

OPINION
64-239

December 30, 1964 (OPINION)

Mr. John A. Alphson

State's Attorney

Grand Forks County

Attention: David Kessler

Assistant State's Attorney

RE: Public Welfare - Records - Confidential

Dear Mr. Kessler:

This is in reply to your letter of December 17, 1964, requesting an opinion of this office in regard to the application of section 50-24-31 of the North Dakota Century Code.

Your quote said section at length informing us that during the past several weeks Grand Forks County Welfare Board has had requests for:

1. A photocopy of a signature of a welfare recipient, for possible use in a prosecution upon a federal complaint; and
2. A request for information by the Internal Revenue Service for records as to the amount of welfare assistance paid to certain welfare recipients."

You request our advice and comments as to the application of said section 50-24-31 with respect to public welfare records. You state that your county welfare board would like to cooperate with other government agencies in every way possible, but of course would not disclose requested information if this would be a violation of section 50-24-31.

In our opinion section 50-24-31 is very clear as to its meaning and in the circumstances you relate would definitely prohibit disclosure of the requested information. In some instances of course federal statutes or other state statutes might override this statute in particular circumstances. However, the information you relate does not disclose any circumstances that would bring into play other state statutes in regard to same, nor does it disclose any basis of overriding federal authority.

HELGI JOHANNESON

Attorney General