

intention to change the provision with reference to official bonds. However, I do not find any such amendment of the statute, and, confronted with such specific language as above quoted, it seems to me that official bonds are required of the Secretary and Treasurer of the Board.

STATE PERSONNEL BOARD: Whether director of board may delegate to appointing authority named under the act full authority for certifying as to the correctness of the amounts paid, days worked, and compensations and extensions made as provided in Section 60-1332 of Burns Statutes, 1943 Cumulative Pocket Supplement.

August 16, 1943.

Hon. Dudley A. Smith
 Director of State Personnel,
 141 South Meridian Street,
 Indianapolis, Indiana.

Dear Mr. Smith:

I have before me your request for an official opinion in answer to the following question:

“May the Director of State Personnel delegate to appointing authorities, so named under the Act, full authority for certifying as to the correctness of amounts paid, days worked, and computations and extensions made thereon?”

This question calls for a consideration of Section 32, Subdivision (a) of the Personnel Act of 1941. This section appears in Section 60-1332 of the June 1943 Cumulative Pocket Supplement of Burns' Indiana Statutes Annotated, and Subsection (a) reads as follows:

“No public disbursing or auditing officer nor other fiscal officer of the state shall draw, sign, or issue, or authorize the drawing, signing or issuing of any warrant or check upon the state treasurer or other disbursing officer of the state, for the payment of a salary or other compensation for personal services within the

state service as defined by this act, nor shall the state treasurer or other disbursing officer of the state pay any salary or other compensation for such personal services unless a pay-roll or account for such salary or other compensation, containing the name of every person to be paid and the accounts to be paid him has been certified by the director or *a person designated by him* to the effect that the persons named on the pay-roll or account are either in the unclassified service or have been appointed or otherwise established in their positions according to the provisions of this act, and that the payment of the amounts shown on the pay-roll or account will not violate the provisions of the pay plan or the rules pertaining thereto." (Our emphasis.)

The underlined language, *supra*, does not directly authorize the Director to designate another person to make the certifications therein required, providing simply that a person designated by him may make the certification. This, I think, is the equivalent of providing, in so many words, that the Director is authorized to designate some one or more qualified persons to make the certifications. That the Director may designate for such purpose the appointing authorities is further indicated by the fact that Subdivision (b) of the section, in naming the persons who may become liable for an incorrect certification, names, among others, "the appointing authority," indicating clearly, I think, that the Director does have the power to name the appointing authority in any case as the one who should make the certification required by the Act.

Your question is answered in the affirmative.