SHAKOPEE MDEWAKANTON SIoux COMMUNITY

CONSERVATION AND FISH AND GAME ORDINANCE

Adopted by the SMSC General Council on September 9, 2014 by Resolution No. 09-09-14-017
# SHAKOPEE MDEWAKANTON SIOUX COMMUNITY
CONSERVATION AND FISH AND GAME ORDINANCE

## TABLE OF CONTENTS

### CHAPTER 1 AUTHORITY & PURPOSE
1.1 Authority ................................................................. 1
1.2 Purpose ........................................................................ 1
1.3 Territorial Applicability .................................................. 1
1.4 Designation of Tribal Lands .............................................. 1
1.5 Nonwaiver of Immunity ................................................... 1
1.6 Inclusion of Language from Other Laws ............................ 2
1.7 Interpretation .................................................................. 2
1.8 Severability ................................................................... 2

### CHAPTER 2 DEFINITIONS
2.1 Definitions ................................................................. 3

### CHAPTER 3 GENERAL PROVISIONS
3.1 Business Council Authority to Set Seasons and Limits ........ 5
3.2 Authorized Taking .......................................................... 5
3.3 Cooperative Agreements .................................................. 5
3.4 Age Limits .................................................................... 5
3.5 Firearm Safety ............................................................... 5
3.6 Transportation of Game ................................................... 5
3.7 Hunting Out of Season .................................................... 6
3.8 Exceeding Bag Limits ..................................................... 6
3.9 Picture Identification ....................................................... 6
3.10 Posting of Property ....................................................... 6
3.11 Trespass .................................................................... 6
3.12 Public Safety Restrictions ............................................... 7
3.13 Prohibited Acts ........................................................... 7

### CHAPTER 4 LICENSING
4.1 Community Licensing Authority ......................................... 9
4.2 Community Member Licensing .......................................... 9
4.3 Resident Family Member Licensing ................................... 9
4.4 Non-resident, Non-member Small Game Licensing .......... 9
4.5 License Requirement ...................................................... 10

### CHAPTER 5 BIG GAME HUNTING
5.1 Establishment of Seasons, Bag Limits and Licensing ........ 11
5.2 Shooting Hours .......................................................... 11
5.3 Legal Firearms and Bows ............................................... 11
5.4 Tagging and Registering Big Game .................................... 11
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.5</td>
<td>Temporary Stands and Blinds</td>
</tr>
<tr>
<td>5.6</td>
<td>Blaze Orange</td>
</tr>
<tr>
<td>5.7</td>
<td>Prohibited Acts</td>
</tr>
<tr>
<td>6.1</td>
<td>Legal Guns and Bows</td>
</tr>
<tr>
<td>6.2</td>
<td>Transportation of Small Game</td>
</tr>
<tr>
<td>6.3</td>
<td>Blaze Orange</td>
</tr>
<tr>
<td>6.4</td>
<td>Use of Dogs</td>
</tr>
<tr>
<td>6.5</td>
<td>Migratory Waterfowl</td>
</tr>
<tr>
<td>6.6</td>
<td>Migratory Game Birds</td>
</tr>
<tr>
<td>6.7</td>
<td>Upland Game Birds</td>
</tr>
<tr>
<td>6.8</td>
<td>Other Small Game (Rabbits and Squirrels)</td>
</tr>
<tr>
<td>6.9</td>
<td>Prohibited Acts</td>
</tr>
<tr>
<td>7.1</td>
<td>Tribal Conservation/Tribal Law Enforcement Officer</td>
</tr>
<tr>
<td>7.2</td>
<td>Civil-Regulatory Authority</td>
</tr>
<tr>
<td>7.3</td>
<td>Classes of Fish and Game Offenses</td>
</tr>
<tr>
<td>7.4</td>
<td>Civil Fines</td>
</tr>
<tr>
<td>7.5</td>
<td>Civil Forfeiture</td>
</tr>
<tr>
<td>7.6</td>
<td>License Suspension</td>
</tr>
<tr>
<td>7.7</td>
<td>Court Process</td>
</tr>
<tr>
<td>7.8</td>
<td>Notice to Appear</td>
</tr>
<tr>
<td>7.9</td>
<td>Failure to Appear</td>
</tr>
<tr>
<td>7.10</td>
<td>Subsequent Civil Proceedings</td>
</tr>
<tr>
<td>7.11</td>
<td>Enforcement of State Laws</td>
</tr>
</tbody>
</table>
CHAPTER 1
AUTHORITY & PURPOSE

