

3042

Columbus, Ohio, November 10, 1958

Mr. Elmer W. Coy, Mr. Richard H. Conn, Mr. John J. Neenan, Jr.
Toledo, Ohio

Gentlemen:

In accordance with the provisions of Section 3519.01, Revised Code, your committee, designated as provided in Section 3519.02, Revised Code, has submitted for my examination, an initiated petition proposing to amend the Constitution of Ohio by the amendment of Section 6, Article XV thereof, relative to lotteries and the sell of lottery tickets.

The text of such proposed amendment is as follows:

“An amendment of the Constitution of the State of Ohio by amending Article XV, Section 6. Thereby to limit the prohibition of lotteries to those conducted for a personal profit.

‘Proposing to amend Article XV, Section 6 of the Constitution of the State of Ohio so that it reads in its entirety as follows:

‘ARTICLE XV’

“Section 6. Lotteries, and the sale of lottery tickets, for personal profit, shall forever be prohibited in this State.

‘SCHEDULE’

“This amendment shall take effect at the earliest time permitted by law.”

Your proposed summary of this amendment is as follows :

“A proposed amendent to the Constitution of the State of Ohio to limit the present prohibition of lotteries, and the sale of lottery tickets, for any purpose whatsoever to a prohibition of lotteries, and the sale of lottery tickets, for personal profit.”

Section 3519.01, Revised Code, provides that “if in the opinion of the Attorney General the summary is a fair and truthful statement of the proposed * * * constitutional amendment, * * * he shall so certify.” Under this statutory requirement my consideration, of course, is confined to the question of whether or not the summary is a fair and truthful statement of the changes in the Constituion as set out in the text of the proposed constitutional provision contained in the initiative petition, wihtout regard to the policy or wisdom of such proposal.

Upon examination of the summary, it is my view that it is a fair and truthful summarization of the language used in the text. Accordingly, the following certification is hereby made to be used as provided by law :

In compliance with the provisions of Section 3519.01, Revised Code, I hereby certify that the summary attached to the initiative petition to amend Section 6, Article XV, Ohio Constitution, submitted to me by your committee, is a fair and truthful statement of the constitutional amendment proposed by such initiative petition.

Respectfully,

WILLIAM SAXBE
Attorney General