

LEGISLATIVE BILL 131

Approved by the Governor April 12, 1974

Introduced by Snyder, 14

AN ACT to amend section 23-362, Reissue Revised Statutes of Nebraska, 1943, relating to law enforcement; to change provisions for payments to counties; and to repeal the original section, and also section 23-364, Reissue Revised Statutes of Nebraska, 1943.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 23-362, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-362. In order to equitably distribute the added burden of law enforcement imposed upon certain counties of this state by reason of the passage of Public Law 280 of the Eighty-third Congress dealing with state jurisdiction ~~over offenses committed by or against~~ Indians and the resulting withdrawal of federal law enforcement in such counties, there shall be paid out of the state treasury on the warrant of the Director of Administrative Services ~~such amounts as the legislature may appropriate~~ the equivalent of thirty mills on the dollar on the assessed value of all land held in trust by the United States government for the benefit of Indians in any such county to be used for purposes of law enforcement and rehabilitation. Such funds shall be divided as equally as possible between the areas of enforcement and rehabilitation. A report shall be submitted on December 31 of each year on the operation and expenditures of the office of county sheriff to the Executive Board of the Legislative Council. Such payment shall be made to any county of this state meeting the following conditions:

(1) Such county shall have on file in the office of the Director of Administrative Services ~~either a certificate of the county assessor that there are within such county more than thirty-five thousand~~ over twenty-five hundred acres of land held in trust by the United States, or subject to restriction against alienation imposed by the United States; ~~and for the benefit of Indians or Indian tribes; or a certificate of the county sheriff showing that during the preceding year sixty per cent or more of the persons convicted for violation of state criminal laws were Indians; and~~

~~(2) Such county shall have submitted to the director a voucher bearing the certificate of the county clerk showing for the fiscal year for which claim for state funds is made the cost to the county of feeding Indian prisoners and that such prisoners are carried on the tribal rolls as Indians. No such claim shall be allowed by such director except for the amount that the cost to the county for such fiscal year for feeding Indian prisoners exceeds nine thousand dollars.~~

(2) The county board of each such county may participate in alcohol-related programs with nonprofit corporations.

Sec. 2. That original section 23-362, Reissue Revised Statutes of Nebraska, 1943, and also section 23-364, Reissue Revised Statutes of Nebraska, 1943, are repealed.