

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 897

(SENATE AUTHORS: LATZ)

DATE
02/11/2021

D-PG

OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to corrections; requiring a working group to establish policy and procedures
1.3 for federally recognized Indian tribes to participate in the Community Corrections
1.4 Act subsidy program; requiring a report.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **CORRECTIONAL SUPERVISION WORKING GROUP; TRIBAL**
1.7 **GOVERNMENTS.**

1.8 Subdivision 1. **Establishment.** Recognizing the sovereignty of tribal governments and
1.9 the shared state and tribal interests in providing effective, responsive, and culturally relevant
1.10 correctional supervision and services, a working group is established to develop policy,
1.11 protocols, and procedures for Minnesota-based federally recognized Indian tribes to
1.12 participate in the Community Corrections Act subsidy program and make recommendations
1.13 to the legislature on changes to the law to allow for tribal supervision.

1.14 Subd. 2. **Duties.** The working group shall develop comprehensive recommendations
1.15 that allow a Minnesota-based federally recognized Indian tribe, as defined in United States
1.16 Code, title 25, section 450b(e), to qualify for a grant provided in Minnesota Statutes, section
1.17 401.01, by meeting and agreeing to the requirements in Minnesota Statutes, section 401.02,
1.18 subdivision 1, excluding the population requirement. The working group shall:

1.19 (1) develop statutory policy language that provides that interested tribal governments
1.20 may participate in the Community Corrections Act grant program;

1.21 (2) identify tribal Community Corrections Act supervision jurisdiction parameters such
1.22 as tribal lands, tribal enrollment, and recognized tribal affiliation;

2.1 (3) develop a court process for determining whether an individual shall receive
2.2 correctional supervision and services from a tribal Community Corrections Act authority;

2.3 (4) develop an effective and relevant formula for determining the amount of community
2.4 corrections aid to be paid to a participating tribal government; and

2.5 (5) develop legislation to establish conformance with all other requirements in the
2.6 Community Corrections Act.

2.7 Subd. 3. **Members.** The working group must include the following members:

2.8 (1) the commissioner of corrections, or designee;

2.9 (2) the commissioner of human services, or designee;

2.10 (3) the attorney general, or designee;

2.11 (4) a representative of each Minnesota-based federally recognized Indian tribe appointed
2.12 by each tribe;

2.13 (5) a representative appointed by the governor;

2.14 (6) a representative appointed by the speaker of the house;

2.15 (7) a representative appointed by the senate majority leader;

2.16 (8) a representative of the State Court Administrators Office appointed by the state court
2.17 administrator;

2.18 (9) Department of Corrections, executive officer of hearings and release;

2.19 (10) Department of Corrections, director of field services;

2.20 (11) a representative of the Minnesota Indian Affairs Council appointed by the council;
2.21 and

2.22 (12) one representative appointed by each of the following associations:

2.23 (i) the Minnesota Association of Community Corrections Act Counties;

2.24 (ii) the Minnesota Association of County Probation Officers;

2.25 (iii) the Minnesota Sheriff's Association;

2.26 (iv) the Minnesota County Attorney's Association; and

2.27 (v) the Association of Minnesota Counties.

2.28 Subd. 4. **Meetings.** The commissioner of corrections or a designee shall convene the
2.29 first meeting of the working group no later than October 15, 2021. Members of the working

3.1 group shall elect a chair from among the group's members at the first meeting, and the
3.2 commissioner of corrections or a designee shall serve as the working group's chair until a
3.3 chair is elected.

3.4 Subd. 5. **Compensation.** Members of the working group shall serve without
3.5 compensation.

3.6 Subd. 6. **Administrative support.** The commissioner of corrections shall provide
3.7 administrative support staff and meeting space for the working group.

3.8 Subd. 7. **Report.** The working group shall prepare and submit a report to the chairs of
3.9 the house of representatives and senate committees and divisions with jurisdiction over
3.10 public safety not later than March 15, 2022. The working group's report shall minimally
3.11 include statutory policy language that provides that interested tribal governments may
3.12 participate in the Community Corrections Act grant program.

3.13 Subd. 8. **Expiration.** The working group expires the earlier of March 16, 2022, or the
3.14 day after the working group submits the report under subdivision 7.

3.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.