

by the provision that such purchase or importation shall be made in the manner provided in the act and in the regulations adopted and promulgated by the Board pursuant to the act. It is obvious that any regulation adopted by the Board under authority of this clause could not confer upon the Board authority to execute contracts of purchase on behalf of the Department. This, for the reason that the concluding clause of section 3, relating to the power of the Board, provides that, "excepting as herein expressly provided, the board shall not have or exercise executive or administrative duties or powers". The entering into or execution of purchase contracts clearly constitutes the exercise of an executive or administrative function.

It is well established that public officers, boards, bureaus and commissions have only such powers as are expressly conferred by law and as are necessary to effectuate those powers so conferred. *State, ex rel., vs. Menning*, 95 O. S. 97; *State, ex rel., vs. Cook*, 103 O. S. 465. The primary purpose of all statutory construction is to ascertain the intention of the legislature, which intention must be sought in the language employed. The fourth branch of the syllabus of the case of *Cochrel vs. Robinson*, 113 O. S. 526, reads as follows:

"In the construction of a statute the primary duty of the court is to give effect to the intention of the Legislature enacting it. Such intention is to be sought in the language employed and the apparent purpose to be subserved, and such a construction adopted which permits the statute and its various parts to be construed as a whole and give effect to the paramount object to be attained."

In view of the foregoing and in specific answer to your inquiry, it is my opinion that, by virtue of the provisions of the Liquor Control Act, the Director of the Department of Liquor Control has sole authority to enter into contracts on behalf of the Department for the purchase of intoxicating liquor and other necessary equipment for state liquor stores. Such purchases should be made pursuant to regulations that may be adopted by the Board under authority of section 6064-3, General Code.

Respectfully,

JOHN W. BRICKER,
Attorney General.

2278.

APPROVAL, BONDS OF LAFFERTY RURAL SCHOOL DISTRICT, BELMONT COUNTY, OHIO—\$1,950.00.

COLUMBUS, OHIO, February 10, 1934.

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