

Ordinance 23-07

An Ordinance to amend Title 15 of the Mille Lacs Band Statutes Annotated, Section II entitled Department of Athletic Regulation (DAR) to change the language of Section 2, to make changes to Section 4(b), (i), (j), and to add (k), and to change the language of Section 6 (Medical Standards).

The District III Representative introduced the following Bill on the 22nd day of March, 2007. *On March 29, 2007, the Bill was vetoed and compromise hearing was held on April 5, 2007. On April 24, 2007, the District III Representative re-introduced the Bill with changes.*

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of changing the language of Section 2, *to change the appointment process of the Boxing Commissioners in Section 4(b), the compensation language in Section 4(i), the training language in Section 4(j), to add Section 4(k), and to change the language of Section 6 (Medical Standards). The language of Section 4, subsections (a), (c), (d), (e), (f), (g), and (h) shall remain unchanged.*

I.

Section 2 – Purpose of the Commission

By this Ordinance, the Commission is created to regulate, administer and oversee the conduct of all professional athletic events held on the Mille Lacs Band of Ojibwe Reservation, including professional boxing and mixed martial arts, for the purpose of promoting the health, safety and welfare of all persons engaged in such activities, and that of Band Members and the public. The Commission shall direct the Department Manager be present at each place where professional boxing, mixed martial arts or other professional athletic activities are to be held pursuant to the provisions of this Ordinance. The Department Manager shall make a written report of the exact conditions surrounding such match or exhibition in the form and manner prescribed by the Commission. *It is also recommended that a minimum of three (3) Commissioners be present at each professional boxing, mixed martial arts or other professional athletic event.*

II.

Section 4 – Boxing Commission

(a) The Department shall be managed by a Board of Directors to be known as the Boxing Commission. At all times *there shall be* at least one *Board Member, to be known as "Commissioner," on the Boxing Commission* from each District. The Board *shall consist of five (5) members appointed in the manner and have the terms provided in paragraph (b) of this section.*

(b) *Appointments process, terms, oath of office.* Each Board Member shall be appointed using the following process:

- (1) The Chief Executive shall nominate two (2) individuals and submit their names to the Secretary-Treasurer. Within ten (10) calendar days after receipt of the nominations *by the Secretary-Treasurer, the Secretary-Treasurer shall ratify one (1) of the two (2) nominees to be a Member of the Board.* Such *Member* shall serve until September 30, 2008. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of a term, shall be for four (4) years.
- (2) The Secretary-Treasurer shall nominate two (2) individuals and submit their names to the Chief Executive. Within ten (10) calendar days after receipt of the nominations *by the Chief Executive, the Chief Executive shall ratify one (1) of the two (2) nominees to be a Member of the Board.* Such *Member* shall serve until September 30, 2008. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of a term, shall be for four (4) years.
- (3) *Each* District Representative shall nominate two (2) individuals and submit their names to the *Chief Executive.* Within ten (10) calendar days after receipt of the nominations *by the Chief Executive, the Chief Executive shall ratify one (1) of the two (2) nominees to be a Member of the Board.* Such *Board Member* shall serve until September 30, 2009. Any subsequent appointment, other than to fill a vacancy that occurs prior to the end of a term, shall be for four (4) years.
- (4) If the Chief Executive or *Secretary-Treasurer* does not ratify one individual from any of the nominations sent to them within the time prescribed, *then the Band Assembly shall select such Member by majority vote.*
- (5) If *any person does not submit* a nomination within *thirty (30) days* after a vacancy has occurred, then *the Band Assembly shall nominate two (2) individuals by majority vote and submit their names to the Chief Executive for ratification to the Board.* The *timing and process for ratification are as stated in paragraphs (b)(1) and (b)(4) of this section.*
- (6) No person shall take office until swearing to the oath of office pursuant to 2 MLBSA § 8.

(c) Qualifications of Commissioners are as follows:

- (1) Commissioners shall be individuals who are of high moral character and integrity, who have a reputation for being honest, fair, objective, and who are recognized as possessing sound judgment.
- (2) It is preferred that Commissioners be individuals with an interest in boxing or mixed martial arts or be individuals that have a background in amateur boxing.
- (3) Commissioners may not have been convicted of a felony within ten (10) years of adoption of this Ordinance.
- (4) No fewer than three (3) Commissioners shall be Band members. There shall be at least one Commissioner from each of the Band's three districts.

