

## Act 70-24

An Act amending Title 11, chapters 3 and 5 to clarify the definition of a firearm and a silencer and to modify existing firearms restrictions by authorizing the use of silencers for deer hunting and repealing language for revocation or suspension of hunting, fishing, and gathering privileges.

The District 3 Representative introduced the following Bill on the 4th day of December, 2024.

### **BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:**

#### **Section 1. Amending Title 11, chapter 3, section 2001.**

##### **§ 2001. Definitions.**

As used in this chapter, the following terms shall have the meanings given to them in this section:

- (j) **“Firearm”** means any gun, rifle, muzzleloader, shotgun, handgun, or other type of weapon which will or is designed to or may readily be converted from which to expel a shot or projectile is discharged by means of an explosive, gas or compressed air; the frame or receiver of any such weapon; or any firearm silencer.
- (k) **“Firearm Silencer”** means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer, and any part intended only for use in such assembly or fabrication.

#### **Section 2. Amending Title 11, chapter 5.**

##### **§ 5041. Definitions.**

For the purposes of this Chapter, the following terms shall be construed as follows:

- (a) **“Antlerless deer”** means not having at least one antler of at least 3 inches in length.
- (b) **“Bow”** means any hunting instrument designed for the purposes of propelling arrows which is drawn and held by and through the efforts of the person firing it, but does not include a crossbow.

- (c) **“Crossbow”** means any device using a bow which, once drawn, is held solely by means other than the effort of the person firing it.
- (d) **“Firearm”** means any rifle, muzzleloader, shotgun, handgun or other type of weapon which will or is designed to or may readily be converted to expel a shot or projectile by means of an explosive, gas or compressed air; the frame or receiver of any such weapon; or any firearm silencer~~gun~~.
- (e) **“Firearm Silencer”** means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer, and any part intended only for use in such assembly or fabrication.

#### **§ 5048. Firearms Restrictions.**

No member shall hunt deer:

- (a) With a .22 rimfire rifle, 5 mm rimfire rifle, or .17 caliber centerfire rifle;
- (b) With any handgun except a handgun which is loaded with .357, .41 or .44 magnum caliber ammunition;
- (c) With a smooth-bore muzzle-loader less than .45 caliber or a rifled muzzleloader less than .40 caliber;
- (d) With a projectile other than one with a soft point or which is an expanding bullet type;
- (e) With any shell, cartridge or ammunition known as tracer shells, or with incendiary shells or cartridges (NOTE: Distress flares are exempt from this Section);
- (f) With shot shells containing shot size less than 12 gauge “OO” buckshot;
- (g) With “OO” buckshot when hunting in a State hunting zone during the annual State firearm (not muzzle-loader) deer season, including any extension thereof, for that zone, and no member shall possess such ammunition while hunting in such zone during such season; or
- (h) With a firearm silencer~~for a firearm or firearm equipped to have a silencer attached,~~ unless legally purchased or possessed under federal law.

#### **§ 4087. Penalties.**

Any member who, for himself or herself, or by his or her agent, servant or employee, or who as an agent, servant or employee of another, violates this Chapter, shall be liable as follows:

- (a) For all violations for which no other amount is specified, a civil remedial forfeiture of not more than ~~\$5,000.00~~\$800.00;
- ~~(b) For any violation, a revocation or suspension of hunting, fishing or gathering privileges for a period of time within the discretion of the court;~~
- ~~(e)(b)~~ For any violation, a civil remedial forfeiture of any property, including boats, motors, vehicles, hunting or fishing equipment, or other property, used in the commission of the violation of this Chapter, within the discretion of the court;
- ~~(d)(c)~~ For all violations, the court may order a natural resources assessment not to exceed 75% of the amount of the civil remedial forfeiture; and
- ~~(e)(d)~~ For all violations, appropriate court costs within the discretion of the court.

### **Section 3. Repealing section 4094 of Title 11, chapter 5.**

#### **~~§ 4094. Harvesting After Revocation or Suspension.~~**

~~No person whose hunting, fishing, or gathering privileges have been revoked or suspended pursuant to § 4087(b) of this Chapter shall hunt, fish, trap or gather any wild plant or wild animal, the harvest of which is regulated by this Chapter, during such revocation or suspension.~~

**EFFECTIVE DATE.** This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

**Act 70-24**  
**(Band Assembly Bill 21-02-70-24)**

Introduced to the Band Assembly on this  
Fourth day of December in the year  
Two thousand twenty-four.

Passed by the Band Assembly on this  
Fourth day of December in the year  
Two thousand twenty-four.

  
Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 12-10-24

  
Virgil Wind, Chief Executive

**OFFICIAL SEAL OF THE BAND**

