

University are available, mortgaged property could be purchased with such funds only if the property produced sufficient income to meet the mortgage payments.

CONCLUSION

It is, therefore, the opinion of this office that the University can buy land without specific legislative authorization only if funds are used which are acquired over and above legislative appropriation, and only to the extent of such surplus. The University, acting through its Board of Regents, cannot borrow money from a bank or financial institution without legislative authorization. The University can purchase mortgaged property only if funds other than those appropriated by the Legislature are available, and then only if the income from such mortgaged property is sufficient to meet the mortgage payments.

Respectfully submitted,

HARVEY DICKERSON, *Attorney General*

By DANIEL R. WALSH, *Deputy Attorney General*

125 Commissioner District; Voting Precinct—Board of County Commissioners has power, upon designation of voting precinct by county clerk, to add such precinct to commissioner district in which there is an adjoining precinct.

Carson City, April 1, 1964

HON. WILLIAM P. BEKO, *District Attorney, Nye County, Tonopah, Nevada.*

DEAR MR. BEKO: You have pointed out to this office that Nye County now has three commissioner districts formed under the provisions of [NRS 244.050](#).

Amendments to this section enacted by the 1959, 1960, and 1961 Sessions of the Legislature contain no provisions for amending or modifying commissioner districts.

Your question in view of this is whether Lathrop Wells, which has been established as an election precinct under the provisions of [NRS 293.207](#) and [293.210](#), can be included in one of the commissioner districts already established?

ANALYSIS

We can see no reason why this cannot legally be done. In holding that each commissioner district should be composed of adjoining precincts the legislature envisioned that new precincts should be in that commissioner district in which there is an adjoining precinct, and if possible to ascertain in that district which would most nearly be brought up to one-third of the voting population by such addition. This should govern as to whether Lathrop Wells should be in Commissioner District number 2 or Commissioner District number 3.

CONCLUSION

It is therefore the opinion of this office that the Board of County Commissioners, upon designation by the county clerk, can add a voting precinct to a commissioner district in which there is an adjoining precinct.

Respectfully submitted,

HARVEY DICKERSON, *Attorney General*