

**2SHB 2624 - H AMD 1063**

By Representative Appleton

**ADOPTED 2/15/2008**

1           On page 2, line 7, after "liability" strike all material  
2 through "law" on line 10 and insert "arising under the provisions  
3 of this section provided the following criteria are met:

4           (i) The finding of the remains was based on inadvertent  
5 discovery;

6           (ii) The requirements of the subsection are otherwise met; and

7           (iii) The person is otherwise in compliance with applicable  
8 law"

9           On page 2, line 28, after "finding." strike all material  
10 through "affiliation" on line 31 and insert "The determination of  
11 what are appropriate local cemeteries to be notified is at the  
12 discretion of the department"

13           On page 3, line 8 after "(a)", insert "'Affected tribes" are  
14 those federally recognized tribes with usual and accustomed areas  
15 in the jurisdiction where the remains were found, or those  
16 federally recognized tribes that submit to the department maps that  
17 reflect the tribe's geographical area of cultural affiliation.

18           (b)"

19           Renummer the remaining sections and correct internal references  
20 accordingly.

21           On page 3, line 29, after "liability" strike all material  
22 through "law" on line 32 and insert "arising under the provisions  
23 of this section provided the following criteria are met:

24           (i) The finding of the remains was based on inadvertent  
25 discovery;

26           (ii) The requirements of the subsection are otherwise met; and

1 (iii) The person is otherwise in compliance with applicable  
2 law"

3 On page 4, line 12, after "finding." strike all material  
4 through "affiliation" on line 15 and insert "The determination of  
5 what are appropriate local cemeteries to be notified is at the  
6 discretion of the department"

7 On page 4, line 30, after "(a)" insert "'Affected tribes" are  
8 those federally recognized tribes with usual and accustomed areas  
9 in the jurisdiction where the remains were found, or those  
10 federally recognized tribes that submit to the department maps that  
11 reflect the tribe's geographical area of cultural affiliation.

12 (b)"

13 Renumber the remaining sections and correct internal references  
14 accordingly.

15 On page 5, line 14, after "liability" strike all material  
16 through "law" on line 17 and insert "arising under the provisions  
17 of this section provided the following criteria are met:

18 (i) The finding of the remains was based on inadvertent  
19 discovery;

20 (ii) The requirements of the subsection are otherwise met; and

21 (iii) The person is otherwise in compliance with applicable  
22 law"

23 On page 5, line 34, after "finding." strike all material  
24 through "affiliation" on line 37 and insert "The determination of  
25 what are appropriate local cemeteries to be notified is at the  
26 discretion of the department"

27 On page 6, line 15, after "(a)" insert "'Affected tribes" are  
28 those federally recognized tribes with usual and accustomed areas  
29 in the jurisdiction where the remains were found, or those  
30 federally recognized tribes that submit to the department maps that  
31 reflect the tribe's geographical area of cultural affiliation.

32 (b)"

1           Renumber the remaining sections and correct internal references  
2 accordingly.

3           On page 9, at the beginning of line 5, strike "determination,"  
4 and insert "determinations and"

5           On page 9, line 6, strike "reinterring" and insert  
6 "reinterrment of such remains"

7           On page 9, line 13, after "skeletal" insert "human"

8           On page 9, line 13, after "and" insert "other"

**EFFECT:** Clarifies that individuals will be held harmless from criminal and civil liability provided they meet the requirements of the subsection and other applicable law; gives the Department of Archeology and Historic Preservation the discretion to determine which local cemeteries should be notified upon the inadvertent discovery of skeletal human remains; specifies that affected tribes are those that are federally recognized; makes technical corrections.