

2024 Session In A Nutshell

- *“Short” 60-day session**
- *Supplemental Budgets**
- *Holdover bills and new bills**
- *Election year**
- *Prolific prefiling**
- *Six Initiatives To The Legislature**

Six Initiatives To The Legislature

***Sponsored by Let's Go Washington and
State Rep./WSRP Chairman Jim Walsh**

***Three passed by Legislature:**

- 1. I-2081 Adopting Parents' Bill of Rights**
- 2. I-2111 Banning a State Income Tax**
- 3. I-2113 "Reasonable Suspicion" for Police Pursuits**

***Three go to the voters this November:**

- 4. I-2109 Repealing the Capital Gains Tax**
- 5. I-2117 Repealing the Climate Commitment Act**
- 6. I-2124 Opt Out of WA Cares long-term care program**

Behavioral Health

Behavioral Health Community Capacity Grants

- *More than \$47 million of \$82.7 million total statewide appropriated to tribal facilities
- *Enhanced federal reimbursement rates
- *Coverage in hard-to-serve rural areas

Eastern Washington projects include:

- *Kalispel Tribe Inpatient Treatment Center: \$5 million
- *Seven Nations Healing Lodge Youth Expansion: \$2 million
- *Colville Tribes Detox Facility Feasibility Study: \$500,000

Education

HB 1228: Dual & Tribal Language Education

***Grant programs & support for dual language education programs**

***Grant programs & support for tribal language education programs**

***Seal of biliteracy now mandatory for graduating HS seniors**

HB 1879: Naming The Tribal Curriculum After John McCoy

HB 2019: Creating a Native American apprentice assistance program

HB 2335: Exemptions Within State-Tribal Education Compacts

Natural Resources

HB 1835: “Frontier Counties:” This changes definitions to mirror federal law for rural WA Counties. See link-
<https://app.leg.wa.gov/billssummary?BillNumber=1835&Year=2023&Initiative=false>

HB 1982: “Broadband Loans and Grants:” Concerning the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband. **This is the latest in efforts to expand broadband to underserved communities.**
<https://app.leg.wa.gov/billssummary?BillNumber=1982&Year=2023&Initiative=false>

HB 2424: An Act relating to updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources. Summary: The DFW must engage with the Colville Tribes on a government-to-government basis to update the 1998 cooperative management agreement with respect to wildlife management on the area known as "North Half." Before the DFW engages with the Colville Tribes on the update, the Commission must approve a plan of engagement. The update of the agreement must address the "Wildlife Protection and Preservation" section of the agreement, challenges to implementing the "Problem Wildlife" section of the agreement, and recommendations for managing the gray wolf and other species that have been listed under the State Endangered Species Act since adoption of the 1998 agreement. Any updates to the agreement must be ratified by both the Commission and the Colville Tribes, and the DFW must provide report any updates or modifications to the Legislature by June 30, 2025.
<https://app.leg.wa.gov/billssummary?BillNumber=2424&Initiative=false&Year=2023>

SB 5828: Authorizing Court Commissioners for Water Rights Adjudications. Superior courts in every county are authorized to appoint one or more attorneys to act as full or parttime water commissioners. The appointments shall be made by majority vote of the county's superior court judges. Water commissioners may also be appointed to any other commissioner positions allowed by law. Key Amendment from Rep. Lekanoff which she can comment firther upon-Specifying Training for Water Commissioners. Water commissioners must receive training from AOC as soon as reasonably practicable on specified topics, including water law, Indian law, water science, and cultural awareness. The AOC is authorized to contract with one or more academic institutions in Washington to develop and deliver the required training.

<https://app.leg.wa.gov/billssummary?BillNumber=5825&Initiative=false&Year=2023>

SB 6120: Wildland Urban Interface: The Department of Natural Resources (DNR) must establish and maintain a statewide wildfire hazard map and a base-level wildfire risk map for each county based on criteria established in coordination with the State Fire Marshal Office. Both maps must be made available on the department's website

<https://app.leg.wa.gov/billssummary?BillNumber=6120&Initiative=false&Year=2023>

LUKE: Ask Deb about groundwater modelling!

Final Thoughts on Tribal-Federal-State Governance

- The history of Government relations between the Tribal Nations of the United States (and Canada) must be looked at through a long lens.
- From 1600-1872 the use of treaties (how European Nation States resolved military conflict) was the model.
- The US Constitution(Article I; Section 8; Clause 3) Jurisdiction over matters in Indian Country¹ is governed by a complex patchwork of federal, state, and tribal law. https://constitution.congress.gov/browse/essay/artI-S8-C3-9-1/ALDE_00012976/
- From 1953-1973 was a period called Termination

Termination 1953-1970

- Officially announced on August 1, 1953, in House Concurrent Resolution 108 (67 Stat. B132), termination was expressly intended to “make Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship.”
- This was despite the fact that American Indians had been U.S. citizens since Congress passed the Indian Citizenship Act in 1924 (43 Stat. 253).
- Termination ended federal recognition of affected tribes and the federal aid and services that came with that recognition. It also ended federal trust status for affected reservations and the protections granted by such status. In many cases, termination meant the transfer of federal jurisdiction over criminal and civil matters on reservations to state authorities as well.

1975 The Indian Self Determination Act

- From 1953 until 1970, Congress initiated 60 separate termination proceedings against American Indian tribes, and over three million acres of tribal lands were relinquished as a result. Although the Nixon administration repudiated termination in 1970 and shifted federal Indian policy toward self-determination, the effect of termination was nevertheless devastating for many tribes.
- In 1975, the United States Congress enacted the Indian Self-Determination and Education Assistance Act, Public Law 93-638. The Act allowed for Indian tribes to have greater autonomy and to have the opportunity to assume the responsibility for programs and services administered to them on behalf of the Secretary of the Interior through contractual agreements.

Washington State Indian Governmental Relations

- August 4, 1989 Governor Booth Gardner signs the Centennial Accord. Key Indian Leaders are Ron Allen (Jamestown S’Klallam) Joe DeLeCruz (Quinault) and Mel Tonasket (Colville)
<https://goia.wa.gov/relations/centennial-accord>
- Over the 35 years of its existence both WA and out of state tribes (Umatilla of OR and Nez Perce of ID) have signed similar accord agreements. <https://goia.wa.gov/sites/default/files/public/gov-to-gov/OutOfStateAccord.pdf?5p>
- Numerous pieces of legislation regarding education, gaming, natural resources tax policy and transportation have been signed by 5 governors.

Questions?

- Thank you for your attention, and I would encourage attendees to communicate detailed questions offline and we can assist as needed.
- Rep. Debra Lekanoff has served as professional staff and as a state legislator for many years and can speak on everything we have presented.