

June 8, 1959 (OPINION)

PUBLIC WELFARE

RE: Children's Psychiatric Clinic - Joint Venture

We have received your letter of June 1, 1959, wherein you state that the Board of Administration has been requested to consider a joint venture with the Lutheran Welfare group of Fargo, North Dakota, in a child welfare program. The total cost would be approximately \$40,000.00, \$20,000.00 of which would be contributed by the Board of Administration out of funds appropriated by S.B. 108 enacted by the last legislative assembly.

We have carefully considered S.B. 108, and it appears to us that your board would not have authority to enter into such a joint venture, nor could you purchase this service from an outside group. The appropriation is to be used in the creation and development of a children's psychiatric outpatient clinic which must be administered by your board as a part of the state hospital, but not necessarily at the state hospital.

We believe your board could lease the clinic from the Lutheran welfare and hire the present personnel at the clinic, but the administration of the clinic would have to be by your board, and would have to be a part of the service offered by the state hospital to children under the control of the state.

LESLIE R. BURGUM

Attorney General