1.1 Authority

This Conservation and Fish and Game Ordinance is enacted under the inherent sovereign authority of the Shakopee Mdewakanton Sioux Community General Council, as the governing body of the Shakopee Mdewakanton Sioux Community, and pursuant to Article III, §1(h) of the Constitution of the Shakopee Mdewakanton Sioux Community and as recognized by the United States under Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. § 476.

1.2 Purpose

The purpose of this Ordinance is to provide an orderly system for the Shakopee Mdewakanton Sioux Community to regulate hunting on Community lands. This Ordinance encourages the safe and ethical taking of game and promotes conservation and management of Community resources.

1.3 Territorial Applicability

(A) This Ordinance shall apply to all members and licensed non-members who take or attempt to take fish or game on the trust and Reservation lands of the Shakopee Mdewakanton Sioux Community;

(B) This Ordinance shall apply to Community members who take or attempt to take fish and game on Community non-trust or non-reservation land and such Members may also be subject to Minnesota Fish and Game laws.

(C) Any person who takes or attempts to take fish or game on the trust or reservation lands of the Community without lawful authority or permission is subject to 18 U.S.C. §1165 as a violation of federal law.

(D) Any non-member who takes or attempts to take fish and game on non-trust or non-reservation land shall be subject to the exclusion powers of the Community and the trespass and fish and game laws of the State of Minnesota.

1.4 Designation of Tribal Lands

(A) The Business Council is delegated authority to designate tribal lands that may be used for hunting. Hunting on Community lands is permitted only on lands designated for such use. Hunting on Community lands that are not designated for such purposes will be penalized pursuant to Chapter 7 of this Ordinance.
(B) By designating lands for a certain use, the Community does not: extend any assurance that the land is safe for any purpose; confer upon any person the legal status of an invitee or licensee to whom a duty of care is owed; or assume responsibility for or incur liability for any injury to a person or property.

1.5 Nonwaiver of Immunity

Nothing in this Ordinance shall be construed to constitute a waiver of the sovereign immunity of the Shakopee Mdewakanton Sioux Community, or any of its officers, employees, or agents administering or enforcing this Ordinance, except as provided for by a duly authorized resolution. Nor shall this Ordinance subject the Community to liability for damages or other relief resulting from enforcement of this Ordinance, reliance upon it, or conformance to it, except as provided for by a duly authorized resolution.

1.6 Inclusion of Language from Other Laws

Inclusion of language, definitions, procedures, or other statutory or administrative provisions of other state or federal law shall not be deemed an adoption of that law by the Community. Nor shall it be deemed an action deferring to state or federal jurisdiction where such state or federal jurisdiction is concurrent or does not otherwise exist.

1.7 Interpretation

The provisions of this Ordinance shall be interpreted and applied as minimum requirements applicable to hunting on Community lands and shall be liberally construed in favor of the Community.

1.8 Severability

The provisions of this Ordinance are severable. If any Chapter, Section, Paragraph, part or provision shall be held unconstitutional, the remaining provisions shall not be affected or impaired.
CHAPTER 2
DEFINITIONS

2.1 Definitions

The terms used in this Conservation and Fish and Game Ordinance shall have the following meanings:

(A) “Bag limit” means the maximum number of game which may be taken in one calendar day.

(B) “Bait” means liquid or solid food products utilized by a person to attract or entice game.

