

NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION

WASHINGTON ATTORNEY GENERAL

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by August 28, 1996. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by August 28, 1996, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 753-4114, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, Washington 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

**96-07-07 Request by Fred A. Johnson
Prosecuting Attorney for Wahkiakum County**

1. In the case of a county health department, does RCW 42.23 prohibit a person from serving as a county commissioner and local health board member at the same time his/her spouse holds a position with the health department as an administrative officer?
2. Does the application of RCW 42.23.030 to an employment contract in existence prior to the creation of the marital relationship violate the provisions of RCW 49.60.180(2)?
3. If RCW 42.23.030 does apply to void the subject employment contract, how does the result differ?
4. If the prohibition contained in RCW 42.23.030 does apply to the employment of the health department administrative officer in question, what is the appropriate remedy under RCW 42.23.050?

CODE REVISER'S OFFICE
STATE OF WASHINGTON
MCS

AUG 02 1996

TIME 11:58
MSR 96-16-058

**96-07-10 Request by Senator Alex Deccio
14th Legislative District**

Does the Governor have the authority to enter into a State-Tribal compact with a federally recognized Indian Tribe where the terms of such Compact specifically exempt the Tribe from the geographic restrictions set forth in RCW 67.16.200?