



OFFICE OF

No. SB 563

THE GOVERNOR
STATE OF OKLAHOMA

OKLAHOMA CITY, OKLA., April 17, 2015

TIME SIGNED: 3:35pm

TO THE HONORABLE PRESIDENT PRO TEMPORE
AND MEMBERS OF THE OKLAHOMA SENATE
FIRST SESSION OF THE
FIFTY FIFTH OKLAHOMA LEGISLATURE

ENROLLED SENATE BILL NO. 563:

As such, it is absolutely essential that there is some impartial mediator—like our judicial system—to adjudicate disputes and provide remedies for wrongs inflicted by one party on another party. However, the law is clear on this point: tribal businesses are simply not subject to the jurisdiction of the Oklahoma courts, absent an express waiver of the Tribe’s sovereignty for the limited purpose of resolving disputes within our State’s legal system. Accordingly, without language in the Bill conditioning the granting of right-of-ways and easements on formal execution of such a waiver by the appropriate Tribe, Oklahoma and its citizens are exposed to potentially costly wrongs, without any adequate means of redress. I cannot support such a proposition.

Mutual respect between sovereigns and basic notions of fair play demand that both parties have a fair and dependable means to seek monetary or other legal reparation when they have a viable cause of action against the other. We should not expect, nor demand, less of our tribal partners than we do of any other entity with which we do business.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Mary Fallin

By Becky Welch
Date/Time 4-17-15 3:45pm

RECEIVED
APR 17 2015
OKLAHOMA SECRETARY
OF STATE



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This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 563.

Senate Bill 563 (Bill) gives tribally owned or operated utilities the same "right to use the public roads and highways of this state, including the right-of-way and all easements pertaining thereto . . ." as it does to other public utilities.

Let me begin by affirming that tribally owned or operated businesses should have the same rights and opportunities as other privately run commercial endeavors. To believe otherwise would be fundamentally unfair, and would work against the invaluable cultural and economic contributions that Tribes have made to Oklahoma throughout our State's proud history. However, if tribal businesses are to have the same opportunities as other businesses, it is only just that they also have equal responsibilities and assume similar potential liabilities as their private counterparts. Without such parity, nontribal businesses would be at a distinct disadvantage relative to tribal businesses.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

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