

MICHAEL A. STAFFORD
First Assistant County Attorney



1019 Congress, 15th Floor
Houston, TX 77002-1700
Phone: (713) 755-5101
Fax: (713) 755-8924

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Opinion Committee

MICHAEL P. FLEMING

County Attorney
Harris County, Texas

November 15, 1999

RQ-0148-JC

FILE # ML-41116-99
I.D. # 41116

The Honorable John Cornyn
Attorney General of Texas
Supreme Court Building
P.O. Box 12548
Austin, Texas 78711-2548

Attention: Opinion Committee

Re: Whether a member of the Harris County Hospital District's Board of Managers must abstain from voting on matters involving prevailing wage rate disputes under Chapter 2258 of the Texas Government Code?

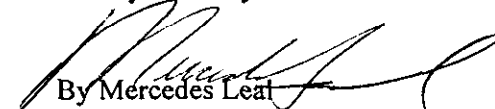
Ladies and Gentlemen:

A question has arisen regarding determinations made by the Harris County Hospital District's Board of Managers under the provisions of the prevailing wage rates statute set forth Chapter 2258 of the Texas Government Code Ann., as amended. Specifically, the question presented for your opinion is whether a member of the District's Board of Managers who is also the President of the Harris County AFL-CIO Council (the "Council") should abstain from voting on matters involving certain prevailing wage rate disputes when local unions affiliated with the Council are actively involved in both representing and/or filing complaints on behalf of affected workers alleging violations of Chapter 2258.

Please supply us with your opinion. Our memorandum brief is enclosed. If we can provide you with any additional information, please contact us.

Sincerely,

MICHAEL P. FLEMING
County Attorney


By Mercedes Leat
Assistant County Attorney

Encl.