

From these definitions, it is very clear that the Ohio Relief Production Units, Inc. is amenable to the provisions of the Industrial Commission law and to the orders made by the Industrial Commission pursuant to said law, and, it is, therefore, my opinion that the factories operated by the Ohio Relief Production Units, Inc. are subject to the provisions of the Industrial Commission of Ohio as set forth in the Industrial Commission Law, Sections 871-1 to 871-45, General Code.

Respectfully,
JOHN W. BRICKER,
Attorney General.

3633.

APPROVAL—PETITION TO PROVIDE TEMPORARY RELIEF FOR THE
PUBLIC SCHOOL SYSTEM OF OHIO.

COLUMBUS, OHIO, December 17, 1934.

MR. CHARLES H. HUBBELL, *Attorney at Law, Cleveland, Ohio.*

DEAR SIR:—You have submitted for my examination a written petition signed by one hundred qualified electors of this state containing the following proposed law and a summary of the same:

“To provide temporary relief for the public school system of Ohio by temporary appropriations to continue the operation of free-tuition schools not operating under public boards of education in Ohio.

Be it enacted by the people of the State of Ohio:

SECTION 1. In this act the words ‘free-tuition school’ shall mean any school in the State of Ohio which offers to children of school age in its immediate vicinity education in the subjects commonly included in elementary or high school courses, without charge for tuition; provided such school during October 1934 was in operation on a five-day week schedule; provided such school during October 1934 was not supported by or operated under the board of education of any school district in the State of Ohio; and provided the standardized requirements for certification of teachers for such school are or shall be in file in the department of education of the State of Ohio.

SECTION 2. In order that (a) the public school system may be relieved of the burden which would be caused by the necessity of providing public education for the many thousands of children heretofore or now being educated in free tuition schools, (b) confusion and disturbance to the public school system may be prevented, and (c) the cost of providing public school facilities for such children may be avoided, the director of education of the State of Ohio shall, for each of the calendar years 1935 and 1936, certify to and for each free-tuition school in the State of Ohio, for use solely for the payment of teachers’ compensation and the current expenses of operation and maintenance, an amount determined by allocating (in the manner hereinafter in this section set

forth) to and among all free-tuition schools in the State of Ohio the total sum appropriated by and under this act for each of the calendar years 1935 and 1936.

Such allocation shall be in the ratio or proportion which the enrollment of pupils in each of such schools bears to the enrollment of pupils in all of such schools, as shown by the enrollment reports and records for the preceding school year which now are or hereafter may be filed in the department of education of the State of Ohio; and such amounts shall be paid on or before the thirty-first day of December 1935 and on or before the thirty-first day of December 1936.

The director of education of the State of Ohio shall draw his voucher on the auditor of state for the amount so allocated and certified to each such school; the auditor of state shall thereupon issue his warrant upon the treasurer of state for such amount in favor of the fiscal officer of each such school; and the treasurer of state shall disburse the public funds in payment of such warrant when presented to him.

SECTION 3. FOR the purposes of this act, there is hereby appropriated out of any monies in the state treasury to the credit of the general revenue fund the sum of two million two hundred and fifty thousand dollars (\$2,250,000.) for the year 1935 and the sum of two million seven hundred and fifty thousand dollars (\$2,750,000.) for the year 1936."

The summary of this proposed law reads as follows:

"The proposed initiated law defines 'free-tuition school' as meaning any school in Ohio which has standardized requirements for certification of its teachers on file in the department of education, which during October, 1934, was operated on a five-day week schedule but was not supported or operated by any public board of education, and which offers to children in its immediate vicinity elementary or high school courses without tuition;

Sets forth certain purposes as follows:

(a) the relief of the burden to the public school system which would be caused by providing public education for children heretofore or now being educated in free-tuition schools,

(b) the prevention of confusion and disturbance to the public school system, and

(c) the avoidance of the cost of providing public school facilities for such children;

Appropriate from the general revenue fund of the state the sum of \$2,250,000. for the year 1935 and the sum of \$2,750,000. for the year 1936;

Provides for the manner of allocating and paying the sums so appropriated to the various free-tuition schools in Ohio; and

Restricts the use of the sums so appropriated and allocated to the payment of teachers' compensation and the current expenses of operation and maintenance of free-tuition schools."

I am of the opinion that the foregoing is a fair and truthful statement of the proposed law and accordingly submit for uses provided by law the following certification:

"Without passing upon the constitutionality of the proposed law, 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 law.

John W. Bricker, Attorney General."

Respectfully,

JOHN W. BRICKER,
Attorney General.

3634.

DISAPPROVAL — BONDS OF SPRINGFIELD TOWNSHIP RURAL
SCHOOL DISTRICT, CLARK COUNTY, OHIO, \$676.65.

COLUMBUS, OHIO, December 17, 1934.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

Re: Bonds of Springfield Twp. Rural School Dist., Clark County,
Ohio, \$676.65.

GENTLEMEN:—I have examined the transcript of the proceedings relating to the above bond issue. These bonds are proposed to be issued under the provisions of House Bill No. 11 of the third special session of the 90th General Assembly. The financial statement which I have received from this district shows that bonds have been issued by this district under House Bill No. 17 of the first special session of the 90th General Assembly in the sum of \$8,000.00, all of which are actually in excess of the net indebtedness limitation for unvoted bonds.

Since the amount of the net floating indebtedness of this district as of July 1, 1934, as certified by the Auditor of State, is less than said sum of \$8,000.00, it follows that this district could not issue bonds under said act. If this district desires to issue indebtedness funding bonds therefore, it will be necessary for them to proceed under the provisions of House Bill No. 140 of the second special session of the 90th General Assembly.

Respectfully,

JOHN W. BRICKER,
Attorney General.

3635.

APPROVAL—RESERVOIR LAND LEASE TO LAND AT BUCKEYE LAKE
FOR THE RIGHT TO USE AND OCCUPY FOR COTTAGE SITE AND
DOCKLANDING PURPOSES—GEORGE ELMO KALB.

COLUMBUS, OHIO, December 17, 1934.

HON. EARL H. HANEFELD, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a communication over the signature of the Chief of the Bureau of Inland Lakes and Parks, submitting for my examination and approval a reservoir land lease in triplicate, executed by the