

## Ordinance 21-03

A Ordinance of Band Government to provide for the amendment of Title 6, Chapter 1 of the Mille Lacs Band Statutes Annotated. To supercede any provisions of Title, 6, Chapter 1 not consistent with this amendment.

The District III Representative introduced the following bill on the 17<sup>th</sup> day of April, 2003.

### Preamble

It is enacted by the Band Assembly of the Non-Removable Mille Lacs Band of Ojibwe for he purpose of amending Chapter 1 of Title 6, Mille Lacs Band Statutes Annotated.

Section 1. Repeal. 6 MLBSA sections 2, 3, 4, 5, 9 are hereby repealed in their entirety.

Section 2. Amendment. Section 6(b) is hereby amended as follows. Section 6(b) Administration Policy Board. A board in which the members are the Commissioner of Administration, Assistant Commissioner of Administration, Commissioner of Education, Commissioner of Health and Human Services, Commissioner of Natural Resources, and Commissioner of Community Development. Its powers are to the extent of Band Statutes.

Section 3. Amendment. Section 103(b) is hereby amended as follows. Section 103(b). Any employee summarily dismissed pursuant to Section 103(a) shall have five (5) business days, not including weekends and holidays, to file a written request for an appeal hearing. Such hearing shall be held within ten (10) business days after such request is received. The following governmental bodies shall serve as administrative appeals boards and finders of fact for their respective branches of Band government: Administration Policy Board, Band Assembly, and an independent person or body designated by the Court of Appeals. Employees shall have the right to counsel at their own expense and the right to present testimony and evidence.

Section 4. Amendment. Section 105(d) is hereby amended as follows. Section 105(d). Post-termination hearing. Any employee terminated pursuant to sections 105(a-c) shall have the right to request an administrative hearing within ten (10) business days of his/her receipt of the Termination Notice. The hearing shall be held within ten (10) business days after such request is received. The governmental bodies stated in section 103(b) of this statute shall serve as appeals boards and finders of fact for their respective branches of government. Employees shall have the right to counsel at their own expense and the right to present testimony and evidence.

Section 5. Personnel Policies. Each branch of Band government may adopt personnel policies consistent with this Title. The personnel policies shall remain in effect until December 31, 2003, after which any such policies shall be subject to Band Assembly approval.

Ordinance 21-03

Introduced to the Band Assembly on this  
twenty ninth day of April in the year  
two-thousand three.

Passed by the Band Assembly on this  
twenty ninth day of April in the year  
two-thousand three.

Herb Weyaus  
Herb Weyaus, Speaker of the Assembly

APPROVED

Date: May 1, 2003

Melanie Benjamin  
Melanie Benjamin, Chief Executive

Date: \_\_\_\_\_

\_\_\_\_\_  
Vetoed

FILED

Date: May 1, 2003

Mary Al Balber  
Mary Al Balber, Solicitor General

**OFFICIAL SEAL OF THE BAND**