



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

LEGISLATIVE ORDER 38-25

**A LEGISLATIVE ORDER REPEALING AND REPLACING LEGISLATIVE ORDER
37-22 AND ESTABLISHING NEW PROCEDURES FOR WHEN THE BAND
ASSEMBLY RECEIVES A CRITICAL NOMINATION FROM THE CHIEF
EXECUTIVE OR SECRETARY-TREASURER**

WHEREAS, pursuant to 3 MLBS § 3(a), the Non-Removable Mille Lacs Band of Ojibwe Band Assembly possesses the power to “enact laws which promote the general welfare of the people[;]” and

WHEREAS, pursuant to 3 MLBS § 3(g), the Band Assembly possesses the power to “perform all other legislative functions conferred by the provisions of Article VI of the Constitution of the Minnesota Chippewa Tribe[;]” and

WHEREAS, pursuant to 3 MLBS § 30, the Band Assembly “may issue Legislative Orders on any subject matter within the Legislative Branch of government pursuant to authority conferred by this Title and the Constitution of the Minnesota Chippewa Tribe[;]” and

WHEREAS, pursuant to 4 MLBS § 6(b), the Chief Executive has the authority “[t]o appoint wherever authorized by Band Statute, 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 subject to confirmation by the Band Assembly[;]” and

WHEREAS, pursuant to 4 MLBS § 17(a) “[t]he Chief Executive shall nominate and forward to the Band Assembly for confirmation the name of a competent and duly qualified individual of high honor and integrity to serve as the Solicitor General of the Non-Removable Mille Lacs Bands of Chippewa Indians[;]” and

WHEREAS, pursuant to 5 MLBS § 5(b), “[t]he Justices shall be nominated by the Chief Executive, who shall submit the nomination to Band Assembly. Band Assembly shall upon receipt of the nomination confirm or reject the nomination within 30 days. There shall be one (1) justice from each of the three (3) respective districts of the Mille Lacs Band[;]” and

WHEREAS, pursuant to 5 MLBS § 7(a), the “District Court Judge and the Associate Judges shall be nominated by the Chief Executive who shall submit the nomination to Band Assembly. Band Assembly shall upon receipt of the nominations confirm or reject the nominations within 30 days[;]” and

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WHEREAS, pursuant to 16 MLBS § 103, all five (5) Corporate Board Members “shall be nominated by the Chief Executive and ratified by the Band Assembly[;]” and

WHEREAS, pursuant to 17 MLBS § 204(f) and (g), the Secretary-Treasurer is authorized to nominate one (1) Band Member Representative and a maximum of five (5) investment professionals to the Band’s Institutional Investment Committee; and

WHEREAS, pursuant to 15 MLBS § 302(c) and corresponding Mille Lacs Band Detailed Gaming Regulations, Gaming Regulatory Authority Board Members are required to undergo criminal background checks; and

WHEREAS, for the purposes of this legislative order, “Critical Nomination” shall be defined as any nomination by the Chief Executive for any Commissioner, Judge, Justice, Corporate Board Member, or the Solicitor General, or any of the Secretary-Treasurer’s nominations to the Institutional Investment Committee; and

WHEREAS, the Band Assembly wishes to repeal and replace Legislative Order 37-22.

NOW, THEREFORE, BE IT ORDERED, that the Band Assembly may consider a Critical Nomination upon receipt of (1) a nomination letter signed by the Chief Executive or Secretary-Treasurer, as appropriate (“Critical Nomination Letter”); (2) a copy of the nominee’s resume; (3) the nominee’s contact information; and (4) the unabridged results of the criminal background check.

BE IT FURTHER ORDERED, that, upon receipt of the Critical Nomination Letter, resume, and nominee contact information from the Chief Executive, the Parliamentarian shall, on behalf of the Band Assembly, request that the Solicitor General’s office perform a criminal background check on the nominee pursuant to 24 MLBS § 1054(j).

BE IT FURTHER ORDERED, that the Solicitor General’s office shall provide the Parliamentarian with the results of the criminal background check within 14 calendar days after the request and shall bear the costs of performing the background check.

BE IT FURTHER ORDERED, that, for any nominee other than a Judge or Justice, the nomination shall be considered fully received when the Parliamentarian receives the complete and unabridged results of the criminal background check from the Solicitor General’s office, at which time the Parliamentarian may, with the consent of two (2) District Representatives or one (1) District Representative and the Speaker of the Assembly, place the nomination on the Band Assembly agenda.

BE IT FURTHER ORDERED, that, for the nomination of any Judge or Justice, the Parliamentarian may, immediately upon receipt from the Chief Executive, place

the nomination on the Band Assembly agenda and the criminal background check performed by the Solicitor General's office shall run concurrently.

BE IT FURTHER ORDERED, that Legislative Order 31-21 remains repealed.

BE IT FURTHER AND FINALLY ORDERED, that Legislative Order 37-22 is repealed.


WE DO HEREBY CERTIFY that the foregoing legislative order was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on May 30, 2025, at Nayahshing, Minnesota by a vote of ___ FOR, ___ AGAINST, ___ SILENT.

DATED, at Vineland, Minnesota, from within the sovereign territory of the Non-Removable Mille Lacs Band of Ojibwe, this 30th day of May, 2025.

Effective Date: May 30, 2025



Sheldon Boyd, Speaker of the Assembly


Carolyn Beaulieu, District 1 Representative


Wendy Merrill, District 2 Representative


Harry Davis, District 3 Representative

APPROVED AS TO FORM AND NUMBERING:


Reen Reinhardt
Revisor of Statutes

OFFICIAL SEAL OF THE BAND