(C) “Big game” means deer and turkey.

(D) “Bow” means a weapon designed to propel arrows that is drawn and held by and through the efforts of a person.

(E) “Community” means the Shakopee Mdewakanton Sioux Community.

(F) “Community-authorized officer” means any officer of a federal, tribal, state, or local government that the General Council has granted authority to or has authorized an agreement with, for the purposes of enforcing this Ordinance.

(G) “Community member” means an enrolled member of the Shakopee Mdewakanton Sioux Community.

(H) “Firearm” means pistols, revolvers, rifles, shotguns and any device that ignites powder to propel a projectile or projectiles out of a barrel.

(I) “Fish and Game Offense” means violations of this Ordinance that are subject to civil citations and civil penalties under Chapter 7 of this Ordinance.

(J) “Game” means big and small game as defined by this Ordinance.

(K) “Hunting” means to take or harvest or attempt to take or harvest game with a firearm or bow.

(L) “Legally posted sign” means a sign that states “no trespassing” or similar term that is displayed in letters at least two inches high and is signed by the owner, occupant, lessee, or authorized manager or includes a legible name and telephone number of the owner, occupant, lessee, or authorized manager. Signs must be placed at intervals of 1,000 feet or less along the boundary of the area or at intervals of 500 feet or less in a wooded area where boundary lines are not clear. Signs must also mark the primary
corners of each parcel of land and access roads and trails at the point of entrance to each parcel of land.

(M) “Migratory game birds” means woodcock, rails, snipe, sand hill cranes and mourning doves.

(N) “Migratory waterfowl” means ducks, geese, mergansers, and coots.

(O) “Motor vehicle” means a self-propelled vehicle or a vehicle propelled or drawn by a self-propelled vehicle that is operated on the ground, in the water, or in the air.

(P) “Possession” means both actual and constructed possession and control of the thing referred to.

(Q) “Resident Family Member” means a family member of a Community member that is not enrolled in the Community but resides on the reservation.

(R) “Small Game” means migratory waterfowl, migratory game birds, upland game birds, squirrels, and rabbits.

(S) “Tag” means an identification device issued for attachment to the carcass of big game.

(T) “Take/Taking” means pursuing, shooting, killing, trapping, capturing, snaring, or placing, setting, drawing or using a net, trap or other device to take game. Taking includes attempting to take game or assisting another person in taking or attempting to take game.

(U) “Transport/Transportation” means causing or attempting to cause game to be carried, or moved by any means whatsoever and includes acceptance of receiving fish or game for transportation.

(V) “Tribal Conservation/Tribal Law Enforcement Officer” means a tribal employee authorized to enforce laws pursuant to Chapter 7 of this Ordinance.

(W) “Upland game bird” means pheasants, grouse, and quail.
CHAPTER 3
GENERAL PROVISIONS

3.1 Business Council Authority to Set Seasons and Limits

The Business Council is delegated authority to establish seasons and bag limits on an annual basis. New seasons or bag limits shall be published at least two weeks prior to when the season began the previous year. If the Business Council does not publish new seasons or bag limits two weeks prior to the aforementioned dates, the previous year’s seasons and bag limits shall apply. The Business Council may modify seasons and bag limits at any time.

3.2 Authorized Taking

Pursuant to written permission from the Business Council, a person may take fish and game for the purposes of conservation, scientific examination, protection of the welfare of Community members and Community lands, or for any other purposes deemed to be in the interest of the Community. Such taking may occur out of season, beyond limits, and with methods not authorized by this Code.

3.3 Cooperative Agreements

The Business Council is delegated authority to enter into cooperative agreements with state and federal entities to aid in the enforcement of this Ordinance.

3.4 Age Limits

Persons under the age of 16 may not hunt on Community lands unless accompanied by a parent, guardian, or adult family member.

3.5 Firearm Safety

Persons born after December 31, 1979, must complete firearm safety training in order to hunt with a firearm on Community lands.

