



## League of Women Voters of Minnesota Records

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## THE LEAGUE OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

Testimony Presented to  
The Senate Environment and Natural Resources Committee  
RE: Proposed Settlement of Court Case Concerning 1837 Treaty Rights  
of the Mille Lacs Band of the Ojibwe Indians  
by Mary Hepokoski, Volunteer Lobbyist  
March 5, 1993

The League of Women Voters of Minnesota supports the proposed settlement of the court case concerning the 1837 Treaty rights of the Mille Lacs Band of Ojibwe Indians.

The League has a long history of studying, educating, and acting on Indian issues. Our organization is author of a series of texts, Indians in Minnesota. They contain references to jurisdictional issues and treaty claims. The first book was published in 1962.

Through our studies the League has a position which states: "Where Indians are singled out for special attention, that attention should be directed towards solving existing jurisdictional conflicts in order to guarantee equal treatment of Indian citizens by all levels of government. Programs should have the explicit recognition that the basic decisions regarding Indian lives and property are to be made by the Indians themselves."

Our review of the 1837 Treaty and the proposed settlement show fair compromises are being made by both the State and the Band. Of primary importance to the Indians in the agreement is that the Band is to control the use of the resources by Indians on treaty land. Since the treaty's original language could mean the Indians have 100% to 50% of the natural resources to use any way they wish, what the Indians have given up in economic terms is significant:

- \*They have given up the right to commercially harvest large game.
- \*They have given up any commercial right to timber.
- \*They have given up the right to commercially harvest game fish.
- \*They have given up the right to use spears or nets on 95-1/2% of Mille Lacs and other lakes and streams, except for six smaller lakes and some 20 miles of designated river ways.
- \*They have agreed to restrict themselves to the Band's fishing limits standards which correspond to the state's standards.

Meanwhile, the state has made significant concessions also:

- \*It acknowledges that a 4-1/2% zone of Mille Lacs Lake and the other designated waters would be under tribal regulation and the Band could harvest it as it wished, under the tribal fishing codes for subsistence needs.
- \*It will pay \$10 million to the Band, half of the money to be used for ten years solely for environmental and natural resource law enforcement and management.
- \*It will transfer 7,500 acres of land to the Band.

The League of Women Voters of Minnesota finds questionable the arguments, by persons opposed to the settlement, that the 1855 Treaty and Claims payments of the 1960s-70s extinguished Indians' rights to hunt, fish and gather on the land involved. In addition, we do not wish our state to endure anything similar to Wisconsin's years of fighting and violence and the millions of dollars spent in court and enforcement costs over settlement of that same 1837 Treaty as it applied to Wisconsin. We urge the Legislature to act quickly to accept this compromise to silence immediately the hostility or violence which can only build as the court case continues. We recognize that in cases of compromise there are always persons or groups who desire making "just one slight change" in the settlement. We strongly urge members of the Legislature to resist this desire.

Recognizing that over two years have been spent already to get to an agreement acceptable to representatives of the State and the Band, and further recognizing that a costly court fight looms ahead this spring if a settlement is not reached, the League urges our legislature to accept the agreement as proposed, just as the Band has voted to accept it, and thus bring about a peaceful settlement which will both protect our natural resources and treat all Minnesotans, Indian and non-Indian, fairly.



## THE LEAGUE OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103  
PHONE (612) 224-5445

# action

## MILLE LACS TREATY RIGHTS AGREEMENT

**LWVMN Position:** Where Indians are singled out for special attention, that attention should be directed towards solving existing jurisdictional conflicts in order to guarantee equal treatment of Indian citizens by all levels of government. Programs should have the explicit recognition that the basic decisions regarding Indian lives and property are to be made by the Indians themselves.

The Minnesota Department of Natural Resources and the Mille Lacs Band of Ojibwe Indians have negotiated an agreement to settle the court case concerning 1837 Treaty rights to hunting, fishing and gathering by the Band. This agreement must be ratified by the Legislature.

Since the Treaty's original language could mean the Indians have 100% to 50% of the natural resources to use any way they wish, what the Indians have given up in economic terms is significant.

