



ORS 182.162-.168

Oregon's State Tribal Government-to-Government Law

GOAL

To promote positive relations between the State of Oregon and Oregon's nine federally recognized Tribes for the good of all Oregonians.

LEGISLATIVE DIRECTIVE

State agencies need to take tribal interests into account when state agencies develop policies or implement programs that affect Tribal interests.

VEHICLE TO ACHIEVE THE GOAL

Develop an on-going process for communicating with Tribal governments to understand their sovereign interests and to find out when it is reasonably possible for the State and a Tribe or Tribes to cooperate or coordinate in shared or overlapping areas of governmental responsibility. Effective communication may lead to increased efficiencies for all governments.

MINIMUM STATUTORY REQUIREMENTS

- **A POLICY** for each state agency that details their specific approach for promoting positive interaction with Tribes
- **ANNUAL TRAINING** for those who work with tribes
- **ANNUAL SUMMIT** for State and Tribal Leaders, key contacts and other to discuss mutual goals and assess the government-to-government process
- **ANNUAL AGENCY REPORT ON ACTIVITIES** with individual Tribes and other activities related to the government-to-government process. These reports are due each year by December 15th and are available for review on the CIS website early the following year:
www.leg.state.or.us/cis

M E M B E R S H I P

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Legislative Commission on Indian Services



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FOUNDATIONS

2011



The Legislative Commission on Indian Services was created by statute in 1975 to advise the Legislative Assembly and other Oregon officials and agencies on the needs of American Indian people in the state. The thirteen members of the Commission are appointed pursuant to ORS 172.100 et seq, to two-year, staggered terms of office. These appointments are made jointly by the Speaker of the House of Representatives and the President of the Senate and are based on nominations submitted by American Indian tribes and communities in designated areas of the state.

All nine of the federally recognized Tribes in Oregon have a representative on the Commission. These Tribes are the Burns Paiute Tribe, the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, the Confederated Tribes of Grand Ronde Community, the Confederated Tribes of Siletz, the Confederated Tribes of Umatilla Indian Reservation, the Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Indians, the Klamath Tribes, and the Coquille Tribe. Two geographic areas are also represented on the Commission. These are the Portland Urban Area and the Willamette Valley area. Two legislative members, a senator and a representative, are also seated on the Commission.

The specific statutory responsibilities of the Commission include: 1) Compiling information about services for Indians; 2) Developing and sponsoring programs to inform Indians of services available to them; 3) Developing and sponsoring programs to make Indian needs and concerns known to the public and private agencies whose activities affect Indians; 4) Encouraging and supporting these public and private agencies to expand and improve their services for Indians; 5) Assessing programs of state agencies operating for the benefit of Indians and making recommendations to the appropriate agencies for improving those programs; 6) Reporting biennially to the Governor and the Legislative Assembly on all matters of concern to Indians in Oregon.

SENATE BILL 770

Oregon was the first state in America to adopt a formal legal government to government relationship with regional tribes through both executive action and legislation. At the request of the Legislative Commission on Indian Services, Senate Bill 770 was drafted to direct state agencies in government to government relations with Oregon tribes. Senate Bill 770, along with related state policies and laws, illustrates excellent state-tribal relations in Oregon.

2001

EXECUTIVE ORDER 96-30

At the request of the Legislative Commission on Indian Services, Executive Order NO. EO - 96 - 30 was adopted "for the sole purpose of enhancing communication and mutual cooperation between the State of Oregon and the tribal governments." On May 22, 1996 a signing ceremony was conducted where over two hundred tribal leaders, legislators, and citizens were present to witness Governor John A. Kitzhaber endorse the agreement which would direct state agencies to operate on a government to government basis with Oregon Tribes.

1996

TOP TEN

considerations when working with Tribes

- ~ Respect and Act in a way that demonstrates your understanding that each Oregon Tribe is a distinct sovereign
- ~ If it's a government-to-government matter, make sure you are dealing with an authorized Tribal representative **for that issue**
- ~ If launching a new policy, program, or initiative, consider if a courtesy visit to Tribal Council is appropriate (you may obtain names or confirm with the Chair or Council who it is you should be dealing with and it will enable you to check if Council would like periodic status briefings, or updates)
- ~ Understand that state-tribal relations is a relationship that needs to be built **and maintained**
- ~ Expect things may take a little longer; be flexible
- ~ Things change; keep in touch; keep up to date (elections; subscribe to tribal newspapers, make periodic visits by phone or to reservations)
- ~ Know (and use) your state agency government-to-government key contact to help coordinate your agency's state-tribal interactions
- ~ If you have limits (e.g., a deadline, budgetary constraints, statutory requirements, set by your Commission, lack of regulatory authority or anything else that may have an *impact* on your dealings with a Tribe or Tribe on a particular matter), try to communicate those limitations clearly and early
- ~ Make clear what is you need or want from the Tribe (and by when)
- ~ Check with the Legislative Commission on Indian Services for additional info, to get contacts and/or to discuss appropriate protocol and strategies