

Mille Lacs Band Statutes Annotated

Amendments received through: November 3, 2022

TITLE 25 – REVISOR OF STATUTES

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§ 1. Purpose.

The purposes of this statute are to:

- (a) establish an independent Revisor's Office to ensure the annual compilation, updating, and publication of Band laws and official acts;
- (b) provide confidential drafting services of proposed legislation and policy revisions to District Representatives; and
- (c) establish a Tribal Register for the publication of Band statutes and policies, Executive Orders, Secretarial Orders, Commissioner's Orders, Legislative Orders, Chief Justice Orders, and other official notices.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

§ 2. Definitions.

- (a) **“Act”** means an ordinance pursuant to 3 MLBS § 1.
- (b) **“Agency”** or **“Department”** means any division or section of the executive or legislative branches established by statute to carry out the functions of Band government, to include the departments of Administration, Athletic Regulation, Community Development, Education, Health and Human Services, Natural Resources, Gaming and Regulatory Authority, Mille Lacs Corporate Ventures, and the Office of Management and Budget.
- (c) **“Band”** means the Non-Removable Mille Lacs Band of Ojibwe.
- (d) **“Band Assembly”** means the Band’s legislative branch, established pursuant to 3 MLBS § 1, and comprised of the duly elected Speaker of the Assembly and three District Representatives.
- (e) **“Chief Executive”** means the elected official who leads the Band’s executive branch pursuant to 4 MLBS § 6.
- (f) **“Court”** means the Band’s Court of Central Jurisdiction established pursuant to 5 MLBS § 1.
- (g) **“Legislative Session”** means the period of time, occurring twice per calendar year pursuant to 3 MLBS § 18.
- (h) **“MLBS”** means Mille Lacs Band Statutes, which is the preferred legal citation for the Laws and Rules of the Non-Removable Mille Lacs Band of Ojibwe.
- (i) **“Resolution,”** as used in this statute, means either a resolution of the Band Assembly or a resolution of the Joint Session of the Band Assembly.
- (j) **“Revisor”** means the selected official who leads the Band Revisor’s Office in accordance with this statute and is charged, among other things, with codifying new statutes in a manner consistent with the existing Band law without altering the substance of such statutes.

- (k) **“Speaker of the Assembly”** means the elected official who leads the Band’s legislative branch pursuant to 3 MLBS § 6.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Ordinance 40-22.

§ 3. Selection of Revisor.

The Band Assembly shall select a qualified individual with a federal Indian law background, when feasible, to the position of Revisor of Statutes. The Revisor must be licensed to practice law before the Court of Central Jurisdiction and shall have his or her salary fixed by the Band Assembly. The Revisor shall be considered a permanent, full-time employee not serving solely at the pleasure of any elected official. The Revisor shall be subject to the Band’s Personnel Policy and Procedures.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

§ 4. Revisor’s Powers.

- (a) **Regular staff; hiring and salaries.** The Revisor shall employ and may fix the salaries of drafters and technical, research, and clerical assistants necessary to do the work of the Revisor’s Office.
- (b) **Additional staff; contractors.** When full-time employees are not available to do the work of the office, the Revisor may contract for drafting, technical, research, or clerical services.
- (c) **Contracting.** The Revisor may enter into contracts to provide necessary services and supplies to the office.
- (d) **Limitations of powers.** The exercise of the powers set forth in subsections (a) to (c) is subject to the control of the Band Assembly.
- (e) **Contracts.** A contract shall be reviewed by the office of the solicitor general in accordance with 7 MLBS § 26(b)(2). The Band Assembly shall ratify contracts in accordance with 7 MLBS § 26(b)(4). The Revisor shall follow the procurement process in Title 7.

- (f) **Form and Numbering.** All Executive Orders, Secretarial Orders, Legislative Orders, Commissioner's Orders, and Opinions of the Solicitor shall bear the Revisor's signature as to form and numbering.
- (g) **Custodian of Records.** The Revisor shall be the custodian of all Executive Orders, Secretarial Orders, Legislative Orders, Commissioner's Orders, and Opinions of the Solicitor.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Ordinance 40-22.

