

March 27, 1925.

Hon. Phil C. Merrill, Superintendent,
State Industrial School,
Ft. Grant, Arizona.

Dear Mr. Merrill:

Through the Board of Directors of State Institutions has come your query as to whether or not the Industrial School has the power to refuse to admit children that have venereal disease.

It is clear that a mere regulation of the state board of health cannot suspend the operation of the statute authorizing juvenile courts to commit children to your institution. It occurs that a careful reading of paragraph 15 of the regulations of the state board of health discloses that the state does not attempt to shift the burden of quarantine in venereal cases but, on the other hand, assumes responsibility in the matter. It would seem that paragraph 15 contemplates that your institution make provision for such quarantine as is mentioned therein.

Under date of April 2, 1923, we wrote on the subject to a former superintendent of your institution. Thinking that the letter may have been misplaced in the institution's files, we enclose a copy of that communication.

Very truly yours,

JWM-s

Attorney General.