

**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 July 27, 2005. 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):

**05-06-08 Request by Mary Margaret Haugen
State Senator, 10th District**

1. In light of the 1967 incorporation by reference of the "Federal Aviation Act of 1958, Public Law 85-726, as amended," found in RCW 82.42.030(1)(a), and the subsequent amendments to that Act, is the existing commercial aircraft fuel tax exemption provided in that statute legally valid?

2. If so, to what extent is the exemption legally valid? (For example, is it only valid as to commercial aircraft operating under a certificate of public convenience and necessity issued pursuant to the relevant federal law as it existed in 1967, i.e., only if issued by the (now-defunct) Civil Aeronautics Board?)

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