting and Testing – Concepts for a new Constitutional Amendment will be tested through public opinion research, which will be conducted by The Kitchens Group to determine public awareness and support.

Constitutional Amendments in Ohio win when they are easy to understand. Polling will dictate the actual phrasing of the Amendment.

Additional expressed rights below will be tested to determine what if any strategic advantage will be gained by including one or more of the measures in the Amendment. Some of the concepts under consideration include, but are not limited to:

Medical Marijuana v Marijuana Legalization and Regulation– Test concepts – why do people like one more than the other? What emotional triggers exist for both? What strengths from medical marijuana can be borrowed for full legalization efforts?

Structures of the Amendment – We will review and test the language from other states and language recommended by the funders to determine what voters accept and are willing to support.

Taxation Rates – It will be imperative that we identify the best combination of taxation rates to win majority voter support. Testing will include determining not only the level of taxation, but also what social good the money fund such as: law enforcement, infrastructure, schools, homestead exemption for seniors, local governments, etc.

Local Control thru Local Option & Quotas – If marijuana legalization and regulation follows the path of alcohol sales and regulation, we will want learn the level of support that can be gained by affording local control of dispensary sites, and also how many may operate within an area. When dealing with alcohol permitting, that is known as providing local control through Local Option, and limiting the amount of permits through a quota system.

Any other high valued message learned from polling and message testing will be considered for inclusion in the Constitutional Amendment so long as it conforms to single-issue status of the Amendment.

d) Ballot Timing – By filing the petition with the requisite number of signatures no later than 125 days before the General Election, an Initiated Constitutional Amendment will be placed upon the next available General Election ballot. The 125th day before the 2015 General Election is Wednesday July 1, 2015. Placing an issue on the ballot of off-year election cycle will allow the campaign to mobilize the electorate which from this cycle comes from urban centers – which are Democratic leaning.

In Ohio, a ballot issue petition has no shelf life. That means a petition that has been certified by the Attorney General and approved by the Ohio Ballot may collect signatures for an undetermined amount of time. Valid signatures collected remain so unless the voter moves, is incarcerated or dies. To maximize time campaign to qualify for the ballot early, and provide the necessary time to conduct a thorough voter identification and advocacy campaign, while also providing regular polling for message testing to determine message penetration and any need for strategic message adjustment.

The timing of the ballot placement is critical. At no time in recent history have the voters been more willing to accept marijuana legalization and regulation. There exists an incredible opportunity to pass a marijuana legalization and regulation Amendment as the voters' see the positive financial impact from other states with legalization and believe that marijuana is no more harmful than alcohol. Politically, Ohio is a fairly moderate state given that it is a state in which Governor Kasich won with just over 49%, President Obama won the presidency in 2008 with 51.5%, and was re-elected with 50.67%. It is only because of redistricting that the Ohio legislature is controlled by a supermajority of Republicans and the GOP controls the state's congressional delegation (on a 3 to 1 basis).

The 2015 ballot affords marijuana legalization proponents a rational and realistic ability to bring a well-reasoned approach to legalization. Increasing the viability of the ballot issue is the fact that marriage equality and the Voters Bill of Rights could reach the November 2015 ballot and will bring metro, young and minority voters to the polls.

Based on 2011 election returns (the most similar ballot to 2015), we find that nearly 56% of voters are concentrated in eleven counties. Moreover, twenty-two counties (one quarter of all Ohio counties) account for approximately 72% of the overall voter turnout. These are Ohio's metropolitan and their contiguous counties, and have a history of leaning toward the Democratic Party candidates. While this effort must remain non-partisan, passage comes from early identification of supportive voters, advocacy to those who are persuadable voters.

e) Reporting Protocols – This campaign will be a metric driven, transparent effort with a high level of accountability between funders and campaign team. For each phase of the campaign, defined metrics and a detailed plan against which principle funders can measure progress of the effort. We find bi-monthly calls with secure online reporting works best in the start-up of the campaign. Additional calls can be scheduled as necessary, but this would allow the campaign to hold calls every other week in 2014 and transitioning to weekly calls in 2015. Ultimately, the campaign team will structure calls and reporting that best meet the Principal Funders' needs.

f) Legal Counsel – Ohio's premier election attorney Don McTigue has been retained to draft the Amendment and to be involved with legal and political as well as the public affairs team throughout the campaign. Markovits, Stock and DeMarco, LLC will provide compliance and additional insight into the legal, governmental affairs and political process.

g) Projected Costs – The cost of the campaign ultimately depends upon the polling and the language of the Amendment. For planning purposes, this program has a price point

of \$20 million. This begins with an initial contribution of \$250,000 to draft and test ballot language, \$2.4 million for guaranteed ballot placement and \$1.85 million to build the campaign infrastructure, followed by another \$15.5 million in a campaign to fully identify and mobilize majority voter support. A detailed financial overview with line item and monthly cash flow projections is provided below.

2. CAMPAIGN STRATEGY & POLICY DEVELOPMENT

a) Analysis of Ohio – Based on recent polling of Ohio voters, Ohioans are ready to pass Medical Marijuana. The February 24, 2014 Quinnipiac poll showed 87% of Ohio voters in support of medical marijuana and 11% opposed. Support for legalization dropped significantly (but was still in majority) with 51% supporting marijuana legalization, and 44% opposing. Therefore while medical marijuana seems to be the easiest lift as far as campaigns are concerned, marijuana legalization is more difficult but doable in an off year turnout election because with proper funding, the campaign can turnout low intensity (infrequent) but supportive voters.

Additional polling needs to be conducted to learn more about what Ohio voters will support. This includes Amendment language and message testing to better understand if marijuana legalization's support grows with economic impact and employment information. Knowing what voters believe and are willing to believe will assist in developing messages by region to best connect with voters here and elsewhere. The latter fact is important for other states as Ohio serves an important role as America's Test Market. This gives incredible value to testing a variety of messages and campaign tactics in Ohio before taking them elsewhere. As the saying goes, *"As Ohio goes, so goes the nation."* Simply put, if it works in the Buckeye State, it works anywhere.

Compared to States with Legalization – As a state, Ohio has a population of 11.5+ million people, with 8.1 million residents aged 21 years or older. Interestingly, the two states with legalized marijuana (Washington and Colorado) have a combined population of 8.3 million (i.e. Colorado with 3.5 million and Washington State with 4.8 million) and only surpass Ohio's population of 21+ years of age by fewer than 200,000.

Ohio's Diversity – Ohio provides a diverse political landscape and the opportunity to test multiple strategies and messages at once, offering Principal Funders an incredible opportunity. With a single statewide initiative, Principal Funders have the ability to learn messaging impacts for legalization campaigns in other states:

(1) The Industrial North – This is where the rust belt finds its home in the Buckeye State. This wide swath of land goes from Toledo, then along the shores of Lake Erie then down the Pennsylvania border below Youngstown and the Mahoning Valley. Encompassing urban centers like Cleveland and Akron, inner-ring suburbs and exurbs like Lorain and Elyria, and small towns. This is the most economically, and culturally diverse region in the state blending upper and middle class communities with white-collar and blue collar, white ethnic communities, and a strong African-American population.

(2) Central Ohio – Central Ohio is the only part of the state that did not suffer population decline over the last decade. With Columbus as the hub of this region, the area has grown from its agricultural to the heartland of the nation's swing-voter. With the nation's 15th largest and Ohio's most populous city (Columbus), the region thrives as it is the center for State government, higher education such as Ohio State and many other colleges, as well as numerous national and international white-collar enterprises that are major employers in Central Ohio.

(3) The Southwest – Bordering Kentucky to the South and Indiana to the West, Southwest Ohio is considered the state's conservative heartland. Cincinnati is the centerpiece of the region with its Germanic and southern roots and adjacency to the exurban counties of Butler, Clermont, and Warren which are core of the Ohio Republican Party's base.

(4) Indiana-Lite – Moving along the Indiana border to Northwest Ohio and reaching into the western part of Ohio, this agricultural heartland of the state remains the least urban region of all. While farming is in a steep decline, this region embraces its agri-business. The region also remains socially conservative.

(5) The Southeast – Known as Ohio's Appalachian home front, the region continues to struggle with low income, and determination for jobs. With its strong and proud history of coal mining, this region of Ohio has more in common with its neighbor West Virginia than it does with the rest of Ohio.

b) Competitive Analysis – There are currently three competing efforts to secure medical marijuana legalization in Ohio: one is via the legislative route, the other two are through the ballot initiative process.

The Legislative Route – State Representative Robert F. Hagan (D-Youngstown) has introduced House Bill 153, which would allow doctors to authorize patients to grow twelve mature marijuana plants for the patient, or designate a care to grow for the patient. The patient would also be permitted up to 200 grams of usable marijuana. Since its assignment to the Ohio House Health and Aging Committee, HB153 has only received one hearing and is not expected to receive any additional hearings before the end of the 130th General Assembly in December 2014.

Similar Bills have been introduced over the last several years and have yet to make it out of any committee. To become law, Bills in the Ohio Legislature require majority support from both the House and Senate and the Governor's signature. Passage of HB153 is remote at best.

Rep. Hagan also introduced a resolution, HJR 6 that would give Ohio voters the right to tax and regulate marijuana as well as make it legal for adults 21 years of age or older. Because Joint Resolutions such as HJR 6 require a super majority to pass, there is no chance HJR 6 will move forward to voters this year or any time in the near future.

Initiated Ballot Issue – Since 2011, two organizations formed to advance medical marijuana Amendments via the Initiative Ballot. One of the groups has folded and the other, Ohio Rights Group, has spent nearly one-year collecting signatures. Our team has spoken with the group and learned that they have approximately 50,000 signatures of which 20,000 may be valid. While they have incredibly dedicated activists, the Ohio Rights Group does not have the necessary infrastructure, strategic planning or funding to reach the ballot or run an effective and winning campaign.

c) Economic Impact Study – A comprehensive Economic Impact Study needs to be completed early in the process to lend credibility to the effort, define what the state and local communities should expect to be generated in overall sales, projected tax rates, and jobs created. This data will then allow the campaign to define the issue regionally, county-by-county and into local community levels.

d) Petition Overview – Because of Ohio's geographic size and voter population of 8+ million, it is critical that proponents of a Constitutional ballot issue are aware that the success of a petition drive is determined not at the end, but rather the beginning of an

effort. The Strategy Network (TSN) has the more experience in Ohio petition drives than any other firm in the country to oversee the most complex ballot issue having managed the collection of more than 4 million signatures in the Buckeye State since 2006.

e) Messaging – Working with The Kitchens Group polling firm, the campaign team will develop messaging points to address specific issues and concerns of various strata of voters. Learning what voters believe and are willing to believe will allow the campaign to craft and deliver messages clearly and concisely to a wide array of voters along multiple demographic groups. The goal will be to address their concerns and build support, while decreasing opposition across the state.

f) Opinion Leaders – A significant component to our metric driven campaign is a well-organized and centrally maintained database of supporters that will allow us to call on them for action and mobilize quickly. This will include health care providers and patients, law enforcement, faith and business community leaders that can influence pre-determined targets or critical geographic areas.

g) Opposition Research – Know thine enemy. Our programming includes a strong research element that will allow us to learn about the opposition, what they have said (if anything) in the past, how it differs from statements being made during the campaign, and with whom they have influence. Our goal will be to understand who they are and why they are taking a contrary position. Where necessary, the research will help find ways to minimize the opposition's impact on the overall campaign and message if and when they arise.

3. ORGANIZATIONAL STRUCTURE

Winning the Marijuana Legalization and Regulation campaign requires understanding many facets of the process, beginning with the creation of the ballot issue committee and beginning the petition process. As previously stated, the language must be poll tested, clear, concise and to the point.

a) The Campaign Team – The campaign team assembled provides hundreds of years of practical political campaign experience. This team has vast experience in winning in Ohio and many on the team are nationally known and highly regarded for providing their winning services. Following best practices, this ensemble of professional political operatives understand how the ballot issue impacts Ohio, how to build support and most importantly, how to get majority support to the vote for the issue.

b) Campaign Finances – Heading this campaign finance team is Jeff Berding who served as a Cincinnati councilmember, and has a long history of working with entrepreneurs and political operations in Ohio. Jeff's skills in the campaign will be in working directly with the Principal Funders. For election and financial compliance, the team at Markovits, Stock and Demarco will ensure full accounting as well as address any and all required filings occur in a timely manner.

c) Legal Structure – The ballot issue committee will be registered with the IRS as a 501c(4) social welfare organization. As such, it may receive unlimited contributions from individuals, non-profit corporations and organizations regardless of tax-exempt category, foundations, business entities (including for-profit corporations, limited liability companies, partnerships) and other federal and state political entities (PACs, candidate committees, political parties).

Two accounts will be established for this effort: a 501c(4) operating account and a 501c(4) PAC account. The PAC must report the names of all donors to the PAC. However, a donor to the 501c(4) operating account is not publicly disclosed so long they following the requirements listed above in 1. Campaign Overview, Section (a) 1 and 2.

d) Public Opinion Research – Throughout the campaign, the committee will need to test a variety of messages (*pro and con*), stratifying the answers to allow the campaign to determine which messages resonate with various demographic groups including but not limiting to: gender, age, ethnicity, partisan affiliation, income, education levels and geography. The research elements include: Benchmark polling, which is the testing of a broad range of messages and concepts. Brushfire polling is a follow-up to the Benchmark poll and serves as a limited look into the community. Internet Ad testing allows the committee to test commercials and concepts on-line. Focus Groups provide the campaign the ability to learn more about specific message points by demographic groups. In the final stages of the campaign, Nightly Tracking will be used to determine how the campaign's messages are resonating with demographic groups.

For this campaign, the Polling Team at The Kitchens Group will employ an Internet-based method for conducting the survey. Many major corporations, including AT&T, Wal-Mart, Career Builders, Microsoft, and Hewlett Packard, employ this methodology. Respondents will be gathered from voter panels managed by Survey Analytics. This technology has become the gold standard of market research, replacing telephone-based data collection.

More than 80% of Americans are on the Internet at least once per day. The change in the technology people use to communicate has been the driving force behind this new methodology. This methodology eliminates the problem of interviewing younger voters who no longer have landlines

In addition to finding a more representative sample, Internet-based research has several other advantages: **Unlike telephone surveys, the cost of Internet surveying is not directly related to the length of the survey.**

With all telephone surveys, costs increase as the survey becomes longer. This factor is not true for Internet-based surveys. Any survey can be "too long" and people terminate before finishing. However, for the Internet survey, the price does not change between having 20 questions and having 40 questions. This factor allows a client to gather more information for less money. **More complicated concepts can be examined using Internet surveys compared to telephone surveys.**

A person's short-term memory can only recall about 7 seconds of information. If long questions are used on the telephone, it is unlikely the respondent will retain all the information he or she is given. However, since the Internet survey is visual, the respondent can re-read a question or paragraph or even go back to previous statements and read them again. This factor has been very important for The Kitchens Group's use

of Internet surveys in legal cases where there may be some complicated facts. **Internet surveys can present visual materials such as advertising and logos.**

This form of analysis will allow the campaign to pre-screen television ads or logos and have the respondent answer questions about them. In the past, this research could only be conducted using methodologies such as focus groups or mall intercepts. Both of these methodologies lack quantitative validity. However, by having a representative sample evaluate visual materials, the client is provided with reliable quantitative data.

e) Opposition Research – Our Communications and Data team will monitor social media and mainstream media for storylines about the campaign, marijuana as a topic and track opinions expressed in both media. When and where opposition percolates, a research assistant will begin learning about the person, organization or group expressing opposition. This information will be housed securely in the cloud for access by the team.

f) Signature Gathering Process – A successful petition programs rely upon development and implementation of tested and proven systems that allow for the managing and directing of volunteers, and allied partners. While the volunteer components of the collection will broaden the reach, as well as lend credibility and capacity to the effort, for planning purposes, the Committee should only expect 10% of the needed signatures to come from volunteers/Coalition partners. These signatures should be considered buffer to the signatures that will be paid to be collected. To guarantee ballot placement, petition signatures will be collected by professional paid signature operations that have key personnel to administer numerous regional offices, oversee and direct the petition circulation, manage and monitor the Quality Control personnel to ensure a complete data entry of signers of the petition and validation of the signatures gathered.

The petition process is best defined in three phases:

Phase I: Petition Preparatory Processing

Phase II: Signature Collection & Initial Filing

Phase III: Supplemental Collection (if needed)

Phase I – Summary Petition Process: The committee is required to collect and file signatures from 1000 registered voters. This is called the Summary Petition Filing. This petition must include a Summary of the Amendment as well as the full text of the Amendment that will be filed with the Attorney General and the Secretary of State. The Attorney General will review the Summary of the petition to determine if, in the Attorney General's opinion, the summary's language is a fair and accurate representation of the Amendment. During the Attorney General review of the Summary Petition, the Secretary of State will dispatch the signatures to the appropriate Board of

Elections for verification and validation. In both instances, if the language is approved and the signature requirements are met, the Attorney General and Secretary of State shall forward the petition to the Ballot Board for their review and consideration.

Timing: This phase can begin after testing petition language in polling and thereafter when the Committee approves the final draft of the petition.

Ballot Board Review: The Ohio Ballot Board prescribes and certifies the ballot language for proposed Constitutional amendments, initiatives, and referenda and oversees efforts to inform voters of proposed ballot issues. The Secretary of State chairs the five-member board and the office of the Secretary of State provides professional, technical, and clerical support for the Board. The Board will determine if the petition should remain one single issue or be separated into more than one petition (issue). Ideally the Ballot Board will vote to keep the issue as one petition, however, should the Board determine that the issue need be divided into multiple issues, the petition committee is permitted to file a Mandamus or Writ of Prohibition with the Ohio Supreme Court for relief. The Court has in the past overruled the Ballot Board when it divided the Health Care Constitutional Amendment into multiple issues. Conversely, the committee can accept the Ballot Board's ruling and restart the Phase I process from the beginning. Doing so would require re-drafting of the Amendment, the petition summary, collecting 1000 valid signatures and resubmitting it to the Attorney General and Secretary of State.

Timing: The Ballot Board will within ten days of the Attorney General's certification. For planning purposes, the final approved petition can begin circulation approximately three weeks after the summary petition has been filed with the Attorney General (assuming the Attorney General certifies the language). Ballot Board delays are not uncommon, but they will have a cascading effect on the campaign's timeframe.

To better assist the committee in this process, the transcript of the past several years of Ballot Board meetings can be requested and reviewed to prepare for a Court challenge should it be necessary. Upon Ohio Ballot Board certification, the petition as well as a verified copy of the constitutional amendment, together with its summary and Attorney General's certification must then be filed with the Secretary of State by the Attorney General. The Committee may then print the petition and begin collecting signatures.

NOTE: Ballot petitions have no shelf life. A Constitutional Amendment can ONLY be placed on the November Ballot. Placement on any November Ballot necessitates that the requisite valid signatures be filed no later than 125 days prior to the election. For the November 2014 ballot that date is July 2nd, for the November 2015 Ballot, that filing deadline is July 1st.

Phase II – Signature Collection & Initial Filing: For any petition filed before the certification of the November 2014 ballot, the Petition Committee is required to obtain signatures from 385,245 registered voters from at least 44 of the 88 counties of the state. From each of these 44 counties, there must be signatures equal to at least five percent of the total vote cast for the office of governor (in that county) at the last gubernatorial election (2010). To reach the November 2015 General Election ballot, the petition must be filed with the Secretary of State no later than July 1, 2015.

Ohio's newest petition law requires that all part-petitions (petition booklets) be separated by county and labeled by the name of the county with a sequential number. Additionally, each part-petition must be scanned and the images of each part-petition must be filed with the Ohio Secretary of State, along with a manifest of all part-petitions, listing them by county, part-petition number, signatures by part-petition as well as totals. The manifest must provide a summary by county and an index of all part-petitions being provided at filing. This newest procedural requirements of sorting, labeling and manifesting is incredibly time consuming and requires a professional "Quality Control" team whose only job is to take possession of the petition once it comes out of the field, and follows strict guidelines for sorting, labeling, digital imaging, archiving and storage.

For planning purposes signature collection effort, a minimum of forty thousand petition booklets (part-petitions) will need to be printed. This quantity of petition booklets will require a minimum of two weeks for printing and binding.

NOTE: At filing, the Committee must also provide a digital version of the petition, which the Secretary of State will edit and return to the Committee if a Supplementary collection is required (see below).

Phase III – Supplemental Collection: The committee shall have the right to continue to collect signatures if the Ohio Secretary of State advises that the committee is deficient in the number of signatures necessary to qualify for the ballot. However, under the new petitioning laws prescribed by SB 47, Committees must now await an official notice of deficiencies from the Secretary of State before the Committee is permitted to continue its collection of signatures during the prescribed 10-days Supplementary collection period. Upon receiving this notice, the Secretary of State shall also provide the Committee the Supplementary petition that will have been edited by the Secretary's office, and will have to be printed. The 10-day window for collection shall then begin the day following the receipt of the Secretary's notice. Given that we have until July 1 of 2015 to file the petition, it is imperative that we not file until we have conclusively reached the overall level of valid signatures (with a solid validity buffer) and qualified in no fewer than 60 counties (to ensure we can fend off any challenges).

