While I am of the opinion that the notice given on consecutive days would be a literal compliance with the Statute, providing the notice is given at least ten days before the date named therein as the date for receiving proposals, yet the rule of the Federal Government as to notice would not violate it if given for the required length of time. Therefore, as a practical suggestion I may say it would be well to follow the Federal Government rule.

I am of the opinion that the Statute applies to all departments of the State Highway Commission of Indiana and to all contracts enumerated in said Statute made by any of such departments.

STATE HIGHWAY COMMISSION: Whether Commission should make purchase through State Purchasing Agent.

May 8, 1941.

Hon. James D. Adams, Chairman,
State Highway Commission of Indiana,
State House Annex,
Indianapolis, Indiana.

Dear Mr. Adams:

I have before me your letter in which you call attention to certain provisions of Section 8 of House Bill 11, as the same was enacted by the General Assembly of 1941, as follows:

"The state highway commission of Indiana, as hereby created, shall be entitled to all office rooms and other rooms now being occupied by said state highway commission; also to all books, records, papers, furniture, equipment, motor vehicles, and other matters now belonging to or in possession of said state highway commission.

"Said offices shall be kept open at such times as the business of the commission and the convenience and interest of the public shall require. Such office shall be the repository for all the records of the commission, and shall be furnished by the State with all necessary stationery, office supplies, fixtures, apparatus and engineering instruments. The commission shall have the authority to rent, purchase, acquire, or construct office
and other working quarters, if suitable and necessary arrangements are not provided as hereinabove required."

You ask for an interpretation of the language "such office shall be the repository for all of the records of the commission, and shall be furnished by the State with all necessary stationery, office supplies, fixtures, apparatus, and engineering instruments." Your exact question is as to whether, in view of the above provision, requests for all such supplies shall be made through the State Purchasing Department. In my opinion the question should be answered in the negative.

The Act creating the office of Central Purchasing Bureau of Indiana expressly provides that it shall not apply "to the purchases for the State Highway Commission." (Burns' Indiana Statutes, Annotated, 1933, Section 60-606.) In my opinion, the statement that the State is required to furnish "all necessary stationery, office supplies, fixtures, apparatus and engineering instruments" is not sufficient to bring about an implied repeal of the provision of the Act creating the office of Central Purchasing Bureau of Indiana, above referred to. It is true that the use of the word "State" instead of "Commission" in the quoted provision of Section 8, supra, is sufficient to create some ambiguity, but it seems to me that it is unreasonable to assign such a meaning to the term as would place the obligation of furnishing supplies, etc., for the office of the highway commission on some unrelated department, rather than the highway commission.

Appropriations are not made to the State as such. They are made to departments or officers who are required to carry out the various State functions. In my opinion, these purchases are to be made by the highway commission in conformity with the Act under which they make all of their other purchases, save and except as to those which would come under the printing contract, and as to them, there would be no substantial difference from what has been made in the past.