

WSR 21-01-107

ATTORNEY GENERAL'S OFFICE

[Filed December 14, 2020, 7:37 a.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL**

The Washington attorney general routinely publishes notice of an opportunity to comment for opinion requests that we receive from the heads of state agencies, state legislators, and county prosecuting attorneys if we anticipate publishing a formal opinion in response to the request. We do so in order to provide members of the public with a chance to provide any legal analysis that they would like us to consider as we develop our opinion. In preparing any comments, please be aware that our opinion will provide our considered legal analysis of the question presented, and therefore comments that address the interpretation of the law are more helpful than comments that express an opinion as to what the law should be.

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 January 13, 2021. This is not the due date by which comments must be received, and we will consider any comments we receive before we complete our opinion. 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 email to [OpinionComments@atg.wa.gov](mailto:OpinionComments@atg.wa.gov) or by writing to the Office of the Attorney General, Solicitor General Division, Attention Opinions Chief, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you may 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.

If you are interested in receiving notice of new formal opinion requests via email, you may visit the attorney general's website at <http://www.atg.wa.gov/ago%E2%80%90opinions> for more information on how to join our AGO opinions list.

The attorney general's office seeks public input on the following opinion request(s):

**Opinion Docket No. 20-12-01  
Request by Representative Debra Lekanoff****QUESTIONS:**

1. Can a Fire District refuse to provide fire and or emergency services to the citizens of the State of Washington who either reside on or are visiting the Reservation of a federally recognized Indian tribe within Washington State?
2. Are there any financial limits or a reasonableness standard with respect to the amount of a fee for service charge that a Fire District can charge a federally recognized Indian tribe on a Reservation within Washington State for fire and emergency services?
3. What recourse, if any, does a federally recognized Indian tribe have if it believes that a charge for fee for services for fire and emergency services charged by a Fire District is unreasonable and or punitive?

4. If the Reservation of a federally recognized Indian tribe in Washington State is served by two separate Fire Districts whose designated service boundaries do not overlap, is the Tribe and one of the Fire Districts entitled to negotiate for fee for services for fire and emergency services to allow only one of the Fire Districts to serve the entire Reservation to the exclusion of the other Fire District?