
HOUSE BILL 2435

State of Washington

69th Legislature

2026 Regular Session

By Representatives Lekanoff, Parshley, Ryu, Scott, Salahuddin, Peterson, Obras, Pollet, Santos, Macri, and Hill

Read first time 01/13/26. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to creating the legislative office on Indian
2 affairs; amending RCW 44.80.020 and 44.90.020; reenacting and
3 amending RCW 44.04.260 and 43.88.230; adding a new chapter to Title
4 44 RCW; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** In November 1999, various leaders of
7 American Indian nations and the state met at the tribal and state
8 leaders' summit to strengthen the government-to-government
9 relationship and cooperation on issues of mutual concern. As a
10 product of that meeting, the leaders developed the new millennium
11 agreement wherein they made various commitments in the spirit and
12 mutual respect of the 1989 centennial accord, including a commitment
13 to encourage the legislature to establish a structure to address
14 issues of mutual concern to the state and tribes. The purpose of this
15 act is to carry out that commitment by establishing a new legislative
16 office on Indian affairs to provide educational and informational
17 resources to the legislature to further support the vision of the
18 centennial accord to achieve complete institutionalization of the
19 government-to-government relationship.

20 It is not the legislature's intent to replace the work of the
21 governor's office of Indian affairs, but rather to complement that

1 work by adding a legislative resource for the senate, the house of
2 representatives, and professional legislative staff.

3 The legislature does not intend this new office to act as a
4 liaison between the legislature and tribal leaders or organizations.
5 However, in recognition of the new millennium agreement's
6 acknowledgment that intertribal organizations and associations serve
7 as an additional vehicle to advance the principles and objectives
8 contained in the centennial accord, it is the legislature's intent
9 that the legislative office on Indian affairs communicate with
10 intertribal organizations for the purpose of being well-informed of
11 developments and issues of mutual concern.

12 NEW SECTION. **Sec. 2.** The definitions in this section apply
13 throughout this chapter unless the context clearly requires
14 otherwise.

15 (1) "Office" means the legislative office on Indian affairs.

16 (2) "Professional legislative staff" means all individuals
17 retained on a full or part-time basis whose primary responsibilities
18 require the exercise of judgment and discretion in policy-related
19 matters including, but not limited to, individuals who are involved
20 in the development of legislation. "Professional legislative staff"
21 does not include individuals retained primarily for clerical,
22 ministerial, or internal accounting and bookkeeping purposes.

23 NEW SECTION. **Sec. 3.** The legislative office on Indian affairs
24 is created to provide informational resources relating to tribal
25 affairs to legislative members and professional legislative staff of
26 the senate, the house of representatives, and the office of the code
27 reviser. All operations of the office are subject to RCW 44.04.260.

28 NEW SECTION. **Sec. 4.** (1) The secretary of the senate and the
29 chief clerk of the house of representatives, in consultation with the
30 senate facilities and operations committee and the house executive
31 rules committee, shall employ a director of the office. The director
32 serves at the pleasure of the secretary of the senate and the chief
33 clerk of the house of representatives, who shall fix the director's
34 salary.

35 (2) (a) The director serves as the executive and administrative
36 head of the office.

1 (b) In accordance with an adopted personnel plan, the director
2 shall employ and fix the compensation for personnel required to carry
3 out the purposes of this chapter.

4 (c) The director may enter into contracts for:

5 (i) The sale, exchange, or acquisition of equipment, supplies,
6 services, and facilities required to carry out the purposes of this
7 chapter; and

8 (ii) The distribution of legislative information.

9 NEW SECTION. **Sec. 5.** (1) The office shall provide educational
10 and informational resources to legislative members and the
11 professional legislative staff of the senate, the house of
12 representatives, and the office of the code reviser including, but
13 not limited to:

14 (a) Training as follows:

15 (i) One annual training on: Improving cultural awareness and
16 understanding of the state's tribal members; understanding tribal
17 sovereignty; the appropriate use of shared definitions and
18 terminology; legal issues impacting the government-to-government
19 relationship; best practices for policymaking when dealing with
20 policies that have the potential to impact tribal policies; the
21 similarities and differences between federally recognized tribes,
22 nonfederally recognized tribes, treaty tribes, nontreaty tribes,
23 state recognized tribes, urban tribal organizations, and other tribal
24 organizations; and other topics as the office deems appropriate and
25 necessary to further the purpose of this chapter; and

26 (ii) As needed, training sessions as the office deems appropriate
27 to provide continuing education on tribal policy and issues of mutual
28 concern, including information on legal issues as they arise;

29 (b) Assistance in locating educational and informational
30 resources relating to tribal affairs or tribal organizations; and

31 (c) Expertise on the centennial accord, millennium agreement, and
32 the government-to-government relationship.

