

MILLE LACS BAND OF CHIPPEWA INDIANS

Legislative Branch of Tribal Government

Legislative Order 003

- WHEREAS, the Band Assembly has enacted a series of laws designed to separate the powers of government and to provide an opportunity for more Band members to participate in the day-to-day operations of government, namely; the Mille Lacs Reservation Housing Authority, the Mille Lacs Band Corporate Commission, the Consolidated Nay-Ah-Shing School Board and the Mille Lacs Public Works Commission, and;
- WHEREAS, the Band Assembly has enacted a series of laws designed to provide revenue for the provision of services to the members of the Band and to support the costs of operating the day-to-day functions of government, and;
- WHEREAS, the Band Assembly has enacted a law to provide for increased employment opportunities and training programs on behalf of the members of the Band and other Indians who reside within the territorial jurisdiction of the Band, and;
- WHEREAS, the Band and its members have suffered as a result of non-compliance with the various provisions of law by persons directly responsible for the enforcement of these laws or by other persons who refuse to assist in the enforcement of these laws, and;
- WHEREAS, the powers, responsibilities and obligations re-delegated by the Band Assembly to the Mille Lacs Band Corporate Commission have not been implemented since April, 1985 due to non-reappointment of Commissioners to this political sub-division of the Band, AND:
- WHEREAS, the Band Assembly has taken legislative notice of numerous hirings by various entities of the Band without full compliance with the provisions of the Personnel Policies which are codified in Chapter 49 of the Band Statutes, and;
- WHEREAS, it is the unanimous opinion of the members of the Band Assembly that strong action be initiated immediately to exercise the legislative review authorities of the Band Assembly for the purpose of mandating compliance with the laws of the Band and holding appointees and employees of the Band accountable for their actions or inactions.

NOW THEREFORE, PURSUANT to the powers vested in the Band Assembly by Article VI of the Constitution of the Minnesota Chippewa Tribe and Band Statute 1002-MLC-2, it is hereby legislatively ORDERED AND DECREED THAT:

1. The Band Assembly shall resume the powers obligations and responsibilities of the Mille Lacs Band Corporate Commission until such time as another Corporate Commission is appointed by the Chief Executive and ratified by the Band Assembly.
2. Walter Perlick, Manager of Kathio Charitable Gaming Foundation shall have thirty days (30) to increase attendance at Bingo Sessions by twenty-five percent as he pledged he could accomplish when he was hired as the Manager. He shall streamline the operation of Bingo and institute strong measures of financial accountability of Bingo funds upon the employees at every bingo session. He shall vacate the job description for an Assistant Manager which is presently posted. He shall institute action in the Court of Central Jurisdiction to collect insufficient checks cashed at Bingo. He shall appear before the Band Assembly on June 12, 1986 to answer questions related to the financial accounting system presently in place and to justify late payments of taxation revenue and gross profits lawfully due to the Band. He shall be held personally liable for any shortages that may occur during the financial operation of any Bingo Session.
3. The Commissioner of Administration shall appear before the Band Assembly on June 12, 1986 to formally present new civil service laws (personnel policies) that have been pending in his office for eighteen months. He shall justify why the Administration Policy Board has not implemented the Indian Employment Rights Program for the Band as mandated by Chapter 36 of the Statutes.
4. The Commissioner of Human Services shall appear before the Band Assembly on June 12, 1986 to formally present an answer to why no Social Service policies have been implemented for Chapter 28 of the Band Statutes as ordered by the Chief Executive to be complete on or before February 1, 1986. He shall further explain why proposals have not been prepared in the social service area when he was given adequate notice of funding availability.

He shall explain why the provisions of Chapter 28 have not been implemented by the Social Service Area of his Administration. He shall explain why disciplinary action was not taken in the matter of a letter written to the Aitkin County Attorney without his authorization.

