

As therein provided "The question of issuing *such* bonds may be submitted at a primary or special election called for that purpose." (Italics the writer's.) It is observed that in the event a building has been destroyed by fire as in the case which you present, this section does not contain authority for submitting the question of issuing any bonds at other than the November election, but specifically provides that the question of issuing *such* bonds may be so submitted. The word "such" in my view refers only to bonds which may be issued for the purpose of rebuilding or repairing property destroyed by fire or other casualty or for the purpose of building new similar property to take the place of property so destroyed. There is no authority for the submission of the question of issuing bonds for any other purpose. The extent to which the legislature has limited the matter of submitting questions of bond issues at other than the November election is further indicated by the fact that even in case a public building has been destroyed by fire or other casualty, the tax commission may not consent to the submission of the question of issuing bonds for the purpose of repairing or replacing such property unless they find that the submission of such question at a primary or special election is absolutely necessary to meet the requirements of the people of the subdivision.

In view of the foregoing, it is my opinion that Section 2293-22, General Code, prohibits submitting to the electors of a subdivision at a primary or special election the question of issuing bonds for any purpose other than for rebuilding or repairing public property wholly or partially destroyed by fire or other casualty, or for building a new similar property in lieu of repairing or rebuilding such property.

Respectfully,

GILBERT BETTMAN,

Attorney General.

1760.

APPROVAL, FORM OF COOPERATIVE CONTRACT.

COLUMBUS, OHIO, April 10, 1930.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—I am in receipt of a communication from the Sales Division of your department submitting two forms of cooperative contract between a municipality and your department, designated as "Exhibit A" and "Exhibit B," respectively. It is assumed that you submit said contract forms by reason of the provisions of Section 1189-2 of the General Code, which provides the manner in which a municipal corporation may cooperate with a director of highways in the construction, reconstruction, improvement, widening, maintenance and repair of public highways. Without undertaking to set forth the many details of said section, among other things, it provides:

"* * * The form of such contract shall be prescribed by the Attorney General and all such contracts shall be submitted to the Attorney General and approved by him before the director shall be authorized to advertise for bids. * * *"

After consideration and in pursuance of the provisions of Section 1189-2, General Code, hereinbefore referred to, the Attorney General hereby prescribes the form enclosed, which is designated as "Exhibit A."

Respectfully,

GILBERT BETTMAN,

Attorney General.