

2851.

APPROVAL—BONDS OF CITY OF CLEVELAND, CUYAHOGA  
COUNTY, OHIO, \$15,000.00.

COLUMBUS, OHIO, August 19, 1938.

*The Industrial Commission of Ohio, Columbus, Ohio.*

GENTLEMEN :

RE: Bonds of City of Cleveland, Cuyahoga County,  
Ohio, \$15,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated February 1, 1914. The transcript relative to this issue was approved by this office in an opinion rendered to the Teachers' Retirement System under date of November 16, 1936, being Opinion No. 6364.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*

2852.

APPROVAL—BONDS OF CITY OF TOLEDO, LUCAS COUNTY,  
OHIO, \$10,000.00.

COLUMBUS, OHIO, August 19, 1938.

*The Industrial Commission of Ohio, Columbus, Ohio.*

GENTLEMEN :

RE: Bonds of City of Toledo, Lucas County, Ohio,  
\$10,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated December 15, 1936. The transcript relative to this issue was approved by this office in an opinion rendered to your commission under date of December 15, 1936, being Opinion No. 6527.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*

2853.

LIBRARY—WHERE NOT MAINTAINED BY PUBLIC FUNDS—  
EMPLOYEES DO NOT COME WITHIN PROVISIONS OF  
PUBLIC EMPLOYEES RETIREMENT SYSTEM.

*SYLLABUS:*

*Employes of libraries within the State of Ohio which serve public interests but are not actually maintained by public funds, do not come within the provisions of the Public Employes Retirement System.*

COLUMBUS, OHIO, August 20, 1938.

HON. WILSON E. HOCE, *Secretary, Public Employes Retirement System, Columbian Building, Columbus, Ohio.*

DEAR SIR: This will acknowledge receipt of your recent communication, which reads as follows:

"We will sincerely appreciate your advice on the following subject:

The provisions of House Bill 776, passed by the recent special session of the General Assembly includes the employes of public libraries in the Public Employes Retirement System without consideration as to where the maintenance funds are received by the library. The question is:

Do employes of libraries within the State of Ohio who call themselves 'public libraries,' and who serve public interests, but who are not actually maintained by tax funds come within the amended provisions of the Retirement Law?

Your usual capable consideration of the above question will be sincerely appreciated by this Board."

Section 486-33, General Code, reads in part, as follows:

"For the purpose of this act, \* \* 'public library employe' shall mean any person holding a position in a public library in the State of Ohio, and/or paid in full or in part by the board of trustees of a public library. \* \*"