

MAINE STATE LEGISLATURE

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STATE OF MAINE

May 29, 1962

Inter-Departmental Memorandum

Date

To K. B. Burns, Chief Accountant

Dept. Mental Health and Corrections

From Courtland D. Perry, Asst. Atty. Gen.

Dept. Mental Health and Corrections

Subject Insurance Premiums Paid From State Funds

QUESTION PRESENTED: Under the present status of the law, has the business office of any state institution the authority to pay from state funds an insurance premium on a liability policy under which a state employee who also serves as a deputy sheriff is the named insured?

The Statutes and Personnel Rules and Regulations set forth benefits to which a state employee is entitled. Rule 5.2 of the Rules and Regulations, adopted under the personnel law, provides that the salary of a state employee shall be his total remuneration unless otherwise ^{EXC} ~~accepted~~ in the personnel rules. There is no exception made for the payment of insurance premiums for state employees who also serve in the capacity of deputy sheriffs, and there is no analogous rule through which authority may be obtained. No statute can be found which provides for the payment of such premiums.

It is the opinion of this office that the business office of a state institution may not use state funds for the payment of liability insurance premiums on policies under which a state employee--deputy sheriff--is the named insured,

Courtland D. Perry

Courtland D. Perry
Assistant Attorney General

CDP/slw