

**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 October 25, 2006. 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).

**06-09-02 Request by Robert Petersen
Chair, State Parks & Recreation Commission**

1. Absent an express exemption in RCW 42.52, does the Ethics in Public Service Act restrict agency employees from soliciting donations and gifts on behalf of their agency when there is a separate statute authorizing the agency to accept, and therefore presumably solicit, donations and gifts?

2. Assuming that State Parks has statutory authority to solicit donations and gifts and this authority does not irreconcilably conflict with the Ethics in Public Service Act, does RCW 42.52.140 (a) restrict agency employees from soliciting and receiving donations on behalf of State Parks from current or potential vendors; (b) provide additional limitations on "section 4" employees subject to RCW 42.52.150(4); (c) include limited law enforcement officers (e.g., commissioned park rangers) within the meaning of regulatory employees for the purposes of RCW 42.52.150(4); (d) impose any other limitations on the agency and its employees as it relates to soliciting and receiving gifts from the public?

3. To the extent that there is a separate non-profit Foundation to receive gifts on behalf of State Parks, do the answers to either of the questions above limit whether State Parks may provide the Foundation with assistance through employee time, goods, and services in exchange for the promise to provide fund raising services beyond the Foundation's initial start-up period?

4. Does RCW 42.52.070 prohibit State Parks from promoting gifts to the Foundation as the primary vehicle for charitable giving without having to mention other non-profit partners?

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