

SENATE BILL REPORT

HB 2232

As Reported by Senate Committee On:
Government Operations, Tribal Relations & Elections, February 16, 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: Representatives McCoy, Hunt, Morris, Haigh, Lytton, Billig, Appleton, Fitzgibbon, Eddy, Sells, Jinkins, Stanford, Hasegawa, Pollet, Ormsby, Wylie, Santos, Roberts and Miloscia.

Brief History: Passed House: 2/10/12, 69-27.

Committee Activity: Government Operations, Tribal Relations & Elections: 2/16/12 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Chase and Nelson.

Staff: Sam Thompson (786-7413)

Background: Washington governors have entered into agreements with federally-recognized Indian tribes to facilitate improved government-to-government relations. These agreements include:

- the Centennial Accord of 1989, intended to improve communication, promote cooperation, and resolve issues through negotiation rather than litigation;
- the New Millennium Agreement of 1999, reaffirming Centennial Accord principles and encouraging the Legislature to establish a structure addressing issues of mutual concern; and
- the Out-of-State Accord of 2004, involving tribes in Oregon and Idaho with treaty rights in Washington, affirming principles in the 1989 and 1999 agreements and pledging periodic review of relations and discussion of issues.

Governor Gregoire, who took office in 2005, has reaffirmed these agreements.

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's Office of Indian Affairs (GOIA) advises the Governor on matters involving tribes and serves as a liaison between the state and tribal governments.

Many statewide elected officials and agencies have designated officers to serve as tribal liaisons.

Summary of Bill: In establishing a government-to-government relationship with tribes, state agencies and statewide elected officials must:

- make reasonable efforts to collaborate with tribes in developing policies and agreements and in implementing programs affecting tribes;
- develop a consultation process for issues involving tribes;
- designate a tribal liaison reporting to the head of the agency;
- ensure that tribal liaisons and agency directors receive training through GOIA or another provider that includes effective communication, collaboration, and cultural competency; and
- annually report to the Governor on activities involving tribes and implementation of these requirements.

Tribal liaisons must:

- assist the agency in developing and implementing policies promoting effective communication and collaboration;
- serve as a contact person with tribal governments;
- maintain communication; and
- coordinate training of agency employees.

At least annually, the Governor and other statewide elected officials must meet with tribal leaders to address issues of mutual concern.

The Governor must maintain a publicly-available, updated list of tribal liaisons and tribal leaders with contact information.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill should be approved. It is exactly the same as SB 6175, which was previously approved by the Senate.

Persons Testifying: PRO: Representative McCoy, prime sponsor.