

Band Assembly Bill 07-04-20-97

A amendment bill for the Governmental Operation of the Executive Branch of Tribal Government to create a Commissioner of Community Development position.

The District III Representative re-introduced the following bill on the 8th day of July 1997.

Preamble

Be it enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of creating a Commissioner of Community Development position within the Executive Branch of the Mille Lacs Band of Ojibwe. This bill amends and replaces 4 MLBSA § 4, 9 and 13 MLBSA § 1 (a) to the extent provided for herein and creates Chapter 2 within Title 13 of the Band Statutes.

Amendments to 4 MLBSA § 4, 9 and
13 MLBSA § 1 (a)
Creation of chapter 2 of Title 13

Section 1: Amendment to 4 MLBSA § 4 Executive Officers

The executive officers of the Non-Removable Mille Lacs Bands of Chippewa Indians shall consist of the Chief Executive, Commissioner of Administration, Assistant Commissioner of Administration, Commissioner of Natural Resources, Commissioner of Education, Commissioner of Corporate Affairs, Commissioner of Health and Human Services, and Commissioner of Community Development.

Section 2: Amendment to 4 MLBSA § 9

(a) The Administration Policy Board shall consist of the following Executive Officers: The Commissioner of Administration, The Assistant Commissioner of Administration, The Commissioner of Natural Resources, The Commissioner of Education, The Commissioner of Health and Human Services and the Commissioner of Community Development. A quorum of four members of the Administration Policy Board shall be required for the transaction of any official business. In the event that the Administration Policy Board is unable to perform its duties due to lack of quorum, the Commissioner of Administration may issue a commissioner's order to implement any said matter. Any said commissioner's order issued under this circumstance, shall be valid only until the next official meeting of the Administration Policy Board.

(b) The Administration Policy Board shall be chaired by the Commissioner of Administration. The Commissioner of Administration shall prepare an agenda for the Administration Policy Board upon the advice and consent of the Chief Executive.

Section 3: Amendment to 13 MLBSA § 1 Charter

(a) A commission to be known as the Mille Lacs Band of Ojibwe Public Works Commission is hereby chartered within the Executive Branch of Band Government. The Public Works Commission shall have powers enumerated within this Chapter and as expressly delegated by Band Assembly. The Commission shall be within the subject matter jurisdiction of the Commissioner of Community Development.

CHAPTER 2

Section 4: Amendment to § 1001. Powers and duties of the Commissioner of Community Development

The Commissioner of Community Development shall have the responsibility to administer, manage, supervise and coordinate activities for Community Development, Public Works, Facilities Management, and Transportation for the Mille Lacs Band of Ojibwe. In carrying out the responsibilities within his/her jurisdiction the Commissioner of Community Development shall have the following powers and duties:

- (a) To provide an effective and efficient system of administration to plan, direct and evaluate the functions of Community Development, Public Works, Facilities Management and Transportation for the Mille Lacs Band;
- (b) To provide technical assistance to the Chief Executive, Band Assembly and other departments of the Mille Lacs Band as requested and to recommend or initiate any appropriate action as required with respect to such matters;
- (c) To provide information to Band members and other members of the public on programs and services of the various departments under the jurisdiction of the Commissioner of Community Development;
- (d) To conduct investigations in order to ensure appropriate resolution of complaints of Band members as well as the general public and order specific actions when justified not inconsistent with other applicable law;
- (e) To supervise employees, assign or delegate tasks, define levels of expected performance, and evaluate the performance of department heads and staff not inconsistent with other applicable law;
- (f) To prepare and recommend operating and capital improvement budgets for the Band, including but not limited to construction and maintenance projects as well as equipment acquisition and replacement;
- (g) To oversee the Debris Clearance and Restoration portion of an Emergency Operation Plan and coordinate responsibilities for a Blizzard Emergency Preparedness Plan;
- (h) To oversee and chair a Physical Development Committee;
- (i) To develop and coordinate a Facilities Management Plan on behalf of the Mille Lacs Band, and direct the maintenance of all Band Facilities not inconsistent with other applicable law;
- (j) To negotiate contracts on behalf of the Mille Lacs Band and when authorized to do so by Band Statute to enter into such contracts not otherwise inconsistent with other applicable law;
- (k) To inspect and ensure the safety of all buildings and facilities within the jurisdiction of the Mille Lacs Band and to condemn the same when appropriate;
- (l) To perform other duties as expressly delegated by the Chief Executive;

Section 5: Amendment to § 1002. Term of office-

The Commissioner of Community Development shall serve a four-year term of office expiring June 30, 1999 and on this date every four years hence.

Ordinance 20-97

Introduced to the Band Assembly on this eighth day of July in the year one Thousand nine hundred ninety seven.


Passed by the Band Assembly on this third day of November in the year One thousand nine hundred ninety seven.

APPROVED


Date: 11-10-97

FILED

Date: 11-10-97



David Matrious, Speaker of the Assembly



Marge Anderson, Chief Executive



James Genia, Solicitor General

OFFICIAL SEAL OF THE BAND