33 (2) The office shall coordinate with the statute law committee to
34 include in any bill drafting guide produced by the committee best
35 practices for drafting policy relating to tribes, including the
36 appropriate use of shared definitions and terminology.

37 (3) The office may contract out for consultants as needed.

1 NEW SECTION. **Sec. 6.** The annual training provided by the office
2 under section 5 of this act is mandatory for professional legislative
3 staff of the senate, house of representatives, and the office of the
4 code reviser. The directors of these work groups must ensure that
5 this annual requirement is met. Legislative members of the senate and
6 house of representatives as well as legislative staff who do not meet
7 the definition of professional legislative staff under section 2 of
8 this act are encouraged to attend the annual training.

9 NEW SECTION. **Sec. 7.** Subject to RCW 44.04.260, all expenses
10 incurred, including salaries and expenses of employees, shall be paid
11 upon voucher forms as provided and signed by the director of the
12 legislative office on Indian affairs. Vouchers may be drawn on funds
13 appropriated by law for the office. The senate and house of
14 representatives may transfer moneys appropriated for legislative
15 expenses to the office.

16 **Sec. 8.** RCW 44.80.020 and 2012 c 113 s 2 are each amended to
17 read as follows:

18 The definitions in this section apply throughout this chapter
19 unless the context clearly requires otherwise.

20 (1) "Director" means the director of the office of legislative
21 support services employed under RCW 44.80.040.

22 (2) "Legislative agencies" means: The joint legislative audit and
23 review committee, the joint transportation committee, the office of
24 the state actuary, the legislative evaluation and accountability
25 program committee, the office of legislative support services, the
26 (~~joint legislative systems committee~~) legislative service center,
27 the legislative office on Indian affairs, and the statute law
28 committee.

29 (3) "Office" means the office of legislative support services.

30 **Sec. 9.** RCW 44.04.260 and 2012 c 229 s 204 and 2012 c 113 s 6
31 are each reenacted and amended to read as follows:

32 The joint legislative audit and review committee, the joint
33 transportation committee, the select committee on pension policy, the
34 legislative evaluation and accountability program committee, the
35 office of legislative support services, the joint higher education
36 committee, and the (~~joint legislative systems committee~~)
37 legislative office on Indian affairs are subject to such operational

1 policies, procedures, and oversight as are deemed necessary by the
2 facilities and operations committee of the senate and the executive
3 rules committee of the house of representatives to ensure operational
4 adequacy of the agencies of the legislative branch. As used in this
5 section, "operational policies, procedures, and oversight" includes
6 the development process of biennial budgets, contracting procedures,
7 personnel policies, and compensation plans, selection of a chief
8 administrator, facilities, and expenditures. This section does not
9 grant oversight authority to the facilities and operations committee
10 of the senate over any standing committee of the house of
11 representatives or oversight authority to the executive rules
12 committee of the house of representatives over any standing committee
13 of the senate.

14 **Sec. 10.** RCW 43.88.230 and 2012 c 229 s 205 and 2012 c 113 s 7
15 are each reenacted and amended to read as follows:

16 For the purposes of this chapter, the statute law committee, the
17 joint legislative audit and review committee, the joint
18 transportation committee, the legislative evaluation and
19 accountability program committee, the office of legislative support
20 services, the joint higher education committee, the office of state
21 actuary, the legislative office on Indian affairs, and all
22 legislative standing committees of both houses shall be deemed a part
23 of the legislative branch of state government.

24 **Sec. 11.** RCW 44.90.020 and 2024 c 333 s 1 are each amended to
25 read as follows:

26 The definitions in this section apply throughout this chapter
27 unless the context clearly requires otherwise.

28 (1) "Collective bargaining" means the performance of the mutual
29 obligations of the employer and the exclusive bargaining
30 representative to meet at reasonable times, except that neither party
31 may be compelled to negotiate during a legislative session or on
32 committee assembly days, to confer and negotiate in good faith, and
33 to execute a written agreement with respect to the subjects of
34 bargaining specified under RCW 44.90.090. The obligation to bargain
35 does not compel either party to agree to a proposal or to make a
36 concession unless otherwise provided in this chapter.

