
State Government & Tribal Affairs
Committee

HB 1287

Brief Description: Establishing a government-to-government relationship between state government and Indian tribes.

Sponsors: Representatives McCoy, Appleton, Moscoso and Santos.

Brief Summary of Bill

- Directs the Governor and state agencies to establish government-to-government relationships with Indian tribes in order to enhance and formalize working relationships with the tribes through collaboration and consultation.

Hearing Date: 2/10/11

Staff: Thamas Osborn (786-7129).

Background:

In 1989 the Governor and federally recognized Washington Indian Tribes signed the Centennial Accord (Accord). This agreement sought to achieve mutual goals through an improved relationship between the sovereign governments by improving communication and resolution of issues using mutually agreed processes.

Ten years later, a state/tribal leadership summit sought to formalize consultation and dispute resolution processes through a set of implementation guidelines. The Millennium Agreement focused on implementing the government-to-government relationship.

The Governor and tribal leaders have met annually since the signing of the Accord. Many state agencies have designated an employee to serve as tribal liaison. Some agencies have developed consultation processes that involve tribal representatives on issues that affect Indian tribes. The

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Governor's Office of Indian Affairs offers training courses for agency employees. Some agencies use this training opportunity or provide other training for their employees.

The provisions of the agreement apply to both the state and tribal governments as parties to the agreement.

New Mexico has adopted a State-Tribal Collaboration Act to ensure a productive government-to-government relationship with Native Americans.

Summary of Bill:

The Governor and state agencies are directed to make efforts to establish a government-to-government relationship with Indian tribes in Washington state. "State agency" means an agency, department, office, or the office of any statewide elected official, of the State of Washington.

In establishing a government-to-government relationship between the state and Indian tribes, state agencies must do the following:

- They must make reasonable efforts to collaborate with Indian tribes in developing policies, agreements, and programs that directly affect Indian tribes and establish a consultation process.
- They must designate a tribal liaison who reports directly to the head of the agency. A tribal liaison is responsible for facilitating effective communications and collaboration with Indian tribes and serves as the contact person with tribes. The liaison is also responsible for coordinating training of agency staff. The Governor must maintain a list of state tribal liaisons and members of tribal leadership provided by a tribe for public reference.
- They must ensure that state employees who work with Indian tribes and tribal members receive training. Training must include effective communication with Indian tribes and cultural competency for working with tribes and tribal members. Agencies must use training services such as those offered through the Governor's Office of Indian Affairs.
- They must submit an annual report to the Governor on state/tribal activity.

The Governor and other state-wide elected officials must meet at least once a year with leaders of Indian tribes to address issues of mutual concern.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.