



MILLE LACS BAND OF OJIBWE

Executive Branch of Tribal Government

EXECUTIVE ORDER NO. 181-18

AN EXECUTIVE ORDER AUTHORIZING THE COMMISSIONER OF COMMUNITY DEVELOPMENT TO PERFORM THE DUTIES OF THE COMMISSIONER OF ADMINISTRATION

WHEREAS, Pursuant to Title 4 MLBSA § 6(e), the Chief Executive has the authority to issue an Executive Order on any subject matter within the Executive Branch of government; and,

WHEREAS, Pursuant to Title 4 MLBSA § 10, the Commissioner of Administration shall act as the Chief of Staff within the Executive Branch of Band Government. The Commissioner of Administration shall have the following authority: (a) To act in the absence of any other commissioner. (b) To act by and with the advice and consent of the Chief Executive. (c) To sign by authorization all vouchers and expenditures of appropriated funds of the Executive Branch pursuant to the provisions of Band statute. (d) To represent the interests of the Chief Executive in matters before the Band Assembly upon the direction of the Chief Executive. (e) To be responsible for the preparation of the biennial budget for the Executive Branch of Band government and for the submission of said budget to the Band Assembly no later than September 1 of each odd numbered year. (f) To exercise all authority conferred pursuant to the provisions of any Band statute and any authority conferred by the Chief Executive.

WHEREAS, Pursuant to Title 4 MLBSA § 10 (g), the Commissioner of Administration is authorized to delegate to the Assistant Commissioner of Administration any of the authority contained herein or in 4 MLBSA § 7 during the absence of the Commissioner of Administration or other executive officer; and

WHEREAS, Title 4 MLBSA § 9 provides that (b) The Administration Policy Board shall be chaired by the Commissioner of Administration and it is essential that the Administration Policy Board be regularly convened without interruption; and

WHEREAS, The duties of the Commissioner of Administration and Assistant Commissioner of Administration are expansive across the Executive Branch and it is essential the performance of these duties be uninterrupted to ensure oversight and delivery of programs and services for the benefit of Band membership; and

WHEREAS, The positions of Commissioner of Administration and Assistant Commissioner of Administration are currently vacant; and

WHEREAS, Pursuant to Title 4 MLBSA § 6(b) the Chief Executive is authorized to appoint executive officers, judges, heads of commissions, boards or authorities, legal and financial counsel and to make appointments to fill any vacancy in any office as authorized by Band Statute; and

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WHEREAS, Pursuant to Title 4 MLBSA § 4 the Chief Executive is an executive officer of the Band, and in accordance with Title 4 MLBSA § 7(i) an executive officer is authorized to take such measures as are deemed necessary to prevent any action which threatens the well-being of programs within their respective jurisdiction; and

WHEREAS, The absence of an officer imbued with the authority of the Commissioner of Administration or the Assistant Commissioner of Administration threatens the well-being of all programs of the Executive Branch; and

WHEREAS, At this time, it is necessary for one of the current Commissioners, duly appointed and ratified, to take on the responsibilities of the Commissioner of Administration.

NOW, THEREFORE, BE IT RESOLVED, That until such time as either of the positions of Commissioner of Administration or Assistant Commissioner of Administration are filled, the Commissioner of Community Development is hereby authorized to act in the capacity of the Commissioner of Administration and to perform and carry out all such duties and functions of the Commissioner of Administration that are allowed under Band Statute, policies and procedures.

DATED, at Vineland, Minnesota, this 12th day of October in the year two thousand eighteen.

Effective Date: October 12, 2018

Expiration Date: May 1st, 2019



Melanie Benjamin

Melanie A. Benjamin
Chief Executive