

It is, therefore, my opinion that where the classification of a township is changed during a term of office of a township trustee pursuant to the provisions of said Chapter 333 of the Acts of 1947 that the township trustee would be required to accept the decrease in salary during the remainder of his term of office. As pointed out in the case of *State ex rel. Wadsworth v. Wright, supra*, in connection with the reduction of the salary of the prosecuting attorney involved in that case, the reduction would be by virtue of the fact that the extent of his duties is reduced by reason of the reduction in the population and other factors considered.

OFFICIAL OPINION NO. 47

August 18, 1947.

Miss Anne M. Dugan, R. N., Secretary,
 Indiana State Board of Registration
 and Examination of Nurses,
 638 K. of P. Building,
 Indianapolis, Indiana.

Dear Miss Dugan:

Your letter of August 6, 1947, received as follows:

“The law governing the examination and registration of nurses as amended by the Acts of 1921, page 470, states that applicants must be given examinations which shall include the following subjects: medicine, surgery and children’s diseases, obstetrics, dietetics, hygiene, bacteriology, ethics, materia medica, anatomy, physiology, and practical nursing.

“In the examinations now being used, the terminology has been changed in accord with that used in the current nursing curriculum. All of the above subjects are included in the examinations, but in several instances the titles have been changed.

“In view of the statement in our Law, will you please give an official opinion regarding the legality of using the following examinations for licensure: anatomy and physiology, microbiology, nutrition and

diet therapy, ethical foundations, medical nursing, pharmacology and therapeutics, obstetrics and gynecological nursing, nursing in children, nursing arts, and surgical nursing.”

Section 63-904 Burns' 1943 Replacement, same being Section 3, Chapter 182, Acts 1921, being the statute referred to in your question, in part provides as follows:

“* * * Said board shall also examine said applicants in the branches taught in the training schools for nurses, to determine knowledge, fitness and ability to efficiently care for the sick and injured. Such examinations shall include medicine, surgery and children's diseases, obstetrics, dietetics, hygiene, bacteriology, ethics, materia medica, anatomy, physiology, and practical nursing. * * *”

Thereafter, Section 63-905 Burns' 1943 Replacement, same being Section 1, Chapter 105, Acts 1929, in substance authorizes the State Board of Examination and Registration of Nurses at its annual meeting to establish a schedule of minimum educational requirements which applicants for examination to practice nursing must comply with before they are entitled to such an examination. It further makes provision for protection of nurses then matriculating. Said section then further provides in part as follows:

“* * * Such board is also authorized to prescribe and establish at its annual meeting a schedule of the minimum requirements and rules for the recognition of training schools and hospitals as set forth in this act so as to keep these requirements in line with the modern and progressive methods of nursing.
* * *”

Pursuant to the above provisions of the last quoted statute and in conformity with the requirements of Chapter 120 of the Acts of 1945, regarding promulgation of rules your Board, on November 28, 1945, by Rule Number 37-VI, provided for the curriculum of nursing training to include those subjects and combination of subjects referred to in the last paragraph of your question.

Since the new designation of these subjects to be included in the training curriculum of nurses, as well as those included in the Board's examinations of such nurses, are prescribed pursuant to the foregoing statutes, and especially in view of the fact that such subjects actually cover each of the subjects prescribed and referred to in Section 63-904 Burns' 1943 Replacement, *supra*, I am of the opinion your Board is entirely within its legal rights and acting in conformity with the provisions of said statutes in examining nurses in the subjects referred to in the last paragraph of your question.

OFFICIAL OPINION NO. 48

August 19, 1947.

Mr. Frank H. Henley, Secretary,
Indiana World War Memorial,
431 N. Meridian Street,
Indianapolis 4, Indiana.

Dear Sir:

I have your letter of August 14th requesting an opinion regarding any conflict between Chapter 279 of the Acts of 1947 with Section 12 of Chapter 50 of the Special Session of 1920. Said Section 12 appears as Section 59-213 of Burns' Statutes, 1943 Replacement:

"Such board of trustees shall have the power to grant the use, for public purposes, of any structures, or any part thereof, erected by them under the provision of this act without rent or charge, or for only a nominal rental, to any organizations of soldiers, sailors and marines and others, as a place or places for their meeting and headquarters, and for the keeping of records, archives, documents, flags, mementoes and relics, and for other public meetings and other public purposes not inconsistent with the purposes of this act, for such time and upon such terms and conditions as said board of trustees may determine."