

2989.

APPROVAL—BONDS OF CITY OF AKRON, SUMMIT COUNTY,
OHIO, \$2,000.00.

COLUMBUS, OHIO, September 17, 1938.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN :

RE: Bonds of City of Akron, Summit County,
Ohio, \$2,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated April 1, 1925. The transcript relative to this issue was approved by this office in an opinion rendered to the Auditor of State under date of January 27, 1932, being Opinion No. 3998.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

2990.

INITIATIVE PETITION—PROPOSED AMENDMENT—TO REPEAL ARTICLE VIII, SECTION I, OHIO CONSTITUTION—ADOPT NEW SECTION—SOCIAL INSURANCE—RELIEF, PUBLIC WORKS, OLD AGE PENSIONS—WELFARE WARRANTS—\$30.00 PER WEEK TO QUALIFIED AND REGISTERED ELECTOR—FIFTY YEARS OF AGE OR OVER.

COLUMBUS, OHIO, September 19, 1938.

MR. WALTER G. O'DONNELL, 4312 *Rocky River Drive, Cleveland, Ohio.*

GENTLEMEN : 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 repeal Section 1 of Article VIII of the Ohio Constitution and to adopt a new section in lieu thereof, to read as follows :

“The General Assembly is hereby empowered and directed to provide by law for a permanent system of Social Insurance based upon the recurrent issue of Welfare Warrants, consisting of negotiable, non-interest-bearing, self-liquidating notes, in one-dollar denominations, acceptable in the payment of all debts owing to the State or any political subdivision thereof, and redeemable for full value in legal tender one year from the date of issuance, providing fifty-two warrant redemption stamps, in denominations of two cents each, have been affixed thereto in the course of circulation; these Welfare Warrants shall be issued in quantities sufficient to fulfill the following requirements of public finance and social insurance:

1. The payment of at least Thirty Dollars (\$30.00) a week to every citizen who is a qualified and registered elector of the State of Ohio, who has attained the age of fifty (50) years or over, who has resided in the State of Ohio for five (5) years prior, or five (5) subsequent to the enactment of this amendment, and has no other source of income whatsoever, provided such person has not been convicted of vagrancy subsequent to the adoption of this amendment; provided, however, that no single family or household shall receive benefits under this amendment in excess of Thirty Dollars (\$30.00) per week.

2. The payment of relief to adult or otherwise eligible unemployed persons having no other source of income, at the rate of at least Ten Dollars (\$10.00) per week, with at least an additional Five Dollars (\$5.00) per week for every other person legally dependent upon such unemployed person, provided that no person, or single family, shall receive more than Thirty Dollars (\$30.00) per week under this provision for temporary relief.

3. The payment, to the extent of fifty percent (50%), at the option of the General Assembly, or the legislative authority of any political subdivision of the State, of all wages, salaries, or other compensation payable to any official or employee of the State or any political subdivision thereof, including contractors and material-men engaged in furnishing materials or service in public works.

4. The payment of debts of the State, not exceeding Seven Hundred and Fifty Thousand Dollars (\$750,000.00) per annum, incurred by reason of casual deficits, failure of expected revenue, or emergency expenditures.

The General Assembly shall provide by law for the statutory amplification and administrative agencies necessary and

appropriate to carry into effect the purpose of this amendment within one year from the date of its adoption, and, in the event that the General Assembly fails to act, an Administrator of Welfare shall be appointed by the Governor, with the concurrence of the Attorney-General and the Secretary of State, to carry into effect the provisions of this act.

The Administrator so appointed shall hold office for two years, or until such time as another is appointed for the same period, in the same manner, under authority of statutes subsequently enacted, and the Administrator of Welfare is hereby charged with full power and authority to carry out, supervise, and administer the provisions of this amendment and laws passed in pursuance thereof,, providing, specifically, for the establishment of distributive agencies in banks, places of business occupied by postal stations, or other places designated by law, for the dispensation and redemption of Welfare Warrants engraved, printed, and issued serially as 'WELFARE WARRANTS OF THE STATE OF OHIO' to persons who qualify for the receipt of these benefits under the provisions of this amendment, such Warrants to be issued once a week, on Thursday, upon proper application and sworn affidavits of beneficiaries, who, having been qualified under this procedure, shall receive, once each year, a letter of credit, together with a record of payment and identification, assigned to and made payable in a certain amount of Welfare Warrants at whatever bank, agency, or branch office is most convenient to the residence of such person.