If after filing the Supplementary petition signatures, the SOS has certified that the committee has secured both the necessary number of valid signatures and county qualifications, the issue shall be certified and placed upon the ballot.

Projected Raw Signatures Needed – Based upon past collection efforts in Ohio, to ensure ballot placement on the 2015 ballot, 750,000 (raw) signatures will need to be collected, with particular attention being given to the 44 county qualification requirement.

g) Public Relations and Communications – From the earliest of stages, before the first signature is collected, the campaign effort requires a strong public relations component to provide daily outreach to the media, and to work with Editorial Boards across the state. It will be imperative that the media have access to the campaign operation and the campaign to the media to drive messages. The communications team should compile and disseminate clippings daily to coalition members, then develop and coordinate media opportunities with various coalition members. The communications team will also monitor opposition within the media and provide the campaign the ability to “bracket” oppositional messaging when and if it occurs.

h) Data and Analytics – Effective programs are grounded in data. President Obama’s election and re-election campaigns’ data operational experts who have formed a company named 270 Strategies will lead the Data Team. The Data Team will help calculate quantitative goals and establish accountability systems utilizing polling and modeling to create a data driven campaign.

Data Acquisition: The Data Team will oversee the data voter file data, and append additional consumer data as needed and provide a platform to track voter contact. This data will serve as the backbone for the campaign’s entire analytics and data program.

Modeling: The Data Team will build two models, one that predicts support and one that predicts turnout. These models will help inform strategic planning, resource allocation, and campaign goal setting throughout the petition and voter contact phases of the Ohio legalization ballot initiative.

- **Support:** *identify voters who are most likely to support the marijuana legalization and regulation amendment in Ohio. The support model will also identify non-supporters who the campaign should not contact to ensure that the campaign uses its time and resources efficiently.*
- **Turnout:** *identify voters who are likely to turnout in the 2015 election. Combining a turnout model with a support model will be enable the campaign to identify supporters who need to be contacted in order to effect the outcome of the election.*

In order to build models that predict support and turnout a representative survey will be conducted of 1,500 – 1,800 voters matched to the Ohio voter file to poll them on their support of Marijuana legalization. In our experience we expect a 3-5% survey complete rate on ID calls. Based on this complete rate an estimated total of 30,000 calls will need to be done to achieve the 1,500-1,800 survey completes. We will conduct Live or Interactive Voice Response (IVR) IDs to collect data that will be used to create and test both the support and turnout models. The decision on whether to do Live or IVR polling will be dependent the campaign's budget. Live calls can be more costly, but provide the highest quality of response data while enabling the survey to reach younger voters who are more inclined to use cell phones. IVR calls will be cheaper, but the data resulting from these IDs may be of a lower quality and will not reach cell phone users.

Path to Victory & Targeting Assessment: Using the results of the support and turnout models, the Data Team will help create a path to victory for the campaign by analyzing the Ohio 2015 electorate and determining which demographic and geographic indicators should be targeted during the voter contact program. The snapshot will look across the state and identify which voter constituencies we need to turnout, register, and persuade in order to get to 50+1 percent of the electorate in November 2015. The snapshot will help determine the campaign win number (the number of votes needed to get to 51%), serve as the basis for campaign goals, and utilize the modeling results to prioritize key parts of the state where the campaign should focus its efforts.

Campaign Data Management & Strategic Goal Planning: Successful campaigns depend on a sophisticated data program to make data-driven strategic decisions, design accountability systems to track progress, and develop metrics-based goals that align with a campaign's focus. 270 Strategies has experience setting up data programs that will complement all parts of the campaign (field, digital, and communications). Data program setup will focus on:

- Assisting in hiring process for data staff
- Developing the on-boarding for data staff
- Guidance on creating a data program that compliments the organization's state, county, and program specific needs
- Assistance developing training materials to help implement a data program

Goal Development: Throughout the petition process your organization will need to develop metrics to evaluate the strength of your petition program and the progress made towards the goal of placing the Legalization Amendment on the 2015 ballot. Working with your senior leadership team, The Data Team will use modeled data to develop and assign goals at the state, county, and neighborhood level to allow for accountability throughout the campaign. Once the petition goal is met and the Legalization Amendment is on the 2015 ballot, goals will have to be set at the state, county, and neighborhood level to register, identify, and turnout supporters. These

goals will work to support the paid and volunteer programs that the campaign will use to target voters in key areas of the state.

Tracking Progress: 270 Strategies has worked with clients to produce regular and efficient reporting processes that help organizations create accountability and measure the impact programs have over time. These reporting systems are key to the day-to-day management of a campaign, but are also useful in having continuous and up-to-date reporting around fundraising and the need for resources. To lay the foundation for insightful reporting, the Data Team will work to:

- Provide guidance on tracking systems to ensure all necessary metrics are being tracked and updated to enable regular and accurate reporting, and
- Work with data staff to create accountability and reporting systems for all levels of the campaign (state, county, neighborhood, and program specific).

i) Online Advocacy – Working directly with the Data and Analytics team, the field team will work to engage voters, identify supporters and move them into action. From our online web-dialer, to social media, our team will develop opportunities to get people involved in the campaign from the early days of the petition effort through Election Day. Online advocacy is an important layer in the communications package.

An easy-to-navigate website will be developed to provide facts and dispel misconceptions. The site would provide the committee/campaign an electronic warehouse of data, endorsement packets, speakers bureau requests allow for social networking and outreach to prospective voters, especially younger voters. To energize and mobilize younger voters, a complete array of online tools can be provided to allow coalition members to engage their neighbors in a door-to-door canvass, and to take action with friends, family members and other coalition members (logging their activities and managing the metrics of the effort) as well as to allow supporters to donate to the campaign.

The Social Networking aspect of the Committee's site should also consider allowing voters to connect to their friends online using Facebook, Twitter, Flickr and other popular social network sites. Systems are available to allow coalition members the ability to map their precincts, to show voter names and addresses and giving coalition members the ability to connect with them (and report the contact). Such systems allow the voter to report their findings and append the responses to the voter file. This will assist in voter identification and subsequent mobilization during Early Voting and Election Day voting.

Additionally, the website could provide visitors the ability to communicate with local newspapers in their county/region. This will include talking points and the ability to send Letters to the Editor online and via US mail.

Coalition members should be encouraged to work with the campaign to leverage online ads for the various websites that will be viewable based upon the viewers Internet Service Provider/Locale. The online presence will also allow supporters to make online donations to the campaign.

As the signatures are collected and being prepared to file, the Committee will have ample time to coordinate its micro-targeting and voter ID efforts, develop its ground and air game. These processes will not be inexpensive, but winning will leave a lasting legacy, while failing to place the issue on the ballot or losing at the ballot will leave an almost certain legacy of greater erosion of rights that no voter should allow.

j) Grassroots Organizing – Successful Grassroots Organizing is by design, not chance. We develop a plan to build the campaign infrastructure at the beginning of the effort that will leverage the information from the petition effort. From the beginning of the process, the grassroots campaign infrastructure will be in place to create a manifest of petition signers, and cross check them against the voter file, then utilize that data to educate and mobilize voters. This will be of critical importance as we harness the lower voter turnout in 2015 will work to the campaign's advantage.

Polling and data analytics will be used to determine who will vote and what tactics we will need to implement to turnout our supporters. To assist with this, we will prepare to retain some or all of the field directors from the petition effort (as well as their offices) for the duration of the campaign. Regional Field Directors have extensive experience working with volunteers and coalitions. Their hands-on work will help the campaign maintain message discipline, keeping volunteers and coalition members on message and harness their interest and drive into effective tactics that will help the campaign win.

Their mission will be to build local support and be prepared to minimize the impact of opposing voices. This will include community, elected, faith leaders, health care professionals and patients as well as law enforcement officials. The deeper into the community we are able to reach and connect, the stronger the campaign and the ability to win becomes.

k) Building Local Support – Before, during and after the signatures are collected, the campaign will need to build support amongst the community and elected officials throughout the state. This should include working with the leaders of the religious, non-profit and labor communities to develop coalitions to assist in winning a campaign. To

be successful, we recommend teaming with national and Ohio-based leaders who have a desire to legalize marijuana. Ideally, this team would include those who have geographic base of support and/or are able to lend credibility and funding to the effort to broaden the discussion geographically and amongst various demographic group interests. This is important not only to assist in the collection of signatures, but also to develop a winning ballot issue.

This would include providing community and elected leaders educational, advocacy and general background documents and endorsement forms that they could sign and return to the campaign. Ideally the local Community Organizers would become the local voice of the campaign with the campaign disseminating talking points and news updates to them on a routine basis to ensure they remain engaged.

l) Working with Natural Constituencies – Natural constituencies exist and should be encouraged to join as Steering Committee or Coalition members. These include, but are not limited to: Patients and patient advocacy groups, health care community including health and human service coalitions, prosecutors, law enforcement, labor organizations, immigration reform advocates, women’s rights advocates, environmental, faith based groups, equal rights and various progressive organizations.

What the existing Medical Marijuana ballot committee lacks beyond funding and strategic planning is credibility from national organizations such as Marijuana Policy Project, NORML, or major health care organizations like the American Academy of Family Physicians, the American Nurses Association, the American Academy of HIV Medicine (2003), and others. Our goal in reaching out to them is to urge them to support the latest Ohio plan.

Our Regional Organizers will work with medical professionals, patients and caregivers to speak with the public and members of the media. The goal will be to have them tell their stories in a way that connects emotionally on the need for patients to have access to properly regulated marijuana.

Working with Law Enforcement and Prosecutors to determine the level of support they have for legalization. Where support exists, the campaign will ask them to join the steering committee. Where there is opposition, the campaign will ask them to remain neutral and let voters decide the issue.

m) Television/Radio – Cable and Network TV advertisements will define the issue; speak to specific issues found in the polling. The goal will be to build support and neutralize opposition media market by media market. The Polling and Analytics teams will work directly with the Media Production and Placement teams to ensure that the proper

messages are addressed and presented to voters in all of Ohio's media markets. Extensive message testing will allow the campaign to "drill-down" into various demographic groups' level of support, and advertisements will be targeted to reach the appropriate voter based upon identified viewing and listening audience demographic.

n) Vote-By-Mail – Early Vote ballot applications will be sent (and tracked) to previously identified supportive voters whose voting history is infrequent. A Vote-By-Mail Application Chase program will ensure the application is filled-out and returned to the Board of Elections. When the Ballot is mailed to the voter, a Ballot Chase program will track the ballot to ensure it is voted and returned to the Board of Elections. Ballot Chase programming will include phone, email and door-to-door canvasses whenever and wherever possible.

o) Direct Mail – With Direct Mail, we can fine tune and target our message to specific voters. This narrowcast advertising will allow the campaign to drive winning messages to our key supporters and voters who need persuasion. Our Direct Mail teams will work very closely with the Polling, Data and Analytics teams to find the right message, graphics and messenger for the mail pieces. When the mailer hits the mailbox, the goal will be to have the piece read and have a positive impact on the voter.

p) Phone Program – Utilizing the web-dialer will allow coalition volunteers to call voters from the comfort of their home, coalition member offices, or the campaign HQ. The web-dialer is an auto dialer system that allows the team to coordinate a highly effective and metric driven phone communication program. From voter identification, persuasion, coordinating volunteers activities and turnout programs.

Our team will also utilize interactive voice response calls known as IVRs to identify support, neutrality and opposition, as well as drive a message of advocacy or call to action. Additionally, automated calls (robo-calls) will be launched to do the same. These are very helpful in developing support and can event be utilized in crowd building for events that the campaign will plan.

Live calls will be used where IVRS and robo-calls could not reach the voters. In these calls, a live operator will contact the voter to query them on their level of support for the issue. The Data and Analytics team will gather all this data and provide the blueprints for the best messaging and grassroots campaign model region-by-region and county-by-county.

q) Governmental Affairs – Elected officials in the legislature should also be engaged to enhance the dialogue as to how the enabling legislation for marijuana legalization will

improve Ohio. The legislative leaders can then assist with community outreach amongst their fellow elected officials and the media. Additionally, the campaign team includes governmental affairs experts that will focus their attention on ensuring that the implementation phase of the effort is smooth and as uneventful as possible.

4. MANAGEMENT TEAM

The team of professionals assembled for this process is eminently qualified to execute on the business model. Their collective experience will allow for a robust winning campaign to be developed and implemented in 2014 to achieve the winning results in 2015. The team will continue its forward progress with a strong enabling legislation program immediately after the election and into 2016.

IAN JAMES, STEPHEN LETOURNEAU AND JEFF BERDING – THE STRATEGY NETWORK >> FUNDER RELATIONS, CONSULTANT MANAGEMENT, PETITIONS AND GRASSROOTS

The team at The Strategy Network, LLC (TSN) drafted the winning 2009 Casino Campaign Business Plan, and sited two of the casino locations that were tied to Ohio's four casino licenses. Because of the attention to detail, the Plan led to Ohio's inclusion into land based casino operations, and the creation of one of Ohio's largest industries and employment generators being created. TSN's team has overseen the collection of well over 4 million signatures to place a variety of issues on the ballot has grown to become the most respected progressive firm in the Midwest.

TSN's Ian James will serve as lead consultant and will manage the consulting team. TSN will also provide its Petition expertise and winning Grassroots Advocacy. Jeff Berding will serve as Funder Relations Director and will maintain regular communications and reporting with funders.

DON MCTIGUE AND MARK MCGINNIS – MCTIGUE, MCGINNIS AND COLOMBO >> ELECTION LAW

McTigue, McGinnis and Colombo LLC is Ohio's premier Election Law firm. This key part of the Legal Team will draft the Amendment, and work through the Ballot Board. The Election Law Team will make certain that the Amendment makes its way into a petition and will have the best possible ballot language for voters to vote upon.

CHRIS STOCK AND PAUL DEMARCO – MARKOVITS, STOCK AND DEMARCO >> COMPLIANCE AND GOVERNMENTAL AFFAIRS OVERSIGHT

The firm will serve as the compliance officers and provide oversight of the finances and reporting to ensure strict accounting principles are met and the financial disclosures are properly compiled and filed with state and federal officials. Additionally, the firm will serve as the lead on Governmental Affairs.

NEIL S. CLARK – GRANT STREET CONSULTING
>> GOVERNMENTAL AFFAIRS

Before launching Grant Street Consultants, Neil Clark served as Chief Operating Officer of the Ohio Senate Republican Caucus where he managed the planning, development and implementation of the taxing and spending priorities of Ohio's \$32 billion biennial budget. In this position he functioned as both senior advisor to the majority leadership and as senior financial analyst for the Caucus. His expertise in public policy and political trends has been covered by every major Ohio newspaper and leading national publications such as Newsweek, The New York Times, and Time Magazine. Neil was named for nine consecutive years as one of Columbus Smart Business's Power 100 – 25 MOST POWERFUL PEOPLE.

DR. JAMES KITCHENS – THE KITCHENS GROUP
>> POLLING

Since it's founding in 1983, The Kitchens Group has conducted public opinion research throughout the country and internationally for a variety of purposes. The Kitchens Group conducts various forms of public opinion research, including market research, political polling, targeted audience survey research, in-depth interviews, Internet surveys, and focus groups. The firm has worked for a variety of commercial companies, including Fortune 500 companies, public policy groups, and non-profit organizations. The Kitchens Group is one of the oldest and most experienced public opinion research firms in the country.

With a strong academic background and a proven expertise in attitude research, The Kitchens Group is able to identify those messages most effective in influencing the public's behavior. The Kitchens Group developed methods of measuring the effects of the religious belief systems, subconscious gender and racial biases, and the psychological cross-pressures between economic and environmental concerns of the public.

The Kitchens Group has worked since the firm's founding on behalf of progressive causes. This work has included human rights campaigns, union campaigns on behalf of paid sick days, anti-death penalty campaigns, and issues of climate change and environmental protection. Clients also include Jos. A. Bank, Walt Disney World, Lowes Home Improvement Stores, The Nature Conservancy, The International Association of Conservation Biologists, the American Psychologists Association, Verizon, Humana, Penn National Gaming and Entertainment, and The Blues Music Foundation.

DENNIS WILLARD – PRECISION NEW MEDIA
>> PUBLIC RELATIONS/COMMUNICATIONS

Founded by Dennis Willard in 2010 by Dennis Willard, Precision New Media's (PNM) mission is to help clients achieve their goals through a comprehensive approach to marketing - sound communications strategy aligned with a strong brand and paired with effective implementation to have a lasting impact on your audience. This approach has brought great value to its clients.

PNM chooses to work for organizations and on projects with progressive missions - we want to do good work and for a good reason. Each person on the team cares deeply about the well being of our community, state, and nation-- and the people in it. There is no better way to inspire a strong work ethic in a group of people than genuine passion for what you do.

Having built a solid team of professionals with two things in common: strong talent and a total commitment to the quality of our work, PNM digs into a project we become true partners with its clients and they don't stop until the client's goals have been met.

MITCH STEWART AND JEREMY BIRD – 270 STRATEGIES
>> DATA AND ANALYTICS

Data, Analytics and Targeting – the National Field Director and Battleground State Directors for Obama 2012 will lead the campaign effort to implement effective programs are grounded in data. 270 Strategies will work with the campaign to calculate quantitative goals and establish accountability systems.

The Obama organization was clearly metrics driven. Numbers drove the choices the campaign made on every level – from who was being called on the phone to the effectiveness of our organization building to which email was sent. This campaign will live by the same principles by determining key metrics, produce reports on those metrics and then look at those reports regularly.

ROBERT KISH – THIRD WAVE COMMUNICATIONS
>> MEDIA PRODUCTION

Third Wave Communications, LLC is a full-service media and communications firm located footsteps away from the vibrant Arena District in Columbus, Ohio. A results oriented organization known for its creativity and quality of work throughout the nation. They have helped clients formulate and communicate their message, while also providing political advice to some of America's top elected officials.

ROBERT CLEGG – MIDWEST COMMUNICATIONS
>> MEDIA PLACEMENT

Midwest Communications and Media has over 30 years experience in media buying. MCM has bought in over 112 Designated Market Areas (DMA's) throughout the United States as well as in 36 states.

Media buying services include placement for television, both broadcast and cable, radio, Internet as well as print materials in newspapers and magazines. Also MCM has purchased outdoor advertising on billboards, buses and transportation shelters.

Midwest's expertise and extreme knowledge of Ohio Demographics and media markets has made it one of the most sought after political, governmental and non-profit media buying firms in Ohio. MCM's remarkable winning record draws political candidates from all over Ohio back to MCM each campaign season.

DUANE BAUGHMAN AND NICK HOLDER – THE BAUGHMAN COMPANY
>> DIRECT MAIL

Known as America's most persuasive direct mail firm, the Baugman Company has offices in San Francisco and Washington DC. The Baughman Company was responsible for the winning direct mail for the 2009 casino campaign, helped win 20 states for Hillary Clinton's historic presidential campaign, elected and re-elected New York City Mayor Mike Bloomberg, and went 11 for 12 with congressional incumbents against a tidal wave of 63 Democratic losses and a Republican landslide.

Baughman is a hands-on firm and they're incredibly detail oriented. This and the fact that when working with Baughman, we know that the campaign will work directly with a veteran campaign manager and direct mail strategist who's been in the trenches for over 20 years.

5. ENABLING LEGISLATION AND IMPLEMENTATION

The Amendment will have a trigger that will require the Ohio General Assembly to pass enabling legislation and have the Marijuana Legalization and Regulation Act's regulatory body in operation within 180-days of passage of the Amendment. Because the Governmental Affairs team will have been working prior to the election to identify key obstacles and opportunities, they will be eminently prepared to provide leadership during the enabling legislation process. This will help streamline the process to allow operations to begin more smoothly, and to give Principal Funders a clear pathway to obtaining answers to questions that may arise during implementation. The Enabling Legislation and Implementation Team consists of the following:

a) Legal Counsel – Markovits, Stock and DeMarco will continue to provide oversight and direction of the governmental affairs component after the campaign concludes. The firm will lead the Enabling Legislation and Implementation process, establish reporting requirements, and will hold regular legislative update conference calls and meetings with Funders. All members of the Enabling Legislation and Implementation Team will report to the Legal Team.

b) Governmental Affairs – Working directly with Legal Counsel, the Governmental Affairs team at Grant Street Consulting will provide valuable insight into the legislative process of during the enabling legislation. The Governmental Affairs team will prepare for Committee hearings, testimony, and provide facts and figures to facilitate the enabling legislation process. Once the enabling legislation is passed, the Governmental Affairs Team will work as closely with the governmental officials on implementation as allows by law. This will afford Funders an opportunity to have a structure to make inquiries and receive responses to questions regarding operations without unnecessary and costly delays.

b) Public Relations – The Public Relations Team will provide the public face to the effort. Working directly with the Press Corps and Editorial Boards, the Public Relations Team will provide messaging for public consumption and in doing so, will help maintain message discipline through this critical phase of the operation.

b) Grassroots Advocacy – Working with predefined and new Coalition Members that will benefit from the Marijuana Legalization and Regulation Act, the Grassroots Team will provide opportunities for the Coalition Members to be a continued presence of the process. This will be especially important to tap into those entities that will receive tax revenues to have them speak about their continued support for the Act.

