



MILLE LACS BAND OF CHIPPEWA INDIANS
Judicial Branch of Tribal Government

Opinion of the Solicitor General

10-OSG-84

TO: Arthur Gahbow, Chief Executive
FROM: Jay Kanassatega, Solicitor General
SUBJECT: Legality Review of Contractual Agreement with State of Minnesota -
Community Services Block Grant (Fiscal Year 1983- Special Allotment).
Grant Agreement No. 81688.

You have requested a review of the aforementioned contract for compliance with Band law for the provision of services to Band members. The following is provided in compliance with your request.

Concern No. 1: Article XII: The Band waives all rights to litigate liability caused by the state in the performance of this contract. This is a standard hold harmless clause.

Concern No. 2: Article XII: The Band will comply with Minnesota Human Rights Act in the performance of this contract. Any person who is or is not a recipient of funds under this contract can file a complaint which eventually could have the Band in State Court for causes of action arising therewith.

Concern No. 3: Articles XVII and XVIII: These do not necessarily apply to the Band, however who decides if they are applicable. Perhaps they should be stricken as articles of the contract, so that the Band exercises a determinatory position.


THE SOLICITOR GENERAL

DATED: 15th November 1983

OFFICIAL SEAL OF THE BAND