



Minnesota Natural Resources
Department: Environmental
Assessment Files Regarding State
Parks

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Frank 6/3/86

DEPARTMENT NATURAL RESOURCES

Office Memorandum

TO: Ted Wilde, Merlyn Wesloh, Ray Hitchcock,
John Rodewald, Roger Holmes, Jim Breyen,
Don Davison, Merle DeBoer

3200
DATE: May 29, 1986

FROM: Rod Sande, *Rod* Administrator
Land Bureau

PHONE: 297-4931

SUBJECT: White Earth Land Claims

The attached maps were prepared to illustrate the initial selections of the White Earth Tribe in the spring of 1985. We do not have any new information at this time concerning the Tribe's current selection efforts.

We have agreed to hold a meeting on July 1 at 1:00 p.m. at the Bemidji Regional Office to consider an updated selection list from the Tribe. I will pass on any new developments as they occur.

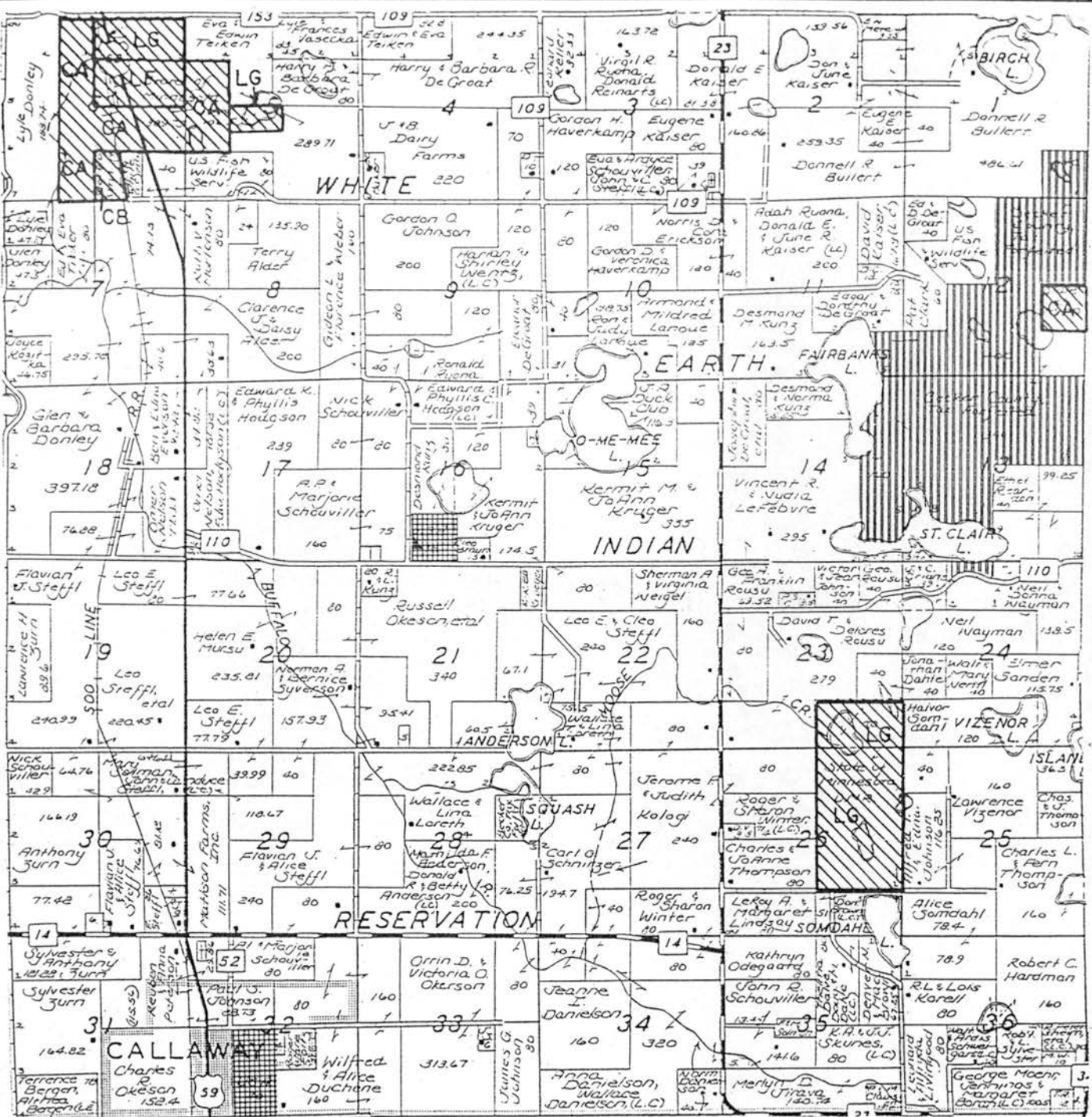
Please call if you need anything.

RWS:kms
encl.

RECEIVED

MAY 29 1986

Dept. of Natural Resources
Div. of Parks & Recreation



T14N R41W BECKER CO.

SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND



COUNTY ADMINISTERED STATE LAND



TRIBAL LAND

LAND STATUS

Code Class/Mean of Acquisition

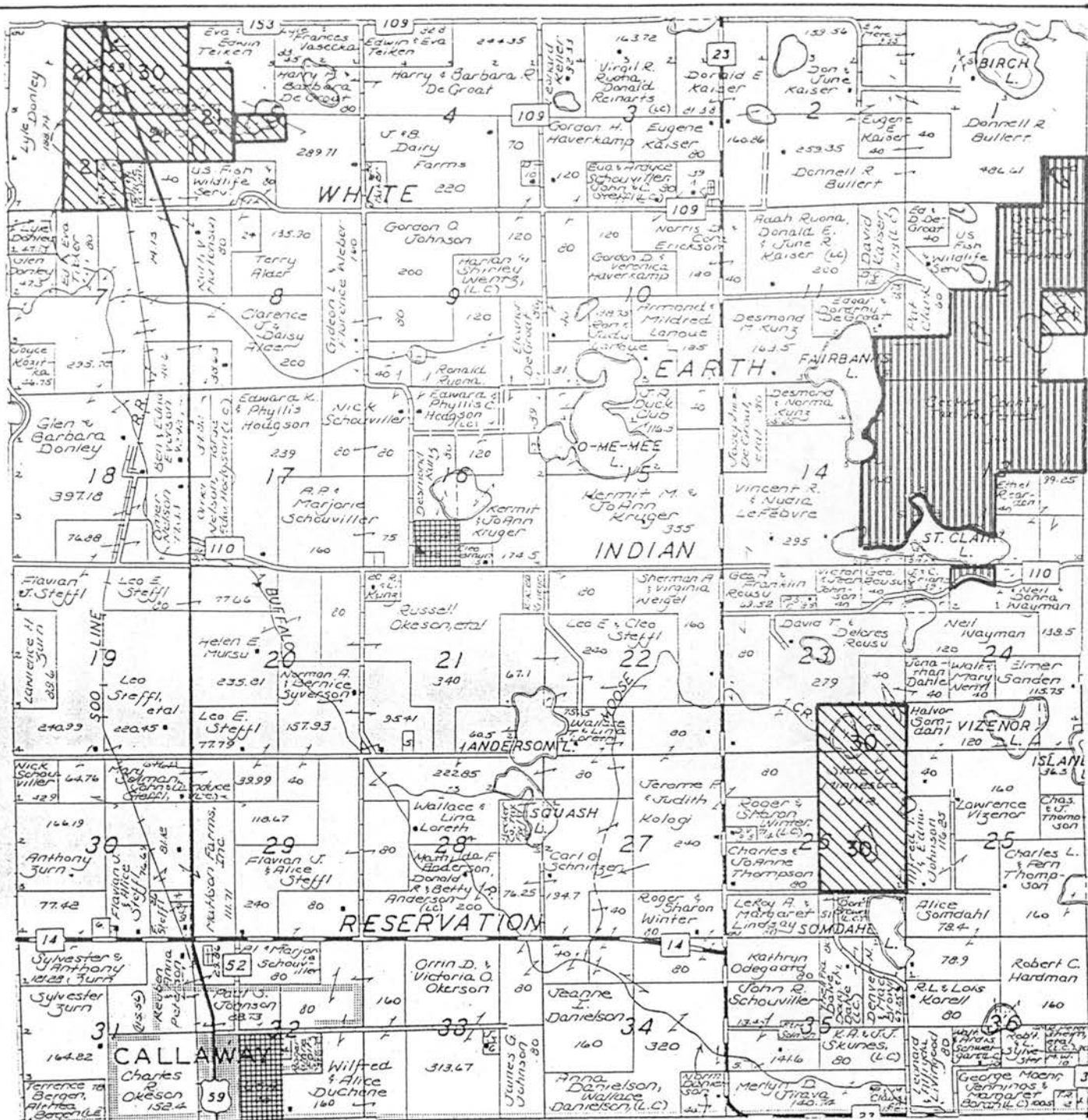
CA Swamp/Congressional Grant

LF Acquired/County Board Resolution

LG Acquired/ Purchase

CB Swamp/Land Exchange

LAND STATUS



T14N R41W BECKER CO.

SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND



COUNTY ADMINISTERED STATE LAND



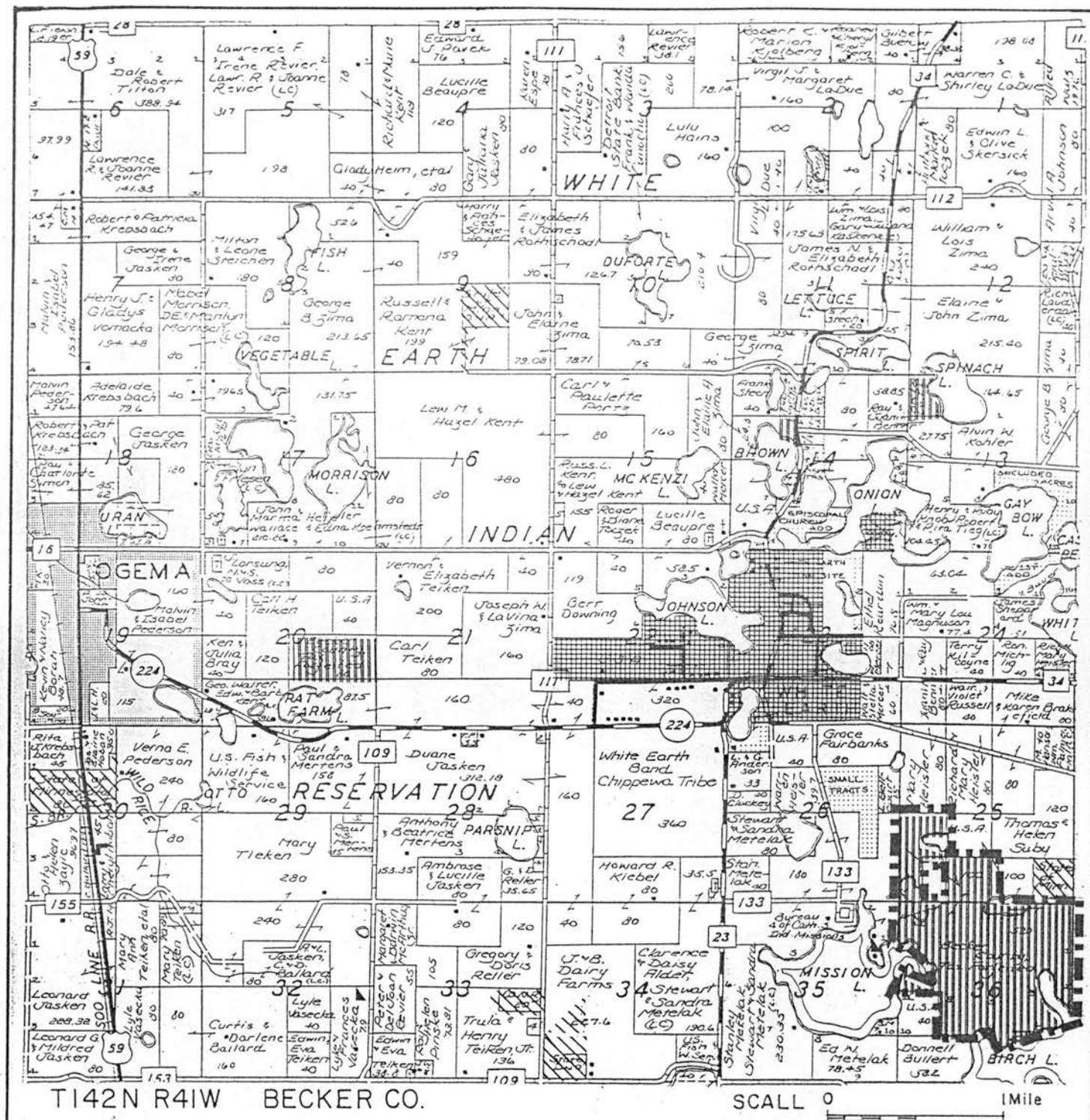
TRIBAL LAND

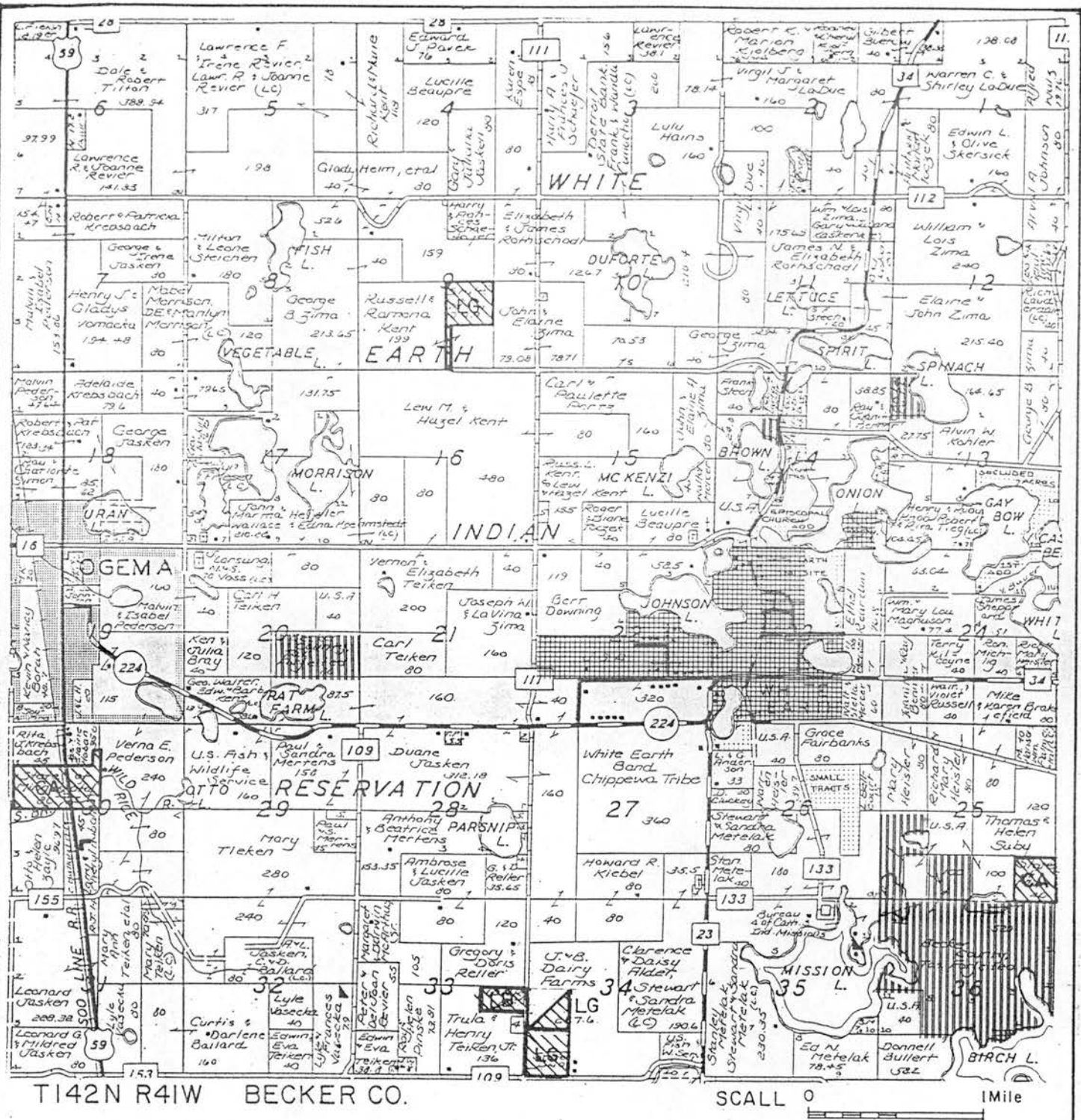
ADMINISTRATION

Code Administrator

21 Forestry, Outside State Forest

30 Wildlife

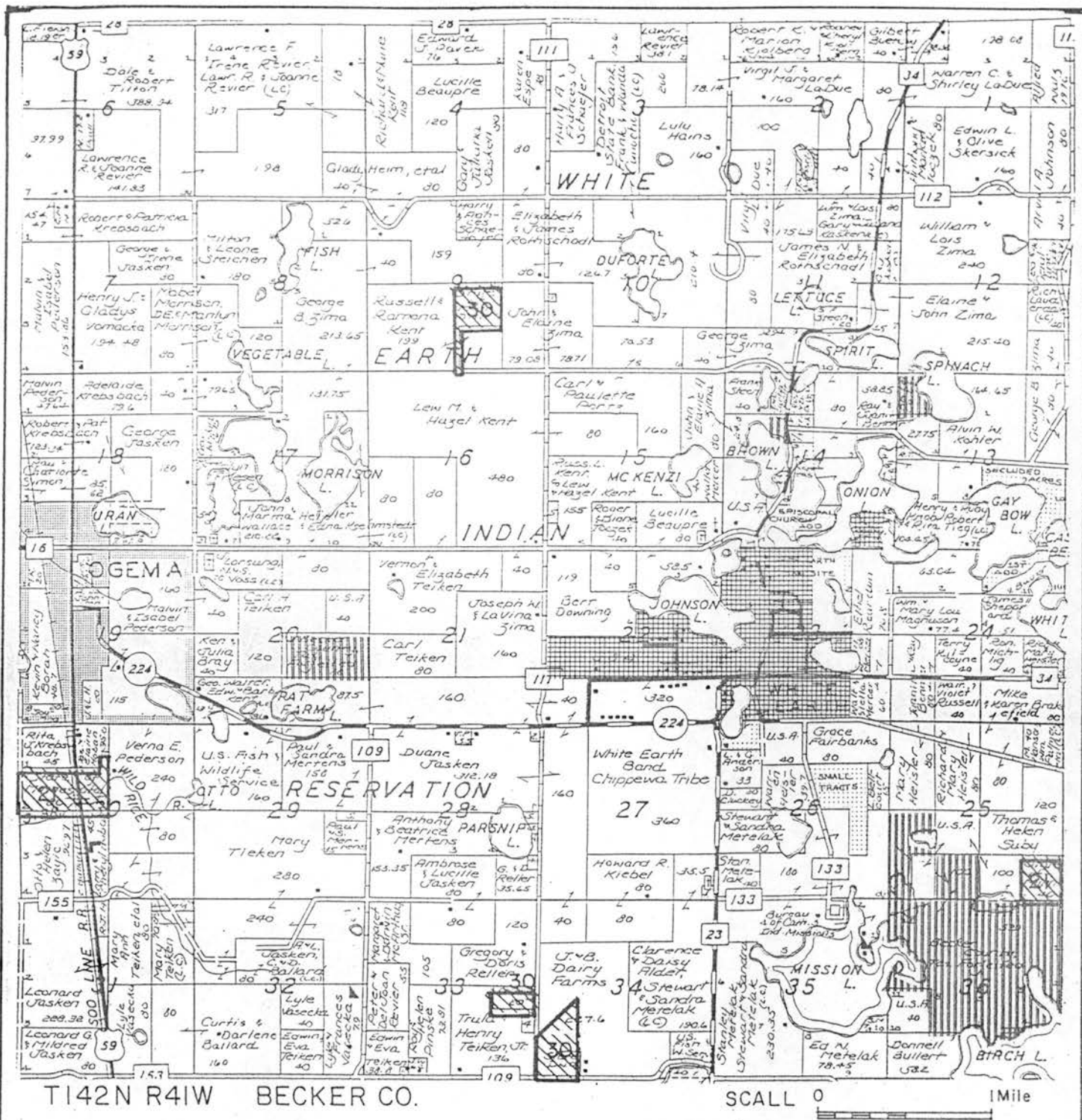


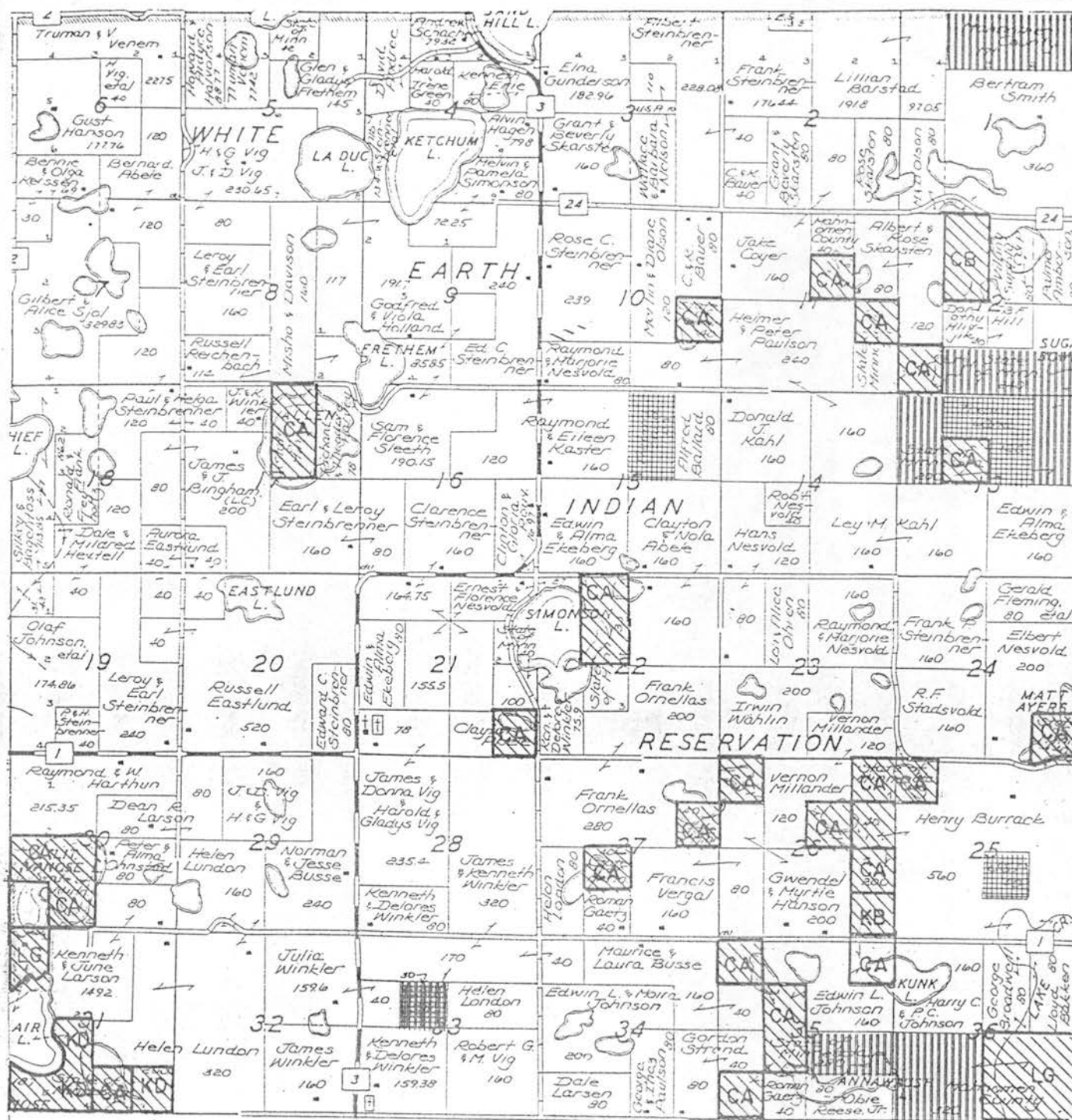


| | |
|--|--------------------------------|
| | DNR ADMINISTERED STATE LAND |
| | COUNTY ADMINISTERED STATE LAND |
| | TRIBAL LAND |

