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Insurance
The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11548
COLUMBIA, S.C. 29211
TELEPHONE 803-758-2072

August 13, 1985

Mrs. Phyllis B. Beighley
Insurance Benefits Manager
South Carolina Retirement System
Post Office Box 11960
Columbia, South Carolina 29211

Dear Mrs. Beighley:

You have requested advice as to the eligibility of the Tangent Transportation Company to participate in the State Insurance Program.

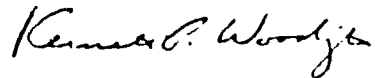
I enclose a copy of a letter written this date to Purvis Collins, in which I indicate that the Company, as a subsidiary of the South Carolina Public Railways Commission, is eligible for Retirement System coverage as a state employer in the same way the Commission itself is. While I am not aware of the precise label attached to the Public Railways Commission, it is probably a public corporation such as the Research Authority and the Public Service Authority (Santee-Cooper).

A proviso to § 16 of the 1985-86 General Appropriations Act provides that "any agency of the State Government whose operations are covered by funds from other than General Fund Appropriations shall pay from such other sources a proportionate share of the employer costs of *** health and other insurance... ." There is no appropriation for the Public Railways Commission in the General Appropriations Act, so its funds apparently come entirely from another source. This Office would therefore advise that the Company may participate in the State Insurance Program provided that it makes from its source of funds a payment similar to that which would have been appropriated to it had it received appropriation.

Mrs. Phyllis B. Beighley
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If I may be of further assistance, please let me know.

Sincerely yours,



Kenneth P. Woodington
Senior Assistant Attorney General

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