

ESHB 1883 - S COMM AMD

By Committee on Government Operations & Elections

1       Strike everything after the enacting clause and insert the  
2 following:

3       "NEW SECTION.   **Sec. 1.** (1) The legislature finds that Hood Canal  
4 is a marine water of the state in significant peril. The legislature  
5 also finds that low dissolved oxygen concentrations have occurred in  
6 Hood Canal for many years and that these conditions have created a  
7 serious environmental health concern. The legislature further finds  
8 that substantial fish kills have occurred in Hood Canal in recent  
9 years, and scientists and others report significant changes in marine  
10 species behavior in Hood Canal.

11       (2) The legislature finds that the factors contributing to Hood  
12 Canal's low dissolved oxygen problems are complex and that  
13 investigation is needed to understand both the problem and its  
14 potential solutions. The legislature also finds that a historical  
15 perspective is important in understanding Hood Canal's problems. The  
16 legislature recognizes the tribal elders and other long-term residents  
17 of the Hood Canal area are a great source of knowledge regarding the  
18 history of Hood Canal. The legislature finds these tribal elders and  
19 others may provide critical insight into the history, impacts, and  
20 potential causes of the low dissolved oxygen concentrations occurring  
21 in Hood Canal.

22       (3) The legislature intends to initiate a process for university  
23 students to interview tribal elders and others who have knowledge of  
24 the history of conditions along Hood Canal to collect information  
25 regarding the history and impacts of Hood Canal's low dissolved oxygen  
26 concentrations. The legislature further intends that these interviews  
27 and the information learned be preserved as part of the state's oral  
28 history program.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 28B.40 RCW  
2 to read as follows:

3        (1) The Evergreen State College shall administer and conduct a  
4 program to record and document oral histories of tribal elders of the  
5 tribes in the area surrounding Hood Canal and other long-term residents  
6 of the Hood Canal area who have similar knowledge of the history of the  
7 conditions along Hood Canal. The purpose of these interviews is to  
8 collect information and perspectives regarding the history of the  
9 conditions along Hood Canal, including but not limited to reports of  
10 fish kills, changes in marine species behavior, fishing and harvesting  
11 histories, and other conditions related to the environmental health of  
12 Hood Canal. The Evergreen State College shall have college students  
13 interview and record the oral histories specified in this section. The  
14 Evergreen State College shall consult with the appropriate tribal  
15 cultural and historical departments regarding the interviews of tribal  
16 elders under this program.

17        (2) The Evergreen State College shall offer the tribes in the area  
18 surrounding Hood Canal an opportunity to review the documents,  
19 information, photographs, or other materials collected through the oral  
20 history program established in subsection (1) of this section to  
21 determine whether any relate to the location of tribal archaeological  
22 sites. Any documents, information, photographs, or other materials  
23 identified by a tribe as relating to tribal archaeological sites  
24 according to this subsection are exempt from public disclosure pursuant  
25 to RCW 42.56.300; however, The Evergreen State College shall provide  
26 the documents, information, photographs, or other materials exempt from  
27 disclosure under RCW 42.56.300 to the tribe for its own archival  
28 purposes.

29        (3) Except as provided in subsection (2) of this section, the tapes  
30 and tape transcripts shall be indexed and made available for research  
31 and reference through the state archives.

32        (4) Except as provided in subsection (2) of this section, the  
33 transcripts, together with current and historical photographs, may be  
34 published for distribution to libraries and for sale to the general  
35 public.

36        (5) The Evergreen State College may retain no more than five  
37 percent of any funding provided for the program established in

1 subsection (1) of this section for costs associated with administering  
2 and conducting the program.

3 NEW SECTION. **Sec. 3.** This act expires July 1, 2009."

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4 On page 1, line 2 of the title, after "Hood Canal;" strike the  
5 remainder of the title and insert "adding a new section to chapter  
6 28B.40 RCW; creating a new section; and providing an expiration date."

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