



DEPARTMENT OF LAW
OFFICE OF THE
Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

(R 75-407)

BRUCE E. BABBITT
ATTORNEY GENERAL

76-47

February 18, 1976

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Mr. L. D. McCorkindale
Director and State
Entomologist
Arizona Commission of
Agriculture and Horticulture
1688 West Adams
Phoenix, Arizona 85007

RE: Federal Fair Labor Standards Act

Dear Mr. McCorkindale:

You have made inquiries to this office requesting a written opinion regarding the Federal Fair Labor Standards Act's application to employees of the Arizona Commission of Agriculture and Horticulture.

At this time the 1974 Amendment to the Act does not apply to state employees because of an injunction issued by the United States Supreme Court at 419 U.S. 400 on December 31, 1974, in the case of National League of Cities and Towns vs. Brennan. Oral argument in this matter is scheduled for next month. Thereafter the Court is expected to issue its opinion of the applicability of the F.S.L.A. to state employees. We will advise you further at that time.

Sincerely,

BRUCE E. BABBITT
Attorney General

THOMAS M. ROGERS
Assistant Attorney General

TMR:amr

