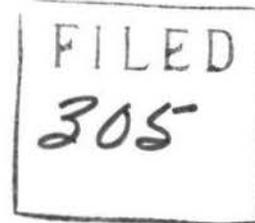


June 17, 1971

OPINION LETTER NO. 305
Answered by Klaffenbach

Honorable Carl R. Noren, Director
Missouri Department of Conservation
P.O. Box 180
Jefferson City, Missouri 65101



Dear Mr. Noren:

This letter is in response to your opinion request in which you ask whether the Missouri Conservation Commission has the authority to participate in a program designated as the "Missouri Conservation Commission Employees' Insurance Program" which provides hospital coverage, major medical, and life insurance for the employees of the Conservation Commission, by assisting in the support of such a program by defraying a portion of the insurance cost out of the Commission's funds.

You have also referred to our Opinions No. 425, dated August 17, 1970 which was directed to you, No. 500, dated November 18, 1969, to the Honorable A. Basey Vanlandingham, and Opinion No. 93, dated September 9, 1969, to the Honorable William J. Cason.

In our Opinion of August 17, 1970 to you, we noted that it was our view that the Conservation Commission is given authority to set salaries and compensate its employees and is not prohibited in the form in which such compensation may be given and that therefore the Conservation Commission had authority to purchase liability insurance coverage on its employees for that period of time in which they drive motor vehicles owned by the Commission as part of the compensation of such employees.

The theory of that opinion is applicable in this instance and we are therefore of the view that as a part of such compensation, to be fixed by the Commission in accordance with the provisions of Section 42, Article IV of the Missouri Constitution, the Commission may provide such hospital, major medical and life insurance coverage for its employees.

Very truly yours,

JOHN C. DANFORTH
Attorney General