law, except, of course, that these additional expenses shall not embrace the expenses of maintaining and operating the conveyance used.

ACCOUNTS, STATE BOARD OF: Department of Public Welfare, whether assistants and investigators of a county welfare department are entitled to mileage.

July 3, 1936.

Hon. William P. Cosgrove,
State Examiner,
Indianapolis, Indiana.

Dear Sir:

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

"Are assistants and investigators of the county welfare department entitled to receive payment for mileage traveled in the discharge of their duties?"

Section 24 of "The Welfare Act of 1936" provides as follows:

"County staff. The county director, with the approval of the county board, shall appoint and fix the compensation of such assistants as may be necessary to administer the welfare activities within the county and to perform all other duties required of the department."


The foregoing is the only reference I have found that bears directly upon the salary or compensation of members of the county staff other than the county director and the members of the county board. The Act provides that the county director shall be entitled to receive in addition to the salary provided in Section 20 of the Act "the sum of five cents per mile for each mile necessarily travelled in the discharge of his duties"; but no such provision is made with respect to other members of the staff. It is evident, I think, however, that in the fixing of the compensation of other members of the county staff the director and the board would have the right to take into consideration the question as to expenses which would
necessarily be incurred by such members of the staff in the discharge of their duties and I see no objection to doing so either by making a proper addition to what the compensation would otherwise be or by making a specific allowance as a part of the compensation for necessary expenses incurred. As stated your question would have to be answered in the negative—that is, there is no express provision in the statute entitling the members of the county staff other than the board and director to receive payment for mileage travelled as such, but the authority granted to the county director with the approval of the county board to fix the compensation of such assistants as may be necessary to administer the welfare activities within the county and to perform all other duties required of the department would, I think, clearly enable the director and board to take such necessary expenses into consideration in fixing the compensation and allow it either as a part of the compensation or as an expense item to be added to any other sum payable for services rendered.

PUBLIC INSTRUCTION, OFFICE OF SUPT. OF: Teachers' minimum salary schedule under Chapter 315, Acts 1935—Applicability to vocational agriculture teacher employed for twelve-month term.

July 6, 1936.

Mr. Grover Van Duyn,
Assistant Superintendent,
Department of Education,
Indianapolis, Indiana.

Dear Sir:

I have at hand your letter of May 21, 1936, asking an official opinion on the question of whether or not Chapter 315 of the Acts of 1935 applies, insofar as minimum salary is concerned, to each of the twelve months for the school year 1936-1937, or from July 1, 1936, to June 30, 1937, inclusive, in the case of a teacher of vocational agriculture. You quote in your letter certain provisions of the Indiana Vocational Education Law, and of the Federal Vocational Education Law, known as the Smith-Hughes Act, and state that under the provisions of these two laws, the plans for vocational education approved