

County Clerk and Recorder—Fees—Hail Insurance.

The County Clerk and Recorder should file applications for hail insurance without the payment of any fees therefor.

State Board of Hail Insurance,
Helena, Montana.

Gentlemen:

You have requested my opinion as to whether any fees are required to be paid to the County Clerk and Recorder when there is filed in his office an application for hail insurance containing a crop lien, Section 350-B, Revised Codes, 1921, (added by Section 3, Chapter 40, of the Laws of 1923), providing for the filing thereof in such office.

The State Board of Hail Insurance is a state board or agency and the County Assessor in filing such applications in the office of the County Clerk and Recorder is merely acting for the board. Section 4893, Revised Codes of 1921, provides that no fees must be charged the state, or any county, or any subdivision thereof, or any public officer acting therefor, for official services rendered, and all such services must be performed without the payment of fees.

It is, therefore, my opinion that under said Section 4893 no fees can be charged or collected by the County Clerk and Recorder for filing such applications in his office.

Very truly yours,

WELLINGTON D. RANKIN,
Attorney General.