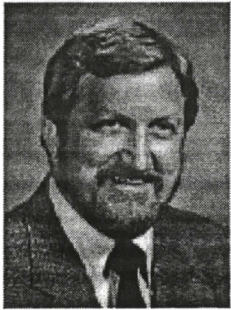


Indian Gas Tax, continued from page 1
 "We are going to start supporting another sovereign nation because they could threaten to sue the state."

Reading from a mock news article, Webb compared the proposal to a state being held hostage until lawmakers decided to pay the hostage takers.

Rep. Larry Ferguson, R-Cleveland, urged the rejection of the bill's conference committee report out of



Rep. Larry Ferguson

what he said was concern that the governor might be veto the bill. He said he based his position on the governor's statement that the state should have the ability to audit tribe's use of the money they could receive under the terms of

the bill. That provision, he said, was not specifically included in the bill.

"The biggest problem I have," the House Minority Leader explained, "is that we've been working on this for several months, we've changed boats in the middle of the stream and all of a sudden we're voting on an agreement."

"I just don't think we've thought this all the way through."

Rep. Jim Hamilton, D-Poteau, called the agreement historic:

"This is the first time the Indian tribes have waived their sovereign immunity to enter a contract with the state of Oklahoma."

Hamilton added, "It's time to put our trust

in them as they've put their trust in us by being willing to waive their sovereign immunity."

Cotner's motion to adopt the bill's second conference committee report received a 63-34 passing vote, followed by a 64-33 passing vote for the bill.

The measure then moved to the Senate.

Senate Minority Leader Gerald "Ged" Wright, R-Broken Arrow, under limited debate, said he was disappointed with the final version of the bill. He said agreements reached earlier in the day were not represented in the bill.

"I don't know how the man on the second floor is going to feel about this," he commented.

He cited two issues that particularly "offended" him, one being the question of whether or not the state has the right to audit tribal nations to assure agreements are being adhered to. Wright, an attorney, said such audits are perfectly legal.

"Contract law is very clear on that," he said.

He also argued that Republicans were not adequately represented in the negotiations.

He accused the tribes of taking advantage of the state.

"I don't understand how citizens of our state who drive our roads shouldn't have to pay for it," he said. "We've got some people in the state that aren't part of us anymore."

Sen. Cal Hobson, D-Lexington, a key figure in negotiations with tribal and state officials, said the state must respect the fact that the tribes are indeed sovereign nations.

"These people are indeed sovereign entities," he said. "They do not expect us to be directive of their assets just as we do not expect us to be directive of theirs."

Though he called Native Americans "probably the most persecuted race on the face of this earth," Sen. Frank Shurden, D-Henryetta, opposed the measure, saying it would destroy Oklahoma's tax base.

"The Indian nation doesn't need this for their livelihood," he said. "I have no problem with non-Indian tax dollars going to help the tribes, they deserve it, but on things like this, you ought to pay."

Shurden said the "mom and pop" gas stations across the state would be ruined as a result of the compact.

Other members offered other solutions to the bill. Sen. Don Rubottom, R-Tulsa, suggested that the matter be deferred to the Oklahoma Tax Commission for them to address on an issue-by-issue basis. He ques-

tioned the legality of the state entering into contracts for more than one year at a time, which is prohibited by state law.

Hobson assured that officials, including the Attorney General's Office, were in agreement that the compact was perfectly legal.

The bill now heads to the governor.

"This is a win-win agreement. It strengthens the ties between Oklahoma and its tribes and ensures this important funding to help the tribes and to help rural Oklahoma," Governor Frank Keating said only hours before the bill's passage.

"This is a tremendous sign of good will on behalf of the state. It's important to step aside from lawsuits and come together to integrate fully the tribal leadership as sovereigns with the state of Oklahoma," the governor added. "It allows us to work together for mutual prosperity, mutual understanding and mutual respect."

Pay Plan, continued from page 1

lic Employees Retirement System ..." for 14 agencies whose money for those expenses had been vetoed by the governor.

A motion to adopt the bill's conference committee report received a passing vote of 55-41, leading to a passing vote on the bill of 54-43.

Rep. Wayne Pettigrew, R-Edmond, raised the issue later on Thursday when the House considered **SB811**, which specifies budget limitations for health services agencies. Pettigrew asked the bill's author, Rep. Jim Hamilton, D-Poteau, whether he was aware the Edmond lawmaker had instructions on the table to fund the pay raise and related expenses. Hamilton said he was not, and asked House Speaker Glen Johnson, D-Okemah, to rule on the germaneness of the instructions.

After consulting with the chief clerk, Johnson ruled the instructions were not germane because the bill dealt with substantive language, while the instructions made appropriations.

The House adopted the conference committee report by unanimous consent and the bill received a passing vote of 87-10.

Reese said the proposed instructions are germane to the three Senate bills up for consideration on Friday — **SBs 819, 825 and 1254** — which each make appropriations.

Meanwhile, the governor also challenged legislative leaders to "stop playing end-of-session politics" with funds earmarked for

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