5. The Mille Lacs Reservation Housing Authority is hereby ordered and directed to take the necessary steps to ensure that all contractors and sub-contractors have been duly licensed pursuant to Chapter 47 of the statutes prior to the award of any contracts for the completion of construction of the twenty units of single family mutual help housing units. Further, it is ordered the the Mille Lacs Purchasing and Supply be the sole unit for purchasing materials and supplies for the remainder of this project so that the Band will collect the five (5%) percent sales tax. It is further ordered that the Authority shall ensure that all contractors and sub-contractors comply with Chapter 36, Indian Employment Rights of the Statutes by negotiating such an agreement with the Administration Policy Board.

The Solicitor General is hereby authorized to petition the Court of Central Jurisdiction for an Order halting all work on the Housing Project if compliance with the above is not achieved. Said order to be valid until such time as full compliance with the law is obtained.

6. The Solicitor General shall appear before the Band Assembly on June 12, 1986 to formally present an answer as to why he has failed to initiate legal action in the Court of Central Jurisdiction to exclude Thomas E. Feierabend and Phillip S. Blott from conducting any further business on lands under the jurisdiction of the Band or with any entity of the Band pursuant to the report of the Receiver, Gerald D. Thedens which was accepted by the Court on April 18, 1986.

IT IS FINALLY ORDERED THAT any person be they employee or appointee of the Mille Lacs Band of Chippewa Indians or any sub-division thereof who shall speak to any person representing any agency of the United States of America or the State of Minnesota or any County sub-division thereof and make derogatory, spiteful or negative remarks that serve to degrade the Mille Lacs Band or any of its officers or employees SHALL BE SUBJECT TO SEVERE DISCIPLINARY ACTION AFTER HEARING BEFORE THE BAND ASSEMBLY.

HENCEFORTH, THE BAND ASSEMBLY SHALL EXPECT LOYALTY TO THE NON-REMOVABLE MILLE LACS BAND OF CHIPPEWA INDIANS BY ITS OFFICERS, APPOINTEES AND EMPLOYESS. ANY PERSON WHO WOULD SEEK TO RUN DOWN THE GOOD NAME OF THE BAND ITS OFFICERS, APPOINTEES OR EMPLOYEES TO ANY OTHER PERSON DOES NOT DESERVE TO BE IN THE EMPLOY OF THE MILLE LACS BAND.

THE PROVISIONS OF LOYALTY TO THE BAND DO NOT INCLUDE ACTS WHICH VIOLATE THE INTENT OR SPIRIT OF ANY LAW BE IT FEDERAL, STATE OR BAND IN NATURE.


THE TIME HAS NOW COME FOR ALL MEMBERS OF THE BAND TO PULL TOGETHER AND WORK FOR THE COMMON GOOD OF THE BAND AND ITS MEMBERS. THE TIME HAS COME FOR US ALL TO WORK WITH EACH OTHER RATHER THAN TO WORK AGAINST ONE ANOTHER BECAUSE OF OUR PERSONAL FEELINGS AGAINST ANOTHER PERSON. AS THE CHIEF EXECUTIVE HAS SAID, IF YOU CAN'T SET ASIDE YOUR PERSONAL FEELINGS, YOU SHOULD NOT BE WORKING FOR THE BAND.

Pursuant to the provisions of Band Statute 1002-MLC-2, Section 2.

IT IS SO ORDERED

Done at Nay-Ah-Shing, this 5th day of June, 1986.

[OFFICIAL SEAL OF THE BAND]



Douglas Sam, Speaker of the Assembly



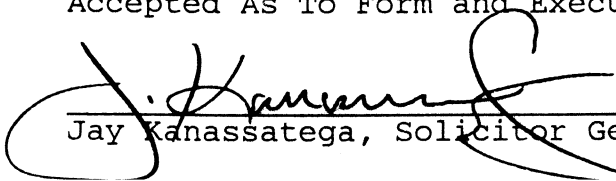
Margie Anderson, District I Representative

Julie F. Shingobe, District II Represent.



Braton Churchill, District III Represent.

Accepted As To Form and Execution



Jay Kanassatega, Solicitor General