

## **Department of Revenue State Centennial Accord Plan - 2009**

### **Introduction**

The Department of Revenue is an executive agency under the Governor, charged with the duties and responsibilities of the state's chief tax collector. The Department collects approximately 94 percent of state General Fund tax revenues from about 60 different taxes. Revenue employs over 1000 employees, the majority of whom are directly involved in enforcement and compliance activities such as conducting audits, collecting delinquent taxes, locating unregistered businesses, and finding unpaid taxes.

### **Mission and Goals**

The Department of Revenue's mission is to fairly and efficiently collect revenues and administer programs to fund public services, and advocate sound tax policy. Its goals are to: make conducting business with the Department as clear, simple, and efficient as possible; develop, retain and value a high quality, diverse workforce; promote fairness and consistency in the development and application of tax law; and promote correct and timely reporting and payment of taxes.

### **Doing Business in Indian Country**

The Department has adopted an administrative rule, WAC 458-20-192 (Rule 192), which pertains to excise taxes and their application in Indian Country. Rule 192 contains rules of construction regarding treaties and statutory construction, and includes the following statement: "This rule reflects the harmonizing of federal law, Washington state tax law, and the policies and objectives of the Centennial Accord and the Millennium Agreement. It is consistent with the mission of the department of revenue, which is to achieve equity and fairness in the application of the law."

### **Commitment to Centennial Accord Principles**

The Department is fully committed to the principals of consultation and cooperation memorialized in the Centennial Accord. The sovereign status of Tribes and the complex nature of jurisdictional issues regarding Indian Reservations, Tribal and member trust land, and Tribal land in general, require a sound working relationship between Tribes and the State. The Department acknowledges that implementation of the Centennial Accord is an on going process and pledges to work on a day to day basis to foster our government-to-government relationship with individual Tribes.

### **Tribal Liaison**

The Department of Revenue has a designated Tribal Liaison who serves as a point of contact, functions in a clearinghouse role, as well as acts as a policy adviser to the Director. The Tribal Liaison is responsible for assisting Tribes and the Department with implementing effective government-to-government relations. The Tribal Liaison is also responsible for providing opportunities for Tribes and Department staff to meet, share input, and develop understandings of positions and interests. A key aspect of the Tribal Liaison's job is to be accessible to Department staff, Tribal government

staff, Tribal members, and other interested parties, regarding issues impacting Indian country. In addition, the Department has a team of employees working on Indian issues, lead by the Tribal Liaison. The Department encourages face to face discussions of issues with Tribal representatives and team members will travel to Tribal offices to meet. The Director provides clear delegation of authority to team members involved in discussions. Team members will carefully express their authority and limitations prior to the initiation of discussions.

### **Consultation**

The Department of Revenue is committed to consulting with Tribes on all issues that affect our respective governments. The Department's goal is to provide early notification regarding any issues and an open invitation for consultation on all decisions that may affect Tribal rights and interests. Consultation with Tribal governments will occur independent of any public participation process but representatives of Tribal governments and Tribal members have equal access to the Department's public participation processes as well.

### **Programs**

The Department of Revenue is responsible for the administration of most of the state's excise taxes and provides oversight and guidance to county governments regarding property taxes. The Department administers the statutory tax exemption for Tribal property used exclusively for essential government services. The Department does not administer the Motor Vehicle Fuel tax.

The Department provides the following programs/services to Tribes:

- Determination of tax applications and tax treatment.
- Estimates of revenue resulting from proposed tax changes.
- Administrative appeal process for tax disputes.
- Development of cigarette tax compacts.
- Legislation consultation.

The Department encourages Tribes and members to contact the Tribal Liaison regarding tax treatment and tax jurisdiction issues.

### **Dispute Resolution Process**

Tribal disputes are immediately brought to the attention of the Director. Specific Indian tax issues are routinely routed to the Tribal Liaison for coordination and facilitation.

### **Publications and Information**

The Department of Revenue website, <http://dor.wa.gov/>, has information on doing business in the state of Washington. The Department has prepared a special guide regarding Indian Country, and has developed forms specific to Tribal issues, which can be accessed at <http://dor.wa.gov/Content/FindTaxesAndRates/RetailSalesTax/Indians/IndianTaxGuide/default.aspx>