

Regarding the question of location, I do not believe a proper test to be applied is whether the property is situated in a strictly rural district or in a village or unincorporated town. The classification, as broadened, might properly include property situated in villages or unincorporated towns as well as in rural districts. This view is strengthened when comparing carefully the language, and considering the apparent purpose, of the amended section under consideration (Section 39-2007, Burns' Indiana Statutes, 1933) with the section as it originally appeared, Section 6, Chapter 145, Acts of 1919.

It is therefore my opinion, answering specifically your question as presented, that mutual farm insurance companies may insure property situated in other than rural districts, including villages or unincorporated towns; that they are not restricted to the issuance of policies on property located only in rural districts, exclusive of villages and unincorporated towns. This is upon the assumption, as expressed in the third paragraph above, that the property insured is not only "owned principally by farmers", but also that it "has some such relation or connection with farming interests as naturally to fall within the category of farm property even though not strictly such or used in connection with actual farm operations".

UNEMPLOYMENT RELIEF COMMISSION: Unused funds appropriated for Governor's Commission on Unemployment relief revert to the original Commission appropriation.

June 11, 1940.

Mr. Dudley A. Smith, Director,
Unemployment Relief Commission,
1145 E. 22nd Street,
Indianapolis, Indiana.

Dear Sir:

I have your letter of June 5 which is as follows:

"Will you kindly answer a question which arises in connection with the use or disposition of certain funds made available for administrative use by the Director of the Governor's Commission on Unemployment Relief as result of a resolution adopted and approved

according to law December 27, 1939, and followed by an Executive Order signed by the Governor and attested by the Secretary of State on January 1, 1940, a copy of which executive order is attached? Also attached is a copy of a more recent executive order signed by the Governor on May 18, 1940, and making an allotment of funds from the same source for another and specific purpose approved by the Commission and the chief executive.

“In light of the wording of these executive orders and of Chapter 136, Acts of 1933, specifically Section 4, the question is:

“Do funds properly allotted and now set up and being used by the Governor’s Commission on Unemployment Relief as the result of findings of emergencies and proper executive orders signed by the Governor and coming from the original continuing appropriation of the Commission (Chapter 136, Sec. 4, Acts of 1933) revert to the state general fund at the close of the fiscal year or revert to the original Commission appropriation or do they continue without interruption as being available for the original purposes for which they were set up without further action by the Commission or the chief executive?”

You also enclosed copies of two Executive Orders, one dated January 1, 1940, and one dated May 18, 1940.

It is my opinion that the funds properly allotted and now set up and being issued by the Governor’s Commission on Unemployment Relief as the result of findings of emergencies revert to the original commission appropriation and do not revert to the state general fund at the close of the fiscal year. Neither do they continue without interruption as being available for the original purpose for which they were set up without further action by the Commission or the chief executive.

As to the \$4,500.00 appropriation for the use of the Commission for the purchase of equipment on the Central Index experiment, I am of the opinion that this does not revert but is subject to be used in whole or in part for the purpose set out.