

Ordinance 15-14

An ordinance amending Section 3(a) in Title 6 of the Mille Lacs Band Statutes Annotated; amending Sections 2, 4, 6 and 10 in Title 18 of the Mille Lacs Band Statutes Annotated; amending Chapter 5 of Title 18 in the Mille Lacs Band Statutes Annotated; and repealing any inconsistent Indian Preference language in any other Band law or policy, including any Corporate Commission policy, in order to create consistency in Band law and policy.

The District II Representative introduced the following Bill on the 23rd day of January, 2014.

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of amending Section 3(a) in Title 6 of the Mille Lacs Band Statutes Annotated; Sections 2, 4, 6 and 10 in Title in the Mille Lacs Band Statutes Annotated; amending Chapter 5 of Title 18 of the Mille Lacs Band Statutes Annotated (the Band's Indian Employment Rights Ordinance or "TERO"); and repealing any inconsistent Indian Preference language in Band law or policy, including any Corporate Commission policy, in order to create consistency in Band law and policy.

Title I

Section 1: 6 MLBSA § 3(a) is amended to read: "The American Indian preference provisions in the MLBO Personnel Policy and Procedures Manual shall be construed in a manner that is consistent with the requirements of Chapter 5 of Title 18 of the Mille Lacs Band Statutes Annotated (the Band's Indian Employment Rights Ordinance or "TERO") and shall supersede all other provisions of Band law.

Title II

Section 1: The phrase "Chapters 1 to 5 of this title" in 18 MLBSA sec. 2 is amended to read: "Chapters 1 to 4 of this title."

Section 2: The phrase "Chapters 1 to 5 of this title" in 18 MLBSA sec. 4 is amended to read: "Chapters 1 to 4 of this title."

Section 3: 18 MLBSA sec. 6 is amended to read: "Nothing in this title shall be construed as a waiver of sovereign immunity of the Mille Lacs Band of Ojibwe in any state or federal court."

Section 4: The phrase "Chapters 1 to 5 of this title" in 18 MLBSA sec. 10 is amended to read: "Chapters 1 to 4 of this title."

Title III

Section 1: Chapter 5 of Title 18 of the Mille Lacs Band Statutes Annotated, entitled “Indian Employment Rights,” is hereby repealed in its entirety and replaced with the newly created Chapter 5 attached hereto as Exhibit A.

Title IV

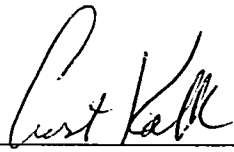
Section 1: 7 MLBSA sec. 21(c) is amended to read: “Indian Preference shall mean awarding a contract or a subcontract with priority first given to qualified Mille Lacs Band Members. The second priority shall be given to qualified members of another federally recognized Indian Tribe. The third priority shall be given to all other qualified persons.

Section 2: Any provision for Indian Preference in employment or contracting contained in any Band policy, including any policy of the Corporate Commission, must be consistent with the Indian Preference in 18 MLBSA sections 410 and 413, which provide first priority to Mille Lacs Band Members, second priority to members of another federally recognized Indian Tribe, and third priority to all others.

Ordinance
(Band Assembly Bill 16-01-15-14)

Introduced to the Band Assembly on this
Twenty-third day of January in the year
Two thousand fourteen.

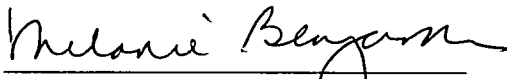
Passed by the Band Assembly on this
Twenty-third day of January in the year
Two thousand fourteen.



Curt Kalk, Speaker of the Assembly

APPROVED

Date: January 27, 2014



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND