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INITIATIVE PETITION—PROPOSAL TO AMEND ARTICLE XII, CONSTITUTION, BY ADOPTING AND ADDING NEW SECTION 13—TO PROVIDE GRADUATED LICENSE TAX UPON ALL CHAIN STORES, COMBINATIONS AND ENTERPRISES, OPERATING, MAINTAINED OR DOING BUSINESS IN STATE OF OHIO—SUCH TAX TO BE DISTRIBUTED TO GENERAL REAL ESTATE FUND, GENERAL PUBLIC SCHOOL FUND, GENERAL OLD AGE PENSION FUND.

COLUMBUS, OHIO, March 26, 1938.

MR. GEORGE KUHIDA, 1161 *Andrus Street, Akron, 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 amend Article XII of the Constitution by adopting and adding thereto a new section to be known as Section 13, to read as follows:

“A graduated license tax is hereby created and imposed on all Chain Stores, Chain Combinations or Chain Enterprises, maintained, operating or doing business in the State of Ohio and under the same general management, supervision or ownership upon the following sliding schedule, to-wit:

Schedule 1: Two (2) to Ten (10) Stores or Enterprises \$50.00 Per Each. Ten (10) to Twenty-five (25) Stores or Enterprises \$100.00 Per Each. Twenty-five (25) to Fifty (50) Stores or Enterprises \$150.00 Per Each. Fifty (50) and all over Fifty (50) Stores or Enterprises \$175.00 Each.

Schedule 2: Said graduated license tax shall be paid by each and all Chain Stores, Chain Combinations or Chain Enterprises, semi-annually in January and June of each and every year succeeding the time when this amendment shall be approved and become effective.

Schedule 3: The funds created and provided by the assessment of the foregoing Graduated License Tax shall be distributed in the following manner and according to the following table of schedules:

50% (Fifty percent) to the General Real Estate Tax Fund.

25% (Twenty-five percent) to the General Public School Fund.

25% (Twenty-five percent) to the General Old Age Pension Fund.

Schedule 4: If the votes cast for the foregoing proposed Amendment shall exceed in numbers those cast against it, said Amendment shall become effective Ten (10) days after the election when said Amendment is voted upon."

A summary of this amendment reads as follows:

"Said proposed amendment provides a graduated license tax upon all chain stores, chain combinations, and chain enterprises, operating or maintained, or doing business in the State of Ohio, and said chain stores, chain combinations, chain enterprises being under the same general management, supervision or ownership, such license tax to be distributed to the General Real Estate Fund; General Public School Fund; General Old Age Pension Fund."

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:

"Without passing upon the advisability of the adoption of the proposed constitutional amendment, but pursuant to the duties imposed upon me under the provisions of Section 4785-175, General Code, I hereby certify that the foregoing summary is a fair and truthful statement of the proposed amendment. HERBERT S. DUFFY, Attorney General."

Respectfully,

HERBERT S. DUFFY,
Attorney General.