3.6 Transportation of Game

Anyone who transports game on Community lands must have in her/his possession a valid tribal license. The appropriate tag must be affixed to big game prior to transport. Transporting game without the appropriate tribal license shall be a Class B Fish and Game Offense. Such a violation may only be cured by providing evidence that the proper tribal license was issued prior to the violation. Evidence of proper licensure must be submitted to the Tribal Conservation Office or Community authorized officer within seven days.
3.7   Hunting Out of Season

A person who engages in hunting on Community lands may not hunt, kill, wound, pursue or otherwise take or have in his possession game outside of the seasons established by the Business Council. A violation of this provision shall be a Class A Fish and Game Offense. This provision does not apply to a person granted permission to take fish or game pursuant to Section 3.2 of this Chapter.

3.8   Exceeding Bag Limits

A person who engages in hunting on Community lands may not shoot or otherwise take or possess more than the allowed number of game species. All game possessed in excess of the bag limit shall be seized and forfeited to the Shakopee Mdewakanton Sioux Community. A violation of this provision shall be a Class B Fish and Game Offense. This provision does not apply to a person granted permission to take fish or game pursuant to Section 3.2 of this Chapter.

3.9   Picture Identification

A person who engages in hunting on Community lands must possess valid picture identification. The failure to furnish valid picture identification upon request by the Tribal Conservation/Tribal Law Enforcement Officer or a Community-authorized officer shall be a violation of this Ordinance. Such a violation may only be cured by providing a copy of valid picture identification within 7 days.

3.10  Posting of Property

   (A) The Community shall place clear notice that accurately describes the fee or trust status of Community lands. The signs shall state “no trespassing” or similar terms that are displayed in letters at least two inches high. Signs must be placed at intervals of 1,000 feet or less along the boundary of the area or at intervals of 500 feet or less in a wooded area where boundary lines are not clear. Signs must also mark the primary corners of each parcel of land and access roads and trails at the point of entrance to each parcel of land.

   (B) The Community shall place clear notice on lands designated for hunting. The signs shall provide that hunting is permitted pursuant to a validly issued tribal license.

3.11  Trespass

   (A) A person may not enter legally posted Community lands for the purposes of hunting or fishing without a validly issued tribal license. A violation of this provision shall be a Class B Fish and Game Offense.
3.12 Public Safety Restrictions

(A) A person who engages in hunting on Community lands may not discharge a firearm: within 500 feet of a residential or commercial building; across, along or near a public road or highway; or in areas that have not been designated for hunting. A violation of this provision shall be a Class B Fish and Game Offense.

(B) A person who engages in hunting on Community lands may not discharge a bow: within 100 feet of a residential or commercial building; across, along or near a public road or highway; or in areas that have not been designated for hunting. A violation of this provision shall be a Class B Fish and Game Offense.

(C) A person who engages in hunting on Community lands may not set any trap, pit, deadfall or snare capable of taking game. It shall be unlawful to set any foothold or body gripping trap to take game unless such methods are authorized pursuant to Section 3.2 or Section 6.8 of this Ordinance. A violation of this provision shall be a Class B Fish and Game Offense.

(D) A person who engages in hunting on Community lands may not possess or place set guns, poisons, explosives, or stupefying substances or devices for the taking of game or fish unless authorized by Section 3.2 of this Ordinance. A violation of this provision shall be a Class A Fish and Game Offense.

3.13 Prohibited Acts

(A) Use of Prohibited Means or Equipment: A person who engages in hunting on Community lands may not take game with firearms or bows that are not authorized for such use by this Ordinance or by means not specified in this Ordinance. A violation of this provision shall be a Class B Fish and Game Offense. A violation of this provision that involves the discharge of a firearm other than those designated shall be a Class A Fish and Game Offense.

