MOTOR VEHICLES, DEPARTMENT OF: (Department of Treasury)—Validity of requiring motor vehicle operators to renew their original operator’s license for 1933.

May 25, 1933.

Hon. William Storen,
Department of Treasury,
Indianapolis, Indiana.
Attention: Hon. Gus Mueller,
Chief Hearing Judge.

Dear Sir:

I have before me your request for an opinion upon the validity of requiring motor vehicle operators to renew their original operator’s license in and for the year of 1933 under chapter 139 of the Acts of 1933. You direct attention to the fact that objection has been made upon the ground that chapter 139 does not authorize such a ruling and that the said act does not require that such renewals issue except as of January 1, 1934, and annually thereafter.

Your question calls for an interpretation of subsection (a) of section 1 of chapter 139 of the Acts of 1933, which is as follows:

"Every operator’s license issued hereunder shall be obtained and issued as of January first of each year and shall expire December thirty-first of each year, and shall be renewed annually upon application and payment of the fees required by law under the provisions of this act for an original operator’s license; and for such purpose, this act shall be effective as of April 1, 1933."

It is a well settled rule of statutory construction that all words and phrases appearing in a statute are to be taken as having some meaning, and where it is at all possible, are to be given effect. A reading of this section of the law in conformity with this rule of construction, reveals that it was the definite intention of the 78th general assembly that renewals should be made in and for 1933. Upon no other ground can the presence of the phrase:

"* * * and for such purpose this act shall be effective as of April 1, 1933,"

be ignored.
be explained. To hold otherwise, would be to render this express language of the legislature as meaningless, for had the general assembly intended that renewals were to be made for the year of 1934 and thereafter, this would best have been accomplished by failing to add the phrase set forth above; without this phrase, the act would mean precisely what the objectors contend it now means; with this phrase, the wording can only be given effect by the decision that the renewal of motor vehicle operator's licenses is to be made "as of April 1, 1933", and since "every operator's license issued hereunder shall * * * expire December thirty-first * * *", that such licenses are for the year of 1933.

CONSERVATION DEPARTMENT: Fish and Game Division—Issuance of permits to honorably discharged soldiers.

May 26, 1933.

Mr. H. G. Shinnamom,
License Clerk,
Fish and Game Division,
Indianapolis, Indiana.

Dear Sir:

I have before me your request for an official opinion concerning the application of Harold R. Landes for a permit to hunt and fish without a license. I am advised by a letter accompanying the application that the applicant's discharge from the navy does not read "honorably discharged" but reads by "Special Order Bureau of Navigation (Atlantic Fleet 13), for convenience of the government."

The provision of the statute authorizing the issuance of such permits is section 2780 of Burns 1929, Supplement to Burns Annotated Indiana Statutes of 1926 and provides that:

"The department of conservation is hereby authorized and required to prescribe and furnish permits to hunt, fish and trap without license, which permits shall be issued in the manner hereinafter provided to honorably discharged soldiers, sailors and marines who served in the United States army or navy in the civil war, the war with Spain, the Philippine insurrection or the war with Germany, and who are at the time of