

HOUSE BILL REPORT

SB 6175

As Passed House:

February 28, 2012

Title: An act relating to establishing a government-to-government relationship between state government and federally recognized Indian tribes.

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

Sponsors: Senators Pridemore, Swecker, Prentice, Shin, Sheldon, Kline and Chase.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/15/12, 2/20/12 [DP].

Floor Activity:

Passed House: 2/28/12, 72-26.

Brief Summary of Bill

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

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Alexander, Darneille, Dunshee, Hurst, McCoy and Miloscia.

Minority Report: Do not pass. Signed by 3 members: Representatives Taylor, Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Condotta.

Staff: Thamas Osborn (786-7129).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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 both communication and the resolution of issues using mutually agreed-upon processes.

Ten years later, a state and tribal leadership summit sought to formalize consultation and dispute resolution processes through a set of implementation guidelines. This resulted in the Millennium Agreement, which 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 a tribal liaison. Some agencies have developed consultation processes that involve tribal representatives on issues that affect Indian tribes. The 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.

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

Summary of Bill:

The Governor and state agencies are directed to make efforts to establish a government-to-government relationship with federally recognized Indian tribes in Washington. "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:

- make reasonable efforts to collaborate with Indian tribes in developing policies, agreements, and programs that directly affect Indian tribes, and establish a consultation process;
- designate a tribal liaison who reports directly to the head of the agency. A tribal liaison is responsible for facilitating effective communication and collaboration with Indian tribes and serves as the contact person with the 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;
- 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; and
- submit an annual report to the Governor on state/tribal activity.

The Governor and other statewide 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.

Staff Summary of Public Testimony:

(In support) This bill simply codifies the agreements reached under the Accord relating to the government-to-government relationship between Washington Indian tribes and the state. Since 1989 every Governor has signed the Accord, yet its provisions have not been put in statute. The requirements of the bill have, by and large, been informally implemented during the last 20 years. Accordingly, the bill would not make any significant changes to current agency activities with respect to the tribes. The state has much to be proud of with respect to its tribes. The passage of the bill would keep Washington at the forefront of state and tribal relations in this country.

(Opposed) None.

Persons Testifying: Craig Bill, Governor's Office of Indian Affairs; Dawn Vyvyan, Yakama Nation; and Steve Robinson, Tulalip and Umatilla Tribes.

Persons Signed In To Testify But Not Testifying: None.