



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 20-04-31-23

A RESOLUTION RATIFYING THE BANDS PROPOSED TREATY FISHERIES MANAGEMENT PLAN FOR THE 1837 MINNESOTA CEDED TERRITORY FOR THE 2023-2024 FISHING SEASON

WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe (“Band”), a federally recognized Indian tribe; and

WHEREAS, pursuant to 3 MLBS §§ 3(d) and 3(f), the Band Assembly is empowered to “adopt resolutions” and “ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;” and

WHEREAS, pursuant to 3 MLBS § 1(m), a “resolution” is defined as “a formal expression of the opinion, will, or intention” of the Band Assembly; and

WHEREAS, the Mille Lacs Band of Ojibwe and other Chippewa Bands (collectively the “Bands”) hold rights to hunt, fish and gather on land and waters ceded in the Treaty of 1837, 7 Stat. 536, which rights were adjudicated by the Federal District Court for the District of Minnesota in Mille Lacs Band v. State of Minnesota, No. 3-94-1226, and Fond du Lac Band v. Carlson, No. 5-92-159 (“Treaty Litigation”); and

WHEREAS, the 2022-2023 Fisheries Management Plan expires on March 31, 2023 and requires the Bands to adopt a new management plan to be effective for the fishing year that commences on April 1, 2023; and

WHEREAS, the 2022-2023 Fisheries Management Plan required the Bands to inform the State of Minnesota, after the January 2023 meeting of the Minnesota 1837 Ceded Territory Fisheries Committee, of their proposed changes to the 2022-2023 Fisheries Management Plan that would be adopted into a new plan, and, while the decisions in the Treaty Litigation require the Bands to inform the State of Minnesota of proposed changes in their conservation codes before making those changes, no changes to the Bands' conservation code are is required under this plan; and

WHEREAS, all of the Bands discussed and agreed upon proposed changes to the 2022-2023 Fisheries Management Plan that would be adopted in a new fisheries management plan for the years 2023-2024 (April 1, 2023 through March 31, 2024); and

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WHEREAS, the Bands have informed the State of Minnesota of these changes as required by the 2022-2023 Fisheries Management Plan and the decisions in the Treaty Litigation, and the State has not objected to them.

NOW, THEREFORE, BE IT RESOLVED, the Band Assembly hereby: approves the Treaty Fisheries Management Plan for the 1837 Minnesota Ceded Territory for the 2023-2024 Fishing Season attached hereto; and authorizes its attorney to work with the other Bands and the Great Lakes Indian Fish and Wildlife Commission to ensure that the State of Minnesota is informed of the adoption of the new fisheries management plan as required by the Treaty Fisheries Management Plan for the 1837 Minnesota Ceded Territory for the Years 2022-2023 and the decisions in the Treaty Litigation.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 26th day of July, 2023, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND




Sheldon Boyd, Speaker of Assembly