

2679.

APPROVAL, BONDS OF VILLAGE OF COAL GROVE, LAWRENCE COUNTY, \$3,250.78.

COLUMBUS, OHIO, July 28, 1925.

*Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.*

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2680.

APPROVAL, BONDS OF PUTNAM COUNTY, \$34,532.45.

COLUMBUS, OHIO, July 28, 1925.

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

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2681.

DISAPPROVAL, BONDS OF VILLAGE OF NORTHFIELD, SUMMIT COUNTY, \$19,237.50.

COLUMBUS, OHIO, July 28, 1925.

Re: Bonds of village of Northfield, Summit county, \$19,237.50.

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

GENTLEMEN:—An examination of the transcript for the foregoing issue of bonds discloses that these bonds have been advertised for sale in two newspapers, beginning on the 17th day of June, 1925, and reciting that said bonds will be sold on the 10th day of July, 1925.

In the case of State of Ohio vs. Kuhner and King, 107 O. S., page 406, the court held as follows:

“The requirement of section 1206, General Code, that ‘the state highway commissioner shall advertise for bids for two consecutive weeks’ is mandatory, and the contract entered on June 14 for advertisement in two weekly newspapers of the county on June 6th and June 13th is invalid.”

Applying the same rule to this issue, it must necessarily be held that these bonds have not had the advertisement for the required length of time, and for that reason, the same are hereby disapproved, and you are advised not to accept said bonds.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

2682.

AUTHORITY OF STATE BUILDING ADVISORY COMMITTEE DISCUSSED.

SYLLABUS:

1. *The state building advisory committee has no authority to employ appraisers and engineers for examination of sites proposed for the state office building.*
2. *The funds appropriated for the use of joint legislative committees are available to the state building advisory committee for the payment of the expense of its members, necessarily incurred in the discharge of their duties, but not available for use of the committee as a whole in employing services of other persons.*
3. *A quorum of the committee may transact business and the action of a majority of the quorum present at any meeting constitutes an action of the committee.*

COLUMBUS, OHIO, July 30, 1925.

*State Building Advisory Committee, Columbus, Ohio.*

GENTLEMEN:—I acknowledge receipt of your letter of July 24, 1925, in which you submit, in substance, the three following inquiries:

1. May the state building advisory committee employ appraisers for the appraisal of the various sites proposed for the state office building, and engineers for making borings on these sites for the purpose of estimating foundation costs?
2. May the state building advisory committee "expend any of this money?"
3. May the committee act by a majority of those present at any meeting, or must it act by a majority of the entire membership of the committee?

The state building advisory committee was created by house joint resolution No. 42 (Mr. Smith), and its powers to be determined by the terms of that resolution, read in connection with the rules of the general assembly governing joint committees.

Section 4 of house joint resolution No. 42 provides:

"The members of such committee shall be paid the necessary expenses incurred by them in attendance upon the meetings of the committee or in the performance of their duties as such members of the committee. Such expenses shall be paid from the funds appropriated for the use of joint committees of the general assembly, upon vouchers of the proper officers thereof and upon a warrant drawn by the state auditor."