

that provided by the subdivision of which they are employes, does not authorize the payment by the board of education to the subdivision but to the employe, and whatever is paid by the board of education is in addition to the salary fixed for the employe by the subdivision employing him.

It can not properly be said that a board of education is authorized to contribute to a city health district a part of the salary of a public health nurse employed by the health district but the board may pay the nurse compensation in addition to that paid by the city health district."

The facts considered in the above 1933 opinion are very much the same as are those upon which your inquiry herein is predicated except that in the 1933 opinion a city health district instead of a general health district was involved, but the principle is the same, and I believe the doctrine of the 1933 opinion applies in the instant case.

I am therefore of the opinion, in specific answer to your question that, the board of education of the Port Clinton Exempted Village School District under the circumstances mentioned, is not empowered to pay a portion of the annual salary as fixed by the district board of health for a district health nurse but may pay the nurse compensation in addition to that paid by the health district if it sees fit so to do.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

730.

CONTRACT—STATE WITH GEM CITY ELEVATOR WORKS, INC., CONSTRUCTION AND COMPLETION, ELEVATOR AND DUMB WAITER, NEW KITCHEN, CENTRAL DINING HALL AND COLD STORAGE, LONGVIEW STATE HOSPITAL, CINCINNATI.

COLUMBUS, OHIO, June 9, 1939.

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

DEAR SIR: You have submitted for my approval, the contract by and between Gem City Elevator Works, Inc., of Dayton, Ohio, and the State of Ohio, acting through you as Director of the Department of Public Works for the Department of Public Welfare, for the construction and completion of Contract for Elevator and Dumbwaiter for a project known as New Kitchen, Central Dining Hall and Cold Storage, Longview State Hospital, Cincinnati, Ohio, as set forth in Item 5, Contract for

Elevator and Dumbwaiter, of the Form of Proposal dated May 11, 1939. This contract calls for an expenditure of \$4,208.00.

You have submitted the following papers and documents in this connection: Contract encumbrance record No. 53; Form of Proposal containing the contract bond signed by the Ohio Casualty Insurance Company of Ohio; its power of attorney for the signer; its certificate of compliance showing a compliance with the laws of Ohio, relating to surety companies; estimate of cost; notice to bidders; proof of publication; division of contract; tabulation of bids; recommendation of State Architect; approval of P. W. A., Controlling Board's Release; Workmen's Compensation Certificate, showing a compliance with the laws of Ohio relating to Workmen's Compensation; Letter from Auditor of State, showing that all necessary papers are on file in his office.

Finding said contract in proper legal form, I have noted my approval thereon, and same is transmitted to you herewith, together with all papers and documents submitted in this connection.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

731.

CONTRACT — STATE WITH DUELLMAN ELECTRIC COMPANY, ELECTRIC WORK, RECEIVING HOSPITAL, DAYTON STATE HOSPITAL, DAYTON.

COLUMBUS, OHIO, June 9, 1939.

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

DEAR SIR: You have submitted for my approval, the contract between Duellman Electric Company, Dayton, Ohio, and The State of Ohio, acting through you as Director of the Department of Public Works for the Department of Public Welfare, for the construction and completion of Contract for Electric Work for a project known as Receiving Hospital, Dayton State Hospital, Dayton, Ohio, as set forth in Item 4, Electrical Contract, for Receiving Hospital of the Form of Proposal dated May 17, 1939. This contract calls for an expenditure of \$11,127.00.

You have submitted the following papers and documents in this connection: Form of proposal containing the contract bond signed by the Trinity Universal Insurance Company, of San Antonio, Texas; its power of attorney for the signer; a certificate of compliance issued by the Division of Insurance, indicating a compliance with the laws of Ohio relating to surety companies; contract encumbrance record No. 43; estimate of