

SB 1011 STAFF MEASURE SUMMARY

Senate Committee On Veterans, Emergency Management, Federal and World Affairs

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Meeting Dates: 3/6, 3/18

WHAT THE MEASURE DOES:

The measure allows a federally recognized Indian tribe in Oregon to formally adopt and submit a request to the Governor for retrocession of Public Law 280 jurisdiction. The measure requires the Governor to acknowledge receipt of the request within 10 days of receiving it; to convene a meeting with representatives of the tribe to discuss the request within 90 days of receiving it; and to accept or deny the request within 180 days of receiving it. The Governor and tribe may agree to extend the 180 day time frame by up to an additional 180 days. If the Governor accepts the request, within 10 days the Governor must petition the United States Secretary of the Interior for retrocession. If the Governor denies it, the Governor must communicate with the tribe and include their reasons for denial. It declares an emergency and is effective on passage.

Fiscal impact: Fiscal impact issued

Revenue impact: No revenue impact

ISSUES DISCUSSED:

- Provisions of measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Public Law 280, enacted in 1953, granted certain states, including Oregon, authority over specific criminal and civil matters on reservation lands as part of a broader policy referred to as “termination.” The Warm Springs reservation was not covered by the law. Termination refers to the end of federal recognition of affected tribes and of federal trust status for affected reservations. Federal jurisdiction over criminal and civil matters was often transferred to states. Restoration of federal recognition of the Siletz; Grand Ronde; Coos, Lower Umpqua, and Siuslaw; and Klamath tribes maintained state jurisdiction over criminal and civil matters. United States Code allows for the retrocession of this jurisdiction.

Senate Bill 1011 allows a federally recognized Indian tribe in Oregon to formally adopt and submit a request to the Governor for retrocession of Public Law 280 jurisdiction, and it sets timelines for a response and action from the Governor.