6. FINANCIAL AND TIMELINE PLANNING

a) Financial Overview

The better crafted the language, the less of a chance the opposition will be able to poke holes in the Amendment. Beyond well-crafted Amendment language, the “Yes” side must be prepared to outwork the “No” side.

Establishing operational preparedness of the campaign is critical. The early costs for preparing the campaign for success include \$250,000 for legal, polling and operational preparedness. When the Amendment language is finalized, paid signature gathering will cost another \$2.4 million to guarantee ballot placement, and another \$1.85 million to fully structure the campaign in 2014. This would allow the campaign to engage the public with a strong communications/education program, robust grassroots effort that would identify supportive voters, as well as those that require persuasion, and work directly with elected and community leaders to best position the campaign for the November 2015 ballot.

Cost of Services – Successful adjustments to the Ohio Constitution can be expensive but they can also provide a lasting legacy. To be victorious in this effort, the campaign must be well funded, well disciplined and strategically sound. With this in mind, we have provided a preliminary budget of \$20 million for the entire campaign, the cost of which would be shared by the coalition partners.

b) Detailed Costs by Line Item

Legal, Financial Reporting

Scope of Work: McTigue, McGinnis and Colombo will draft the Amendment, work through the Ballot Board and works to ensure that the Amendment obtains ballot language that confirms with polling.

Markovits, Stock and DeMarco will provide the oversight of the finances and reporting to ensure strict accounting principles are met and the financial disclosures are properly compiled and filed with state and federal officials. Having received multiple designations as “Super Lawyers” by Law & Politics magazine, this boutique firm will assist with the compliance segment of the operation and will assist the campaign from start through implementation of regulations. Markovits, Stock and DeMarco will be active throughout the campaign, including handling all campaign finance compliance, accounting and bookkeeping issues, as well as spearheading the Enabling Legislation drafting and Amendment implementation efforts.

Projected Cost: \$702,000

Timeframe: August 2014 through November 2016

Polling

Scope of Work: The Kitchens Group will develop and conduct public opinion research to assist effort in determining Amendment language through the use of Benchmark Polling and possibly Focus Groups in August 2014. Additional polling will be conducted monthly throughout the campaign (i.e. Attitude polling, micro polling on demographics, Focus Groups, Nightly Tracking).

Projected Cost: \$278,000

Timeframe: August 2014 through October 2015

Petition Signature Gathering

Scope of Work: The Strategy Network (TSN) will hire, train and manage the hundreds of Ohioans who will secure the signatures needed to place the issue on the ballot. All names gathered will be placed in a database as they are collected to allow for ongoing communications with those who sign the petition, and work to get them to participate in Early Voting in 2015. Additionally, will provide training and assistance to the volunteer/coalition members' signature collection effort.

Projected Cost: \$2,400,000

Timeframe: August 2014 through October 2014

Operations

Scope of Work: The Strategy Network (TSN) will develop and oversee day-to-day campaign operations, manage all consultants and staff. The firm's founder, Ian James will provide the hands-on management of the process.

The Operations Team will oversee the Quality Control aspect of the campaign, provide the research arm, as well as develop and launch the easy-to-navigate website. The site will also provide online tools for grassroots campaign activities as well as allowing supporters to donate to the campaign. Additionally, the website will provide visitors the ability to communicate with local newspapers in their county/region. This will include talking points and the ability to send Letters to the Editor online and via US mail. The website will virtually "house" all electronic warehouse of data, connect people to social networking and outreach to prospective voters, provide endorsement packets, digital forms to capture speakers' bureau requests, etc. The Operations team will be active throughout the campaign, including handling all day-to-day operations, as well as assisting in the Enabling Legislation and Amendment implementation efforts.

Projected Cost: \$1,420,000

Timeframe: August 2014 through October 2016

Field and Coalition Building

Scope of Work: The Strategy Network (TSN) will develop and implement the Field and Coalition building plan with the Data and Analytics Team to ensure that the campaign reaches the appropriate targeted audience. As a part of this process, TSN will hire a State Field Organizer and Coalition Organizer will work directly with Regional Field Directors and Coalition partners to harness and focus their energies into identification and advocacy. The Field and Coalition Team will develop events, and identify opportunities to reach out to community, elected, faith and opinion leaders across the state following a model and reporting regime as described above. In the lead-up to the election, the Field and Coalition Team will engage in augmenting the Vote-By-Mail program through door-to-door canvasses, heightened visibility, and engagement of Coalition Partners to mobilize targeted voters.

Projected Cost: \$1,760,000

Timeframe: August 2014 through November 2015

Public Relations and Communications

Scope of Work: The Public Relations will work directly with the Polling, Data and Analytics to develop and implement the public relations campaign strategy. As such, they will provide the day-to-day messaging for the campaign, and draft messages for Coalition members and campaign team.

Projected Cost: \$350,000

Timeframe: August 2014 thru November 2016

Data and Analytics

Scope of Work: 270 Strategies working with the pollster, we will take messages from the polling for modeling voter to test messages, and build a persuasion voter database. The Data and Analytics team will essentially “drill-down” into various levels of voters throughout Ohio to help identify who supports and who needs more persuasion (and what messages and tactics will need to be developed, delivered and how they will best be delivered).

Projected Cost: \$1,500,000

Timeframe: August 2014 to October 2015

Vote-By-Mail Program

Scope of Work: Develop and implement Vote-By-Mail chase program.

Projected Cost: \$1,500,000

Timeframe: August 2015 through October 2015

Direct Mail Program

Scope of Work: Develop and implement comprehensive Direct Mail program and chase phone program to educate and persuade voters.

Projected Cost: \$2,500,000

Timeframe: August 2015 through October 2015

TV/Radio Advertising

Scope of Work: Third Wave Communications will produce television and radio advertisements which will be placed by Midwest Communications for airing across Ohio's 11 media markets. Based upon polling data, the ads will be developed to address the issues that best resonate with voters media market by media market. Third Wave will develop Internet video testimonials and ads throughout the campaign that will be posted online to drive traffic to the site, educate and announce Call to Action events.

Projected Cost: \$7,150,000

Timeframe: June 2015 to November 3, 2015

Governmental Affairs

Scope of Work: Coordinating outreach and communications with elected and bureaucratic officials early in the campaign to identify supporters, and neutralize opposition and uncertainty. The Governmental Affairs Team begins at the beginning and works to ensure that the Amendment is best positioned for smooth implementation upon passage. The Governmental Affairs Team also provides a first line of defense on identifying where attacks may come from elected and bureaucratic officials and works directly with Data and Analytics as well as the Field and Coalition Teams to neutralize the impact of negative attacks. The Governmental Affairs Team will be active throughout the campaign, including coordinating outreach and communications with elected officials, and coordinating with Markovits, Stock and DeMarco on all opposition research, drafting the Enabling Legislation, and participating in the Amendment implementation efforts.

Projected Cost: \$440,000

Timeframe: July 2014 through November 2016

c) Detailed Activities by Month

Phase 1: Develop the Amendment Language and Campaign Systems

June 2014 to July 2014

From the beginning we will clearly define the leadership roles and decision-making processes based on organizational resources, a critical component to avoid future challenges-and more importantly-helps create a cohesive and winning leadership team.

In Phase 1 of this process, the team will develop Amendment Language working directly with funders. Public Opinion Polling will help determine the best language for the Amendment.

As proper Amendment Language is identified, the Economic Impact study will be conducted to provide specific economic benefits to the state and communities with dispensaries and cultivation facilities. The Public Relations team will work closely with the economist to develop talking points and prepare for the initiative rollout.

In the earliest stages of planning, a Coalition Organizer will be hired to assess resources and capacity of potential stakeholders and organizational partners to assist the campaign in building a Coalition Leadership Team consisting of organizational partners and stakeholders. This will assist the campaign in minimizing the impact of turf battles that may arise from outside the campaign. By identifying those who view their past or current work in securing marijuana legalization, and giving them a role in the campaign, we will seek to minimize disruptions and build a stronger campaign operation.

The Coalition Organizer role will be to do the following:

- Reach-out to state and national partners to join the coalition
- Assess additional fundraising potential (national and state-wide)
- Work with the Leadership Team to begin educating and mobilizing activists and our “base” supporters
- Assist legal team in political and administrative ballot initiative drafting needs
- Act as one of the Committee’s spokespeople-when appropriate

The level of involvement and roles within the Coalition Leadership Team will depend upon the resources prospective members bring to table. Funding of the ballot initiative is always the most valuable resource, and therefore final decision-making of how financial resources are spent will remain in the hands of the funders.

The campaign website will be developed during this phase to launch in Phase 2.

Phase 2: Qualify the Amendment for the Ballot: Petitioning, Planning and Targeting

July 2014 through November 2014

Phase 2's primary mission is ballot qualification. As the paid signature gathering effort takes place, the Coalition Organizer will seek to mobilize organizational partners, volunteers and activists to assist in the collection of signatures. Valid signatures obtained through volunteer and organizational efforts will serve as a buffer to the required number of signatures to reach the ballot. The petition team will provide training, guidance, and management while implementing tracking programs to support the Coalition Organizer's effort to obtain volunteer signatures.

Working with the Data and Analytics Team, targeted signature-gathering events such as signature drive-thrus will be scheduled to increase participation and find volunteers.

As the petition team qualifies the issue for the ballot, Coalition Organizers will also continue building the Coalition in coordination with the Data and Analytics Team for greater targeting.

- This early work will help build support of the campaign plan from natural and political allies
- Where legally permitted, we will reach out other campaigns to coordinate activities
- To demonstrate a grassroots appeal for the campaign, we will develop and implement a low dollar fundraising campaign
- Follow a critical path with benchmarks for metric management

Campaign website will launch to allow the campaign to have its online presence. The website will allow voters, organizations and the media to learn more about the Amendment, campaign, processes and sign-up for information about the campaign. The website will have the ability to launch email, and will be the interactive source for our web-dialer phone system.

**Phase 3: Grassroots Advocates' Training
November 2014 through July 2015**

As the Amendment is qualified for the ballot, at the direction of the State Field Director, the petition operation will transition into a field organizing team. The State Field Director will implement an advocacy program in which local activists and leaders in key communities are trained in best practices in direct voter contact and mobilization.

The polling, Public Relations and Data Analytics team will work directly with Coalition Organizers to equip them with the proper messaging to ensure that volunteers and advocates will remain effective and persuasive messengers in the field. Ongoing regular training of staff and volunteers are essential to the success of this program. Elements of the program includes, but is not limited to:

- A "Precinct Campaign Kit" for activists and organizations
- Online training programs with hotline phone call
- Regional onsite training when and where necessary
- Rapid Response Team Operation
- Regular training and briefings of coalition members, community leaders, as well as activists on key messages and campaign programs
- Provide direction, guidance and support to Coalition Partners to help them run effective grassroots advocacy programs with voter file management, volunteer door-to-door, data entry, reporting, web-dialer phone banking, and other voter contact program logistics

Phase 4: Direct Voter Contact, Organizing, Reporting and Get Out The Vote August 2015 to Election Day!

In coordination with funders, Coalition Members and stakeholders, the team will prepare a voter contact plan in which targeted voters will receive persuasive and mobilizing messages via email, volunteer phone banks, volunteer canvass operations.

Working closely with the Data and Analytics as well as the Polling operation, the campaign will ensure that organizations and activists have numerous opportunities to engage targeted voters with the proper message.

Grassroots Program Management and Components

From start to finish, our goal will be to contact and communicate with targeted voters for persuasion and mobilization. The day to day, the program will be managed on the ground by an experienced TSN State Field Director and Regional Field Organizers will operate in Columbus, Cincinnati, Cleveland, Toledo (and other locales as resources and polling/data suggest are necessary).

Components include, but are not limited to:

i. Field Staff – We would recommend retaining the 3 to 6 Regional Field Organizers from the petition drive.

ii. Grassroots Mobilization – To harness and focus the enthusiasm and energy of committed activist, Regional Field Organizers will work with the Leadership Committee to recruit and mobilize a statewide network of volunteers who will staff volunteers phone banks, engage in door-to-door canvasses, staff events, and assist with other campaign functions.

iii. Identify and Build a Base of Support – Data entering all signers of the petition, and distributing educational information during the petition drive will allow the campaign to build a broader base of support. This will help build a growing statewide supporter community, as well as provide the ability for stakeholders to mobilize citizens and truly enhance the quality of the message and messengers that are communicating with targeted decision makers or voters.

The Data and Analytics team will maintain a database of supporters that will allow us to communicate with them on various levels for mobilization. Regional Organizers will develop and maintain communication with various key constituents and supporters throughout the state. These include:

- a. Patient care and health care community
- b. Chronic pain sufferers and their families
- c. Non-Profit and Advocacy Groups
- d. Regional opinion leaders (blog and twitter voices)
- e. Identified supporters and key volunteers
- f. Potential Funders

iv. Online Advocacy to Mobilization – The Regional Field team will work with the Data and Analytics team to enhance all efforts of the online effort. This will be especially true in developing events to get voters involved in the group and building our volunteer ranks.

v. Event Organizing and Visibility – During this phase, the campaign will seek to increase participation and find additional volunteers. When done properly, events allow the campaign to augment the database of supporters, and increase online participation. Additional event organizing will lend itself to creative opportunities such as at farmer's markets, country fairs, stakeholder's events, festivals, football games, faith community events, etc. We will utilize events to heighten voter awareness, and build support.

vi. Volunteer Mobilization and Messengers – One-on-one conversations with other community members and targeted decision makers are often the most impactful forms of communications and persuasion in a campaign. Our team's program will allow volunteers to be part of several different programs based on the overall campaign plan. These programs include house parties, coffee house events, informational gatherings both online and through social networking, as well as offline by assisting with community events, participating in neighborhood canvasses of their precinct, using the web-dialer system for a phone as well as many other opportunities.

vii. Door-to-Door Efforts – Volunteer door-to-door efforts will be augmented with a professional paid canvass operation during Early Voting in ballot application and ballot chases as well as persuasion canvasses and Election Day turnout.

viii. Phone Bank – TSN will utilize recent but well tested technologies to allow for centralized and decentralized volunteer phone programs. Through the use of a web-dialer platform the organizing team will be able to coordinate a professional phone bank program that will help support all of the core functions of the campaign including voter persuasion and ID, volunteer coordination, and mobilization.

Because we utilize a web-based platform we can coordinate centralized calling programs with our partner groups and also invite the participation of volunteers across the state (and even across the country). The platform allows for secure data management, real time tracking, quality control through live monitoring, and coordinated messaging.

ix. Tele or Web Based Town Halls – To expand the reach of the campaign and better educate voters as well as activate volunteers across the state we utilize a telephone town hall or web based meetings. This is incredibly helpful in persuading and educating voters. Promotion of such Tele Town Halls or Web Based Town Halls will begin with staff and partners, auto (robo) and live calls to a targeted universe of voters to discuss one or multiple issues high profile leaders and messengers in the campaign. A moderator will manage the call to allow participants to ask questions, one participant at a time.

x. Overall Coalition and Organizer Developers

The State Field Director and Regional Field Organizers will implement a program to recruit, train and mobilize volunteers in key groups throughout the state with a focus on media markets. Deliverables include, but are not limited to:

- Meeting with appropriate community and opinion leaders, such as patient care, health care professionals, patient rights groups, business leaders, elected leaders such as mayors, city council members, etc.
- Participating in forums, tabling opportunities, town halls, etc.
- Develop a volunteer voter advocacy program
- Mobilize and manage volunteer voter contact operations with other organizations to minimize overlap
- Provide heightened visibility at events and voting locations
- Various other grassroots tactics as deemed necessary

Summary of Statewide Grassroots and Coalition Goals
(Ranges based on resources and polling)

Campaign Procedures	Campaign Goals
Outreach attempts to Elected Officials/Organizations/Opinion Leaders	300 – 600
Meetings with Elected Officials/Organizations/ Opinion Leaders	80 – 280
Community Meeting/ Town Halls and Forums including Online Presentations	35 – 65
Endorsements	40 – 80
Events Covered where Campaign is not the primary focus / doesn't but provides visibility and advocacy opportunities	100 – 250
Number of groups carrying our literature	20 – 30
Number of emails out to members' lists	35 – 85
Volunteer Hours	800 – 2000

xi. Team Reporting – The State Field Organizer and Coalition Organizer have extensive oversight and assessment responsibilities. To ensure that the program remains on target, the Grassroots Team will utilize The Strategy Network's (TSN) On-Track system that was developed to ensure metric management. By placing the goals and requirements into On-Track, and assigning roles to the coalition partners, organizations and volunteers, the campaign will be able to ensure that it remains on target to meet program goals and, should problems arise be able to quickly to address them and get back on track.

Our voter contact system is metric driven and has three key points of measurement.

- **Organizer Reporting:** With TSN's On-Track system, we will be able to monitor and track organizers' field work.
- **Leadership Team Reporting:** Utilizing a weekly reporting structure, the Leadership Team will be able to track their goals, while also holding each other accountable.
- **Quality Assurance:** Organizers and others in the Campaign Team can monitor the fieldwork and continually confirm with voters that they have been contacted, and learn of the voters' experience with the field operation. This allows the campaign ensure the program is being followed and to make adjustments when and where necessary.

d) Monthly Cash Flow

	Legal, Finance and Compliance	Polling	Petition Signature Gathering	Operations	Field and Coalition Building	Public Relations	Data Analytics	Vote By Mail	Direct Mail	TV/Radio	Govt Affairs	Line Item Totals
14-Aug	72,000	78000		50,000	70,000	25,000	150,000				20,000	465,000
14-Sep	77,000	63,000	1,000,000	125,000	100,000	25,000	150,000				25,000	1,565,000
14-Oct	31,000		1,000,000	125,000	100,000	25,000	140,000				20,000	1,441,000
14-Nov	31,000	12,000	400,000	80,000	70,000	20,000	90,000				20,000	723,000
14-Dec	31,000			80,000	70,000	20,000	85,000				20,000	306,000
15-Jan	20,000	12,000		60,000	60,000	15,000	80,000				15,000	262,000
15-Feb	20,000			60,000	60,000	15,000	80,000				15,000	250,000
15-Mar	20,000	12,000		60,000	75,000	15,000	75,000				15,000	272,000
15-Apr	20,000	12,000		60,000	100,000	15,000	75,000				15,000	297,000
15-May	20,000			60,000	125,000	15,000	75,000				15,000	310,000
15-Jun	20,000	12,000		60,000	130,000	15,000	100,000				15,000	352,000
15-Jul	20,000			70,000	150,000	15,000	100,000			150,000	15,000	520,000
15-Aug	20,000	12,000		70,000	170,000	15,000	100,000	500,000	1,000,000	1,500,000	15,000	3,402,000
15-Sep	20,000	20,000		90,000	180,000	15,000	100,000	1,000,000	1,500,000	2,000,000	15,000	4,940,000
15-Oct	20,000	45,000		100,000	300,000	15,000	100,000			3,500,000	15,000	4,095,000
15-Nov	20,000			50,000		15,000					15,000	100,000
15-Dec	20,000			20,000		15,000					15,000	70,000
16-Jan	20,000			20,000		5,000					15,000	60,000
16-Feb	20,000			20,000		5,000					15,000	60,000
16-Mar	20,000			20,000		5,000					15,000	60,000
16-Apr	20,000			20,000		5,000					15,000	60,000
16-May	20,000			20,000		5,000					15,000	60,000
16-Jun	20,000			20,000		5,000					15,000	60,000
16-Jul	20,000			20,000		5,000					15,000	60,000
16-Aug	20,000			20,000		5,000					15,000	60,000
16-Sep	20,000			20,000		5,000					15,000	60,000
16-Oct	20,000			20,000		5,000					10,000	55,000
16-Nov	20,000					5,000					10,000	35,000

e) Bookkeeping and Accounting – Markovits, Stock and DeMarco will oversee all aspects of financial compliance. Following general accepted accounting principles; the Markovits, Stock and DeMarco will prepare monthly statements and will follow the critical path timeline of funding requirements, and will prepare all state and federal financial disclosures in a timely manner.

7. BIOGRAPHIES OF ALL PRINCIPALS

Funder Relations, Campaign Team Management, Petition and Grassroots

Ian James serves as the Chief Executive Officer of The Strategy Network where he calls upon his 30+ years of grassroots organizing and petition management covering a range of issues. His management experience with Organized Labor, corporate and small businesses has led to success in various measures including: issue advocacy, campaign management, worker rights, gaming initiatives, health care and environmental matters, rezoning and telecommunications.

Over the years, Ian has developed grassroots programs for ballot issues and public affairs measures. In 2008, he oversaw the production and delivery of over three million pieces of highly targeted direct mail pieces and five million phone calls in Ohio. In 2009 he developed the winning strategic plan for the casino campaign that secured 53% of the vote eighteen years after the first casino campaign was waged in Ohio. In addition, Ian has overseen and directed the collection of three million and a half signatures in Ohio since 2006 to place a variety of issues on the ballot. These issues include gaming, minimum wage increase, sick days and payday lending reform.

