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Columbus, Ohio, February 7, 1957

Hon. Frank M. Gorman
1400 Schofield Building, Cleveland, Ohio

Dear Mr. Gorman:

In accordance with the provisions of Section 3519.01, Revised Code, on January 29, 1957, you submitted for my examination an initiative petition proposing to amend the Constitution of Ohio by the amendment of Section 2, Article XI, Ohio Constitution, relative to the representation of the several counties in the General Assembly.

The text of such proposed amendment is as follows:

“BE IT RESOLVED BY THE PEOPLE OF
THE STATE OF OHIO:

“That section 2 of Article XI of the Constitution of the State of Ohio be amended to read as follows:

“ARTICLE XI—Sec. 2. Every county having a population equal to one-half of said ratio, shall be entitled to one representative; every county, containing said ratio, and three-fourths over, shall be entitled to two representatives; every county containing three times said ratio, shall be entitled to three representatives; and so on, requiring after the first two, an entire ratio for each additional representative.

“SCHEDULE—The provisions of the foregoing amendment to section 2 of Article XI of the Constitution of the State of Ohio, whereby the following sentence is eliminated; “Provided, however, that each county shall have one representative,” shall become effective January 1, 1959, upon certification by the Secretary of State that a majority of the electors at the general election November 4, 1958, have cast their ballots in favor of such amendment.”

Your proposed summary of this amendment is as follows:

“Under existing Section 2, Article XI, each county, regardless of population, is entitled to *at least one* representative in the General Assembly. The amendment would eliminate this minimum provision and require the combination, into a representative district with one or more other counties of any county having a population less than a figure equal to one-half of one per cent of the whole population of the state.”

Section 3519.01, Revised Code, provides that "if in the opinion of the attorney general the summary is a fair and truthful statement of the proposed * * * constitutional amendment, * * * he shall so certify." Under this statutory requirement my consideration, of course, is confined to the question of whether or not the summary is a fair and truthful statement of the changes in the Constitution as set out in the text of the proposed constitutional provision contained in the initiative petition, without regard to the policy or wisdom of such proposal.

Upon examination of the summary, it is my view that it is a fair and truthful summarization of the language used in the text. Accordingly, the following certification is hereby made to be used as provided by law:

Pursuant to the duties imposed upon me under the provisions of Section 3519.01, Revised Code, I hereby certify that the summary attached to the initiative petition, submitted to me on January 29, 1957, is a fair and truthful statement of the amendment to the constitutional provision proposed by such initiative petition.

Respectfully,

WILLIAM SAXBE

Attorney General