

MINUTES

JOINT COMMITTEE ON STATE-TRIBAL RELATIONS

January 7, 2003
Room 519-S—Statehouse

Members Present

Representative Tony Powell, Chairman
Senator Lana Oleen, Vice Chairman
Senator Mark Gilstrap
Senator David Haley
Senator Nancey Harrington
Senator John Vratil
Representative Becky Hutchins
Representative Bonnie Sharp
Natalie Haag, Governor's Office

Staff Present

Russell Mills, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Mitchell Rice, Revisor of Statutes Office

Conferee

Charley Laman, Kickapoo Tribe

Chairman Powell called the meeting to order and asked Theresa Kiernan, Revisor of Statutes Office, to review a proposed bill draft concerning the powers of tribal police officers. Ms. Kiernan presented the proposed bill draft (3RS0082) (Attachment 1).

Ms. Kiernan stated that the bill draft provides that law enforcement officers employed by any federally recognized Indian tribe located within the boundaries of the State of Kansas may exercise their powers as law enforcement officers:

- Anywhere within "Indian Country" as that term is defined by 18 U.S.C. 1151;
- In any place where a request for assistance has been made by law enforcement officers from that place or when in fresh pursuit of a person;
- On the streets, property, and highways that are immediately adjacent to the boundaries of Indian country; and

- When transporting persons in custody to a facility.

Dennis Hodgins, Kansas Legislative Research Department (KLRD), distributed copies of 18 U.S.C. 1151 which contains the definition of the term "Indian Country" (Attachment 2).

Charles Laman, Kickapoo Tribe, briefly reviewed the history of the term "Indian Country."

Natalie Haag, Governor's representative expressed several concerns about the proposed bill draft. She suggested that the draft be amended to:

- Specify that the new language applies only to the four resident Kansas tribes;
- Delete the term "Indian Country" and refer to the boundaries of the four Kansas reservations; and
- Mandate that the tribal officers must meet the continuing education requirements specified in Kansas law.

Senator Vratil expressed concern about the vagueness of the term "property" in Section 1 (3)(c). He recommended that the term be removed from the bill.

Chairman Powell stated that he would accept a motion to amend the bill draft as suggested by Ms. Haag and Senator Vratil. *Senator Vratil moved to amend the bill as suggested and to introduce the bill. Senator Gilstrap seconded. Motion carried.* Chairman Powell stated that the bill would be introduced, preferably as a Senate bill.

Upon unanimous consent, the minutes of the November 1, 2002, meeting were approved.

Russell Mills, KLRD, reviewed the draft Committee report (Attachment 3). The Committee directed that the report be expanded to discuss the bill draft recommended by the Committee. *Senator Vratil moved to approve the draft report. Representative Sharp seconded. The motion carried.*

Mr. Mills reviewed a memorandum entitled "Requirements for Membership on the Joint Committee," (Attachment 4).

Chairman Powell thanked the members for their work. The meeting was adjourned.

Prepared by Russell Mills

Approved by Committee on:

February 3, 2003