

5828.

APPROVAL—PETITION CONTAINING A PROPOSED CONSTITUTIONAL AMENDMENT AND A SUMMARY OF THE SAME.

COLUMBUS, OHIO, July 9, 1936.

MR. CHARLES H. HUBBELL, *704 Hippodrome Bldg., Cleveland, Ohio.*

DEAR SIR: You have submitted for my examination a written petition signed by one hundred qualified electors of this state containing a proposed constitutional amendment and a summary of the same under the provisions of Section 4785-175, General Code. It is proposed to amend article XVI of the Constitution by adopting and adding thereto a new section to be known as Section 4.

SUMMARY

The proposed amendment to the Constitution provides that at each primary and November election there shall be submitted to the electors amendments to the Constitution and/or laws proposed and filed with the Secretary of State by any person who, prior to June 15, 1936, was a candidate in primary elections in this state for nomination to the office of governor, to the office of judge of the supreme court and to the office of state auditor; provides that such proposed amendments or laws may contain provisions regarding related or unrelated subject matters; provides that such proposed amendments or laws may be published in newspapers; provides that such proposed amendments and laws shall be submitted by ballot title prepared by the secretary of state; provides that every such amendment or law shall be regarded as one separate, distinct and indivisible entity, and shall be so submitted as to enable each elector to cast either one affirmative or one negative vote thereon; provides that such amendments or laws shall go into effect if a majority of the electors shall approve thereof; provides that, in case of conflict between two or more approved amendments or between two or more approved laws, a degree of precedence and control shall be taken by any amendment or law receiving a greater number of approving or affirmative votes over any amendment or law, respectively, receiving a lesser number of such votes; provides that the fulfillment of requirements set forth in the statutes or elsewhere in the constitution shall not be a condition precedent to such proposed amendments or laws being placed on the ballot and submitted to the electors; provides that costs and expenses incident to elections for the submission of such proposed amendments or laws or the publishing thereof shall be paid by the state from the general revenue

fund; and provides that the provisions of this amendment are mandatory and shall be self-executing.

I am of the opinion that said summary is a fair and truthful statement of the proposed constitutional amendment and accordingly submit for uses provided by law the following certification:

“Pursuant to the duties imposed upon me by the provisions of Section 4785-175, General Code, I hereby certify that the attached summary is a fair and truthful statement of the proposed amendment to the Constitution of Ohio by amending Article XVI thereof by adopting and adding thereto a new section to be known as Section 4. JOHN W. BRICKER, *Attorney General.*”

Respectfully,

JOHN W. BRICKER,
Attorney General.

5829.

APPROVAL—PETITION CONTAINING PROPOSED CONSTITUTIONAL AMENDMENT AND SUMMARY OF THE SAME.

COLUMBUS, OHIO, July 9, 1936.

HON. MARTIN L. DAVEY, *Governor of Ohio, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination a written petition signed by one hundred qualified electors of this state containing a proposed constitutional amendment and a summary of the same under the provisions of Section 4785-175, General Code. It is proposed to amend the Constitution by the adoption of a new section to be known as Section 12 of Article XII, to read as follows:

“On and after November 11, 1936, no excise tax shall be levied or collected upon the sale or purchase of food for human consumption off the premises where sold.”

The summary of this amendment reads as follows:

“The constitutional amendment proposed by this petition prohibits, on and after November 11, 1936, the levy or collection of any excise tax on the sale or purchase of food for human consumption off the premises where sold.”