Prior to creating The Strategy Network, Ian served in numerous governmental offices, senior campaign staff and lobbying positions in addition to serving as a corporate executive for Merv Griffin's Players International in Illinois, Louisiana, Missouri and Nevada, where he served as Director of Community and Government Relations. His knowledge of industrial, corporate and public relations, as well as strategic guidance through partisan and non-partisan campaign efforts led *The Ohio Magazine* to acknowledge him as one of Ohio's "brightest political strategists."

Stephen Letourneau is the Chief Operating Officer and President of The Strategy Network. Stephen brings more than a dozen years of extensive human resources experience in the public and private sector. His skills of developing systems for recruiting, training staff and conflict resolution ensures that the process moves smoothly from start to finish. In 2008, Stephen oversaw the hiring, and training of over 1,000 Ohioans for petition and quality control operations. In 2009, Stephen increased the staffing to 1,500 and was responsible for creating the systems needed to oversee, direct, and manage the day-to-day operations.

Stephen is responsible for hiring and training all staff. His extensive human resource experience in the private sector serves him well having to work with a diverse staff. Because Stephen believes in hands-on management of the process, he is constantly on the road to meet face-to-face with office administrators and staff. He so frequently visits the offices that many members of the staff know him as "Mr. Stephen."

Jeff Berding has a strong background in finance, government and politics. In Ohio, he worked for US Senator John Glenn and Ohio House Speaker Vern Riffe, and in DC worked as a legislative analyst for a law firm. In the early '90s, Jeff returned home to Cincinnati to manage local political outreach for clients such as GE and Proctor & Gamble and serve as campaign manager of Cincinnati Congressman David Mann.

In an effort to bring two new professional sports facilities and keep the Reds and Bengals in Cincinnati, Jeff was hired by local business leaders to serve as campaign manager and spokesman

for Citizens for a Major League Future. He supervised the effort to raise and spend over \$1 million to win voter approval for a sales tax increase that resulted in the construction of Paul Brown Stadium and Great American Ballpark.

Following this successful campaign, Jeff was hired into the Bengals front office, As Director of Sales and Public Affairs with the Cincinnati Bengals, where he manages special events and helps direct the club's political and community relations efforts and serves as spokesperson for non-football issues.

While maintaining his position at the Bengals, Jeff also was elected three times by the voters of Cincinnati to serve on City Council from 2005-2011. His focus was improving the city's economic climate, business growth, and government reform and balancing the city's budget. The results of his efforts can now be seen in the City's revived downtown, especially the development on the Riverfront Banks and the Washington Park/Over the Rhine area.

Legal – Election Law

Don McTigue has concentrated in the field of election and campaign finance law for nearly three decades. A Federal Judge has referred to McTigue as the “Gold Standard” in election law. He is former Chief Elections Counsel to the Ohio Secretary of State and former Counsel to the Ohio Elections Commission. He has been in private law practice since 1991, representing and advising candidates, political action committees, ballot issue groups, and governmental bodies across Ohio. He assists clients with compliance with federal and state campaign finance and election laws, local and statewide ballot initiatives and referenda, voting rights, and all other matters involving elections. He has represented clients in numerous election-related cases before the Ohio Supreme Court and the Ohio Elections Commission. He is also an Adjunct Professor at Capital University Law School, where he has taught Election Law. McTigue's legal resume also includes non-election work as an Assistant Ohio Attorney General, legal counsel in the State Auditor's Office, and civil rights attorney with a non-profit public interest law firm.

McTigue attended Case Western Reserve University Law School and is licensed to practice before all state and Federal courts in Ohio as well as before the United States Supreme Court.

Mark McGinnis concentrates in the field of election and campaign finance law, with a specific focus in taxation of political entities as well as legislation and the legislative process. He has been named a Rising Star in Political Law by *Super Lawyers Magazine* in 2010, 2011 and 2012.

Mark has previously been employed by the Ohio Senate, clerked at the Ohio 10th District Court of Appeals, and extern for the Chief Justice of the Ohio Supreme Court. He represents and advises candidates, lobbyists, political action committees, and ballot issue committees. He also represents charities and other nonprofit organizations regarding state and federal laws involving lobbying and political activities. He also assists clients with compliance with campaign finance and election laws, local and statewide ballot initiatives and referenda, legislative drafting and all other matters involving legislation and elections.

McGinnis holds a B.S. from The Ohio State University and completed his law degree Certificate in Governmental Affairs, and LL.M. in Taxation from Capital University Law School. He is licensed to practice before all state and Federal courts in Ohio as well as the United States Tax Court, the

United States Court of Appeals for the Armed Forces, and the Supreme Court of the United States.

Legal – Finance, Compliance and Governmental Affairs Oversight

Chris Stock is a founding member of Markovits, Stock & DeMarco. Chris's legal practice focuses on complex commercial litigation, including securities and antitrust class actions as well as appellate advocacy. Serving as a judicial law clerk for Ohio Supreme Court Justice Terrence O'Donnell gave Chris invaluable insight into how courts synthesize and deconstruct legal arguments. Since then, Chris has briefed and argued numerous cases before the United States Court of Appeals for the Sixth Circuit, the Ohio Supreme Court, and Ohio appellate courts, including obtaining a rare summary reversal from the United States Supreme Court.

Chris also served as both Deputy First Assistant Attorney General and Deputy State Solicitor for Ohio Attorney General Jim Petro. In these positions, Chris was principal counsel to the Attorney General on a wide variety of legal and policy-oriented issues, including numerous constitutional and regulatory matters arising from state agencies, boards, and commissions. Prior to his service in state government, Chris was an attorney at a 500-lawyer nationally recognized law firm.

He has received multiple designations as an Ohio Super Lawyers "Rising Star," most recently for 2012. This distinction is awarded to less than 2.5 percent of Ohio attorneys under the age of 40.

Paul M. De Marco is a founding member of Markovits, Stock & DeMarco, LLC. He is an Appellate Law Specialist certified by the Ohio State Bar Association and has handled more than 100 appellate matters, including cases before the Supreme Court of the United States, six federal circuits, and five state supreme courts.

Paul has a long history of legal practice at the intersection of law, policy and politics, and has provided countless hours of legal insight to clients involved in highly-charged political, regulatory and campaign-related legal matters.

Governmental Affairs

Neil S. Clark served as Chief Operating Officer of the Ohio Senate Republican Caucus where he managed the planning, development and implementation of the taxing and spending priorities of Ohio's \$32 billion biennial budget. In this position he functioned as both senior advisor to the majority leadership and as senior financial analyst for the Caucus.

During his three decades in the political arena, he has structured and directed scores of successful campaigns for candidates and statewide ballot issues. For his political campaign work, he has been honored with two "Telly" awards and a "Silver Anvil" from the Public Relations Society of America. He served as an adjunct professor of Public Administration at Ohio University and as a program analyst for the Ohio Legislative Budget Office.

Neil has appeared as a guest or been interviewed by the Ohio affiliates for ABC, NBC and CBS. He politically analyzed elections results during prime time viewing for the 2006 and 2008 General Elections. For several years Neil has been a regular guest on The Ohio News Network, Ohio Public

TV, OSU Public Radio and the BBC. He has been interviewed on public policy and political trends by every major Ohio newspaper and leading national publications such as Newsweek, The New York Times, and Time Magazine. Neil was named for nine consecutive years as one of Columbus Smart Business's Power 100 – 25 MOST POWERFUL PEOPLE.

Polling

Jim Kitchens, founder of The Kitchens Group, is a communications and persuasion expert with a Ph.D. from the University of Florida in communications. Founded in 1983, The Kitchens Group has become a leading public opinion research firms. In addition to providing standard data for its clients, The Kitchens Group has the expertise to provide advanced computer modeling for clients when it is necessary for solving complex communication problems.

Having interviewed more than five million Americans on topics ranging from environmental concerns, to the likelihood of purchasing NFL season tickets, to the factors in a person's decision to purchase a suit, The Kitchens Group brings a broad range of experience to help win campaigns and elections.

Dr. Kitchens continues being recognized as a scholar in the field of communication, with more than 20 academic publications, including the creation of the Development Resistance Index used to gauge public opinion concerning land use issues. Dr. Kitchens is a frequent guest professor at colleges and universities, including the University of Florida, the University of Kansas, the University of Central Florida, and the University of Alabama – Birmingham.

Elizabeth L. Kitchens has worked as a professional consultant since 1980. Ms. Kitchens is a specialist in focus groups research and polling. She has designed and facilitated focus groups for legal issues, marketing strategies, political campaigns, referenda issues, and public relations campaigns.

Ms. Kitchens has also served as a pollster and strategist for a variety of campaigns including legislative, judicial, mayoral, and statewide races. She also has extensive experience working with environmental initiatives throughout the country. Additionally, she has provided consultation for coordinated campaigns for the Florida Democratic Party, the Academy of Florida Trial Lawyers, and the Louisiana Trial Lawyers Association.

Ms. Kitchens was one of the first women to be a partner in a nationally recognized polling and focus group firm. She an Advisory Board member of Ruth's List Florida and the Boys and Girls Club of Central Florida. She was a recipient of the Orlando Business Journal and Orlando Regional Health Care 2004 Women Who Mean Business award. She is a specialist in Baby Boomer women issues and is a frequent contributor to Boomer Café, one of the leading baby boomer sites on the web.

Public Relations and Communications

Dennis Willard formed Precision New Media after covering politics, policy and government as a statehouse reporter in Columbus for 23 years, the last 15 as bureau chief for the Akron Beacon Journal. In 2010, he decided to come over to the “light side.” As a reporter, Dennis wrote about working and middle class families, children, women, minorities and others who needed a voice in the media. This passion helped him win state and national reporting awards on issues ranging from “The American Dream: Hanging By A Thread,” to the vast inequities in Ohio’s school funding system.

Dennis brings that same passion to Precision New Media. Initially, he worked primarily on messaging, earned and paid media, and crisis communications, but the company took a new direction in 2011 after becoming part of the We Are Ohio campaign that successfully fought back against Senate Bill 5, the attack on collective bargaining rights.

During the campaign, Dennis began working with his communications team to develop a unique brand that reinforced a simple message: Senate Bill 5 was unsafe, unfair and hurt us all. To ultimately win by a 62-38 percent margin, Dennis and his communications team knew the brand had to be universal, non-partisan, and represent a grassroots, citizen-driven effort to veto SB 5.

As Communications Director for We Are Ohio, Dennis led a team that held more than 520 press conferences over six months in every corner of the state featuring the faces and voices of real middle class Ohioans.

Data and Analytics

Mitch Stewart is a founding partner at 270 Strategies and a longtime political activist who has led several organizations in the past decade that have made their mark on American history. As the Battleground States Director for the Obama for America campaign, he oversaw a state strategy and program that garnered victories in nine of the ten battleground states in the 2012 presidential general election. In this role, he helped build what The Guardian called “a historic ground operation that will provide the model for political campaigns in America and around the world for years to come.”

Mitch first heard then-Senator Obama speak in Minnesota in 2006 and was inspired to help build a winning campaign. Since January 2007, Mitch has held a number of key positions critical to the President’s success – including serving as the Iowa State Caucus Director for the first Obama presidential campaign. The Iowa Caucus victory marked a turning point in the 2007-2008 primary election, which established Senator Obama as a serious challenger to then-front-runner Hillary Rodham Clinton. Later, as the Virginia State Director during the 2008 general election, Mitch led the team that delivered Virginia for the Democratic candidate for the first time since 1964 – breaking a red streak spanning 44 years.

Prior to joining the 2012 campaign, Mitch served as the National Director of Organizing for America, the grassroots organization born out of the 2008 election and dedicated to supporting the President’s policy initiatives. During his tenure at Organizing for America, Mitch led a team

that drove grassroots momentum for high-profile legislative victories including the passage of the Affordable Care Act, Wall Street Reform, and the repeal of “Don’t Ask, Don’t Tell.”

Jeremy Bird is a founding partner at 270 Strategies and a longtime grassroots organizer with broad experience across domestic and international politics, labor, and policy. He helped launch 270 Strategies after serving most recently as the National Field Director for the 2012 re-election campaign of President Barack Obama, where he had primary responsibility for building a nationwide army of staff and volunteer organizers. Dubbed the campaign’s “Field General” by Rolling Stone magazine, Jeremy was listed among “The Obama Campaign’s Real Heroes” and has been cited as “a former Harvard divinity student who took to political organizing as though it were his higher calling.” He is credited with helping establish a ground game and turnout machine that in 2012 “reproduced – through brute force, dedication and will – a turnout in the swing states that in some cases bested the campaign’s remarkable performance of four years ago.”

Jeremy has played a number of key leadership roles in support of President Obama since 2007 – including serving as the South Carolina Field Director in the 2007-08 primary campaign and as the Ohio General Election Director in 2008. As the National Deputy Director of Organizing for America – the grassroots organization born out of the 2008 campaign – he was also central to some of the Obama Administration’s most historic policy achievements between 2009-2011, including the Affordable Care Act and Wall Street Reform. Across these roles, Jeremy helped create and implement the Obama campaign’s neighborhood team organizing model – an approach which transformed organizing in presidential politics by merging people-focused, community organizing with empowering and inclusive digital technology and cutting-edge data analytics. The Wall Street Journal described Jeremy’s theory of organizing as “one part data and one part emotional connection. He keeps close track of which states are making their targets each day, but also preaches the value of relationships—between the campaign and its volunteers, and between volunteers and voters.” His contributions to this groundbreaking organizing model led Rolling Stone magazine to recognize him on its 2012 “Hot List,” calling him “the Obama campaign’s secret weapon” with “a massive army of staff and grassroots volunteers for which Romney has no answer.”

Prior to organizing with the President, Jeremy worked for several issue campaigns and candidates at the federal and local level – including the presidential campaigns of then-Senator John Kerry and former Governor Howard Dean. He also has experience advocating for educational equality and worked as an organizer for the United Food and Commercial Workers.

Media Production

Bob Kish is the founder of Third Wave Communications and is a seasoned political operative with over 25 years of experience working on campaigns at the local, state, and federal level in management and finance positions.

In the late nineties Bob helped launch one of America's premier Republican media consulting firms. Over a fifteen-year period, he produced winning ads for candidates for President, U.S. Senator, Governor, statewide office & 25 members of Congress. He's handled every aspect of message development, media planning, production, branding & marketing.

His efforts have led to the successful election of Senator Rand Paul, Senator John Boozman, Congressman Jo Bonner, Congressman Joe Heck, Congressman Pat Tiberi, Congressman Doug Lamborn, Congressman Steve Chabot, Mobile Mayor Sandy Stimpson, U.S. Senator Rand Paul, Congressman Tim Huelskamp, Congressman Alan Nunnelee, Mississippi Chief Justice William Waller Jr., and many others. Bob's work has received numerous awards for creative excellence.

Media Placement and Governmental Affairs

Robert Clegg joined Midwest Communications and Media in 1997 as Senior Vice President. For fourteen years Clegg served the Ohio Senate, the Ohio House of Representatives, and the Secretary of State. His positions included Director of Operations, Assistant Secretary of State and Senior Legislative Assistant. Clegg's knowledge of Ohio's demographics is unparalleled. The Ohio Republican Party sought his services in 1991, 2001 and 2011 for counsel and recommendations relating to the State of Ohio's Reapportionment and Redistricting Plans. Expertise in statistical analysis and polling has enabled Clegg to penetrate markets with the most economical and effective media placements.

Direct Mail

Duane Baughman founded The Baughman Company in 1995 and quickly rocketed to the top of his industry. In 2006, Baughman was one of only 6 national Democratic mail strategists hired by the DCCC to develop and execute the mail campaign ultimately responsible for winning back the Democratic majority in the House of Representatives. In 2008, Baughman managed the development of over 30 million micro-targeted pieces of mail and a multi-million dollar budget resulting in 20 statewide primary victories for Hillary Clinton's campaign. In 2010, Baughman oversaw mail programs that re-elected 11 of 12 incumbents. That same year saw the Sundance premiere and nationwide release of Baughman's critically acclaimed feature length documentary film "BHUTTO," which captured the life and assassination of Pakistan's Benazir Bhutto, the world's first woman elected to lead a Muslim nation.

Nick Holder joined The Baughman Company after serving as Chief of Staff for Congressman Jerry McNerney (CA), where he oversaw the political efforts of one of the most vulnerable incumbents in the country. In 2010, under Nick's leadership, McNerney was one of only a handful of Democrats in Republican leaning seats to return to Congress. And in 2012, and despite facing the largest outside spending disparity in the country for an incumbent, Nick orchestrated a double-digit win for McNerney against one of the best-funded candidates in recent years. Nick has also served as the top staffer to the Vice Chairman of the Democratic Congressional Campaign Committee's Frontline program and previously served as Press Secretary for Congressman Tim Bishop. Having overseen multi-million dollar direct mail campaigns utilizing cutting edge targeting and voter contact strategies, Nick heads up The Baughman Company's campaign and political operations.



For more information, please contact Ian James

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Appendix 2

News Articles & Commentary

News Articles

Dayton Daily News
Saturday, Feb. 28, 2015

[Profits lure investors to Ohio pot plan](#)

Dayton doctor invests in one of 10 proposed pot-growing sites.

By Laura A. Bischoff - Columbus bureau

Columbus — A Dayton anesthesiologist who has been sued multiple times and was acquitted of gross sexual imposition charges in 2008 is an investor in a plan to ask Ohio voters this fall to approve a constitutional amendment that would legalize marijuana and name his property in Licking County as one of 10 pot growing sites across the state.

Dr. Suresh Gupta is investing in the marijuana business with Alan Mooney, a financial advisor from suburban Columbus.

“I think it’s very important for this project to have a person, a doctor with my background, to do it right for the medical use,” Gupta told the Dayton Daily News. “I’m mostly interested in medical use of the marijuana.”

According to Licking County records, Gupta in January bought 35 acres in Pataskala for \$282,000 — one of 10 locations identified by ResponsibleOhio as an indoor pot growing site.

ResponsibleOhio is pursuing a possible ballot issue in the fall that would make Ohio the fifth state in the country to allow both recreational and medical marijuana use.

As more names of investors in the pot plan come to light, detailed information on their business interests and track records is starting to emerge. An examination of Gupta’s background shows that during his 21-year medical career in Ohio, he has faced five medical malpractice claims, two personal injury cases, multiple business lawsuits and the gross sexual imposition charges, according to Montgomery County court records. He was acquitted in the criminal case in July 2008 and the medical malpractice and injury cases were settled or dismissed, according to a Daily News review of court records.

Gupta also faced an administrative action by the U.S. Food and Drug Administration in 2008 that accused him of falsifying records submitted in a drug trial. An FDA spokeswoman said the agency accepted Gupta’s response and the case is closed.

Gupta graduated in 1980 from Maharaja Krishna Chandra Gajapati Medical College in India and has been licensed to practice medicine in Ohio since 1993, according to the State Medical Board records. He has no disciplinary history, according to the State Medical Board.

Gupta said neither he nor his insurance company have ever paid a penny on the civil cases and a jury found him not guilty of the criminal charges. He describes himself as an upstanding

community leader who raises money for charity, employs 350 people, raised three kids, has been married 32 years and enjoys tennis and ballroom dancing.

He got involved in ResponsibleOhio because he believes marijuana can be used to treat medical conditions from childhood seizures to glaucoma to cancer.

"I feel that with a doctor on the team, on this project, dispensaries can be done right, placed in strategic locations," he said. "We're going to need to teach the doctors how to prescribe or (what) dose to prescribe for different conditions, medical conditions."

Mooney, his business partner in the Pataskala site, described Gupta as a friend and said he is a "family man and a down to earth guy."

"He is a true caregiver if I ever met one," said Mooney, who pitches investment advice through amateur-produced online videos. "Anybody that makes money today in this litigious society has been sued, I'm sure."

Gupta said he met Mooney a few years ago through a connection at Ohio State University where Gupta's youngest child is a student.

Jon Allison of the Drug Free Action Alliance, which opposes legalizing marijuana, said he was not familiar with the specifics of Gupta's background. But, he said, "His past is fair game for Ohio voters to consider. While the law may not prohibit him from proposing a constitutional amendment, he is asking the voters to consider his past and character."

'Tsunami of money'

So far, ResponsibleOhio has identified a dozen financial backers and more investor names are expected to be released soon. But critics like Allison say there is a lack of transparency involved in ResponsibleOhio's efforts and it is not clear who is bankrolling the campaign.

This much is clear: the potential for profit has investors clamoring to get in on the action.

Filings with the U.S. Securities and Exchange Commission show seven investors each contributed \$4 million to seven different limited liability corporations linked to ResponsibleOhio. That means at least \$28 million has been raised for the plan.

Mooney has more than 30 years experience in asset protection and off-shore corporations and lived in the Bahamas for several years, according to his websites. He says that Pope Benedict knighted him "Sir Alan" in 2007 as a member of the Knights of the Holy Sepulcher and records show he holds a state minister's license for the "Society of Thinking Christians."

