

ENGROSSED HOUSE  
BILL NO. 1274

By: Matlock

An Act relating to state-tribal relations; amending 74 O.S. 1991, Section 1221, as amended by Section 73, Chapter 290, O.S.L. 1994 (74 O.S. Supp. 1996, Section 1221), which relates to cooperation agreements with federally recognized tribal governments; requiring certain agreements or compacts to be approved by certain parties; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 1221, as amended by Section 73, Chapter 290, O.S.L. 1994 (74 O.S. Supp. 1996, 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. 1. 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.

2. Compacts or agreements relating to Class III gaming, as defined by the Indian Gaming Regulatory Act, 25 U.S.C., Section 2701 et seq., between the state and federally recognized Indian Tribal Governments within this state shall require approval of the Legislature, the Governor or named designee, and the Joint Committee on State-Tribal Relations.

D. 1. The governing board of ~~the~~ a 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; ~~provided, agreements.~~ Agreements for juvenile detention facilities made pursuant to Section ~~1108~~ 7304-1.3 of Title 10 of the Oklahoma Statutes shall become effective upon approval by the board of county commissioners.

2. Cross-deputization law enforcement agreements between political subdivisions of this state and federal agencies or federally recognized Indian Tribal Governments within this state, or both, shall require approval of the Governor or named designee and the Joint Committee on State-Tribal Relations.

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

SECTION 2. This act shall become effective November 1, 1997.

Passed the House of Representatives the 5th day of March, 1997.

Speaker

of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1997.

President

of the Senate