section, I am of the opinion that the old Section 260 of the 1919 Act can no longer be looked to as a means of providing competitive bidding. Since the amended section as set out in the 1941 Act contains no such provision but requires that the entire description shall be sold, in my opinion there is no provision for competitive bidding in the 1941 Act.

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**BUREAU OF MOTOR VEHICLES: Effect of Chapter 181 of the Acts of 1941; whether the same repeals Chapter 103 of the Acts of 1941.**

April 23, 1942.

Mr. R. Lowell McDaniel,
Director, Bureau of Motor Vehicles,
State House,
Indianapolis, Indiana.

Dear Sir:

This is to acknowledge your request for an official opinion on the following question:

"Will you please give us an official opinion as to whether or not Chapter 103 of the Acts of 1941 is in effect.

"We are under the impression that this Act was repealed by Chapter 181 of the Acts of 1941."

Chapter 103 of the Acts of 1941 was approved March 5, 1941. Section 1 of this chapter amends Section 1 of Chapter 255 of the Acts of 1937. (Burns' Indiana Statutes Annotated, 1933, Section 47-1119.) The 1941 amendment of this section added subsections (f) to (i), inclusive. These additional subsections define the words "transportation," "farm tractor" and "wagon, trailer or vehicle," and in subsection (i) thereof provision is made for the licensing of farm tractors used by the owner or operator to transport his own commodities upon the highways. The fee for this license is $3.00 per year.

After the approval of Chapter 103, the 1941 legislature passed, over the veto of the Governor, Chapter 181 of the Acts of 1941. This chapter repealed Chapter 255 of the Acts

With the above outline in mind, I direct your attention to Section 28, Article 4, of the State Constitution, which reads as follows, to-wit:

"Effective date of statutes.—No act shall take effect, until the same shall have been published and circulated in the several counties of this State, by authority, except in case of emergency; which emergency shall be declared in the preamble, or in the body, of the law."

Having this provision in mind, I note that Section 2 of Chapter 103 of the Acts of 1941 provides for an emergency and for the immediate taking effect of the amendatory act. Chapter 181 of the Acts of 1941 was passed after Chapter 103 and, by its terms, became effective January 1, 1942. I am of the opinion, therefore, that when Chapter 181 of the Acts of 1941 became effective it repealed Chapter 255 of the Acts of 1937 as previously amended by Chapter 103 of the Acts of 1941. This is necessarily true because it has been held that an act containing an emergency clause operates immediately upon passage. Therefore, when Chapter 181 became effective, it repealed Chapter 255 as amended by Chapter 103. See Stalcup v. Dixon, 136 Ind. 9. In conclusion, I am of the opinion that Chapter 103 of the Acts of 1941 was effectively repealed by Chapter 181 of the Acts of 1941 and it is therefore no longer in force.