In a YouTube video that is no longer public, Mooney pitched to several potential business partners while standing in front of a Bob Marley poster. During the 42-minute video, Mooney said legal marijuana would bring on a "green rush" with an unimaginable number of business opportunities.

“Let’s hop on this tsunami of money and ride the top of that wave to some enrichment for us,” he said.

Aside from controlling a growing site with Gupta, Mooney indicated he wants to launch a series of webinars and seminars to advise entrepreneurs on legal marijuana business opportunities, trademark names for pot strains, and push goods into retail shops across Ohio.

“All I’m saying is: Are there a lot of business opportunities? They are beyond your imagination right now,” he said in one YouTube video.

At one point in the video, an animated Mooney during one of his seminars picks up a retractable red ball, says it’s like a brain that could be opened up and then puts it on his head. “Oh, that’s marijuana,” he jokes. “What do they call that? Rage? Reefer madness. Alright.”

Allison, who served as chief of staff to former Republican Gov. Bob Taft, said he wouldn’t be surprised if that clip is woven into a campaign commercial against the ballot issue. Of Mooney, Allison said, “He is obviously a very creative guy. On paper he looks like a very successful business man. With a political consultant’s eye on it, I don’t know that I’d want him as spokesman.”

In an interview with the Dayton Daily News, Mooney said he said he did not realize the video was posted to the web and he had instructed his IT manager to remove it.

Mooney said he was initially skeptical of legal marijuana but came to believe it would help patients with painful and debilitating medical conditions. And after working as a prison minister for six years, he came to believe that enforcing marijuana laws is costly and unjust.

Lack of transparency?

Information about Gupta, Mooney and other investors, which include venture capitalists, real estate developers and current and former professional athletes, is in the public realm.

What remains hidden, though, is who exactly is financing the political campaign to collect 306,000 valid signatures from Ohio voters and then convince a majority of voters to say yes to the constitutional amendment. So far, backers have poured \$1.73 million into the campaign and spent \$1.29 million, according to the finance report filed by ResponsibleOhio’s political action committee.

Contributions came from 10 newly formed limited liability corporations that share addresses in either Columbus or Cincinnati.

ResponsibleOhio is organized as a 501(c)4, which references a section of federal tax code. Such groups are set up to promote social causes, but they’ve become extremely common and influential in the world of politics.

These groups can spend up to half of their money on politics and they don’t have to disclose their donors. They often have multiple arms, such as a political action committee, which does have to disclose donors and expenditures.

The Ohio-based LLCs that contributed to ResponsibleOhio PAC are: GTI Investors, Bridge Property Group, Verdure GCE, PrestonCox Industries, WF Green Investments, Abhang Co., OhioVen, DGF, Grow 2015 and NG Green Investments. Exactly who is funding these LLCs is not disclosed.

Allison said ResponsibleOhio suffers from a lack of transparency, including in its campaign finance filings.

“If you’re trying to convince Ohio voters to make this huge policy shift, a significant amount of transparency would help their cause,” he said. “They seem to be doing the opposite.”

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The Columbus Dispatch
Sunday March 1, 2015

<http://www.dispatch.com/content/stories/local/2015/02/28/marijuana-backers-ask-investors-for-28-million.html>

By Darrel Rowland

Marketing guru Roger Blackwell says he’s not supporting proposed marijuana ballot issue

Former Ohio State University marketing professor Roger Blackwell said he turned down a chance to get involved with backers of a proposed ballot issue to legalize marijuana in Ohio.

“I declined involvement with the organization you cited in your article, and if organizations knew my objectives in using the research I conducted about drugs, I doubt they would ask me to be an ‘investor’ in their operation,” Blackwell said in an email to The Dispatch about a front-page story yesterday.

Blackwell, who served almost six years in federal prison on 19 convictions related to insider trading, was cited in a video about a month ago by Alan Mooney, a Worthington-based financier who is helping to fund the push for legal marijuana in Ohio, to a group of potential investors in spinoff products if and when the drug becomes legal. Mooney said Blackwell still fears law enforcement and did not want to appear in a meeting that was recorded, so he would get a private audience.

Blackwell is trying to restore his life, talking about writing a book on drug use based on his research in prison.

He said his objectives in using the research on drugs are threefold:

- To decrease consumption of recreational drugs.
- To decrease the number of people in prison for selling drugs.

- To decrease costs to taxpayers for enforcement and treatment of drug-related problems.

Blackwell did not respond to an attempt to contact him on Friday afternoon; Mooney still has not responded, although the group seeking a constitutional amendment in November to give Mooney and about a dozen others a monopoly on marijuana growing facilities did defend the effort. Mooney, a board member of the group, was pushing a plan to make millions of dollars by branding certain strains of marijuana and even related products such as T-shirts and shot glasses.

The Dispatch's original story is included below:

Backers of the push to legalize marijuana in Ohio are seeking \$28 million from investors to bankroll their campaign and buy property for growing facilities.

And a video has emerged from a key supporter saying that Roger Blackwell — convicted in 2005 of 19 federal crimes related to insider trading — will be an investor if the measure is improved.

“Let’s hop on this tsunami of money and ride the top of that wave to some enrichment for us,” Alan Mooney, a financier based in Worthington, says to a group of potential investors about a month ago.

“All we’re going to do is to try to exploit you and introduce you to the public in a way that makes you look good, feel good and makes you a lot of money. ... There’s opportunity beyond opportunity beyond opportunity here. What I am looking to do is ... put together a team that wants to try and do this. I do believe that we’re looking at a more than \$200 million industry.”

Neither Mooney nor Blackwell responded to requests for comment. But Mooney said during the videotaped gathering that Blackwell didn’t want to openly participate because he “is terrified” of being outed. “He’s afraid to be in a public meeting, so we’re going to meet privately with him,” Mooney said.

Mooney is one of about a dozen investors in ResponsibleOhio who would wind up with constitutionally authorized marijuana growing sites if Ohioans approve the measure aimed for the November ballot. Revamped petition language likely will be submitted to the attorney general early next week, ResponsibleOhio spokeswoman Lydia Bolander said.

Once the language is approved, backers must gather 305,591 valid signatures of registered Ohio voters. Mooney said the group is aiming for 900,000 names and will spend \$2 million a month to win approval of the proposed constitutional amendment, which also would allow Ohio adults to grow up to four marijuana plants.

Mooney, who lived for a time in the Bahamas (his company profile has a photo of him in the water with a dolphin), “has 30+ years of off-shore experience, asset protection, as well as founding ownership in eight (8) off-shore corporations,” according to his bio. “Sir Alan” says he was “knighted by Pope Benedict XVI and is on the board of the Catholic Foundation of the Columbus Diocese and of the Ohio Council of Churches.”

Bolander and colleague Dennis Willard said ResponsibleOhio investments won't go to the Bahamas.

The \$28 million for the campaign and property is being sought in offerings of securities for seven recently formed Ohio companies with the Securities and Exchange Commission. The minimum investment: \$4 million apiece.

When asked whether Ohioans would be told the names of people financing the campaign, Bolander merely said ResponsibleOhio would follow the law – which in its current state would allow “dark money” contributions that could mask the identity of individuals providing the cash.

Opponents of making marijuana legal in Ohio question the backgrounds of the investors already known.

“Some of these so-called leading investors are shady characters at best with questionable backgrounds,” said Michael Gonidakis, head of Ohio Right to Life who is battling the issue as a private citizen. “This group would give anyone pause even if they were asking you to buy Girl Scout cookies. ... Ohioans should reject these less-than-reputable individuals’ attempt to legalize a criminal enterprise into our Constitution.”

Jon Allison, an attorney representing the Drug Free Action Alliance, added, “The same folks who have woven a mysterious web of opaque companies to fund their campaign are at the same time asking for Ohio voters’ trust. If they feel the need to hide how their campaign is bought and paid for, don’t you think they’re just biding time until they can run their pot businesses in the same manner?”

Blackwell, a former Ohio State University marketing professor, was found guilty in 2005 of illegally tipping off friends and relatives to Kellogg’s secret pending purchase of Worthington Foods, then covering it up. At the time, in 1999, Blackwell was on Worthington Foods’ board of directors. He served nearly six years in federal prison.

In 2011 he said he conducted research for a book about the drug industry during his prison stint, where he interviewed drug dealers. “I now understand it,” he said nearly four years ago. “No one has access to the inside of the illegal drug industry as I did. They told me everything.”

Bolander said Blackwell is not one of ResponsibleOhio’s investors, all of whom have passed criminal background checks. She noted the proposal also bars owners (but not operators) of the indoor growing sites who have been convicted of a crime in the previous five years.

She and Willard noted that although Dr. Suresh Gupta, an investor who owns a 35-acre potential growing site near Pataskala, was charged with five counts of gross sexual imposition in 2008, he was found not guilty of all charges. And while the doctor has been named in several malpractice suits, Willard said he has never lost nor paid out a penny.

Similarly, professional football player Frostee Rucker faced accusations of sexual assault and spousal abuse but wound up with lesser charges. Investors William “Cheney” Pruett and John Humphrey are investors who are heavily involved in the payday-loan industry.

Willard said Ohio voters “can be assured that these are some of the finest people in our state.” For instance, Gupta gave \$500,000 to West Carrollton High School near Dayton to renovate its stadium and \$250,000 more for its press box.

“We understand our opponents want to smear them because they don’t want to debate the issue,” Willard said.

At the same time, ResponsibleOhio is not ready to talk about an issue plaguing the marijuana industry in places such as Colorado where it’s already been legalized. Because of federal bank regulations that still consider the substance an illegal drug, marijuana businesses are forced to operate on a cash-only basis. That means they pay their employees, their bills and their taxes in cash — and instead of depositing the rest of their money in a bank, it is taken by private security to undisclosed locations.

Willard said the group is concentrating on getting marijuana legalized in Ohio, and by the time production begins, evolving guidelines likely will be sorted out.

The top lawyers at the Ohio Bankers League aren’t so sure.

“Until federal law changes, businesses in Ohio would face an environment (like Colorado’s),” said Jeff Quayle, the organization’s general counsel.

If an Ohioan became involved in the marijuana business, that could affect existing relationships with a bank, including mortgages, credit cards and other loans.

Jeffery Smith, the league’s outside counsel, said, “Just by the nature of the banking industry, and the potential for really significant penalties and fines, banks are going to react in the most conservative manner,” even “if that means withdrawing from all relationships” with a customer.

###

EDITORIALS

No Cartel (Toledo Blade, February 15)

Whether Ohio should legalize the use of marijuana — for recreational, medical, or any other purposes — is a controversial issue that inevitably will divide the state’s voters. The vital public debate over that threshold question, its costs and benefits, shouldn’t be hijacked before it can begin by a premature effort to dictate and corner the market that legalization would create. Yet that appears to be the effect, if not the intent, of a proposal offered by a group called ResponsibleOhio, which is working to place a marijuana legalization question on the statewide ballot in November. In the process, the plan would define legalization in a way that could make some of its sponsors rich. No voter should feel under any civic obligation to support that prospect.

The proposed state constitutional amendment hasn't yet qualified for the ballot, much less won the support of Ohio voters. Yet the plan already dictates where state-licensed marijuana would be grown for wholesale distribution: on 10 sites, including a farm in North Toledo. The campaign offers the requisite pledges of job creation and economic growth.

The initiative precisely defines the rates at which legal marijuana would be taxed, at the cultivation, wholesale, and retail levels. It specifies how revenue from that tax would be distributed to municipal and county governments and to social-service agencies — an apparent tactic to win their support for the plan.

It mandates local control over the location of retail outlets. It specifies five marijuana testing centers across the state, including one in Wood County.

Most of all, the proposal already identifies 11 investors in the ballot campaign — including Ohio basketball icon Oscar Robertson — who would be licensed to operate the cultivation sites. The effect seems to be to create a cartel that would give entrepreneurs a handsome return on their investment in the proposal, by creating local monopolies that initially exclude potential competitors. That effort could prove self-defeating in the long run, as legalization increasingly makes marijuana a commodity in a national market.

The marijuana initiative is reminiscent of the successful effort to persuade Ohio voters to legalize casino gambling via a 2009 ballot proposal. The sponsors of that plan created similar local monopolies in the four cities, including Toledo, where casinos are allowed. The companies that own and run those casinos have prospered, but Ohioans have yet to see all the public benefits of expanded legal gambling that they were promised.

The operational matters detailed in the ResponsibleOhio proposal don't belong in the state constitution. Ohio voters should decide first whether they want to legalize marijuana, and for what purposes. If they do, then state government, not self-interested advocates, can define the proper tax and regulatory structures.

It might be useful to make incremental change — starting with legalization of medical marijuana, to lay a foundation that ultimately could accommodate recreational marijuana as well. Demonstrating the benefits of medical marijuana for some sick and pain-wracked Ohioans could help build public support for broader legalization.

ResponsibleOhio's principals have ties to some state Democrats. Coincidentally or not, several top state GOP officeholders have denounced the group's proposal, sometimes with reefer-madness rhetoric or sniggering references to stoners' junk-food consumption. Hysteria shouldn't define public discussion of legalization either.

ResponsibleOhio deserves the opportunity to place its plan before voters. But the danger is that debate over the specifics of the proposal will divert attention from the more-basic issues of public health and law enforcement — and potential benefits and risks — related to marijuana legalization.

Such a skewed dialogue would do a long-term disservice to both proponents and opponents of legalization.

###

Pot Plot Gets Worse (Columbus Dispatch, February 16)

The cartel of investors seeking a constitutional monopoly to legalize and sell marijuana in Ohio really must be using too much of their own product.

Not only would the backers of the proposed November ballot issue have voters grant exclusive business rights to a limited group of 10 investors and their partners, but they seek constitutional powers to trump local zoning controls.

Zoning in even the most routine circumstance is a ready battlefield, with county commissioners and city councils holding legal hearings to protect quality of life and neighbors' investments. Traffic and noise studies are done. Land use, drainage and aesthetics are considered. But when the applicant is a business, the debate gets far more complicated and intense. Imagine what would happen when the proposed zoning applicant wants to run a business producing a heretofore illicit drug. Neighbors are bound to get their noses out of joint. Little wonder that ResponsibleOhio, the misnamed group sponsoring the proposal, wants a legally guaranteed end run on this review. Its plan would legalize marijuana for recreational use for those over 21 and for medical use. Among the previously undisclosed stipulations tucked into the petition language is a provision to override all "zoning, land-use law or subdivision or agricultural regulation" for pot farms or processing sites. An exception would be made for a residential district. That still leaves a whole lot of onerous possibilities. For instance, one proposed site is within a three-minute drive of a Pataskala high school. Local parents are understandably concerned. A total of 345 acres in 10 counties would be set aside for growing and processing marijuana if Responsible-Ohio is successful in getting a ballot issue passed. The group first has to get on the ballot, which means gathering 305,591 signatures of registered voters. The well-heeled group of investors reported raising \$1.78 million for the campaign. Members include fashion designer Nanette Lepore, basketball legend Oscar Robertson and NFL player Froste Rucker. But getting this issue on the ballot and duping Ohioans into passing it are separate matters. Buckeye State residents aren't dumb. In 2006, another purveyor of misery, Big Tobacco, tried to pull one over on Ohio, by placing a constitutional amendment on the ballot in an effort to fool Ohioans into nullifying smoking bans by 21 cities, including Columbus. It masqueraded behind a benign name, too: "Smoke Less Ohio." Ohioans rejected that issue and passed a different one establishing a state law banning smoking in public places statewide, and without monkeying with the state constitution. ResponsibleOhio is more likely patterning its effort after the 2009 amendment that brought casino gambling to Ohio, which was peddled to voters on the basis of the tax revenues it would produce. Under the pot-legalization plan, a mere 15 percent tax on sales would be divvied up among local governments and to pay for such things as addiction and treatment programs. Sadly, the amount raised for addiction programs could not possibly be enough to undo the damage that legalizing marijuana could do. Ohio's top office holders, who slammed the proposed ballot issue, are right: This is a stupid idea.

###

Legalization of Marijuana? Ohio Has Choices (Akron Beacon Journal, February 18)

A recent Quinnipiac University poll found a narrow majority of Ohioans in favor of legalizing marijuana, 51 percent to 44 percent. That support reflects what studies have shown, as people here and elsewhere increasingly weigh the question. They do so with knowledge that marijuana is less addictive than tobacco or alcohol, cannot cause fatal overdoses and is not a gateway to serious drug abuse. State regulation would bring production and sales into the open, impose quality controls and licensing requirements and provide a new source of tax revenue for state and local governments.

One key question is how best to proceed. Four proposed constitutional amendments are under consideration, two aimed for this November's statewide ballot and two for November 2016. Most prominent has been a proposal drafted by a group called ResponsibleOhio, which took shape just two months ago. It would legalize medical and recreational uses of marijuana, limiting cultivation to 10 sites controlled by the plan's backers. No other sources of marijuana would be permitted, except for what is grown for home use.

Another organization, the Ohio Rights Group, already is gathering signatures for an amendment that would permit using marijuana for medical purposes and growing hemp for industrial purposes. It would allow adults to grow their own, as well as the medical and hemp commercial cultivation, with no limits imposed on the overall number of sites.

Aiming for next year are Responsible Ohioans for Cannabis and Ohioans to End Prohibition. Each would allow medical and recreational uses. Adults could grow their own, with commercial growing determined solely by demand.

Of the four, ResponsibleOhio aims to break new ground, making Ohio a test case of sorts. Its proposal would take the restrictive approach typically found with medical marijuana regulations in states such as Illinois and New Jersey, which limit where marijuana can be grown and sold, and apply the concept to a plan permitting recreational use. Of the four states that have approved recreational use (Colorado, Washington, Alaska and Oregon), none limits the number of licensed growers. All also allow some form of home cultivation for personal use.

The ResponsibleOhio amendment would permit an appointed control commission to add additional growing sites to meet market demand, but only after four years. Meanwhile, those who control the original 10 sites would be allowed to expand, even acquire additional land. This structure has invited understandable concerns about monopoly-like control, or cornering the market.

In Colorado and Washington, which have implemented recreational use after first allowing medical use, hundreds of growers have come forward, some expanding from small-scale production for medical use, others bankrolled by investors. The ResponsibleOhio amendment would not limit the number of retail sites, which would need local approval.

By comparison, Washington, which also separates growing operations from retail outlets, has licensed some 500 growers. Colorado, which has adopted a model in which most marijuana is grown by those who sell it, has a similar number.

While Ohio may want to restrict production to boost prices and tax revenue, a limit of 10 growing sites appears designed mainly to boost the fortunes of the amendment's backers. Ohio may want to follow the path of starting with medical marijuana, the Quinnipiac Poll finding 87 percent of Ohioans in support. Whatever the choice, the debate has been engaged, and there are better and worse ways of moving forward.

###

Drug Pushers Are Misnamed (Columbus Dispatch, February 25)

"IrresponsibleOhio" a better moniker for group seeking own marijuana cartel

Kudos to Ohio Attorney General Mike DeWine for his close scrutiny of petition language submitted by a handful of investors who hope that Ohio voters will grant them a constitutional monopoly to promote drug abuse in Ohio.

DeWine ruled this week that the petition language for a proposal that would legalize medicinal and recreational use of marijuana produced exclusively at 10 sites owned by a small group of investors is inaccurate and will have to be revised. The group will have to produce an additional 1,000 signers to submit revised petition language.

It is a shame that DeWine lacks the authority to require that ResponsibleOhio, the group pushing this excuse for drug abuse, change its name to something that more accurately describes it: IrresponsibleOhio would work.

Not only is the group proposing to throw open the gates to abuse of marijuana, it is doing so more ineptly than any attempt to amend the Ohio Constitution in recent memory.

The proposal has undergone a number of changes since it first was unveiled in December, underlining the half-baked nature of the plan and its sponsors.

Under one change, adults would be able to get a permit to grow up to four plants for personal consumption, so long as their crop is secured from those younger than 21.

This isn't exactly a selfless concession: Exclusive rights to operate one of 10 industrial-scale businesses in the "growth and cultivation of marijuana and the extraction of cannabinoids" would remain with the handful of investors pushing the plan.

The group also moved a third proposed marijuana growing site to central Ohio, after the city of Moraine balked at being turned into a dope supplier.

The third change would lower the retail sales taxes on marijuana purchases from a proposed 15 percent to just 5 percent.

"Give it another week and their scheme will change again," said Jon Allison, an attorney representing Drug Free Action Alliance. "We can't wait to hear how they explain to cities, counties and townships how their alleged pot-tax 'windfall' just got whacked with the pot tax dropping from 15 to 5 percent."

That proposed tax is chump change. By comparison, in the state constitutional ballot issue that legalized casinos in Ohio, the casinos proposed a 33 percent tax against adjusted gross gambling revenues.

The lower tax proposed by the marijuana cartel illustrates the greed behind the effort.

Allowing people to grow this illicit drug in any quantity is a bad idea for a number of reasons, the chief being the predictable increase in drug abuse, with a particular threat to minors.

