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LETTER 60-71-L

ORIGINATOR: LES HARDY

May 4, 1960

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ARIZONA ATTORNEY GENERAL

Mr. Steve Vukceвич, Superintendent  
Arizona State Industrial School  
Fort Grant, Arizona

Dear Mr. Vukceвич:

The Attorney General acknowledges receipt of your letter of May 2, 1960 with respect to the establishment of a commissary for the employees of the school to be located upon property of the state used by the Arizona State Industrial School for school purposes.

You request an opinion as to the authority of the Board of Directors of Juvenile Institutions to enter into a lease with a private concern to lease part of such lands for commissary purposes, or to rent part of the building for that purpose, or the Directors to establish and operate such a commissary.

It is the opinion of the Attorney General that a building used for industrial school purposes may be leased to a private person for such purposes, if it does not otherwise interfere with the operation of the school. It is suggested that such a lease be entered into for a term of not exceeding one year with optional provisions for the renewal of the lease from year to year. Furthermore, it is the opinion of the Attorney General that the Board of Directors could establish and operate the commissary itself, if funds are available within the appropriation made by the Legislature to the Board of Directors of Juvenile Institutions.

Very truly yours,

WADE CHURCH  
The Attorney General

LESLIE C. HARDY  
Chief Assistant  
Attorney General

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May 4, 1960

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ARIZONA ATTORNEY GENERAL

Mr. Justin Herman, Director  
Arizona Highway Department  
206 South 17th Avenue  
Phoenix, Arizona

Subject: Hatch Act  
Arizona Highway Department

Dear Mr. Herman:

In response to your inquiry of May 4, 1960,  
may we quote the following Arizona Statute:

"§ 18-115. Prohibition of political  
activity

No commissioner, state engineer, secretary  
or any employee of the highway department,  
shall serve on any committees of a political  
party, or engage in political activities oth-  
er than voting. A violation of this section  
shall be cause for dismissal or removal from  
the department."

If the employee involved is working for the High-  
way Department, then he comes clearly within the pro-  
hibitions of this statute. Appointment as a delegate  
to a national political convention would constitute  
service on a committee of a political party. There-  
fore, you, as the Director of the Arizona Highway  
Department could dismiss or remove said employee from  
office providing he did not resign from the political  
committee.

We would suggest that the party involved be noti-  
fied of the prohibition and be afforded an opportunity  
to resign from the political committee.

With cordial best wishes to you.

Very truly yours,

*Wade Church*  
WADE CHURCH  
The Attorney General

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