LAND STATUS

| Code | Class/Mean of Acquisition |
|------|---------------------------|
| CA | Swamp/Congressional Grant |
| LB | Acquired/Land Exchange |
| LG | Acquired/ Purchase |





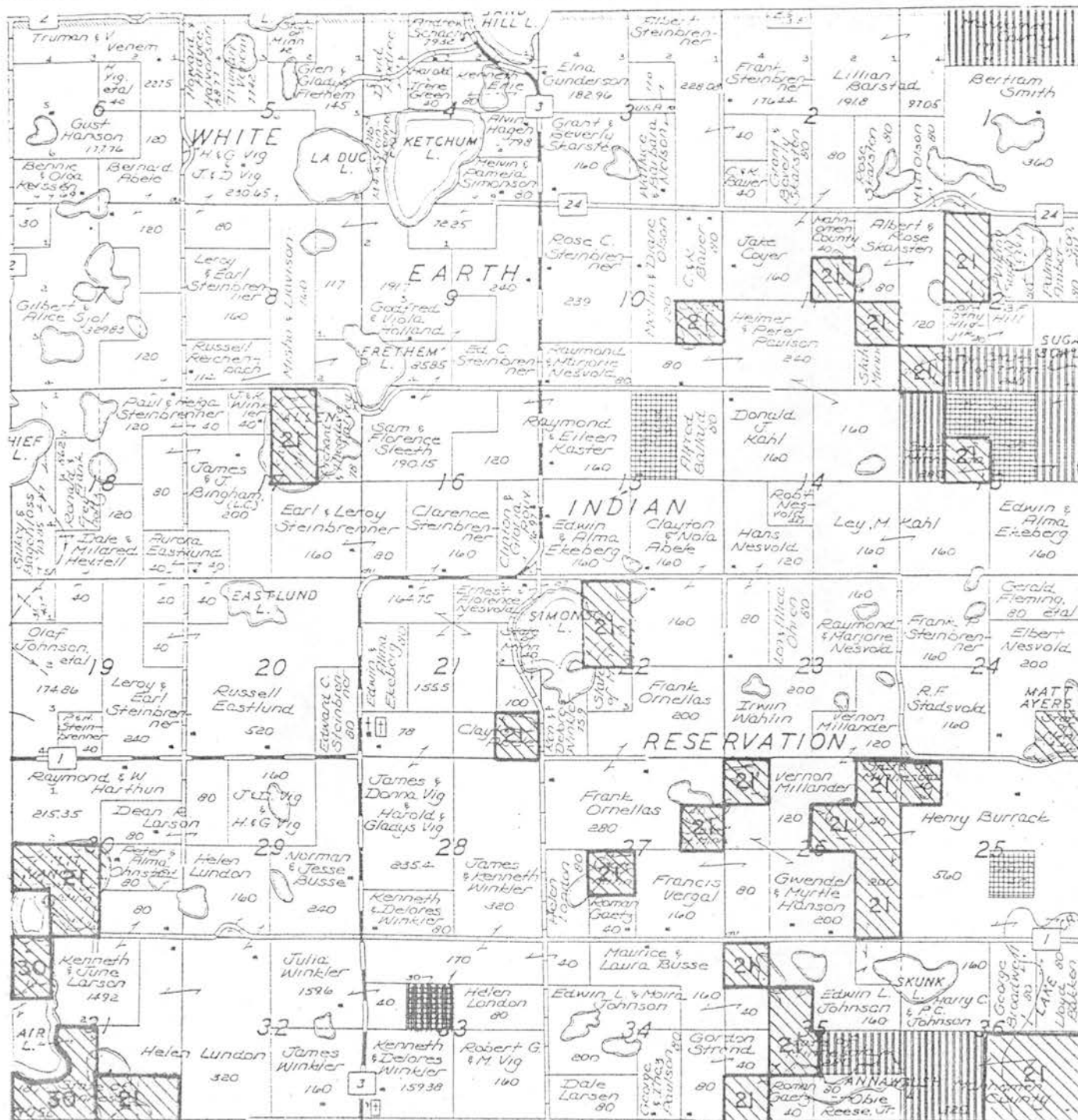
T146N R40W MAHNOMEN CO.

SCALE 0 1 Mile

| | |
|--|--------------------------------|
| | DNR ADMINISTERED STATE LAND |
| | COUNTY ADMINISTERED STATE LAND |
| | TRIBAL LAND |

LAND STATUS

| Code | Class/Mean of Acquisition |
|------|-----------------------------|
| CA | Swamp/Congressional Grant |
| CB | Swamp/Land Exchange |
| KB | Conservation/Land Exchange |
| KD | Conservation/Tax Forfeiture |



T146N R40W MAHNOMEN CO.,

SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND



COUNTY ADMINISTERED STATE LAND



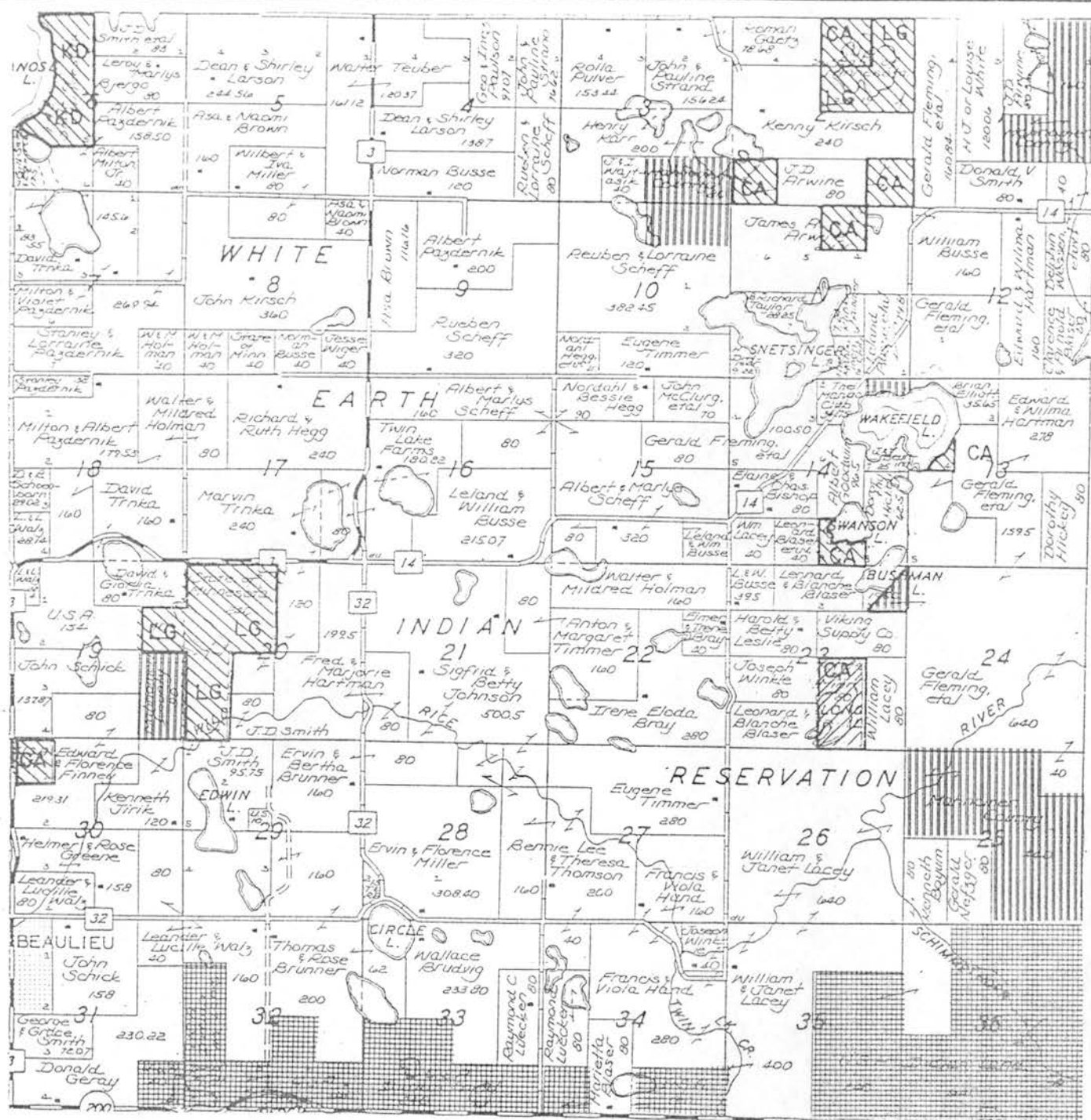
TRIBAL LAND

ADMINISTRATION

Code Administrator

21 Forestry, Outside State Forest

30 Wildlife



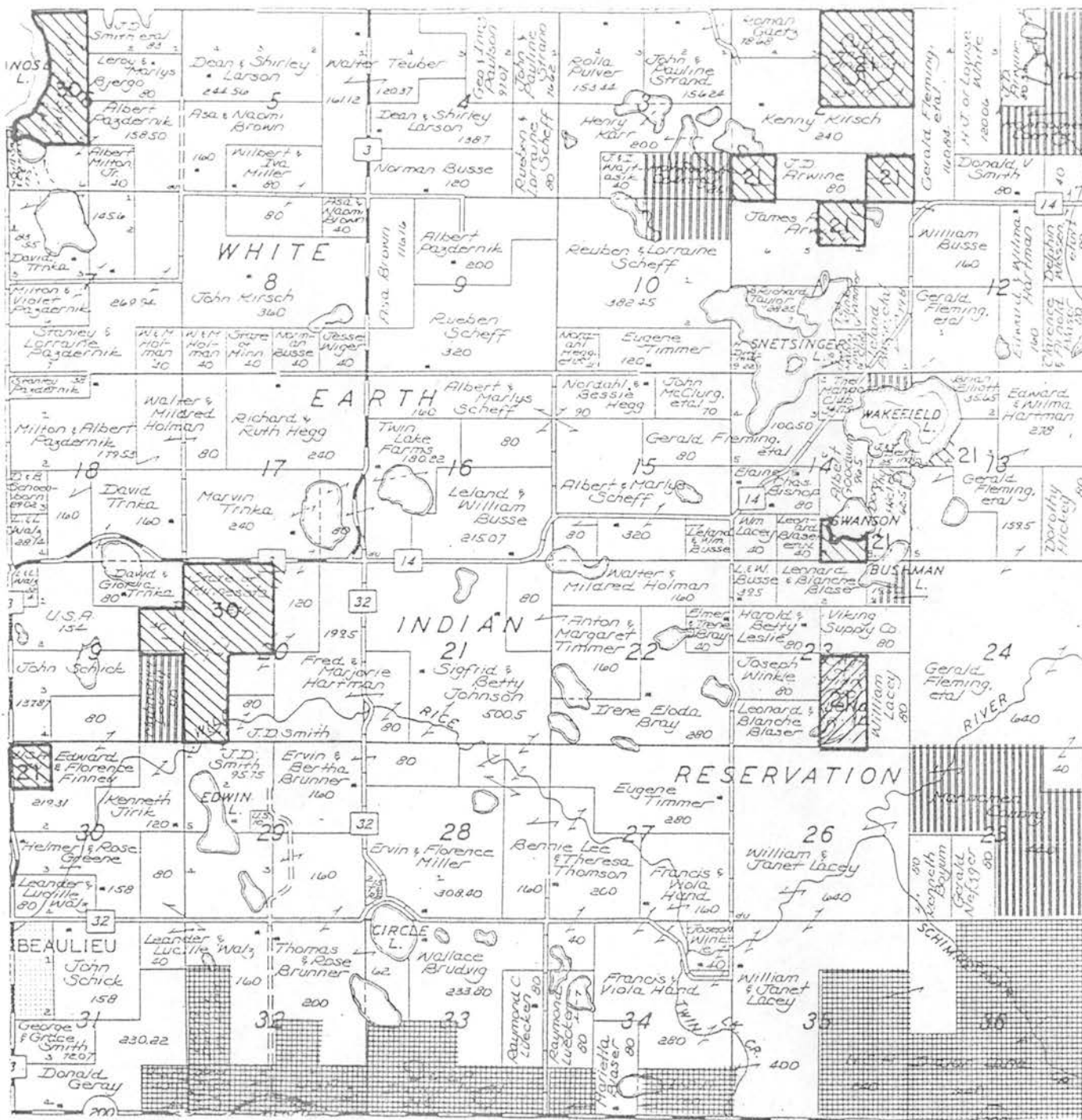
T145N R40W MAHNOMEN CO.

SCALE 0 1 Mile

| | |
|--|--------------------------------|
| | DNR ADMINISTERED STATE LAND |
| | COUNTY ADMINISTERED STATE LAND |
| | TRIBAL LAND |

LAND STATUS

| Code | Class/Mean of Acquisition |
|------|-----------------------------|
| CA | Swamp/Congressional Grant |
| KD | Conservation/Tax Forfeiture |
| LG | Acquired/Purchase |



TI45N R40W MAHANOMEN CO.

SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND



COUNTY ADMINISTERED STATE LAND



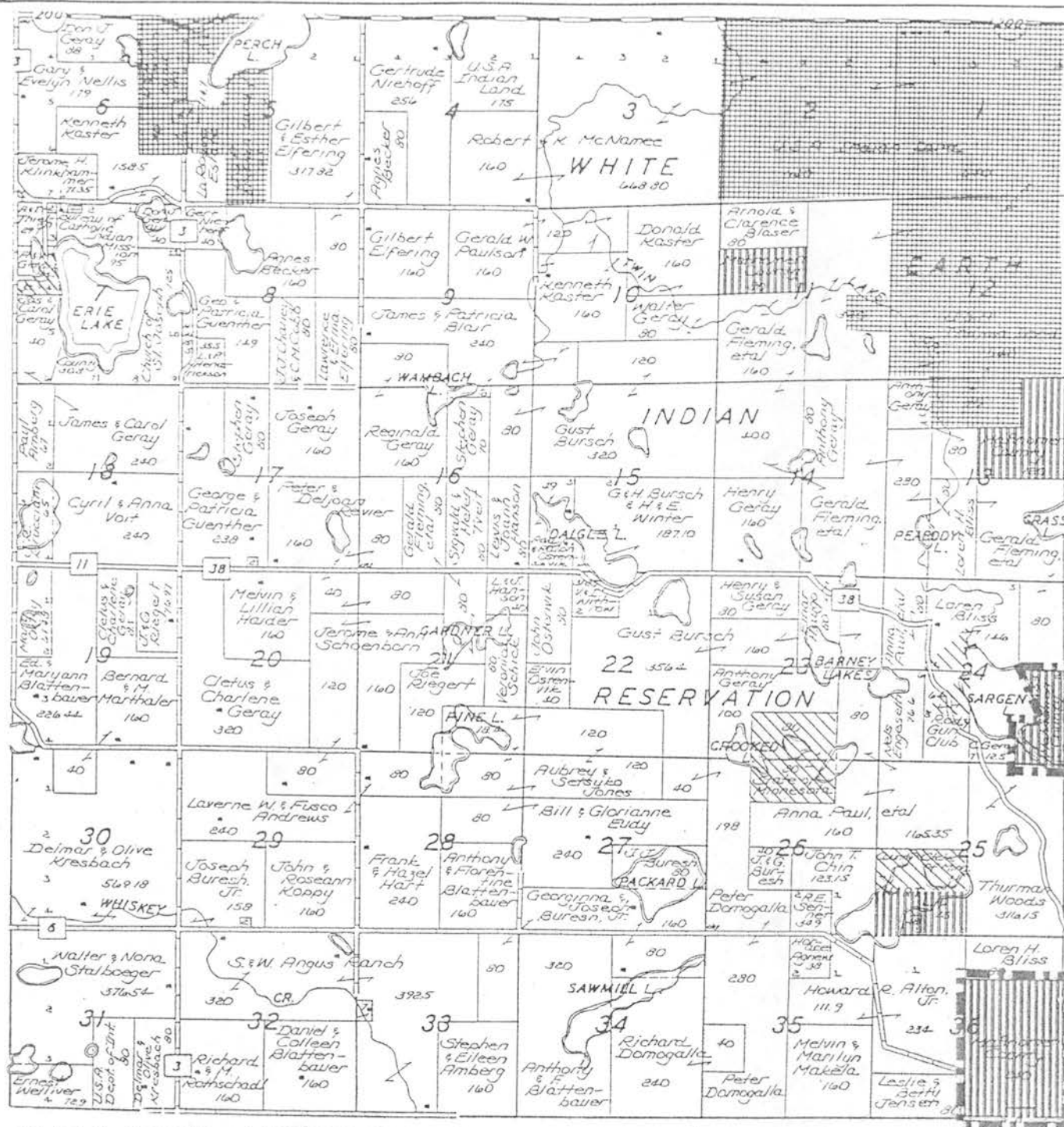
TRIBAL LAND

ADMINISTRATION

Code Administrator

21 Forestry, Outside State Forest

30 Wildlife



T144N R40W MAHNOMEN CO.

SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND



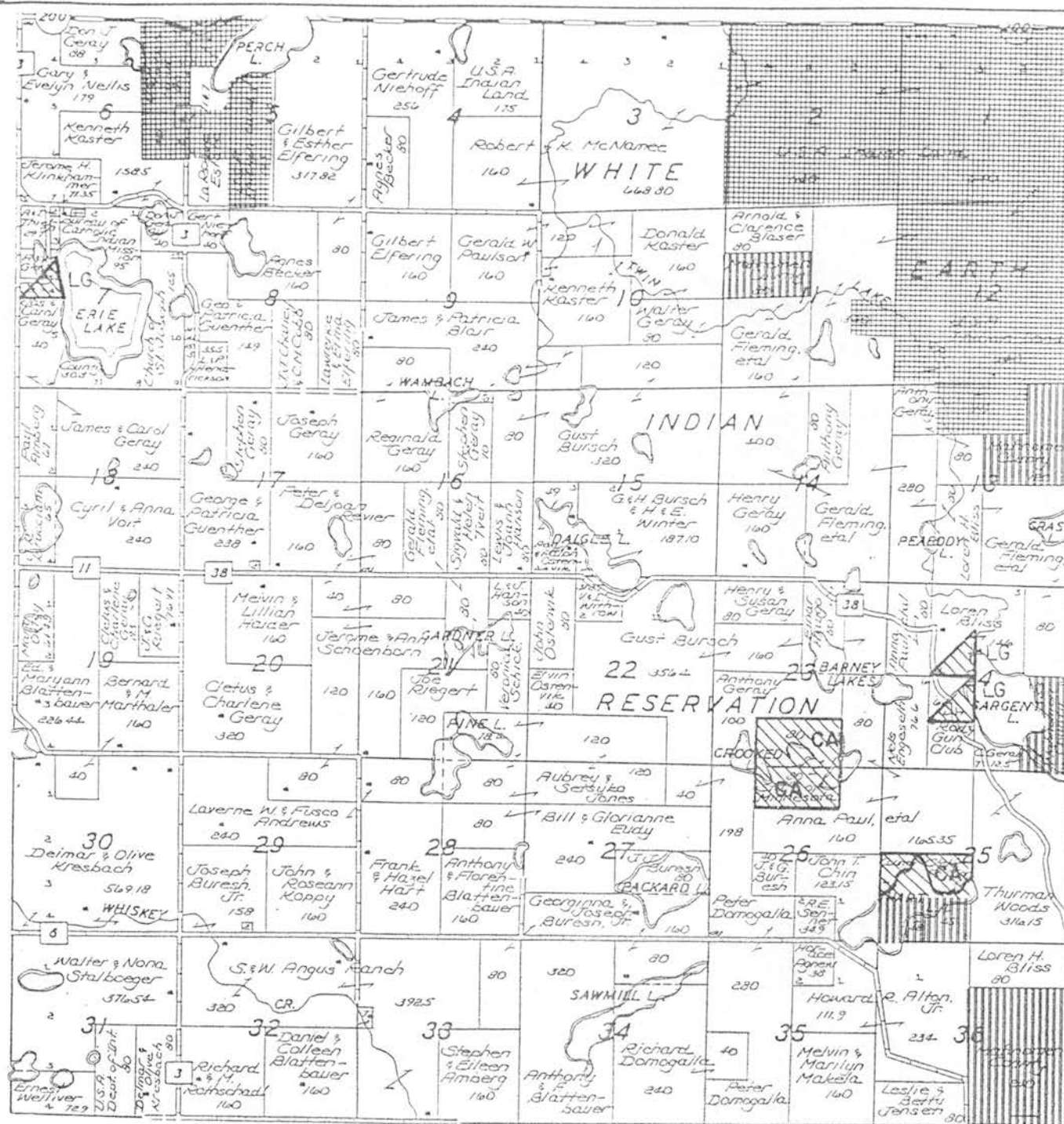
COUNTY ADMINISTERED STATE LAND



TRIBAL LAND



PRELIMINARY LAND SELECTION



T144N R40W MAHANOMEN CO.

SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND

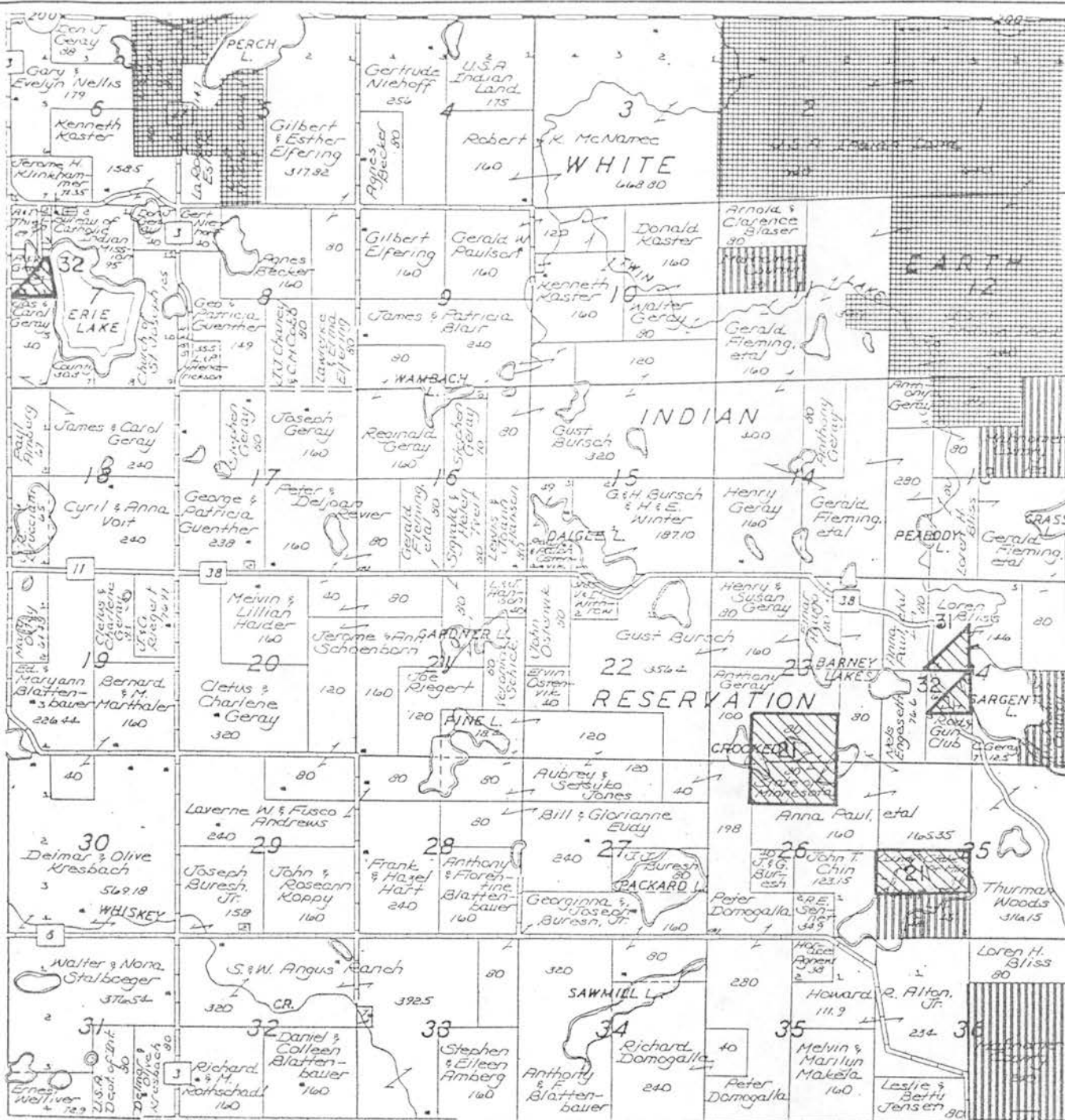
COUNTY ADMINISTERED STATE LAND

TRIBAL LAND

LAND STATUS

| Code | Class/Mean of Acquisition |
|------|---------------------------|
| CA | Swamp/Congressional Grant |
| LG | Acquired/Purchase |

LAND STATUS



T144N R40W MAHANOMEN CO.