While the cartel argues that its proposal would "smother" the black market, this latest twist does the opposite, creating two classes of product: One taxed and a one apt to be sold under the table, with many buyers likely to be those under 21.

No matter what the sponsors of this proposal call themselves, no responsible Ohioan should support it.

###

Ohioans should say 'no' legal pot (Tiffin Advertiser Tribune, February 25)

Some Colorado residents are having second thoughts about their state's legalization of marijuana for recreational use.

Children being treated in emergency rooms for ingesting the drug, a spike in the number of drivers pulled over for being intoxicated on marijuana and tragedies such as the Denver man who, just after eating marijuana-infused candy, killed his wife while muttering about the end of the world may have something to do with that.

Meanwhile, a group called ResponsibleOhio wants the manufacture and sale of marijuana legalized in the Buckeye State.

Lawmakers are being asked to approve a scheme that would issue as many as 1,100 licenses to manufacture and/or sell marijuana in Ohio.

Those with relatively limited appetites for the substance would not have to buy it.

ResponsibleOhio thinks everyone should be permitted to grow as many as four marijuana plants "in a secured location."

One appeal of the plan, the group argues, is it would provide safe marijuana to Ohioans.

Sweetening the pot for legislators is a provision that if marijuana is legalized, sales would be taxed. Colorado, with a population about half the size of Ohio's, raked in \$63 million in taxes from the source last year.

Ohio Attorney General Mike DeWine this week rejected the wording of the summary of Responsible

Ohio's petition. DeWine also ruled a petition by Responsible Ohioans for Cannabis to put the End Ohio Cannabis Prohibition Act on the ballot did not have enough valid signatures. About half the states have legalized use of marijuana for medical purposes, in strictly limited situations.

But ResponsibleOhio's campaign, reportedly backed by millions of dollars, would have no such restrictions.

Just two states, Colorado and Washington, have any experience with legalized marijuana. Alaska and Oregon are launching such programs this year.

Thus far in Colorado and Washington, experiences with legalized marijuana have been distinctly mixed.

Legislators should not make Ohio the site of another experiment. They should just say no.

###

What if Ohio Goes to Pot? (Akron Beacon Journal, May 17)

A majority of Ohioans, 52 percent, now support legalizing marijuana. Approval is even higher for medical use, at 84 percent. Both numbers indicate a turnaround in public opinion. More, there are sound public policy reasons for moving forward with legalization, the state in a position to control quality and access, generate tax revenue and prevent users from facing criminal penalties.

Still, legalization is a complex issue. Just four other states permit marijuana consumption for recreational purposes. Some moved forward after first allowing fairly widespread medical use. Once recreational use was approved, the actions of many medical consumers became something of an unintended consequence. They may have gamed the system to stick with the medical avenue, thus circumventing the tax structure and depriving the state of revenue.

The better course is legalization of both recreational and medical marijuana. Ideally, the Statehouse would take the lead by enacting legislation or, as urged last week by Secretary of State Jon Husted, at least engage in debate about issues surrounding legalization. As it is, lawmakers appear increasingly resistant.

Among the ideas now under discussion in the legislature are a bill or a legislatively initiated ballot issue that would tightly control marijuana for medical use only and a resolution urging voters to reject any constitutional amendment that "grants a monopoly for the commercial cultivation and distribution of marijuana."

Such ideas are aimed at a petition drive by private interests to place a proposed constitutional amendment on the November ballot. ResponsibleOhio's amendment would allow recreational and medical uses of marijuana, but limit commercial growing to 10 predetermined, investor-owned sites. ResponsibleOhio makes a logical argument: If legalization depends on the private sector taking action, investors will want a return on their investment.

A second amendment, backed by a Toledo businessman, Edward Howard, is not as far along. Howard's proposed amendment mirrors what ResponsibleOhio has in mind, but departs in a major way when it comes to growing sites. Howard would start with the original 10, then add 30 more smaller operations, which could be clustered anywhere near the original 10 sites.

To raise money for a campaign, he is selling the right to open a smaller growing operation to campaign contributors (starting at \$80,000) on a first-come, first-served basis.

As noted in a recent Rand Corp. analysis, the profit motive that comes with large-scale commercial growing easily could lead to a system that results in abuse by recreational users. That means vigorous state oversight is needed, but embedding the scheme for legalization in the state constitution would make it extremely difficult to make changes to respond to problems. Any adjustment would require another amendment.

The better course would be for the legislature to pass a fair, competitive and comprehensive law legalizing both recreational and medical uses of marijuana. If that isn't going to happen, lawmakers, and the governor, should be preparing to set up a system of regulations because private interests now are putting up money to see that marijuana becomes legal in Ohio.

###

Crain's Editorial: Gone to Pot (Crain's Cleveland Business, May 24)

Ohio voters this fall could face several proposed constitutional amendments to legalize the use of marijuana in the Buckeye State.

State auditor Dave Yost said it best recently: "Now is the time to nip this nonsense in the bud."

We're not talking at the moment about whether recreational or medical marijuana should be legalized in Ohio. By the way, the idea of legalizing pot isn't nonsense, according to a recent Quinnipiac University survey that shows Ohioans are warming to the idea. Quinnipiac surveyed 1,077 Ohio residents in late March and found that 52% supported allowing adults to possess small amounts of marijuana for personal use, with 44% opposed. The poll also found overwhelming support for medical marijuana in Ohio, with 84% favoring legalization.

Like Yost, though, we're more troubled by the growing trend of special interest groups hijacking the Ohio Constitution to advance their own purposes for the benefit of a select few.

Here's the thing with constitutions: Changes to them should be rare and important enough that they merit being carved in stone rather than codified in ordinary law, which is much easier to change through the Legislature.

In 2009, Ohio voters decided to create, via the Ohio Constitution, a monopolistic arrangement that allowed Dan Gilbert and Penn National to build casinos in Cleveland and three other cities. You can debate whether casinos drive economic development or help to attract tourist dollars. Regardless, it's still a mistake to use the constitution to create the industry.

Yost hopes to rectify that with a constitutional amendment of his own. If approved, it would outlaw ballot initiatives that amend the constitution to create economic monopolies. The state's Constitutional Modernization Commission and the Legislature need to fully vet Yost's idea, but the problem he seeks to solve is a real one.

Several groups have emerged seeking to use the constitution to legalize marijuana in this state. Responsible Ohio, a political action committee, is the furthest along in the ballot process. Its proposal is for an amendment that restricts growing to specific sites - namely, we might add, at sites controlled by investors backing its ballot effort. These 10 investment groups would be the only ones that could grow and sell marijuana wholesale here.

Another group, Toledo-based Better for Ohio, had its petition approved by the ballot board on May 14. It would create four times as many grow sites and loosen the restrictions on home growers contained in the Responsible Ohio amendment.

What would actually be better for Ohio is to pass neither. If there's a case to be made for legalizing marijuana, make it without meddling with the constitution.

Secretary of State Jon Husted says it may be time for the Legislature to begin discussion on marijuana legalization to head off the amendments. That would make for a more thoughtful approach, he reasons, with hearings and input from the public. He calls it “a bad idea whose time has come.”

Whether legal pot is a bad idea is still a matter of debate. What's clear is that treating the Ohio Constitution like an active Word document is a bad idea.

###

Going to Pot? (Findlay Courier, May 28)

It's no surprise that Ohio's top law enforcement officer, Attorney General Mike DeWine, is trying to stay a step ahead of the marijuana legalization issue.

DeWine knows it's inevitable that voters will approve some pot proposal, if not this year, then in 2016 or 2017. He disclosed last week that his office is studying the problems in other states which have legalized weed, either recreationally, medically, or both, to make sure Ohio doesn't suffer the same pitfalls.

While states are succumbing to cannabis in part due to the considerable taxes it can generate, legalization is proving to be a slippery slope.

Colorado, which approved medical and recreational use of the drug several years ago, is still navigating potholes.

For one, it had to establish a marijuana “intoxication” level for impaired driving. And it's still struggling on how to keep medical marijuana users, who pay less tax for their weed, from selling their stash on the black market for less than recreational users can buy it at pot commissaries. Then, there is the matter of keeping THC-laced edibles from getting into the wrong mouths. Meanwhile, the support for legalization has been steadily growing in Ohio. Polls suggest that a majority of Ohioans, 52 percent by one count, favor outright legalization. Even more, 84 percent, believe it should be approved for medical use.

The Ohio Ballot Board has approved two legalization efforts this year, and at least three others are in the works. Backers of any issue will need to collect about 305,000 signatures to get on the ballot, but that process is well underway throughout the state, including in Findlay.

Voters will ultimately decide if pot should be legal and how tight the controls should be depending on the proposal that makes the ballot. Should a legalization amendment be approved, it would take another to change it.

DeWine still opposes recreational marijuana, but said it's worth studying what is happening in other states with medical marijuana. He has hinted a limited medical marijuana law passed by the Legislature could slow the rush to legalize pot through a constitutional amendment.

No one in Gov. John Kasich's cabinet has come out in support of legalization, but Secretary of State Jon Husted, like DeWine, has also said the subject can't be ignored. If legislators continue to hold the position that legalization should never happen in Ohio, they may miss out on an opportunity to regulate it.

Colorado is one of just four states that permit marijuana consumption for recreation. States more often approve medical marijuana first, before opening the door to recreational users. DeWine must continue to address the marijuana issue with the Legislature, where there has been limited discussion on it to date. Lawmakers missed an opportunity when they allowed private interests to push through casino gambling in 2009. They should not keep their heads in the sand again.

###

Weed Out the Greed (Akron Beacon Journal, May 31)

When John Kasich unveiled JobsOhio at the start of his first term as governor, many Ohioans received a quick history lesson. They learned about the rampant corruption of the 19th century, private interests taking advantage of public money. All of it resulted many years ago in repair work to the state constitution, adding language to prevent such a destructive mix.

A lawsuit involving JobsOhio, the governor's privatized economic development agency, fizzled, unfortunately, the Ohio Supreme Court citing a lack of standing. Now Dave Yost, the state auditor, proposes a new adjustment. The circumstances are not exact. Yet they are related, in this instance, private interests seeking to take advantage of the initiative process to advance big money-making. The auditor would all but block the way.

In 2009, gambling interests won voter approval of a constitutional amendment that established four specific sites for casinos across the state. They cornered the market. Any change in the casino landscape now requires another constitutional amendment to prevail at the ballot box, no small achievement.

Six years later, those interested in the legalization of marijuana have taken the cue.

ResponsibleOhio proposes the establishment of 10 growing sites for marijuana, a select group of investors in position to reap a lucrative reward, their position embedded in the difficult-to-change constitution. Those behind the effort talk about preferring to see the legislature act. But that is not going to happen, they quickly add, leaving the option of a ballot issue, and the need for an attractive incentive so that deep pockets will pay for the campaign.

Legalizing marijuana in Ohio makes sense. The market already exists. Bring it above ground, where the product can be taxed and regulated, studies showing its role as a so-called gateway drug much overstated.

Yost also offers a sensible step. Such proposals do not belong in the constitution. And now that the path has been opened, it is time to shut it down. He would give the secretary of state the option to reject any issue that would "create, directly or indirectly, an economic interest, benefit, right, license or monopoly to an individual or group of individuals ... that is unavailable to other similarly situated individuals or groups of individuals."

This language would have halted the casino amendment. Yost adds to the degree of difficulty. Private interests determined to use the constitution would have the option of first prevailing in a statewide election to suspend the language and then winning a second election with their actual proposal on the ballot.

His idea would be better if it also barred lawmakers from advancing such proposals.

Ideally, lawmakers or the Constitutional Modernization Commission would weigh thoughtfully the way forward. As it is, time is short, with lawmakers attending to what is their most important task, crafting a two-year state budget. ResponsibleOhio appears headed to the November ballot. A competing issue along the lines of the Yost proposal would supplant the ResponsibleOhio plan — if it receives more votes. Lawmakers would do well to put such a measure before voters. If there is a strong argument for legalizing marijuana, there are better ways to do so, staying clear, especially, of private interests leveraging the state constitution.

###

Our View: Marijuana Ballot Bid Raises Questions; Procedure for Amendments Being Misused by Special Interests (Hudson Hub Times, May 31)

ResponsibleOhio, which is pushing a broadly-drawn constitutional amendment to legalize marijuana in Ohio, has drafted a measure that calls for a state commission to regulate the production and sale of marijuana and also specifies 10 sites where marijuana could be grown. The amendment, in some respects, is similar to the one that paved the way for legalizing casino gambling. It, too, listed a relative handful of locations where casinos could operate.

Not surprisingly, the ResponsibleOhio initiative, like the successful push for casinos, is being driven by interests that stand to benefit from the establishment of what some are calling a marijuana cartel. If the amendment makes it to the ballot and is passed by voters, the 10 sites listed would be permanently enshrined in the state's basic governing document as the only locations in Ohio for commercial production of marijuana. Small-scale marijuana farming would continue to be prohibited.

State Auditor David Yost and Attorney General Mike DeWine have expressed concern about what they see as the misuse of the statewide initiative process by special interests. They raise a valid point.

Yost told the Ohio Constitutional Modernization Commission recently that the marijuana and casino initiatives effectively limited competition while "maintaining profitability for the privileged few to gain constitutional status."

The initiative process, he said, "was designed to protect the many against the powerful few," but "has been hijacked by the powerful few." He added, "The constitution shouldn't be somebody's paycheck."

DeWine echoed Yost's concerns. "The idea that people can put enough money together so they can get something on the ballot that would directly benefit their pocketbook ... is just outrageous. It's disgusting."

ResponsibleOhio contends that it is taking the initiative to provide medical marijuana as an option for Ohioans who need it, and that it is doing so because the legislature has failed to act on that issue. The fact remains that a relative handful of large-scale growers would stand to benefit directly from the marijuana initiative, just as a handful of casino operators have been granted a constitutional monopoly on gambling in Ohio.

We join Yost and DeWine in questioning the perversion of the initiative process and hope that a legislative remedy is forthcoming.

###

[Our View: Marijuana Ballot Bid Raises Questions; Procedure for Amendments Being Misused by Special Interests](#) (Twinsburg Bulletin, June 3)

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ResponsibleOhio contends that it is taking the initiative to provide medical marijuana as an option for Ohioans who need it, and that it is doing so because the legislature has failed to act on that issue.

The fact remains that a relative handful of large-scale growers would stand to benefit directly from the marijuana initiative, just as a handful of casino operators have been granted a constitutional monopoly on gambling in Ohio.

We join Yost and DeWine in questioning the perversion of the initiative process and hope that a legislative remedy is forthcoming.

###

Legalized Pot Poses Risks (Columbus Dispatch, June 5)

Businesses and Job Safety Would be Harmed by Widespread Marijuana Use

As various schemes to legalize marijuana in Ohio attempt to work their way onto the Nov. 3 ballot, a Cleveland medical expert says there's no "pro or con" to the debate as to how it would affect employers.

"If we as a state decide to go ahead and make marijuana more available — either medically or for recreational use — we should do so with the understanding that it will lead to an increase in use," said Dr. Ewald Horwath, chairman of the psychiatry department at MetroHealth Medical Center.

"And it will lead to a variety of adverse health outcomes and probably a variety of motor-vehicle and job-related heavy-equipment bad outcomes."

Such as death.

Horwath's comments came at a recent Greater Cleveland Partnership forum, "Marijuana: Will Your Business Be Impaired?"

Ohio currently has two competing pro-pot groups collecting signatures to put a constitutional amendment on the ballot that would grant select cartels a monopoly to farm and sell marijuana. They are ResponsibleOhio and Better Ohio — laughably named because it would be better for Ohio and more responsible if these groups just went away.

The groups need to find 305,591 registered voters who wish to engage in a statewide experiment with an addictive drug so the backers can make whopping profits.

The business community has been late to the table in this debate, which largely has centered on social and medical issues. But the legalization of pot is foremost an economic issue for Ohioans: It is likely to chase away employers — and therefore, good-paying jobs — by increasing costs as impaired workers compromise safety or, if fired, file lawsuits or apply for unemployment.

Ohio already has employers who can't find enough workers who can pass a drug test to operate heavy equipment. What happens if marijuana can be obtained as easily as a cup of gourmet java?

Horwath pointed to a Philadelphia heavy-equipment operator who confessed he was high on marijuana during a 2012 accident that killed six people.

Marijuana isn't benign: It affects concentration, reaction time, complex reasoning, balance, coordination and alertness.

As an illegal substance, marijuana already has harmed many lives. If legal and readily available, it would harm many more. Rather than rush into legalizing marijuana, it would behoove Ohio to first see how the experiment plays out in the few states that already have legalized it.

Tony Coder, assistant director of the Drug-Free Action Alliance, agreed that legalization would be a major headache for employers, and pointed to Washington and Colorado; both states legalized marijuana for recreational use in 2012.

A major drug-testing company found that 20 percent of job applicants — or 1 in 5 — tested positive for drugs in those states, Coder said. Nationally, it was 6 percent.

And with marijuana, it's difficult to quickly test an employee to see if he is impaired; there's no "breathalyzer," noted Thomas Lippert, vice president of safety and quality assurance at The Albert M. Higley Co., a major Cleveland-based construction firm.

"Someone could be a risk, but flying under the radar," Lippert said. "The safety of our workforce is a very important concern."

If this state is to continue its economic rebound, Ohioans would be wise to heed the concerns of businesses.

###

[Plan to Expunge Records of Marijuana Lawbreakers Should Go up in Smoke \(Youngstown Vindicator, June 7\)](#)

Even if we were inclined to support the legalization of marijuana in Ohio — we aren't — a companion initiative that would result in the expungement of criminal records stemming from marijuana convictions is a definite deal-breaker for us. We have long opposed the cleansing of court records because we strongly believe there must be consequences to breaking the law. In the May Democratic primary for mayor of Struthers, The Vindicator chose not to make an endorsement because both the candidates, Danny Thomas Jr. and Ronald A. Carcelli, had their criminal histories wiped clean.

Thomas, who won the Democratic nomination for mayor by a handful of votes, was convicted in 1987 by a federal judge of illegal use of a communication facility [a telephone] to distribute cocaine. His record was sealed in 1998 by a common pleas judge. Thomas then received a presidential pardon from Bill Clinton, a Democrat who enjoyed strong support in the Mahoning Valley when he ran for election and re-election.

The Democratic nominee, a former councilman, is active in party politics and has worked in local, state and national races.

Carcelli, a member of the Struthers Board of Education, was convicted of a misdemeanor count of having an unlawful interest in a public contract. He was ordered to pay \$5,000 restitution to the city and a \$1,000 fine. Carcelli was indicted on felony charges of theft in office, bribery and theft related to his job with the city of Struthers. The city's street foreman received a six-month suspended jail sentence, in addition to having to pay the restitution and fine.

Carcelli's record was sealed in 2012 by a Mahoning County judge.

The thought of either one of those individuals serving as the mayor of Struthers makes us cringe — as does the wholesale expungement of marijuana-related criminal records.

LEGISLATION IN WORKS

ResponsibleOhio, which has launched a statewide petition drive to place an issue on the November general election ballot to amend the state constitution to make marijuana legal, also is crafting a sentence reform/expungement statute that the Republican controlled General Assembly will be asked to pass.

“This would provide Ohioans who were convicted of marijuana charges the ability to have a clean slate so that they can care for themselves and their families,” ResponsibleOhio says.

The group’s goal is to have the statute presented to the General Assembly after the constitutional amendment is approved by the voters.

It would require sentencing review and provide for expunging marijuana charges and sentences.

The lawmakers can either pass the statute – it would be accompanied by petitions containing 92,000 valid signatures – in its entirety, pass a half or partial measure or pass nothing.

If either of the last two options is chosen by the General Assembly, ResponsibleOhio would be able to go directly to the people by placing the issue on the ballot. An additional 92,000 valid signatures on petitions would be required.

PROPOSERS’ VIEW

The proponents of expungement contend that in Ohio there isn’t an equal application of the anti-marijuana laws.

“In nearly every media market in the state, there is a city which is applying tougher rules to simple marijuana possession than the state at large does,” they say.

That may well be, but the individuals who have been charged and convicted with possession have broken the law, plain and simple. In a city such as Youngstown, which has been held hostage by drug gangbangers, tough law enforcement is absolutely necessary. There’s nothing secret about the law. If you get caught with marijuana, you will be charged.

To expunge such records would be to reward individuals who believe it’s their right to pick and choose the laws they will obey.

That’s not how a country of laws is designed to work.

As for the legalization of marijuana, the fact that 10 investment groups would control the statewide production of the drug should give voters pause. This monopoly would be memorialized in the state constitution.

ResponsibleOhio is making an all-out push for the legalization of marijuana, but the voters of Ohio should think long and hard before saying yes. There are just too many unknowns.

###

Legal Pot Risky for Kids (Columbus Dispatch, June 11)

Nationwide Children’s Hospital Study Sees Rise in Ingestions

As Ohio debates legalizing marijuana, one important focus ought to be on the harm to children in states that already have engaged in this risky social, economic and medical experiment.

There, poison-control centers report a surge in accidental exposure, with some children suffering seizures, faint breathing or coma, according to a newly published study by Nationwide Children’s Hospital experts.

