

therefore be made to the main section itself, that is, section 5649-5a, which reads in part as follows:

“Such proposition shall be submitted to the electors of such taxing district *at the November election* that occurs more than twenty days after the adoption of such resolution.”

This section is the permanent law upon this subject and provides that it shall be submitted at the November election, and the inference is that this question could not be submitted at any special election, because of the mentioning of the November election, unless, however, as regards some particular year, certain legislative enactments might cover that year, as appears in the closing paragraph of section 3 of House Bill 615, which authorized this question to be submitted in the year 1920 at an election held in August of that year, if the board of education cared so to do. Inasmuch as there is no prohibition in such paragraph 3 against holding this election under section 5649-5a at the November election, the language appearing in section 5649-5a itself would govern, and the question of an additional levy for school purposes, provided for in section 5649-5 and 5649-5a, General Code, may be submitted at the November election in 1920, even though such proposition was submitted at the August election in 1920 and failed.

Your second question is, if the question carries at the November election, is such district entitled to participate in the \$500,000 reserve fund for the school year 1920-1921?

The manner of disbursement of the reserve fund in the state common school fund by the superintendent of public instruction, is covered in section 7595 and section 7596 of the General Code, and attention is invited to the closing sentence of the latter section, which reads in part as follows:

“\* \* \* or if the electors of the district do not approve the additional levy so submitted, *the district shall not participate in such reserve.*”

It must therefore be held that the converse of this sentence is true, that if the additional levy so submitted is approved, then the district may participate in such reserve, and this would apply to the school year 1920-21, where such approval was had at the general election in November, 1920.

Respectfully,  
JOHN G. PRICE,  
*Attorney-General.*

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1519.

APPROVAL, BONDS OF DELAWARE COUNTY, OHIO, IN AMOUNT OF  
\$8,700 FOR ROAD IMPROVEMENTS.

*Industrial Commission of Ohio, Columbus, Ohio.*

COLUMBUS, OHIO, August 25, 1920.