



MILLE LACS BAND OF CHIPPEWA INDIANS

Legislative Branch of Tribal Government

RESOLUTION NO. 02-24-85

A RESOLUTION OF OPPOSITION TO AND NONACQUIESCENCE WITH ALL PROVISIONS OF PROPOSED OR ENACTED ORDINANCES NUMBERED 15, 16 AND 17 OF THE MINNESOTA CHIPPEWA TRIBE.

WHEREAS, appropriate sub-committees' of the Minnesota Chippewa Tribal Executive Committee have considered and recommended proposed tribal ordinances to create a Court system, to enact an unlawful detainer code and a land consolidation code, and;

WHEREAS, the enactment of the proposed ordinance to create a tribal court conflicts with and infringes upon established cultural and legal systems enacted as Band Statute 1024-MLC-3 on March 21, 1983 by the Band Assembly, and;

WHEREAS, the enactment of the proposed unlawful detainer code conflicts with and infringes upon established remedies for the recovery of property located within the territories under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians enacted as Band Statute 1087-MLC-40,41,42,43 and 44 on March 13, 1985 by the Band Assembly, and;

WHEREAS, the enactment of the proposed ordinance to consolidate lands pursuant to 25 USC 2201, et seq. in the name of the Minnesota Chippewa Tribe conflicts with and infringes upon the rights of members of the Mille Lacs Band of Chippewa Indians as protected pursuant to Band Statute 1087-MLC-44, Section 67 as enacted by the Band Assembly, and;

WHEREAS, the enactment of these three proposed ordinances captioned as Ordinances 15,16 and 17 by the Minnesota Chippewa Tribal Executive Committee will be inconsistent with the advancement of the principles and precepts of Indian self-determination and will constitute further erosion of the independent sovereignty possessed by each Band which comprises the Minnesota Chippewa Tribe, and;

WHEREAS, the enactment of these three proposed ordinances captioned as Ordinances 15,16 and 17 by the Minnesota Chippewa Tribal Executive Committee are deemed to be further inconsistent with the advancement and rights to self-determination of the Non-Removable Mille Lacs Band of Chippewa Indians which have been exercised through the development of a statutory body of law.

NOW THEREFORE BE IT RESOLVED, THAT the Non Removable Mille Lacs Band of Chippewa Indians are in diametric opposition to the enactment of proposed Ordinances 15, 16 and 17 by the Minnesota Chippewa Tribal Executive Committee.

BE IT FURTHER RESOLVED, THAT the Non-Removable Mille Lacs Band of Chippewa Indians shall not under any and all circumstances be legally bound by any of the terms or conditions contained within proposed Ordinances 15, 16 and 17 once enacted by the Minnesota Chippewa Tribal Executive Committee and that the United States Department of Interior - Bureau of Indian Affairs and the State of Minnesota are hereby officially notified that said proposed Ordinances 15, 16 and 17, if enacted, shall be inapplicable to the person, territory and subject-matter jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians as inconsistent with cultural and statutory provisions of Band law.

BE IT FINALLY RESOLVED, THAT the Chief Executive (Chairman) and the Speaker of the Assembly (Secretary-Treasurer) are hereby authorized and directed to strenuously oppose the enactment of proposed Ordinances 15, 16 and 17 by the Tribal Executive Committee and to cast negative votes during the requested roll-call vote on each proposed ordinance.


WE DO HEREBY CERTIFY, THAT the foregoing Resolution No. 02-24-85 was duly adopted at a legal session of the Band Assembly (Reservation Business Committee) in Legislative Council assembled, a quorum of legislators being present, held on Wednesday, April 24, 1985 at Nay-Ah-Shing by a vote of 3 FOR, 0 against and 0 SILENT.

IN WITNESS WHEREOF, WE, the Band Assembly do hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this Resolution.



Douglas Sam, Speaker of the Assembly

IN CONCURRENCE WITH, the action of the Band Assembly, WE, the Cabinet hereunto recommend to have set the signature of the Chief Executive to be affixed to this Resolution.



Arthur Gahbow, Chief Executive