- \*They have given up the right to commercially harvest large game.
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Meanwhile, the State has made significant concessions:

- \*It acknowledges that a 4 1/2% zone of Mille Lacs Lake and the other designated waters would be under tribal regulation and the Band could harvest it as it wished, under the tribal fishing codes for subsistence needs.
- \*It will pay \$10 million to the Band, half of the money to be used for ten years solely for environmental and natural resource law enforcement and management.
- \*It will transfer 7,500 acres of land to the Band.

Legislative ratification of the Treaty will honor the rights of the Ojibwe, protect the State's environment and the use of its natural resources by all Minnesotans and avoid the costly court fight and confrontations which were experienced by the State of Wisconsin.

**Action:** Step 1 --Call your legislators or send letters no later than Tuesday, Feb. 9, 1993 and especially be sure to reach the following Senators and Representatives on the Environment and Natural Resources Committees and urge them to vote for the settlement.

To help coordinate our efforts at the state level, please send a copy of your letter to the LWVMN office, 550 Rice Street, St. Paul MN 55103, attention: Jean Tews

<u>Senator</u>	<u>Address</u>	<u>Phone No.</u>
Bob Lessard, Chair	111 Cap.	296-4136
Kevin Chandler, Vice Chair	111 Cap.	9307
Ellen Anderson	G-27 Cap.	5537
Joanne Benson	153 SOB	6455
Charles Berg	328 Cap.	5094
Steve Dille	103 SOB	4131
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Ted Winter	407 SOB	5505
Ken Wolf	329 SOB	5185

Governor Arne Carlson      130 Cap.      296-3391

Commissioner Rodney Sando, Dept of Natural Resources, 500 Lafayette Rd.  
55155, 296-2549

SOB State Office Bldg. CAP Capitol St. Paul MN 55155

STEP 2 Come to the Capitol Tuesday, March 9, 9 a.m. for an informational briefing (45 minutes) followed by a visit to your legislator. Call LWVMN to let us know you are coming (224-5445).





THE LEAGUE  
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

February 11, 1993

StarTribune  
425 Portland Ave.  
Minneapolis, MN 55415

To the Editor:

The Sunday, February 7 issue contains a carefully researched article on the lawsuit and proposed settlement agreement between the Mille Lacs Band of Ojibwe (Chippewa) and the State of Minnesota. However, your author failed to note the many citizens, environmental and religious organizations who have endorsed the proposed settlement.

The League of Women Voters of Minnesota supports the compromise settlement reached by the State Department of Natural Resources and the Mille Lacs Band after two years of negotiations. Legislative ratification of the agreement will honor the rights of the Mille Lacs Ojibwe, protect our state's environment and the use of its natural resources for all Minnesotans and avoid the costly court fight and violent racial confrontations experienced by the state of Wisconsin.

Sincerely,

*Kay Erickson*

Kay Erickson  
President

*Jean Tews*

Jean Tews  
Lobbyist

February 3, 1993

The Honorable N  
S State Capitol  
St. Paul, MN 55155

Dear SAL :

The League of Women Voters of Minnesota supports the proposed settlement of the court case concerning the 1837 Treaty rights of the Mille Lacs Band of Ojibwe Indians.

League position states: "Where Indians are singled out for special attention, that attention should be directed towards solving existing jurisdictional conflicts in order to guarantee equal treatment of Indian citizens by all levels of government. Programs should have the explicit recognition that the basic decisions regarding Indian lives and property are to be made by the Indians themselves."

Our review of the 1837 Treaty and the proposed settlement show fair compromises are being made by both the State and the Band. Of primary importance to the Indians in the agreement is that the Band is to control the use of the resources by Indians on treaty land. Since the treaty's original language could mean the Indians have 100% to 50% of the natural resources to use any way they wish, what the Indians have given up in economic terms is significant:

- \* They have given up the right to commercially harvest large game.
- \* They have given up any commercial right to timber.
- \* They have given up the right to commercially harvest game fish.
- \* They have given up the right to use spears or nets on 95-1/2% of Mille Lacs and other lakes and streams, except for six smaller lakes and some 20 miles of designated river ways.
- \* They have agreed to restrict themselves to the Band's fishing limits standards which correspond to the state's standards.

Meanwhile, the state has made significant concessions also:

- \* It acknowledges that a 4-1/2% zone of Mille Lacs Lake and the other designated waters would be under tribal regulation and the Band could harvest it as it wished, under the tribal fishing codes for subsistence needs.
- \* It will pay \$10 million to the Band, half of the money to be used for ten years solely for environmental and natural resource law enforcement and management.
- \* It will transfer 7,500 acres of land to the Band.

