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Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

Robert H. Corbin

January 31, 1980

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

The Honorable Jim Kolbe
Arizona State Senator
Senate Wing, State Capitol
Phoenix, AZ 85007

Re: I80-013 (R80-024)

Dear Senator Kolbe:

We are writing in response to your letter of January 25, 1980, in which you asked the following questions:

1. Does 50% ownership of a liquor license constitute direct or indirect financial interest as defined in A.R.S. § 4-111.B, even if the individual earns less than 50% of his or her income from this source?
2. Does participation in a nonpartisan political campaign as a volunteer constitute political activity in the meaning of A.R.S. § 4-111.E?

With respect to your first question, A.R.S. § 4-111.B provides in pertinent part: ". . . At least four of the members of the board shall not be financially interested directly or indirectly in business licensed to deal with spirituous liquors. . . ." This provision, by its terms applies to any financial interest, whether direct or indirect. Thus, a 50% ownership of a liquor license would constitute a direct or indirect financial interest under the statute, irrespective of the exact amount of income derived therefrom.

With respect to your second question, A.R.S. § 4-111.E provides in pertinent part: ". . . No member of the board or any employee of the board may serve on a committee of a political party nor engage in any political activity other than voting." We construe this provision to prohibit members and employees from engaging in partisan political activities only, because any broader prohibition may be unconstitutional. See United States Civil Serv. Comm'n v. Nat'l Ass'n of Letter Carriers, 413 U.S. 548 (1973).

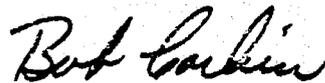
The Honorable Jim Kolbe

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If we can be of further assistance, please let us know.

Sincerely,



BOB CORBIN
Attorney General

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