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SECOND SUBSTITUTE HOUSE BILL 2394

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State of Washington

61st Legislature

2010 Regular Session

**By** House General Government Appropriations (originally sponsored by Representatives McCoy, Hunt, Kenney, Sells, O'Brien, Ormsby, Chase, Morrell, Appleton, Conway, Simpson, Hasegawa, Moeller, Haigh, and Santos)

READ FIRST TIME 02/09/10.

1 AN ACT Relating to establishing a government-to-government  
2 relationship between state government and Indian tribes; and adding a  
3 new chapter to Title 43 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply  
6 throughout this chapter unless the context clearly requires otherwise.

7 (1) "Indian tribe" means any federally recognized Indian tribe  
8 whose traditional lands and territories included parts of Washington.

9 (2) "State agency" means an agency, department, office, or the  
10 office of a statewide elected official, of the state of Washington.

11 NEW SECTION. **Sec. 2.** In establishing a government-to-government  
12 relationship with Indian tribes, state agencies must:

13 (1) Make reasonable efforts to collaborate with Indian tribes in  
14 the development of policies, agreements, and program implementation  
15 that directly affect Indian tribes and develop a consultation process  
16 that is used by the agency for issues involving specific Indian tribes;

17 (2) Designate a tribal liaison who reports directly to the head of  
18 the state agency;

1 (3) Ensure that tribal liaisons who interact with Indian tribes and  
2 the executive directors of state agencies receive training as described  
3 in section 4 of this act; and

4 (4) Submit an annual report to the governor on activities of the  
5 state agency involving Indian tribes and on implementation of this  
6 chapter.

7 NEW SECTION. **Sec. 3.** The position of tribal liaison within a  
8 state agency is responsible for:

9 (1) Assisting the state agency in developing and implementing state  
10 and agency policies that promote effective communication and  
11 collaboration between the state agency and tribal governments;

12 (2) Serving as a contact person with tribal governments and  
13 maintaining communication between the state agency and affected tribal  
14 governments; and

15 (3) Coordinating training of state agency employees in government-  
16 to-government relations.

17 NEW SECTION. **Sec. 4.** Training required under section 2 of this  
18 act for state agency employees must include at a minimum:

19 (1) Effective communication and collaboration between state  
20 agencies and Indian tribes;

21 (2) Cultural competency in providing effective services to tribal  
22 governments and tribal members; and

23 (3) Use of training services such as those provided through the  
24 governor's office of Indian affairs.

25 NEW SECTION. **Sec. 5.** (1) At least once a year, the governor and  
26 other statewide elected officials shall meet with leaders of Indian  
27 tribes to address issues of mutual concern.

28 (2) The governor must maintain for public reference an updated list  
29 of the names and contact information for the individuals designated as  
30 tribal liaisons and the names and contact information for tribal  
31 leadership as submitted by an Indian tribe.

32 NEW SECTION. **Sec. 6.** Nothing in this chapter creates a right of  
33 action against a state agency or a right of review of an action by a  
34 state agency.

1        NEW SECTION.   **Sec. 7.**   Sections 1 through 6 of this act constitute  
2   a new chapter in Title 43 RCW.

3        NEW SECTION.   **Sec. 8.**   If any provision of this act or its  
4   application to any person or circumstance is held invalid, the  
5   remainder of the act or the application of the provision to other  
6   persons or circumstances is not affected.

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