

service performed by an individual in the employ of the United States, the several States, the District of Columbia, or the Territory of Alaska or Hawaii, or any political subdivision or instrumentality thereof, including every unit or agency of government without distinction between those exercising functions of a governmental nature and those exercising functions of a proprietary nature.”

Even if the operation of the Ohio State Lantern by the University were to be said to constitute the exercise of a proprietary rather than a governmental function, a position which I do not believe tenable, services performed for such newspaper would under the foregoing regulations be expressly exempt.

In view of the foregoing, it is my opinion that The Ohio State University is not amenable to the excise tax imposed upon employers of eight or more individuals under Title IX of the Social Security Act of Congress of August 14, 1935.

Respectfully,

JOHN W. BRICKER.

Attorney General.

6471.

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

COLUMBUS, OHIO, December 3, 1936.

KINGSLEY A. TAFT, ESQ., *Attorney at Law, Terminal Tower, 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 Section 4785-175, General Code. It is proposed to adopt Section 2a of Article V to read as follows:

“The names of all candidates for an office shall be arranged in a group under the title of that office, and shall be so alternated that each name shall appear (insofar as may be reasonably possible) substantially an equal number of times at the beginning, at the end, and in each intermediate place, if any, of the group in which such name belongs. Except at a party primary or in a non-

partisan election, the name or designation of each candidate's party, of any, shall be printed under or after each candidate's name in lighter and smaller type face than that in which the candidate's name is printed. An elector may vote for candidates (other than candidates for electors of President and Vice-President of the United States) only and in no other way than by indicating his vote for each candidate separately from the indication of his vote for any other candidate."

The summary of this amendment reads as follows:

"An amendment adopting a new section to be known as Section 2a of Article V of the Constitution of Ohio providing:

1. That an elector may vote for candidates only by separately indicating his vote for each candidate.
2. That names of candidates shall be arranged in a group under the title of the office; with an indication as to each candidate of the name or designation of his party (except in the case of non-partisan elections).
3. That the names of candidates for each office shall be arranged in rotation."

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

"I, John W. Bricker, Attorney General of the State of Ohio, pursuant to the duties imposed upon me under the provisions of Section 4785-175, General Code, hereby certify that the foregoing summary is a fair and truthful statement of the proposed amendment to the Constitution by amending Article V thereof, by adopting and adding thereto a new section to be known as Section 2a. JOHN W. BRICKER, Attorney General."

Respectfully,

JOHN W. BRICKER.
Attorney General.