

1 ENGROSSED SENATE  
2 BILL NO. 1257

By: Paddack of the Senate

3 and

4 Denney of the House

5  
6 [ Oklahoma Native American Liaison - modifying  
7 qualifications - effective date ]

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

9 SECTION 1. AMENDATORY 74 O.S. 2011, Section 10.3, is  
10 amended to read as follows:

11 Section 10.3. A. Within forty-five (45) days of assuming  
12 office, each Governor may create a cabinet system for the executive  
13 branch of state government. The cabinet system may be an  
14 organizational framework created by executive order which includes  
15 all executive agencies, boards, commissions, or institutions and  
16 their assignments to specific cabinet areas. The cabinet system  
17 shall consist of no more than fifteen cabinet areas and each cabinet  
18 area shall consist of executive agencies, boards, commissions, or  
19 institutions with similar programmatic or administrative objectives.  
20 One cabinet area shall consist of the Oklahoma Department of  
21 Veterans Affairs, its institutions and other executive agencies,  
22 boards, commissions and institutions which are related to veterans.  
23 One cabinet area shall consist of the Information Services Division  
24 of the Office of State Finance and all the functions of all

1 executive agencies, boards, commissions and institutions related to  
2 information technology and telecommunications. The Governor's  
3 cabinet shall be in effect until the Legislature supersedes each  
4 cabinet area by providing by law for specific cabinet areas or  
5 departments, or removes by law the authority of the Governor to  
6 create a cabinet area.

7 B. The Governor shall appoint, with the advice and consent of  
8 the Senate, a Secretary to head each cabinet area. The Secretary  
9 appointee for the cabinet area consisting of the Oklahoma Department  
10 of Veterans Affairs and other related veterans entities shall be an  
11 honorably discharged veteran and be eligible to receive benefits  
12 from the United States Department of Veterans Affairs. The  
13 Secretary for the cabinet area consisting of the Information  
14 Services Division of the Office of State Finance and all related  
15 information technology and telecommunications functions of state  
16 government shall be the Chief Information Officer who shall be  
17 appointed pursuant to Section ~~2~~ 34.11.1 of ~~this act~~ Title 62 of the  
18 Oklahoma Statutes. The Secretary for the cabinet area relating to  
19 Native American affairs shall be the Oklahoma Native American  
20 Liaison appointed as provided for in Section 1207 of this title. A  
21 cabinet Secretary may be appointed as a position funded by the  
22 Office of the Governor from funds available to that office, or  
23 appointed as a cabinet Secretary from among the agency heads within  
24 the cabinet area. The cabinet Secretaries shall:

1 1. Advise the Governor of any policy changes or problems within  
2 the area they represent;

3 2. Advise the entities represented of any policy changes or  
4 problems as directed by the Governor; and

5 3. Coordinate information gathering for the Legislature as  
6 requested.

7 C. The cabinet Secretaries shall serve at the pleasure of the  
8 Governor, however, the appointment or removal of a cabinet Secretary  
9 who is also an agency head shall not otherwise affect the status of  
10 the other duties of the agency head. Whenever a Secretary position  
11 becomes vacant, the Governor shall appoint a successor within thirty  
12 (30) calendar days pursuant to the provisions of subsection B of  
13 this section. If the Legislature is not in session at the time of  
14 appointment it shall be subject to the advice and consent of the  
15 Senate upon convening of the next regular session of the  
16 Legislature.

17 SECTION 2. AMENDATORY 74 O.S. 2011, Section 1207, is  
18 amended to read as follows:

19 Section 1207. A. The State of Oklahoma recognizes the status  
20 of the federally recognized tribal governments residing in the  
21 geographical boundaries of the state as sovereign nations and the  
22 state recognizes the need for further cooperation between the state  
23 and the tribes and their citizens and the importance of the  
24

1 government-to-government relationship between the state and the  
2 tribes.

3 B. There is hereby created the position of Oklahoma Native  
4 American Liaison who shall be appointed by the Governor. The  
5 Oklahoma Native American Liaison ~~may~~ shall also serve as the  
6 Secretary of Native American Affairs or a successor cabinet position  
7 and shall have jurisdictional areas of responsibility related to  
8 Native American issues and state and tribal relations. The first  
9 Oklahoma Native American Liaison shall be appointed no later than  
10 December 1, 2011.

11 C. Any person appointed to the position of Oklahoma Native  
12 American Liaison shall be ~~an American Indian of at least one-fourth~~  
13 ~~(1/4) blood~~ a member of a federally recognized American Indian tribe  
14 or nation that has its primary tribal headquarters located in this  
15 state.

16 D. The salary and any other expenses for the Oklahoma Native  
17 American Liaison shall be budgeted as a separate line item through  
18 the Governor. The Governor shall provide adequate office space,  
19 equipment and support necessary to enable the Oklahoma Native  
20 American Liaison to carry out the duties and responsibilities of the  
21 position.

22 E. The Oklahoma Native American Liaison shall:  
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1           1. Have the powers and duties over Native American issues and  
2 state and tribal relation areas designated to the position by the  
3 Governor;

4           2. Be the designee of the Governor to negotiate cooperative  
5 agreements on behalf of the state with federally recognized Indian  
6 Tribal Governments within this state as set forth in Section 1221 of  
7 Title 74 of the Oklahoma Statutes;

8           3. Monitor all compacts, including gaming, tobacco, and motor  
9 vehicle fuel compacts, entered into by the state and political  
10 subdivisions with federally recognized Indian Tribal Governments  
11 within this state;

12           4. Coordinate with the Office of Tribal Relations within the  
13 Oklahoma Historical Society on the gathering, preserving and  
14 maintaining of all compacts and agreements between Indian Tribal  
15 Governments and the state and political subdivisions and all related  
16 records, documents and materials;

17           5. Oversee state agency consultation policies with tribal  
18 governments;

19           6. Monitor the interactions of state agencies with tribal  
20 governments;

21           7. Ensure coordination, consultation and cooperation between  
22 tribes and state agencies for any activities of the state agency  
23 that will directly affect tribal governments or their property;

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1 8. Advise tribes about ongoing or proposed state programs that  
2 will affect tribal governments or their property;

3 9. Cooperate with tribal governments to determine priorities of  
4 interest for possible cooperation between the various agencies and  
5 the tribal governments;

6 10. Advise tribes on funding opportunities through partnerships  
7 with state agencies to address locally determined priorities of  
8 interest agreed to by both the state and tribal governments;

9 11. Ensure continuing outreach to tribes and shall establish and  
10 maintain relationships with tribes and tribal organizations; and

11 12. Make an annual report on the interaction between the state  
12 and state agencies and tribal governments and shall submit the  
13 report to the Governor, the Speaker of the House of Representatives,  
14 and the President Pro Tempore of the Senate.

15 SECTION 3. This act shall become effective November 1, 2012.

16 Passed the Senate the 7th day of March, 2012.

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18 \_\_\_\_\_  
19 Presiding Officer of the Senate

20 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
21 2012.

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23 \_\_\_\_\_  
24 Presiding Officer of the House  
of Representatives