

COMMISSIONER'S ORDER NO. 130-90
Natural Resources

A Commissioner's Order to adopt and ratify Off-Reservation Conservation Code for Fishing in accordance with the Chippewa Intertribal Agreement Governing Resource Management and Regulation of 1837 Off-Reservation Treaty Rights.

WHEREAS, the Mille Lacs Band of Chippewa Indians is a signatory and successor to the Treaty of 1837, 7 Stat. 536, and the Treaty of 1842, 7 Stat. 591, and;

WHEREAS, the Mille Lacs Band of Chippewa Indians resides in the ceded territories of the Treaty of 1837, 7 Stat. 536, and;

WHEREAS, the Mille Lacs Band deem it appropriate to provide an orderly system of tribal control and regulation of off-reservation spearing, and;

WHEREAS, the Mille Lacs Band further deems it appropriate to provide conservation and management for fish populations found in the ceded territory through the regulation of member spearing occurring therein, and;

WHEREAS, the Commissioner of Natural Resources has the authority to regulate natural resources within the jurisdiction of the Mille Lacs Band of Chippewa Indians through Band Statute 1032-MLC-1, Sec. 29, Band Statute 1017-MLC-7, and Band Statute 1092-MLC-25, et seq. and;

WHEREAS, the taking of fish is a natural resources under the jurisdiction of the Mille Lacs Band of Chippewa Indians and;

WHEREAS, nothing herein or the application thereof shall be construed by any government, agency, person or circumstance as a waiver by the Non-Removable Mille Lacs Band of Chippewa Indians of the solemn, special trust obligation of the United States of America, and;

WHEREAS, pursuant to the provisions of Band Statute 1032-MLC-1, Section 25 and 29, the Commissioner of Natural Resources is empowered to execute the regulatory agreements for fishing by members of the Mille Lacs Band for the area East of the St. Croix River and within the 1837 treaty area.

WHEREAS, the member tribes of the 1837 Chippewa Code Territory have agreed to manage and regulate Off-Reservation Fishing jointly, and

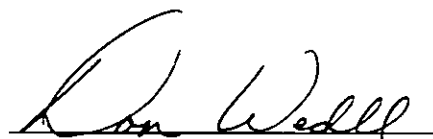
WHEREAS, this management and regulation will be implemented through the Great Lakes Indian Fish and Wildlife Commission Voigt Task Force.

NOW THEREFORE, by the authority vested in me by the Mille Lacs Band of Chippewa Indians pursuant to Band Statute 1032-MLC-1, Section 29, I, Don Wedll, Commissioner of Natural Resources for the Mille Lacs Band of Chippewa Indians hereby adopt and ratify the 1990-91 Off-Reservation Conservation Code for Fishing by and between the Tribal and State Parties in Lac Courte Oreilles, et al., v. State of Wisconsin, et al., and;

It is further and finally ordered that the following amendments and extents to the Off-Reservation Conservation Code for fishing, east of the St. Croix River, as adopted by Commissioner's Order 105-89 for members of the Mille Lacs Band of Chippewa Indians for the fishing year of 1990 through 1991.

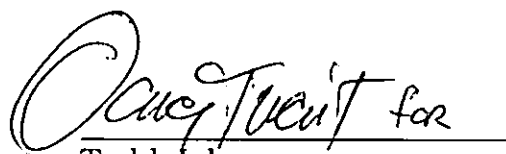
Chapter 9 of the Model Code is hereby amended by the revisions defined through the Western District Court of Wisconsin Case No. 74-C-313-C and listed in Memorandum of the Great Lakes Indian Fish & Wildlife Commission dated April 2, 1990.

DATED at Vineland, Minnesota this ninth day of April in the year one thousand nine hundred and ninety.



Don Wedll
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



Tadd Johnson
Solicitor General

OFFICIAL SEAL OF THE BAND