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Columbus, Ohio, February 16, 1962

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Chairman
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Mr. William Howlett
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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 adoption of Section 21, Article I, thereof.

The text of such proposed amendment is as follows :

“An amendment of the Constitution of the State of Ohio, by adopting Section 21 of Article I thereof, to provide that the sale of certain articles and services may not be prohibited on Sunday or any other day of the week in the State of Ohio.

“BE IT RESOLVED BY THE PEOPLE OF THE STATE OF OHIO,

“That the Constitution of the State of Ohio be amended by adopting a section to be designated Article I, Section 21, to read as follows :

“ ‘No statute, ordinance or regulation shall be passed or enforced whereby the sale, processing or rendition of the following commodities, products, or services shall be prohibited on Sunday or any other day of the week, to-wit: gas, electricity, telephone, telegraph, public means of trans-

portation or any other public utility service or product; newspapers, other news publications, radio, television, or other public communications service; household fuels; motor fuels and lubricants for automotive vehicles; prescriptions and proprietary drugs, and household medical supplies; products used for personal hygiene and sanitation; milk, milk products, any food item or food product for human or animal consumption.’ ”

Your proposed summary of this amendment is as follows :

“No statute, ordinance or regulation shall be passed or enforced whereby the sale, processing or rendition of the following commodities, products, or services shall be prohibited on Sunday or any other day of the week, to-wit: gas, electricity, telephone, telegraph, public means of transportation or any other public utility service or product; newspapers, other news publications, radio, television, or other public communications service; household fuels; motor fuels and lubricants for automotive vehicles; prescriptions and proprietary drugs, and household medical supplies; products used for personal hygiene and sanitation; milk, milk products, any food item or food product for human or animal consumption.”

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 Constitution as set out in the text of the proposed constitutional provision contained in the initiative petition, without 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 the Ohio Constitution by the adoption of Section 21, Article I, thereof, submitted to me by your committee, is a fair and truthful statement of the constitutional amendment proposed by such initiative petition.

Respectfully,

MARK McELROY

Attorney General