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THIRD SUBSTITUTE HOUSE BILL 1357

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State of Washington

65th Legislature

2018 Regular Session

**By** House Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Sawyer, Appleton, Ormsby, and Santos)

READ FIRST TIME 02/01/18.

1 AN ACT Relating to tribal-state relations; adding a new chapter  
2 to Title 44 RCW; creating a new section; and providing an expiration  
3 date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature recognizes and  
6 respects the sovereign status of the tribes and the state in a  
7 government-to-government relationship and seeks to enhance and  
8 improve communications and facilitate resolution of issues between  
9 tribes and the state.

10 (2) In 1989 the governor signed the Centennial Accord on behalf  
11 of the state, along with tribes of the state, to achieve mutual  
12 tribal-state goals through an improved relationship and shared  
13 respect between sovereign governments. The Centennial Accord provided  
14 a framework and procedures for implementing this government-to-  
15 government relationship. In 1999, the governor and the tribes signed  
16 the New Millennium Agreement, which reaffirmed the commitments of the  
17 Centennial Accord, and strengthened the foundation for government-to-  
18 government relations and cooperation. The New Millennium Agreement  
19 specifically called upon the legislature, "to establish a structure  
20 to address issues of mutual concern to the state and tribes."  
21 Washington has also recognized a similar commitment to government-to-

1 government relationships with federally recognized tribes located out  
2 of state who have treaty reserved rights within Washington. The  
3 Yakama Nation has not signed onto any of the mentioned agreements.

4 (3) The legislature recognizes that the executive branch has  
5 established and continues its efforts to improve and promote a  
6 government-to-government relationship, and further recognizes, as a  
7 coequal branch of state government, its own responsibility and role  
8 in maintaining a government-to-government relationship with the  
9 tribes of this state and tribes located out of state with treaty  
10 reserved rights within Washington. The legislature has a particular  
11 concern and interest in growing and maintaining strong relationships  
12 with the tribes to preserve, protect, and manage resources, and  
13 recognizes that tribes have specific treaty rights including, but not  
14 limited to, the right of taking fish and the privilege to hunt within  
15 the state.

16 (4) For these reasons, the legislature intends to establish a  
17 joint committee to address issues of mutual concern to the tribes and  
18 the state.

19 NEW SECTION. **Sec. 2.** (1)(a) A joint committee on tribal-state  
20 relations is established, with members as provided in this subsection  
21 (1).

22 (i) The president of the senate must appoint four members from  
23 each of the two largest caucuses of the senate.

24 (ii) The speaker of the house of representatives must appoint  
25 four members from each of the two largest caucuses of the house of  
26 representatives.

27 (b) Executive agencies, including the department of fish and  
28 wildlife, the department of natural resources, and the governor's  
29 office of Indian affairs, must cooperate with the committee and  
30 provide information as the cochairs may reasonably request.

31 (c) The committee must choose its cochairs from among its  
32 membership. The two cochairs must represent different chambers as  
33 well as different political parties.

34 (2) The committee must serve as a forum for effective government-  
35 to-government communications and seek to foster resolution of issues  
36 of mutual concern between the tribes and the state. The committee  
37 must consider the needs and concerns of tribal groups and  
38 organizations in Washington, as well as the needs and concerns of all  
39 American Indians in Washington.

1 (3) The cochairs may schedule up to two meetings per year, at  
2 least one of which must be scheduled in Olympia to coincide with  
3 committee assembly meetings convened by either the senate or the  
4 house of representatives. Committee meetings must be scheduled and  
5 conducted in accordance with the requirements of both the senate and  
6 the house of representatives. By December 15th of each year, and in  
7 compliance with RCW 43.01.036, the cochairs must develop and submit  
8 an annual report of committee activities, findings, and  
9 recommendations to the governor and the legislature.

10 (4) Staff support for the committee is provided by senate  
11 committee services and the house of representatives' office of  
12 program research.

13 (5) Legislative members of the committee are reimbursed for  
14 travel expenses in accordance with RCW 44.04.120.

15 (6) The expenses of the committee must be paid jointly by the  
16 senate and the house of representatives. Committee expenditures are  
17 subject to approval by the senate facilities and operations committee  
18 and the house of representatives executive rules committee, or their  
19 successor committees.

20 (7) The committee may not abrogate or supersede negotiations or  
21 relations that any Indian tribe, band, or group might have or develop  
22 individually with any state, federal, or local government.

23 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a  
24 new chapter in Title 44 RCW.

25 NEW SECTION. **Sec. 4.** Sections 1 and 2 of this act expire July  
26 1, 2026.

27 NEW SECTION. **Sec. 5.** If specific funding for the purposes of  
28 this act, referencing this act by bill or chapter number, is not  
29 provided by June 30, 2018, in the omnibus appropriations act, this  
30 act is null and void.

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