



OFFICE OF THE
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STATE CAPITOL
Phoenix, Arizona 85007

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(R75-474)
McDougal

Mr. Floyd Williams, Jr.
Assistant Director
Department of Administration
Public Buildings Division
1700 West Washington
Phoenix, Arizona 85007

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Dear Mr. Williams:

This is in response to your request for an opinion on the following question:

QUESTION:

Are vehicles assigned to the Office of Fruit and Vegetable Standardization included in the provision of A.R.S. § 41-803 (EX-1) exempting University vehicles from participation in the State motor pool?

ANSWER:

No.

A.R.S. § 3-483 creates a separate office of supervisor of inspection for Fruit and Vegetable Standardization. The purpose of that Office is to effect the inspection of such products for uniformity and good quality.

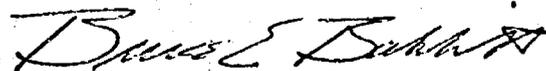
The only link the Office has that would connect it with the University of Arizona is the fact that the Dean of the College of Agriculture is responsible for appointing or discharging the supervisor of inspection and for reviewing the Office's annual audit. A.R.S. §§ 3-483(B), 3-485, and 3-490(D). The Office otherwise operates independently of the University. With the 1968 repeal of A.R.S. § 3-489 the Office is no longer within the University's operating budget and is in fact responsible for generating its own operating funds. A.R.S. § 3-490. Thus, it would appear that the relationship the Dean of the College of Agriculture enjoys with the Office is not a result of any integration of function or organization between the University and the Office, but is merely an attempt by the legislature to utilize the presumed expertise of an employee already on the payroll in the selection and overview of the Office's management.



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Under the circumstances, it is difficult to conclude that the Office of Fruit and Vegetable Standardization is an arm of the University of Arizona. Therefore, the provisions of A.R.S. § 41-803(E)(4), exempting University vehicles from participation in the State motor pool is inapplicable to vehicles presently assigned to that Office. Finding no other exemptions, we conclude that the vehicles owned by the Arizona Fruit and Vegetable Standardization Service become a part of the State's centralized motor pool. A.R.S. § 41-803.

Sincerely,



BRUCE E. BABBITT
Attorney General

BEB:nms