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PETITION—PROPOSED AMENDMENT TO REPEAL SECTION 12694 G. C.—SUMMARY SUBMITTED—PRACTICE OF MEDICINE AND SURGERY WITHOUT A CERTIFICATE—PETITIONS RETURNED WITHOUT CERTIFICATION.

Columbus, Ohio, December 20, 1946

Mr. Robert M. Draper
Columbus, Ohio

Dear Sir:

You have submitted for my examination a written petition signed by one hundred persons as qualified electors of this state, containing a proposed amendment in the nature of a repeal of Section 12694 of the General Code of Ohio, together with reasons assigned in support of such repeal, and have asked that I certify that your application contains a summary which is a fair and truthful statement of the proposed law.

The proposed summary that you have submitted contains numerous arguments which you have advanced in favor of the repeal of Section 12694 of the General Code. Under the provisions of Section 4785-175 of the General Code, the duty imposed upon the Attorney General is to examine the summary submitted and if, in his opinion, he finds the same to be a fair and truthful statement of the constitutional amendment to be referred to the people of this state, to so certify. This section does not contemplate the use of any argument in the summary either for or against the proposed law. Furthermore, the proposed summary does not appear to conform to the principles laid down by the Supreme Court in the case of *State, ex rel. Hubbell, v. Bettman*, 124 O. S., 24.

In view of the foregoing, I am of the opinion that the summary or synopsis submitted with the proposed amendment by the repeal of Section 12694, General Code, is not a fair and truthful statement or such argument as contemplated under the provisions of Section 4785-175, General Code, and for that reason I am returning herewith the petitions which you have submitted, without my certification.

Respectfully,

HUGH S. JENKINS
Attorney General