

Subd. 4. (a) To perform best practices reviews, the legislative auditor through the program evaluation division shall examine the procedures and practices used to deliver local government services, including municipalities and counties, determine the methods of local government service delivery, identify variations in cost and effectiveness, and identify practices to save money or provide more effective service delivery. The legislative auditor shall recommend to local governments, service delivery methods and practices to improve the cost-effectiveness of services. The legislative auditor and the board of government innovation and cooperation shall notify each other of projects being conducted relating to improving local government services.

(b) The commission shall identify local government services to be reviewed with advice from an advisory council whose membership shall consist of:

- (1) three representatives from the Association of Minnesota Counties;
  - (2) three representatives from the League of Minnesota Cities; and
  - (3) two representatives from the Association of Metropolitan Municipalities; and
  - (4) one representative from the Minnesota Association of Townships.
- (c) This subdivision expires June 30, 1999.

**Sec. 3. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor May 19, 1997

Signed by the governor May 20, 1997, 10:28 a.m.

---

**CHAPTER 185—S.F.No. 542**

*An act relating to law enforcement; authorizing the Lower Sioux Indian community to exercise law enforcement authority; proposing coding for new law in Minnesota Statutes, chapter 626.*

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

**Section 1. [626.91] LAW ENFORCEMENT AUTHORITY; LOWER SIOUX INDIAN COMMUNITY PEACE OFFICERS.**

Subdivision 1. DEFINITION. As used in this section, "community" means the Lower Sioux Indian Community.

Subd. 2. LAW ENFORCEMENT AGENCY. (a) The community has the powers of a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (h), if all of the requirements of clauses (1) to (4) are met:

(1) the community agrees to be subject to liability for its torts and those of its officers, employees, and agents acting within the scope of their employment or duties arising out of the law enforcement agency powers conferred by this section to the same extent as a municipality under chapter 466, and the community further agrees, notwithstanding

**New language is indicated by underline, deletions by strikeout.**

section 16B.06, subdivision 6, to waive its sovereign immunity with respect to claims arising from this liability;

(2) the community files with the board of peace officer standards and training a bond or certificate of insurance for liability coverage for the maximum amounts set forth in section 466.04;

(3) the community files with the board of peace officer standards and training a certificate of insurance for liability of its law enforcement officers, employees, and agents for lawsuits under the United States Constitution; and

(4) the community agrees to be subject to section 13.82 and any other laws of the state relating to data practices of law enforcement agencies.

(b) The community shall enter into an agreement under section 471.59 with the Redwood county sheriff to define and regulate the provision of law enforcement services under this section and to provide for mutual aid and cooperation. The agreement must identify and describe the trust property involved in the agreement. For purposes of entering into this agreement, the community shall be considered a "governmental unit" as that term is defined in section 471.59, subdivision 1.

Subd. 3. CONCURRENT JURISDICTION. The jurisdiction of the community pursuant to this section shall be concurrent with that of the Redwood county sheriff, provided that it shall be limited to persons in the geographical boundaries of property held by the United States in trust for the community.

Subd. 4. PEACE OFFICERS. If the community complies with the requirements set forth in subdivision 2, the community is authorized to appoint peace officers, as defined in section 626.84, subdivision 1, paragraph (c), who have the same powers as peace officers employed by the Redwood county sheriff over the persons and the geographic areas described in subdivision 3.

Subd. 5. COUNTY JAIL. The Redwood county sheriff is responsible for receiving persons arrested by peace officers appointed by the community under subdivision 4 and acting under the authority conferred by this section.

Subd. 6. PROSECUTING AUTHORITY. The Redwood county attorney is responsible for prosecuting or initiating petitions for any person arrested, investigated, or detained by peace officers appointed by the community under subdivision 4 and acting under the authority conferred by this section.

Subd. 7. EFFECT ON FEDERAL LAW. Nothing in this section shall be construed to restrict the community's authority under federal law.

Subd. 8. CONSTRUCTION. This section is limited to law enforcement authority only, and nothing in this section shall affect any other jurisdictional relationships or disputes involving the community.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following enactment.

Presented to the governor May 19, 1997

Signed by the governor May 20, 1997, 10:32 a.m.

**New language is indicated by underline, deletions by ~~strikeout~~.**