

**PUBLIC INSTRUCTION, SUPERINTENDENT OF: County  
agricultural agents, how appointed.**

April 1, 1937.

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

Dear Sir:

This will acknowledge receipt of your letter of April 1 submitting the following question:

“Pursuant to the provision of Senate Bill No. 270 relative to the administration and appointment of county agricultural agents, which appointment will be effective July 1, 1937, may the agricultural authorities of Purdue University in their own discretion continue the services of county agents whose terms expire any time between May 1 and July 1 of 1937?”

Your attention is directed to section 28-4911, Burns Indiana Statutes, 1933 Revision, which provides for the appointment of a county agent when twenty or more residents of the county actively interested in agriculture petition the County Board of Education for the appointment of an agent and deposit five hundred dollars to be used in defraying the expenses of such agent.

The Act further provides that when this is done the county council shall appropriate an additional sum to be used in paying the salary of such agent. The Act then contains the following provision:

“When the county appropriation has been made, the County Board of Education shall apply to Purdue University for the appointment of a county agent, whose appointment shall be made annually, except that reappointment may be made for a term of two (2) years, and be subject to the approval of the County Board of Education and the State Board of Education.”

It will be noted from a reading of the above Act that the appointment of each county agent, under the present law, must be subject to the approval of the County Board of Education and the State Board of Education.

This Act was amended by Senate Bill Number 270 in the Acts of the General Assembly of Indiana, 1937. This amendment provides and creates the office of county agricultural agent in every county of the State. It contains the further provision that:

“A State Board is hereby created which shall be known as the County Agricultural Agent Board. The County Agricultural Agent Board shall consist of the Director of Agricultural Extension of Purdue University, the State Superintendent of Public Instruction and the Executive Officer of the Division of Agriculture. It shall be the duty of the County Agricultural Agent Board to prescribe the qualifications of County Agricultural Agents. It shall be the duty of the Director of Agricultural Extension Service of Purdue University to appoint, subject to the approval of the County Agricultural Agent Board, in each county in Indiana, a county agent from those qualified, as herein provided.”

It will be noted, therefore, that when this Act becomes effective all appointments shall be made by the Director of Agricultural Extension Service of Purdue University, subject to the approval of the County Agricultural Agent Board. Answering this question specifically, therefore, it is my opinion that until the provisions of the 1937 Act become effective Purdue University may continue to appoint county agents in counties which have qualified under the present law, which appointments shall be subject to the approval of the County Board of Education and the State Board of Education.

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**GOVERNOR'S OFFICE: Boards and commissions, appointments, term of, in case of vacancy.**

April 3, 1937.

Mrs. Martha C. Salb,  
Under Secretary,  
Indianapolis, Indiana.

Dear Mrs. Salb:

This will acknowledge receipt of your letter of April 1 asking for an opinion as to the manner of issuing commis-