S T A T E O F N E W Y O R K

515

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the Indian law, in relation to the jurisdiction of the St. Regis Mohawk tribal police; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 114 of the Indian law, as added by chapter 558 of the laws of 2005, is amended and a new subdivision 8-a is added to read as follows:

2. Upon the application of the St. Regis Mohawk tribal council, the superintendent of state police may appoint any person as a police officer with all powers provided for in the criminal procedure law, except for those powers specifically excepted by this section, for the preservation of order and of the public peace, and the arrest of all persons committing offenses upon the St. Regis Mohawk tribal reservation AND UPON ADDITIONAL LANDS AS SET FORTH IN SUBDIVISION EIGHT-A OF THIS SECTION. The total number of appointments shall be determined by the superintendent in his or her discretion.

8-A. UPON THE APPLICATION OF THE ST. REGIS MOHAWK TRIBAL COUNCIL, THE SUPERINTENDENT OF THE STATE POLICE IS AUTHORIZED TO EXPAND THE JURISDICTION OF ANY PERSON APPOINTED A POLICE OFFICER UNDER THIS SECTION TO THE AREA WITHIN THE COUNTY OF FRANKLIN, OUTSIDE OF THE BOUNDARY OF THE ST. REGIS RESERVATION, TO THE AREA KNOWN AS THE "BOMBAY TRIANGLE" IN SUCH MANNER THAT THE SOUTHERN BOUNDARY OF THE AREA OF EXPANDED JURISDICTION SHALL BE A STRAIGHT LINE BEGINNING AT A POINT ON THE SOUTHERN BOUNDARY IN THE SOUTHWEST QUADRANT OF THE ST. REGIS RESERVATION, FIVE HUNDRED FEET EAST OF THE ST. REGIS RIVER AT 44.9540N 74.6873W, CONTINUING IN AN EASTERLY DIRECTION TO A POINT ON THE SOUTHERN BORDER IN THE SOUTHWESTERN

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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QUADRANT OF THE RESERVATION AT 44.9526N 74.6132W. THE AREA OF EXPANDED JURISDICTION SHALL INCLUDE ALL POINTS NORTH OF THIS LINE DESCRIBED HEREIN CONTINUING TO THE SOUTHERN-MOST BORDER OF THE ST. REGIS RESERVATION. SUCH EXPANDED JURISDICTION MAY BE REVOKED OR SUSPENDED BY THE SUPERINTENDENT AT HIS OR HER DISCRETION. OFFICERS EXERCISING POLICE AUTHORITY PURSUANT TO THIS EXPANDED JURISDICTION SHALL BE SUBJECT TO ALL OF THE PROVISIONS SET FORTH IN THIS SECTION IN THE SAME MANNER AS IF THEY WERE OPERATING WITHIN THE STATE-RECOGNIZED BORDERS OF THE ST. REGIS RESERVATION AND ALL RESPONSIBILITIES SET FORTH IN THIS SECTION WITH RESPECT TO THE DUTIES OF THE ST. REGIS MOHAWK TRIBE, INCLUDING THE DUTY TO INDEMNIFY AND SAVE HARMLESS, SHALL APPLY TO THIS AREA IN THE SAME MANNER AS IF IT WAS WITHIN THE STATE-RECOGNIZED BOUNDARIES OF THE ST. REGIS RESERVATION. A REPRESENTATIVE OF THE ADMINISTRATION OF THE ST. REGIS MOHAWK TRIBAL POLICE DEPARTMENT SHALL KEEP THE SUPERINTENDENT INFORMED, ON A MONTHLY BASIS, OF ALL CRIMES, ACCIDENTS AND REQUESTS FOR LAW ENFORCEMENT SERVICES OCCURRING WITHIN THE AREA DESCRIBED IN THIS SUBDIVISION IN WHATEVER MANNER AND FORMAT THE SUPERINTENDENT DESIGNATES. NOTHING IN THIS SECTION SHALL BE INTERPRETED IN A MANNER TO REDUCE OR ELIMINATE THE EXISTING JURISDICTION OF ANY OTHER STATE OR LOCAL POLICE DEPARTMENT WITHIN THIS AREA.

S 2. This act shall take effect immediately and shall expire September 1, 2016 when upon such date the provisions of this act shall be deemed repealed.