§ 5. Drafting Duties of the Revisor's Office.

- (a) **Limitation.** As far as personnel and available appropriations permit, the Revisor's Office shall perform the drafting duties described in subsections (b) to (d).
- (b) **Drafting responsibilities.** On request, the Revisor's Office shall draft bills, resolutions, and amendments solely for District Representatives of the Band Assembly. The Revisor's work product shall be prioritized in the order received during that legislative session of Band Assembly, or as otherwise directed by a majority vote of the Band Assembly.
- (c) **Requests for drafting services.** The District Representatives may submit to the Revisor's Office requests for drafting services. A request must state briefly the policy and purpose of the document to be drafted. Documents must be drafted to conform to the instructions given in the request.
- (d) **Drafting manual.** The Revisor's Office shall prepare and issue a drafting manual containing styles and forms for drafting bills, resolutions, and amendments.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

§ 6. Other Office Duties During Legislative Session.

- (a) **Advice concerning effect of bills.** The Revisor's Office shall give members of the Band Assembly advice concerning the legal effect of bills or proposed bills, but only at the request of the members.

- (b) **Report to Band Assembly.** As needed or at least once every two legislative sessions, the Revisor's Office shall report to the Band Assembly any statutory changes recommended by any branch of government, including any statutory deficiencies or contradictions noted in any decision or opinion of the Court of Central Jurisdiction. The report must include any comment necessary to clearly outline the legislative problem reported.
- (c) **Technical bills.** The Revisor's Office shall prepare and submit to the Band Assembly bills clarifying and correcting the statutes and executive branch policies that are required by statute to be ratified by the Band Assembly.
- (d) **Preparing and presenting the bills.** The Revisor's Office shall assist in preparing any bill requested by a District Representative. In preparing a bill, the Revisor may correct misspelled words and other minor clerical errors. Bills are to remain under the supervision of the Parliamentarian.
- (e) **Other Services.** The Revisor's Office shall perform other services requested by the District Representatives, provided that such requests adhere to the purposes of this statute.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

§ 7. Prohibitions and Limitations.

The Revisor, employees of the Revisor's Office, and persons assisting the office as part-time employees or independent contractors are subject to the following prohibitions and limitations:

- (a) They may not reveal to any person not employed by the legislative branch the content or nature of a request for drafting services. The content of the request, as well as documents and communications relating to the drafting service supplied, is not public and is not subject to subpoena, search warrant, deposition, writ of mandamus, interrogatory, or other disclosure.
- (b) They may not overtly urge or oppose the substantive provisions of legislation, except in accordance with § 6(a) of this Title.
- (c) They may not use office time to conduct legal business other than the business of the Revisor's Office.

- (d) They may not engage in activities outside of their work for the Revisor's Office that would violate the duty to exercise independent professional judgment on behalf of the Revisor's Office or the prohibition against representing multiple clients as set forth in the Minnesota Rules of Professional Conduct.
- (e) They may not take part in political management or political campaigns for Band office; use their official authority or influence for the purpose of interfering with or affecting the result of a Band election; knowingly solicit, accept, or receive a political contribution for a Band election; or run as a candidate for election to a Band political office.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

§ 8. Official Acts of the Non-Removable Mille Lacs Band of Ojibwe.

No later than January 15 of each year, the Revisor shall publish on the private-facing Tribal Register, for the previous two legislative sessions, in a publication called "Official Acts of the Non-Removable Mille Lacs Band of Ojibwe":

- (a) Executive Orders;
- (b) Secretarial Orders;
- (c) Commissioner's Orders;
- (d) Legislative Orders;
- (e) Chief Justice Orders;
- (f) Solicitor's Opinions;
- (g) acts;
- (h) resolutions; and
- (i) any new or revised department policy.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Act 87-22.

§ 9. Laws of the Non-Removable Mille Lacs Band of Ojibwe; Contents.

