

OFFICIAL OPINION NO. 68-8, Medical and Hospitalization Insurance for the Agency Employees

STATE OF SOUTH DAKOTA
OFFICE OF
THE ATTORNEY GENERAL

July 15, 1968

Richard Larson, Director
State Agency for Surplus Property
Huron, South Dakota 57350

OFFICIAL OPINION NO. 68-8

Medical and Hospitalization Insurance for the Agency Employees

Dear Mr. Larson:

You have requested my official opinion as to whether or not the South Dakota State Agency for Surplus Property may use its funds to provide Medical and Hospitalization Insurance for the Agency employees.

In an unofficial opinion dated November 12, 1964, which you enclosed in your letter of June 13, 1968, this office ruled that under SDC 1960 Supp. 55.1110 the Surplus Property Committee was given powers which were "broad and without limit" citing 1961-62 AGR 83, an official opinion dated August 31, 1961.

I am not entirely in accord with the official opinion of my predecessor dated August 31st, 1961.

It is my opinion that since your personnel are classified as state employees, any such action as you suggest should receive legislative approval before your agency disburses any funds for Medical and Hospital insurance for your employees.

The answer to your question is therefore in the NEGATIVE.

Respectfully submitted,

Frank L. Farrar
Attorney General