

Opinion No. 30
Optometry Board—Rules and
Regulations.

HELD: No authority is granted by statute to make ruling requiring registered optometrists to establish permanent office or designating minimum equipment in such office.

January 20, 1933.

You have submitted the following question: "The optometry board wishes your opinion regarding our authority to make board rulings. For example, could we rule to the effect that every optometrist registered in Montana establish a permanent office, providing he wishes to practice in the state. Also could we legally designate the minimum equipment for an optometric office?"

I wish to advise that I have checked Sections 3155 to 3169, R. C. M. 1921, as amended by Chapter 171, Laws of 1925,

and by Chapter 44, Laws of 1927, and that I can find nothing therein which, in my opinion, gives the optometry board either express or implied authority to make the rulings you have mentioned above, as desirable. The board has no power except as may be granted to it by the legislature.