Kids who are curious or simply have a sweet tooth are breathing in smoke and eating sweets, candies or other foods that contain legalized and highly potent marijuana.

This is another strong argument — along with marijuana’s dubious economic benefits, effect on crime and impairment of workers and drivers — for Ohioans to reject any ballot issues that come to a vote in November.

Ohio only has to look at the early consequences in other states to be leery. In a study in the June 7 edition of Clinical Pediatrics, the researchers found a startling increase in the rate of children who have ingested marijuana nationwide. More than 18 percent had to be hospitalized.

Among preschoolers between 2006 and 2013, the rate of marijuana exposure throughout the U.S. rose by 147.5 percent. Compare this to a 610 percent spike during those same years in the handful of states that had legalized marijuana for medical use before 2000.

Even worse: More than 75 percent of the children doped up were younger than 3. As the researchers noted, children like to put things in their mouths, especially if it looks tasty. But marijuana foods can have an especially high content of THC, the main psychoactive ingredient. “The high percentage of ingestions may be related to the popularity of marijuana brownies, cookies and other foods,” said Henry Spiller, a co-author of the study and director of the Central Ohio Poison Center at Nationwide Children’s.

Overall, the number of children reported to poison-control centers because of marijuana exposure was relatively small, just 1,969 children between 2000 and 2013. But Dr. Gary Smith, the study’s senior author and director of the Center for Injury Research and Policy at Nationwide Children’s, said there’s cause for concern in the steep rate of increase in states that have legalized marijuana.

“Any state considering marijuana legislation needs to include child protections in its laws from the very beginning,” Smith said. “Child safety must be part of the discussion when a state is considering legalization of marijuana.”

The researchers suggest treating commercially sold marijuana like other products dangerous to children, such as medicines or household chemicals. Precautions such as child-resistant packaging or opaque containers make obvious sense. And parents should keep homemade marijuana edibles away from kids, preferably locked away.

In all, 23 states and the District of Columbia have legalized medical marijuana, according to the website ProCon.org.

ProCon also cites a 2010 study published in The Lancet that ranks 20 drugs based on their harm to users and others, considering such outcomes as death, injury, crime and economic loss. Marijuana came in eighth, behind amphetamines, or “speed,” but more harmful than liquid ecstasy and LSD.

What pushes marijuana so high on the harm scale is the damage it inflicts on others. As local experts found, those “others” often are children.

###

[Defend the Constitution](#) (Columbus Dispatch, June 14)

Bipartisan Effort Needed to Curb Self-Serving Amendment Initiatives

Here’s some good news from the Statehouse: Members from both parties are working together to bolster the Ohio Constitution against abuse.

The concern focuses on proposals to amend the constitution in ways that confer a private financial benefit to just a few individuals — not coincidentally, those who spend money to put a proposed amendment on the ballot.

A bipartisan group including Republican Rep. Ryan Smith of Bidwell and Democrat Mike Curtin of Marble Cliff would like to put before voters a different amendment — one that would bar any

constitutional amendments that single out specific individuals and groups for an economic benefit.

The goal, said Sen. President Keith Faber, R-Celina, is “to rule out the ability of rich people to buy the constitution through referendum and initiative.”

That would be a good idea in any year, but doing so now is especially important, because it could block a particularly egregious effort: The pro-marijuana group ResponsibleOhio appears likely to succeed in putting its issue on the November ballot. It would legalize marijuana and designate 10 specific sites around the state as the only places where it can be grown and produced, in effect giving the handful of people bankrolling the proposal a monopoly on a potentially lucrative business.

If an issue barring private-benefit constitutional amendments is on the ballot at the same time, it could negate the pot-cartel amendment.

The Ohio Constitutional Modernization Commission has been researching ways to protect the constitution from frivolous or self-serving amendments for much of the last two years. Recently, state Auditor Dave Yost came forward with a proposal and attorney Dennis Mulvihill, who leads the committee within the Commission studying constitutional changes, has worked on a variation. Both have performed a public service by focusing on the problem.

Time is short for lawmakers to put an issue on the November ballot; the filing deadline is in August, and they may be on a break after June. This should be a high priority.

The right of the public to put proposals on the ballot, whether to amend the constitution, to pass a new law or to override one passed by lawmakers, is an important democratic safeguard. But, as the process works in Ohio, there’s nothing to prevent a person or a group with deep pockets from putting before the voters a proposal designed to build a business advantage for themselves directly into the state constitution.

That’s already happened once, with the 2009 amendment that legalized casino gambling. The amendment enriched the two casino operators granted gambling monopolies in Columbus, Cincinnati, Cleveland and Toledo.

Another proposal, which never got off the ground, would have obligated the state to issue billions of dollars’ worth of bonds for clean-energy projects, to be controlled by a secret group of investors.

Such amendments are sold with extravagant promises about the benefits they’ll bring in jobs and tax revenues. Casino tax revenues in Ohio have never lived up to estimates. Legalizing marijuana is likely to result in equally disappointing results, while handing Ohio a host of problems resulting from increased use of the drug.

Lawmakers should find a way to nip these self-serving proposals in the bud.

###

Constitution-Reform Panel Must be Preserved (Columbus Dispatch, June 14)

Responsible members of the state legislature need to step up and insist that a panel aimed at building a better government isn’t prematurely cut off.

Among the laundry list of changes the Ohio Senate is proposing in its version of the state budget bill is one that would terminate the Ohio Constitutional Modernization Commission (OCMC) on Jan. 1 and allow some of its funding to lapse.

The commission, created in 2011, was charged with researching and debating whether and how the Ohio Constitution could be changed to address longstanding flaws in state government. It was given 10 years to do so — it is set to expire in July 2021 — but didn’t really get off the ground for two years, thanks largely to legislators’ neglect.

It was intended to perform the same function as a similar commission empaneled in the 1970s. Even so, in less than a year and a half of focused work, led by some sterling volunteers, committees of the bipartisan commission have reached consensus on thorny issues that a hopelessly partisan and short-sighted legislature has proved incapable of addressing.

Now, some want to kill it off.

The commission is invaluable as a think tank — a forum where politics takes a back seat to in-depth research and discussion of how to make state government work better for everyone.

Thanks in large part to the commission, voters in November will have the chance to approve or reject a new method for drawing up state legislative districts every 10 years.

It is the first viable option after numerous failed attempts to reform the current process, which is grossly unfair to whichever party finds itself in the minority.

It has been a vicious cycle: Gerrymandered districts lead to a legislature stocked with hyper-partisan extremists, leaving little chance of consensus on needed reform.

But months of work by the OCMC's Legislative and Executive Branch committee gave lawmakers the elements of a workable plan on which a majority could agree.

Another committee, focused on how public-initiated governmental change should happen, has spent the past 15 months working out an answer to a critical question: how to discourage or prohibit destructive ballot issues — frivolous matters or those that would confer a private economic benefit to select parties — without taking away the public's right to initiate changes to law or the constitution.

In the years it is supposed to have left, the commission offers the best hope of tackling these and other issues too difficult for a rancorous legislature.

###

Editorial: Marijuana Lobby Shouldn't Write Rules (Lancaster Eagle-Gazette, June 15)

Here we go again — another special interest group wants to use the Ohio Constitution to grant a monopoly in a controversial industry and write its own rules for how to regulate that industry. It's happened before; that's why the casinos had to be built in four particular locations, and nowhere else. That was done amid promises of all kinds of profits for state and local governments, projections that have fallen well short of reality.

This time, it's marijuana. ResponsibleOhio wants voters to decide whether medical marijuana and marijuana in general, should be legalized in Ohio. But of course, it can't stop there; its proposed amendment, likely to appear on your November ballot, creates an entire regulatory system, and also designates 10 specific locations around the state as the only places where marijuana can be grown, and appears to suggest that any marijuana sellers in Ohio must buy from those 10 locations. No out-of-state pot here, folks; that would hurt the bottom line of the investors who are putting this on the ballot.

Take a moment to let all that sink in. Not only will we be asked to legalize marijuana, but we'll create a monopoly for the industry in the process. Is that really what our Ohio Constitution is supposed to be used for?

The answer is no. It's bad enough when industries try to write their own rules and get their favorite legislators to enact them, but by taking it directly to voters, they're able to avoid even that level of editing. Too many voters don't bother to read the fine print, and even if they did, it's not like they're able to revise the amendment before casting a vote. In reality, most voters will simply consider whether marijuana should be legal or not and vote accordingly, without worrying about the details.

One official appears to be interested in doing something about it. Ohio Auditor Dave Yost is fronting a proposal to make it more difficult, though not impossible, for these issues to get to the ballot. Under Yost's suggestion, if a potential ballot issue includes a special economic interest — such as a built-in monopoly — that group should first ask voters for an exception to allow it to pursue such an interest. Only then could it put the actual amendment on the ballot. That's a step in the right direction, though it appears it won't happen before ResponsibleOhio's initiative hits. It's only a step, though. Why should we allow the Ohio Constitution to be used to financially benefit particular businesses or landowners at all? Maybe that's the amendment we really need.

For example, could voters not have been asked to approve casino gambling, with the actual locations to be licensed by a state board, rather than codified into the Constitution? If we want to consider marijuana approval, why can't the state be the final arbiter on where the marijuana can be grown and where businesses can buy their supplies, rather than putting it in the Constitution?

Increasingly, the Constitution is being used as a document to micromanage our more controversial industries, and that's wrong. And it's only being used that way by the industries themselves, not by anyone involved in our state's governance. And while voters are ultimately responsible if they approve it, that will be little consolation if there's a significant problem and the state is powerless to do anything about it because it would take another Constitutional amendment.

Yost's proposal deserves serious, and quick, consideration. And if ResponsibleOhio's effort does, in fact, make the ballot, we'll go ahead and recommend a no vote right now — not because of the merits or drawbacks of medical marijuana, but because of how the amendment is written. Some form of legalized marijuana is probably coming to Ohio at some point. How about we write our own rules for a change, and let the industries adapt to what we believe is the right way to handle it?

###

[Be Careful with the State Constitution](#) (Akron Beacon Journal, June 16)

The Ohio Constitution calls for a statewide vote every 20 years on the question of holding a full-fledged constitutional convention, elected delegates with the job of fully scrutinizing the state's founding document. Rather than opening the door to a flood of proposed amendments from special interests, the legislature in 2011 offered a sound alternative, the creation of a special commission to take a more careful, deliberative approach.

The following year, Ohio voters rightly rejected the idea of holding a constitutional convention, paving the way for the Ohio Constitutional Modernization Commission to get to work. The commission received 10 years for its review, or until July 2021.

Unfortunately, the body's future now is threatened. A tiny amendment tucked into the Senate's version of the next two-year state budget would bring what were supposed to be long-term discussions to an abrupt end, as of the first of next year. Although the commission did get off to a slow start, not convening until 2013, killing it would shut down an avenue for thoughtful analysis of how to improve the way state government functions.

What the commission offers is a way to get at tough, politically charged issues in a forum shielded from partisan maneuvering in the legislature. Lawmakers would have their say soon enough. Once the commission makes a recommendation, it would take a three-fifths vote in the Ohio House and Senate to put an amendment on the statewide ballot.

There is no shortage of difficult topics, the commission now considering, for example, an amendment that would better define the single-subject rule, the constitutional prohibition against legislation containing “more than one subject.” Ironically, the question is the subject of a lawsuit involving how far budget bills can be stretched.

The commission also is examining a troublesome trend toward proposals created to give certain parties a financial advantage, then pushed to the ballot through petition drives. An amendment approved by voters in 2009 changed the constitution’s prohibition on casino gambling by permitting casinos in four locations, each controlled by the amendment’s backers. A proposed amendment headed toward the fall ballot would legalize marijuana, but limit cultivation to 10 sites controlled by its backers.

The commission has been slow, its work on redistricting reform supplanted by a legislative compromise that will be on the ballot in November. It recently sent to the legislature a proposed amendment to extend term limits, which have deeply damaged the legislative process.

State Rep. Ron Amstutz, a Wooster Republican who co-chairs the constitutional commission, takes the last-minute budget language as a warning to get busy. He also correctly grasps the value of the commission’s in-depth approach, its research important in framing the broader debate even if no formal recommendations are made. The commission remains the best place to take up the task of adapting the state constitution to new realities, while keeping the interests of all Ohioans in mind.

###

Editorial: Marijuana Lobby Should Not Write its Own Rules (Newark Advocate, June 20)

Here we go again — another special interest group wants to use the Ohio Constitution to grant a monopoly in a controversial industry and write its own rules for how to regulate that industry. It’s happened before; that’s why the casinos had to be built in four particular locations, and nowhere else. That was done amid promises of all kinds of profits for state and local governments, projections that have fallen well short of reality.

This time, it’s marijuana. ResponsibleOhio wants voters to decide whether medical marijuana, and marijuana in general, should be legalized in Ohio. But of course, it can’t stop there; its proposed amendment, likely to appear on your November ballot, creates an entire regulatory system, and also designates 10 specific locations around the state as the only places where marijuana can be grown, and appears to suggest that any marijuana sellers in Ohio must buy from those 10 locations. No out-of-state pot here, folks; that would hurt the bottom line of the investors who are putting this on the ballot.

Take a moment to let all that sink in. Not only will we be asked to legalize marijuana, but we’ll create a monopoly for the industry in the process. Is that really what our Ohio Constitution is supposed to be used for?

The answer is no. It’s bad enough when industries try to write their own rules and get their favorite legislators to enact them, but by taking it directly to voters, they’re able to avoid even that level of editing. Too many voters don’t bother to read the fine print, and even if they did, it’s not like they’re able to revise the amendment before casting a vote. In reality, most voters will simply consider whether marijuana should be legal or not and vote accordingly, without worrying about the details.

One official appears to be interested in doing something about it. Ohio Auditor Dave Yost is fronting a proposal to make it more difficult, though not impossible, for these issues to get to the ballot. Under Yost’s suggestion, if a potential ballot issue includes a special economic

interest — such as a built-in monopoly — that group should first ask voters for an exception to allow it to pursue such an interest. Only then could it put the actual amendment on the ballot. That's a step in the right direction, though it appears it won't happen before ResponsibleOhio's initiative hits. It's only a step, though. Why should we allow the Ohio Constitution to be used to financially benefit particular businesses or landowners at all? Maybe that's the amendment we really need.

For example, could voters not have been asked to approve casino gambling, with the actual locations to be licensed by a state board, rather than codified into the Constitution? If we want to consider marijuana approval, why can't the state be the final arbiter on where the marijuana can be grown and where businesses can buy their supplies, rather than putting it in the Constitution?

Increasingly, the Constitution is being used as a document to micromanage our more controversial industries, and that's wrong. And it's only being used that way by the industries themselves, not by anyone involved in our state's governance. And while voters are ultimately responsible if they approve it, that will be little consolation if there's a significant problem and the state is powerless to do anything about it because it would take another Constitutional amendment.

Yost's proposal deserves serious, and quick, consideration. And if ResponsibleOhio's effort does, in fact, make the ballot, we'll go ahead and recommend a no vote right now — not because of the merits or drawbacks of medical marijuana, but because of how the amendment is written. Some form of legalized marijuana is probably coming to Ohio at some point. How about we write our own rules for a change, and let the industries adapt to what we believe is the right way to handle it?

###

Voters Have Final Say on Constitution (Columbus Dispatch, June 21)

The people behind ResponsibleOhio, who want voters to hand them a lucrative marijuana monopoly, are disingenuous in protesting a competing constitutional proposal that could derail their plan.

ResponsibleOhio Executive Director Ian James complained that lawmakers want to shortchange voters by putting on the ballot a constitutional amendment that would limit amendments such as ResponsibleOhio's, that confer a private economic benefit on an individual or group. If approved by voters, the competing proposal could nullify a vote in favor of the marijuana scheme that James supports.

In a press release, James said: "For 18 years, state lawmakers have stalled on an issue that the majority of Ohioans now support. These politicians trusted the voters enough to elect them, but when faced with an issue they disagree with, lawmakers want to deny the voters the right to decide. No other state has done this; no other state has passed a constitutional amendment to limit voters' rights."

James is wrong on some points and intellectually dishonest on others.

First, "No other state has done this": Most states don't even allow voters to initiate constitutional amendments. Ohio is one of only 18 that have such a process. Moreover, according to BallotPedia, an online compilation of state voting laws, in several that have a process for such amendments, it is so onerous that it is rarely, if ever, used.

Most obviously, voters will decide, on two questions: whether they want to establish a legal pot cartel for a handful of rich people, and whether they want the state constitution to remain

vulnerable to abuse by anyone with deep enough pockets to mount a campaign for a self-serving amendment.

State Rep. Mike Curtin, D-Marble Cliff, and a co-sponsor of the constitution-protection measure, said “We are not limiting voters’ rights. We are going to the voters to ask them if they want to keep monopolies out of their constitution.”

Protecting the constitution is becoming a pressing need, as more groups with a business idea and money to pay lawyers and petition-signers turn to the ballot, and the constitution, to carve out a financial advantage for themselves.

Two casino companies did it with the 2009 amendment that legalized casino gambling in the state but limited it to four properties owned by the backers. Another group tried to get on the ballot with an issue that would have created a multi-billion-dollar state fund for clean-energy projects and left it up to a private, secret group to spend the money.

Curtin’s proposal, also sponsored by Republican Rep. Ryan Smith of Bidwell, wouldn’t even close the door completely on self-interested amendments; it would set a higher bar, by requiring first that voters agree to suspend the limitation, then that they agree — in a separate election — to the self-enriching amendment.

The constitution-protection amendment is not only about marijuana. Its most important effect would be to stop all such abuses of the process. Any future party that wants to mount a campaign to legalize marijuana use, without reserving the commercial rights to any private parties, still would be free to do so.

Only then would Ohio voters be presented with an honest choice.

###

[Let the Voters Decide](#) (Toledo Blade, June 22)

Ohioans likely will get the opportunity this fall to decide whether, and how, to legalize marijuana in the state. Voters are capable of making such choices for themselves. They don’t need state lawmakers to yank these preferences out of their hands.

So the General Assembly should — but evidently won’t — dump its last-minute plan to place a proposal on the statewide ballot in November that could weaken or even supersede the outcome of the marijuana initiative, and limit the scope of other proposed constitutional amendments. As with the legislature’s current assault on home rule, which seeks to deny communities such as Toledo the ability to set their own policies, lawmakers believe that they know better.

A group called ResponsibleOhio is promoting an amendment to the state constitution that would legalize and regulate marijuana use, both medical and recreational. The well-financed organization is on track to collect the petition signatures it needs from voters to get the plan on the fall ballot.

Among other provisions, the plan initially limits to 10 the number of wholesale marijuana growing sites across Ohio, including one in North Toledo. It also identifies — and writes into the constitution — the people who would operate these sites. All of them are big investors in the ResponsibleOhio campaign.

Critics of the plan argue that it would create a marijuana cartel in the state, eliminating competition and making the favored operators immensely rich. Senate Majority Leader Keith Faber (R., Celina) contends the plan would improperly insert “private property rights into the constitution” to achieve a commercial monopoly — an effort the legislative proposal supposedly would neutralize.

These are legitimate concerns, which should be left to voters to evaluate. If they don't want to give state licenses up front to the designated growers and change the constitution to do so, they can vote against the ResponsibleOhio proposal.

There's no reason, or need, for lawmakers to substitute their judgment of the proper scope of a constitutional amendment for that of voters. That's especially true when the legislative proposal seems certain to generate voter confusion.

Under the constitution, if both proposals appear on the fall ballot and are approved, the one that earns more votes will prevail. Ohio Secretary of State Jon Husted, the state's chief elections officer, said last week that a higher vote for the legislative proposal "would serve as an effective roadblock" to the ResponsibleOhio plan becoming law, even if it wins majority support from voters.

Such an outcome would likely invite litigation over whether the legislative plan's victory would mean the defeat of the entire ResponsibleOhio amendment or merely its language related to the 10 growers. That is no way to make sound public policy.

The General Assembly is expected to approve a resolution favoring the ballot proposal by the end of this month. If enough lawmakers in the state House and Senate support the plan, it would automatically go before voters without the approval of Gov. John Kasich. That too seems a less than democratic way of doing the people's business.

Ohioans elect state lawmakers to represent them, but they also have the right to reserve major decisions for themselves. Whether to make Ohio the fifth state to legalize marijuana fully, and if so how that should be done, are such decisions. The General Assembly shouldn't interfere excessively in these choices, as it seeks to do in this instance.

###

Don't Cloud the Legalization Issue (Findlay Courier, June 24)

Voters elect representatives to make the tough calls, like whether or not to legalize marijuana. But instead of being out front on the issue, Ohio lawmakers waited, and in doing so have allowed a private group of investors who have followed the rules and collected what appears to be enough signatures to get marijuana on the November ballot.

If it does and voters approve, marijuana will be able to be used recreationally and medically by adults in Ohio.

While the pot plan seems like a bad idea because it limits the number of people who can profit from its cultivation and sale, it's also a bad idea for lawmakers to try to change the rules at the eleventh hour.

