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Opinion No. R-57

R-57  
December 1, 1964

REQUESTED BY: JOHN F. PRINCE, Executive Director  
Arizona State Board of Directors  
for Junior Colleges

OPINION BY: ROBERT W. PICKRELL  
The Attorney General

QUESTIONS: 1. May a County Junior College District  
Governing Board enter into an agreement  
with an insurance company to provide group  
health and accident insurance for the em-  
ployees of the junior college district and  
their dependents?

2. May the district budget to pay a por-  
tion of the cost of the insurance for the  
employees of the junior college district  
and their dependents?

ANSWERS: 1. Yes  
2. Yes

The Junior College District Governing Board is empowered  
by A.R.S. § 15-679 to:

"5. Appoint and employ a president, or presidents,  
vice-presidents, deans, professors, instructors,  
lecturers, fellows and such other officers and em-  
ployees it deems necessary.

"6. Determine the salaries of persons appointed  
and employed."

This power of the District Governing Board is very simi-  
lar to that of the Board of Regents.

In our prior Opinion No. 59-96, dated May 22, 1959, it  
was our opinion that the Board of Regents had authority under  
A.R.S. §§ 15-725, 15-743, and 15-744, to pay state funds as  
part of the premiums for a group insurance program covering

Opinion No. 65-2  
R-57  
December 1, 1964

employees of the universities and state college. The rationale of that opinion was that the power was included within the authority to determine salaries.

A similar conclusion was reached in our Opinion No. 59-119, where we said that municipalities and counties had the power to pay a portion of the cost of group insurance of its employee.

Another Attorney General's opinion has direct bearing on the questions raised - this is Opinion No. 60-24 of February 16, 1960. There the question was: "Has a school district authority to pay a portion of the cost of group health, accident and life insurance for its employees?" Citing the two prior opinions, the answer was answered in the affirmative. Here again the authority to set salaries of teachers, principals, janitors, etc. was persuasive. (A.R.S. § 15-443).

In the case of the newly created Junior College Districts, which have great similarities to the common school districts, and the powers granted them under A.R.S. § 15-679, we are of the opinion that the Governing Board may, if it so desires, enter into an agreement with an insurance company to provide group health and accident insurance for their employees and pay a portion of the cost of such insurance as a portion of the salary paid its employees.

Respectfully submitted,

  
ROBERT W. PICKRELL  
The Attorney General

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