

Opinion No. 152**Relief—Poor—Transfer of Funds—
Emergency Poor Relief—Governor's Proclamation.**

HELD: Funds may be transferred upon Governor's proclamation for relief of poor, as provided in Chapter 43, Laws of 1933, to other than poor fund if used for poor relief.

April 12, 1933.

You have requested my opinion in connection with Chapter 43, Laws of 1933. The Governor has issued a proclamation authorizing the board of county commissioners to transfer to the poor fund, money for the purpose of relief in the emergency. The commissioners desire to use a part of this money for buying tools and implements and other things required for work on the highway. In other words, they desire to have a part of the money placed in the road fund.

As the proclamation is drawn, which specifically provides that the money be transferred to the poor fund, I am of the opinion that it is not broad enough to permit transfer of one-half of the money into the road fund. The question arises whether or not the Governor may make a proclamation broad

enough to permit this. Inasmuch as Chapter 43, Laws of 1933, does not specifically limit the transfer to the poor fund but authorizes the transfer to the "proper fund", I am of the opinion that the Governor could, by proclamation, authorize a transfer of part of the funds into some other fund besides the poor fund; provided, however, that the proclamation in such case should specifically recite that money transferred into such other fund shall be used solely for the relief of the poor.