

AMENDMENTS TO LR 17

1           1. Strike the original provisions and insert:  
2           "WHEREAS, pursuant to Public Law 280, the State of  
3 Nebraska was granted criminal and civil jurisdiction over the  
4 Santee Sioux Reservation in 1953; and  
5           WHEREAS, Public Law 90-284 adopted as an Act of Congress  
6 on April 11, 1968, contains a number of provisions dealing with  
7 civil rights and jurisdiction of Indians; and  
8           WHEREAS, Section 403(a) of Public Law 90-284 provides  
9 that the United States is authorized to accept a retrocession of  
10 all or any measure of the jurisdiction acquired by a state pursuant  
11 to Public Law 280 of 1953; and  
12           WHEREAS, the Santee Sioux Tribe has petitioned the State  
13 of Nebraska to effectuate retrocession of criminal and civil  
14 jurisdiction over the Santee Sioux Reservation to the United States  
15 and has demonstrated the capability to assume its portion of  
16 associated responsibilities; and  
17           WHEREAS, the Bureau of Indian Affairs has confirmed that  
18 it will detail law enforcement personnel to the Santee Sioux  
19 Reservation immediately upon the effective date of retrocession;  
20 and  
21           WHEREAS, the Nebraska State Patrol, the Santee Sioux  
22 Tribe, and the Bureau of Indian Affairs have agreed to enter into a  
23 cross-deputization agreement to be effective on the effective date  
24 of retrocession to fully empower (1) all officers of the Nebraska

1 State Patrol to enforce all federal and tribal laws within the  
2 exterior boundaries of the Santee Sioux Reservation and (2) the  
3 Bureau of Indian Affairs and tribal officers to enforce all state  
4 laws within the Santee Sioux Reservation; and

5 WHEREAS, the Santee Sioux Tribe, acting through the  
6 Tribal Council, adopted all Nebraska motor vehicle and related laws  
7 as tribal law by a unanimous vote, Resolution number 2001-41A on  
8 May 24, 2001, and the Legislature deems this adoption irrevocable.

9 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE  
10 NINETY-SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

11 1. That the Legislature retrocedes criminal and civil  
12 jurisdiction over the Santee Sioux Reservation acquired by the  
13 State of Nebraska pursuant to Public Law 280 of 1953, such  
14 retrocession to be effective at 12:01 A.M., July 1, 2001.

15 2. That the State of Nebraska and its political  
16 subdivisions shall take all necessary action to effectuate this  
17 resolution, including cooperative agreements with the Santee Sioux  
18 Tribe, the Bureau of Indian Affairs, or the Department of Interior  
19 deemed by the affected parties to be necessary to enhance the  
20 efficiency and effectiveness of criminal law enforcement on the  
21 Santee Sioux Reservation."