

notes for which it had been levied, and when the time comes that any note or notes for which there had been no purchasers would have become due if they had been outstanding, the tax that has been collected for the purpose of paying that particular note or notes may be applied to the payment of such obligations as would the moneys derived from the sale of the note or notes have been applied if the said note or notes had been sold, and in that event that particular note or notes might be cancelled.

Care must be observed, however, that sufficient of the funds derived from this tax levy are at all times available to cover interest and maturing liabilities, whether the notes have been sold and are outstanding, or whether they are still in the possession of the tax levying authorities.

As these notes most likely bear six per cent interest, and are secured by a tax levy which is outside of the fifteen mill limitation, it might be that the creditors of the various taxing subdivisions might be induced to accept the notes in payment of their claims rather than resort to getting judgment and waiting until provision may be made for the paying of the judgment.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

235.

#### INITIATED LAW—SYNOPSIS—AMENDMENTS.

##### SYLLABUS:

1. *Where a law is proposed by the initiative under the provisions of Section 1b, Article 2 of the Ohio Constitution and a synopsis of such proposed law is duly certified by the Attorney General under the provision of Section 5175-29e, General Code, and said proposed law is defeated by the general assembly of Ohio, and supplementary petitions circulated demanding the submission of said proposed law to the electors for their approval or rejection at the next regular or general election, said synopsis as certified by the Attorney General on the filing of the original petitions with the Secretary of State, is sufficient for the supplementary petitions as well.*

2. *In a case where amendments have been offered and agreed to in the House upon the consideration of an initiated bill and said bill with the amendments is defeated in the House, and where supplementary petitions are proposed to be circulated, the proposed law may be in the form as first petitioned for without regard to any amendment or amendments agreed to in the House.*

COLUMBUS, OHIO, March 25, 1927.

*The Ohio State Chiropractic Society, Inc., Willard, Ohio.*

GENTLEMEN:—This will acknowledge receipt of your letter of the 21st inst., requesting my opinion as follows:

"Kindly advise if synopsis furnished by Attorney General C. C. Crabbe, under date of April 29th, 1926, and which was used on initiative petitions, circulated by chiropractors, and filed with the Secretary of State in accordance with Section 1 B, Article 2 of the Constitution, is to be used on the supplementary petitions which we are preparing to circulate.

This bill was defeated by the House of Representatives on March 15th. We are now ready to proceed with the circulation of supplementary petitions.

In view of the fact that the synopsis given by the former Attorney General, was the first step necessary in carrying this law to the people of Ohio, I am of the opinion that the same synopsis will apply to the supplementary petitions. Will you kindly advise whether or not this is correct."

Supplementing your letter you have orally informed me that certain amendments were offered and agreed to in the House of Representatives, but that the Bill, with the amendments was defeated in the House. You now ask my opinion, also, whether in offering the Bill in your supplementary petitions, you may disregard the amendments offered and agreed to in the House, but which with the Bill were defeated. You state you desire to so submit the Bill in its original form if permissible.

Accompanying your letter is a copy of the bill proposed by initiative petition heretofore submitted to the general assembly together with the synopsis as certified by my predecessor in office, which is as follows:

"A BILL

To provide for a State Board of Chiropractic Examiners

SYNOPSIS.

The proposed law creates the Ohio Board of Chiropractic Examiners composed of three members appointed by the Governor; provided, however, that there shall be appointed persons who are qualified to practice Chiropractic in accordance with the law of this state as it existed prior to the passage of this act. Defines Chiropractic as the science of palpating and adjusting by hand the articulations of the spinal column and other incidental adjustments according to Chiropractic methods. Provides for examination by Board; for examination fees and for license to practice; Prescribes license fee and an annual renewal fee, licenses to be filed with county officers. Licenses may be revoked for violation of the provisions of this act or for want of good moral character, or if licensee addicted to use narcotic drugs or guilty of deception and fraud. Provides for an appeal to courts when license revoked, Treasurer of Board to pay to State Treasurer all sums belonging to Board after Board meetings, the State Treasurer to keep same in separate fund for expenses and per diem of members. Prescribes penalty of fine and imprisonment for violation and repeals all acts or parts of acts in conflict with its provisions.

COLUMBUS, OHIO, April 29th, 1926.

I, C. C. Crabbe, Attorney General of the State of Ohio, do hereby certify that the foregoing synopsis is a truthful statement regarding the contents and purposes of said proposed bill.

(Signed) C. C. CRABBE,  
Attorney General."

You state that the bill was defeated by the House of Representatives on March 15th. The pertinent part of Section 1b of Article 2 of the Ohio Constitution provides:

"\* \* \* If said proposed law shall be passed by the general assembly, either as petitioned for or in an amended form, it shall be subject to the referendum. If it shall not be passed, or if it shall be passed in an amended form, or if no action shall be taken thereon within four months from the time it is received by the general assembly, it shall be submitted by the secretary of state to the electors for their approval or rejection at the next regular or general election, if such submission shall be demanded by supplementary petition verified as herein provided and signed by not less than three per centum of the electors in addition to those signing the original petition,

which supplementary petition must be signed and filed with the secretary of state within ninety days after the proposed law shall have been rejected by the general assembly or after the expiration of such term of four months, if no action has been taken thereon, or after the law as passed by the general assembly shall have been filed by the governor on the office of the secretary of state. The proposed law shall be submitted in the form demanded by such supplementary petition, which form shall be either as first petitioned for or with any amendment or amendments which may have been incorporated therein by either branch or by both branches of the general assembly.

\* \* \*

The last paragraph of Section 5175-29e, General Code, pertinent to your inquiry, provides as follows:

"Whoever proposes to file an initiative or referendum petition may submit to the attorney general a fair and impartial synopsis of such proposed law or amendment and if such synopsis is a truthful statement of the contents and purpose of such proposed law or amendments he shall so certify. Such synopsis together with the attorney general's certification may be printed in capital letters immediately following the notice provided for in Section 2175-29f. The text of the proposed law or amendment shall be printed in full at the end of each part of the petition."

It will be noted the language of the above section is:

"Whoever proposes to file an initiative or referendum petition may submit to the attorney general a \* \* \* synopsis of such proposed law."

You state that the synopsis of the bill given by my predecessor was among the first steps taken in carrying this proposed law to the people. You state that supplementary petitions are now being prepared to circulate in accordance with the constitutional provisions above mentioned.

The synopsis as given of the bill by my predecessor was given on the particular bill as proposed and as filed with the secretary of state. This was apparently done in regular form at the filing of the original petitions. It is believed that the same synopsis is still applicable to the bill and will carry through on the supplementary petitions as well as the original petitions. It is one and the same bill still offered to be initiated by a vote of the people.

Specifically answering the first part of your question, it is my opinion that the synopsis as certified by my predecessor in office is sufficient for the purposes stated.

With reference to your second inquiry as to whether your supplementary petitions may contain the original bill only without the amendments agreed to in the House will say: the pertinent part of Section 1b of Article 2 of the Ohio Constitution is:

"The proposed law shall be submitted in the form demanded by such supplementary petition, which form shall be either as first petitioned for, or with amendment or amendments which have been incorporated therein by either branch or by both branches of the general assembly."

It is also my opinion that in accordance with the above constitutional provision you are authorized to submit the proposed law in your supplementary petition as first petitioned for without regard to the amendments offered and agreed to in the House.

Respectfully,

EDWARD C. TURNER,

*Attorney General.*