

**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 June 23, 2004. 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 this date, 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) 664-3027, 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):

**04-05-04 Request by Janice Niemi, Chair
Gambling Commission**

- 1. Are transfer of funds from the gambling revolving fund to the state general fund in conflict with RCW 9.46, et seq., which provides that the gambling revolving fund is to be used for the collection of fees to license and regulate gambling? Assuming for the sake of argument that they are in conflict, can the Legislature amend the policy and intent of the Gambling Act in this manner?**

- 2. Do these repeated transfers violate article VII, section 5 of the state constitution?**

- 3. Do these transfers violate the state/tribal Compacts and the Indian Gaming Regulatory Act (IGRA)?**

- 4. Do these transfers constitute a state tax on Indian Tribes in violation of federal law?**

- 5. Does OFM have the authority to reduce allotments and thereby change the Commission's budgetary and policy decisions, and use budget notes to impliedly repeal the provisions of RCW 9.46.100?**

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