

2763.

COUNTY COMMISSIONERS—AUTHORIZED TO PROVIDE QUARTERS  
FOR LOCAL FEDERAL RE-EMPLOYMENT OFFICE—EXPENSES OF  
EQUIPMENT AND EMPLOYEES INCLUDED.

*SYLLABUS:*

1. *By virtue of House Bill No. 108, enacted by the 90th General Assembly in its second special session, the county commissioners have authority to expend county funds in the providing of quarters for a local Federal Re-employment Office and in equipping such quarters with telephone and other necessary and incidental equipment if money is appropriated by the county commissioners for such purpose.*

2. *By virtue of House Bill No. 108, enacted by the 90th General Assembly in its second special session, the county commissioners have authority to expend county funds for the payment of the traveling expenses of a county employe in rendering service to the local Federal Re-employment Office if money is appropriated by the county commissioners for such purpose.*

COLUMBUS, OHIO, May 29, 1934.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

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

“You are respectfully requested to render this department your written opinion upon the following:

Referring to your opinion No. 1950, dated December 4, 1933, relative to the construction of House Bill No. 705, enacted by the 90th General Assembly, you hold that a board of county commissioners has no authority to employ assistant county clerks for the sole purpose of assisting the Federal agencies, such as the National Re-employment Service, and pay for such services out of county funds; that, however, under House Bill No. 705, the Governor or any commission to which the Governor might delegate any functions or powers under this act, might call upon any county employes for aid in carrying out his or its functions under this act.

QUESTION 1: May the county commissioners legally expend county funds in providing quarters for the local Re-employment agents in the county, and expend county funds in equipping such quarters with telephone and other equipment?

QUESTION 2: May the county commissioners expend county funds in payment of traveling expenses of an employee of the county when such employee is rendering services to the local Re-employment agent?”

Since the rendition of my Opinion No. 1950 on December 4, 1933, now found in Opinions of the Attorney General for 1933, Vol. III, page 1851, the General Assembly in its second special session passed as an emergency measure, House Bill No. 108, for the purpose of authorizing counties and municipalities to co-operate with the federal government in the operation and maintenance of the national Re-employment service. Section 1 of this act provides:

"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 co-operating with the government of the United States in the operation and maintenance of a national re-employment service. Any moneys previously expended by any county or municipality for such purpose shall be deemed valid obligations of that county or municipality.

Your first question is:

"May the county commissioners legally expend county funds in providing quarters for the local Re-employment agents in the county, and expend county funds in equipping such quarters with telephone and other equipment?"

In answer to your first question, it is my opinion that section 1 of House Bill No. 108, quoted supra, is comprehensive enough to authorize expenditures for providing quarters for the local Re-employment agent and in equipping such quarters with telephone and other necessary equipment if money is appropriated for such purpose, inasmuch as such appropriation and expenditures therefrom for that purpose would clearly be "for the purpose of co-operating with the government of the United States in the operation and maintenance of a national re-employment service."

Your second question is:

"May the county commissioners expend county funds in payment of traveling expenses of an employe of the county when such employe is rendering services to the local Re-employment agent?"

In my opinion the same answer and reasoning given above to your first question is applicable and dispositive of your second interrogatory.

Specifically answering your questions, it is my opinion that:

1. By virtue of House Bill No. 108, enacted by the 90th General Assembly, in its second special session, the county commissioners have authority to expend county funds in the providing of quarters for a local Federal Re-employment Office and in equipping such quarters with telephone and other necessary and incidental equipment if money is appropriated by the county commissioners for such purpose.

2. By virtue of House Bill No. 108, enacted by the 90th General Assembly in its second special session, the county commissioners have authority to expend county funds for the payment of the traveling expenses of a county employe in rendering service to the local Federal Re-employment Office if money is appropriated by the county commissioners for such purpose.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*