

a letter from E. A. Starch, Regional Director, Resettlement Administration. The first question is as follows:

"(1) May the public funds of the State and political subdivisions thereof and other local governing or public administrative bodies be used for the payment of premiums or workmen's compensation insurance or other equivalent form of insurance covering signatories of voluntary work agreements?"

There is submitted with said request for an opinion a form of request for labor to the Rural Resettlement Administration from some state or county governmental agency, together with the form of voluntary work agreement, and an explanation of a plan whereby some of the indigent farmers of the state are given employment upon works of general public benefit.

This office has heretofore held that it was not compulsory upon the part of the Montana Relief Commission to carry compensation on federal relief projects. (Vol. 15, Report and Official Opinions of the Attorney General, Opinion No. 620, p. 426.) We further held that the Relief Commission had the authority to provide for some form of compensation in case of injury to workmen.

From a practical standpoint we are advised that there is no working connection between the Montana Relief Commission and the Rural Resettlement Administration as there was in connection with the federal projects upon which the prior opinion was given. We, therefore, doubt whether it will be possible to secure the compensation from that source.

As to the rights of the counties, or other agencies, to make expenditures for workmen's compensation in connection with these projects, this office has held in Opinions Nos. 378, 423, 439 and 502 (Volume 15), and No. 263 (Volume 16), that in certain cases counties might supply equipment, or make other purchases, where federal funds were to be used for the purpose of furnishing relief labor and the benefits to the county in the case of its poor exceed such expenditures.

In order for the county commissioners of a county to purchase work-

Opinion No. 366.

Workmen's Compensation—Insurance —Rural Resettlement, Voluntary Work Agreement Signatories.

HELD. 1. Public funds may not be used for the payment of premiums or workmen's compensation insurance or other equivalent form of insurance covering signatories of voluntary work agreements with the Resettlement Administration.

2. The State and its political subdivisions and other local authorities are not authorized by law to assume liability for injuries sustained by assigned voluntary work agreement signatories.

3. Assigned voluntary work agreement signatories will not be otherwise similarly protected by such insurance by operation of State statutes.

October 26, 1936.

Hon. Elmer Holt
Governor of Montana
The Capitol

You have requested an answer to three questions propounded to you in

men's compensation on your projects from any county funds, it would be absolutely necessary that such money was being expended for the purposes of the relief of the poor of the county and to the advantage of the county (not the individuals) in order to warrant such expenditures. We do not see how either the state, counties or other agencies, can from a practical standpoint furnish the compensation insurance you require. We believe that it will be necessary for the legislature to enact appropriate legislation in order that this may be done.

Your second question is as follows:

"(2) Are the State and its political subdivisions and other local authorities authorized by law to assume liability for injuries sustained by assigned voluntary work agreement signatories?"

Answer: No.

"(3) Will assigned voluntary work agreement signatories be otherwise similarly protected by such insurance by the operating of the provisions of any other applicable State statute?"

Answer: No.