HEALTH, STATE BOARD OF: City health officers—whether they will retain their official positions after January 1, 1934, without reappointment, in view of chapter 173, Acts 1933.

October 23, 1933.

Hon. Verne K. Harvey, M. D.,
Director, Division of Public Health,
Indianapolis, Indiana.

Dear Sir:

I am in receipt of your letter of October 18, 1933, asking if city health officers will retain their official positions after January 1, 1934, without reappointment, or whether their terms of office will terminate at the end of the four-year period provided by law in the absence of reappointment. You state that the question arises because of chapter 173, Acts of 1933, which postpones city elections and primary elections that would ordinarily have been held in 1933, until the year 1934.

Under section 8158 Burns Annotated Indiana Statutes, Revision of 1926, members of the city board of health are appointed by the mayor for a term of four (4) years, and a secretary of the board is appointed by the board itself. Chapter 173, Acts of 1933, supra, while it serves to extend the terms of office of elective officers now incumbent, does not affect in any manner the appointment or terms of office of those holding appointive positions with the city. Their terms of office will expire as otherwise provided, without regard to chapter 173, Acts of 1933.

You include town health officers in your inquiry; but it suffices in answer to this part of your question to say that chapter 173, Acts of 1933, supra, applies only to cities.

PUBLIC INSTRUCTION, DEPT. OF: Right of resident school corporation to include in average daily attendance pupils educated in “model” schools maintained by state colleges.

October 24, 1933.

Hon. Grover Van Duyn,
Assistant Superintendent,
Department of Public Instruction,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter of October 23, 1933, which reads as follows: