GOVERNOR: Governor's Commission on Unemployment Relief. Power to loan money.

March 17, 1938.

Hon. M. Clifford Townsend,
Governor of the State of Indiana,
State House,
Indianapolis, Indiana.

My Dear Governor:

Your request for an opinion as to the authority of the Governor's Commission on Unemployment Relief to make a loan to St. Joseph County, Indiana, for relief purposes, has been duly considered.

Your attention is directed to Section 4, Chapter 136 of the Acts of the Indiana General Assembly of 1933, which reads as follows:

"For the purpose of furnishing financial and other relief to the needy and distressed people having a legal settlement in this state, and for the purpose of relieving the hardships resulting from unemployment in this state, there is hereby appropriated out of any money in the general fund in the state treasury, to be expended by the Governor's Commission on Unemployment Relief, subject to the approval of the governor, the sum of one million dollars ($1,000,000.00) or so much thereof as may be necessary in the discretion of the governor. The above amount to be available after the 15th day of March, 1933. A like sum, or so much thereof as may be necessary in the discretion of the governor, is hereby appropriated for said purpose out of the general fund in the state treasury for the fiscal year beginning July 1, 1933. The appropriations made hereby shall have precedence over any other appropriation or appropriations made out of the general fund by the Seventy-seventh General Assembly, and the Seventy-eighth Session of the General Assembly of the State of Indiana. The appropriations made hereby shall continue to be available until expended and no part of the same shall revert to the general fund until the purposes herein set out have been accomplished; Provided, however, That none of the appropriation made hereby shall be expended except upon the finding and determination of
the Commission on Unemployment Relief that an emergency exists for such expenditure."

It will be noted from the above statute that there is now available certain funds in the state treasury that may be used "for the purpose of furnishing financial and other relief to the needy and distressed people having a legal settlement in this state, and for the purpose of relieving the hardships resulting from unemployment in this state."

I understand that a loan of $100,000.00 is desired in order that food orders heretofore issued may be paid for and that said loan will be repaid from the proceeds of a bond issue to be issued by the County Commissioners of St. Joseph County, under and pursuant to provisions of chapter 117, Acts of the Indiana General Assembly of 1935.

It is my opinion that the Governor's Commission on Unemployment Relief has authority to use the funds appropriated in the Act in any manner which in their judgment will tend to relieve the hardships resulting from unemployment in this state and accordingly have authority to make this loan, provided that the Board of Commissioners of the County of St. Joseph take such steps as are by law required to negotiate loans.

ACCOUNTS, STATE BOARD OF: Townships. Power to consolidate; Trustees of annexed township.

March 17, 1938.

Hon. W. P. Cosgrove,
State Examiner,
State Board of Accounts,
Indianapolis, Indiana.

Dear Mr. Cosgrove:

This will acknowledge receipt of your letter of March 17, in which you submit the following questions with reference to the annexation and abolition of townships:

"(1) Can a Board of County Commissioners enter an order at this time, making such consolidation or annexation effective on January 1, 1939?"