The General Assembly shall, from time to time, make adequate provision for the adjustment of the number of Welfare Warrants paid for pensions, relief, or public works, to conform to any considerable change in general price levels, to the end that the standard of a decent living, general welfare, and adequate social insurance intended in this amendment shall be maintained."

The summary of this amendment reads as follows:

"This Amendment to the Constitution of the State of Ohio repeals Section 1 of Article VIII with its limitation upon the power of the State to contract debts.

This Amendment enables and directs, the General Assembly to establish a permanent system of relief, public works and old-age pensions to be financed by the recurrent issue of Wel-

fare Warrants sufficient in amount to meet certain specified needs of public finance and social insurance.

This Amendment provides that these Welfare Warrants shall be negotiable, non-interest-bearing, and self-liquidating notes issued in one-dollar denominations, to be accepted in payment of all debts to the State of Ohio or any of its political subdivisions, and redeemable for full value in legal tender after one year from the date of issue, providing fifty-two warrant redemption stamps, at two cents each, have been properly affixed thereto in the course of circulation.

This Amendment provides that these Welfare Warrants shall be issued by the State in quantities sufficient to fulfill the following requirements: namely, the payment of at least Thirty Dollars (\$30.00) a week to every citizen who is a registered and qualified elector of the State of Ohio, and who is fifty years of age or more and has no other source of income, providing such person meets certain residence requirements and has not been convicted of vagrancy; the payment of relief to unemployed adult person having no other source of income, at the rate of at least Ten Dollars (\$10.00) a week, with an additional allowance for dependents, with a limitation of Thirty Dollars (\$30.00) a week in benefits from this act for any single family or household; the payment, at the option of the legislature, of fifty per cent of the wages, salaries, or compensation of persons employed by the State or its political subdivisions, or furnishing service or material for public works; the payment of certain debts of the State, not in excess of \$750,000.

This Amendment provides that the General Assembly shall enact supplementary statutes and establish proper administrative machinery for carrying out the purposes of this Amendment, provided, moreover, that the Governor, with the consent of the Attorney-General and Secretary of State, shall appoint an Administrator of Welfare to carry into effect the provisions of this Amendment in the event of a failure of the General Assembly to act in accordance with its purpose and intent.

This Amendment provides that the Administrator so appointed shall hold office for two years or until his successor is appointed in a similar manner under statutes later enacted, the Welfare Administrator being charged with authority and responsibility for the administration of the provisions of this amendment and laws passed in accordance with these provisions, including the specific power to establish agencies for

dispensing and redeeming Welfare Warrants of the State of Ohio which are to be engraved, printed, and issued in serial numbers, every Thursday to persons who qualify under the provisions of this amendment and present to the nearest distributive agency a letter of credit and record of payment and identification based on sworn affidavits entitling them to receive benefits under this act.

This amendment also provides that the General Assembly shall, from time to time, adjust the payment of Welfare Warrants to changing price levels in such a manner as to assure the maintenance of the decent standard of living, the general welfare, and the social security sought in this amendment to the Constitution of the State of Ohio."

I am of the opinion that the foregoing summary 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 and without passing upon the constitutionality of same, 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 constitutional amendment. HERBERT S. DUFFY, Attorney General."

Respectfully,

HERBERT S. DUFFY,
Attorney General.

2991.

STATE DEPARTMENT OF HEALTH—NO AUTHORITY TO COMPEL ATTENDANCE OF LOCAL OFFICERS TO GENERAL CONFERENCE—EXPENSES CANNOT BE PAID BY LOCAL SUBDIVISIONS—IF CONFERENCE ON WATER PURIFICATION OR SEWAGE DISPOSAL, SUBDIVISIONS MAY PROVIDE EXPENSES AND INSTRUCT OFFICERS TO ATTEND.

SYLLABUS:

Neither Sections 1240-2 nor 1252-1, General Code, confer upon the State Department of Health authority to compel attendance of local of-