

Opinion No. 56-6501

July 25, 1956

BY: RICHARD H. ROBINSON, Attorney General

TO: Mr. C. C. Chase, Jr., District Attorney, Third Judicial District, Las Cruces, New Mexico

You have requested the opinion of this office on the question as to whether or not the Board of Trustees of County - Municipal Hospitals may accept gifts and donations. In this regard our Opinion No. 6437, which dealt with another question, contains language indicating that such Boards of Trustees are not empowered to accept gifts or donations.

It is our opinion that the Boards of Trustees of such hospitals having the

". . . full and complete control of the management of such hospitals . . ."

have the implicit power to accept unconditional gifts or donations, Section 14-33-17, N.M.S.A., 1953, in spite of the fact that Section 14-33-20, N.M.S.A., 1953, provides specifically that the County Commissioners or the governing body of the municipality are empowered to accept gifts and donations for such hospitals. It may perhaps be that the County Commissioners or the municipal governing body might provide that gifts or donations to hospitals should come only to them and then to the hospitals, but in the absence of such rule or order the hospital's Board of Trustees may accept such. Attorney General's Opinion No. 6437 is, to the extent that it conflicts with this one, modified.

By: Santiago E. Campos

Assistant Attorney General