

If there is no levy for health purposes and not sufficient levy asked for for their general fund to take care of the apportionment, which would naturally be theirs by reason of the allowance of the estimate by the budget commission, there would be no method whereby the county auditor could retain the amount so apportioned to each township and municipality.

It is therefore my opinion that where a township or municipality fails to make a levy for health purposes and the levy asked for for the general fund is not sufficient to care for the apportionment of the estimate allowed the general health district by the budget commission then the county auditor should make a levy sufficient to care for such apportionment.

Respectfully,
C. C. CRABBE,
Attorney General.

2838.

VOTER—INFORMATION AN APPLICANT FOR REGISTRATION IS REQUIRED TO FURNISH REGISTRATION BOARD DISCUSSED.

SYLLABUS:

Under the provisions of section 4906 G. C., an applicant for registration when requested by the registration board is required to furnish the board with information as to the period of years and months of his residence in the state, county and the precinct in which he resides.

An applicant is also required to furnish the board with information whether or not he or she is twenty-one years of age or more; if of the age of twenty-one years or more, the word "yes" being used in the column provided therefor, and if not at the time twenty-one years of age, the word "no" to be used in the column provided therefor.

COLUMBUS, OHIO, October 6, 1925.

HON. THAD H. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—This will acknowledge your recent communication requesting my opinion as follows:

"We have had a request from the board of deputy state supervisors and inspectors of elections of Franklin county regarding the form of registration to be followed under section 4906 G. C.

"In the column as to 'term of residence' must the period of years and months of residence in the state, county and precinct be stated or will it be a compliance with said section if the elector states that he has lived in the state, county and precinct the length of time necessary to qualify him as an elector under sections 4861, 4862 and 4863, namely, one year or more in the state, thirty days or more in the county, and twenty days or more in the precinct?"

"This information is desired in order that instructions may be issued if possible which will save considerable annoyance both to registering boards and the electors."

Accompanying your letter is one from the board of deputy state supervisors and inspectors of elections for Franklin county, which is as follows:

"The board of deputy state supervisors and inspectors of election for Franklin county, Ohio, request an opinion from you on section 4906, General Code, Ohio election laws as follows:

"In the column as to 'term of residence' should the period of years and months of residence in the state, county and precinct be stated?

"This has been a source of considerable annoyance to this board as some registrars have written 'life' in this column and others have refused to register applicants who refused to state the number of years and months in the state, county and precinct.

"A form of our registration sheets are hereby attached and we will be pleased to have an early opinion."

Section 4906 G. C. is as follows:

"In entering his 'number,' such number shall be filled up consecutively, leaving no blank. In 'name' they shall include his Christian name or names in full, as well as his surname. In the column as to present place of residence, shall be stated the name of the street, avenue, alley or way in which his dwelling is located or access thereto is usually had, and the number of the house, if it has one. If it has no number, a definite description by which it can easily be found must in every case be given and entered. If there are more houses than the one under the number so given, or if there are other families, tenants or lodgers in that in which the applicant resides, he must specify in which house and on which floor and whether front or rear, of such house he resides, and the number and location of his tenement.

"In the column as to 'place of residence at last registration' shall be stated his then postoffice address, with street number, if any, and, if his residence was the same, the words 'same residence' shall be entered.

"In the column as to 'age' the word 'yes,' and, if the applicant is not at the time twenty-one years of age, or more, the word 'no.'

"In the column as to 'occupation,' his occupation and the name of his employer, if he has one, must be stated.

"In the column as to 'term of residence,' the periods of years and months of his residence in the precinct and state must both be stated.

"In the column as to 'nativity,' the name of the state or foreign country must be given.

"In the column as to 'naturalized,' the answer 'yes' or 'no' or 'native' must be given and stated. If naturalized, the proper certificate or evidence must be produced, unless such certificate has been filed with the board of deputy state supervisors, as herein provided.

"In the column as to 'married or single,' if the head of a family, it must be so stated.

"Nothing shall be entered in the column as to 'personal description' until the applicant has signed the register, and then lines shall be drawn unless the applicant has been challenged, or signs by mark, in either of which events, the color of his hair, the color of his eyes, apparent height, apparent weight and other means of identifying him, such as the loss of a member, whether smooth-shaven or otherwise, and description of birthmarks, or scars, if any, shall be stated.

"The column as to 'date of registration' must be filled with the date on which the applicant actually registered, and none other."

Accompanying your letter also is a blank registration sheet furnished by the Franklin county board.

In a conference with a representative of this board, it appears that some difficulty is experienced by the precinct officers in registration on the subject "age." The language of the section on this subject is as follows:

"In the column as to 'age' the word 'yes' and, if the applicant is not at the time twenty-one years of age, or more, the word 'no.'

It is possible that some precinct officers insist on asking for the "age" of the applicant for registration, when as a matter of fact, the only information required to be given is whether the applicant is over twenty-one years of age or under twenty-one years of age; if over, the word "yes" being used; if under twenty-one years of age, the word "no."

Your letter particularly inquires as to the information required in the column "term of residence." The language of the above mentioned section on that subject is:

"In the column as to 'term of residence,' the periods of years and terms of his residence in the precinct and state must both be stated."

The above language would seem to be clear in its requirements.

An examination of the form submitted by the Franklin county board discloses under the "term of residence" three columns:

1. "In state."
2. "In county."
3. "In precinct."

While the language of the above section only provides for the periods of years and months of the applicant's residence in the precinct and state, it is believed that under the information required to be given by an applicant voting under sections 4861, 4862 and 4863 G. C. that the period of residence "in county" should also be included as the same is done under the Franklin county form.

This information becomes important where any married citizen has resided in the state and in the county in which such ward or precinct of a city is situated the length of time required by law, and he bona fide removes with his or her family from a ward or a precinct of such city to another ward or precinct of the same city without having resided therein the length of time prescribed by section 4862 G. C., but under the provisions of section 4863 G. C. would nevertheless be entitled to vote.

Respectfully,

C. C. CRABBE,
Attorney General.