



MILLE LACS BAND OF OJIBWE
Executive Branch of Tribal Government

EXECUTIVE ORDER NO. 153-08

AN EXECUTIVE ORDER SUPERSEDING EXECUTIVE ORDER 127-00 AND EXEMPTING BAND DISTRICT COMMUNITY CENTERS AND ELDERLY ASSISTED LIVING UNIT (ALU) FROM THE PROHIBITION AGAINST USE OF BAND PROPERTY TO FURTHER THE POLITICAL CAMPAIGN OF ANY CANDIDATE FOR ELECTED OFFICE.

WHEREAS, the Chief Executive has authority to issue Executive Orders on any subject matter within her jurisdiction; and

WHEREAS, the Chief Executive is responsible to see that all laws of the Mille Lacs Band are enforced; and

WHEREAS, Executive Order No. 127-00 includes a prohibition against the use of Band District Community Centers to further a political campaign of a candidate for elected office; and

WHEREAS, Executive Order No. 127-00 established a civil penalty for any person who might use a District Community Center to further the political campaign of any candidate for elected office; and

WHEREAS, Band statutes explicitly authorize District Representatives to determine the use of district community centers and not the Chief Executive; and

WHEREAS, the prohibition and penalty established in Executive Order No. 127-00 barring the use of Band District Community Centers to further a political campaign of a candidate for elected office exceeded the statutory authority of the Chief Executive;

NOW, THEREFORE, IT IS ORDERED that the language of Executive Order 127-00 which includes the prohibition of use of Band District Community Centers for purposes of political campaigning is hereby superseded by this Order.

IT IS FURTHER ORDERED that no person shall use Band property in the furtherance of the political campaign of any candidate for any elected office. For purposes of this Executive Order, "elected office" shall include all Band offices the occupancy of which is contingent on a popular vote, and the offices of any foreign jurisdiction. For purposes of this Executive Order, "Band Property" shall mean all personal or real property owned or leased by the Band, or held in trust for the Band, including, but not limited to,

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

36666 State Highway 65 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT IIA

2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III

45749 Grace Lake Road • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

I

URBAN OFFICE

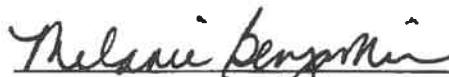
1433 E. Franklin Avenue, Ste. 7c • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

government buildings, vehicles, equipment, employee work areas, or any other property held by the Band howsoever situated; provided, however, that houses or other dwellings leased by the Band or any of its political subdivisions for the occupancy of an individual shall not be considered "Band Property" for purposes of this Executive Order, nor shall Band District Community Centers if proper authorization has been given pursuant to 3 MLBSA §8 to use the center in the furtherance of the political campaign of any candidate for any elected office.

IT IS FURTHER ORDERED the Elderly Assisted Living Units shall not be consider Band Property for the purpose of the Executive Order if proper approval has been given by the Residential Committee to use the center in the furtherance of the political campaign of any candidate for any elected office.

IT IS FURTHER ORDERED that any person who violates this Executive Order may be charged with a violation, and, upon conviction thereof by the Court of Central Jurisdiction, may be required to pay a civil penalty of not more than \$500.00 per day for each day of continuing violation.

Dated this 13th day of February, 2008.


Melanie Benjamin – Chief Executive

Expiration Date: None.

APPROVED AS TO FORM AND EXECUTION:


Rjay Brunkow
Solicitor General