of the intangible which, I think in this case, would be from the
time they are assigned to the Indiana branch. The same is true
of annual intangibles. (Burns' Indiana Statutes Annotated
1933, Secs. 64-909, 64-910.)

STATE DEPARTMENT OF PUBLIC WELFARE: Whether
additional allotment must be made by the Budget Com-
mittee to enable the department to avail itself of federal
benefits.

July 29, 1941.

Hon. T. A. Gottschalk,
State Department of Public Welfare,
141 South Meridian Street,
Indianapolis, Indiana.

Dear Mr. Gottschalk:

I have your request for an official opinion in which you ask
for a construction of a proviso of Chapter 204 of the Acts of
1941 which is as follows:

"Provided, That if the appropriations herein made are
not sufficient to enable the state, through the above
designated agency, to avail itself of all federal funds
and services which may be allotted, granted or offered
to the state during either fiscal year of the biennial
period for the above purposes, there is hereby appro-
priated such further sum as may be required for such
purposes, the amount, however, to be subject to the
approval of the budget committee."

You ask if the proviso on page 628, Chapter 204, of the Acts
of 1941 is broad enough to permit the state budget committee
to make additional appropriations to the State Department of
Public Welfare after the appropriations made in Chapter 179
and Chapter 204 of the Acts of 1941 are exhausted, if the same
are necessary to carry out the requirements of federal agen-
cies, and particularly with regard to the provisions of Section 6,
Chapter 179, of the Acts of 1941.

Section 6 of said Chapter 179 transfers to the State Depart-
ment of Public Welfare the duties that have theretofore been
performed by the Governor's Commission on Unemployment
Relief, and said section also made certain specific appropriations for said State Department to carry out said duties enumerated in that section, which appropriation for the fiscal year beginning July 1, 1941, was $200,000. This section also provided that this amount was subject to allocation by the budget committee for personal services and all other operating expenses, including equipment and fixed charges, or for current obligations, “and when so allotted shall be in addition to any other appropriations made available to the State Department of Public Welfare for the respective periods shown, and for the purposes herein provided, and may be incorporated with any such like appropriations for welfare services.” In Chapter 204 of the Acts of 1941 certain specific appropriations were made for the State Department of Public Welfare, for the use of that Department, and this chapter contained the proviso set forth above.

When the Legislature transferred to the State Department of Public Welfare the authority to carry out the duties that had heretofore been granted to the Governor’s Commission on Unemployment Relief it was made the duty of the State Department to carry out such services to the full extent required by the provisions of Section 6 of Chapter 179, and having the power to carry out the duties, it would also follow that if the funds allotted for the specific purpose of fulfilling such duties were not sufficient then under the general power given to the State Department of Public Welfare under the authority of the quoted proviso in said Chapter 204 that the state budget committee could allot to the State Department of Public Welfare sufficient funds for the specific purpose of having the State Department of Public Welfare perform the duties so imposed upon it by the provisions of Chapter 179 of the Acts of 1941. The Legislature must have realized that there was a strong likelihood that the specific appropriations made in Chapter 179 and Chapter 204 were insufficient to permit the State Department of Public Welfare to comply with the requirements of the federal agencies having supervision of the duties and powers enumerated in said Section 6. To make it possible at all times for the State Department of Public Welfare to perform such duties, authority was given to the state budget committee to increase the amount appropriated by the state legislature so that the necessary duties of the State Department of Public Welfare would be performed without making it necessary for a special session of the Legislature to make additional appropriations.

The budget committee should first allocate to the State De-
part of Public Welfare the appropriation for the fiscal year beginning July 1, 1941, so that the Department might know which part of the appropriation should be for personal services and other operating expenses, and from time to time as might be necessary, if the original appropriation was exhausted, the state budget committee could make additional appropriations under the general authority given by the proviso in said Chapter 204 on page 628 thereof, and your question is so answered.

DIVISION OF LABOR: Work Certificates for minors under the age of 14, whether same are required for Boy Scouts who have been assigned to clearing up their grounds.

July 30, 1941.

Division of Labor,
Mrs. Mary L. Garner, Director,
Bureau of Women and Children,
Room 404, State House,
Indianapolis, Indiana.

Dear Mrs. Garner:

I have your letter of the 24th inst., in which you refer to the School Attendance Child Labor Laws of this state and the employment of Boy Scouts between the ages of fourteen and eighteen years and also those between eighteen and twenty-one years of age.

You state that it has been your practice to require certificates of employment or permits to work from all such boys. Your question is directed to the necessity of procuring such certificates.

This question involves the regulations of Ch. 132, Acts of 1921, as amended by later laws up to and including Ch. 51, Acts of 1941, p. 138. The act is entitled, "An act concerning the School Attendance and Employment of Minors, fixing penalties and repealing all conflicting laws."

Sec. 2 of the last above entitled act has the following provisions:

"No minor under the age of fourteen years shall be employed or permitted to work in any gainful occupation other than farm labor or domestic service or as a