

FILED

AUG 14 2023



OKLAHOMA SECRETARY  
OF STATE

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CHEROKEE NATION®

P.O. Box 948 • Tahlequah, OK 74465-0948  
918-453-5000 • www.cherokee.org

Chuck Hoskin Jr.  
Principal Chief  
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Bryan Warner  
Deputy Principal Chief  
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August 14, 2023

Oklahoma Tax Commission  
2501 North Lincoln Boulevard  
Oklahoma City, OK 73194

AFFIRMATION AND EXTENSION OF MOTOR VEHICLE LICENSING/REGISTRATION COMPACTS Between the CHEROKEE NATION and the STATE OF OKLAHOMA  
The Cherokee Nation hereby accepts the State's offer, as made to the Nation by the enactment of HB1005 (Oklahoma Legislature, 1st Extraordinary Sess., 2023), which offer was for the affirmation and extension of motor vehicle licensing compacts entered by and in effect between the Cherokee Nation and the State of Oklahoma, as filed with the Oklahoma Secretary of State on August 16, 2013. As provided in HB1005, the aforementioned motor vehicle licensing or registration and license tag agreements formed and entered by the Oklahoma Governor and the CHEROKEE NATION are hereby affirmed as compacts between the STATE OF OKLAHOMA and CHEROKEE NATION and shall be in effect until December 31, 2024, and any action to unilaterally terminate or to issue written notice of the compact's nonrenewal prior to that date shall be null and void. By this letter indicating the Cherokee Nation's formal acceptance of Oklahoma's offer, the language of such offer shall hereafter be considered integrated to the aforementioned agreements.

Approved:  
Date: 8/14/2023

Cherokee Nation

Chuck Hoskin, Jr.  
Principal Chief

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AUG 14 2023

OKLAHOMA SECRETARY  
OF STATE

52680

# An Act

(1ST EXTRAORDINARY SESSION)

ENROLLED HOUSE

BILL NO. 1005

By: Wallace, Martinez, and  
Swope of the House

and

Thompson (Roger) and Hall  
of the Senate

An Act relating to Tribal-State agreements; enacting law to offer supplemental compact terms to affirm and extend existing agreements pertaining to motor vehicle registration and licensing; and providing for severability.

SUBJECT: Tribal-State agreements

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1221.B of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Legislature finds that:

1. Oklahoma has benefited from its implementation of the policy set forth in Section 1221 of Title 74 of the Oklahoma Statutes through, among other things, the formation and entry of intergovernmental agreements or compacts with Tribal nations on a variety of subjects;

2. As an exercise of executive authority consistent with this codified policy, the Oklahoma Governor formed and entered certain Tribal-State agreements relating to motor vehicle licensing and registration matters, which agreements have benefited all parties by reducing intergovernmental disputes and increasing revenues available for roads, bridges, schools, and other valuable community infrastructure.

B. The State of Oklahoma now offers the following supplemental term to any Tribe that was, as of January 1, 2023, a party to a motor vehicle licensing or registration agreement previously executed by an Oklahoma Governor:

AFFIRMATION AND EXTENSION OF  
MOTOR VEHICLE LICENSING/REGISTRATION COMPACT

Between the [NAME OF TRIBE]

and the STATE OF OKLAHOMA

The motor vehicle licensing or registration and license tag agreement formed and entered by the Oklahoma Governor and the [NAME OF TRIBE] is hereby affirmed as a compact between the STATE OF OKLAHOMA and [NAME OF TRIBE] and shall be in effect until December 31, 2024, and any action to unilaterally terminate or to issue written notice of the compact's nonrenewal prior to that date shall be null and void.

C. Tribal acceptance of this offer shall be indicated by letter from the Tribal party's governing body or official reciting the terms set forth above and delivered to the Oklahoma Tax Commission. Such acceptance letter, including the terms set forth above and delivered to the Oklahoma Tax Commission, shall then be filed with the Oklahoma Secretary of State.

SECTION 2. The provisions of this act are severable and if any part or provision shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

Passed the House of Representatives the 24th day of May, 2023.

Thye Hiltt  
Presiding Officer of the House  
of Representatives

Passed the Senate the 26th day of May, 2023.

Darryl Cook  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26<sup>th</sup>

day of May, 20 23, at 2:45 o'clock pm M.

By: Jamal Currey

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 31<sup>st</sup>

day of July, 20 23, at 11:38 o'clock A M.

By: Brian Blanton

MESSAGE  
FROM THE  
HOUSE OF REPRESENTATIVES

7/31/2023

TO THE  
HONORABLE  
SECRETARY OF STATE

By order of the House of Representatives of the State of Oklahoma, this  
Message is sent:

Transmitting herewith Enrolled HB 1005x, together with the Governor's veto  
message thereon, and advising that under the provisions of Article VI,  
Section 11, of the Constitution of the State of Oklahoma, the House of  
Representatives has reconsidered and passed said measure, over the Governor's  
veto, by a two-thirds vote of all members elected to and constituting the  
House, said vote being as follows:

House of Representatives: Ayes: 74, Nays: 11.  
Senate: Ayes: 34 Nays: 7.

Respectfully,

EMILY GILES

\_\_\_\_\_  
Chief Clerk

f

10:48:00  
HM9x-2

Received by Paul Ziriak  
Secretary of State Senate

Date: \_\_\_\_\_

By: \_\_\_\_\_

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JUL 31 2023

OKLAHOMA SECRETARY  
OF STATE

11:38 AS



OFFICE OF

THE GOVERNOR  
STATE OF OKLAHOMA

OKLAHOMA CITY, OKLA.

No. HB 1005x

May 31 2023  
TIME SIGNED: 10:30 AM

~~TO THE~~ HONORABLE SPEAKER OF THE HOUSE  
~~AND~~ MEMBERS OF THE OKLAHOMA HOUSE OF REPRESENTATIVES  
~~FOR~~ EXTRAORDINARY SESSION OF THE  
FIFTY-NINTH OKLAHOMA LEGISLATURE

ENROLLED HOUSE BILL NO. 1005x:

Pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution, I have vetoed Enrolled House Bill 1005x.

In clear violation of Oklahoma's fundamental and statutory law, Enrolled House Bill 1005x purports to extend a single motor vehicle licensing compact without any regard for whether the decade old compact is a fair deal for the State moving forward. Both because this Bill amounts to a circumvention of the executive's authority to negotiate compacts and because it is not in the State's best interests, I must veto it.


Even if terms in the Bill were fair for the State, this Bill has other problems, too.

First, this Bill is a byproduct of a body purporting to sit simultaneously in special and regular session. While a special session may have run concurrently with a regular session before; it does not mean such an occurrence is constitutional.

Second, this Bill is unconstitutional pursuant to Article 5, Section 27A because motor vehicle registration and licensing compacts—or for that matter, compacts at all—are not specifically identified in the Call, which is limited "to the consideration of" matters involving the appropriation of funds; the implementation and administration of budget-related funds; and the expenditure of American Rescue Plan Act of 2021 funds.

For these reasons, among others, I have vetoed Enrolled House Bill 1005x.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

  
\_\_\_\_\_

Delivered to HOUSE by: Sumner Curry  
Date/Time: 5/31/23; 3:52pm

HOUSE:  
By Collette A. Hatcher  
Date/Time 5/31/23 3:54pm

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MAY 31 2023

OKLAHOMA SECRETARY  
OF STATE