SCALE 0 1 Mile



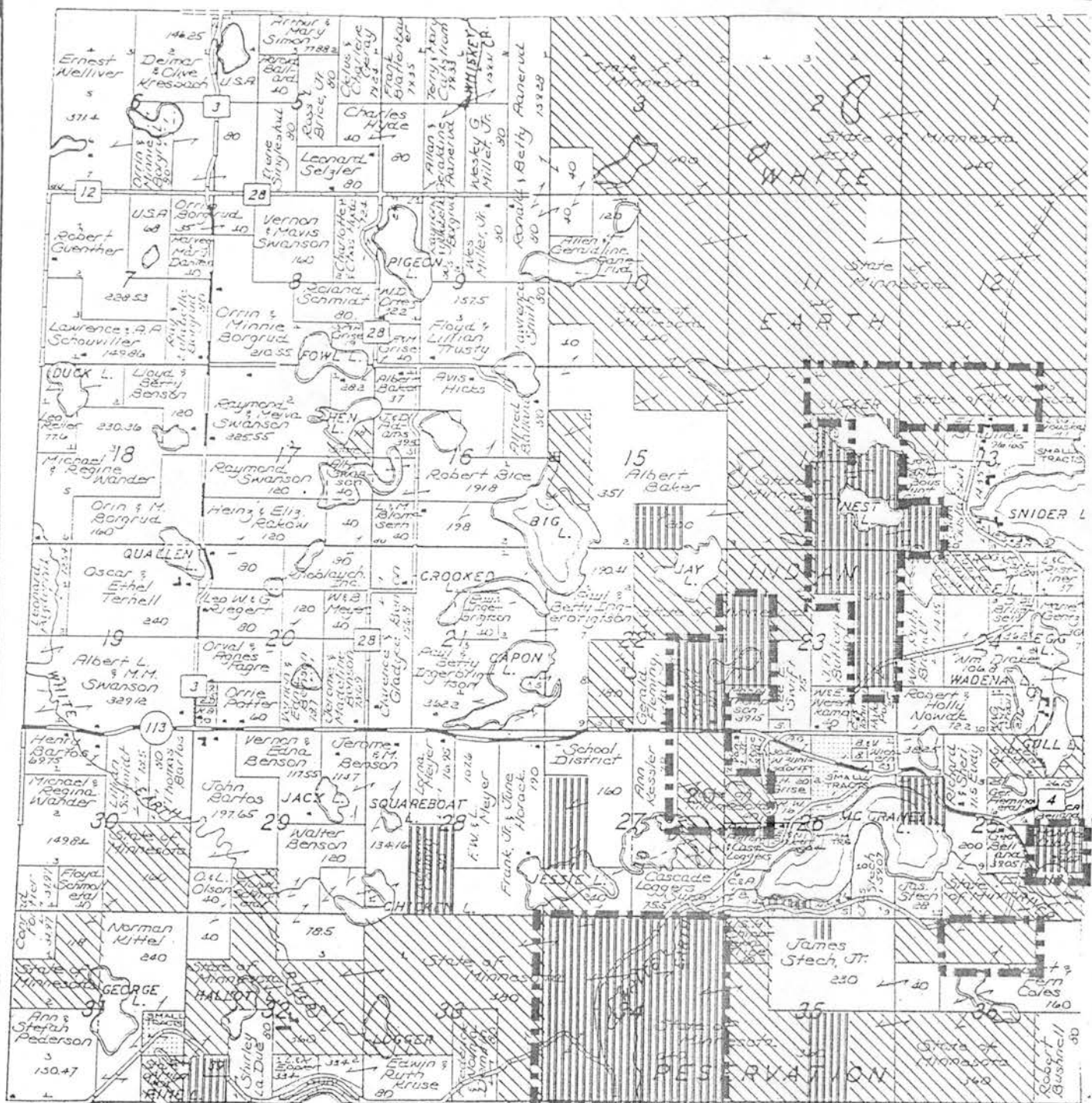
DNR ADMINISTERED STATE LAND

COUNTY ADMINISTERED STATE LAND

TRIBAL LAND





ADMINISTRATION

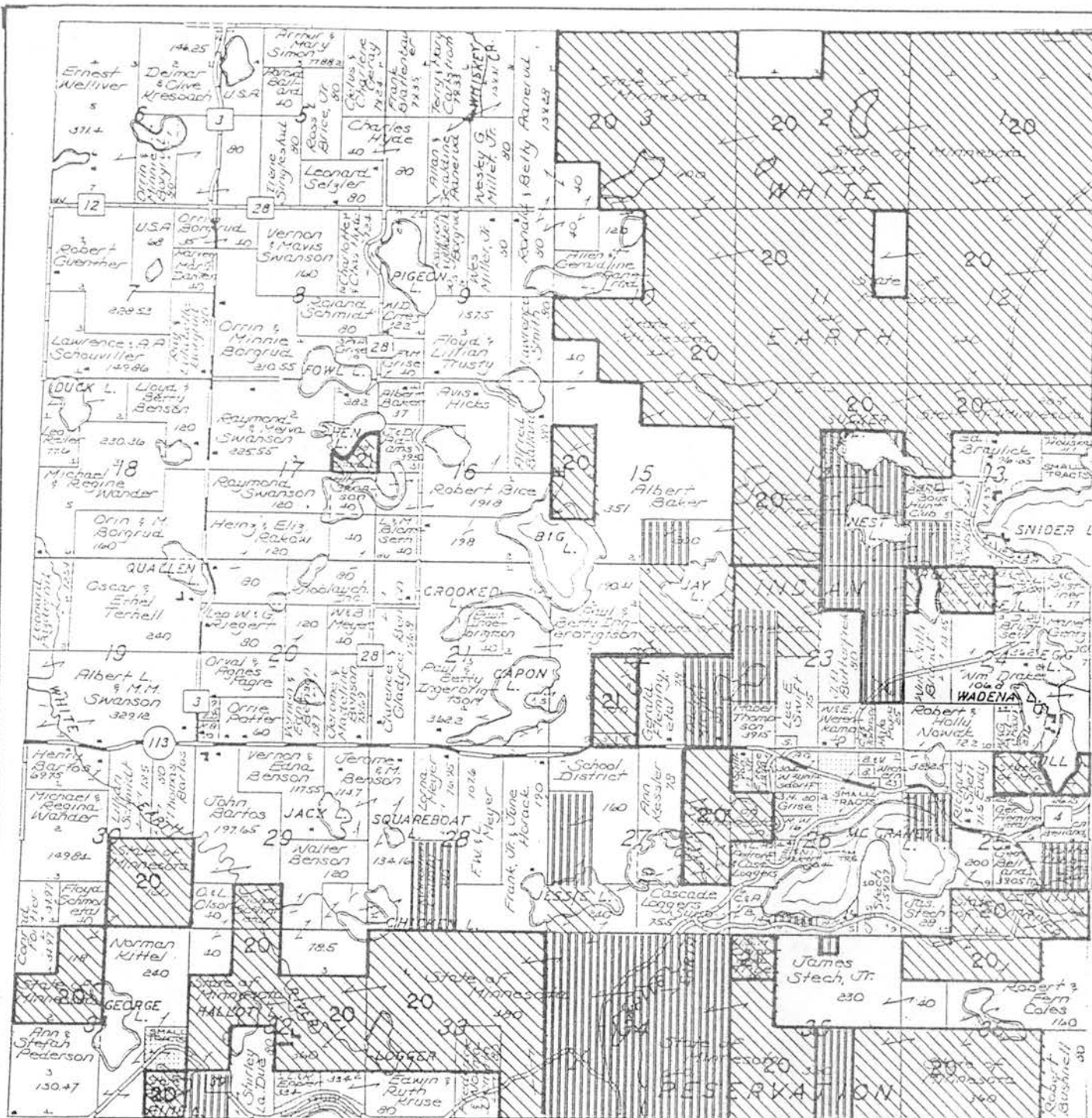
| Code | Administrator |
|------|--------------------------------|
| 21 | Forestry, Outside State Forest |
| 31 | Fisheries |
| 32 | Law Enforcement |



T143N R40W MAHANOMEN CO.




SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND
-  PRELIMINARY LAND SELECTION



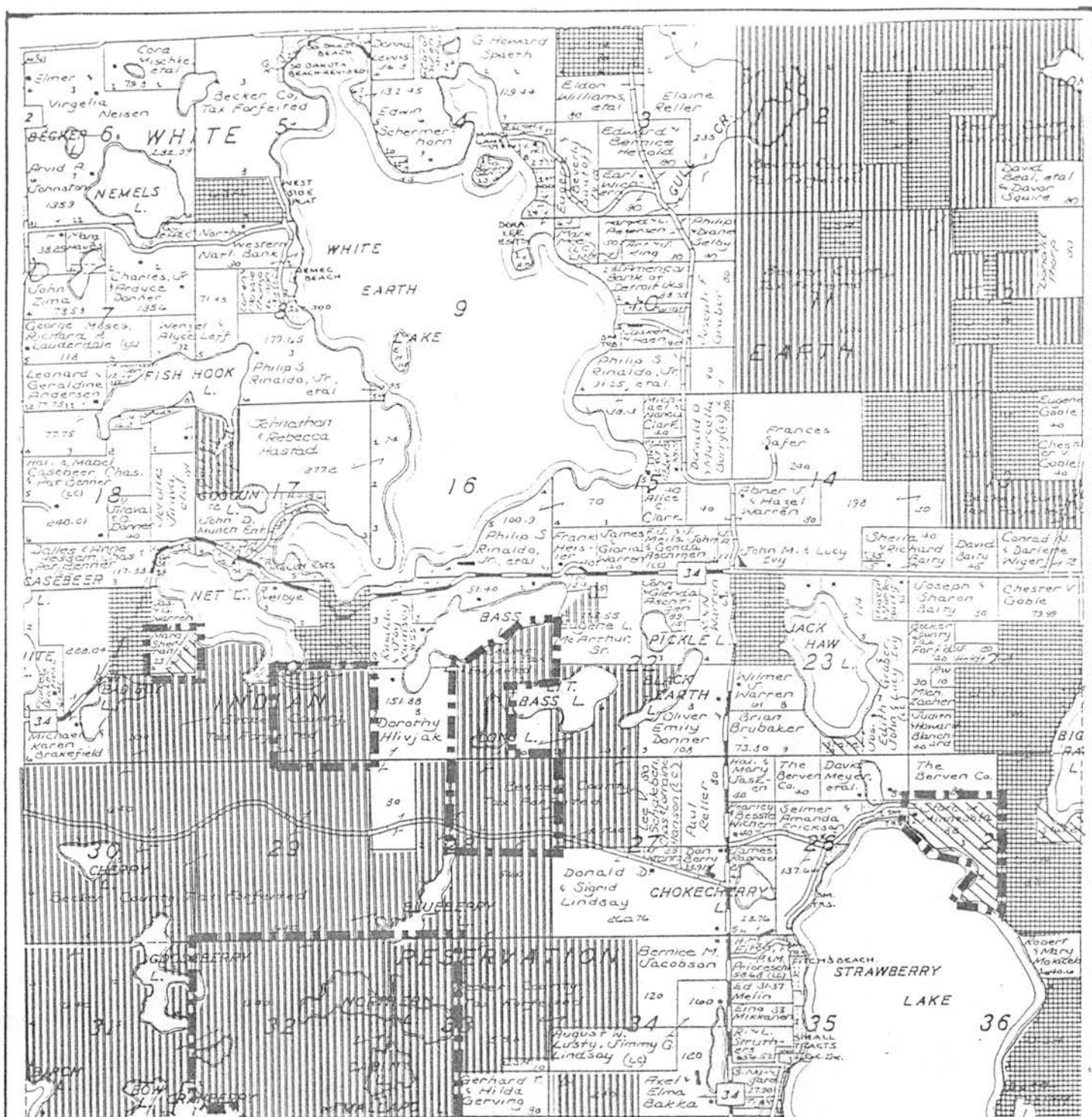
T143N R40W MAHANOMEN CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND





ADMINISTRATION

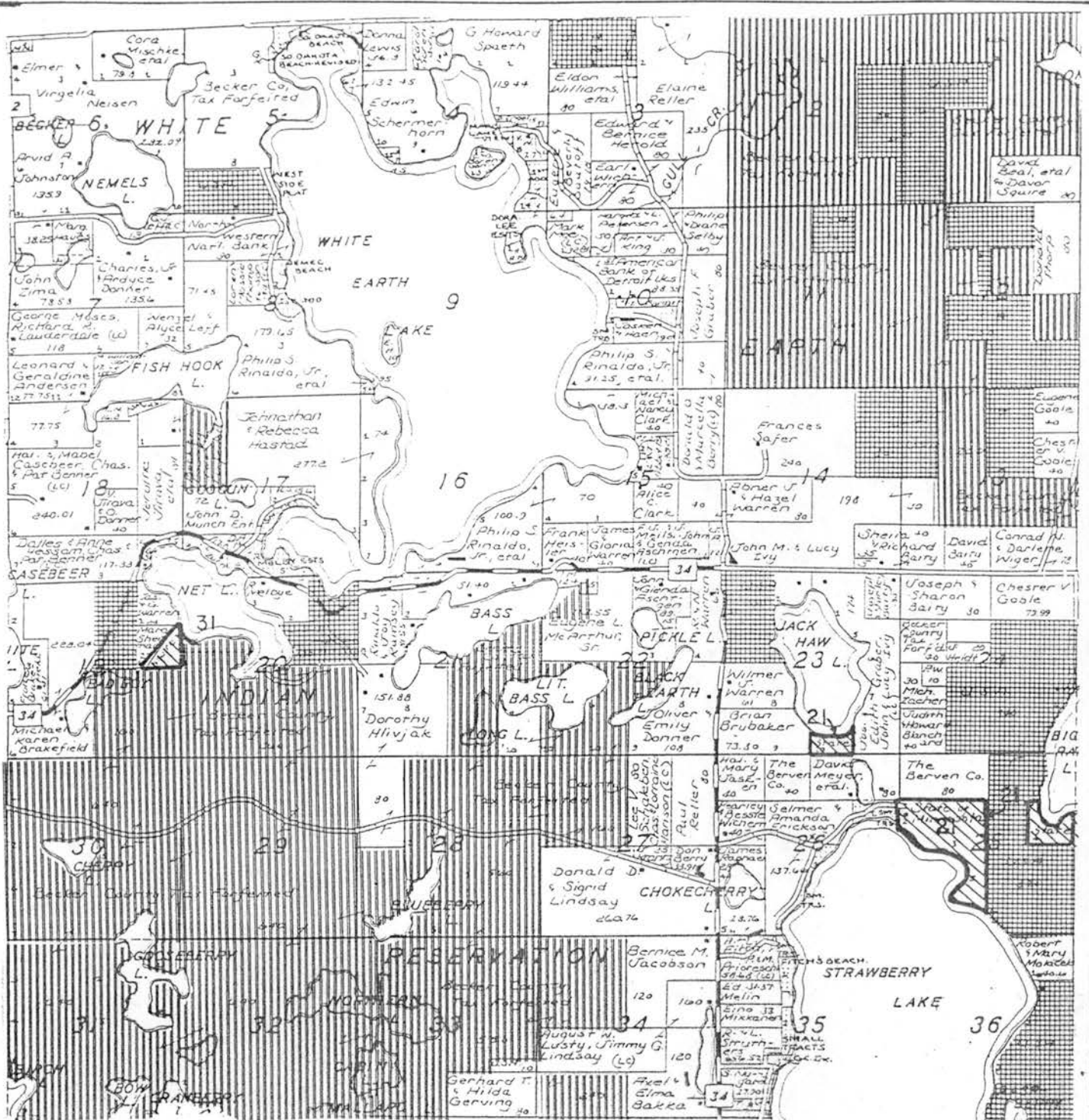
| Code | Administrator |
|------|--------------------------------|
| 20 | Forestry, Inside State Forest |
| 21 | Forestry, Outside State Forest |



T142N R40W BECKER CO.




SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND
-  PRELIMINARY LAND SELECTION



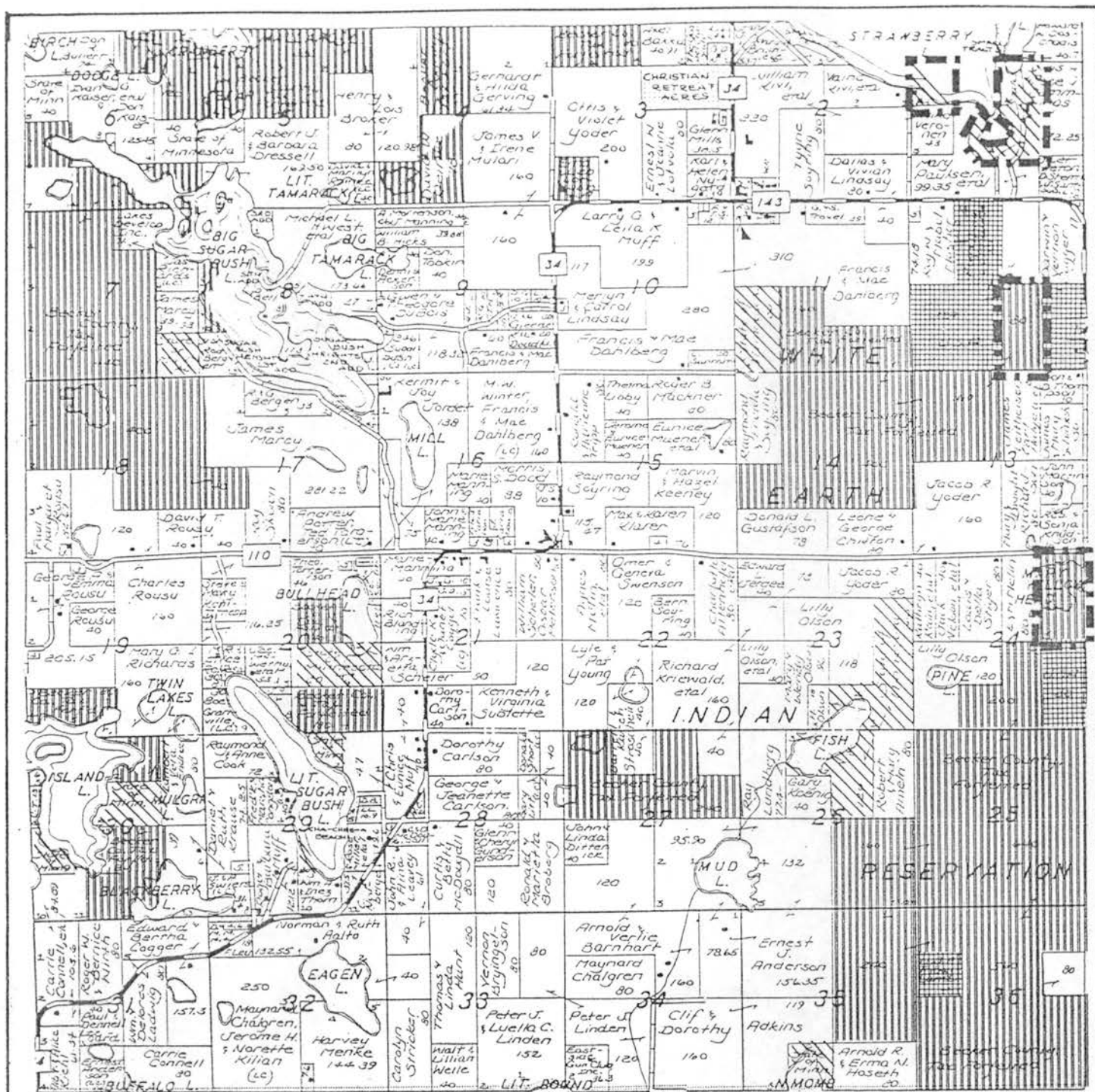
T142N R40W BECKER CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND

ADMINISTRATION

| Code | Administrator |
|------|--------------------------------|
| 21 | Forestry, Outside State Forest |
| 31 | Fisheries |



T14N R40W BECKER CO.

SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND



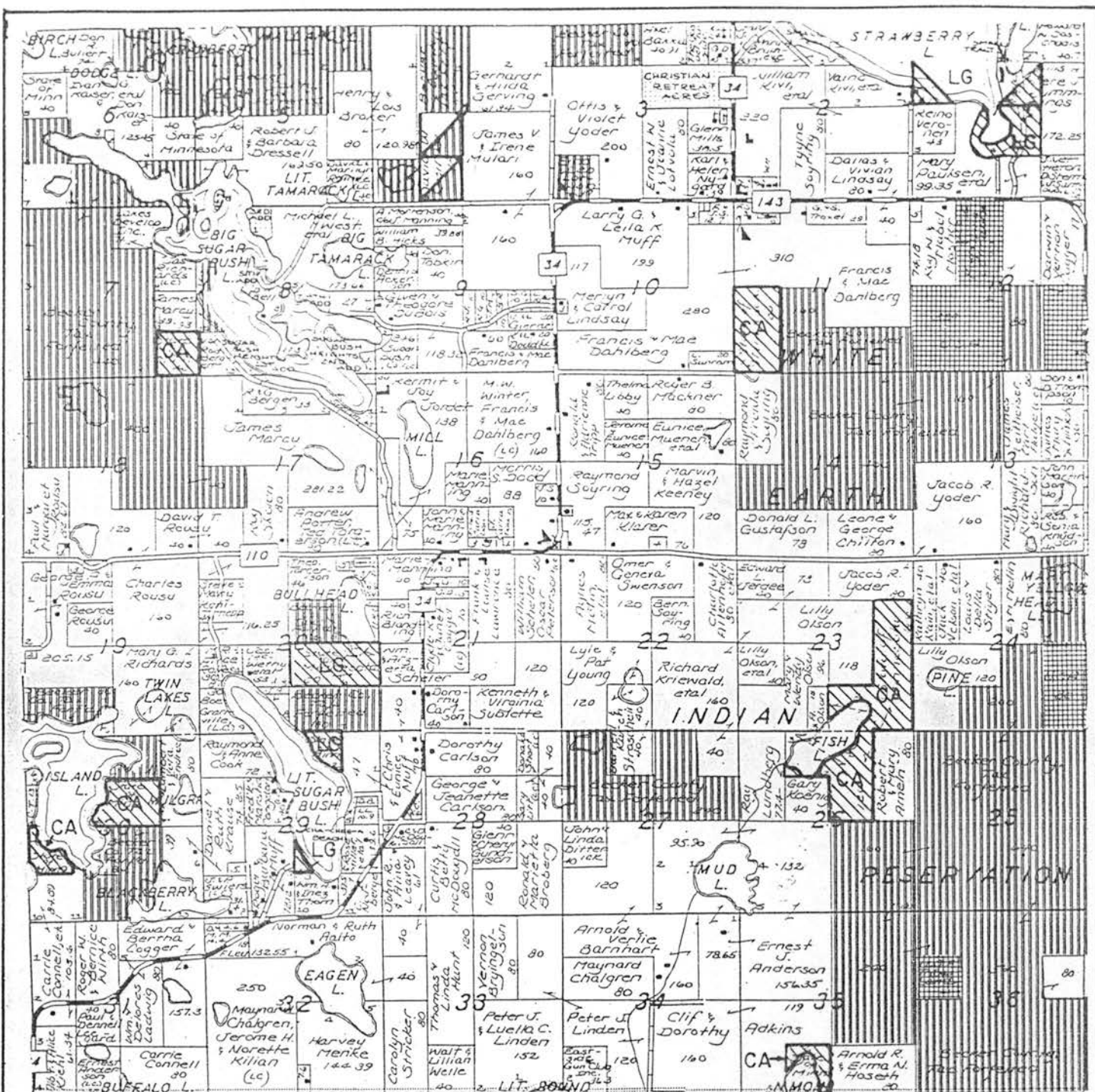
COUNTY ADMINISTERED STATE LAND



TRIBAL LAND



PRELIMINARY LAND SELECTION



DNR ADMINISTERED STATE LAND



COUNTY ADMINISTERED STATE LAND



TRIBAL LAND

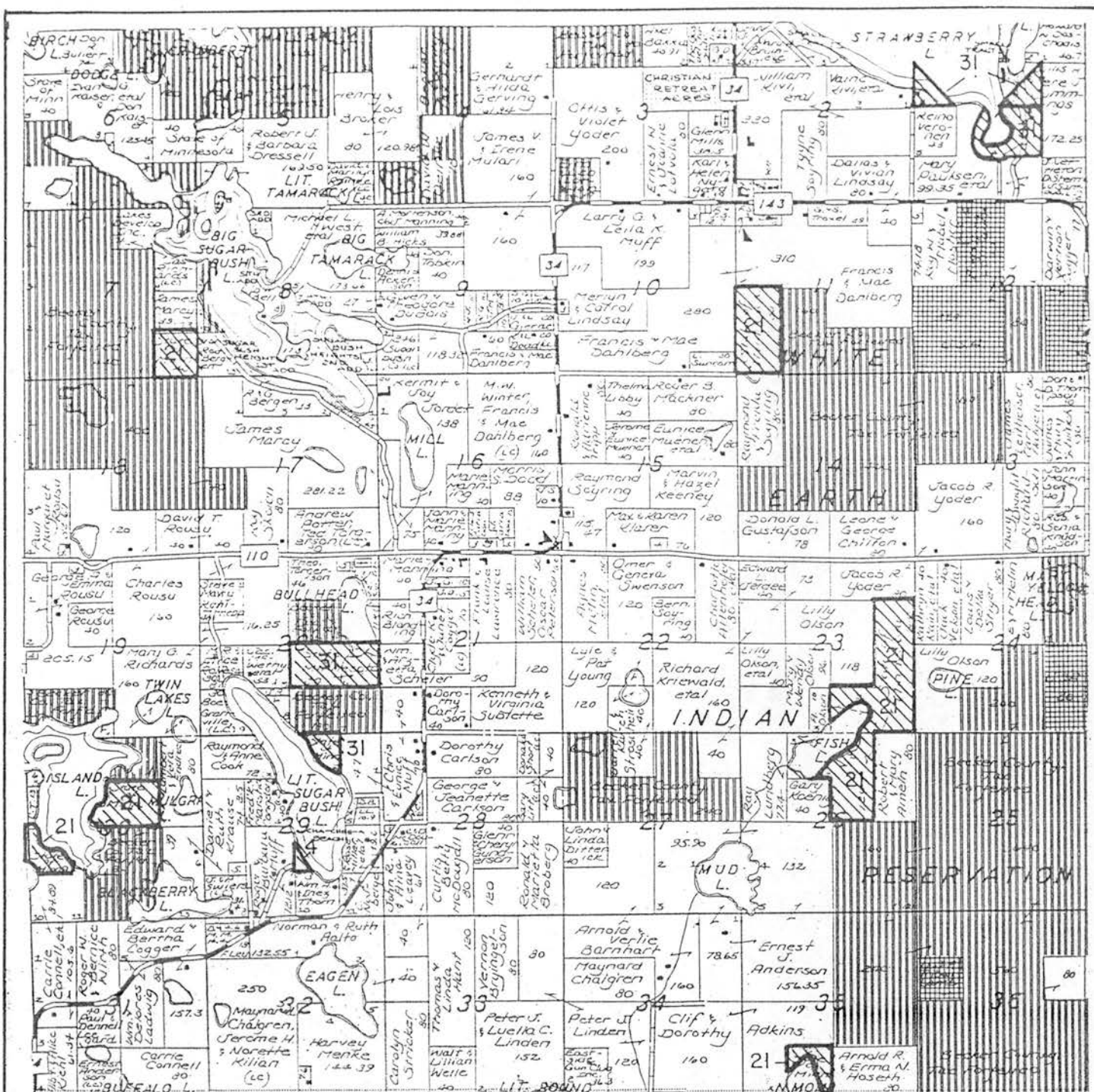
LAND STATUS

| Code | Class/Mean of Acquisition |
|------|---------------------------|
|------|---------------------------|

CA Swamp/Congressional Grant

LG Acquired/Purchase

LAND STATUS



T14N R40W BECKER CO.

SCALE 0

1 Mile



DNR ADMINISTERED STATE LAND

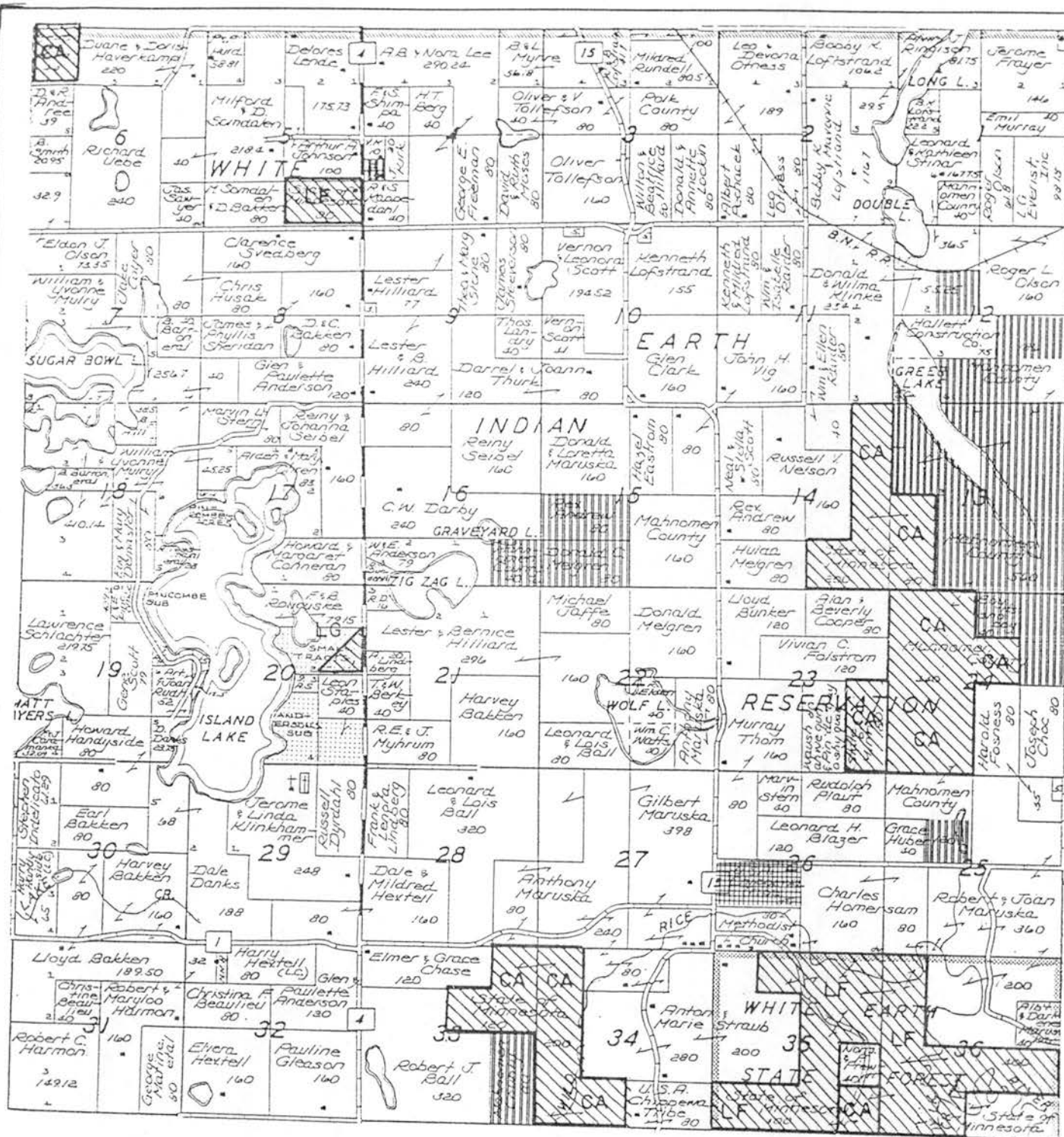
COUNTY ADMINISTERED STATE LAND

TRIBAL LAND

ADMINISTRATION

Code Administrator

- 21 Forestry, Outside State Forest
- 31 Fisheries
- 32 Law Enforcement



T146N R39W MAHNOMEN CO.

SCALE 0 1 Mile



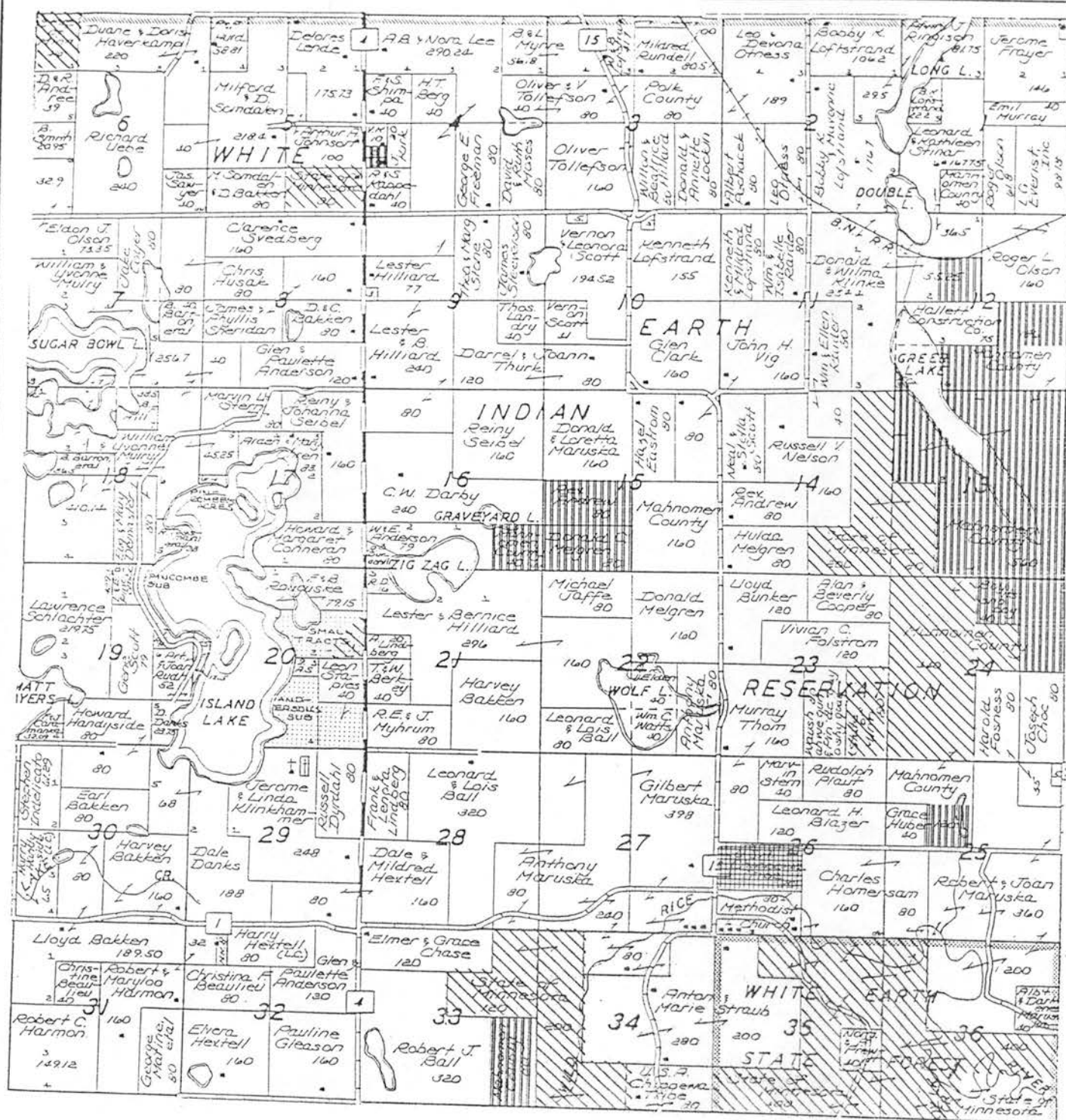
DNR ADMINISTERED STATE LAND

COUNTY ADMINISTERED STATE LAND

TRIBAL LAND

LAND STATUS

| Code | Class/Mean of Acquisition |
|------|----------------------------------|
| CA | Swamp/Congressional Grant |
| LF | Acquired/County Board Resolution |



TI46N R39W MAHONOMEN CO.

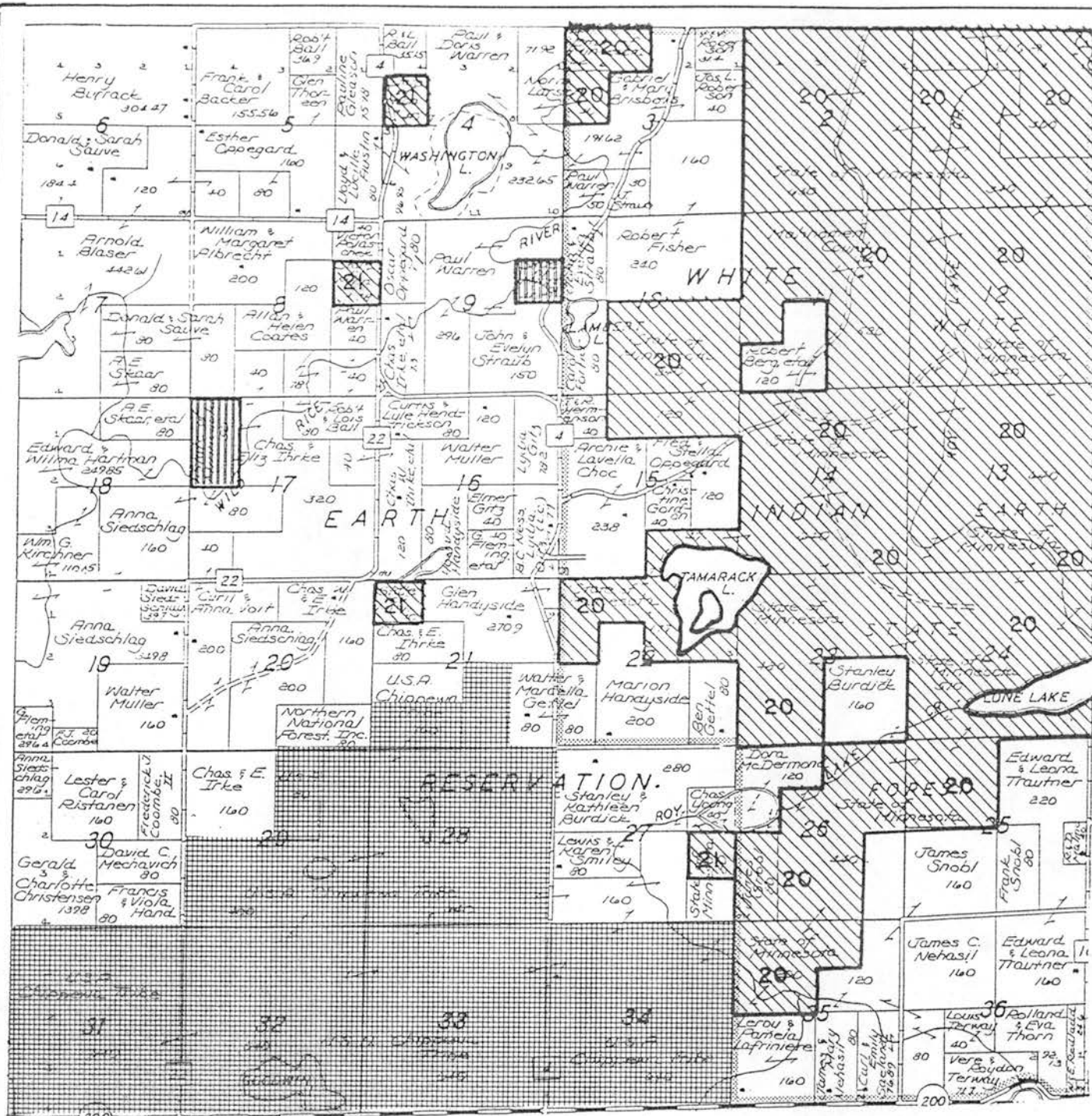
SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND




COUNTY ADMINISTERED STATE LAND

TRIBAL LAND



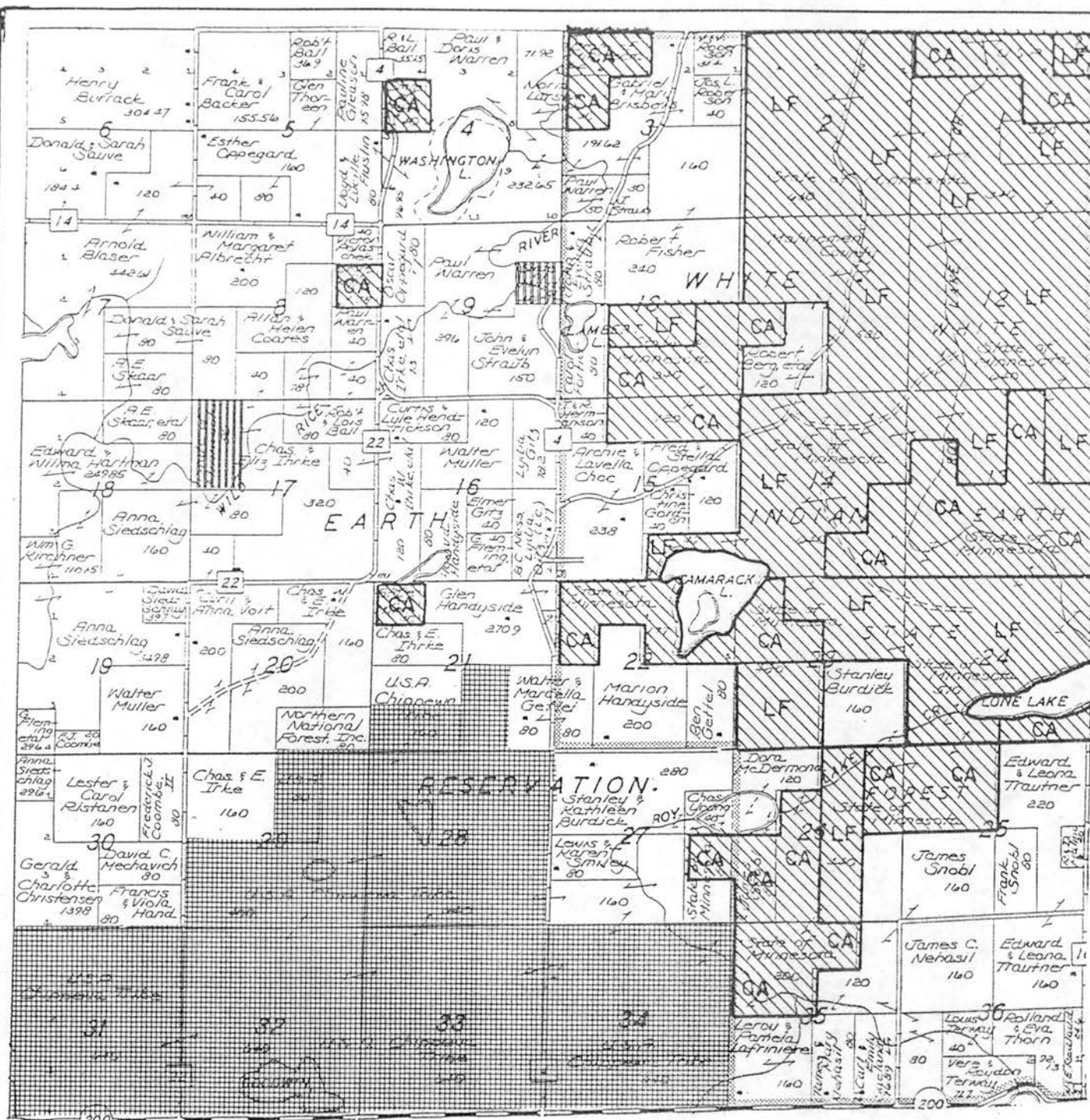
T145N R39W MAHNOMEN CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND

ADMINISTRATION

| Code | Administrator |
|------|-------------------------------|
| 20 | Forestry/Inside State Forest |
| 21 | Forestry/Outside State Forest |



T145N R39W MAHANOMEN CO.