The Legislature is considering its own ballot initiative that would prevent private groups, like the one behind the pot plan, from using the Constitution to set up a monopoly.

Not only is the proposal mistimed, it also sends a bad message to voters. If lawmakers felt so strongly about preventing abuse of the Constitution, they should have amended it before voters approved a 2009 issue that legalized casino gambling and limited gaming to two companies at four casinos.

By putting a separate constitutional issue before voters, the House and Senate would be clouding the legalization issue, and likely create confusion for voters.

Should both issues make the ballot and be approved by voters, the one that gets the most votes would prevail, according to Secretary of State Jon Husted.

Imagine the legal challenges to such a scenario. Certainly, that's no way to decide such an important matter.

The better way, of course, is to just let voters do the work.

Legalization of marijuana is a controversial issue that could have been better handled “in-house,” that is, by easing into it by passing a limited-use law for marijuana for specific medical uses.

That would have been a more logical first step.

But by failing to address it at all, the Legislature opened the door for marijuana. Now it is trying to make up for its missed opportunities.

Most statewide officeholders and many representatives have already weighed in on the ResponsibleOhio pot proposal, and the majority believe it is the wrong plan at the wrong time for Ohio. A good use of time would be for officials to explain why it’s so wrong.

Come November, though, it should be left to voters, not lawmakers, to decide if the time is right to legalize marijuana or if that should wait.

###

[Block Ohio Marijuana Monopoly -- State Constitution is Not a Stock Portfolio: Editorial](#)
(Cleveland Plain Dealer, June 30)

The National Organization for the Reform of Marijuana Laws notes that Ohio "has decriminalized marijuana to some degree," since possession of less than 3.5 ounces is a minor misdemeanor, punishable by a \$150 fine. There's no jail time, no criminal record. "[It's] treated," NORML says, "like a minor traffic violation."

This fall, one statewide ballot issue, proposed by voter petitions promoted by an organization named ResponsibleOhio, is expected to ask Ohioans to amend their state constitution to fully legalize marijuana – and give a group of investors a monopoly over commercial production of marijuana in Ohio.

A second issue, House Joint Resolution 4, co-sponsored by Reps. Ryan Smith, a Gallia County Republican, and Michael Curtin, a suburban Columbus Democrat, and backed by Republican State Auditor Dave Yost, will ask Ohioans to amend the constitution a different way.

Last Wednesday, the House voted 81-12 for HJR 4. It deserves passage by the Senate -- and approval by voters.

The Smith-Curtin proposal would forbid creation of commercial monopolies by voter-initiated amendments to Ohio's constitution -- whether for marijuana or anything else. HJR 4 is worded in such a way, its backers say, that if voters approved both HJR 4 and ResponsibleOhio's plan this November, HJR 4 would block ResponsibleOhio's marijuana gambit.

If HJR 4 is adopted, supporters of potential constitutional monopolies could still seek Ohioans' approval, but it would require two steps. First, monopolists would have to ask voters to suspend the constitutional provision created by HJR 4. If voters did, then, at a separate, later election, they'd vote the monopoly up or down. (As now, all other proposed constitutional amendments would require one statewide vote.)

ResponsibleOhio wants to legalize marijuana for personal and medical use by people who are at least 21. It also wants Ohio's constitution to limit the legal commercial production of marijuana to ten Ohio sites. Supporters of ResponsibleOhio's ballot issue, the group has said, include "members of investment groups created to oversee, manage and operate the ten ... facilities." Those investors in turn are financing the effort to get the marijuana plan onto the ballot and then passed by voters.

That is, the ResponsibleOhio ballot issue could do for a group of marijuana investors what Ohio's 2009 casino gambling ballot issue did for Dan Gilbert and Penn National Gaming Inc.: create a monopolistic bonanza.

There are pros and cons to full legalization of marijuana. That's a worthwhile discussion. But ResponsibleOhio's business plan, and that's what its ballot issue really is, raises a whole range of other issues.

Example: In workplaces, ResponsibleOhio's plan would let "a patient with a medical marijuana certification ... self-administer the medical marijuana subject to the same conditions applied to administration of prescribed medications." For Ohio employers, that could open a can of worms. The 2009 Gilbert-Penn National ballot issue passed partly because then-Gov. Ted Strickland and the General Assembly failed to offer voters an alternative casino plan. That is, General Assembly inaction helped spawn a monopoly. Now, in what might prove a parallel Statehouse default, legislators' failure to consider legalizing marijuana at least for medicinal purposes hands ResponsibleOhio an issue it doesn't deserve to have.

HJR 4 admittedly is an imperfect answer to this; the measure does not address medical marijuana at all, although that remains an issue upon which the General Assembly could act at any time.

Still, if HJR 4 gets to the ballot and is approved by voters, the measure "would make Ohio the 20th state in the nation to adopt a constitutional provision against monopoly," Curtin said. It also would head off further attempts to make the Ohio Constitution, the state's fundamental law, just another stock in lobbyists' portfolio.

###

Now the Voters Have a Choice (Columbus Dispatch, July 5)

While state lawmakers failed to act on some important bills before their summer break, they accomplished something significant in giving voters the chance to protect the Ohio Constitution from those who would use it to enrich themselves.

A joint resolution approved on Tuesday will put on the November ballot a proposed amendment to the constitution that would bar future amendments designed to create a "monopoly, oligopoly or cartel" — in other words, to give a special commercial benefit to certain persons or groups.

That sets up a showdown with another likely ballot issue: ResponsibleOhio's push to legalize marijuana and limit commercial sales to the wealthy investors backing the issue.

The House and Senate approved the resolution just hours after ResponsibleOhio supporters submitted nearly 700,000 petition signatures for the pot-cartel issue to the secretary of state's office. It is exactly the sort of self-enriching abuse of the state constitution the lawmakers' ballot issue is designed to prevent.

Assuming backers have the 305,591 valid signatures required for the issue to make the ballot, voters will get to choose. If they vote to protect the constitution from abuse, ResponsibleOhio won't get its marijuana monopoly, regardless of the vote on its ballot issue.

ResponsibleOhio Executive Director Ian James likes to claim that his group of investors is giving Ohioans a choice that lawmakers have denied them "for 18 years." That's based on the fact that former state Rep. Bob Hagan in 1997 introduced the first marijuana-legalization bill and the General Assembly didn't act on it, nor on other legalization bills that have been proposed since. James' claim relies on the false notion that Ohioans have been clamoring for marijuana legalization, but that clearly isn't the case, because voters would have filled the Ohio legislature with pro-legalization legislators by now.

The fact is, ResponsibleOhio's visibility and its success in racking up petition signatures is a function of its backers' deep pockets, and they are in it as a business proposition. The Ohio Constitution should not be the vehicle for anyone's business proposition.

James also likes to claim that the constitution-protection measure, by nullifying his cartel plan, takes a choice about marijuana away from voters. But ResponsibleOhio doesn't offer an honest choice; it adds the baggage of its outrageous cartel plan.

If Ohio voters approve the constitution-protection measure, Ohio's would not be the first state constitution to include a ban on monopolies or cartels. John J. Kulewicz, a Columbus lawyer experienced in state constitutional law and history, testified before the Senate Rules and Reference Committee on Monday that 19 other state constitutions already include such prohibitions.

Ohioans will have the choice that most matters on November's ballot.

Going forward, if a group of citizens wants to give voters the chance to choose legalization of marijuana — without authorizing a self-serving monopoly while they're at it — they still will be able to.

###

Editorial: Legislature Throws Roadblock in Way of Legal Pot Plans (Massillon Independent, July 7)

Set aside the question of whether marijuana should be legalized in Ohio for medical and recreational use and ask instead whether voters should be able to create business monopolies under the state's constitution.

It's not necessarily the former that could doom ResponsibleOhio's proposed ballot issue come November. It's that if voters approve legalization of marijuana, commercial production would be limited to 10 sites, including one in Alliance, creating what many believe will be a monopoly for those growers under ResponsibleOhio's proposal.

State lawmakers may have found an effective method to stop that from happening. A joint resolution by the General Assembly also would ask voters in November whether such monopolies that benefit select economic interest groups would be allowed under the Ohio Constitution. Neither issue has made it to the ballot yet.

But here's the catch, as the Northeast Ohio Media Group reported: If both ballot issues are approved by voters, it won't matter which one receives the most votes, as is typically the case with competing ballot issues. The anti-monopoly amendment would take effect immediately upon passage because it was submitted by the General Assembly. Constitutional amendments proposed by citizens, however, take 30 days to take effect.

ResponsibleOhio's Ian James told reporters recently this was an effort by lawmakers to trump the will of the people. It won't be if Ohio voters take the time to learn about what they are voting on.

For those who believe marijuana should remain illegal, the monopoly question is almost a moot point.

We urge all of those people who want to legalize marijuana in Ohio to understand the ramifications of permitting a monopoly under the state's constitution first.

###

Pot or Not? (Findlay Courier, July 9)

Voters will decide this fall if Ohio should join several other states which have legalized marijuana, or if we should wait until a better plan develops.

That's why efforts by Hancock County groups to get information out about statewide legalization and a separate, but related, question, which seeks to prevent monopolies from being created through the Constitution, are timely and necessary.

Groups including the Opiate Task Force, the Community Partnership, and the Alcohol, Drug Addiction and Mental Health Services board voiced opposition to the pot plan at a meeting this week. Officials said legalizing marijuana would do more harm than good.

But with polls showing the numbers who favor legalization growing, a ballot box battle seems inevitable.

The group behind the plan, Responsible Ohio, has turned in petitions with more than 600,000 signatures. It needs just half that number to get the issue on the Nov. 3 ballot. If approved, it would be legal for adults to use marijuana recreationally and medically in Ohio.

Lawmakers apparently failed to see the legalization train coming and are attempting to derail it. House Joint Resolution 4, which would also amend the Constitution, would prohibit groups from offering proposals that create monopolies through the Constitution. Twenty other states have approved similar amendments in recent years to prevent constitutional misuse.

Legalization opponents claim that is what Responsible Ohio is doing because it sets a specific limit on those who can grow and sell marijuana if its pot plan passes.

The competing issues will create an intriguing battlefield come Election Day. If both issues are approved, the House bill would prevail because it would take effect immediately.

The only way for the pot proposal to become law, after 30 days, is if it passes and House Joint Resolution 4 is defeated.

Hancock County's educational and awareness efforts are critical in shaping public opinion and should continue. However, the lack of a unified opposition on the state level could benefit the pro-pot side.

Early voting for most people starts in early October, so time is running short. The fact that fewer people tend to vote in off-year elections could mean that 25 percent or less of registered voters will decide if Ohio will open the door to marijuana. If so, Ohio would be the first state to allow both medical and recreational pot at the same time.

Every voter should weigh the pros and cons. Once pot is legal, it would be difficult to repeal. If ever there is an election to be informed, it will be the next one.

###

Amending Ohio Constitution Should Not be Restricted (Salem News, July 9)

Ohio legislators are right to be concerned about a proposal to legalize marijuana. As the proposed constitutional amendment is written, it would make legal drug lords out of a few investors.

But for all the talk from politicians about trusting the people to make good decisions, this appears to be a situation in which lawmakers worry Ohio voters will be conned.

As it probably will appear on the November election ballot, a proposal to legalize marijuana is deeply flawed. It specifies the precise 10 sites at which the plant can be cultivated for sale legally. Obviously, that grants those who own that land now a monopoly.

Worried legislators reacted in haste last week. They approved their own proposed constitutional amendment, which already has been sent to Secretary of State Jon Husted's office. If approved by voters, the General Assembly's amendment would ban other changes in the state constitution that would "grant a monopoly, oligopoly, or cartel, specify or determine a tax rate, or confer a commercial interest, right or license to any person or nonpublic entity."

That would seem to cover all potentials for problems, at least in the eyes of legislators who approved the plan.

But some lawmakers worry it may be too inclusive. State Sen. Lou Gentile, D-Steubenville, said he is concerned that if the measure is adopted, it could block Ohioans from seeking desirable constitutional amendments in the future.

State Rep. Jack Cera, D-Bellaire, agreed. "People should have the ability to seek constitutional amendments. If you restrict that, then I'm against it," he commented.

Both lawmakers have valid concerns. If several hundred thousand Buckeye State residents sign petitions seeking a constitutional amendment, it ought to be submitted to voters' judgment

At first glance, then, the General Assembly's proposed limits are a bad idea simply because they may be far broader than needed to deal with the problem at hand - that of a monopoly for marijuana producers.

Voters should reject the marijuana legalization initiative simply because it is no more than a get-rich-quick scheme for a few investors. At the same time, they should be cynical about lawmakers' plan to limit Ohioans' access to constitutional amendments.

###

Editorial: Buying the Constitution (Columbus Dispatch, July 16)

Big Money, Not Popular Demand, is What Drives the Marijuana Proposal

The haphazard signature-gathering effort by backers of a marijuana-legalization ballot issue suggests something other than a grass-roots clamor to bring legalized pot to Ohio.

And the cities and townships where backers of the issue propose to set up their government-sanctioned-monopoly pot farms don't seem exactly enthusiastic about that prospect.

All in all, the lurching campaign effort shows ResponsibleOhio's proposal for what it is: a bid to use the mechanics of state government — and, thereby, voters — to create an insider business opportunity for a handful of people. The campaign is driven not by popular demand, but by the big money of the investors who stand to profit.

If a genuine grass-roots group of Ohioans wanted to see marijuana legalized for medical or recreational use, nothing would stop them from circulating petitions in support of that effort. But despite ResponsibleOhio's complaint that lawmakers have been ignoring a burning desire for years, that supposed desire hasn't inspired very many people to volunteer to pass petitions.

To get the proposed amendment onto the November ballot, the group is paying people to circulate petitions. To be fair, few groups could muster the hundreds of thousands of valid signatures needed by using volunteers alone; many turn to paid circulators. And

ResponsibleOhio's paid circulators certainly aren't the first to turn in lots of flawed signatures.

But, a spot check at county boards of elections shows a remarkably shoddy effort by ResponsibleOhio's circulators: As of Friday, major counties were finding more than half of the signatures invalid for one reason or another. At this rate, when the counting is done, the group won't have the 305,591 valid signatures required to make the ballot, even though it collected more than double the number. (If that happens, Ohio law allows a 10-day "cure period" for petitioners to try to get the additional signatures needed.)

In Franklin County, as of Tuesday, only 40 percent of 113,000 signatures counted so far were valid. About 26,000 people weren't registered to vote at the address they listed on the petition; 23,000 weren't registered at all. About 7,800 were duplicates and 2,600 were deemed "not genuine."

Circulators with any commitment to the cause they're pushing, beyond a per-signature payment, tend to try a lot harder to get valid signatures.

The pushback from communities that stand to host the constitutionally protected pot farms is more evidence that ResponsibleOhio's heavy-handed approach is unwise. If the proposal was simply to make marijuana cultivation legal, prospective growers might emerge naturally and work with local officials and residents to win them over.

Instead, ResponsibleOhio's investors secured rights to properties in 10 locations around the state and wrote a constitutional amendment that would give them exclusive rights and hamper local government's ability to get in their way.

It's no wonder Ohioans — those who actually have kept up their voting registrations and are concerned about their communities — aren't the ones driving this self-serving scheme.

###

[Ohio Should Slam Door on Proposed Marijuana Cartel](#) (Youngstown Vindicator, July 21)

The November general election ballot will contain a constitutional amendment issue that has received relatively little publicity, but is deserving of strong voter support.

Indeed, the issue can be viewed as the antidote to the ill-conceived, ill-advised proposed constitutional amendment that would legalize the use of marijuana in the state.

Last month, the Republican-controlled General Assembly approved House Joint Resolution 4, a ballot issue aimed at prohibiting monopolies and business interests being written into the Ohio Constitution.

If the ballot issue, which was advocated by Ohio Auditor David Yost, is approved by the voters, it would short-circuit the legalization of marijuana in Ohio. We are stridently opposed to turning the state into pothead heaven.

A group calling itself ResponsibleOhio has collected 276,000 valid signatures of eligible Ohio voters, about 29,000 short of the number needed to put its constitutional amendment on the fall ballot. ResponsibleOhio has one week to collect the remainder.

The centerpiece of the endeavor is the creation of a "marijuana cartel" — in the words of Auditor Yost — of 10 investment groups that would have a monopoly on the large-scale production of the weed in the state.

Yost has made it clear that while he is not against the legalization of marijuana for medicinal purposes only, he is adamantly opposed to the state's constitution being used to financially benefit a handful of individuals — some from out of state.

"It's offensive to me that they're abusing the power of the law to benefit a few," he said of ResponsibleOhio's effort.

To stop this abuse of the constitution, Yost asked the GOP-controlled Legislature to enact HJR 4. Ohio voters should now follow the Legislature's lead and vote yes on the amendment this fall. Yost's proposal is exactly what we were hoping for when it became clear that ResponsibleOhio had done such a brilliant job of pulling the wool over the eyes of Ohio voters that it was able to collect so many petition signatures.

The legalization of marijuana for medicinal and recreational use must be stopped. It is bad public policy and is detrimental to the future of Ohio.

Hiring Problems

Business owners who require prospective hires to undergo drug testing and may occasionally conduct surprise testing of their employees will be hardpressed to challenge individuals who meet all the qualifications for the job, but yet are ineligible for employment because of drug use.

Proponents of marijuana legalization point to Colorado and the millions of dollars being generated by the sale of the drug on the open market.

However, a serious, in-depth analysis will show that the negatives far outweigh the positives – if getting high can be considered a positive.

There's another reason for our opposition to legalization, and our call on voters to approve the amendment: the proposed expungement of criminal records stemming from marijuana convictions.

As we argued in an editorial last month, the cleansing of court records should make all law-abiding citizens angry. After all, a country of laws cannot turn a blind eye to those who choose which ones to follow and which ones to break. In a democracy, you are free to violate the law, but if you are caught, you must pay the price.

If there are laws that are unfair or are unequally applied, it's up to the lawmakers to address such shortcomings.

ResponsibleOhio's pledge to submit to the Republican Legislature an expungement/reform statute makes clear that the proponents of the legalization of marijuana will go to any lengths to curry favor with Ohio voters.

It's important for Ohioans to take a stand against the legalization of marijuana because what ResponsibleOhio is actually proposing is a drug cartel made up of 10 investor groups.

We are taken aback that the sister of state Rep. Michele Lepore-Hagan, D-Youngstown, who succeeded her husband, Robert F. Hagan, in the Legislature, is one of the investors.

May we suggest that, at the very least, Nanette Lepore's membership in the drug cartel raises questions about her sister's objectivity as a state lawmaker.

Michele Lepore-Hagan represents a city with an unacceptably high crime rate related to drugs and a high addiction rate among the people she represents. While she says she is recusing herself from the debate, she should be leading the opposition to the legalization of marijuana.

###

[Editorial: Ohio Pot Proposal Headed to Ballot](#) (Massillon Independent, August 14)

Our View: Learn from Colorado

In 2012, Colorado voters legalized marijuana for recreational use. In the run-up to the election, proponents and critics made predictions about the financial perks and social consequences of legal pot.

No state had ever legalized recreational pot, so much of this soothsaying was based on "educated guesses," as one economist told The Wall Street Journal, which earlier this year reported on the actual impact of legalization in the state.

For example, the governor's office in 2014 estimated the first fiscal year would bring a \$100 million windfall in new tax revenue for the state. Colorado economists were more conservative, estimating about \$67 million, only to later adjust their forecast to about \$59 million. The actual tally? About \$53 million, according to CNN. That's indicative of the monstrous economic impact that comes from legalization, but it certainly isn't close to what most had hoped.

The same dynamic is true for teen drug use. In the first year pot was legal there, 2013, fewer teens reported using it than two years prior.

"Marijuana so far hasn't been the boon or bane that many expected, offering potential lessons to other states considering legalization," wrote Wall Street Journal reporter Dan Frosch.

That's sound advice to follow in Ohio, where voters will be asked to legalize pot for both medicinal and recreational use at the Nov. 3 general election. ResponsibleOhio turned in more than enough valid signatures to put the issue before voters. The group's proposal would allow

the sale of marijuana to anyone 21 and older. It would be grown at 10 privately owned sites, including one in Alliance.

A study paid for by the group says legalization would have an overall economic impact of \$6.9 billion in Ohio. Stark County would see an additional \$14.6 million annually in municipal and county tax collections alone. And about 575 direct, indirect and induced jobs would be created here as the result of the Alliance grow facility, the study says.

We caution Ohioans, though, when it comes to studies like these. They need look no further than the 2009 ballot issue to legalize casino gaming. The industry has undoubtedly made an economic impact here, but not nearly to the size and scope as promised. Gaming revenue hasn't come close to resuscitating cash-strapped local governments and school districts.

Most Ohioans won't base a decision on this thorny issue on economics alone, and some will see any benefit of taxed, regulated and legal marijuana as better than what's generated by the underground market now. But in the "high-stakes game of power politics," that awaits, as the Associated Press put it, we hope Ohioans see through the campaign rhetoric of both supporters and critics and realize that oftentimes these political issues are never ever as good or as bad as they seem.