

**N.D.A.G. Letter to Schmiess (March 23, 1987)**

March 23, 1987

Dr. Al Schmiess  
Administrative Assistant  
North Dakota State Board of  
Dental Examiners  
P.O. Box 1175  
Jamestown, ND 58402-1175

Dear Dr. Schmiess:

Thank you for your letter of March 11, 1987, inquiring as to the ability of the North Dakota State Board of Dental Examiners to make a cash contribution to the North Dakota Coalition for Impaired Health Professionals.

The powers of the Board of Dental Examiners is found at N.D.C.C. § 43-28-06. In reviewing this section, there appears to be no authority within the Board to make such a contribution to such an organization. Thus, simply on the basis of the lack of any statutory authority, it would appear that the Board does not have the needed authority to authorize this contribution to this organization. Furthermore, the constitutional prohibition found at N.D. Const. Art. X, §18 (prohibiting the state from giving its credit or making donations to or in aid of any individual, association, or corporation, except for the reasonable support of the poor) may also be applicable to prohibit such contribution.

Sincerely,

Nicholas J. Spaeth

ja