

Introduced: 2/27/68
Referred: Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE JOINT RESOLUTION NO. 72

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 Relating to a requested amendment of
6 Public Law 85-615 which would give the
7 Metlakatla Indian Community criminal
8 jurisdiction over minor offenses con-
9 current with the state's jurisdiction.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 WHEREAS since 1915 the community of Metlakatla has had its own magis-
12 trate and police force with certain limited criminal jurisdiction pursuant
13 to its constitution adopted under federal law; and

14 WHEREAS in 1958, the United States Congress passed Public Law 85-615
15 extending state criminal jurisdiction over all the Indian territory of
16 Alaska which had previously been under territorial law; and

17 WHEREAS the community of Metlakatla was unaware of the change in the
18 law until years later and continued acting under its local police powers;
19 and

20 WHEREAS Public Law 85-615, by delegating total criminal jurisdiction
21 to the state, works a great hardship on this community because the state
22 police have limited manpower making it impossible for them to deal effective-
23 ly with minor criminal offenses in the somewhat isolated community of
24 Metlakatla; and

25 WHEREAS Public Law 85-615 destroyed the effectiveness of the local
26 police and judiciary and created a gap in law enforcement in the area; and

27 WHEREAS an amendment giving this community concurrent criminal juris-
28 diction is not without precedent in laws dealing with the Indians in that a
29 similar arrangement exists between the state and Indian communities in

HJR 72 am

1 Idaho and there are specific exceptions to 18 U.S.C. 1162;

2 BE IT RESOLVED that the Congress of the United States is respectfully
3 urged to amend Public Law 85-615 to give the community of Metlakatla con-
4 current criminal jurisdiction over minor offenses.

5 COPIES of this Resolution shall be sent to the Honorable Lyndon B.
6 Johnson, President of the United States; the Honorable Stewart L. Udall,
7 Secretary of the Interior; the Honorable John W. McCormack, Speaker of the
8 House; the Honorable Carl Hayden, President Pro Tempore of the Senate;
9 the Honorable Wayne N. Aspinall, Chairman of the House Interior and Insular
10 Affairs Committee; the Honorable Henry M. Jackson, Chairman of the Senate
11 Interior and Insular Affairs Committee; and to the Honorable E. L. Bartlett,
12 and the Honorable Ernest Gruening, U. S. Senators; and the Honorable Howard
13 W. Pollock, U. S. Representative, members of the Alaska delegation in
14 Congress.