

**OPINION
57-112**

July 5, 1957 (OPINION)

INSTITUTIONS

RE: Disposition of Insurance Payments for Wrecked Vehicle

This is in reply to your letter of 27 June 1957, requesting an opinion of this office in regard to the disposition of moneys received by one of the state institutions.

You inform us that a truck used at one of the institutions was involved in a wreck and the insurance company, determining that it was a total loss, issued a check in payment of the full value of same. You ask whether the insurance money can be applied on such payment or whether it must be put into institutional collections.

There may be some question on the matter; however, it would appear to us that the purpose of the acquisition of the insurance, and the expenditure of the institutional funds therefor, was to assure the maintenance and keeping of the institutional vehicles available for use. Under such circumstances we can see no other proper use for the funds representing such truck than the acquisition of a replacement therefor.

LESLIE R. BURGUM

Attorney General