

1030.

GENERAL ASSEMBLY—PRINTING OF ENROLLED BILLS—HOW PAID—
BILLS FOR OTHER LEGISLATIVE PRINTING—HOW PAID.

Bills for typesetting and printing enrolled bills are payable from the respective funds appropriated for the expenses of the General Assembly (108 O. L., 871 and 873), but bills for other legislative printing are payable from the appropriation made to the department of public printing for state printing (108 O. L., 787-868).

COLUMBUS, OHIO, February 27, 1920.

HON. W. A. EYLAR, *Supervisor of Public Printing, Columbus, Ohio.*

DEAR SIR:—Acknowledgment is made of the receipt of your request for the opinion of this department, as follows:

“The latter part of Sec. 67, General Code, provides as follows:

‘Bills for type-setting and printing, but not for paper, shall be paid from the appropriation for the expenses of the General Assembly upon vouchers approved by the presiding officers of the two houses. * * *’

Does this mean that the General Assembly should make an appropriation from which all bills for legislative printing should be paid, or should the bills be paid from the appropriation made to this department for state printing?”

Section 67, partially quoted in your letter, is found under the sub-title “bills” in chapter I, entitled “General Assembly.”

In that part of this section quoted in your letter the reference to the fund is clear enough, but whether the bills referred to relate to such bills for all legislative printing or only to legislative printing in connection with enrolled bills, is not so clear. The preceding section under the same sub-title in part is as follows:

“After passage and before enrollment, five copies of each bill shall be printed on heavy linen ledger paper and from the same type five thousand copies shall be printed on number one white book paper. Of the five copies, one shall be used for enrolling purposes, * * *. Such printing shall be done under the supervision of the clerk of the house in which the bills originated.”

The first sentence of section 67 leaves a question if the bills referred to in that section, the payment of which from the expense appropriation is therein directed, does not relate entirely to printing of enrolled bills. If this section should be construed as applying only to bills for printing such enrolled bills only, then it would seem to follow that all of the rest of the bills for legislative printing, in the absence of particular sections to the contrary, would be included in state printing, the methods of and authority for the printing of which would be governed by sections 745, et seq., relating to the powers and duties of the supervisor of public printing. This is indicated in section 754, as amended in 106 O. L., 515 and 516, where the printing of the state is divided. The first class in that section is defined as follows:

“Bills for the two houses of the General Assembly, resolutions and other matters ordered by such houses or either of them to be printed in bill form.”

Without quoting this section in full, it is sufficient to observe that the classification contains provision for the journals, reports and communications of either branches

of the General Assembly and other divisions of legislative printing, but does not provide for or refer to in any manner the printing of enrolled bills.

The sections relating to the supervisor of public printing do not direct the payment for public printing from any particular fund, and with this omission of enrolled bills from the division of public printing, considered in connection with the direction that the bills referred to in section 67, the first part of which clearly refers to enrolled bills, shall be paid from a particular fund, induces a belief that that part of section 67 quoted in your letter refers only to bills for type-setting and printing enrolled bills.

An examination of the appropriations of the present General Assembly strengthens this belief. In the appropriation for the House of Representatives for 1920-1921, in F-9 the appropriation is:

“Printing enrolled bills.....\$3500.00”

This relates to bills of the House of Representatives and is found at page 871 of 108 O. L. On page 873 a like appropriation is made for the Senate in F-6, as follows:

“Enrolled bills.....\$3000.00”

In the same act, on page 868, appropriation is made for

“State Printing.....\$95000.00”

On page 787 a like appropriation is made for 1919-1920.

The appropriations for the expenses of the General Assembly on pages 32, 65, 478, 788, 870 and 919 of the Ohio Laws have been carefully examined and no general appropriations for the expenses of the General Assembly is made, but the appropriation is for the purposes designated in detail in each of the appropriations, and there is no appropriation therein for printing enrolled bills or any other kind of legislative printing.

The appropriations referred to on pages 871 and 873, that is, for printing enrolled bills, are not a part of the supervisor of public printing appropriation, but are made under the head of house of representatives and senate, and seem to correspond with the character of the fund referred to in section 67, being for the payment of the expenses of the General Assembly.

It is believed that the acts of the General Assembly in making these various appropriations constitute a legislative construction of section 67, the effect of which, in consideration with the matters herein pointed out, is that it is concluded that bills for type-setting and printing enrolled bills are payable from the respective funds appropriated for the expenses of the General Assembly (108 O. L., 871 and 873) but that bills for other legislative printing are payable from the appropriation made to the department of public printing for state printing (108 O. L., 787-868).

Respectfully,

JOHN G. PRICE,

Attorney-General.