The League of Women Voters of Minnesota finds questionable the arguments, by persons opposed to the settlement, that the 1855 Treaty and Claims payments of the 1960s-70s extinguished Indians' rights to hunt, fish and gather on the land involved. In addition, we do not wish our state to endure anything similar to Wisconsin's years of fighting and violence and the millions of dollars spent in court and enforcement costs over settlement of that same 1837 Treaty as it applied to Wisconsin. We urge the Legislature to act quickly to accept this compromise to silence immediately the hostility or violence which can only build as the court case continues. We recognize that in cases of compromise there are always persons or groups who desire making "just one slight change" in the settlement. We strongly urge members of the Legislature to resist this desire.

Recognizing that over two years have been spent already to get to an agreement acceptable to representatives of the State and the Band, and further recognizing that a costly court fight looms ahead this spring if a settlement is not reached, the League urges our legislature to accept the agreement as proposed, with the hope that the Band too will accept it, and thus bring about a peaceful settlement which will both protect our natural resources and treat all Minnesotans, Indian and non-Indian, fairly.

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Kay Erickson  
President

Jean Tews  
LWVMN Lobbyist

E:T/rk





## THE LEAGUE OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

### LWVMN Statement re Proposed Settlement of Court Case concerning the 1837 Treaty Rights of the Mille Lacs Band of Ojibwe Indians February 1, 1993

The League of Women Voters of Minnesota supports the proposed settlement of the court case concerning the 1837 Treaty rights of the Mille Lacs Band of Ojibwe Indians.

League position states: "Where Indians are singled out for special attention, that attention should be directed towards solving existing jurisdictional conflicts in order to guarantee equal treatment of Indian citizens by all levels of government. Programs should have the explicit recognition that the basic decisions regarding Indian lives and property are to be made by the Indians themselves."

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LWVMN Statement  
2/1/93

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THE LEAGUE  
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

February 1, 1993

The Honorable Arne Carlson  
Governor of Minnesota  
130 Capitol  
St. Paul MN 55155

Dear Governor Carlson:

The League of Women Voters of Minnesota supports the agreement negotiated by the Department of Natural Resources and the Mille Lacs Band of Ojibwe Indians. We commend the representatives of the DNR and the Band who have spent over two years to develop an agreement acceptable to both sides.

Attached is our statement of support. We will be contacting members of the Legislature to urge their ratification of the agreement.

Sincerely,

Kay Erickson  
President

KE/nw

Attachment



THE LEAGUE  
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

February 1, 1993

Commissioner Rodney Sando  
Department of Natural Resources  
500 Lafayette Road  
St. Paul MN 55155

Dear Commissioner Sando:

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Action: Step 1 --Call your legislators or send letters no later than Tuesday, Feb. 9, 1993 and especially be sure to reach the following Senators and Representatives on the Environment and Natural Resources Committees and urge them to vote for the settlement.

To help coordinate our efforts at the state level, please send a copy of your letter to the LWVMN office, 550 Rice Street, St. Paul MN 55103, attention: Jean Tews

Testimony Presented to  
The House Environment and Natural Resources Committee  
RE: Proposed Settlement of Court Case Concerning 1837 Treaty Rights  
of the Mille Lacs Band of the Ojibwe Indians  
by Jean Tews  
February 9, 11, 1993

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GT

FEB 10 1993

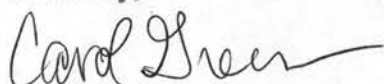
February 8, 1993

Dear

I am writing to urge you to support the agreement which the Minnesota Department of Natural Resources and the Mille Lacs Band of Ojibwe Indians have negotiated to settle the court case concerning 1837 Treaty rights to hunting, fishing and gathering by the band. Legislative ratification of the Treaty will honor the rights of the Ojibwe, protect the State's environment and the use of its natural resources by all Minnesotans.

As a member of the League of Women Voters, I feel that Legislative ratification of this negotiated agreement would be supported by our League of Women Voters Minnesota Position: Where Indians are singled out for special attention, that attention should be directed towards solving existing jurisdictional conflicts in order to guarantee equal treatment of Indian citizens by all levels of government. Programs should have the explicit recognition that the basic decisions regarding Indian lives and property are to be made by the Indians themselves.

