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Opinion No. 61-23
April 10, 1961

REQUESTED BY: Honorable Laurance T. Wren
COCONINO COUNTY ATTORNEY

OPINION BY: ROBERT W. PICKRELL,
The Attorney General

QUESTION: Can two or more counties in Northern
Arizona form together an association
for the purpose of a combined racing
event, which in effect if two counties
were involved would give an eight day
racing period, being totally subsidized
by the State?

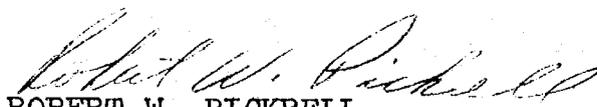
CONCLUSION: No.

Section 5-110(E) of the Arizona Revised Statutes provides for the conducting of a racing meet by county fair association or under lease during the county fair and Section 5-110(F) grants unto the Commission the authority to be the judge of whether a county fair is being operated in accordance with the provisions of this section.

Section 11-258 of the Arizona Revised Statutes provides for, among other things, the conducting of a district fair by two or more counties and the method by which the same shall be accomplished. It is the opinion of this office that based upon the above referred to statutes, the answer to the question propounded would be in the affirmative if the counties involved conducted a district fair in compliance with the statutes cited in Section 11-258, Arizona Revised Statutes.

In the event that a district fair was not conducted as provided in Section 11-258, Arizona Revised Statutes, then the answer to the question propounded would be in the negative.

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