(B) Careless Use of a Firearm or Bow: A person who engages in hunting on Community lands may not carry, handle or use a firearm or bow in such a manner as to carelessly endanger the life, limb, or property of themselves or another. A violation of this provision shall be a Class B Fish and Game Offense.

(C) Damaging Property: A person may not knowingly damage property with a firearm or bow on Community lands.
D) Shooting from Motor Vehicles: A person who engages in hunting on Community lands may not take game with a firearm or bow from a motor vehicle except a disabled person with a state issued permit to shoot from a stationary motor vehicle or a person hunting waterfowl from a boat. A violation of this provision shall be a Class B Fish and Game Offense.

E) Using a Motor Vehicle to Take Game: A person may not harass or drive game by means of a motorized vehicle.

F) Transportation of Firearms or Bows: Firearms and bows that are transported in or on a motor vehicle must be unloaded and within a case made expressly for that purpose. A violation of this provision shall be a Class B Fish and Game Offense.

G) Use of Artificial Lights: A person may not cast light from a spotlight or other light source onto land where game animals may be expected to be while having in their possession or control a firearm or other implement that could kill game. A violation of this provision shall be a Class B Fish and Game Offense.

H) Hunting While Under the Influence of Alcohol or Controlled Substances: A person may not take game with a firearm or bow or be afield with a loaded or uncased firearm or an uncased bow while under the influence of a controlled substance or with a blood-alcohol content of .08 or higher. A violation of this provision shall be a Class A Fish and Game Offense.

I) Taking of Undefined Species: A person may not take species that are not specifically mentioned in this Ordinance.

J) Wanton Waste: A person may not willfully, wantonly, or maliciously destroy fish, wildlife, or plants on Community lands. A violation of this provision shall be a Class B Fish and Game Offense.

K) Littering: A person may not leave or discard cans, bottles, refuse or other waste or debris on Community lands.
CHAPTER 4
LICENSING

4.1 Community Licensing Authority

Big and small game licenses will be available at the Shakopee Mdewakanton Sioux Community Government Center during normal business hours. The Business Council is delegated authority to set licensing fees. The licensee will be provided with a map that accurately portrays lands designated for hunting. Licenses are non-transferable and are only valid for the period identified on the license. Fishing on lakes that border Community lands shall be done in accordance with Minnesota laws and regulations, including licensing requirements.

4.2 Community Member Licensing

Community members hunting small game on Community lands must possess a small game license from the Shakopee Mdewakanton Sioux Community. Community members hunting deer or turkey on Community lands must possess a big game license and the appropriate tags from the Shakopee Mdewakanton Sioux Community.

<table>
<thead>
<tr>
<th>SMALL GAME LICENSE</th>
<th>COVERED SPECIES</th>
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</thead>
<tbody>
<tr>
<td>Migratory Waterfowl</td>
<td>Ducks, geese, mergansers, coots (must have federal and state stamps)</td>
</tr>
<tr>
<td>Migratory Game Birds</td>
<td>Woodcock, rails, snipe, sand hill cranes, mourning doves</td>
</tr>
<tr>
<td>Upland Game Birds</td>
<td>Pheasants, grouse, quail</td>
</tr>
<tr>
<td>Other Small Game</td>
<td>Rabbits, squirrels</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BIG GAME LICENSE</th>
<th>COVERED SPECIES</th>
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</thead>
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<tr>
<td>White-tailed deer</td>
<td>Deer tags will be distributed upon licensure.</td>
</tr>
<tr>
<td>Turkey</td>
<td>Turkey tags will be distributed upon licensure.</td>
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</tbody>
</table>

4.3 Resident Family Member Licensing

Resident family members may obtain small and big game licenses from the Shakopee Mdewakanton Sioux Community. Resident family members are subject to the same conditions as Community members. By obtaining a license, resident family members agree to be bound by this Ordinance and submit to the jurisdiction of the Shakopee Mdewakanton Sioux Community Tribal Court.

