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ARIZONA ATTORNEY GENERAL

16 November 1945

Mr. Carl M. Hitt, Secretary
Board of Trustees
Fireman's Relief and Pension Fund
City Hall
Tucson, Arizona

*Fireman
Retirement*

Dear Mr. Hitt:

Your letter of 15 November 1945, requesting our view as to whether or not our opinion dated 5 November 1945, relating to members of the Police Department on military leave, applies also to members of the Fire Department, is hereby acknowledged.

We hold that the conclusions reached in our letters of 5 November and 14 November apply as well to members of the Fire Department of the City of Tucson, and the Board of Trustees of the Fireman's Relief and Pension Fund should be governed accordingly.

The statutes relating to retirement of policemen and firemen are quite similar, except that in the case of firemen (Section 16-1912), the fund is financed by a tax of two percent (2%) on the gross amount of premiums received on fire insurance policies, whereas policemen contribute to their fund two percent (2%) out of their pay.

In view of this method of financing the firemen's fund, the rule in the policemen's case applies with greater force to firemen.

Very truly yours,

JOHN L. SULLIVAN
Attorney General

HARRY O. JULIANI
Chief Assistant
Attorney General

H0J:s