

**Mutual Insurance Companies. Insurance Companies, Mutual.  
Local, Insurance Companies.**

Section 21 of Chap. 21 of the Laws of 1907, does not conflict with nor amend Sections 19 and 20 of said Chapter.

Helena, Montana, July 2, 1907.

Hon. H. R. Cunningham,  
State Auditor,  
Helena, Montana.

Dear Sir:—

I am in receipt of your letter of June 21st., submitting for consideration of this office the following question:

“Does Section 21 of Chap. 21, Laws 1907, conflict with or annul sections 19 and 20 of said chapter?”

Chapter 21 of the Laws of 1907 is an act providing for the management and regulation of mutual companies for the insurance of the property of members against loss or damage by fire or the elements. It is a special act which releases only the companies indicated in the title and as they are organized, managed and controlled and receive their power and authority from the act which provides for their organization, the general insurance laws of the state are in no wise applicable to such companies unless made so by special reference in the act itself. Section 19 of said chapter provides in effect that such corporations shall not be required to procure any certificate of authority or to pay any fee or license for the transaction of the business of the corporation, “except as provided in this act.” Section 20, is a general statement to the effect that the provisions of sections 650 to 682 of the Civil Code as amended, do not apply to the corporations provided for by said chapter 21. Section 21 of the act then provides that this special law, this chapter 21 of the Laws of 1907, shall not have the effect of repealing any law or act relating to the licensing of insurance companies. The only effect in this Section 21 is to prevent this special law of 1907 from being construed in connection with the general insurance law of the State with reference to insurance companies not provided for in said special law. But said Section 21 has no application whatsoever in the construction of other sections of this special law, and it is therefore not in conflict, nor does it control or amend Sections 19 and 20 of said Chapter 21 of the Laws of 1907.

Respectfully submitted,

ALBERT J. GALEN,

Attorney General.