4.4 Non-Resident, Non-Member Small Game Licensing

One day small game licenses may be issued to non-resident, non-members subject to the following requirements: the non-resident, non-member must be accompanied by a Community member at all times; the non-resident, non-member must adhere to the same conditions as Community members; the non-resident, non-member must agree to be bound by this Ordinance;
and the non-resident, non-member must submit to the jurisdiction of the Shakopee Mdewakanton Sioux Community Tribal Court. Non-resident, non-member small game licenses shall be effective for the day of the hunt. A Community member may only take one non-resident, non-member hunting per day.

<table>
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<tr>
<th>NON-RESIDENT, NON-MEMBER SMALL GAME LICENSE (1 DAY)</th>
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<tbody>
<tr>
<td>COVERED SPECIES</td>
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<td>Migratory Waterfowl</td>
</tr>
<tr>
<td>Migratory Game Birds</td>
</tr>
<tr>
<td>Upland Game Birds</td>
</tr>
</tbody>
</table>

4.5 License Requirement

A properly issued tribal license must be in the possession of any person who takes or attempts to take game on Community lands. The appropriate tribal license must be furnished upon request by a Community-authorized officer. The failure to furnish the appropriate license shall be deemed a violation of this Ordinance. Such a violation may only be cured by providing evidence that the proper tribal license was issued prior to the violation. Such evidence must be submitted to the Community authorized officer within seven days. Failure to furnish an appropriate tribal license or engaging in small game hunting on Community lands without the appropriate tribal license shall be a Class B violation of this Ordinance. Engaging in big game hunting on Community lands without the appropriate tribal license shall be a Class A violation of this Ordinance.
CHAPTER 5
BIG GAME HUNTING

5.1 Establishment of Seasons, Bag Limits and Licensing

When setting annual seasons and bag limits, the Business Council may designate the sex of big game species which may be taken and may institute point restrictions for white-tail deer. Big game licenses and tags will have corresponding numbers which will be recorded by the issuing authority.

5.2 Shooting Hours

The taking of big game shall be permitted from one-half hour before sunrise to one-half hour after sunset.

5.3 Legal Firearms and Bows

A person hunting big game on Community lands may use the following:

(A) Deer: bows with a pull weight no less than 30 pounds at or before full draw.

(B) Turkey: shotguns 20, 16, 12, 10 gauge; bows with a pull weight no less than 30 pounds at or before full draw.

5.4 Tagging and Registering Big Game

A licensee must attach the big game tag to the carcass before transportation. Licensees shall register harvested big game by providing notification to the Tribal Conservation/Tribal Law Enforcement Officer or the Community-authorized officer of the species, sex, location and time of the harvest within 7 calendar days.

5.5 Temporary Stands and Blinds

The erection of permanent stands or blinds on Community lands is prohibited. Temporary tree stands are permitted but must be of a design where no invasive spikes, foot pegs, or nails are needed for installation. Temporary ground blinds may be used on Community lands. Temporary stands and ground blinds may be erected thirty days prior to when the season opens and must be removed within two weeks of the season closing.

5.6 Prohibited Acts

(A) Chapter III: The prohibited acts listed in Chapter III apply to this Chapter.

(B) Wounded Animals: A person may not wound big game without making a good faith effort to track and dispatch the animal. Injured or wounded game may be tracked and dispatched outside of designated areas with the
consent of the Tribal Conservation/Tribal Law Enforcement Officer or the Community-authorized officer. The Tribal Conservation/Tribal Law Enforcement Officer or the Community authorized officer must be consulted if wounded big game animals leave Community lands.

(C) Bait: A person may not use bait while hunting big game. A violation of this provision shall be a Class B Fish and Game Offense.

(D) Dogs: No person shall allow a dog to chase, drive, track, kill or harass big game. An authorized officer may kill a dog that endangers big game at any time.

(E) No Party Hunting: Big game must be tagged by the person who harvested it.

