

SB 1563 STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

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Meeting Dates: 2/28

WHAT THE MEASURE DOES:

Removes provision that prohibits a person from bringing a cause of action against a state agency or seeking review of an action of a state agency when the agency fails to comply with provisions requiring the agency to: develop and implement policies for consultation with federally recognized Indian tribes; train state agency employees who communicate with tribes; submit an annual report to the Governor and the Commission on Indian Services.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Senate Bill 770 (2001) was requested by the Legislative Commission on Indian Services. SB 770 (Chapter 177, Oregon Laws 2001) was later codified at ORS 182.162 to 168. Oregon is home to nine federally recognized tribes: the Burns Paiute Tribe; the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians; the Confederated Tribes of the Grand Ronde; the Confederated Tribes of Siletz; the Confederated Tribes of the Umatilla; the Confederated Tribes of Warm Springs; the Cow Creek Band of Umpqua Indians; the Coquille Indian Tribe; and the Klamath Tribes. The State of Oregon has relationships with those nine tribes. SB 770 stemmed from Governor Kitzhaber’s Executive Order 96-30, designed to formalize the relationship between Oregon’s nine federally recognized Indian tribal governments and the state. EO-96-30 applied only to cabinet-level state agencies. SB 770 codified the objectives of the executive order and extended the requirements of the order to all state agencies.

Senate Bill 1563 removes a provision that prohibits a person from bringing a cause of action against a state agency or seeking review of an action of a state agency when the agency fails to comply with the government-to-government relations requirements in ORS 182.162 to 168, such as including tribes in the development and implementation of state programs that affect tribes and promoting communication and positive relations between tribes and the state.