Sincerely,



Copies of this letter were sent to: Representative Sarna, Senator Pogemiller, and Governor Carlson

97

FEB 10 1993

P.O. Box 124  
Detroit Lakes MN 56502  
February 7, 1993

Representative Peggy Leppik  
225 State Office Building  
St. Paul MN 55155

Dear Peggy:

Congratulations on your reelection! I feel honored to have served with you on League Board those years we were on it together.

I serve on a White Earth Reconciliation Team, and on the United Methodist Minnesota Conference Religion and Race Commission as well as on my local church Religion and Race Commission so I have been very committed to justice for Native Americans. I do hope you will vote favorably on the agreement reached by the Minnesota Department of Natural Resources and the Mille Lacs Band of Ojibwe Indians.

Sincerely yours,

*Joe Bowman*

District 55B  
Ramsey County  
North St. Paul, Maplewood  
and St. Paul Eastside



# Minnesota House of Representatives

Dee Long, Speaker

**COMMITTEES:** EDUCATION; ENVIRONMENT AND NATURAL RESOURCES;  
GENERAL LEGISLATION, VETERANS AFFAIRS AND ELECTIONS; HIGHER EDUCATION FINANCE

February 5, 1993

The League of Women Voters  
Kay Erickson, President  
Jean Tews, LWVMN Lobbyist  
550 Rice Street  
St. Paul, MN 55103

Dear Kay and Jean:

Thank you for your letter opposing the Mille Lacs treaty. I appreciate you sharing the League of Women Voters of Minnesota's views on this important issue.

As you are well aware, this is a very controversial topic between the DNR and the state of Minnesota, and the Chippewa Indians and their 1837 treaty.

I have some reservations on the netting and spearing of the fish. I have heard from both sportsmen and conservationists about this issue, and I am waiting to hear from more of my constituents before I make my mind up totally on how I will vote.

Thank you again for expressing your opposition to the treaty.  
Best wishes.

Sincerely,

Betty

Betty McCollum  
State Representative







## THE LEAGUE OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103  
PHONE (612) 224-5445

# action

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Commissioner Rodney Sando, Dept of Natural Resources, 500 Lafayette Rd.  
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OF WOMEN VOTERS

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February 1, 1993

Cathryn I. Kennedy  
Senior Vice President  
Mona Meyer McGrath & Company  
8400 Normandale Lake Blvd.  
Suite 500  
Minneapolis MN 55437-1080

Dear Cathy:

Enclosed is our statement of support. I have also prepared an article for Capitol Letter (the LWVMN legislative newsletter), an Action Alert to be sent to all local leagues and Capitol Letter subscribers, and letters to Governor Carlson, Commissioner Sando and members of the House and Senate Environment and Natural Resources Committees. I will send you copies.

Keep in touch!

Sincerely,

Jean Tews  
LWV Lobbyist

JT/nw

Enclosure



THE LEAGUE  
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

February 1, 1993

Cathryn I. Kennedy  
Senior Vice President  
Mona Meyer McGrath & Company  
8400 Normandale Lake Blvd.  
Suite 500  
Minneapolis MN 55437-1080

Dear Cathy:

Enclosed is our statement of support. I have also prepared an article for Capitol Letter (the LWVMN legislative newsletter), an Action Alert to be sent to all local leagues and Capitol Letter subscribers, and letters to Governor Carlson, Commissioner Sando and members of the House and Senate Environment and Natural Resources Committees. I will send you copies.

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THE LEAGUE  
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

February 1, 1993

The Honorable Arne Carlson  
Governor of Minnesota  
130 Capitol  
St. Paul MN 55155

Dear Governor Carlson:

The League of Women Voters of Minnesota supports the agreement negotiated by the Department of Natural Resources and the Mille Lacs Band of Ojibwe Indians. We commend the representatives of the DNR and the Band who have spent over two years to develop an agreement acceptable to both sides.

Attached is our statement of support. We will be contacting members of the Legislature to urge their ratification of the agreement.

Sincerely,

Kay Erickson  
President

KE/nw

Attachment



THE LEAGUE  
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

February 1, 1993

Commissioner Rodney Sando  
Department of Natural Resources  
500 Lafayette Road  
St. Paul MN 55155

Dear Commissioner Sando:

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KE/nw

Attachment