can determine his status and from that you can easily determine the fees to be paid for the various types of vehicles. Under the provisions of this Act, you will treat the tractor and semi-trailer as a unit in computing the license fees, so where it appears that the operator is the owner of the tractor and a semi-trailer which he intends to use together as a unit, he pays the fees required by the capacity of the load shown on his application. If, however, the operator owns only the tractor and does not own a semi-trailer his license fee is to be determined by the declared gross load which the owner intends to pull by his tractor. This phase of the law no doubt was enacted to make provisions for an operator who desires to use his tractor for hire in pulling semi-trailers owned by some other business or industry and does not own a tractor, each semi-trailer shall be registered and licensed in the name of the owner of such trailer and pay a fee of $5.00. I conclude that the phrase quoted in your letter:

"Each additional semi-trailer to be used with a tractor licensed as above $5.00."

is governed by the rule just stated.

By reason of Section 1 of this Act being void and the requirements of Section 1 of Senate Bill No. 182 being substituted therefor the situation may seem confusing, but I am of the opinion that the provisions of Senate Bill No. 182 together with general provisions of the Act of 1945 furnish you ample information to enable you to enforce the Act.

CHJ:ar:aa

OFFICIAL OPINION NO. 36

May 9, 1949.

Mr. Otto K. Jensen,
State Examiner,
State Board of Accounts,
Room 304, State House
Indianapolis, Indiana

Dear Sir:

Your letter of April 25, 1949 has been received requesting an official opinion on the following question:
"In event a regularly employed school teacher, at the end of a regular school term, under the terms of Chapter 358, Acts of 1947, has a given number of accumulative days of sick leave and such teacher does not teach in the same school corporation during the next school year, but thereafter is employed as a regular teacher in the same school corporation, is such teacher entitled to be absent from work on account of illness or quarantine without loss of compensation for a number of days equal to the sum of the days entitled to in the current year of teaching plus the number of days previously accumulated, or would such teacher's absence without loss of compensation be limited to the number of days provided for the current year's teaching only?"

The provisions regarding sick leave for teachers was originally enacted in 1945 as a part of the teachers Minimum Salary Act, Section 28-4332 Burns 1948 Replacement, same being Section 1, Chapter 231 Acts 1945. This statute was amended by Section 1, Chapter 358 Acts 1947, and finally amended by Section 1, Chapter 224 of the Acts of 1949, which latter amendment reads in part as follows:

"* * * Each teacher shall be entitled to be absent from work on account of illness or quarantine for a total of seven days in each year without loss of compensation, and for death in immediate family for a period extending not more than five days beyond such death. If in any one school year the teacher shall be absent for such illness or quarantine less than seven days, the remaining days up to a total of seven shall be accumulative to a total of sixty days. Accumulative days accrued to the teacher as of the effective date of this act shall be credited to the teacher. * * *".

It is to be noted that under each of such successive amendments the accumulative days have been increased. The 1947 and 1949 amendments also contain the clause that accumulative days accrued to the teacher as of the effective date of this act shall be credited to the teacher.

The 1945 law was the subject of two opinions by this office.
1949 O. A. G.

found in 1945 Indiana O. A. G. pages 217 and 526. While in each of these opinions language is used which would seem to indicate that upon a teacher leaving the employment of a particular school corporation that she would lose her accumulative days of sick leave, each of said opinions were dealing with questions as to whether or not a new or succeeding school corporation would be burdened with such accumulative days. They did not attempt to answer the question here presented.

Since the provisions of this statute regarding sick leave are of a beneficial nature, and since the statute contains no reference to a requirement of continuous employment in a particular school corporation, I am of the opinion a teacher who serves her employment with a school corporation with which she has accumulative days of sick leave to her credit would not be barred from asserting her right to accumulative days of sick leave upon her again being employed by that particular school corporation. As the statutes do not contain a condition of continuous employment, I am of the opinion no such condition can be implied.

OFFICIAL OPINION NO. 37

May 9, 1949.

Mr. Otto K. Jensen,
State Examiner,
State Board of Accounts,
State House, Room 304,
Indianapolis, Indiana.

Dear Sir:

Your request under date of April 20, 1949 for an official opinion is as follows:

"Senate Enrolled Act 120, Ch. 84, Acts 1949, approved and effective March 7, 1949, requires the filing and recording of certain official bonds in the office of county recorder.

"Sec. 2 of said Act defines municipality to mean and include * * * commissions, bureaus, etc., that are now or hereafter may be created * * *.'