

This section is significant in interpreting the entire act in that it specifically retains jurisdiction in the state courts and places the duty of enforcement upon the state and county authorities.

It is my opinion that an approved federal code of fair competition properly certified or exemplified by the President of the United States becomes the Ohio code of fair competition of that particular trade or industry on the proper filing thereof under the provisions of Section 3(a) of the Ohio Recovery Act. It naturally follows that the provisions of such code become applicable to intrastate commerce in Ohio within that trade or industry.

Beginning with Section 1 of the Ohio Recovery Act, which defines the purpose thereof, and throughout its entirety, the legislature of Ohio made it clear that no Ohio laws or codes of fair competition may be permitted to *conflict* with the provisions of a federal code properly filed with the Governor of Ohio pursuant to Section 3(a) of the Ohio Recovery Act. The act does provide, however, that the Governor of Ohio may approve other code provisions affecting intrastate commerce in Ohio, whether contained in such federal codes or not, so long as such provisions do not conflict with the provisions of the federal code for that trade or industry. While the legislature provided that Ohio could not pass laws or approve codes of fair competition in conflict with the national codes, it did reserve to the Governor of Ohio the right to regulate intrastate commerce within this state and the right to enforce all regulations affecting intrastate commerce without reservation.

It therefore follows in specific answer to your question that the Governor of Ohio may approve code regulations under the Ohio Recovery Act as affecting intrastate commerce which amplify or add to federal codes filed under Section 3(a) of the Ohio Recovery Act. He may not amend such federal codes in the sense that an amendment thereto might be made which would be inconsistent with such national code provisions.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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2066.

APPROVAL, BONDS OF SEBRING EXEMPTED VILLAGE SCHOOL DISTRICT, MAHONING COUNTY, OHIO—\$3,561.04.

COLUMBUS, OHIO, December 28, 1933.

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

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2067.

APPROVAL, BONDS OF SPRINGFIELD CITY SCHOOL DISTRICT, CLARK COUNTY, OHIO—\$25,898.46.

COLUMBUS, OHIO, December 28, 1933.

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