

of the Motor Vehicle Act no time limit is set for procuring such registration. Are we not right in holding that such dealers be required to register immediately on entering the State?

OPINION

You are advised that section 2 of the Motor Vehicle Law allows a person coming into this State, in the instances cited by you, five days within which to procure a license. The Legislature has seen fit to allow this time for any of the enumerated persons to secure a license. This cannot be changed by construction. You are, therefore, advised that your inspector has no authority to compel either the persons enumerated in number one of your inquiry or those referred to in number two to secure a license before the five days have elapsed.

Respectfully submitted for the Attorney-General,

M.A. DISKIN, *Attorney-General*.

By WM. J. FORMAN, *Deputy Attorney-General*.

W.P. HARRINGTON, *Supervisor of Employment, Adjustments and Public Relations,*
Nevada Department of Highways, Carson City, Nevada.

237. Election—Registration for Special Election Sufficient to Qualify Without Reregistration for General Election.

INQUIRY

CARSON CITY, June 8, 1926.

The inquiry is whether or not it is necessary for parties registering for the first time at the last special election in Lander County on the high school bond issue to reregister for the coming election this fall.

OPINION

The election to which the inquiry refers was a referendum election contest within the county since the last general election. The Act regulating the registration of voters for general, special, and primary elections (vol. 3, Revised Laws, 1919, pages 2736 to 2749) provides the requirements of registration, and it is the intention of this law that when an elector registers for any general, special, or primary election, which registration is a prerequisite to voting, his or her name is placed in the Official Register of voters. When an elector's name is placed in the Official Register he need not reregister unless his card is removed therefrom by the County Clerk for some reason prescribed by law. Among these reasons is the failure to vote at the general election.

This intention is made very clear by section 20 of the Act which provides as follows:

If at any time the register is closed for any impending election but open for some other election, any elector shall be permitted to register for such other election by the County Clerk who retains his registration card in a safe file until the Official Register is again open for filing of cards, at which time all cards in such temporary file shall be placed in their proper position in the Official Register.

The cards, therefore, of the electors to which this inquiry refer are placed in the Official Register and there is no necessity for such electors to reregister for the coming election.

Respectfully submitted for the Attorney-General,

M.A. DISKIN, *Attorney-General*.

By WM. J. FORMAN, *Deputy Attorney-General*.

HOWARD E. BROWNE, *District Attorney, Lander County, Austin, Nevada*.

238. Revenue—Unexpended Balances.

Balance in funds collected by taxation are dedicated to a particular purpose and can be used for no other purpose without legislative authority.

INQUIRY

CARSON CITY, June 12, 1926.

What disposition can be legally made of a balance remaining in a fund received from taxes when the purpose for which such tax was levied has been completely fulfilled.

OPINION

In submitting this question for an official opinion, it is stated that an emergency loan was heretofore negotiated and a tax was levied to repay the amount of this loan, and after payment thereof there remains a substantial balance in such fund. As I understand your inquiry, you desire to be advised if this money might be transferred to the County High School Fund.

It is a well known principle of law that, where money is raised by taxation for a particular purpose, such money cannot be diverted to any other purpose. I am of the opinion, therefore, that the legal way to handle this surplus is to make application to the Legislature authorizing the transfer of this money by legislative Act to the fund indicated.

Respectfully submitted,

M.A. DISKIN, *Attorney-General*.

HON. J.H. WHITE, *District Attorney, Hawthorne, Nevada*.