

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE
RESOLUTION 1011

By: Moore

AS INTRODUCED

A Resolution requesting Governor Kevin Stitt to enact an amendment that recaptures the costs of providing government services to certain persons.

WHEREAS, involuntary servitude on U.S. soil was abolished in 1865 with enactment of the 13th amendment; and

WHEREAS, stipulations in the 1866 treaties with the Chickasaw, Choctaw, Creek, Seminole and Cherokee Nations allowed for the adoption of their freedmen and the granting of citizenship; and

WHEREAS, citizenship was granted to all freed slaves within their respective states, cities or towns in 1868 with enactment of the 14th amendment; and

WHEREAS, the Oklahoma State Legislature adopted Article 1 of the Oklahoma Constitution in 1907 at the time of statehood which established a federal relation to the U.S. Constitution and forbade the adoption of any laws that were based upon race, color or previous condition of servitude; and

1 WHEREAS, the 1936 Oklahoma State Legislature enacted the
2 Oklahoma Indian Welfare Act which restored the treaty right of
3 Tribal Nations to self-govern matters relating to their respective
4 citizens but failed to deem race-based citizenship stipulations as
5 "unenforceable"; and

6 WHEREAS, the Oklahoma Tribal Gaming Compacts between the
7 Chickasaw, Choctaw, Creek and Seminole Tribes which were enacted in
8 2004 provided for the funding of government services for their
9 citizens giving no regard to these tribes' race-based disregard of
10 Article 1 of the Oklahoma Constitution; and

11 WHEREAS, the Chickasaw, Choctaw, Creek and Seminole nations
12 pursuant to Tribal Council vote on the basis of race, color or
13 ancestor's previous condition of servitude are unable to grant
14 "full" citizenship rights to persons who otherwise would be granted
15 citizenship pursuant to the 14th amendment of the U.S. Constitution
16 and Article 1 of the Oklahoma Constitution; and

17 WHEREAS, the government services relating to excluded persons on
18 the basis of race, color or ancestor's previous condition of
19 servitude as provided for in Part 5, Section D of the Chickasaw,
20 Choctaw, Creek and Seminole Nation's Tribal Gaming Compacts are
21 being passed on to Oklahoma taxpayers without repayment.

22 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
23 OF THE 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

1 THAT the Honorable Governor of the State of Oklahoma, Kevin
2 Stitt, enact the amendment proposed and recapture the cost for
3 providing government services to persons who otherwise by tribal
4 vote cannot be provided such services, the cost of which should
5 otherwise be offset against revenues derived through provisions of
6 their nation's Tribal Gaming Compacts, so that these costs are no
7 longer being passed on to Oklahoma taxpayers without repayment.

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9 57-1-8631 GRS 04/03/19