

SENATE BILL REPORT

SB 6429

As Passed Senate, February 9, 2006

Title: An act relating to disclosure of certain Native American cultural resources information.

Brief Description: Exempting certain Native American cultural resources information from public disclosure.

Sponsors: Senators Jacobsen, Oke, Haugen, Honeyford and Rasmussen; by request of Archaeology and Historic Preservation.

Brief History:

Committee Activity: Government Operations & Elections: 1/23/06, 1/24/06 [DP].
Passed Senate: 2/9/06, 47-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken and Pridemore.

Staff: Diane Smith (786-7410)

Background: Various exemptions exist to the general rule that all public records are available for public inspection and copying. One exemption protects from public disclosure information identifying the location of archaeological sites in order to avoid their looting or depredation.

A forests and fish report that was instigated by the forest practices board has the support of key federal agencies. Performing watershed analyses is part of the forests and fish reporting process.

Summary of Bill: Information that identifies the location of cultural resources is exempt from public disclosure when acquired during the watershed analysis performed as part of the forests and fish report.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on July 1, 2006

Testimony For: This bill was written by the cultural resources committee of the Forest Practices Board. Watershed planning under the forest and fish report is completely voluntary, designed to help manage cultural resources at the time of timber harvest. Watershed analysis is particular to that location of the watershed. The information about cultural resources is not

public now. The objective is to create a reporting environment that is safe and comfortable for the tribes to share this information about their sacred sites. There is an increased likelihood that these analyses are carried out. There have been instances where sacred sites have been ruined by people without consideration for values of another culture.

Testimony Against: None.

Who Testified: PRO: Dr. Allyson Brooks, Director, Department of Archaeology and Historic Preservation; Leonard Young, Department of Natural Resources; Debora Munguia, Washington Forest Protection Association.

House Amendment(s): The House amendment removes the term "cultural resources" and replaces it with a description of the places and things that are exempt from public disclosure when acquired during watershed analysis.