



MENOMINEE NATION  
THE MENOMINEE TRIBAL LEGISLATURE  
TRIBAL ORDINANCE 24-10  
AMENDMENT IN PART TO THE CODE OF MENOMINEE  
INDIAN TRIBE OF WISCONSIN  
CHAPTER 287 – “Conservation”

**FINAL APPROVAL:**

**BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN:**

Tribal Ordinance 24-10 is hereby enacted. Tribal Ordinance 24-10 hereby amends in part Chapter 287, “Conservation” Section 287-6. D. of the Code of the Menominee Indian Tribe of Wisconsin, by:

Increasing the meeting payment from \$50.00 to \$100.00

**CERTIFICATION**

We, the undersigned Officers of the Menominee Tribal Legislature, do hereby certify that the foregoing amendment to Menominee Indian Tribe of Wisconsin General Code, “Chapter 287, “Conservation” was DULY ADOPTED at a regular meeting of the Tribal Legislature held MARCH 21, 2024, at which a quorum was present, by a vote of **6** for, **0** opposed, **0** abstentions and **2** absent.

The undersigned also certify that the foregoing amended chapter to the Code of the Menominee Indian Tribe of Wisconsin has been posted in accordance with the Menominee Constitution and Bylaws.

  
\_\_\_\_\_  
**GENA KAKKAK, CHAIRWOMAN**  
**MENOMINEE INDIAN TRIBE OF WISCONSIN**

  
\_\_\_\_\_  
**SPENCER F. GAUTHIER, SECRETARY**  
**MENOMINEE INDIAN TRIBE OF WISCONSIN**

DATE: MARCH 21, 2024



## MEMORANDUM

To: Menominee Tribal Legislature  
From: Forrest Gauthier, Assistant Tribal Attorney  
Date: February 15, 2024  
Re: Amendment to Chapter 287 Conservation

---

Attached for your review is the amendment to Menominee Code Chapter 287 Conservation code.

The proposed change was discussed at the Menominee Conservation Commission on July 10, 2023. The amendment seeks to do the following:

- Increase the meeting payments of the Menominee Conservation Commission from \$50.00 to \$100.00
- Align the meeting payment of the Menominee Conservation Commission with other committee payments

If you have any questions or concerns regarding the above, please contact me at [fgauthier@mitw.org](mailto:fgauthier@mitw.org) or at (715) 799-5194.

*The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.*

**§ 287-6 Composition of Conservation Commission.**

- A. Establishment and purpose of Commission. The Menominee Conservation Commission is hereby established for the purpose of:
  - (1) Issuing such rules as are necessary for the purpose of conserving the fish, game, and plant supply and ensuring the members of the Tribe continued opportunities for good fishing, hunting, trapping, and gathering;
  - (2) Making recommendations to the Legislature for the creation and/or revision to the laws of the Tribe concerning conservation; and
  - (3) Such other purposes as may be authorized by a subsequent act of the Legislature.
- B. Number and terms of appointment. The Commission shall consist of seven members appointed by the Legislature. The Commission shall choose among themselves, by lot, the length of each member's first term after passage of this chapter. The first term of two members shall be for one year. The first term of two other members shall be for two years. The first term of the remaining members shall be for three years. This shall accomplish the staggering of terms, and all further terms shall be of three years in length.
- C. Qualifications of Commissioners. To be considered eligible for appointment to the Commission, applicants must meet the following requirements:
  - (1) Be a tribal member at least 18 years of age at the time of appointment; and
  - (2) Complete and submit an application that is developed jointly by the Conservation Commission and Enforcement and Resource Protection Committee for the Menominee Tribal Legislature to use in selecting Commissioners.
- D. Compensation for Commissioners. Commissioners shall be compensated at a rate of \$10050 per meeting, plus mileage. Commissioners shall be reimbursed for actual expenses incurred on Commission business, including necessary travel expenses.
- E. Selection of Chairperson. The Commission shall select annually from its membership a chairperson. The Chairperson with the consensus of the Commission shall call, convene and preside at all regular and special meetings of the Commission. The Chairperson, with the consensus of the Commission, shall deliver reports or cause such reports to be delivered to the Legislature, and perform any other duties as may be prescribed by this chapter or Commission bylaws.
- F. Other officers of the Commission. The Commission may elect among themselves such other officers to perform such functions as may be deemed necessary from time to time.
- G. Quorum. For the purpose of transacting official Commission business, a quorum shall consist of four members of the Commission. In the event of Commissioner vacancies, a majority of Commission members shall constitute a quorum. If less than such quorum is present, a majority of the Commissioners present may adjourn the meeting from time to time without further notice.
- H. Regular meetings of the Commission. The Commission shall meet not less than four times each year to make recommendations to the Legislature, set policy and transact other business that may be properly brought before it. Said meetings shall be held at specified times pursuant to resolution by the Commission.

- I. Annual meeting. The Commission shall hold an annual meeting on the second Monday in April of every year for the purposes of discussing problems and issues concerning the Tribe's plant and animal life, to hear the concerns and recommendations of tribal members and to present any proposed rule changes.
- J. Emergency meetings. The MCC Chairperson, upon receiving prior approval of the Chairperson of the Tribe, may call for the holding of a special meeting of the Commission upon less than 72 hours' written notice if such meeting is necessary for the immediate preservation and protection of the natural resources of the Tribe. Every effort shall be made to give maximum practical notice to each Commissioner. Maximum practical notice of such meeting shall be given to tribal members, and such notice shall be posted as provided in Chapter 177, Posting Procedures, promptly after such meeting is called. No business other than that which is stated in the notice shall be transacted.
- K. Meetings open to tribal members. Meetings of the Commission shall be open to tribal members only and shall be governed by such rules of order as the Commission may adopt. However, non-tribal members may be invited to attend a meeting when deemed appropriate.
- L. Removal of Commissioners. A Commissioner may be removed for the purpose of changing the number of Commissioners pursuant to amendment of this chapter by the Legislature. A Commissioner may also be removed from and by the Menominee Tribal Legislature prior to the end of his or her term, following a public hearing, for a violation of one or more of the following:
  - (1) Violation(s) or conviction of any federal, state or tribal criminal laws, or of any conservation laws during his or her term on the Commission, as specified in the Conservation Commission Bylaws.
  - (2) For conduct that the Menominee Tribal Legislature deems to be unethical, unprofessional or otherwise inappropriate.
  - (3) Missing two or more consecutive meetings of the Commission without obtaining the prior approval of the Chairperson of the Commission.
    - (a) Said approval may be granted by the Chairperson of the Commission for the following reasons:
      - [1] The medical condition of said Commissioner, or his or her immediate family member, warrants his or her absence;
      - [2] Death in said Commissioner's immediate family; and
      - [3] Upon reasonable grounds for absence from the Commission's meeting.
    - (b) If the Chairperson of the Commission does not grant approval of a Commissioner's absence from a meeting based on the above criteria, the decision of the Commission Chairperson must be sent to the full Conservation Commission for concurrence.
- M. Vacancies. The Legislature may appoint a new Commissioner to fill a vacancy on the Commission within 60 days of notice by the Commission that a vacancy exists. Said appointment shall be for the remaining term of the vacant position. In the event such vacancy or vacancies create difficulty in achieving a quorum to take up necessary business, a majority of Commissioners, even if less than a quorum, may fill such a vacancy by appointing a temporary Commissioner, subject to the same requirements as a Commissioner, to serve as Acting Commissioner until the vacancy is filled by the Legislature.
- N. Conflicts of interest prohibited. In carrying out the duties of the Commission, no Commissioner shall make or participate in making decisions which involve balancing a substantial personal financial interest, other than interests held in common by all tribal members.

