

"I have under consideration the form of initiative petition proposing certain constitutional amendments. I notice that Section 4785-176 of the General Code provides that the title of a proposed measure should be set in capital letters on one line. In giving consideration to this particular initiative proposal, it seems that it would be practically impossible to set forth in one line a title that would indicate the nature or substance of the proposed measure. Would it be permissible and within the intent of the law to use the author's name in connection with such proposal, for instance, the 'Hubbell Amendment?'"

I am advised that the initiative petition which has occasioned your inquiry proposes to amend sixteen sections of the Constitution of Ohio, and as a result of the number of subjects involved a title such as would indicate the nature or substance of the proposed measure will require about eleven lines.

Section 4785-176, General Code, sets forth the form of such petition and, in so far as is pertinent, provides:

" * * * At the top of each part of such petition shall be the following:

REFERENDUM (OR INITIATIVE) PETITION
INITIATING (OR REFERRING) CONSTITUTIONAL
AMENDMENT (OR LAW)
TITLE -----"
In capital letters of one line

It seems evident that the Legislature contemplated in providing that the measure must have a title that the measure must have at the top an inscription to distinguish, explain or describe it. The "Hubbell Amendment" is not, in my view, a title such as is contemplated in this section. The title should contain some designation of the measure which is germane to the subject matter. Obviously the title should be brief, since the section requires that it shall be printed in one line. In the event, however, the measure is of such a nature that it may not physically be given a title germane to the subject matter which may be printed in one line upon a petition of the size customarily used, I have little difficulty in concluding that the provision as to such title being in one line would be construed as directory.

Specifically answering your question, therefore, it is my opinion that if the title of a proposed measure to be printed at the top of an initiative or referendum petition may not physically be printed upon one line, as provided in Section 4785-186, more than one line may be used therefor.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2181.

APPROVAL, BONDS OF VILLAGE OF NORTH CANTON, STARK COUNTY,
OHIO—\$64,222.35.

COLUMBUS, OHIO, August 1, 1930.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.