- (a) **Permanent required contents.** The Revisor's Office shall publish editions of the Laws of the Non-Removable Mille Lacs Band of Ojibwe. The Laws the Non-Removable Mille Lacs Band of Ojibwe must contain the applicable constitution, all general and permanent statutes in force, and any other information the Revisor considers desirable and practicable.
- (b) **Headnotes.** The headnotes of the sections of any edition of the Laws of the Non-Removable Mille Lacs Band of Ojibwe printed in boldface type are mere catchwords to indicate the contents of the section and are not any part of the statute.
- (c) **New laws incorporated.** No later than May 1 of each year, the Revisor shall incorporate into the text of the Laws of the Non-Removable Mille Lacs Band of Ojibwe the permanent general laws enacted, with amendments made to the statutes, during the previous two legislative sessions. The Revisor shall also omit any sections expressly repealed. The Revisor shall assign appropriate chapter and section numbers to these laws and shall arrange them in proper order. After each section the Revisor shall place a source note indicating the chapter and section of the acts from which the section was derived, in addition to explanatory historical and statutory notes.
- (d) **Form and style changes.** The form and style of the Laws of the Non-Removable Mille Lacs Band of Ojibwe may be changed as necessary to improve its quality and to permit the use of electronic data processing equipment, computer compatible media, and other related equipment in connection with its publication.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Ordinance 40-22.

§ 10. Laws and Rules of the Non-Removable Mille Lacs Band of Ojibwe; Supplements.

If the Revisor's Office does not publish an edition of the Laws of the Non-Removable Mille Lacs Band of Ojibwe in a given year, it may publish a supplement to the Laws of the Non-Removable

Mille Lacs Band of Ojibwe. The supplement must be identified by the year of publication and to the extent possible must otherwise comply with § 9 of this Title. The Revisor's Office may not use supplements for more than eight consecutive legislative sessions without also publishing an edition of the Laws of the Non-Removable Mille Lacs Band of Ojibwe in accordance with § 9 of this Title.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Ordinance 40-22.

§ 11. Publication Powers.

The Revisor's Office, in preparing a printer's copy for editions of statutes, may not alter the sense, meaning, or effect of any legislative act, but may:

- (a) renumber sections or subsections and parts of sections or subsections;
- (b) change the wording of headnotes;
- (c) rearrange sections or subsections;
- (d) combine sections or subsections into other sections or other subsections, or both;
- (e) divide sections or subsections into other sections or subsections so as to give to distinct subject matters a section or subsection number;
- (f) substitute the proper section, chapter, or subsection numbers for the terms "this act," "the preceding section," and the like;
- (g) substitute figures for written words and vice versa;
- (h) substitute the date on which the law becomes effective for the words "the effective date of this act," and the like;
- (i) change capitalization for the purpose of uniformity;
- (j) correct manifest clerical, typographical, grammatical, or punctuation errors;
- (k) correct words misspelled in bills;
- (l) change reference numbers to agree with renumbered chapters, sections, or subsections;

- (m) delete the phrases “Laws of the Non-Removable Mille Lacs Band of Ojibwe” and other phrases identifying other editions of any supplements to the Laws of the Non-Removable Mille Lacs Band of Ojibwe if the phrases are used in a reference to a statutory section;
- (n) replace gender-specific words with gender-neutral words and, if necessary, recast the sentences containing gender-specific words; and
- (o) make similar editorial changes to ensure the accuracy and utility of the publication.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Ordinance 40-22.

§ 12. Certificate of Correctness.

In preparing an edition of the Laws of the Non-Removable Mille Lacs Band of Ojibwe or a supplement to the Laws of the Non-Removable Mille Lacs Band of Ojibwe the Revisor’s Office shall compare each section in the edition with the original section of the statutes or with the original section in the act from which the section was derived, together with all amendments of the original section. In one copy of the edition, the Revisor shall attach a certificate certifying that this comparison has been made and that all sections appear to be correctly printed. The copy containing the Revisor’s certificate must be filed locally within the Revisor’s Office as a public record. All other copies of the edition must contain a printed copy of the certificate.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Ordinance 40-22.

