

Although, under Section 2939.6, R. C. M. 1935, the board shall not execute its powers in any market, except upon written application of an association organized under regulations satisfactory to the board, I am unable to find anything in the Milk Control Act which would authorize the board to assume the responsibility of requiring dairymen, licensed by the state board, to pay into the secretary-treasurer of the local associations the annual dues assessed by such local association. This would, in effect, make the Montana Milk Control Board a collector of local dues and I think this is beyond the authority given to such board.

**Opinion No. 96.**

**Milk Control Board—Power of Board—  
Collection Local Assessments.**

HELD: The Montana Milk Control Board is not authorized to require dairymen licensed by the state board to pay into the secretary-treasurer of the local associations the annual dues assessed by such local associations.

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April 30, 1937.

Mr. G. A. Norris  
Commissioner, Montana Milk  
Control Board  
The Capitol

Dear Mr. Norris:

You have asked my opinion on the following:

“Under chapter 241 of the political codes, Revised Codes of 1935, does the Montana Milk Control Board have the authority to require dairymen licensed by the state board to pay into the secretary-treasurer of the local associations, the annual dues assessed by such local association?”

“These dues are assessed by the local dairymen’s associations to assist them in carrying on the work of the local association, in cooperation with the state board.”