

005/1 Berkshire D

OFFICIAL GENERAL ELECTION BALLOT  
DELAWARE COUNTY

November 7, 2023

**Instructions to Voter**

- **To vote:** completely darken the oval (●) to the left of your choice.
- Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed.
- If you mark the ballot for more choices than permitted, that contest or question will not be counted.
- **To vote for a write-in candidate:** completely darken the oval (●) to the left of the blank line and write in the candidate's name. Only votes cast for candidates who filed as write-in candidates can be counted.
- Do not write in a candidate's name if that person's name already is printed on the ballot for that same contest.
- **If you make a mistake or want to change your vote:** return your ballot to an election official and get a new ballot. You may ask for a new ballot up to two times.

**TOWNSHIP OF BERKSHIRE**

**For Township Trustee**  
(Vote for not more than 1)

- Austin Slattery
- Paul Disantis

**For Township Fiscal Officer**  
(Vote for not more than 1)

- Melody L. George

**BIG WALNUT LOCAL SCHOOL DISTRICT**

**For Member of Board of Education**  
(Vote for not more than 2)

- Brandon Hoge
- Todd W. Smith
- Zach Duffey
- Stephen P. Fujii

**QUESTIONS AND ISSUES**

**Issue 1**

**A Self-Executing Amendment  
Relating to Abortion and Other  
Reproductive Decisions  
Proposed Constitutional  
Amendment**

Proposed by Initiative Petition

To enact Section 22 of Article I of the  
Constitution of the State of Ohio

A majority yes vote is necessary for the amendment  
to pass.

The proposed amendment would:

- Establish in the Constitution of the State of Ohio an individual right to one's own reproductive medical treatment, including but not limited to abortion;
- Create legal protections for any person or entity that assists a person with receiving reproductive medical treatment, including but not limited to abortion;
- Prohibit the State from directly or indirectly burdening, penalizing, or prohibiting abortion before an unborn child is determined to be viable, unless the State demonstrates that it is using the least restrictive means;
- Grant a pregnant woman's treating physician the authority to determine, on a case-by-case basis, whether an unborn child is viable;
- Only allow the State to prohibit an abortion after an unborn child is determined by a pregnant woman's treating physician to be viable and only if the physician does not consider the abortion necessary to protect the pregnant woman's life or health; and
- Always allow an unborn child to be aborted at any stage of pregnancy, regardless of viability if, in the treating physician's determination, the abortion is necessary to protect the pregnant woman's life or health.

If passed, the amendment will become effective 30 days after the election.

**SHALL THE AMENDMENT BE APPROVED?**

- YES
- NO



**Issue 2**

**To Commercialize, Regulate, Legalize, and Tax the Adult Use of Cannabis**

**Proposed Law**

**Proposed by Initiative Petition**

**To enact Chapter 3780 of the Ohio**

**Revised Code**

A majority yes vote is necessary for the law to pass.

To enact Chapter 3780 of the Ohio Revised Code, which would:

- Define adult use cannabis to mean marijuana as defined in Section 3719.01 of the Revised Code and establish the Division of Cannabis Control (the "Division") within the Department of Commerce;
- Authorize the Division to regulate, investigate, and penalize adult use cannabis operators, adult use testing laboratories, and individuals required to be licensed;
- Legalize and regulate the cultivation, processing, sale, purchase, possession, home grow, and use of cannabis by adults at least twenty-one years of age;
- Create additional protections for individuals who engage in permitted adult use cannabis conduct;
- Establish the cannabis social equity and jobs program and require the Department of Development to certify program applicants based on social and economic disadvantage;
- Define "social disadvantage" to include membership in a racial or ethnic minority group, disability status, gender, or long-term residence in an area of high unemployment;
- Shield certain confidential information from disclosure to the public, including but not limited to any information reported to or collected by the Division that identifies or would tend to identify any adult use cannabis consumer and prohibit the Department of Development from releasing certain application information as public records;
- Require the Division to provide preferential treatment to applicants who have qualified for the cannabis social equity and jobs program based on social disadvantage when issuing level III adult use cannabis cultivator licenses and dispensary licenses;
- Prohibit certain local government entities from limiting specific research, levying a tax, or charge on adult use operations, their owner, or their property not generally charged on other business, and prohibit certain local government entities from prohibiting or limiting adult use cannabis home grow or prohibiting or restricting an activity authorized by the proposed law;
- Authorize a landlord or an employer to prohibit the adult use of cannabis in certain circumstances, and prohibit the operation of a motor vehicle while using or under the influence of adult use cannabis and from using any other combustible adult use cannabis while a passenger in a motor vehicle;
- Limit criminal liability for certain financial institutions that provide financial services to any lawful adult use cannabis operator or testing laboratory licensed under the

proposed law;

- Require the Division to enter into an agreement with the Department of Mental Health and Addiction Services to create a program for cannabis addiction services;
- Provide for the creation of five funds in the state treasury: the adult use tax fund; the cannabis social equity and jobs fund; the host community cannabis fund; the substance abuse and addiction fund; and the division of cannabis control and tax commissioner fund; and
- Provide for taxation of 10 percent on the sale of adult use cannabis by dispensaries in addition to usual sales taxes and require that all monies collected from the 10 percent tax levied to be deposited into the adult use tax fund and quarterly distributed as follows: 36 percent to the cannabis social equity and jobs fund; 36 percent to the host community cannabis facilities fund; 25 percent to the substance abuse and addiction fund; and three percent to the division of cannabis control and tax commission fund.

If passed, the law will become effective 30 days after the election.

**SHALL THE PROPOSED LAW BE ADOPTED?**

- YES
- NO

**Proposed Tax Levy (Replacement)**

**Community Library**

A majority affirmative vote is necessary for passage.

A replacement of a tax for the benefit of the Community Library for the purpose of current expenses that the county auditor estimates will collect \$1,251,000 annually, at a rate not exceeding 1 mill for each \$1 of taxable value, which amounts to \$35 for each \$100,000 of the county auditor's appraised value, for 5 years, commencing in 2024, first due in calendar year 2025.

- For the Tax Levy
- Against the Tax Levy

**Proposed Tax Levy (Renewal)**

**Delaware General Health District**

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Delaware County for the purpose of providing sufficient funds for the Delaware General Health District to continue services and programs including the control of communicable diseases, protecting the health of infants, children and adults, environmental safety, nursing services, and health education that the county auditor estimates will collect \$4,499,000 annually, at a rate not exceeding 0.7 mill for each \$1 of taxable value, which amounts to \$17 for each \$100,000 of the county auditor's appraised value, for 10 years, commencing in 2024, first due in calendar year 2025.

- For the Tax Levy
- Against the Tax Levy

