therefrom within the time such remonstrance may be filed and before the time it can be acted upon by the tribunal before which it is pending. Assuming the facts contained in your question to be correct, I am of the opinion the filing of such petition for withdrawal of the names of 31 legal residents from the remonstrance was valid and the effect of the same was that said remonstrance did not thereafter have the required 50 names required by the foregoing statute.

From the foregoing, and from the data submitted with your letter, I am of the opinion such attempted remonstrance failed and that on June 1, 1957, by resolution of the school corporations affected, such consolidation of schools was accomplished, to be in effect 30 days thereafter under the provisions of the foregoing statute.

OFFICIAL OPINION NO. 20

June 14, 1957

Hon. Wilbur Young
State Superintendent of Public Instruction
227 State House
Indianapolis 4, Indiana

Dear Mr. Young:

Your letter of February 25, 1957, has been received and reads as follows:

"The Indiana State Board of Education has the authority to administer the vocational education programs under the provisions of both the Smith-Hughes Act and the George-Barden Act (Title I).

"An opinion is requested:

"Does the State Board of Education have the authority to administer Title II of The George-Barden Act (Vocational Education in Practical Nurse Training)?"

The statute involved is the Act of Congress known as Public Law 911, Title II, which under 64 Stat. 27, Sec. 202, authorizes an allotment to each State participating in a program for Vocational Education in Practical Nurse Training under which the Federal Government pays 75% of the cost of the
fiscal year ending June 30, 1957, and the fiscal year ending June 30, 1958, and 50% of such costs in the case of each of the next three fiscal years. It authorizes a State Board comparable to the State Board of Education of Indiana to supervise such plan. Under Section 210, clause (f), of said act, it is provided:

“(f) The term ‘State Board’ means the State Board of Vocational Education, or the State Board primarily responsible for the supervision of public elementary and secondary schools, as designated in the State plan.”

In an Official Opinion of this office, under date of January 30, 1957, addressed to you, being 1957 O. A. G., page 3, No. 2, it was stated, in connection with a somewhat similar proposition, that:

“In addition to the foregoing authorities, general authority is given the State Agency by statute to cooperate with the Federal Government on the acceptance of benefits conferred by the Acts of Congress, same being Acts of 1947, Ch. 178, Sec. 1, as found in Burns’ (1951 Repl.), Section 61-1301, which provides as follows:

‘‘The state, or any political subdivision thereof, are each hereby authorized and empowered to the full extent authorized by the Constitution of Indiana and not prohibited by law, to accept the provisions of any law of the Congress of the United States of America, or any rule, regulation, order or finding made pursuant thereto, now or hereafter in force, which, upon acceptance, authorizes the state, or any political subdivision thereof, to cooperate with the federal government, or to receive benefits for itself or any of its citizens; and the state, or any political subdivision thereof, is hereby authorized and empowered to do any and all acts, and to make any rule, regulation, order, or finding, that may be necessary to cooperate with the federal government or to effectuate the purposes of any such federal law.’
"Under Section 4 of the last-referred to State statute, as found in Burns' Indiana Statutes (1951 Repl.), Section 61-1304, emergency contingent appropriations are made."

Section 2 of the last-referred to statute, being Acts 1947, Ch. 178, Sec. 2, Burns' (1951 Repl.), Section 61-1302, requires any such acceptance of such program by any state officer or agency shall be "with the consent of the Governor."

Therefore, it is my conclusion that such a program is under Section 2 of the above-quoted state statute, dependent upon the acceptance of such program by your State Board with the consent of the Governor.

OFFICIAL OPINION NO. 21

June 17, 1957

Hon. Robert H. Berning
State Representative
506 Dime Bank Building
Fort Wayne 2, Indiana

Dear Mr. Berning:

Your letter of June 4, 1957, has been received and reads as follows:

"The undersigned has been requested to obtain a formal opinion from your office concerning House Bill 299 adopted by the 1957 Indiana General Assembly and effective March 14, 1957. This bill authorizes public employees to obtain group, health, hospitalization, medical and surgical insurance plans and provides for fiscal officer to deduct premiums from employees' pay checks when authorized in writing by the individual and provides that the employer may appropriate and pay part of the cost.

"The opinion desired from your office should include the following points:

"1. Do elected officials qualify under House Bill 299."