



THE MILLE LACS BAND OF
OJIBWE INDIANS

Executive Order of the Chief Executive

EXECUTIVE ORDER 118-96

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

WHEREAS, pursuant to 4 MLBSA § 3 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 Ojibwe Indians shall be accorded equal opportunity to participate in the economic resources and activities of the Band pursuant to Article XIII of the Constitution of the Minnesota Chippewa Tribe; and,

WHEREAS, the various entities of the Non-Removable Mille Lacs Band of Ojibwe Indians have entered into contracts with and received various grants from both the United States of America and the State of Minnesota and their political sub-divisions, with the purpose of providing basic services to persons under the jurisdiction of the Band pursuant to guidelines established under the terms and conditions of such grants and contracts; and,

WHEREAS, the Administration Policy Board, other Policy Boards and Semi-Independent Political Sub-Divisions of the Band possess the statutory authority to deliver services to eligible Band members and other persons under the jurisdiction of the Band according to the terms of such grants and contracts; and,

WHEREAS, without adopting appropriate service standards it is difficult to ensure that the persons with the greatest need receive top priority for Band services; and

WHEREAS, standards for the delivery of services to eligible members of the Band and other persons eligible to receive services should be promulgated by the Administration Policy Board, other Policy Boards, and Semi-Independent Political Sub-Divisions of the Band to ensure compliance with Article XIII of the Constitution of the Minnesota Chippewa Tribe and the laws of the Band.

NOW THEREFORE, pursuant to the authority vested in me, I, Marge Anderson, do hereby order that all persons elected or appointed to any positions within the Mille Lacs Band of Ojibwe Indians, including the Chief Executive; Secretary-

DISTRICT I

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(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

Route 2 • Box 38 • McGregor, MN 55760
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DISTRICT III

Route 2 • Box 233-N • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 324-6190

Treasurer; Band Assembly Representatives; Chief Justice and other Justices and Judges of the Court of Central Jurisdiction; and all appointees of the Chief Executive, including all Commissioners, the Solicitor General, members of the Housing Authority Board, School Board and Corporate Commission, and Supervisors of the Public Works Commission; and family members within the first degree of kinship to the above stated elected and appointed officials, shall not receive Band services until all other persons who have a higher demonstrated need for these services have been serviced.

BE IT FURTHER ORDERED, that before any such elected and appointed officials or their families receive any Band service the entity of the Band providing such service shall certify in writing that the delivery of services is authorized pursuant to the provisions of this Executive Order and that no conflict of interest exists between the parties, no undue or improper influence was exerted upon the decision maker, and no covered official discussed the delivery of the Band service with any decision maker in private conversation without first disclosing the conversation to the head of the entity responsible for providing the service.

BE IT FURTHER ORDERED, that no employee of the Band shall authorize the provision of services to any elected or appointed official or their relatives within the first degree of kinship without first filling out a statement as required above, having it notarized by the Clerk of Court, any Justice or Judge of the Court of Central Jurisdiction, or any Notary Public, and filing the statement in the Clerk of Court's office.

BE IT FURTHER ORDERED, that the Administration Policy Board, all other Policy Boards and all Semi-Independent Political Sub-Divisions shall develop need-based standards for the provision of services in compliance with this Executive Order no later than February 15, 1997. All such standards shall be published in the Band 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 a priority list to receive service or the denial of service. The administrative decision shall be appealable to the Court of Central Jurisdiction. All standards shall provide for the equal protection, equal opportunity and due process rights under Band Law.

BE IT FURTHER ORDERED, that the Solicitor General shall assist as requested in the development of these standards and the final decision to accept or reject any such standards for non-compliance with this Executive Order shall rest with the Chief Executive.

BE IT FURTHER AND FINALLY ORDERED, that any person who shall violate or cause any other person to violate express provisions or the intent of this Executive Order shall be subject to disciplinary action and criminal and civil prosecution pursuant to applicable Band Law.

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

1. Basic education services including the Nay Ah Shing Schools, Headstart, vocational education. Johnson O'Malley and Title IV, Part A and B ARE specifically subject to the provisions of this Executive Order.
2. Basic medical services offered at Ne Ia Shing Clinic including dental services, laboratory work, contract health care, and psychological services. Services for non-emergency eyeglasses care 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 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 1(d) of the Constitution of the Minnesota Chippewa Tribe and 3 MLBSA § 2(g).

DATED at Vineland, Minnesota this 16th day of DECEMBER, 1996.

Expiration Date: None

Marge Anderson
Marge Anderson, Chief Executive

APPROVED AS TO FORM,
EXECUTION AND NUMBERING

James M. Genia
James M. Genia, Solicitor General

OFFICIAL SEAL OF THE BAND