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ARIZONA ATTORNEY GENERAL**

December 20, 1952  
Op. No. 52-320

Mr. Bruce Parkinson  
Unemployment Compensation Director  
P.O. Box 111  
Phoenix, Arizona

*N.R.*

Dear Mr. Parkinson:

This will acknowledge your letter of December 10, 1952, in which you request an opinion as to whether persons performing services for county and city Health Departments are:

- "(1) employees solely of the county in whose department they serve, or
- (2) employees of the State Department of Health, or (3) employees of both the State Department of Health and the county,"

within the provisions of the Social Security Act.

It is noted that in connection with your request you refer to an opinion of the Attorney General, dated January 4, 1950, relative to whether or not employees similarly situated were county or State employees within the provisions of the Public Employees' Retirement Act.

From the information available, it appears that there has been no change in the status of the employees similarly situated subsequent to our opinion of January 4, 1950.

In this connection, your attention is invited to Senate Concurrent Resolution No. 11, referred to the people by the Legislature in the last general election, relating to State reorganization and providing for the creation by the Legislature of a Department of Public Health and Welfare, which was approved by a majority vote of the qualified electors.

Mr. Bruce Parkinson  
Phoenix, Arizona

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Under the present law and status of the various health departments, it is the opinion of this office that Opinion No. 50-4, dated January 4, 1950, written in connection with the Public Employees' Retirement Act, a copy of which is enclosed, is equally applicable to the status of said employees under the provisions of the Social Security Act.

Very truly yours,

FRED O. WILSON  
Attorney General

NEWMAN W. WHITE  
Assistant Attorney General

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