(F) Sale: No person shall engage in the sale or other commercial use of big game. A violation of this provision shall be a Class A Fish and Game Offense and also may be subject to federal prosecution under the Lacy Act, 16 U.S.C. §3371 et seq.
CHAPTER 6
SMALL GAME HUNTING

6.1 Legal Guns and Bows

A person may hunt small game with the following:

(A) Shotguns of 410, 28, 20, 16, or 12 gauge.

6.2 Transportation of Small Game

Small game must be transported as follows:

(A) Except for pheasants, all game birds must have a fully-feathered wing attached.
(B) Ducks must have a fully-feathered wing and fully-feathered head attached.
(C) Pheasants must have one leg attached or a fully-feathered wing attached.
(D) Doves, squirrels, and rabbits may be transported fully dressed.

6.3 Blaze Orange

At least one visible article of clothing above the waist must be blaze orange when hunting small game, except when hunting migratory waterfowl or migratory game birds.

6.4 Use of Dogs

Dogs may be used to flush and retrieve small game. Dogs must be under the control and supervision of their owner or another adult at all times.

6.5 Migratory Waterfowl

(A) Federal and State Stamps: A licensee possessing a tribal small game license must also possess Federal and State Migratory Waterfowl Stamps in order to take migratory waterfowl.

(B) Federal regulations: All hunters taking migratory waterfowl must comply with federal migratory waterfowl regulations including 50 CFR Part 20.

(C) Non-toxic shot required: A person may not take migratory waterfowl with lead shot or while having any lead shot in possession.
(D) Shooting Hours: Shooting hours for migratory waterfowl are one-half hour before sunrise to 4 p.m., until the first Friday in October and until sunset thereafter.

(E) Retrieval: A person may not kill or wound any migratory waterfowl without making a reasonable effort to retrieve the bird and including it in the daily bag limit.

(F) Decoys: A person may not place decoys on Community lands more than two hours before legal shooting hours. A person may not leave decoys on Community land overnight.

(G) Motorized Decoys: From the opening day of duck season until the first Saturday in October, a person may not use a motorized decoy or other motorized device designed to attract migratory waterfowl.

6.6 Migratory Game Birds

(A) A migratory waterfowl stamp is not required to take migratory game birds.

(B) Shooting Hours: Shooting hours for migratory game birds are one-half hour before sunrise until sunset.

6.7 Upland Game Birds

(A) Shooting Hours: Shooting hours for upland game birds are one-half hour before sunrise to sunset except pheasants, which the shooting hours are from 9am to sunset.

6.8 Other Small Game (Rabbits and Squirrel)

(A) Shooting Hours: Shooting hours for rabbits and squirrel are one-half before sunrise to sunset.

(B) Methods of Taking: Rabbits and squirrels may only be taken with an authorized firearm except when taken with snares pursuant to an education program conducted in order to further cultural awareness. Snaring performed pursuant to this provision must be supervised by an instructor or adult designated by the Community to teach methods of snaring.

6.9 Prohibited Acts

(A) Wounded Animals: A person may not wound small game without making a good faith effort to retrieve the animal.

(B) Bait: A person may not use bait while hunting small game.
CHAPTER 7
ENFORCEMENT

7.1 Tribal Conservation/Tribal Law Enforcement Officer

The Tribal Conservation/Tribal Law Enforcement Officer or a Community-authorized officer shall have the authority to enforce the provisions of this Conservation and Fish and Game Ordinance and any other tribal or state law authorized by General Council action. After the execution of a cooperative enforcement agreement between the Community and the commissioner of natural resources, Tribal Conservation/Tribal Law Enforcement Officer or a Community-authorized officer may also enforce the State’s fish and game, natural resources, and recreational laws on Community lands to the same extent as State conservation officers.

7.2 Civil Regulatory Authority

All matters relating to the conservation, regulation, control, or management of the resources of the Shakopee Mdewakanton Sioux Community are subject to the civil regulatory authority of the Community with the exception of applicable state or federal laws. This Ordinance may be invoked and applied to conduct on Community lands pursuant to Chapter 1, Section 1.3.

