

1 **HB 2288** - H AMD

2 By Representative Fisher

3 On page 1, line 7, after agencies,- insert tribal governments,-

4 On page 1, line 13, after perpetuity.- insert:

5 (1) Tribal governments shall only be eligible to participate  
6 in an exchange agreement if they:

7 (a) Provide the department with a valid waiver of their tribal  
8 sovereign immunity from suit. The waiver must allow the department to  
9 enforce the terms of the exchange agreement or quitclaim deed in state  
10 court; and

11 (b) Agree that the property shall not be placed into trust  
12 status.

13 (2)-

**EFFECT:** Includes tribal governments among the entities to which the Department of Transportation may convey environmental mitigation sites, in exchange for maintenance of those sites. In order to participate tribal governments must waive sovereign immunity with respect to the transaction so that the state can enforce reversion rights in state court.