

OPINION
57-52

December 18, 1957 (OPINION)

COOPERATIVE ASSOCIATIONS

RE: Electrical - Applicable Provisions of Law

We have received your letter of December 14, 1957, in which you request an opinion of whether section 10-1533, subsection 2(a) of chapter 104 of the 1957 Session Laws, is applicable to electric cooperative corporations. Pursuant to that request, please note the following:

Section 10-1560 of chapter 104, Session Laws of 1957, provides that chapter 104 does not apply to cooperatives governed by chapter 10-13 of the N.D.R.C. of 1943, except where the provisions of that chapter (10-13) refer to the general law governing corporations or cooperatives, and section 10-1340 of that chapter provides that no provision outside of the chapter shall apply to corporations organized under the chapter except in the manner provided for by the statutes contained therein. In examining the statutes contained in chapter 10-13 of the N.D.R.C. of 1943 we were unable to discover any which made reference to or attempt to adopt cooperative or corporation law.

It is, therefore, the opinion of the Attorney General that subsection 2(a) of section 10-1533 of chapter 104 of the 1957 Session Laws, is not applicable to electric cooperatives regulated by chapter 10-13 of the N.D.R.C. of 1943.

LESLIE R. BURGUM

Attorney General