

November 4, 1935

Dr. Calvert T. Guilfoyle
State Veterinarian
Capitol Annex Building
Phoenix, Arizona

Dear Sir:

This will acknowledge receipt of your letter of November 1, 1935, in which you seek the opinion of the Attorney General on the meaning of Section 2594, Revised Code of Arizona, 1928.

Said Section 2594, Revised Code of Arizona, 1928, reads in part as follows, to-wit:

"A person desiring to practice veterinary medicine or surgery in the state, shall apply to the board for a license upon a form furnished by the board, accompanied by satisfactory evidence of his good moral character and that he has graduated and received a degree from a veterinary medical school recognized by the American Veterinary Medical Association, and pay to the board a fee of \$10.00, which shall not be refunded. The board shall, by means of such examination, as with the approval of the governor it may designate, ascertain the professional qualifications of the applicant and issue a license to him if found to be competent to practice, and if he has made an average of sixty per cent in the various subjects of the examination.
* * * * * (emphasis ours)

Confirming my verbal opinion to you as to the meaning of the above, I am of the opinion that an applicant who has taken the examination and made a general average of sixty per cent or better, although he may have failed in one or more subjects of the examination, is eligible to a license from the board if they see fit to grant it.

However, in my opinion, in addition to attaining such average grade, the board is not compelled by that fact alone to issue the applicant a license for the reason that the board must find, in addition to said examination, that the applicant is a graduate of

35-315

Dr. Calvert T. Guilfoyle
State Veterinarian

-2-

Nov. 4, 1935

a recognized American Veterinary Medical Association school; that he is a person of good moral character; and that the board has ascertained that the professional qualifications of the applicant are such that in the opinion of the board he is entitled to a license.

If this office can be of further service to you in this matter, please do not hesitate to call upon us.

I am enclosing herewith the set of grades in question forwarded to me.

Yours very truly,

JOHN L. SULLIVAN
Attorney General

A. I. WINSBIT
Assistant Attorney
General

Enc. 1

