

COMMISSIONER'S ORDER NO. 219-96
Natural Resources

A Commissioner's Order authorizing Great Lakes Indian Fish and Wildlife Conservation Enforcement Officer to enforce Mille Lacs Band of Ojibwe natural resources regulations, ordinances and laws.

WHEREAS, the Mille Lacs Band of Chippewa Indians is a signatory or successor to the Treaty of 1855, 10 Stat. 1165, and;

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

WHEREAS, the Mille Lacs Band deems it appropriate to provide an orderly system of tribal control and regulation of On-Reservation natural resources, and;

WHEREAS, the Mille Lacs Band further deems it appropriate to provide conservation and management of natural resources found in its jurisdictional territory through the regulation of members use of these natural resources, and;

WHEREAS, the Commissioner of Natural Resources has the authority to regulate natural resources within the jurisdiction of the Mille Lacs Band of Ojibwe through Band Statute 1162-MLC-50, Section 3, and Band Statute 1092-MLC-25, et seq., and;

WHEREAS, Great Lakes Indian Fish and Wildlife Conservation Enforcement Officer enforce and patrol the Minnesota 1837 ceded territory, and;

WHEREAS, Great Lakes Indian Fish and Wildlife Conservation Enforcement Officer routinely cross on reservation lands and could provide additional enforcement authority in these areas to enforce, and;

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

WHEREAS, pursuant to the provisions of Band Statute 1162-MLC-50, Section 3, the Commissioner of Natural Resources is empowered to authorize the enforcement of Mille Lacs Band's natural resources regulations, ordinances, and laws regulation.

NOW THEREFORE, by the authority vested in me by the Mille Lacs Band of Ojibwe pursuant to Band Statute 1162-MLC-50, Section 3, I, Don Wedll, Commissioner of Natural Resources for the Mille Lacs Band of Chippewa Indians hereby authorize Great Lakes Indian Fish and Wildlife Conservation Enforcement Officer to enforce Mille Lacs Band's natural resources regulations, ordinances, and laws on all lands under the Mille Lacs Band of Ojibwe jurisdiction.

Authorization of Great Lakes Indian Fish and Wildlife Conservation Enforcement Officer to enforce Mille Lacs Band's natural resources regulations, ordinances, and laws

PART I - INTRODUCTION

101. Title. This Commissioner's Order may be cited as the Mille Lacs Band of Ojibwe enforcement authorization.
102. Authority. This Commissioner's Order is authorized pursuant to Band Statute 1162-MLC-50, Section 3, and Band Statute 1092-MLC-25, et seq., of the Mille Lacs Band of Chippewa Indians.
103. Purpose. It is the purpose of this order to:
 - a) provide an orderly system for tribal control and regulation of the taking of natural resources On-Reservation lands and waters .
 - b) Provide a means to increase the conservation and management of natural resources within Mille Lacs Band of Ojibwe's jurisdiction.
104. Effective Date. This order shall be effective on the date of issuance .
105. Interpretation. The provisions of this order shall be interpreted and applied as minimum requirements applicable to small game hunting and shall be liberally construed in favor of the Mille Lacs Band. The provisions shall not be deemed a limitation or repeal of any other Band power or authority.
106. Severability and Non-Liability. If any section, provision, or portion of this order is adjudged unconstitutional or invalid by the Court of Central Jurisdiction, the remainder of this order shall not be affected thereby. The Mille Lacs Band further asserts immunity on its part and that of its agencies, employees, and/or agents from any action or damages that may occur as a result of reliance upon and conformance with this order.
107. Repeal of Inconsistent Commissioner's Order. All previous Commissioner's Orders inconsistent with this order are hereby repealed. To the extent that this order imposes greater restrictions than those contained in any other Commissioner's Orders, the provisions of this order shall govern.

Part IV - ENFORCEMENT

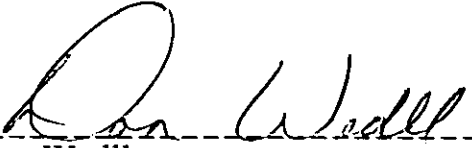
201. Enforcement by deputized conservation enforcement officer. Any provision of this order may be enforced by conservation enforcement officer of the Great Lakes Indian Fish and Wildlife Commission. Said Commission conservation

Commissioners Order 219-95
Natural Resources
Page 3

enforcement officers are hereby authorized by the Department as tribal conservation officers for purposes of enforcing Mille Lacs Band's natural resources regulations, ordinances, and laws .

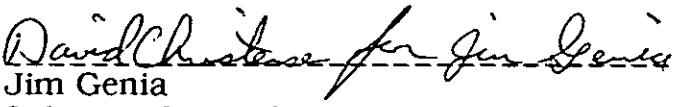
202. Enforcement by Great Lakes Indian Fish and Wildlife Conservation Enforcement Officer. Great Lakes Indian Fish and Wildlife conservation enforcement officer and deputy conservation enforcement officer are hereby empowered to enforce Mille Lacs Band's natural resources regulations, ordinances, and laws and to institute proceedings in the Court of Central Jurisdiction .
204. Tribal Officer cooperation. Tribal Officers shall cooperate with Commission Conservation Enforcement Officers in enforcing the terms of this order.
205. Seizure of Evidence. Tribal and Commission, conservation enforcement officers are empowered to seize evidence in connection with the institution of proceedings in tribal court.
206. Seized animals. Small game animals which are seized in connection with cases referred to tribal court for prosecution shall be turned over to the tribe.

DATED at Vineland, Minnesota this second day of November in the year one thousand nine hundred and ninety five.



Don Wedll
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



Jim Genia
Solicitor General

OFFICIAL SEAL OF THE BAND