7.3 Classes of Fish and Game Offenses

<table>
<thead>
<tr>
<th>CLASS</th>
<th>DESCRIPTION</th>
<th>PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class A</td>
<td>Conduct designated as a Class A Offense by this Ordinance.</td>
<td>Civil fines, civil forfeiture and license suspension.</td>
</tr>
<tr>
<td>Class B</td>
<td>Conduct designated as a Class B Offense by this Ordinance.</td>
<td>Civil fines, repeat offenses may result in license suspension.</td>
</tr>
<tr>
<td>Class C</td>
<td>Conduct not designated as a Class A or Class B Offense by this Ordinance.</td>
<td>Civil fines, repeat offenses may result in license suspension.</td>
</tr>
</tbody>
</table>

7.4 Civil Fines

(A) Class A Fish and Game Offenses shall be subject to a fine of not more than $500.

(B) Class B Fish and Game Offenses shall be subject to a fine of not more than $350.

(C) Class C Fish and Game Offenses shall be subject to a fine of not more than $150.

7.5 Civil Forfeiture

The Tribal Conservation/Tribal Law Enforcement Officer or a Community authorized officer may seize property including firearms used by a violator of this Ordinance, and hold and possess such property until such time as the violator fully satisfies all fines and penalties due under this Ordinance.
Chapter. If a violator is convicted of a Class A violation, the Tribal Court may direct a Community-authorized officer to sell property seized during the commission of such offenses and the proceeds shall be deposited and used for conservation programs on Community lands.

7.6 License Suspension

The Tribal Court may suspend a violator’s licensing privileges under this Ordinance for a period of up to three years if the violator is found guilty of a Class A Fish and Game Offense. The Tribal Court may suspend a violator’s licensing privileges under this Ordinance for a period of up to three years for three Class B and/or Class C Fish and Game Offenses within a three year period. A person with an unpaid civil fine due to a previous violation of this Ordinance shall be ineligible to receive tribal hunting licenses until the debt has been paid.

7.7 Court Process

Every citation issued under the authority of this Conservation and Fish and Game Ordinance must be filed with the Tribal Court.

7.8 Notice to Appear

When a Tribal Conservation/Tribal Law Enforcement Officer or a Community-authorized officer issues a citation, a duplicate copy of the citation shall be provided to the alleged violator. The citation must be signed by the officer and shall include the name and address of the person cited, his or her driver’s license number, the tribal hunting or fishing license number if applicable, the specific offense charged, and the date of the violation. The officer shall file the original copy of the citation with the Court. The Court will issue and serve the summons, Notice to Appear, and a copy of the citation on the alleged violator. The person cited shall have 20 days from the date of receipt of the summons and Notice to Appear to respond either by filing a response or by paying the designated fine if such an option is available.

7.9 Failure to Appear

Any person who has been duly served and who fails to appear before the Tribal Court without just cause, or who has not paid the designated fine, shall be subject to a default judgment; provided that she or he is found to have violated the law as originally cited. She or he may also be subject to the civil contempt powers of the Court.

7.10 Subsequent Civil Proceedings

Proceedings subsequent to the filing of the violator’s answer, including enforcement proceedings upon any judgment granted and appeals shall be conducted in conformity with the Shakopee Mdewakanton Sioux Community Rules of Civil Procedure.
7.11 Enforcement of State Laws

If the Tribal Conservation/Tribal Law Enforcement Officer or a Community-authorized officer issues a citation related to Minnesota law, she or he shall exercise authority as a state, or local law enforcement officer only. If a Community-authorized or the Tribal Conservation/Tribal Law Enforcement Officer issues a citation under Minnesota law, the officer shall notify the appropriate federal, state, or local law enforcement agency and take the steps necessary for the case to proceed in the Minnesota court system set forth in the requisite mutual aid agreement.