SCALE 0

1 Mile



DNR ADMINISTERED STATE LAND



COUNTY ADMINISTERED STATE LAND



TRIBAL LAND

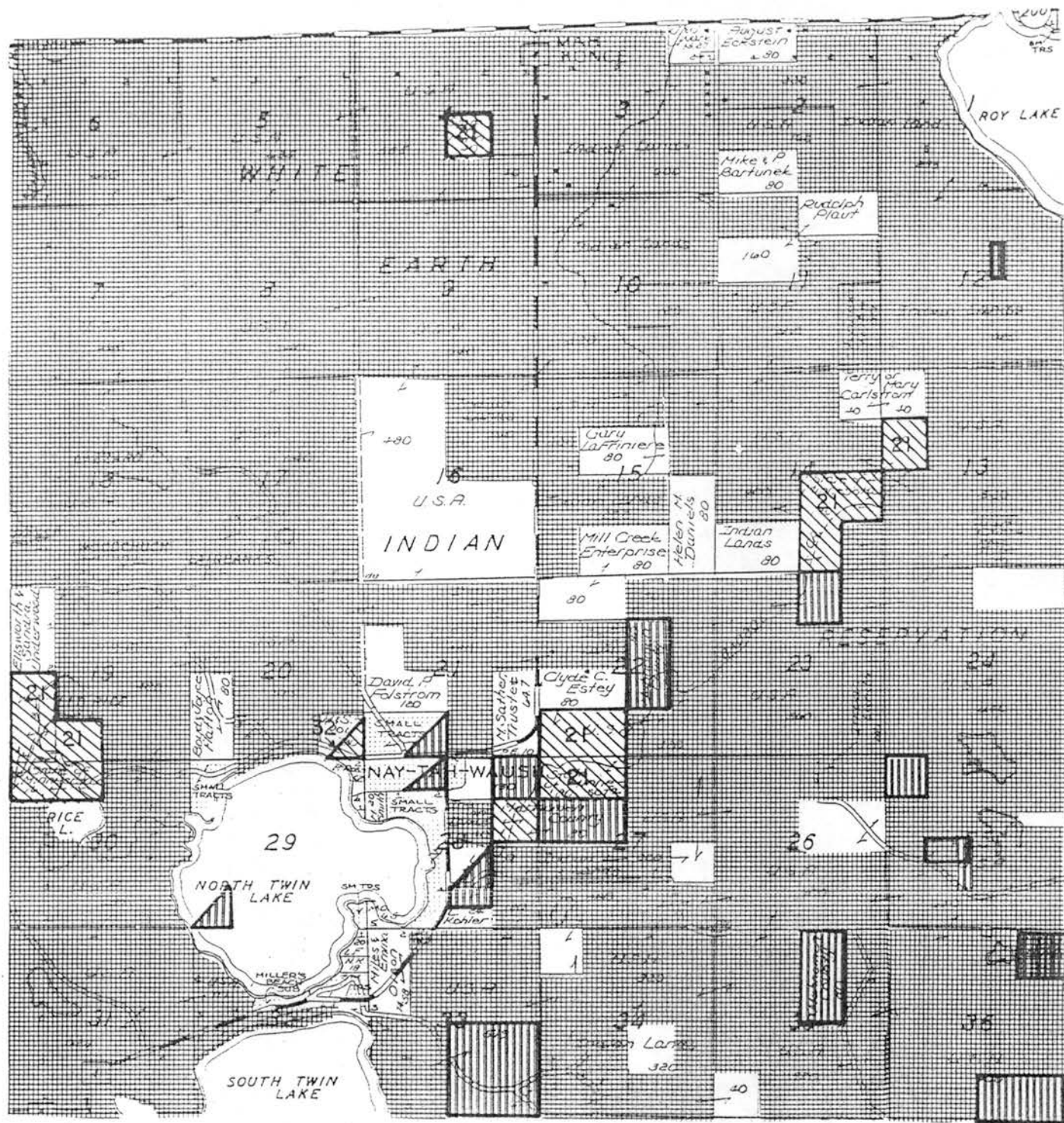
LAND STATUS

Code Class/Means of Acquisition

CA Swamp/Congressional Grant




LF Acquired/County Board Resolution

LAND STATUS



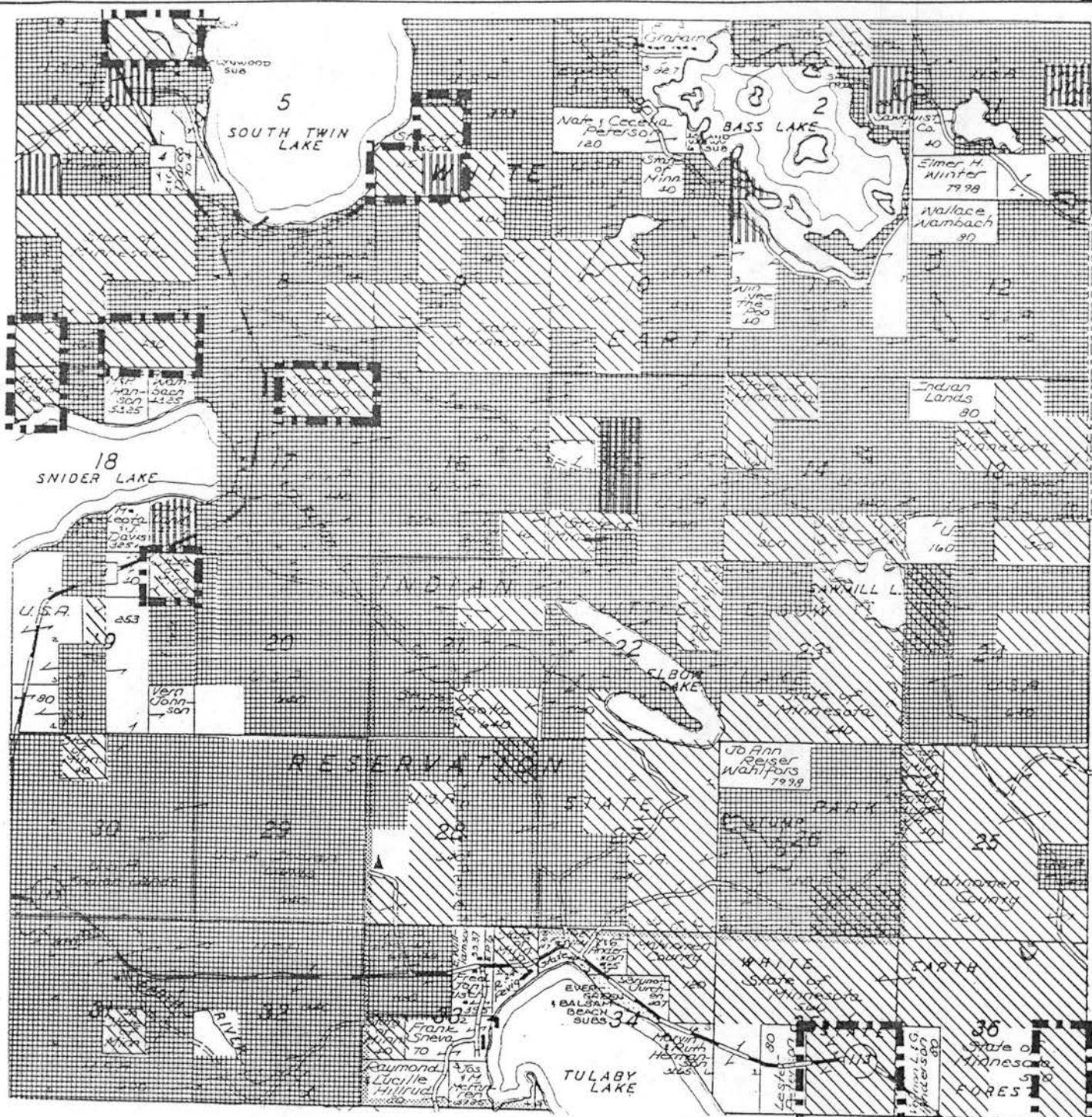
T144N R39W MAHNOMEN CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND





ADMINISTRATION

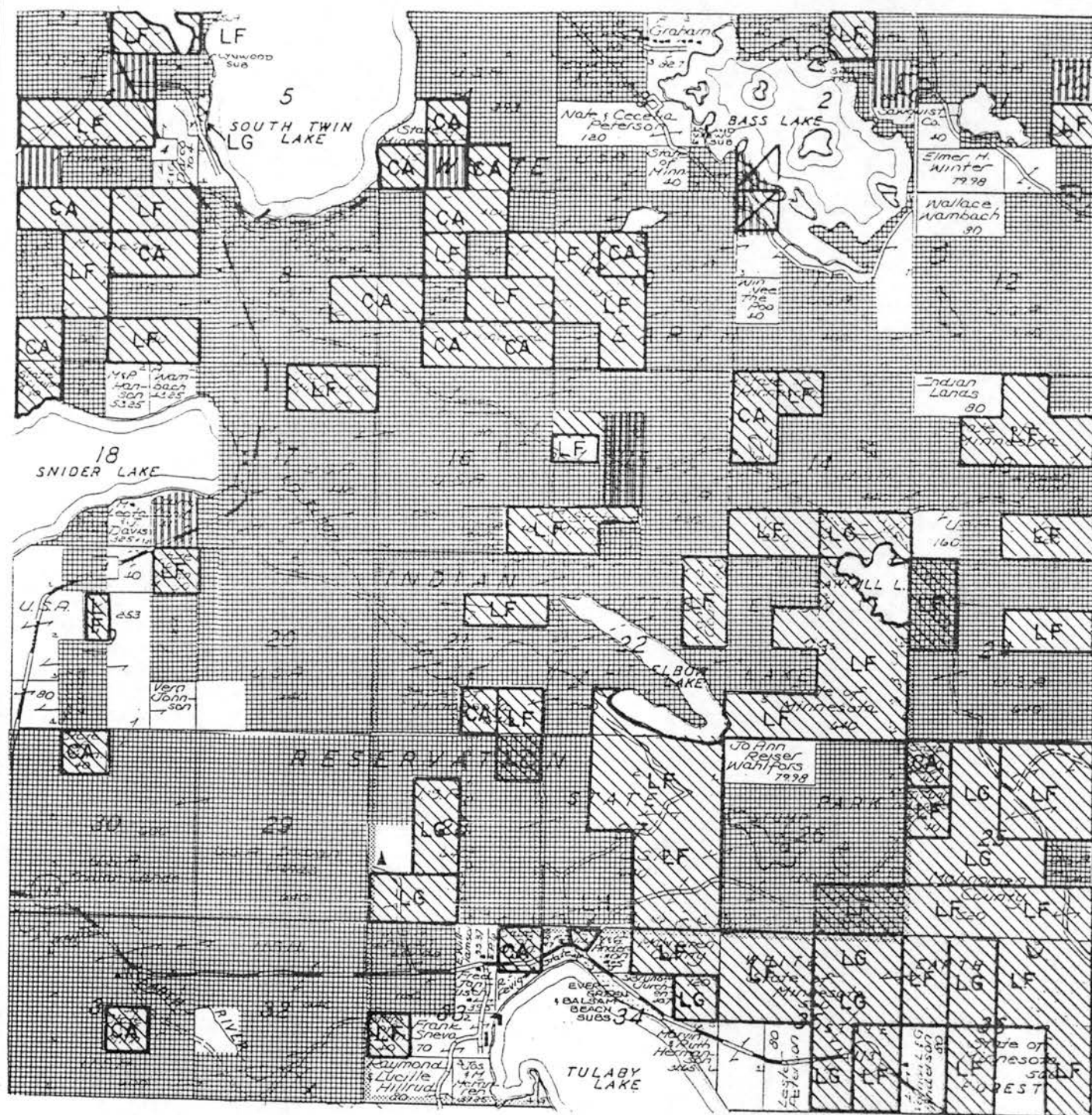
| Code | Administrator |
|------|--------------------------------|
| 21 | Forestry/ Outside State Forest |
| 32 | Law Enforcement |



T143N R39W MAHNOMEN CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND
-  PRELIMINARY LAND SELECTION



T143N R39W MAHANOMEN CO.

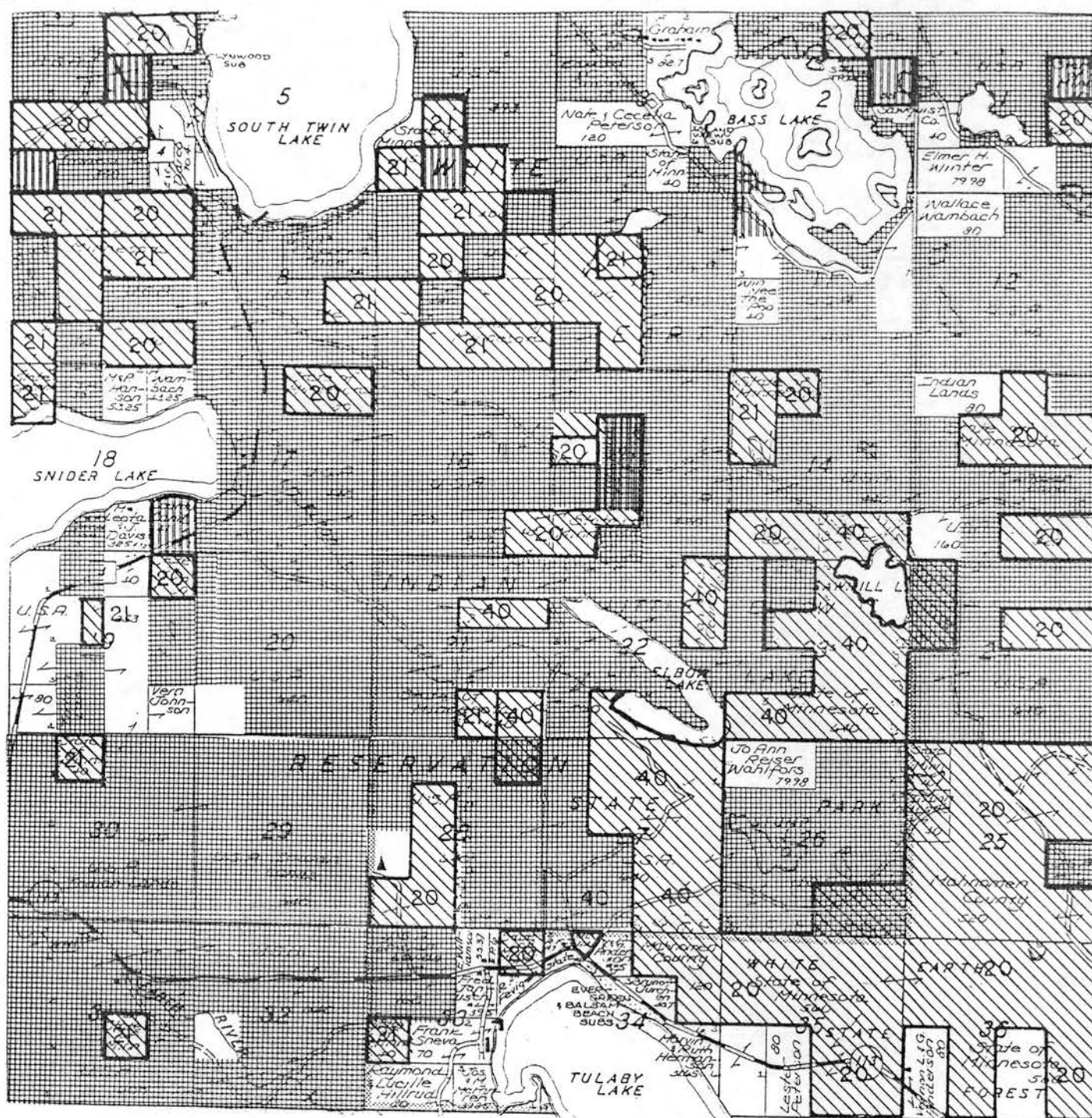
SCALE 0 1 Mile

| | |
|--|--------------------------------|
| | DNR ADMINISTERED STATE LAND |
| | COUNTY ADMINISTERED STATE LAND |
| | TRIBAL LAND |

LAND STATUS




| Code | Class/Mean of Acquisition |
|------|--|
| CA | Swamp/Congressional Grant |
| LF | Acquired/County Board Resolution |
| LH | Acquired/Transfer of Custodial Control |
| LG | Acquired/Purchase |

LAND STATUS



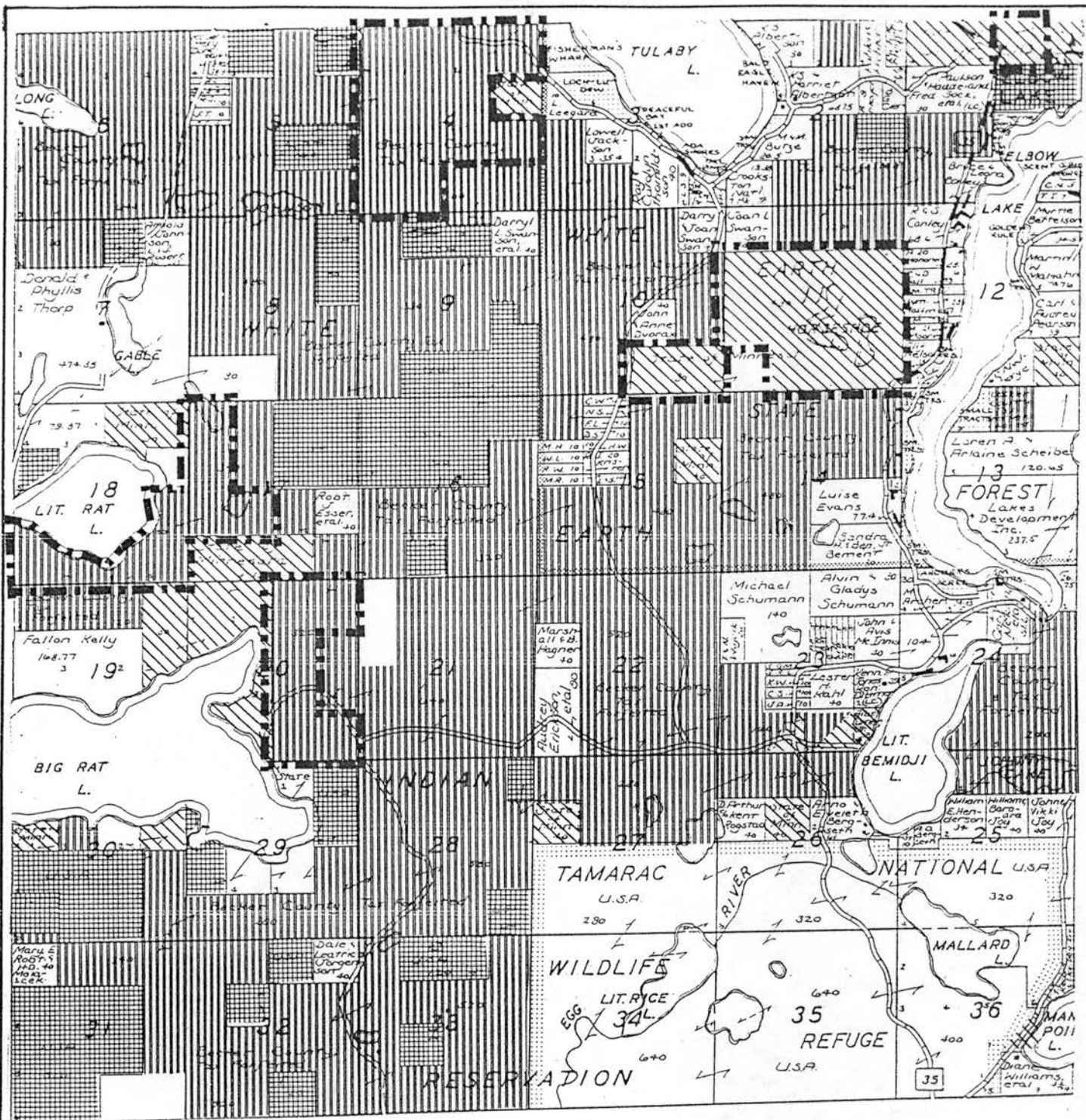
T143N R39W MAHANOMEN CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND





ADMINISTRATION

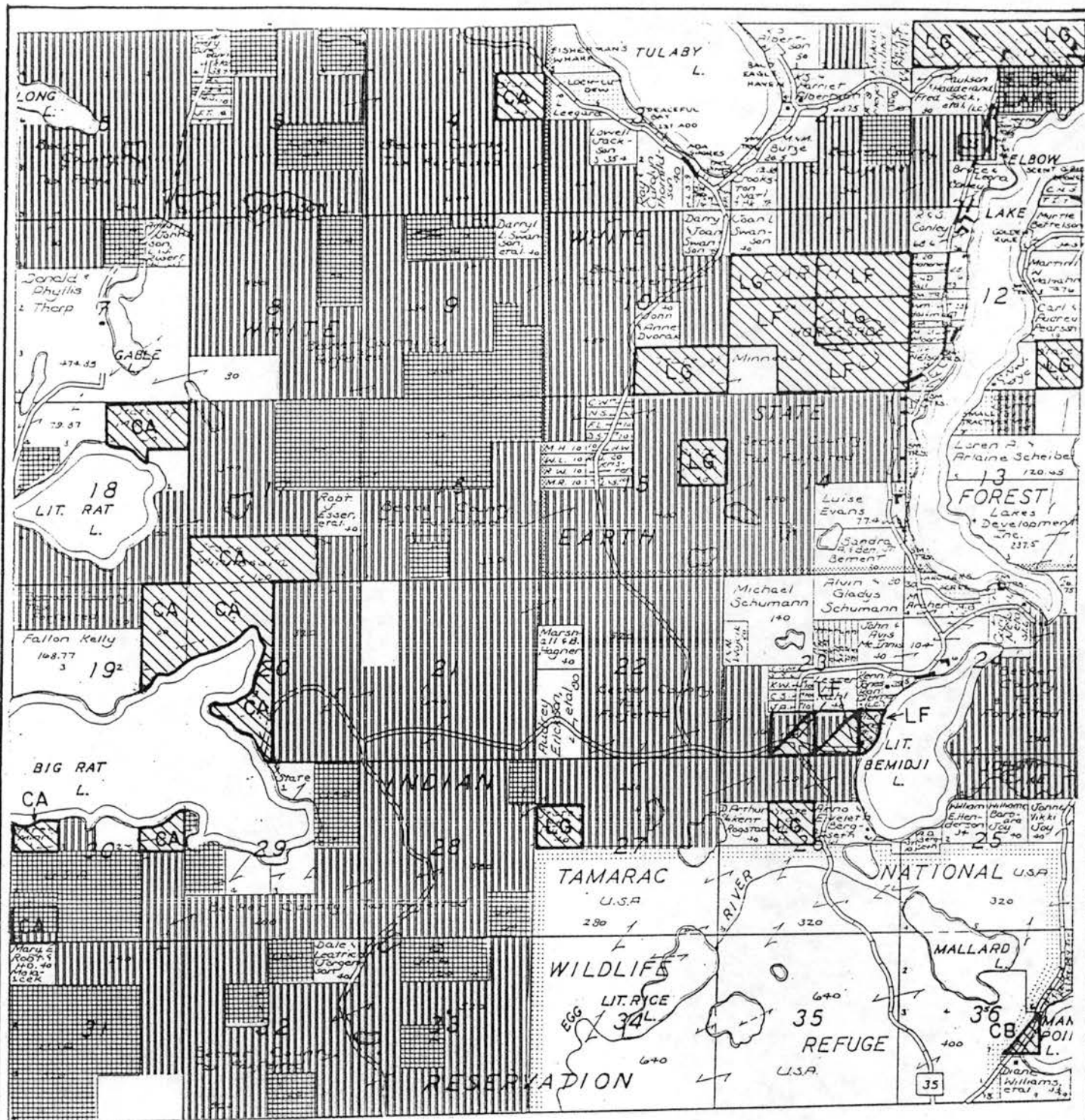
| Code | Administrator |
|------|--------------------------------|
| 20 | Forestry, Inside State Forest |
| 21 | Forestry, Outside State Forest |
| 40 | Parks and Recreation |



T142N R39W BECKER CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND
-  PRELIMINARY LAND SELECTION



TI42N R39W BECKER CO.

