

SUMMARIES OF ATTORNEY GENERAL OPINIONS

The Secretary of State’s Office is required to publish summaries of Attorney General Opinions under A.R.S. § 41-1013(B)(4). The following Attorney General Opinions were issued between January 1 and June 30, 2008. For copies of these opinions, call (602) 542-5025 or view them online at the Attorney General’s web site:

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| Opinion number | Date of opinion | Opinion summary   |
|----------------|-----------------|---|
| I08-001        | March 11, 2008  | Re: Effect of an Open Meeting Law Violation Concerning an Improperly Noticed Agenda Item on the Validity of Properly Noticed Agenda Items<br>The OML does not render null and void all legal action taken at a meeting at which an OML violation occurs with respect to a single improperly noticed agenda item.  |
| I08-002        | March 18, 2008  | Re: Availability of Funding for Water Lines Adjacent to District Property<br>1. The Adjacent Ways statute does not restrict the use of the funds that it makes available for projects off the school site to projects that assure safe ingress to and egress from school property.<br>2. The Adjacent Ways statute does not restrict the use of the funds that it makes available for projects off the school site to projects that are within one-quarter mile of school property.   |
| I08-003        | March 20, 2008  | Re: Development Plans Regarding Ancillary Military Facilities<br>Arizona Revised Statutes § 28-8481(F) exempts from A.R.S. § 28-8481’s requirements land with respect to which a “developed plan” (as A.R.S. § 28-8481(P)(1) defines that term) was approved by December 31, 2004. Preexisting zoning does not constitute a “development plan” within A.R.S. § 28-8481(P)(1)’s meaning. Land that was zoned before December 31, 2004, but with respect to which no development plan was approved before that date therefore is not exempt from A.R.S. § 28-8481’s requirements. |
| I08-004        | June 4, 2008    | Re: Authority of the Arizona Commission for the Deaf and the Hard of Hearing to Establish Advisory Committee<br>The Commission may create the advisory committee, but the committee may not perform the official statutory duties or exercise the official statutory powers that the Legislature assigned to the Commission. The committee may act only in an advisory manner, and the Commission must be free to accept, reject, or simply ignore its advice.  |