37 (2) "Commission" means the legislative commission created in RCW
38 41.58.100 at the public employment relations commission, until the

1 legislative commission expires on December 31, 2027. After December
2 31, 2027, "commission" means the public employment relations
3 commission created under RCW 41.58.010(1).

4 (3) "Confidential employee" means an employee designated by the
5 employer: (a) To assist in a confidential capacity, or serve as
6 counsel to, persons who formulate, determine, and effectuate employer
7 policies with regard to labor relations and personnel matters; or (b)
8 who as part of the employee's job duties has authorized access to
9 information that contributes to the development of, or relates to the
10 effectuation or review of, the employer's collective bargaining
11 policies, strategies, or process; or (c) who assists or aids an
12 employee with managerial authority.

13 (4) "Director" means the director of the office of state
14 legislative labor relations.

15 (5) (a) "Employee" means:

16 (i) Any regular partisan employee of the house of representatives
17 or the senate who is covered by this chapter; and

18 (ii) Any regular employee who is staff of the:

19 (A) Office of legislative support services;

20 (B) Legislative service center;

21 (C) Office of the code reviser who, during any legislative
22 session, does not work full time on drafting and finalizing
23 legislative bills to be included in the Revised Code of Washington;
24 and

25 (D) House of representatives and senate administrations.

26 (b) "Employee" also includes temporary staff hired to perform
27 substantially similar work to that performed by employees included
28 under (a) of this subsection.

29 (c) All other regular employees and temporary employees,
30 including employees in the legislative office on Indian affairs
31 created under section 3 of this act, casual employees, interns, and
32 pages, and employees in the office of program research and senate
33 committee services work groups of the house of representatives and
34 the senate, are excluded from the definition of "employee" for the
35 purposes of this chapter.

36 (6) "Employee organization" means any organization, union, or
37 association in which employees participate and that exists for the
38 purpose, in whole or in part, of collective bargaining with
39 employers.

1 (7) "Employee with managerial authority" means any employee
2 designated by the employer who, regardless of job title: (a) Directs
3 the staff who work for a legislative chamber, caucus, agency, or
4 subdivision thereof; (b) has substantial responsibility in personnel
5 administration, or the preparation and administration of the
6 employer's budgets; and (c) exercises authority that is not merely
7 routine or clerical in nature and requires the use of independent
8 judgment.

9 (8) "Employer" means:

10 (a) The chief clerk of the house of representatives, or the chief
11 clerk's designee, for employees of the house of representatives;

12 (b) The secretary of the senate, or the secretary's designee, for
13 employees of the senate; and

14 (c) The chief clerk of the house of representatives and the
15 secretary of the senate, acting jointly, or their designees, for the
16 regular employees who are staff of the office of legislative support
17 services, the legislative service center, and the office of the code
18 reviser.

19 (9) "Exclusive bargaining representative" means any employee
20 organization that has been certified under this chapter as the
21 representative of the employees in an appropriate bargaining unit.

22 (10) "Labor dispute" means any controversy concerning terms,
23 tenure, or conditions of employment, or concerning the association or
24 representation of persons in negotiating, fixing, maintaining,
25 changing, or seeking to arrange terms or conditions of employment
26 with respect to the subjects of bargaining provided in this chapter,
27 regardless of whether the disputants stand in the proximate relation
28 of employer and employee.

29 (11) "Legislative agencies" means the joint legislative audit and
30 review committee, the statute law committee, the legislative ethics
31 board, the legislative evaluation and accountability program
32 committee, the office of the state actuary, the legislative service
33 center, the office of legislative support services, the joint
34 transportation committee, and the redistricting commission.

35 (12) "Office" means the office of state legislative labor
36 relations.

37 (13) "Supervisor" means an employee designated by the employer to
38 provide supervision to legislative employees as part of the
39 employee's regular and usual job duties. Supervision includes
40 directing employees, approving and denying leave, and participating

1 in decisions to hire, transfer, suspend, lay off, recall, promote,
2 discharge, direct, reward, or discipline employees, or to adjust
3 employee grievances, when the exercise of the authority is not of a
4 merely routine nature but requires the exercise of individual
5 judgment, regardless of whether such duties are the employee's
6 primary duties and regardless of whether the employee spends a
7 preponderance of the employee's time exercising such duties. However,
8 "supervisor" does not include a legislative assistant to a legislator
9 of the senate or house of representatives.

10 NEW SECTION. **Sec. 12.** Sections 1 through 7 of this act
11 constitute a new chapter in Title 44 RCW.

12 NEW SECTION. **Sec. 13.** Sections 5 and 6 of this act take effect
13 July 1, 2027.

--- END ---