

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 3209

By: Jett

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6 AS INTRODUCED

7 An Act relating to state government; providing for a
8 Secretary of Native American Affairs cabinet
9 position; stating duties of the Secretary; directing
10 certain state agencies to implement a tribal liaison
11 position; stating duties of the agency tribal liaison
12 position; allowing agencies to assign tribal liaison
13 duties to an existing position or employee;
14 authorizing additional state agencies to implement a
15 tribal liaison position; recognizing the importance
16 of cooperation between the state and Indian tribes;
17 directing the Secretary of Native American Affairs to
18 ensure coordination and cooperation between tribes
19 and state agencies; requiring certain state agencies
20 to advise tribes about certain ongoing state
21 programs; directing the Secretary to coordinate
22 development of tribal consultation policies;
23 requiring certain state agencies to determine
24 priorities of interest to tribes; requiring certain
state agencies to advise tribes of funding
opportunities; directing certain state agencies to
have continuing outreach to tribes; providing for
codification; and providing an effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1210 of Title 74, unless there
23 is created a duplication in numbering, reads as follows:
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1 The Secretary of Native American Affairs or successor cabinet
2 position having authority over Native American issues and state and
3 tribal relations shall:

4 1. Have the powers and duties over Native American issues and
5 state and tribal relations areas designated to the position by the
6 Governor;

7 2. Oversee state agency consultation policies with tribal
8 governments as developed pursuant to Section 3 of this act;

9 3. Monitor the interactions of state agencies with tribal
10 governments; and

11 4. Make a report on the interaction between state agencies and
12 tribal governments and make recommendations on the expansion of the
13 tribal liaison position to additional state agencies.

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1211 of Title 74, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The following agencies shall implement a tribal liaison
18 position for the agency:

19 1. Oklahoma Department of Commerce;

20 2. State Department of Education;

21 3. State Department of Health;

22 4. Department of Human Services;

23 5. Oklahoma Department of Agriculture, Food, and Forestry;

24 6. Oklahoma Conservation Commission;

- 1 7. Department of Environmental Quality;
- 2 8. Oklahoma Water Resources Board;
- 3 9. Department of Transportation;
- 4 10. Department of Public Safety;
- 5 11. Alcoholic Beverage Laws Enforcement Commission;
- 6 12. Oklahoma Tax Commission;
- 7 13. Corporation Commission;
- 8 14. Oklahoma Tourism and Recreation Department; and
- 9 15. Oklahoma Historical Society.

10 B. The position of tribal liaison shall be responsible for
11 overseeing and carrying out the duties required under the
12 consultation policy for the agency developed pursuant to Section 3
13 of this act and shall advise the agency on any matters relating to
14 interactions with Native Americans and tribal governments.

15 C. Each agency required to implement the tribal liaison
16 position pursuant to this section shall not be required to employ an
17 additional person for the position, but may assign the duties of
18 tribal liaison to an existing position or employee within the
19 agency.

20 D. Any agency not listed in subsection A of this section may
21 implement the position of tribal liaison for the agency.

22 SECTION 3. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1212 of Title 74, unless there
24 is created a duplication in numbering, reads as follows:

1 A. The State of Oklahoma recognizes the status of the federally
2 recognized tribal governments residing in the geographical
3 boundaries of the state as sovereign nations and the state
4 recognizes the need for further cooperation between the state and
5 the tribes and their citizens and the importance of the government-
6 to-government relationship between the state and the tribes.

7 B. The Secretary of Native American Affairs or successor
8 cabinet position having authority over Native American issues and
9 state and tribal relations shall ensure coordination, consultation
10 and cooperation between tribes and state agencies for any activities
11 of the state agency that will directly affect tribal governments or
12 their property.

13 C. The Secretary of Native American Affairs shall coordinate
14 the development and implementation of tribal consultation policies
15 by the individual state agencies.

16 D. Each state agency with an appointed tribal liaison shall
17 advise tribes about ongoing or proposed state programs that will
18 affect tribal governments or their property.

19 E. Each state agency with an appointed tribal liaison, in
20 coordination with the Secretary of Native American Affairs, shall
21 cooperate with tribal governments to determine priorities of
22 interest for possible cooperation between the various agencies and
23 the tribal governments. These priorities shall be reviewed no less
24 than every three (3) years.

1 F. Each state agency with an appointed tribal liaison shall
2 advise tribes on funding opportunities through partnerships with
3 state agencies to address locally determined priorities of interest
4 agreed to by both the state and tribal governments.

5 G. Each state agency with an appointed tribal liaison, in
6 coordination with the Secretary of Native American Affairs, shall
7 ensure continuing outreach to tribes and shall establish and
8 maintain relationships with tribes and tribal organizations.

9 SECTION 4. This act shall become effective November 1, 2008.

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