

Dear Mr. Brown:

You have submitted the question as to what fees should be charged for regular examinations of credit unions.

Sections 6014.78 et seq., R. C. M. 1935, provide for certain fees to be paid by counties, cities and towns, county high schools, irrigation districts, banks, and building and loan associations, but there is no mention of credit unions. These sections were enacted as Chapter 89, Laws of 1927, and prior to the enactment of Section 6109.17 Id., which provides that the state examiner shall examine all credit unions doing business in this state, at least once a year, but fails to specify the fee to be paid for such annual examination, although for special examinations it fixes the fee at \$15.00 per day, plus expenses.

In the absence of a statute fixing the fee for regular examination of credit unions, I am of the opinion that none may be charged. It is the general rule that no fees may be charged by public officers unless they are expressly fixed by statute. (46 C. J. 1017, Section 244.) See also opinion No. 88, Volume 15, Opinions of the Attorney General, 71.

Opinion No. 322.

State Examiner—Fees for Regular Examination—Credit Unions.

HELD: Since the statute does not expressly fix the fee for regular examination of credit unions, none may be charged by the state examiner.

August 12, 1938.

Hon. W. A. Brown
State Examiner
The Capitol