



# MILLE LACS BAND OF CHIPPEWA INDIANS

*Executive Branch of Tribal Government*

## **Governmental Operations Executive Order 048**

**AN EXECUTIVE ORDER REGARDING THE PROVISION OF SERVICES TO BAND MEMBERS AND OTHERS UNDER THE JURISDICTION OF THE BAND BY THE ADMINISTRATION POLICY BOARD, ALL OTHER POLICY BOARDS AND INDEPENDENT AND SEMI-INDEPENDENT POLITICAL SUB-DIVISIONS OF THE MILLE LACS BAND.**

- WHEREAS,** under provisions of Band Statute 1028-MLC-1, Section 12, the Chief Executive is charged with the legal authority to ensure the lawful operation of all activities under the jurisdiction of the Band; and,
- WHEREAS,** all members under the jurisdiction of the Mille Lacs Band of Chippewa Indians shall be accorded equal opportunity to participate in the economic resources and activities of the Band under provisions of the Constitution of the Minnesota Chippewa Tribe - Article XIII; and,
- WHEREAS,** the various entities of the Non-Removable Mille Lacs Band of Chippewa Indians have entered into contracts and been the recipient of various grants from both the United States of America and the State of Minnesota and both their political sub-divisions, with said grants and contracts purposes to provide basic services to persons under the jurisdiction of the Band pursuant to guidelines established in the terms and conditions of said grant and contract; and,
- WHEREAS,** the Administration Policy Board, other Policy Boards and Independent and Semi-Independent Political Sub-Divisions of the Band possess the statutory authority to deliver said services according to the terms of said grants and contracts to eligible Members and other persons under the jurisdiction of the Band; and,
- WHEREAS,** the past practices of said lawful Entities of the Band, have provided said services to elected leaders, appointees and relatives within the first degree of said elected and appointed persons on a higher priority basis than the priority established for other persons who are eligible to receive said services; and,
- WHEREAS,** standards for the delivery of services to eligible Members of the Band and other persons eligible to receive said services have not been promulgated by the Administration Policy Board, other Policy Boards, and Independent and Semi-Independent Political Sub-Divisions of the Band in violation of Article XIII, Constitution of the Minnesota Chippewa Tribe and Band Statute 1011-MLC-5, the Laws of the Mille Lacs Band of Chippewa Indians; and,
- WHEREAS,** it is mandatory that lawful standards be adopted to ensure that persons with the greatest need for said services receive top priority for said services.

**NOW THEREFORE**, pursuant to the authority vested in me by Band Statute 1028-MLC-1, Section 12, I, Arthur Gahbow, do hereby order that all persons elected to any position within the Mille Lacs Band of Chippewa Indians, including the Chief Executive, Secretary of Treasury, Representatives to the Band Assembly, Chief Justice and other Justices of the Court of Central Jurisdiction and all appointees of the Chief Executive, including all Commissioners within the Executive Branch and Commissioners to the Housing Authority, Supervisors of the Public Works Commission and the Solicitor General and the family members within the first degree to the above stated elected and appointed position of the Band, shall not receive services from any grant or contract under the jurisdiction of the Band until such time as other persons who have demonstrated need for these services have received said services.

**BE IT FURTHER ORDERED**, that the aforementioned categories of elected and appointed officials and their families to receive any said service requires that the entity of the Band charged with the lawful authority to distribute said service certified in writing that the provision of this services is authorized pursuant to the provisions of this Executive Order and that no conflict of interest between the parties exists, no undue influence improper or otherwise was laid to bear upon the decision makers and that no official above-mentioned discussed the provision of this service with any decision maker in private conversation without first disclosing said conversation to the Entity charged with providing the service.

**BE IT FURTHER ORDERED**, that no employee of the Non Removable Mille Lacs Band of Chippewa Indians shall authorize the provision of service to any elected or appointed official, or their relatives within the first degree within the aforementioned categories without first filing a statement notarized by the Clerk of Court or any Justice of the Court of Central Jurisdiction with the statement filed in the Clerk's Office of the Court of Central Jurisdiction.

**BE IT FURTHER ORDERED**, that the Administration Policy Board, all other Policy Boards and all Independent and Semi-Independent political Sub-Divisions shall develop standards for the provision of services in compliance with this Executive Order no later than February 15, 1986, all such standards for every grant and contract shall be published in the Nay Ah Shing Newsletter and posted in conspicuous places throughout the three districts of the Band. All such standards shall provide an administrative mechanism to appeal any decision which involves an individual's placement on the priority list to receive service or his or her denial to receive service. The decision shall be appealable to the Court of Central Jurisdiction. Further, all standards shall provide for the equal protection, equal opportunity and due process rights under law of the Band.

**BE IT FURTHER ORDER**, that the Solicitor General shall assist in the development of said standards and that the final decision to accept or reject any such standard for cause shall remain with the Chief Executive.

BE IT FURTHER AND FINALLY ORDER, that any person who shall violate or cause any other person to violate the intent of this Executive Order or the provisions thereof, shall be subject to disciplinary action pursuant to Band Statute 1099-MLC-49, Section 3, and any other applicable provision of Law.

THE FOLLOWING SERVICES ARE EXEMPT FROM THE PROVISIONS OF THIS EXECUTIVE ORDER UNLESS SPECIFICALLY INCLUDED BELOW:

1. Basic educational services including Nay Ah Shing School, Headstart, vocational education, but excluding Johnson O'Malley and Title IV, Part A and B.
2. Basic medical services offered at Ne la Shing Clinic including dental services, laboratory work, contract health care, psychological services, alcohol services. Services for eyeglass care which is not an emergency and woman, infant and children services ARE specifically subject to the provisions of this Executive Order.
3. Basic social services including child welfare services, chemical dependency services, food commodity services and elderly nutrition services. Energy assistance programs including weatherization ARE specifically subject to the provisions of this Executive Order.
4. Basic community non-profit services authorized by the Band pursuant to Article VI, Section D, Constitution of the Minnesota Chippewa Tribe.

DATED at Vineland, Minnesota this 30th day of January, 1986.

Arthur Gahbow  
Signature of the Chief Executive

APPROVED AND NUMBERED  
AS TO FORM & EXECUTION

EXPIRATION DATE

Jay Kanassataga

OPEN

OFFICIAL SEAL OF THE BAND