§ 13. Sale and Distribution of Laws.

- (a) **Number of copies printed.** The Revisor shall determine how many copies of the Laws of the Non-Removable Mille Lacs Band of Ojibwe and supplements to the Laws of the Non-Removable Mille Lacs Band of Ojibwe are to be printed. Subject to the requirements of subsection (b), the Revisor shall determine how the copies are to be distributed.
- (b) **Free distribution.** The Revisor shall distribute without charge copies of each edition of the Laws of the Non-Removable Mille Lacs Band of Ojibwe and supplements to the Laws of the Non-Removable Mille Lacs Band of Ojibwe to the persons or bodies

listed in this subsection. Before distributing the copies, the Revisor shall inform these persons or bodies of the cost of the publication and the availability of statutes on the Internet, and shall ask whether their work requires the full number of copies authorized by this subsection. Unless a smaller number is needed, the Revisor shall distribute:

- (1) one copy to each elected official of the Band, to be personally owned;
- (2) one copy to the Revisor's Office in accordance with § 12 of this Title;
- (3) three copies to the Legislative Branch;
- (4) three copies to the Office of the Chief Executive;
- (5) three copies to the Court;
- (6) three copies each to the department of administration, the department of community development, the department of education, the department of health and human services, the department of natural resources, the department of justice, three copies to the office of the solicitor general, tribal police department;
- (7) one copy each to the judges of District Court, the justices of the Court of Appeals, the Parliamentarian, the office of management and budget, the department of athletic regulation, the department of gaming regulatory authority, the department of motor vehicles, the tribal employment rights office, Band boards, any educational institution under the control and jurisdiction of the Band;
- (8) one copy to each attorney employed at the Mille Lacs Band Member Legal Services, or any successor organization;
- (9) three copies to Mille Lacs Band Member Legal Services, or any successor organization;
- (10) two copies each to the Library of Congress and Minnesota State Law Library for copyright and depository purposes;
- (11) two copies each to Mitchell Hamline School of Law, the Law School of the University of Minnesota, and University of St. Thomas School of Law;
- (12) two copies each to the Minnesota Historical Society and Minnesota Secretary of State;
- (13) one copy each to Bois Forte Band of Chippewa, Fond Du Lac Reservation, Grand Portage Band of Chippewa Indians, Leech Lake Band of Ojibwe,

Lower Sioux Indian Community, Prairie Island Indian Community, Red Lake Band of Chippewa Indians, Shakopee Mdewakanton Sioux Community, Upper Sioux Community, and White Earth Reservation; and

- (14) one copy each to the public library of the largest municipality of Aitkin County, Mille Lacs County, and Pine County.
- (c) **Marking of Band copies.** Copies of the Laws of the Non-Removable Mille Lacs Band of Ojibwe and supplements to the Laws of the Non-Removable Mille Lacs Band of Ojibwe that are distributed to those listed in subsection (b)(2) - (9) must be marked with the words “Band Copy” and kept for the use of the office.
- (d) **Sale.** Any foreign entity may purchase from the Revisor a copy of the Laws and the Non-Removable Mille Lacs Band of Ojibwe and supplement to the Laws of the Non-Removable Mille Lacs Band of Ojibwe. The Revisor shall fix a reasonable sale price for each publication. Revenue from the sale of any publication must be deposited in the general fund. With consent from the Band Assembly, the Revisor may offer any publications for sale to enrolled Band members at cost. The Revisor may also establish a public library containing Band laws.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Ordinance 40-22.

§ 14. Legal Status of Statutes, Orders, Opinions, Resolutions, and Policies.

