

hbd-032

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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5			ORIGINAL STAMP BELOW
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11	Representative(s) Barreiro offered the following:		
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13	<b>Amendment to Amendment (305255) (with title amendment)</b>		
14	On page 1, line 17, through page 2, line 8,		
15	remove: all of said lines,		
16			
17	and insert:		
18	Section 1. <u>Section 285.16, Florida Statutes, is</u>		
19	<u>repealed.</u>		
20	Section 2. Subsection (3) of section 285.061, Florida		
21	Statutes, is amended to read:		
22	285.061 Transfer of land to United States in trust for		
23	Seminole and Miccosukee Indian Tribes.--		
24	(3) All the provisions of this chapter, not in		
25	conflict with this section, remain in full force and effect.		
26	The state reserves both civil and criminal jurisdiction over		
27	said reservations in accordance with <del>s.ss. 285.16 and</del> 285.165		
28	and applicable federal law. The transfer of lands in trust		
29	for the Miccosukee Tribe of Indians of Florida made pursuant		
30	to the authority of this section remains subject to all of the		
31	rights, easements, and reservations in favor of the South		

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1 Florida Water Management District provided in the transfer.

2 Section 3. Subsection (1) of section 285.165, Florida  
3 Statutes, is amended to read:

4 285.165 Water rights compact with Seminole Tribe.--

5 (1) ~~Notwithstanding the provisions of s. 285.16,~~The  
6 water rights compact among the Seminole Tribe of Florida, the  
7 State of Florida, and the South Florida Water Management  
8 District as approved by the governing board of the South  
9 Florida Water Management District at its May 15, 1987,  
10 governing board meeting is hereby ratified and approved. The  
11 compact shall not be effective until approved in appropriate  
12 federal legislation. Upon congressional approval, the compact  
13 shall become the sole source of regulation of water use and  
14 the management and storage of surface water and groundwater on  
15 reservation and Tribal Trust lands.

16 Section 4. Paragraph (c) of subsection (2) of section  
17 285.18, Florida Statutes, is amended to read:

18 285.18 Tribal council as governing body; powers and  
19 duties.--

20 (2) The governing bodies of the special improvement  
21 districts shall have the duty and power:

22 (c) To employ personnel to exercise law enforcement  
23 powers, ~~including the investigation of violations of any of~~  
24 ~~the criminal laws of the state occurring on reservations over~~  
25 ~~which the state has assumed jurisdiction pursuant to s.~~  
26 ~~285.16.~~

27 1. All law enforcement personnel employed shall be  
28 considered peace officers for all purposes and shall have the  
29 authority to bear arms, make arrests, and apply for, serve,  
30 and execute search warrants, arrest warrants, capias, and  
31 other process of the court, and to enforce criminal and

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1 noncriminal traffic offenses, within their respective special  
2 improvement districts.

3 2. All law enforcement personnel shall be entitled to  
4 the privileges, protection, and benefits of ss. 112.19 and  
5 870.05.

6 Section 5. This act shall take effect upon becoming a  
7 law.

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9  
10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 2, lines 16-25 of the amendment,  
13 remove: all of said lines,

14  
15 and insert:

16 A bill to be entitled  
17 An act relating to state civil and criminal  
18 jurisdiction on Indian reservations; repealing  
19 s. 285.16, F.S., relating to state civil and  
20 criminal jurisdiction on Indian reservations;  
21 amending ss. 285.061, 285.165, and 285.18,  
22 F.S.; correcting cross references, to conform;  
23 providing an effective date.

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