

3080.

PETITION, TO AMEND CONSTITUTION OF OHIO, ARTICLE XII, BY ADDING SECTION 13, IN RE: EXCISE TAX ON MOTOR DRIVEN VEHICLE AND MOTOR FUEL — SEE OPINION 3113, DECEMBER 13, 1940.

Columbus, Ohio, December 4, 1940.

Mr. Hugh M. Foster,  
35 Arcadia Avenue,  
Columbus, Ohio.

Dear Sir:

You have submitted for my examination by written petition bearing over one hundred names, a constitutional amendment to be proposed by initiative petition, together with a summary of the same, under authority of section 4635-175 of the General Code.

Upon examination of the text of said proposed constitutional amendment and the summary thereof, I am of the opinion that said summary is not a fair and truthful statement of the proposed constitutional amendment in that it does not meet the requirements contained in section 4785-175 of the General Code, as interpreted by the Supreme Court of Ohio in the case of State, ex rel. Hubbell v. Bettman, Attorney General, and for such reason I am unable to make the certification requested by you.

Respectfully,

THOMAS J. HERBERT,  
Attorney General.