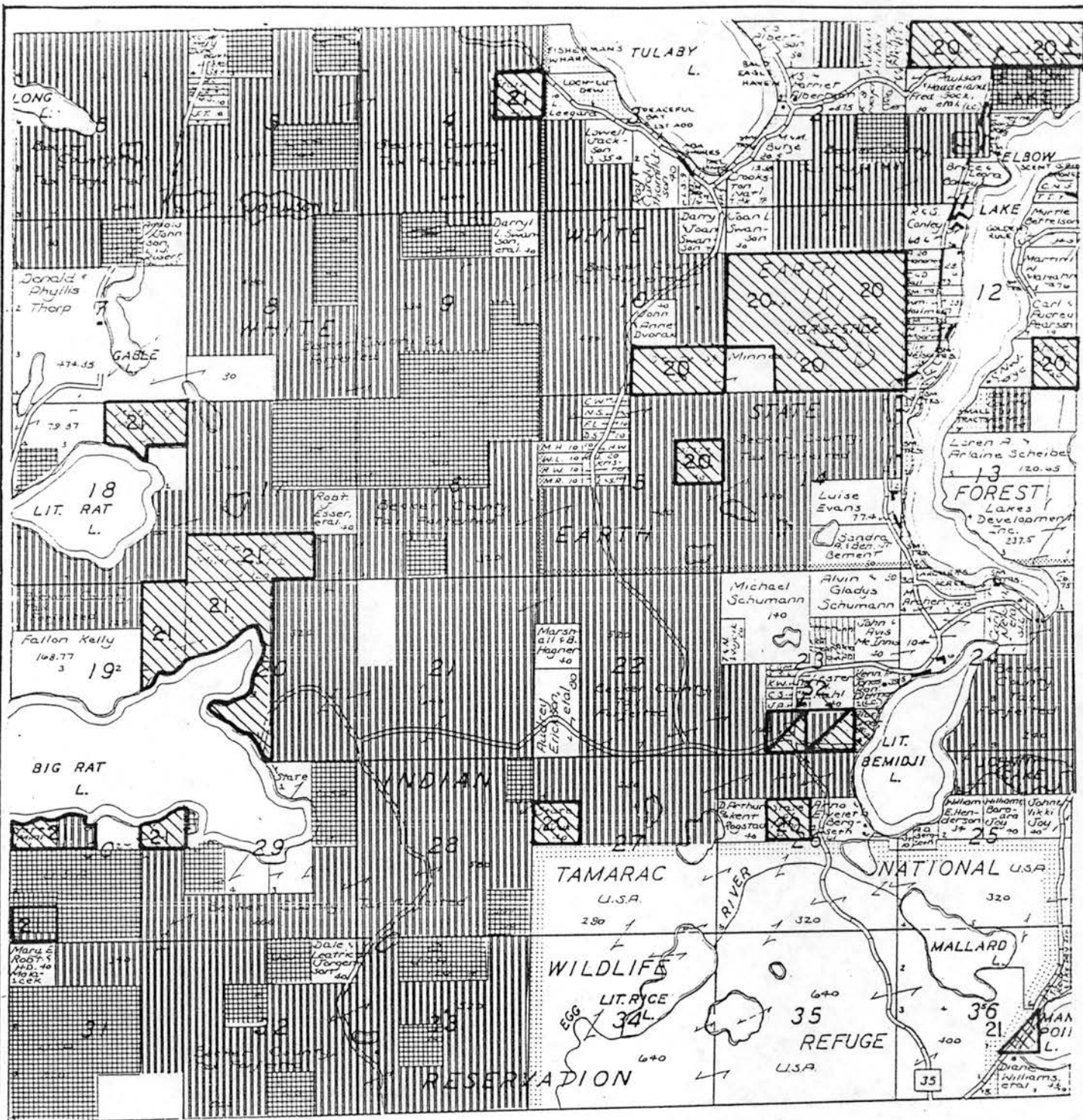
SCALE 0 1 Mile

| | |
|--|--------------------------------|
| | DNR ADMINISTERED STATE LAND |
| | COUNTY ADMINISTERED STATE LAND |
| | TRIBAL LAND |

LAND STATUS




| Code | Class/Mean of Acquisition |
|------|----------------------------------|
| CA | Swamp/ Congressional Grant |
| CB | Swamp/Land Exchange |
| LG | Acquired/Purchase |
| LF | Acquired/County Board Resolution |

LAND STATUS



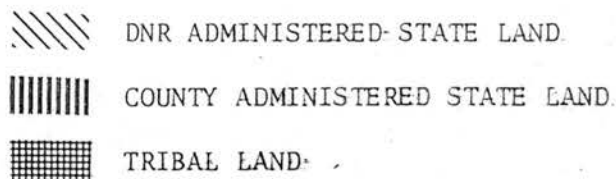
T142N R39W BECKER CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND

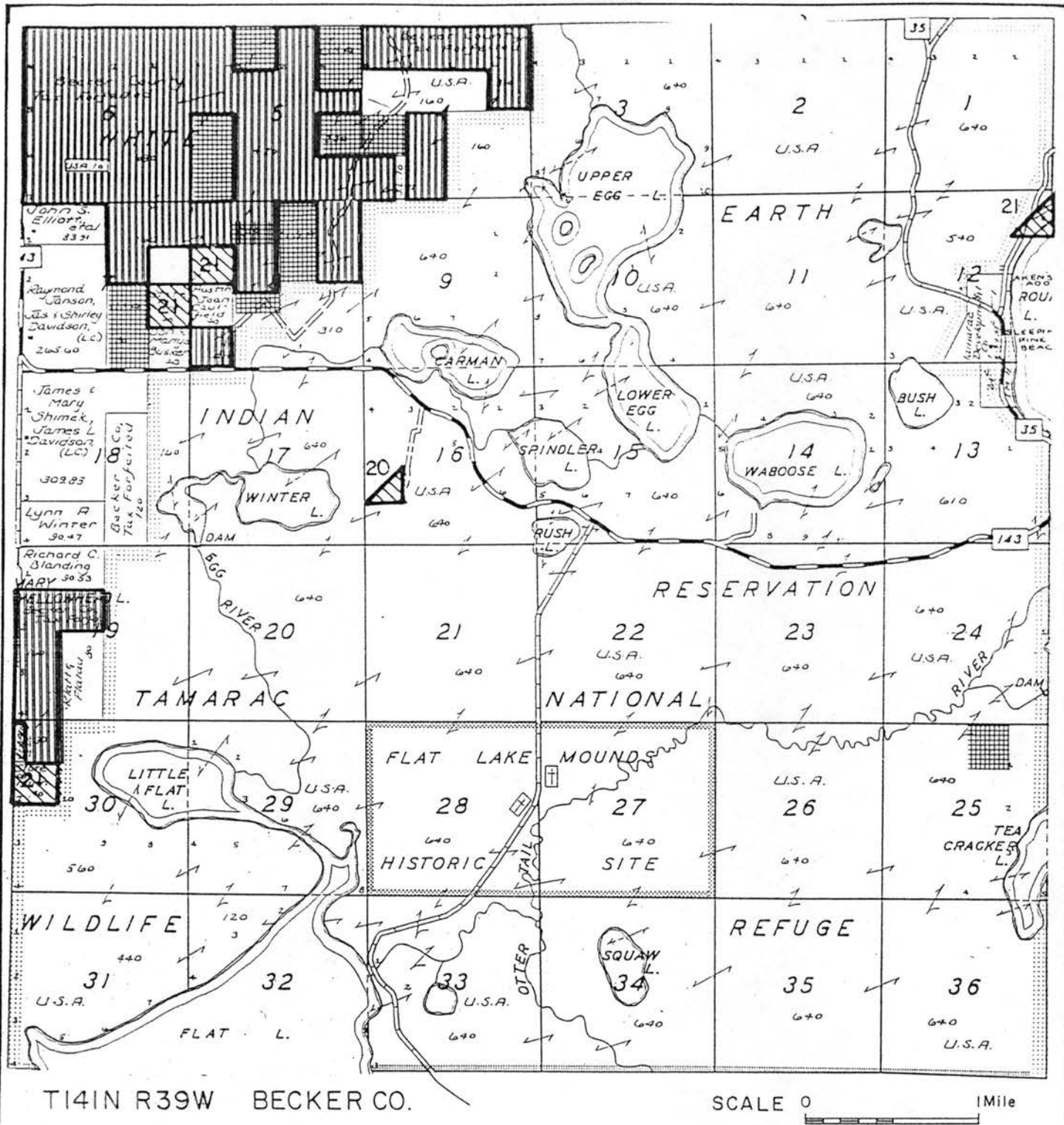
ADMINISTRATION




| Code | Administrator |
|------|--------------------------------|
| 20 | Forestry, Inside State Forest |
| 21 | Forestry, Outside State Forest |
| 32 | Law Enforcement |



| <u>Code</u> | <u>Class/Mean of Acquisition</u> |
|-------------|----------------------------------|
| CA | Swamp/Congressional Grant |
| LG | Acquired/Purchase |

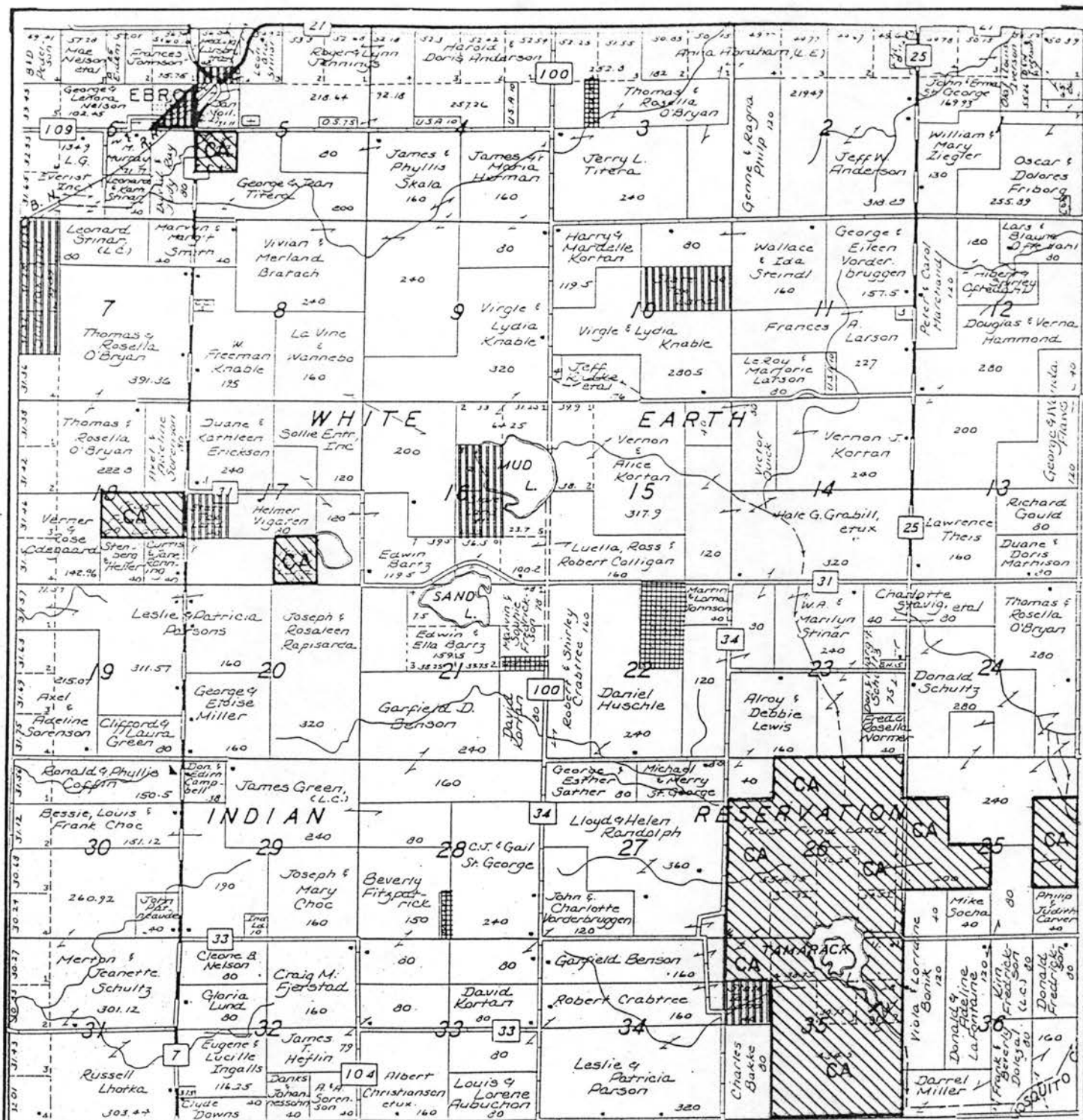
LAND STATUS



-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND

ADMINISTRATION

| Code | Administrator |
|------|--------------------------------|
| 20 | Forestry, Inside State Forest |
| 21 | Forestry, Outside State Forest |



TI46N R38W CLEARWATER CO.

SCALE 0 1 Mile



DNR ADMINISTERED STATE LAND

|||||||

COUNTY ADMINISTERED STATE LAND



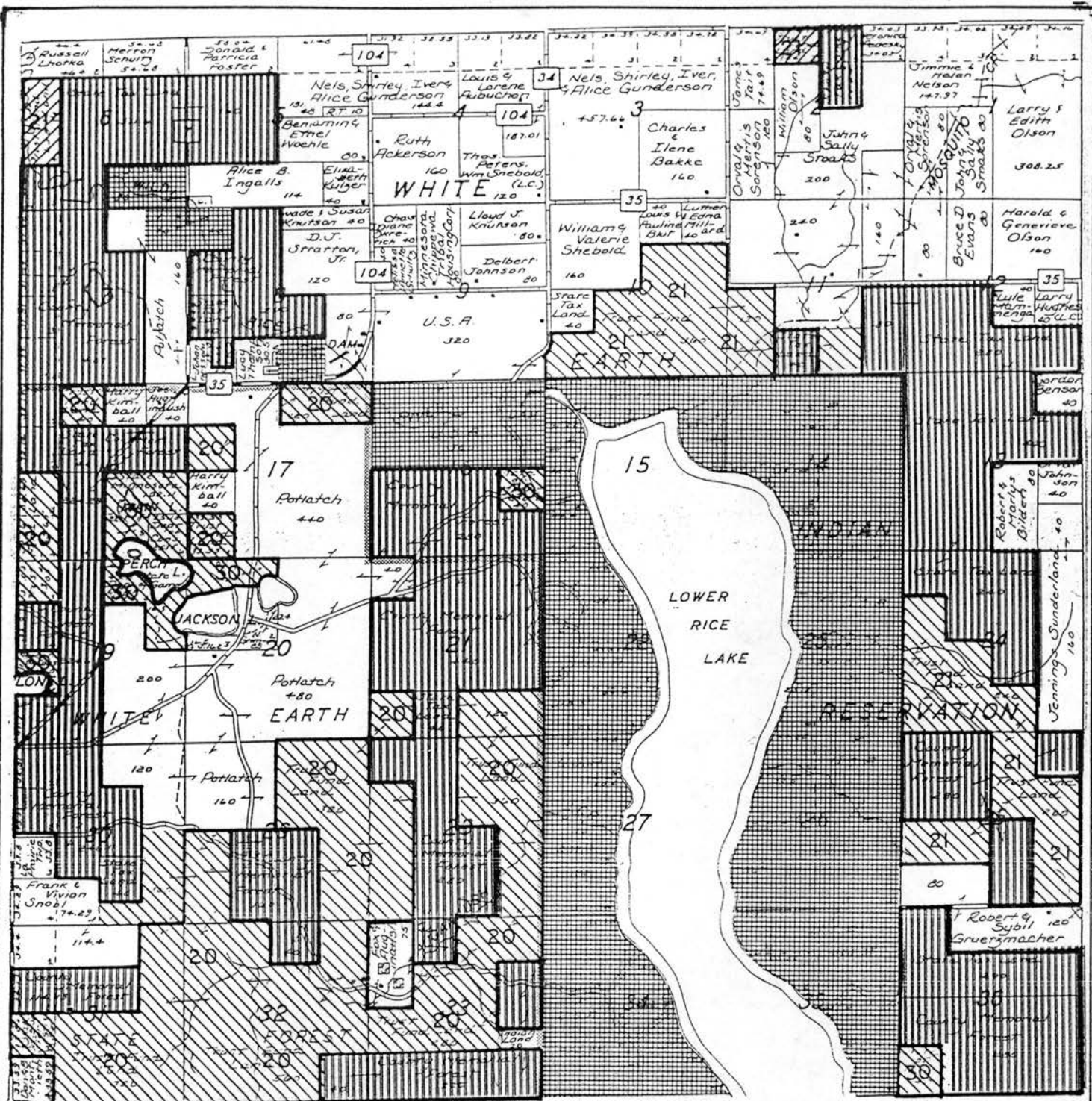
TRIBAL LAND.

LAND STATUS

| Code | Class/Mean of Acquisition |
|------|---------------------------|
|------|---------------------------|




CA Swamp/Congressional Grant

LAND STATUS



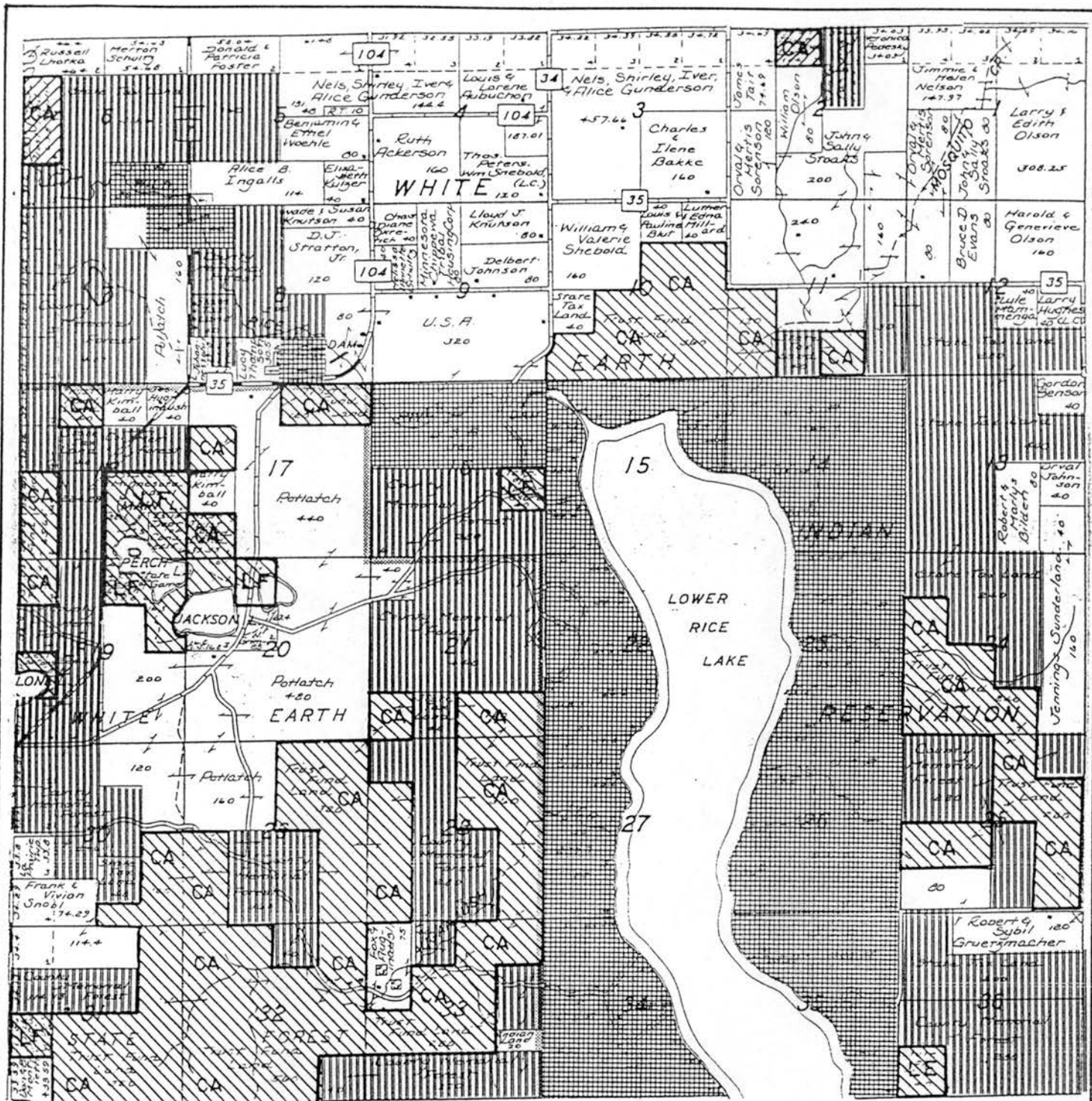
T145N R38W CLEARWATER CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND

ADMINISTRATION

| Code | Administrator |
|------|--------------------------------|
| 20 | Forestry, Inside State Forest |
| 21 | Forestry, Outside State Forest |
| 30 | Wildlife |



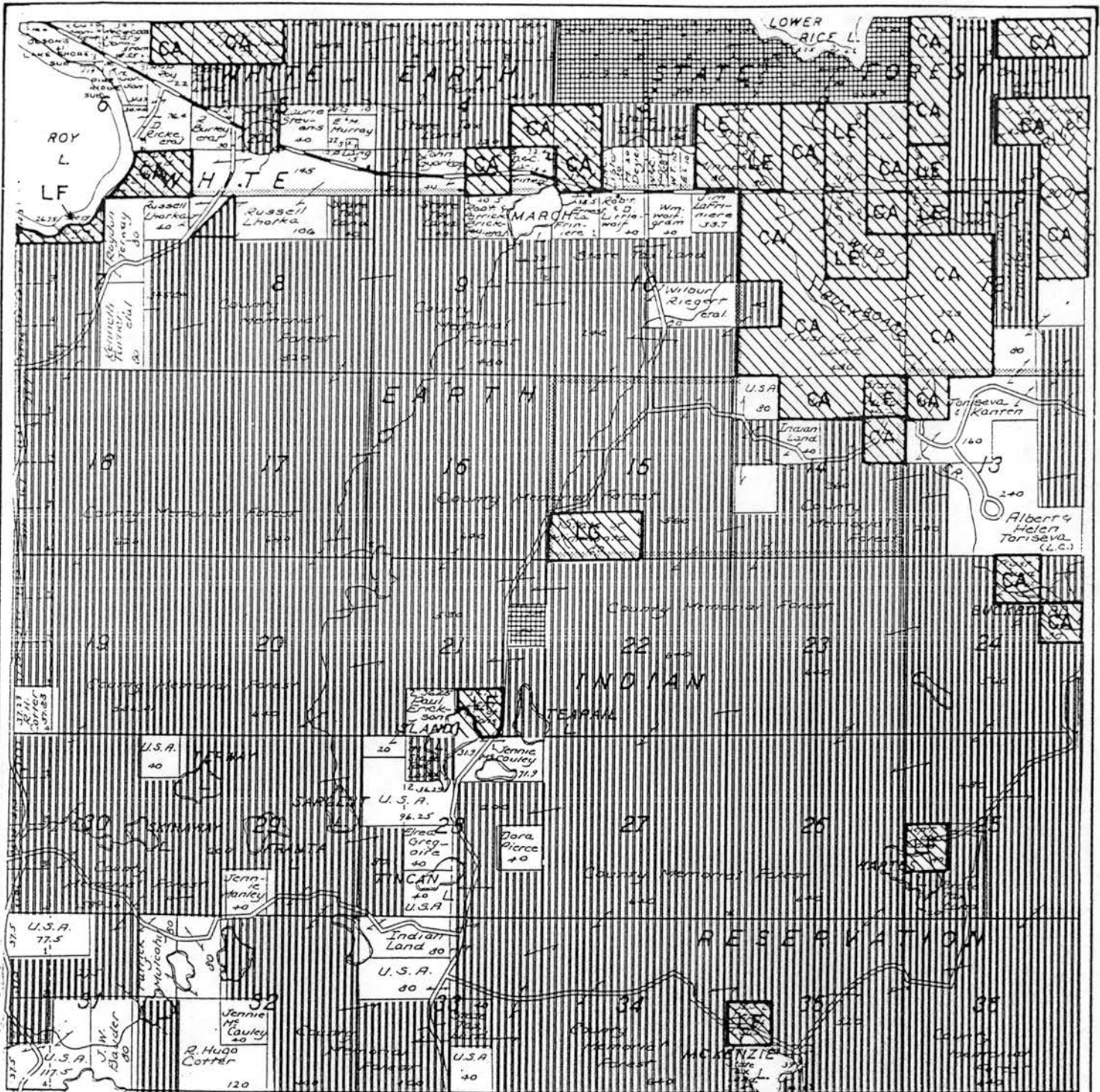
T145N R38W CLEARWATER CO.

SCALE 0 1 Mile

| | |
|--|--------------------------------|
| | DNR ADMINISTERED STATE LAND |
| | COUNTY ADMINISTERED STATE LAND |
| | TRIBAL LAND |

LAND STATUS

| Code | Class/Mean of Acquisition |
|------|----------------------------------|
| CA | Swamp/Congressional Grant |
| LF | Acquired/County Board Resolution |



TI44N R38W CLEARWATER CO.

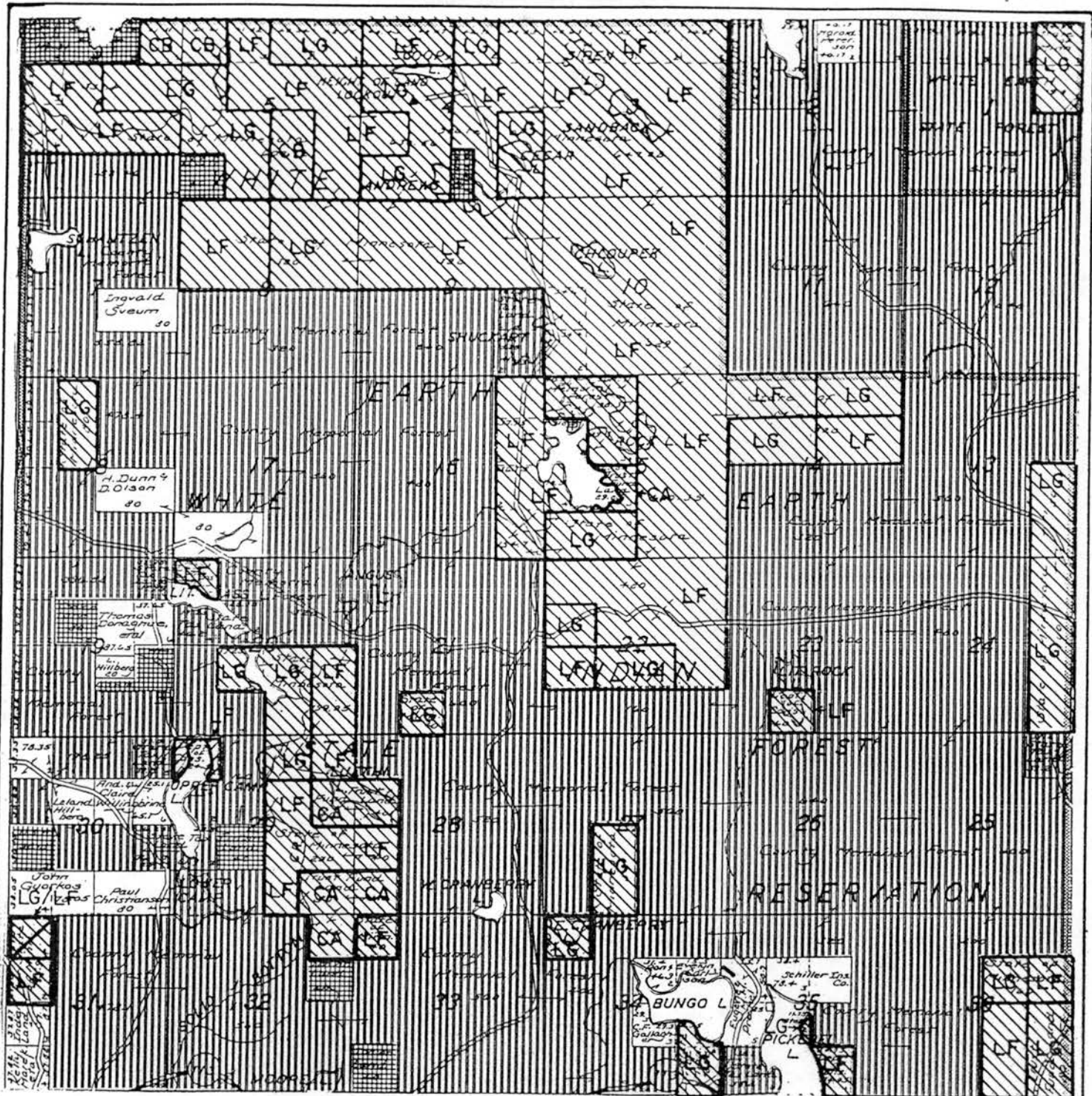
SCALE 0 1 Mile

| | |
|--|--------------------------------|
| | DNR ADMINISTERED STATE LAND |
| | COUNTY ADMINISTERED STATE LAND |
| | TRIBAL LAND |

LAND STATUS

| Code | Class/Mean of Acquisition |
|------|----------------------------------|
| CA | Swamp/Congressional Grant |
| LE | Acquired/Condemnation |
| LF | Acquired/County Board Resolution |

LAND STATUS



TI43N R38W CLEARWATER CO.

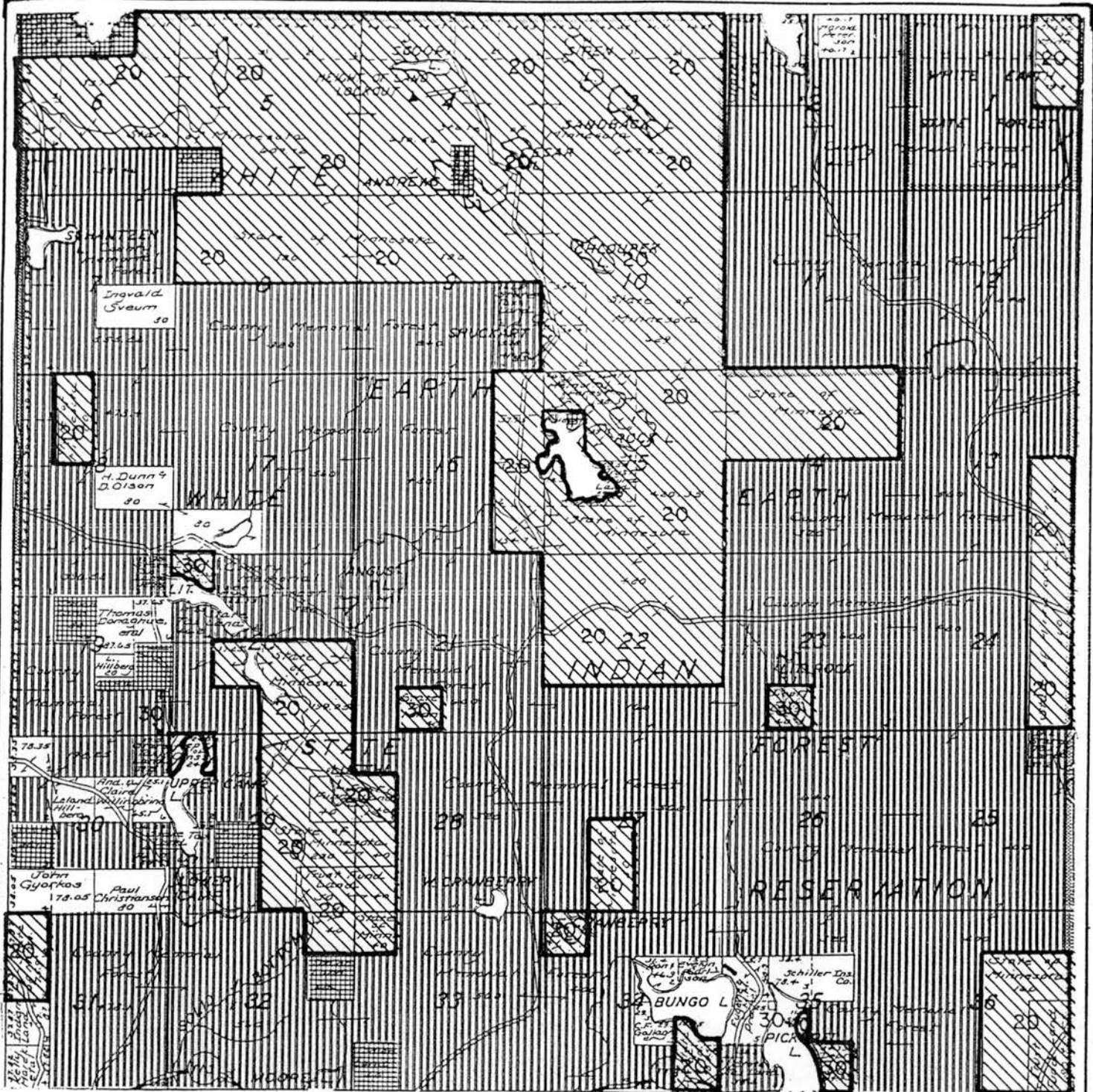
SCALE 0 1 Mile

| | |
|--|--------------------------------|
| | DNR ADMINISTERED STATE LAND |
| | COUNTY ADMINISTERED STATE LAND |
| | TRIBAL LAND |

LAND STATUS




| Code | Class/Mean of Acquisition |
|------|----------------------------------|
| CA | Swamp/Congressional Grant |
| CB | Swamp/Land Exchange |
| LF | Acquired/County Board Resolution |
| LG | Acquired/Purchase |

LAND STATUS



T143N R38W CLEARWATER CO.

SCALE 0 1 Mile

-  DNR ADMINISTERED STATE LAND
-  COUNTY ADMINISTERED STATE LAND
-  TRIBAL LAND

ADMINISTRATION

| Code | Administrator |
|------|-------------------------------|
| 20 | Forestry, Inside State Forest |
| 30 | Wildlife |

DEPARTMENT ATTORNEY GENERAL - DNR

Office Memorandum

TO: JOSEPH N. ALEXANDER, Commissioner
STEVE THORNE, Deputy Commissioner

DATE: 3/28/86

FROM: JIM SCHOESSLER *JMS*
Assistant Attorney General

PHONE: 6-0693

SUBJECT: White Earth Land Claims

As you probably know, the U.S. Congress passed a land claim settlement bill that was signed by the President March 24, 1986, and the state legislature passed a bill (signed by Gov. Perpich March 24) which extended its 1984 settlement legislation.

Attached for your information are copies of the federal and state legislation.

The federal bill will remove title clouds to the disputed lands six months after its enactment, provided that within that time Congress appropriates \$6.6 million in economic development monies to the White Earth Band, and the Attorney General signs an agreement with the United States to transfer 10,000 acres of state-owned land to it to hold in trust for the Band.

The ultimate effect of the bill should be to eliminate claims to about 25,000 acres of state-held land and about 69,000 acres of privately held land.

The 10,000 acres of state-held land that must be transferred pursuant to the settlement bill would include land administered by the DNR as well as land administered by Becker, Clearwater and Mahnomen Counties. I have worked with Rod Sando in the past on the land transfer issue, and will continue to coordinate the efforts of our office with him.

If you have any questions about the settlement legislation, please feel free to get in touch.

JMS:mam

cc: Don Davison
Ray Hitchcock
Elwood Rafn
Larry Shannon
Dick Hassinger
Roger Holmes
Rod Sando
Joe Day

Bill Z. 4/21/86
U.S. office
- fed law takes care of LAWSON
- STATE law takes care of Ch. 85

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Dept. of Natural Resources
Div. of Parks & Recreation

99TH CONGRESS
1ST SESSION

S. 1396

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 1985

Referred to the Committee on Interior and Insular Affairs

AN ACT

To settle unresolved claims relating to certain allotted Indian lands on the White Earth Indian Reservation, to remove clouds from the titles to certain lands, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "White Earth Reservation
4 Land Settlement Act of 1985".

5 SEC. 2. The Congress finds that—

1 (1) claims on behalf of Indian allottees or heirs
2 and the White Earth Band involving substantial
3 amounts of land within the White Earth Indian Reser-
4 vation in Minnesota are the subject of existing and po-
5 tential lawsuits involving many and diverse interests in
6 Minnesota, and are creating great hardship and uncer-
7 tainty for government, Indian communities, and non-
8 Indian communities;

9 (2) the lawsuits and uncertainty will result in
10 great expense and expenditure of time, and could have
11 a profound negative impact on the social and well-
12 being of everyone on the reservation;

13 (3) the White Earth Band of Chippewa Indians,
14 State of Minnesota, along with its political subdivi-
15 sions, and other interested parties have made diligent
16 efforts to fashion a settlement to these claims, and the
17 Federal Government, by providing the assistance speci-
18 fied in this Act, will make possible the implementation
19 of a permanent settlement with regard to these claims;

20 (4) past United States laws and policies have con-
21 tributed to the uncertainty surrounding the claims;

22 (5) it is in the long-term interest of the United
23 States, State of Minnesota, White Earth Band, Indi-
24 ans, and non-Indians for the United States to assist in

1 the implementation of a fair and equitable settlement of
2 these claims; and

3 (6) this Act will settle unresolved legal uncertain-
4 ties relating to these claims.

5 SEC. 3. For purposes of this Act:

6 (a) "Allotment" shall mean an allocation of land on the
7 White Earth Reservation, Minnesota, granted, pursuant to
8 the Act of January 14, 1889 (25 Stat. 642), and the Act of
9 February 8, 1887 (24 Stat. 388), to a Chippewa Indian.

10 (b) "Allottee" shall mean the recipient of an allotment.

11 (c) "Full blood" shall mean a Chippewa Indian of the
12 White Earth Reservation, Minnesota, who was designated as
13 a full blood Indian on the roll approved by the United States
14 District Court for the District of Minnesota on October 1,
15 1920, or who was so designated by a decree of a Federal
16 court of competent jurisdiction; it shall also refer to an indi-
17 vidual who is not designated on said roll but who is the bio-
18 logical child of two full blood parents so designated on the
19 roll or of one full blood parent so designated on the roll and
20 one parent who was an Indian enrolled in any other federally
21 recognized Indian tribe, band, or community.

22 (d) "Inherited" shall mean received as a result of testate
23 or intestate succession or any combination of testate or intes-
24 tate succession, which succession shall be determined by the
25 Secretary of the Interior or his authorized representative.

1 (e) "Mixed blood" shall mean a Chippewa Indian of the
2 White Earth Reservation, Minnesota, who was designated as
3 a mixed blood Indian on the roll approved by the United
4 States District Court of Minnesota on October 1, 1920,
5 unless designated a full blood by decree of a Federal court of
6 competent jurisdiction; it shall also refer to any descendants
7 of an individual who was listed on said roll providing the
8 descendant was not a full blood under the definition in sub-
9 section (c) of this section. The term "mixed blood" shall not
10 include an Indian enrolled in any federally recognized Indian
11 tribe, band, or community other than the White Earth Band.

12 (f) "Tax forfeited" shall mean an allotment which, pur-
13 suant to State law, was declared forfeited for nonpayment of
14 real property taxes and purportedly transferred directly to
15 the State of Minnesota or to private parties or govern-
16 mental entities.

17 (g) "Majority" shall mean the age of twenty-one years
18 or older.

19 (h) "Secretary" shall mean the Secretary of the Interior
20 or his/or her authorized representative.

21 (i) "Trust period" shall mean the period during which
22 the United States held an allotment in trust for the allottee or
23 the allottee's heirs. For the purpose of this Act, the Execu-
24 tive Order Numbered 4642 of May 5, 1927, Executive Order
25 Numbered 5768 of December 10, 1931, and Executive Order

1 Numbered 5953 of November 23, 1932, shall be deemed to
2 have extended trust periods on all allotments or interests
3 therein the trust periods for which would otherwise have ex-
4 pired in 1927, 1932, or 1933, notwithstanding the issuance
5 of any fee patents for which there were no applications, and if
6 such allotments were not specifically exempted from the Ex-
7 ecutive orders; and the Indian Reorganization Act of June
8 18, 1934, shall be deemed to have extended indefinitely trust
9 periods on all allotments or interests therein the trust periods
10 for which would otherwise have expired on June 18, 1934,
11 or at any time thereafter. Said Executive orders and Act
12 shall be deemed not to have extended the trust period for
13 allotments or interests which were sold or mortgaged by
14 adult mixed bloods, by non-Indians, or with the approval of
15 the Secretary, or for allotments or interests which were sold
16 or mortgaged by anyone where such sale or mortgage was
17 the subject of litigation in Federal court which proceeded to a
18 judgment on the merits and where the outcome of such litiga-
19 tion did not vacate or void said sale or mortgage.

20 (j) "Interest", except where such item is used in con-
21 junction with "compound", shall mean a fractional holding,
22 less than the whole, held in an allotment.

23 (k) "Adult" shall mean having attained the age of
24 majority.

1 (l) "Heir" shall mean one who received or was entitled
2 to receive an allotment or interest as a result of testate or
3 intestate succession under applicable Federal or Minnesota
4 law.

5 (m) "Transfer" includes but is not limited to any volun-
6 tary or involuntary sale, mortgage, tax forfeiture or convey-
7 ance pursuant to State law; any transaction the purpose of
8 which was to effect a sale, mortgage, tax forfeiture or con-
9 veyance pursuant to State law; any Act, event, or circum-
10 stance that resulted in a change of title to, possession of,
11 dominion over, or control of an allotment or interest therein.

12 SEC. 4. (a) The provisions of this Act shall apply to the
13 following allotments:

14 (1) allotments which were never sold or mort-
15 gaged by the allottees or by their heirs and which were
16 tax forfeited during the trust period;

17 (2) allotments which were sold or mortgaged
18 during the trust period, without the approval of the
19 Secretary, by the allottees prior to having attained ma-
20 jority, and were never again sold or mortgaged either
21 by the allottees upon their having attained majority or
22 by heirs of the allottees;

23 (3) allotments which were sold or mortgaged
24 during the trust period by full blood allottees without
25 the approval of the Secretary, and were never again

1 the subject of a sale or mortgage by heirs of the
2 allottees; and

3 (4) allotments which were never sold or mort-
4 gaged by the allottees, but which subsequent to the
5 deaths of the allottees, purportedly were sold or mort-
6 gaged, during the trust period, by administrators, ex-
7 ecutors, or representatives, operating under authority
8 from State courts, and were never again the subject of
9 a sale or mortgage by heirs of the allottees.

10 (b) The provisions of this Act shall also apply to the
11 following allotments or interests in allotments:

12 (1) allotments or interests which were inherited by
13 full or mixed bloods who never sold or mortgaged their
14 allotments or interests or by Indians enrolled in other
15 federally recognized Indian tribes, bands, or communi-
16 ties who never sold or mortgaged their allotments or
17 interests, where the allotments or interests were tax
18 forfeited during the trust period;

19 (2) allotments or interests which were inherited by
20 mixed bloods under the age of majority and which
21 were sold or mortgaged during the trust period without
22 the approval of the Secretary prior to such mixed
23 bloods having attained majority, but which were never
24 again sold or mortgaged by them upon having attained
25 majority or by their heirs;

1 (3) allotments or interests which were inherited by
2 full bloods or by Indians enrolled in other federally rec-
3 ognized Indian tribes, bands, or communities, who sold
4 or mortgaged such allotments or interests during the
5 trust period without the approval of the Secretary;

6 (4) allotments or interests which were inherited by
7 full or mixed bloods who never sold or mortgaged their
8 allotments or interests, but which, subsequent to the
9 deaths of such heirs, were sold or mortgaged during
10 the trust period by administrators, operating under au-
11 thority from State courts;

12 (5) allotments or interests which were owned by
13 allottees or which were inherited by full or mixed
14 bloods for whom guardians were appointed by State
15 courts, which guardians sold or mortgaged the allot-
16 ments or interests during the trust period without the
17 approval of the Secretary;

18 (6) interests which were inherited by full or mixed
19 bloods who never sold or mortgaged their interests
20 during the trust period, even though other interests in
21 the same allotment were sold by other heirs where the
22 land comprising the allotment has been claimed in full
23 by other parties adversely to the full or mixed bloods
24 who never sold or mortgaged their interests; and

1 (7) allotments or interests which were inherited by
2 full or mixed bloods or by Indians enrolled in other fed-
3 erally recognized Indian tribes, bands, or communities
4 which were never sold or mortgaged during the trust
5 period but which were purportedly distributed by State
6 court probate proceedings to other individuals.

7 (c) This Act shall not apply to—

8 (1) any allotment or interest the sale or mortgage
9 of which was the subject of litigation which proceeded
10 to a judgment on the merits in Federal courts and
11 where the outcome of such litigation was other than
12 vacating and voiding such sale or mortgage;

13 (2) any allotment or interest which was tax for-
14 feited subsequent to the date on which the tax exemp-
15 tion was declared by a Federal court to have expired;

16 (3) any allotment or interest which was sold,
17 mortgaged, or tax forfeited after the expiration of the
18 trust period; or

19 (4) any allotment or interest which was sold or
20 mortgaged at any time by an adult mixed blood Indian.

21 Nothing in this Act is intended to question the validity of the
22 transactions relating to allotments or interests as described in
23 section 4(c), and such allotments and interests are declared to
24 be outside the scope of this Act.

1 SEC. 5. (a) Any determination of the heirs of any person
2 holding an allotment or interest, made by the courts of the
3 State of Minnesota, which is filed with the proper county
4 recording officer prior to May 9, 1979, shall be deemed to
5 have effectively transferred the title of the decedent in the
6 allotment or interest to the heirs so determined unless a sepa-
7 rate determination of heirs has been made by the Secretary
8 before the effective date of this Act and such determination
9 has been filed with the proper county recording officer within
10 six months after the effective date of this Act. Nothing in this
11 subsection shall be construed to remove any allotment de-
12 scribed in section 4 from the compensation provided for in the
13 Act.

14 (b) The proper county recording officer is the county
15 recorder of the county in which the allotment or interest is
16 located if the title has not been registered pursuant to Minne-
17 sota law. If the title has been so registered, the proper
18 county recording officer shall be the registrar of titles in the
19 county in which the allotment or interest is located.

20 (c) As to any allotment which was granted to an allottee
21 who had died prior to the selection date of the allotment, the
22 granting of such allotment is hereby ratified and confirmed,
23 and shall be of the same effect as if the allotment had been
24 selected by the allottee before the allottee's death: *Provided,*
25 That the White Earth Band of Chippewa Indians shall be

1 compensated for such allotments in the manner provided in
2 sections 6, 7, and 8.

3 (d) As to any allotment that was made under the provi-
4 sions of the Treaty of March 19, 1867 (16 Stat. 719), and
5 which was reallocated under the provisions of the Act of Janu-
6 ary 14, 1889 (25 Stat. 642), such reallocation is hereby rati-
7 fied and confirmed.

8 SEC. 6. (a) As soon as the conditions set forth in section
9 10 of this Act have been met, the Secretary shall publish a
10 certification in the Federal Register that such conditions have
11 been met. After such publication, any allotment or interest
12 which the Secretary, in accordance with this Act, determines
13 falls within the provisions of section 4(a), 4(b), or 5(c), the tax
14 forfeiture, sale, mortgage, or other transfer, as described
15 therein, shall be deemed to have been made in accordance
16 with the Constitution and all laws of the United States spe-
17 cifically applicable to transfers of allotments or interests held
18 by the United States in trust for Indians, and Congress
19 hereby does approve and ratify any such transfer effective as
20 of the date of said transfer, subject to the provisions of sec-
21 tion 6(c). Compensation for loss of allotments or interests re-
22 sulting from this approval and ratification shall be determined
23 and processed according to the provisions of section 8.

24 (b) By virtue of the approval and ratification of transfers
25 of allotments or interests therein effected by this section, all

1 claims against the United States, the State of Minnesota or
2 any subdivisions thereof, or any other person or entity, by the
3 White Earth Band, its members, or by any other Indian tribe
4 or Indian, or any successors in interest thereof, arising out of,
5 and at the time of or subsequent to, the transfers described in
6 section 4(a), 4(b), or 5(c) and based on any interest in or
7 nontreaty rights involving such allotments or interests there-
8 in, shall be deemed never to have existed as of the date of the
9 transfer, subject to the provisions of this Act.

10 (c) Notwithstanding any provision of law other than the
11 provisions of this section, any action in any court to recover
12 title or damages relating to transactions described in section
13 4(a), 4(b), 5(a) or 5(c), shall be forever barred unless the com-
14 plaint is filed not later than one hundred and eighty days
15 following enactment of this Act, or prior to the publication
16 required by section 6(a) whichever occurs later in time: *Pro-*
17 *vided*, That immediately upon the date of enactment of this
18 Act any such action on behalf of the White Earth Band of
19 Chippewa Indians shall be forever barred, unless the publica-
20 tion required by section 6(a) does not take place within two
21 years of the date of enactment of this Act in which case the
22 bar of any such action on behalf of the White Earth Band of
23 Chippewa Indians shall be deemed lifted and nullified: *Pro-*
24 *vided further*, That the Secretary shall not issue to the White
25 Earth Band any report rejecting litigation nor submit to Con-

1 gress any legislation report pursuant to section 2415 of title
2 28, United States Code, relating to transactions described in
3 section 4(a), 4(b), 5(a) or 5(c) of this Act, until and unless the
4 bar against actions on behalf of the White Earth Band is
5 lifted and nullified. Any such action filed within the time
6 period allowed by this subsection shall not be barred; howev-
7 er, the filing of any such action by an allottee, heir, or others
8 entitled to compensation under this Act shall bar such allot-
9 tee, heir, or others from receiving compensation pursuant to
10 the provisions of section 8. The United States District Court
11 for the District of Minnesota shall have exclusive jurisdiction
12 over any such action otherwise properly filed within the time
13 allowed by this subsection.

14 (d) This section shall not bar an heir, allottee, or any
15 other person entitled to compensation under this Act from
16 maintaining an action, based on the transactions described in
17 section 4(a), 4(b), 5(a), or 5(c), against the United States in
18 the Claims Court pursuant to the Tucker Act, section 1491
19 of title 28, United States Code, challenging the constitutional
20 adequacy of the compensation provisions of section 8(a) as
21 they apply to a particular allotment or interest: *Provided,*
22 That such action shall be filed with the Claims Court not
23 later than one hundred and eighty days after the issuance of
24 the notice of the Secretary's compensation determination as
25 provided in section 8(c). If such an action is not filed within

1 the one-hundred-and-eighty-day period, it shall be forever
2 barred. The United States hereby waives any sovereign im-
3 munity defense it may have to such an action but does not
4 waive any other defenses it may have to such action. The
5 filing of an action by any heir, allottee, or any other person
6 under the provisions of this section shall bar such person for-
7 ever from receiving compensation pursuant to the provisions
8 of section 8.

9 SEC. 7. (a) The Secretary is hereby authorized to and
10 shall diligently investigate to the maximum extent practicable
11 all White Earth allotments and shall determine which allot-
12 ments or interest fall within any of the provisions of section
13 4(a), 4(b), or 5(c). As to all such allotments or interests deter-
14 mined to be within the provisions of section 4(a), 4(b), or 5(c),
15 the Secretary shall prepare lists of such allotments or inter-
16 ests, which shall include allotment number, land description,
17 and allottee's name, in English and Ojibway where available.
18 A first list shall be published within one hundred and eighty
19 days after the date of enactment of this Act in the Federal
20 Register; in a newspaper of general circulation in Mahnomen
21 County, Minnesota; in a newspaper of general circulation in
22 Becker County, Minnesota; in a newspaper of general circu-
23 lation in Clearwater County, Minnesota; in one newspaper of
24 general circulation in metropolitan Minneapolis-Saint Paul;
25 and, in the Secretary's discretion, in any appropriate band or

1 tribal newspaper. Publication in the required newspapers
2 shall take place no later than thirty days after publication in
3 the Federal Register.

4 (b) Any tribe, band, or group of Indians, or any individ-
5 ual shall have one year after the date of publication in the
6 Federal Register to submit to the Secretary any additional
7 allotments or interests which the tribe, band, group, or indi-
8 vidual believes should fall within any of the provisions of sec-
9 tion 4(a), 4(b), or 5(c). The Secretary, without such submis-
10 sions, may also independently determine that additional allot-
11 ments or interests fall within such provisions. Any additional
12 allotments or interests submitted to the Secretary shall be
13 accompanied by a statement identifying the allotment or in-
14 terest and its land description and summarizing the reasons
15 why it should be added to the list required by this sec-
16 tion.

17 (c) The Secretary shall determine which additional allot-
18 ments or interests fall within the provisions of section 4(a),
19 4(b), or 5(c), and not later than five hundred and forty days of
20 the date of publication of the Secretary's first list in the Fed-
21 eral Register, the Secretary shall publish a second list in the
22 Federal Register and previously required newspapers of the
23 allotments or interests the Secretary has determined should
24 be added to the first published list.

1 (d) Any determination made by the Secretary under this
2 section to include an allotment or interest on the first list
3 required by the section to be published in the Federal Register
4 may be judicially reviewed pursuant to the Administrative
5 Procedure Act not later than ninety days of the publication
6 date of the first list of the Federal Register. Any such action
7 not filed within such ninety-day period shall be forever
8 barred. Any determination made by the Secretary to include
9 an allotment or interest on the second list required by this
10 section to be published in the Federal Register, or any determination
11 made by the Secretary not to include an allotment
12 or interest on such list, may be judicially reviewed pursuant
13 to the Administrative Procedure Act within ninety days of
14 the publication date of the second list in the Federal Register.
15 Any such action not filed within such ninety-day period
16 shall be forever barred. Exclusive jurisdiction over actions
17 under this subdivision is hereby vested in the United States
18 District Court for the District of Minnesota.

19 SEC. 8. (a) Compensation for a loss of an allotment or
20 interest shall be the fair market value of the land interest
21 therein as of the date of tax forfeiture, sale, allotment, mortgage,
22 or other transfer described in section 4(a), 4(b), or 5(c),
23 less any compensation actually received, plus interest compounded
24 annually at 5 per centum from the date of said loss
25 of an allotment or interest until the date of enactment of this

1 Act, and at the general rate of interest earned by United
2 States Department of the Interior funds thereafter. A deter-
3 mination of compensation actually received shall be support-
4 ed by Federal, State, or local public documents filed contem-
5 poraneously with the transaction or by clear and convincing
6 evidence. Compensation actually received shall not be sub-
7 tracted from the fair market value in any instance where an
8 allotment or interest was sold or mortgaged by a full or
9 mixed blood, under the age of eighteen years, or in any in-
10 stance where there is prima facie evidence that fraud oc-
11 curred in a sale or mortgage. No compensation for loss of an
12 allotment or interest relating to transfers described in section
13 4(b) shall be granted to any person or the heirs of such
14 person where such allotment or interest was received pursu-
15 ant to State court probate proceedings and where also it has
16 been or is determined by the Secretary that such person or
17 heirs were not entitled to inherit the allotment or interest.

18 (b) For the purpose of this section, the date of transfer
19 applicable to interests described in section 4(b)(6) shall be the
20 last date on which any interest in the subject allotment was
21 transferred by document of record by any other heir of the
22 allottee; and the date of transfer applicable to allotments de-
23 scribed in section 5(c) shall be the selection date. For pur-
24 poses of this section, the Secretary shall establish the fair
25 market value of various types of land for various years, which

1 shall govern the compensation payable under this section
2 unless a claimant demonstrates that a particular allotment or
3 interest had a value materially different from the value estab-
4 lished by the Secretary.

5 (c) The Secretary shall provide written notice of the
6 Secretary's compensation determination to the allottees or
7 heirs entitled thereto. Such notice shall describe the basis for
8 the Secretary's determination, the applicable time limits for
9 judicial review of the determination, and the process whereby
10 such compensation will be distributed. The Secretary shall
11 proceed to make such heirship determinations as may be nec-
12 essary to provide the notice required by this section: *Provid-*
13 *ed*, That the Secretary shall accept as conclusive evidence of
14 heirship any determination of the courts of the State of Min-
15 nesota as provided in section 5(a) of this Act: *Provided fur-*
16 *ther*, That the Secretary shall give written notice only to
17 those allottees or heirs whose addresses can be ascertained
18 by reasonable and diligent efforts; otherwise such notice shall
19 be given by publication in the Federal Register.

20 (d) The Secretary's administrative determination of the
21 appropriate amount of compensation computed pursuant to
22 the provisions of this Act may be judicially reviewed pursuant
23 to the Administrative Procedure Act not later one hundred
24 and eighty days after the issuance of notice as aforesaid; after
25 such time the Secretary's determination shall be conclusive

1 and all judicial review shall be barred. Exclusive jurisdiction
2 over any such action is hereby vested in the United States
3 District Court for the District of Minnesota.

4 (e) Once a compensation determination has become con-
5 clusive according to the provisions of subsection (d), the Sec-
6 retary shall certify such determination to the Secretary of the
7 Treasury and such conclusive determination shall be treated
8 as a final judgment, award or, compromise settlement under
9 the provisions of title 31, United States Code, section 1304.
10 The Secretary of the Treasury is authorized and directed to
11 pay out of the funds in the Treasury into a separate interest
12 bearing White Earth Settlement Fund account the amount
13 certified by the Secretary of the Interior in each case. The
14 Secretary of the Interior shall then make a diligent effort to
15 locate each allottee or heir; however, if, after two years from
16 the date on which a determination becomes conclusive an
17 allottee or heir cannot be located, the Secretary of the Interi-
18 or shall declare the amount owing to such allottee or heir
19 forfeited.

20 (f) Any and all amounts forfeited pursuant to subsection
21 (e) together with the interest accumulated thereon, pursuant
22 to section 8 shall be transferred annually to the fund estab-
23 lished under section 12 for the White Earth Band.

24 SEC. 9. The Secretary shall determine the heirs, if here-
25 tofore undetermined, or modify the inventory of an existing

1 heirship determination of any full or mixed blood or Indian
2 enrolled in any other federally recognized Indian tribe, band,
3 or community, where appropriate for the purposes of this
4 Act: *Provided*, That the Secretary shall accept any determi-
5 nation of heirship by the courts of the State of Minnesota as
6 provided in section 5(a) of this Act.

7 SEC. 10. (a) The provisions of section 6 of this Act shall
8 take effect upon the publication in the Federal Register by
9 the Secretary of certification that the following conditions
10 have been satisfied:

11 (1) The State of Minnesota, in accordance with
12 Laws of Minnesota 1984, chapter 539, has entered
13 into an agreement with the Secretary providing for the
14 transfer of ten thousand acres of land within the exteri-
15 or boundaries of the White Earth Reservation to the
16 United States to hold in trust for the White Earth
17 Band of Chippewa Indians as the State's contribution
18 to the settlement provided for by this Act. The Secre-
19 tary shall not enter into such an agreement until the
20 Secretary determines, or the authorized governing body
21 of the band certifies to the Secretary in writing, that
22 the agreement will result in the transfer of ten thou-
23 sand acres which possess reasonable value for the
24 White Earth Band, including but not limited to value
25 for agricultural, recreational, forestry, commercial, resi-

1 dential, industrial, or general land consolidation pur-
2 poses. The land transferred pursuant to this subsection
3 shall be accepted by the United States subject to all
4 existing accesses, roads, easements, rights of way, or
5 similar uses unless the Governor and Attorney General
6 of the State of Minnesota certify in writing to the Sec-
7 retary the State's intent to abandon such uses on a
8 particular parcel.

9 (2) The State, in accordance with the Laws of
10 Minnesota 1984, chapter 539, has appropriated
11 \$500,000 for the purpose of providing the United
12 States with technical and computer assistance for im-
13 plementing the settlement provided for in this Act.

14 (3) The United States has appropriated
15 \$6,600,000 for economic development for the benefit of
16 the White Earth Band of Chippewa Indians.

17 (b) Upon final acceptance by the Secretary, the land re-
18 ferred to in subsection (a)(1) shall be deemed to have been
19 reserved as of the date of the establishment of the White
20 Earth Reservation and to be part of the trust land of the
21 White Earth Reservation for all purposes.

22 SEC. 11. Nothing in this Act is intended to alter the
23 jurisdiction currently possessed by the White Earth Band of
24 Chippewa Indians, the State of Minnesota, or the United

1 States over Indians or non-Indians within the exterior bound-
2 aries of the White Earth Reservation.

3 SEC. 12. (a) There is established in the Treasury of the
4 United States a fund to be known as the White Earth Eco-
5 nomic Development and Tribal Government Fund. Money in
6 this Fund shall be held in trust by the United States for the
7 White Earth Band of Chippewa Indians, and shall be invest-
8 ed and managed by the Secretary in the same manner as
9 tribal trust funds pursuant to the Act of June 24, 1938 (25
10 U.S.C. 162a).

11 (b) The White Earth Economic Development and Tribal
12 Government Fund shall consist of—

13 (1) money received by the White Earth Band as
14 compensation pursuant to section 8; and

15 (2) money received by the White Earth Band as a
16 result of amounts forfeited pursuant to section 8(f); and

17 (3) money received as an appropriation pursuant
18 to section 15; and

19 (4) income accruing on such sums.

20 Income accruing to the White Earth Economic Development
21 and Tribal Government Fund shall, without further appro-
22 priation, be available for expenditure as provided in sub-
23 section (c).

24 (c) Income from the fund may be used by the authorized
25 governing body of the band for band administration. Principal

1 and income may be used by the authorized governing body of
2 the band for economic development, land acquisition, and in-
3 vestments: *Provided, however,* That under no circumstances
4 shall any portion of the moneys described in subsection (b) be
5 used for per capita payments to any members of the band:
6 *Provided further,* That none of the funds described in subsec-
7 tion (b) shall be expended by the governing body of the band
8 until—

9 (1) such body has adopted a band financial ordi-
10 nance and investment plan for the use of such funds;
11 and

12 (2) such body has submitted to the Secretary a
13 waiver of liability on the part of the United States for
14 any loss resulting from the use of such funds; and

15 (3) the Secretary has approved the band financial
16 ordinance and investment plan. The Secretary shall ap-
17 prove or reject in writing such ordinance and plan
18 within sixty days of the date it is mailed or otherwise
19 submitted to him: *Provided,* That such ordinance and
20 plan shall be deemed approved if, sixty days after sub-
21 mission, the Secretary has not so approved or rejected
22 it. The Secretary shall approve the ordinance and plan
23 if it adequately contains the element specified in this
24 subsection.

1 and income may be used by the authorized governing body of
2 the band for economic development, land acquisition, and in-
3 vestments: *Provided, however,* That under no circumstances
4 shall any portion of the moneys described in subsection (b) be
5 used for per capita payments to any members of the band:
6 *Provided further,* That none of the funds described in subsec-
7 tion (b) shall be expended by the governing body of the band
8 until—

9 (1) such body has adopted a band financial ordi-
10 nance and investment plan for the use of such funds;
11 and

12 (2) such body has submitted to the Secretary a
13 waiver of liability on the part of the United States for
14 any loss resulting from the use of such funds; and

15 (3) the Secretary has approved the band financial
16 ordinance and investment plan. The Secretary shall ap-
17 prove or reject in writing such ordinance and plan
18 within sixty days of the date it is mailed or otherwise
19 submitted to him: *Provided,* That such ordinance and
20 plan shall be deemed approved if, sixty days after sub-
21 mission, the Secretary has not so approved or rejected
22 it. The Secretary shall approve the ordinance and plan
23 if it adequately contains the element specified in this
24 subsection.

1 SEC. 13. Notwithstanding any other law to the con-
2 trary, the United States grants its permission to the State of
3 Minnesota to transfer land to the White Earth Band as de-
4 scribed in section 10(a)(1) which prior to the date of enact-
5 ment of this Act may have been obtained by the State pursu-
6 ant to other Federal law or with Federal assistance. Any
7 restrictions or conditions imposed by any other Federal law
8 or regulation on the transfer of such land are hereby waived
9 and removed.

10 SEC. 14. Not later than five years, or as soon as possi-
11 ble, after the date of enactment of this Act, the Secretary
12 shall make all determinations, provide all notices, and com-
13 plete the administrative work necessary to accomplish the
14 objectives of this Act. The Secretary shall give priority in
15 making compensation determinations and payments under
16 this Act to original allottees and elderly heirs. The Secretary
17 shall submit a report by January 1 of each year to the chair-
18 man of the House of Representatives Committee on Interior
19 and Insular Affairs and the chairman of the Senate Commit-
20 tee on Indian Affairs, which report shall summarize the ad-
21 ministrative progress to date and shall estimate the amount
22 and nature of work left to be done.

23 SEC. 15. There are hereby authorized to be appropri-
24 ated to the White Earth Band \$6,600,000 as a grant to be
25 expended as provided in section 12.

1 SEC. 16. None of the moneys which are distributed
2 under this Act shall be subject to Federal or State income
3 taxes or be considered as income or resources in determining
4 eligibility for or the amount of assistance under the Social
5 Security Act or any other federally assisted program.

6 SEC. 17. The Secretary is authorized, if so requested by
7 the authorized governing body of the White Earth Band, to
8 exchange any of the land which is transferred to the United
9 States as described in section 10(a)(1) for any other land
10 within the exterior boundaries of the White Earth Reserva-
11 tion which is owned by the United States, the State of Min-
12 nesota, or any of the State's political subdivisions. Nothing in
13 this section shall be deemed to require an exchange not
14 agreed to by all parties to the exchange.

15 SEC. 18. Any lands acquired by the White Earth Band
16 within the exterior boundaries of the White Earth Reserva-
17 tion with funds referred to in section 12, or by the Secretary
18 pursuant to section 17, shall be held in trust by the United
19 States. Such lands shall be deemed to have been reserved
20 from the date of the establishment of said reservation and to

1 be part of the trust land of the White Earth Band for all
2 purposes.

Passed the Senate December 13 (legislative day, December 9), 1985.

Attest:

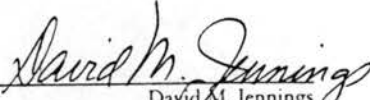
JO-ANNE L. COE,
Secretary.

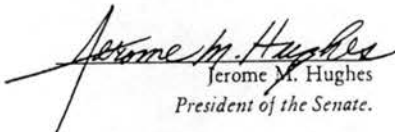
AN ACT

H.F.No. 2138
CHAPTER No.

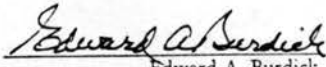
1
2 relating to natural resources; disposition of wild
3 rice license fees; extends the effective date of Laws
4 1984, chapter 539; amending Minnesota Statutes 1984,
5 section 97.49, by adding a subdivision.
6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
8 Section 1. Minnesota Statutes 1984, section 97.49, is
9 amended by adding a subdivision to read:
10 Subd. 8. (a) For the purposes of this subdivision, "wild
11 rice licenses" means licenses issued by the commissioner under
12 the provisions of section 98.46, subdivision 3, clause (1), and
13 subdivision 18, clause (1).
14 (b) All money received from the sale of wild rice licenses
15 shall be paid into an account, known as the "wild rice
16 management account," to be established in the state treasury for
17 the management of designated public waters to improve natural
18 wild rice production.
19 (c) Any money not otherwise appropriated from the wild rice
20 management account, and any monetary interest accrued to the
21 state as a result of this money, shall remain in the wild rice
22 management account until appropriated.
23 Sec. 2. [CLAIMS.]
24 The provisions under Laws 1984, chapter 539, sections 1 and
25 3 are continued in force and remain in effect until December 31,

- 1 1990, notwithstanding any provision of that chapter to the
2 contrary.
3 Sec. 3. [EFFECTIVE DATE.]
4 Section 1 is effective July 1, 1986. Section 2 is
5 effective the day following final enactment.

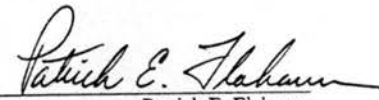

David M. Jennings
Speaker of the House of Representatives.


Jerome M. Hughes
President of the Senate.

Passed the House of Representatives this 15th day of March in the year of Our Lord
one thousand nine hundred and eighty-six.

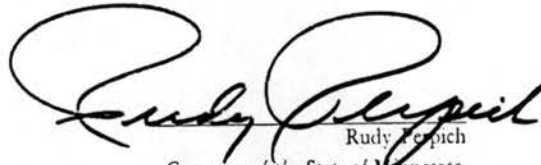

Edward A. Burdick
Chief Clerk, House of Representatives.

Passed the Senate this 17th day of March in the year of Our Lord one thousand
nine hundred and eighty-six.

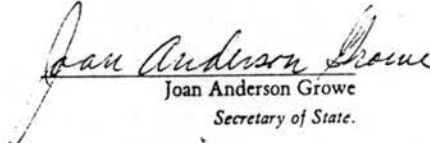

Patrick E. Flahaven
Secretary of the Senate.

Approved

March 24, 1986


Rudy Perpich
Governor of the State of Minnesota.

Filed 3/24/86


Joan Anderson Growe
Secretary of State.

nonforfeiture benefits adopted by the National Association of Insurance Commissioners.

This section applies to policies issued on or after January 1, 1984 and before January 1, 1989.

Sec. 2. [62A.046] COORDINATION OF BENEFITS.

(1) No group contract providing coverage for hospital and medical treatment or expenses issued or renewed after August 1, 1984, which is responsible for secondary coverage for services provided, may deny coverage or payment of the amount it owes as a secondary payor solely on the basis of the failure of another group contract, which is responsible for primary coverage, to pay for those services.

(2) A group contract which provides coverage of a claimant as a dependent of a parent who has legal responsibility for the dependent's medical care but who does not have custody of the dependent must, upon request of the custodial parent, make payments directly to the provider of care. In such cases, liability to the insured is satisfied to the extent of benefit payments made to the provider.

(3) This section applies to an insurer, a vendor of risk management services regulated under section 60A.23, a nonprofit health service plan corporation regulated under chapter 62C and a health maintenance organization regulated under chapter 62D. Nothing in this section shall require a secondary payor to pay the obligations of the primary payor nor shall it prevent the recovery of liable payments from the primary payor by the secondary payor if the secondary payor elects to pay the obligations of the primary payor.

Sec. 3. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Approved April 25, 1984

CHAPTER 539 — H.F.No. 2188

An act relating to Indians; providing for partial settlement of Indian land claims on the White Earth Reservation; requiring a report to the legislature; appropriating money.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. CLAIMS.

Subdivision 1. PURPOSE. The purpose of this act is to take an initial step toward resolving disputes over the ownership of land on the White Earth Indian Reservation by allowing the state to participate with the United States in

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

an overall settlement, provided that the United States Congress passes a settlement statute that appropriately and meaningfully compensates both Indians and non-Indians for possible lost property interests.

Subd. 2. AGREEMENT. The attorney general is authorized to enter into an agreement with the United States as part of a settlement of Indian land claims on the White Earth Reservation. This agreement must transfer from the state to the United States the ownership of 10,000 acres of land within the White Earth Reservation currently owned in fee or in trust for local taxing districts by the state of Minnesota, including mineral interests when held in this manner. The agreement must state that the land is to be held in trust for the White Earth Band of Chippewa Indians.

Subd. 3. CONDITIONS. No agreement shall be entered into until the United States has approved legislation substantially resolving title problems currently identified by the Department of Interior on the White Earth Reservation, and until the attorney general is satisfied that the United States legislation appropriately and effectively settles Indian land claims on the White Earth Reservation and substantially removes the possibility of litigation with private landowners over the Indian land claims.

Sec. 2. REPORT.

The commissioner of natural resources shall submit a report to the legislature by January 1, 1985, which shall summarize the origin of the title of all lands held by the state of Minnesota in fee or in trust on the White Earth Reservation.

Sec. 3. APPROPRIATION.

The sum of \$600,000 is appropriated from the general fund to the attorney general, to be available until expended for the following purposes:

(1) \$500,000 is to be used to provide technical and computer assistance to the United States for implementing the settlement described in section 1; and

(2) \$100,000 is for necessary publication, administrative, and consulting costs in negotiating or implementing the agreement or settlement.

Sec. 4. ACT VOID.

If the United States Congress fails to pass appropriate legislation as described in section 1 by December 31, 1985, this act is null and void, and any unencumbered appropriations shall revert to the general fund.

Approved April 25, 1984

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

RECEIVED

MAR 3 1 1986

Dept. of Natural Resources
Div. of Parks & Recreation