



THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

LEGISLATIVE ORDER 37-22

**A LEGISLATIVE ORDER 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 thirty (30) days. There shall be one justice from each of the three 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 day[;]” and

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

WHEREAS, 17 MLBS § 204 authorizes the Secretary-Treasurer to nominate one Band Member Representative and a maximum of five investment professionals to the Band’s Institutional Investment Committee; and

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

NOW, THEREFORE, BE IT ORDERED, that the Band Assembly will only 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; and (3) the nominee’s contact information.

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 fourteen (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 shall place the nomination on the Band Assembly agenda.

BE IT FURTHER ORDERED, that, for the nomination of any Judge or Justice, the Parliamentarian shall, 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 AND FINALLY ORDERED, that Legislative Order 31-21 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 April 25, 2022; at Nayahshing, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

DATED, at Vineland, Minnesota, from within the sovereign territory of the Non-Removable Mille Lacs Band of Ojibwe, this 25th day of April, 2022.

Effective Date: April 25, 2022


Sheldon Boyd, Speaker of the Assembly


Virgil Wind, District 1 Representative


Marvin Bruneau, District 2 Representative


Wallace St. John, District 3 Representative

APPROVED AS TO FORM, EXECUTION, AND NUMBERING:


Caleb Dogeagle
MLB Solicitor General

OFFICIAL SEAL OF THE BAND

