

ENGROSSED SENATE AMENDMENT  
TO  
ENGROSSED HOUSE BILL NO. 1409

BY: MATLOCK of the HOUSE

and

HANEY of the SENATE

AN ACT RELATING TO STATE GOVERNMENT; AMENDING SECTION  
2, CHAPTER 160, O.S.L. 1988, AS AMENDED BY SECTION  
2, CHAPTER 296, O.S.L. 1989 (74 O.S. SUPP. 1990,  
SECTION 1222), WHICH RELATES TO THE JOINT COMMITTEE  
ON STATE-TRIBAL RELATIONS; PROVIDING PROCEDURES FOR  
THE DESIGNATION OF A CHAIRMAN AND VICE-CHAIRMAN;  
REQUIRING A QUORUM FOR CERTAIN COMMITTEE ACTIONS;  
PROVIDING FOR STAFFING OF THE COMMITTEE; AND  
DECLARING AN EMERGENCY.

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill  
and insert

"AN ACT RELATING TO STATE GOVERNMENT; AMENDING 51 O.S. 1981,  
SECTION 16, SECTION 1, CHAPTER 160, O.S.L. 1988, AS AMENDED  
BY SECTION 1, CHAPTER 296, O.S.L. 1989, AND SECTION 2,  
CHAPTER 160, O.S.L. 1988, AS AMENDED BY SECTION 2, CHAPTER  
296, O.S.L. 1989 (74 O.S. SUPP. 1990, SECTIONS 1221 AND  
1222), WHICH RELATE TO SPECIAL OFFICERS AND TO THE JOINT  
COMMITTEE ON STATE-TRIBAL RELATIONS; DELETING CERTAIN  
REQUIREMENT FOR CERTAIN OFFICERS; REQUIRING CERTAIN FILING  
WITH SECRETARY OF STATE; PROVIDING PROCEDURES FOR THE  
DESIGNATION OF A CHAIRMAN AND VICE-CHAIRMAN; REQUIRING A  
QUORUM FOR CERTAIN COMMITTEE ACTIONS; PROVIDING FOR  
STAFFING OF THE COMMITTEE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 160, O.S.L. 1988, as amended by Section 1, Chapter 296, O.S.L. 1989 (74 O.S. Supp. 1990, Section 1221), is amended to read as follows:

Section 1221. A. The State of Oklahoma acknowledges federal recognition of Indian Tribes recognized by the Department of Interior, Bureau of Indian Affairs.

B. The State of Oklahoma recognizes the unique status of Indian Tribes within the federal government and shall work in a spirit of cooperation with all federally recognized Indian Tribes in furtherance of federal policy for the benefit of both the State of Oklahoma and Tribal Governments.

C. The Governor, or his named designee, is authorized to negotiate and enter into cooperative agreements on behalf of this state with federally recognized Indian Tribal Governments within this state to address issues of mutual interest. Such agreements shall become effective upon approval by the Joint Committee on State-Tribal Relations. If such agreements involve trust responsibilities, approval by the Secretary of the Interior or his designee shall be required.

D. The governing board of the political subdivision of this state is authorized to negotiate and enter into intergovernmental cooperative agreements in behalf of the political subdivision, with the federally recognized Indian Tribal Governments within this state to address issues of mutual interest. Such agreements shall be effective upon approval by the Joint Committee on State-Tribal Relations and the Governor, or his named designee.

E. An executed original of every agreement approved pursuant to this section shall be filed with the Secretary of State.

SECTION 2. AMENDATORY Section 2, Chapter 160, O.S.L. 1988, as amended by Section 2, Chapter 296, O.S.L. 1989 (74 O.S. Supp. 1990, Section 1222), is amended to read as follows:

Section 1222. A. There is hereby created the "Joint Committee on State-Tribal Relations". The Committee shall be responsible for overseeing and approving agreements between tribal governments and the State of Oklahoma. The Committee shall consist of ten (10) members, to be appointed as follows:

1. Five members of the Senate to be appointed by the President Pro Tempore of the Senate; and

2. Five members of the House of Representatives to be appointed by the Speaker of the House of Representatives.

B. The chairman and vice-chairman of the Committee shall be designated from the membership of the Committee by the Speaker of the House of Representatives and the President Pro Tempore of the Senate as provided for in this subsection. The President Pro Tempore of the Senate shall designate the initial chairman who shall serve until the convening of the First Regular Session of the 44th Oklahoma Legislature. The Speaker of the House of Representatives shall designate the initial vice-chairman who shall serve until the convening of the First Regular Session of the 44th Oklahoma Legislature. Thereafter, the chairmanship shall alternate every two (2) years between the House of Representatives and the Senate, beginning with the convening of the First Regular Session of the Legislature.

C. All members of the Committee shall serve at the pleasure of the appointing authority.

D. All actions of the Committee shall require a quorum which shall be defined as a majority of the members appointed. Approval of any agreement pursuant to Section 1221 of this title by the Committee shall be determined by a majority of the quorum present.

E. Staff for the Committee shall be provided by the House of Representatives and Senate from their existing staff.

SECTION 3. AMENDATORY 51 O.S. 1981, Section 16, is amended to read as follows:

Section 16. No officer authorized by law to appoint special deputies, marshals or policemen, to preserve the public peace and prevent or quell disturbances, shall appoint as any such special deputy marshal or policeman any person who shall not be a qualified voter in the county where such appointment is made. Provided, however, this restriction shall not apply to any tribal peace officer appointed or cross-deputized to assist and serve in multiple jurisdictions.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the Senate the 16th day of April, 1991.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_, 1991.

Speaker of the House of Representatives