

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2232

By: Matlock

AS INTRODUCED

An Act relating to Indian tribes; amending 74 O.S. 2001, Section 1221, which relates to state-tribal relations; deleting statutory language; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2001, 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, ~~provided,~~ ~~agreements.~~ Agreements for juvenile detention facilities made pursuant to Section 1108 of Title 10 of the Oklahoma Statutes shall become effective upon approval by the board of county commissioners. Provided, further agreements between the Military Department of the State of Oklahoma and an Indian tribe for the management or operation of a juvenile facility shall not be subject to the requirements of this section.

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

SECTION 2. 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.

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