



Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

Robert R. Corbin

June 5, 1979

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Honorable Art Hamilton
State Representative
Arizona House of Representatives
Phoenix, AZ 85007

Re: I79-149 (R79-139)

Dear Representative Hamilton:

Your letter of April 27, 1979 requested our opinion on the legality of legislative actions allegedly conducted in violation of Article 2, Rule 2 of the House of Representatives of the 34th Legislature concerning the deadline on adjournment.

It is our opinion that no judicial challenge could be successfully brought to invalidate those legislative actions since it is well-established in Arizona absent any Constitutional prohibition that matters pertaining to the mode of enactment of legislation are not subject to judicial scrutiny. Allen v. State, 14 Ariz. 458, 130 P. 1114 (1913). Any other result would conflict with the provisions of Article 3 of the Arizona Constitution requiring the separation of powers into three separate departments: the Legislative, the Executive, and the Judicial.

Sincerely,

A handwritten signature in cursive script that reads "Bob Corbin".

BOB CORBIN
Attorney General

BC/mm