O. Establishment of bylaws. The Commission may adopt such bylaws as it deems appropriate.

*The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.*

**§ 287-6 Composition of Conservation Commission.**

- A. Establishment and purpose of Commission. The Menominee Conservation Commission is hereby established for the purpose of:
  - (1) Issuing such rules as are necessary for the purpose of conserving the fish, game, and plant supply and ensuring the members of the Tribe continued opportunities for good fishing, hunting, trapping, and gathering;
  - (2) Making recommendations to the Legislature for the creation and/or revision to the laws of the Tribe concerning conservation; and
  - (3) Such other purposes as may be authorized by a subsequent act of the Legislature.
- B. Number and terms of appointment. The Commission shall consist of seven members appointed by the Legislature. The Commission shall choose among themselves, by lot, the length of each member's first term after passage of this chapter. The first term of two members shall be for one year. The first term of two other members shall be for two years. The first term of the remaining members shall be for three years. This shall accomplish the staggering of terms, and all further terms shall be of three years in length.
- C. Qualifications of Commissioners. To be considered eligible for appointment to the Commission, applicants must meet the following requirements:
  - (1) Be a tribal member at least 18 years of age at the time of appointment; and
  - (2) Complete and submit an application that is developed jointly by the Conservation Commission and Enforcement and Resource Protection Committee for the Menominee Tribal Legislature to use in selecting Commissioners.
- D. Compensation for Commissioners. Commissioners shall be compensated at a rate of \$100 per meeting, plus mileage. Commissioners shall be reimbursed for actual expenses incurred on Commission business, including necessary travel expenses.
- E. Selection of Chairperson. The Commission shall select annually from its membership a chairperson. The Chairperson with the consensus of the Commission shall call, convene and preside at all regular and special meetings of the Commission. The Chairperson, with the consensus of the Commission, shall deliver reports or cause such reports to be delivered to the Legislature, and perform any other duties as may be prescribed by this chapter or Commission bylaws.
- F. Other officers of the Commission. The Commission may elect among themselves such other officers to perform such functions as may be deemed necessary from time to time.
- G. Quorum. For the purpose of transacting official Commission business, a quorum shall consist of four members of the Commission. In the event of Commissioner vacancies, a majority of Commission members shall constitute a quorum. If less than such quorum is present, a majority of the Commissioners present may adjourn the meeting from time to time without further notice.
- H. Regular meetings of the Commission. The Commission shall meet not less than four times each year to make recommendations to the Legislature, set policy and transact other business that may be properly brought before it. Said meetings shall be held at specified times pursuant to resolution by the Commission.

- I. Annual meeting. The Commission shall hold an annual meeting on the second Monday in April of every year for the purposes of discussing problems and issues concerning the Tribe's plant and animal life, to hear the concerns and recommendations of tribal members and to present any proposed rule changes.
- J. Emergency meetings. The MCC Chairperson, upon receiving prior approval of the Chairperson of the Tribe, may call for the holding of a special meeting of the Commission upon less than 72 hours' written notice if such meeting is necessary for the immediate preservation and protection of the natural resources of the Tribe. Every effort shall be made to give maximum practical notice to each Commissioner. Maximum practical notice of such meeting shall be given to tribal members, and such notice shall be posted as provided in Chapter 177, Posting Procedures, promptly after such meeting is called. No business other than that which is stated in the notice shall be transacted.
- K. Meetings open to tribal members. Meetings of the Commission shall be open to tribal members only and shall be governed by such rules of order as the Commission may adopt. However, non-tribal members may be invited to attend a meeting when deemed appropriate.
- L. Removal of Commissioners. A Commissioner may be removed for the purpose of changing the number of Commissioners pursuant to amendment of this chapter by the Legislature. A Commissioner may also be removed from and by the Menominee Tribal Legislature prior to the end of his or her term, following a public hearing, for a violation of one or more of the following:
  - (1) Violation(s) or conviction of any federal, state or tribal criminal laws, or of any conservation laws during his or her term on the Commission, as specified in the Conservation Commission Bylaws.
  - (2) For conduct that the Menominee Tribal Legislature deems to be unethical, unprofessional or otherwise inappropriate.
  - (3) Missing two or more consecutive meetings of the Commission without obtaining the prior approval of the Chairperson of the Commission.
    - (a) Said approval may be granted by the Chairperson of the Commission for the following reasons:
      - [1] The medical condition of said Commissioner, or his or her immediate family member, warrants his or her absence;
      - [2] Death in said Commissioner's immediate family; and
      - [3] Upon reasonable grounds for absence from the Commission's meeting.
    - (b) If the Chairperson of the Commission does not grant approval of a Commissioner's absence from a meeting based on the above criteria, the decision of the Commission Chairperson must be sent to the full Conservation Commission for concurrence.
- M. Vacancies. The Legislature may appoint a new Commissioner to fill a vacancy on the Commission within 60 days of notice by the Commission that a vacancy exists. Said appointment shall be for the remaining term of the vacant position. In the event such vacancy or vacancies create difficulty in achieving a quorum to take up necessary business, a majority of Commissioners, even if less than a quorum, may fill such a vacancy by appointing a temporary Commissioner, subject to the same requirements as a Commissioner, to serve as Acting Commissioner until the vacancy is filled by the Legislature.
- N. Conflicts of interest prohibited. In carrying out the duties of the Commission, no Commissioner shall make or participate in making decisions which involve balancing a substantial personal financial interest, other than interests held in common by all tribal members.

O. Establishment of bylaws. The Commission may adopt such bylaws as it deems appropriate.