
**Community Development, Housing &
Tribal Affairs Committee**

HB 1280

Brief Description: Establishing a commission on government-to-government relations in Washington.

Sponsors: Representatives Sawyer, Appleton, Reykdal, S. Hunt, Riccelli, Fitzgibbon, Robinson, Santos, Gregerson and Tarleton.

Brief Summary of Bill

- Establishes a government-to-government commission with the Legislature and federally recognized Indian tribes in Washington.
- Establishes an Indian Services Office within the Legislature to facilitate government-to-government relations.

Hearing Date: 1/26/15

Staff: Kirsten Lee (786-7133).

Background:

Under federal law, Indian tribes are recognized as sovereign governments, with inherent power to make and enforce laws on their lands. Washington has 29 federally recognized Indian tribes. In 1989 the State of Washington and the tribes located within the state signed the Centennial Accord (Accord). The Accord provides a framework for the government-to-government relationships between the tribes and the state, including asking state agencies to develop procedures to facilitate the relationship and, "achieve mutual goals through an improved relationship between sovereign governments." In the Accord, the parties recognized that, "a key principle of their relationship is a requirement that individuals working to resolve issues of mutual concern are accountable in a manner consistent to the Accord."

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.

The Governor and state agency directors are responsible for the implementation of the Accord. Each agency has a designated liaison and is required to establish a documented plan of accountability to establish how government-to-government policy will be implemented. The agencies annually review these plans and report on their government-to-government work with the Governor's Office of Indian Affairs and the tribes. Each tribe is also accountable to the implementation of the Accord within a separate staffed tribal organization.

In 1999 the Indian tribes and State of Washington renewed their commitment to government-to-government relations by signing the New Millennium Agreement, specifically to strengthen their relationships and cooperate on issues of mutual concern.

The New Millennium Agreement called for commitment from the tribes and the state to encourage the Washington Legislature to establish a structure to address issues of mutual concern to the states and tribes in addition to the following:

- strengthen their commitment to government-to-government relationships;
- continue to cooperate in the future by developing enduring channels of communication and institutionalizing government-to-government processes that will promote timely and effective resolution of issues of mutual concern;
- develop a consultation process, protocols and action plans that will move the state forward on the Centennial Accord's promise that, "the parties will continue to strive for complete institutionalization of the government-to-government relationship by seeking an accord among all the tribes and all elements of state government;"
- enhance communication and coordination through the Governor's commitment to strengthen the Office of Indian Affairs and the member tribes' commitment to strengthen the Association of Washington Tribes;
- educate the citizens of Washington, particularly the youth who are our future leaders, about tribal history, culture, treaty rights, contemporary tribal and state government institutions, and relations and the contribution of Indian Nations to the State of Washington to move the state forward on the Centennial Accord's promise that, "the parties recognize that implementation of this Accord will require a comprehensive educational effort to promote understanding of the government-to-government relationship within their own governmental organizations and with the public;" and
- work in collaboration to engender mutual understanding and respect and to fight discrimination and racial prejudice, and strive to coordinate and cooperate to enhance economic and infrastructure opportunities, protect natural resources, and provide the educational opportunities and social and community services that meet the needs of all our citizens.

Currently, Washington has one specific government-to-government model, the Governor's Office of Indian Affairs. The office was originally established in 1969 to serve as an Advisory Council to the Governor. Ten years later, the Council was abolished and was replaced by a gubernatorially appointed Assistant for Indian Affairs. Today, the office has been renamed the Governor's Office of Indian Affairs and serves as a liaison between state and tribal governments in an advisory, resource, consultation, and educational capacity.

Summary of Bill:

A government-to-government commission is established between the Legislature and federally recognized Indian tribes within Washington. An Indian Services Office is established to facilitate government-to-government relations between the Legislature and tribes.

Commission on Indian Services.

The Commission on Indian Services (Commission) is established in the Legislature with 33 members: two members from the Senate (different parties); two members from the House (different parties); and one member from each of the 29 federally recognized tribes in Washington. The term of office for members is two years. There is an elected chair and vice-chair. The Commission is required to provide and support efforts to identify and facilitate effective government-to-government communications and foster resolution of issues of mutual concern between state and tribes. The Commission must hold at least one annual meeting and develop an annual report to the Legislature. The Commission is authorized to hold regional meetings with tribal groups and allows tribes to host meetings within their region if they choose.

Indian Services Office.

An Indian Services Office (Office) is established within the Legislature to facilitate the Commission. The Office includes an executive officer and staff that are tasked with facilitating the government-to-government relationship between the Legislature and tribes, providing a resource to legislative members, staff, and the general public on tribal affairs, coordinating and facilitating communication between the Commission and the Legislature, and carrying out the purposes of the Commission. The Commission chair and vice-chair serve as liaisons between the Commission and the Office.

Appropriation: None.

Fiscal Note: None.

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