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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)

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

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

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

(2) In 1989 the governor signed the Centennial Accord on behalf of the state, along with tribes of the state, to achieve mutual tribal-state goals through an improved relationship and shared respect between sovereign governments. The Centennial Accord provided a framework and procedures for implementing this government-to-government relationship. In 1999, the governor and the tribes signed the New Millennium Agreement, which reaffirmed the commitments of the Centennial Accord, and strengthened the foundation for government-to-government relations and cooperation. The New Millennium Agreement specifically called upon the legislature, "to establish a structure to address issues of mutual concern to the state and tribes." Washington has also recognized a similar commitment to government-to-government relationships with federally recognized tribes located out of state who have treaty reserved rights within Washington. The Yakama Nation has not signed onto any of the mentioned agreements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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