Any volume of the Laws of the Non-Removable Mille Lacs Band of Ojibwe, supplement to the Laws of the Non-Removable Mille Lacs Band of Ojibwe, and Official Acts of the Non-Removable Mille Lacs Band of Ojibwe certified by the Revisor is prima facie evidence of the statutes, orders, opinions, resolutions, and policies contained in it in all courts and proceedings.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

§ 15. Tribal Register.

- (a) **Public content.** The Revisor shall publish an online, public Tribal Register containing:

- (1) Band statutes;
 - (2) Solicitor's Opinions;
 - (3) department policies; and
 - (4) notice of any comment period pertaining to statutory revisions.
- (b) **Privileged content.** The Revisor shall publish an online, private Tribal Register, which shall be available at all times to enrolled Band members, first-generation descendants of enrolled Band members, Band employees, and any individual who requires access to its contents to fulfill her or his professional responsibilities to the Band or Band members, containing:
- (1) Executive Orders;
 - (2) Secretarial Orders;
 - (3) Commissioner's Orders;
 - (4) Legislative Orders;
 - (5) Chief Justice Orders;
 - (6) Solicitor's Opinions;
 - (7) acts;
 - (8) resolutions; and
 - (9) any new or revised department policy.
- (c) **Privileged content access.**
- (1) **Band members.** Enrolled Band members shall have immediate access to the private-facing Tribal Register.
 - (2) **Band employees.** Band employees shall have immediate access to the private-facing Tribal Register during all times of their employment with the Band.
 - (3) **Band descendants and those with professional responsibilities.** Upon request, Government Affairs shall provide access to the private-facing Tribal Register to first-generation descendants of enrolled Band members and any individual who requires access to its contents to fulfill her or his professional

responsibilities to the Band or Band members. Such access must be provided within two (2) business days.

- (d) **Publication.** The Revisor shall update the Tribal Register whenever necessary, except that no material properly submitted for publication shall remain unpublished for more than ten (10) business days.
- (e) **Submission of items for publication.** An agency must publish all commissioner's orders, department policies, or other relevant items by submitting a copy of the entire document, including dates when adopted, to the Revisor within three (3) calendar days of adoption in addition to any other copies which may be required to be filed with the Revisor by other law. All commissioner's orders, department policies, and other relevant items adopted prior to April 1, 2022, must be submitted to the Revisor within seven (7) calendar days.
- (f) **Distribution.** When an agency properly submits a Commissioner's Order, policy, or other item to the Revisor, the Revisor must then be accountable for the publication of the same in the Tribal Register.
- (g) **Cost.** The Tribal Register shall be made available to enrolled Band members and Band employees free of charge.

Historical and Statutory Notes

Source:

Band Ordinance 08-21, § 2.

Band Ordinance 40-22.

Band Act 87-22.

§ 16. Financial and Proprietary Information.

- (a) **Public.** The Secretary-Treasurer and Commissioner of Finance may, in consultation with each other, redact any documents published on the public-facing Tribal Register that contain financial and proprietary information. Financial and proprietary information includes, but is not limited to, revenues, expenses, profits, capital re-investment, equipment and software purchases, and any percentage calculations.
- (b) **Privileged.** The Secretary-Treasurer and Commissioner of Finance may, in consultation with each other, redact any documents published on the private-facing Tribal Register that contain financial and proprietary information about Mille Lacs Corporate Ventures. Financial and proprietary information includes, but is not limited to, revenues, expenses, profits, capital re-investment, equipment and software purchases, and any percentage calculations. Any information redacted under this

section may be provided for viewing to enrolled members of the Band upon the filing of a written request with the Secretary-Treasurer or Commissioner of Finance.

Historical and Statutory Notes

Source:

Band Ordinance 55-22.

Band Act 87-22.

§ 17. Personally Identifiable Information.

The Revisor of Statutes is authorized to redact all information within documents published on the Tribal Register that may reasonably be considered personally identifiable information.

Personally identifiable information includes, but is not limited to, Social Security numbers, tribal enrollment numbers, dates of birth, or any other data that could reasonably identify a person.

Historical and Statutory Notes

Source:

Band Ordinance 55-22.