



Mille Lacs Band of Ojibwe Indians

Executive Branch of Tribal Government

Office of the Chief Executive

October 15, 2025

Sheldon Boyd, Speaker of the Assembly
Carolyn Beaulieu, District I Representative
Wendy Merrill, District II Representative
Harry Davis, District III Representative

Re: Title 4 Bill Amending Process for Nomination of Executive Officers

Dear Band Assembly:

I have reviewed the proposed bill amending Title 4 (Executive Branch) which the Band Assembly distributed on October 8. I object to the bill on five separate grounds:

- 1) **The bill violates the Band's division-of-powers form of government.** In our form of government, the Chief Executive nominates Executive Officer positions, and the Band Assembly ratifies. Since May of this year, I have nominated three qualified Band members to the Commissioner of Administration position and two qualified Band members to the Commissioner of Corporate Affairs position. The Band Assembly has denied four of them in off-the-record votes—and only provided one of them a confirmation hearing. And a fifth nomination has yet to be acted upon. If I were to sign this bill into law, the Band Assembly would be incentivized to continue denying the Chief Executive's nominees so that it could claim the authority to nominate for itself. The designers of our division-of-powers form of government never intended for this to happen—even if the Chief Executive does not submit a nomination by May of the year a term expires. Unfortunately, this bill represents a return to the Reservation Business Committee (RBC) form of government that our ancestors rejected.
- 2) **The bill grants the Band Assembly more than double the time to vet a nominee than it allows the Chief Executive to identify an alternate nominee.** Under Section 5(b)(1)(i) of the bill, if the Band Assembly denies one of the Chief Executive's nominees, the Chief Executive would have only ten calendar days to identify a second nominee. Meanwhile, the Band Assembly would enjoy 20 days to vet the nominee. This framework is simply not practical. The selection of a nominee includes everything from identifying candidates with appropriate skillsets, negotiating salary requirements, addressing the candidate's prior work commitments, and sometimes even allowing the candidate time to move residences. Moreover, I have missed out on several potential nominees who expressed reluctance at entering into such an acrimonious political environment. For all of these reasons, allowing the Chief Executive only ten calendar days to identify an alternate nominee would only harm the Band in the long run.

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- 3) **The bill makes improper use of the compromise hearing process.** If the Band Assembly denies the Chief Executive's alternate nominee, the bill requires that a compromise hearing be held under 3 MLBS § 17(e). This provision is meant for the compromise of bills containing legal effect—not as a means to address Executive Officer nominations. This reality is demonstrated by the fact that, if the Chief Executive and Band Assembly do not agree to a compromise bill, the bill is precluded for a period of 180 calendar days. If this language were applied to an impasse over an Executive Officer nomination, the Band Assembly's goal of seating nominees more quickly would still not be met.
- 4) **The bill does not define what constitutes a declination.** The bill twice refers to instances when the Band Assembly “declines to ratify” a nomination. But the bill does not clarify whether the Band Assembly must vote on the record for a nomination to be considered declined.
- 5) **The bill seems designed to force the Chief Executive to make Executive Officer nominations on the Band Assembly's terms.** A correct record of the Chief Executive's nominations is as follows:
 - a. On May 22, 2025, I nominated Band member Kelly Applegate to serve as Commissioner of Natural Resources. The Band Assembly both granted a confirmation hearing and confirmed the nomination.
 - b. On May 22, 2025, I nominated Band member Darcie Big Bear to serve as the Commissioner of Administration. On June 25, 2025, the Band Assembly declined (by letter and without voting on the record) to confirm the nomination without having scheduled a confirmation hearing.
 - c. On May 22, 2025, I nominated Band member Raina Killspotted to serve as Commissioner of Education. The Band Assembly both granted a confirmation hearing and confirmed the nomination.
 - d. On June 13, 2025, I nominated Band member Sarah Oquist to serve as Commissioner of Corporate Affairs. On June 25, 2025, the Band Assembly declined (by letter and without voting on the record) to confirm the nomination without having scheduled a confirmation hearing.
 - e. On July 11, 2025, I nominated Band member Michele Palomaki to serve as Commissioner of Administration. Although the Band Assembly granted Michele a confirmation hearing, her nomination was declined (by letter and without voting on the record) on July 30, 2025.

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- f. On July 11, 2025, I nominated Band member Ronda Weizenegger to serve as Commissioner of Corporate Affairs. On July 30, 2025, the Band Assembly declined (by letter and without voting on the record) to confirm the nomination without having scheduled a confirmation hearing.
- g. On September 25, 2025, I nominated Band member Gilda Burr to serve as Commissioner of Administration. The Band Assembly has yet to act on this nomination.

I also note that, of the four nominees denied by the Band Assembly, three are respected Elders with decades of dedicated service to the Band.

For all the reasons outlined above, I will be unable to support this bill and will issue a veto should it be approved by the Band Assembly. I respectfully request a written explanation outlining the Band Assembly's process for vetting, considering, and voting on my nominations, consistent with Band statute and the Rules of Procedure for Band Assembly.

Although it is true that I sponsored a similar bill during my time as the District I Representative, the circumstances at that time were quite different. The Commissioner of Community Development position had been vacant for more than year, and nominations made for other Commissioner positions lacked some of the essential qualifications and experience needed for the roles. Having now served as Chief Executive for 15 months, I have a much deeper appreciation for the challenges of filling these critical positions and the importance of working together to ensure qualified leadership for our Band. I remain committed to open communication and collaboration between our branches to best serve the needs of our people.

Miiigwech,



Virgil Wind
Chief Executive

CC:

Caleb Dogeagle, Solicitor General
Jared Miller, Legislative Counsel
Danielle Smith, Parliamentarian / Clerk of the Assembly