

Ordinance 27-20

An Ordinance to provide for the emergency management of the Non-Removable Mille Lacs Bands of Chippewa Indians.

The Band Assembly introduced the following Bill on March 15, 2020.

It is enacted by the Band Assembly of the Non-Removable Mille Lacs Bands of Chippewa Indians,

Section 1. Short Title

This act shall be cited as the “Emergency Management Act”.

Section 2. Establishment of Title 27

- (a) The Band Assembly establishes Title 27 within the Mille Lacs Band Statutes Annotated, which will be titled “Emergency Management”.
- (b) The following is added to Title 27:

Section 1. Findings

The Band Assembly finds it necessary to:

- (a) confer upon the Chief Executive all emergency management powers;
- (b) establish an emergency operations plan for the protection of public health, life, property, and general well-being adequate to cope with disasters resulting from natural and man-made causes;
and
- (c) provide for the coordination of all emergency management functions with comparable functions of the federal, state, and local units of government and of private agencies.

Section 2. Definitions

As used in this Title:

- (a) “Emergency or disaster” means an event or set of circumstances which:

- (1) demands immediate action to protect public health, life, and property; or
 - (2) reaches such degree of destructiveness as to warrant the Chief Executive declaring a state of emergency.
- (b) “Public place” means any location that the Band government maintains for the use of the public under the territorial jurisdiction of the Band.

Section 3. Authorities of the Chief Executive

At all times other than a state of emergency, the Chief Executive is authorized to:

- (a) establish a Tribal Emergency Response Committee, which will consist of Executive Officers and any other officials or individuals the Chief Executive deems necessary to meet the demands of the emergency or disaster;
- (b) prepare and maintain a comprehensive emergency operation plan and to coordinate preparations of the emergency operations plan and programs by the political subdivisions of the Band; and
- (c) institute training programs and public information programs and to take all necessary preparatory actions, including the mobilization of the Mille Lacs Tribal Police Department in advance of actual emergency or disaster.

Section 4. Declaration of State of Emergency

In event of an emergency or disaster, the Chief Executive is authorized to declare a state of emergency through the issuance of an executive order. Once the Chief Executive has declared a state of emergency and until termination of the state of emergency, the Chief Executive, or the Tribal Emergency Response Committee acting on behalf of the Chief Executive, may:

- (a) provide resources and services necessary to avoid or minimize harm to health, life, and property;
- (b) enter into agreements with the federal government and government of the State of Minnesota for the receipt of public assistance funds and coordinate such agreements between the political subdivisions of the Band;
- (c) procure supplies and equipment;

- (d) reallocate funds already appropriated to political subdivisions of the executive branch as reasonably necessary to meet the needs of the emergency or disaster; and
- (e) prohibit any number of persons from assembling or gathering on or at any public place.

Section 5. Termination of State of Emergency

Any state of emergency declared by the Chief Executive shall terminate if:

- (a) the Chief Executive issues an executive order terminating the emergency; or
- (b) the Band Assembly issues a resolution terminating the emergency.

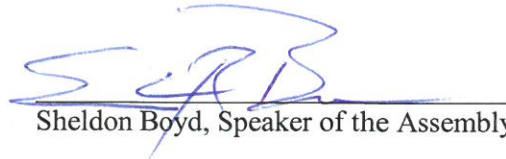
Section 6. Accountability and Reporting

- (a) The Chief Executive will provide periodic updates to the Band Assembly regarding the status of an emergency or disaster as needed, requested, or available.
- (b) The Chief Executive and the Tribal Emergency Response Committee will provide the Band Assembly with the minutes of Tribal Emergency Response Committee meetings within one week after such meetings.
- (c) The Chief Executive will provide to the Band Assembly, at monthly intervals after such declaration, a report on the total expenditures incurred by the Band government during the preceding monthly interval which are directly attributable to the exercise of powers and authorities conferred by such declaration. Within one month after the termination of an emergency, the Chief Executive will provide a final report to the Band Assembly on all such expenditures.

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(Band Assembly Bill 19-01-27-20)

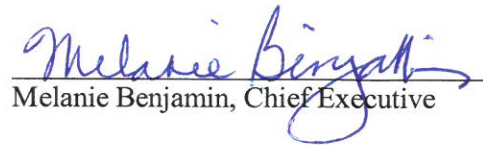
Introduced by the Band Assembly on this
Fifteenth day of March in the year
Two thousand twenty.

Passed by the Band Assembly on this
Fifteenth day of March in the year
Two thousand twenty.



Sheldon Boyd, Speaker of the Assembly

APPROVED
Date: March 15, 2020



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND