

Finding said bond in proper legal form, with the authority of the signers of the bond properly attached, I am returning the same herewith to you with my approval endorsed thereon.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

2313.

OHIO STATE EMPLOYMENT SERVICE—COUNTIES AND
OTHER POLITICAL SUBDIVISIONS MAY CONTRIBUTE
FINANCIAL SUPPORT AND MAINTENANCE TO LOCAL
FREE EMPLOYMENT OFFICES.

SYLLABUS:

Counties and other political sub-divisions may, by virtue of Section 13-45-15, contribute financial support to the maintenance of local free employment offices operated by the Ohio State Employment Service.

COLUMBUS, OHIO, April 15, 1938.

Ohio State Employment Service, 68 E. Gay Street, Columbus, Ohio.

GENTLEMEN: I am in receipt of your communication which reads as follows:

"I understand that you have already passed an opinion upon House Bill 108, approved May 4, 1934, which, if I am correct, states that it is lawful for County Commissions to contribute to the support of local state employment offices.

'Section I. The board of county commissioners of any county or the council or other legislative body of any municipality shall have authority to appropriate moneys for the purpose of cooperating with the government of the United States in the operation and maintenance of a national reemployment service. Any moneys previously expended by any county or municipality for such purpose shall be deemed valid obligations of that county or municipality.'

As you see, state employment offices, of course, were not specifically mentioned in the House Bill, quoted from above.

I would appreciate very much if you would let me have a copy of your opinion previously rendered upon this point, or if you have not done this would you render an official opinion so that we will be in a position to take advantage of the desire of certain County Commissioners to assist us in financing local state employment offices."

The legislation to which you refer was enacted by the 90th General Assembly in House Bill No. 108 and is set forth in 115 O. L. Pt. 2, 248, but inasmuch as in the opinion of the then Attorney General the act was not of a general and permanent nature, it never has been codified.

The opinion to which you refer, I believe, is Opinion No. 2763 reported in 1934 O. A. G., Vol. 1, page 799. This opinion was concerned with cooperation of county commissioners by the contribution of county funds with the Federal Reemployment Service. The federal or national reemployment service has been maintained by the United States Employment Service as independent federal employment offices set up in the various localities where there are not state employment offices. You will notice that House Bill No. 108, *supra*, only refers to "national *reemployment* service."

The Ohio State Employment Service is affiliated, pursuant to Section 1345-19, General Code, and Sections 49g to 49i of Title 29, U. S. C. A. (The Wagner-Peyser Act, effective June 6, 1933) with the United States Employment Service. It has, as I understand it, no connection with the National Reemployment Service which is maintained by the United States Employment Service. The 1934 opinion, *supra*, was only concerned with the National Reemployment Service and had no reference to any other activities of the United States Employment Service. It is, therefore, my opinion that the said 1934 opinion has no bearing on the instant question.

I wish, however, to call your attention to the following portion of Section 1345-15, General Code:

"* * * For the purpose of establishing and maintaining free employment offices, said division (*sic*: the Ohio State Employment Service, which is now constituted as a Division of the Unemployment Compensation Commission, See Opinion No. 1682 rendered December 27, 1937) is authorized to enter into agreements with any political subdivision of this state or with any private, non-profit organization and

as a part of any such agreement the commission may accept moneys, services or quarters as a contribution to the employment service account." (Parenthetical matter the writer's.)

In my opinion the foregoing passage is clear recognition of and specific authority for the financial cooperation by counties and other political sub-divisions with your Division for the maintenance of local state employment offices, so long as said local state employment offices can qualify as "free public employment offices."

In conclusion, therefore, and in specific answer to your inquiry, it is my opinion that the various political sub-divisions of the state may cooperate by way of contributing moneys, services or quarters with the Ohio State Employment Service in the maintenance of local State Employment offices.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

2314.

APPROVAL.—LEASE, STATE OF OHIO, THROUGH DIRECTOR OF DEPARTMENT OF PUBLIC WORKS, WITH SOUTHERN LIFE INSURANCE COMPANY, CINCINNATI, OHIO, FOR USE, OHIO STATE EMPLOYMENT SERVICE, TERM ONE YEAR, ANNUAL RENTAL, \$4,467.00, FOURTH FLOOR, PETERS BUILDING, 62 to 68 EAST GAY STREET, COLUMBUS, OHIO.

COLUMBUS, OHIO, April 15, 1938.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval, a lease executed by The Western and Southern Life Insurance Company of Cincinnati, Ohio, in and by which there are leased and demised to the state of Ohio, acting through you as Director of the Department of Public Works, certain premises for the use of the Ohio State Employment Service.

By this lease, which is one for a term of one year commencing on the 1st day of January, 1938, and ending on the 31st day of December, 1938, and which provides for an annual rental of \$4,467.00.