- (5) Commissioners may not be employed by the Corporate Commission or a MLBO gaming enterprise.
 - (6) Commissioners shall be subject to background investigations.
- (d) Commission officers.
- (1) The Commission shall have a Chairperson, Vice-Chairperson and a Secretary.
 - (2) The Chairperson of the Commission shall be determined by a majority vote of the elected officials and selected from one of the current Commissioners or, if there is a vacancy, the individual who is appointed to fill such vacancy.
 - (3) The Vice-Chairperson shall be selected by the Commission by majority vote.
 - (4) The Secretary shall be selected by the Commission by majority vote.
- (e) Board Duties.
- (1) The Chairperson shall preside over meetings of the Commission and the Vice-Chairperson shall preside over meetings of the Commission in the absence of the Chairperson. The Secretary shall record in writing the minutes of all Board meetings and all official actions taken by the Commission. A copy of the minutes shall be provided to the Band Assembly and Chief Executive.
 - (2) Commissioners shall serve part-time, however, the Commission shall meet a minimum of once per month.
- (f) Vacancies.
- (1) The Chairperson shall notify the Band Assembly and Chief Executive of any vacancy on the Commission at least thirty (30) days prior to the end of term or, in circumstances other than the end of a term, immediately upon the knowledge that a vacancy will occur.
 - (2) If there is a vacancy on the Commission, then the vacancy shall be filled in the same manner as the vacating Commissioner who was originally appointed.
 - (3) Any Commissioner, including the Chairperson, appointed to fill a vacancy shall serve for the remainder of the vacant term, however, any Commissioner may be re-appointed during this time period pursuant to paragraph (c) of this section.
- (g) No elected official shall serve as a Commissioner during his/her term of office.
- (h) Removal. A Commissioner may be removed by a super-majority vote of four (4) out of five (5) members of the elected officials. The determination of the elected officials is final and unappealable to the Court of Central Jurisdiction.
- (i) Compensation. Commissioners shall be paid Two Hundred and Fifty Dollars (\$250.00) per meeting, not to exceed Five Hundred and No Dollars (\$500.00) in one month, except that in a case of demonstrated emergency, the Chairperson may petition the Secretary-Treasurer for compensation for additional meetings. Compensation shall be paid to Commissioners as follows: (1) for his/her attendance at official Commission meetings; and (2) for participation at official trainings hosted by the Commission e.g., inspector training. Mileage and other travel expenses will be

compensated on the same terms and conditions as applicable to Senior Executive Staff appointees as provided by Band law.

(j) Training.

(1) Commissioners shall attend one or more training seminars per year during their terms of membership. These seminars shall be sanctioned by the Association of Boxing Commissioners (“ABC”) or other professional boxing or martial arts organization.

(2) Commissioners attending mandatory training seminars, who are also employees of the Band government, shall be compensated at their documented rate of pay for each hour they are in attendance at such training plus mileage and other travel expenses as stated in paragraph (j) in this section. Commissioners, who are also employees of the Band government, shall not be required to use his/her accrued annual leave, but will be paid as if they were at work.

(3) Commissioners **who are not Band government employees** and are required to be absent from their employment to attend mandatory training pursuant to subsection (k) (1) above, shall be compensated at their previously documented hourly rate of pay, **but not to exceed \$15.00 per hour**, for each hour that they are in attendance at such training plus mileage and other travel expenses as stated in subparagraph (2) above.

(k) *Funding of Department.*

(1) *The DAR shall be funded as follows:*

(a) *\$50,000.00 from Net Revenue to be appropriated each and every year by Band government budget process.*

(b) *From ticket sales of unarmed combat events, there shall be a 40/60 split between the DAR and the appropriate Grand Casino budget. Forty percent (40%) shall be assigned to the DAR budget through OMB and sixty percent (60%) shall be assigned to the Grand Casino for an annual maximum amount of \$150,000.00 per fiscal year. After the maximum of \$150,000.00 has been paid to DAR from the 40/60 split, the Grand Casino will retain 100% of all ticket sales for that fiscal year.*

III.

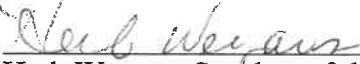
Section 6 – Medical Standards

For each World Championship Event, there shall be two (2) ringside physicians present at each professional boxing or mixed martial arts event. For all other non-championship athletic events, there shall be one (1) ringside physician present. At the earliest opportunity, all such physicians shall be registered with and attend training sessions with the American Association of Professional Ringside Physicians (“AAPRP”). All ringside physicians must be licensed in the *United States* and have professional qualifications suitable to professional boxing or mixed martial arts. Accepted medical background includes, but is not limited to, internal medicine, neurology or general practice. All regulations adopted with the passage of this Ordinance shall be followed.

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Introduced to the Band Assembly on this
Twenty-Fourth day of April in the year
Two-Thousand Seven.

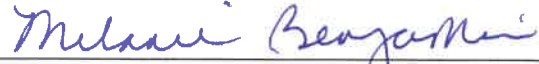
Passed by the Band Assembly on this
Twenty-Fourth day of April in the year
Two-Thousand Seven.



Herb Weyaus, Speaker of the Assembly

APPROVED

Date: May 2, 2007



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND