

2681.

APPROVAL—BONDS, CITY OF TOLEDO, LUCAS COUNTY,
OHIO, \$6,000.00, PART OF ISSUE DATED MAY 1, 1929.

COLUMBUS, OHIO, July 8, 1938.

*Retirement Board, State Public School Employes Retirement System,
Columbus, Ohio.*

GENTLEMEN :

RE: Bonds of City of Toledo, Lucas County, Ohio,
\$6,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated May 1, 1929. The transcript relative to this issue was approved by this office in an opinion rendered to the Teachers Retirement System under date of June 18, 1935, being Opinion No. 4343.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

2682.

APPROVAL—BONDS, CITY OF CLEVELAND, CUYAHOGA
COUNTY, OHIO, \$15,000.00, PART OF ISSUE DATED
FEBRUARY 1, 1929.

COLUMBUS, OHIO, July 8, 1938.

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

GENTLEMEN :

RE: Bonds of City of Cleveland, Cuyahoga County,
Ohio, \$15,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated February 1, 1929. The transcript relative

to this issue was approved by this office in an opinion rendered to your board under date of May 2, 1934, being Opinion No. 2609.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

2683.

EMPLOYEE—POLICE DEPARTMENT—FIRE DEPARTMENT
MUNICIPALITY—STATUS AS TO MEMBERSHIP IN
PUBLIC EMPLOYEES' RETIREMENT SYSTEM—FIRE-
MEN'S INDEMNITY FUND—APPLICATION OF SECTION
486-33c, G. C.

SYLLABUS:

1. *It is compulsory for an employe of a police department or a fire department of a municipality that has not established under provisions of law, a police relief fund or a firemen's pension fund, to become a member of the Public Employes' Retirement System, unless such policeman or fireman becomes exempted from membership by filing written application for such exemption with the Retirement Board within three months after the Act goes into effect, or such policeman or fireman is a new member over the age of fifty years and becomes exempted by filing written application for exemption with the Retirement Board within three months after being regularly appointed a policeman or fireman, or such policeman or fireman comes within that class or group of employes that the board has authority to exempt from compulsory membership, as provided in Section 486-33, General Code, or such policeman or fireman comes within the provisions of any other retirement system established under laws of this State.*

2. *The exception contained in Section 486-33c, General Code, does not exclude from membership in the Public Employes' Retirement System, firemen in a municipality that has established a Firemen's Indemnity Fund under provisions of law.*

COLUMBUS, OHIO, July 11, 1938.

HON. RALPH J. BARTLETT, *Prosecuting Attorney, Columbus, Ohio.*

DEAR SIR: This will acknowledge receipt of your recent communication, which reads as follows:

"We have been requested by the Chairman of the County and City Employes' Retirement Committee to ask you for an Opinion upon the following question: