



# THE MILLE LACS BAND OF OJIBWE INDIANS

*Legislative Branch of Tribal Government*

## SECRETARIAL ORDER 23-03

### **A SECRETARIAL ORDER REGULATING ACCESS TO FINANCIAL DATA WITHIN THE CONTROL OF THE LEGISLATIVE BRANCH OF BAND GOVERNMENT**

**WHEREAS**, Article VI, section 1(a) grants the Reservation Business Committees, “[t]o administer any funds within the control of the Reservation; to make expenditures from Reservation funds for salaries, expenses of Reservation officials, employment or other Reservation purposes.

**WHEREAS**, Article VI, section 1(a) states that “[a]ll expenditures of Reservation funds under the control of the Reservation Business Committees shall be (sic) (in) accordance with a budget, duly approved by resolution in legal session, and the amounts so expended shall be a matter of public record at all reasonable times.

**WHEREAS**, Article VI, section 1(e) grants the Reservation Business Committees the authority, “[t]o delegate to committees, officers, employees or cooperative association any of the foregoing authorities, reserving the right to review any action taken by virtue of such delegated authorities.

**WHEREAS**, Title 3 MLBSA section 1 states that, “[a]ll legislative political authority of the Non-Removable Mille Lacs Bands of Chippewa Indians shall be vested in the Legislative Branch of government. The Legislative Branch of government shall be known as the Band Assembly.

**WHEREAS**, Title 3 MLBSA section 1 states that “[a]ll legislative authority of the Mille Lacs Reservation Business Committee shall be exercised by the Band Assembly.

**WHEREAS**, Title 3 MLBSA section 1 states that, “[t]he Secretary-Treasurer shall be the leader of the Band Assembly. The Secretary-Treasurer shall exercise his/her financial duties under the title “Secretary of Treasury.”

**WHEREAS**, Title 3 MLBSA section 7 states that, “[t]he Secretary-Treasurer shall have the following general powers and duties in administrating the financial affairs of Band government:

- (a) To superintend and manage all fiscal operations, planning and budgeting of the Non-Removable Mille Lacs Band of Chippewa Indians as authorized by the Band Assembly;
- (c) To receive and receipt for all monies paid into the Band treasury and safely keep the same until lawfully disbursed by formal appropriation;
- (e) To require the production of such books, accounts, documents and property under any lawful financial inquiry in all things that will aid him/her in the performance of his/her duties;
- (f) To levy, impound or attach any financial account of the Non-Removable Mille Lacs Band of Chippewa Indians or any political subdivision thereof to prevent serious financial jeopardy or acts in violation of law. This authority shall not be exercised to contravene any lawful acts of the Band Assembly;
- (g) To issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band consistent with the powers herein delegated. Such written orders shall be in uniform format, numbered consecutively and have expiration dates;
- (j) The Secretary-Treasurer shall coordinate with the Commissioner of Finance for the Office of Management and Budget, to ensure that financial planning and operations are consistent.

**WHEREAS**, Title 22 section 104(a) states that, “[t]he Commissioner of Finance shall be the chief administrative officer of the Office of Management and Budget pursuant to the directives of the Band Assembly.

**WHEREAS**, Title 22 section 111 states that, “[t]his section shall not be construed as granting the Commissioner of Finance any power to release information under his direct control to any exterior person, entity or government. All information collected shall be deemed highly classified and confidential.

**WHEREAS**, the Secretary-Treasurer of the Mille Lacs Band of Ojibwe Indians, as authorized by the Band Assembly, requires the Commissioner of Finance to create, collect, maintain and store Band budgets and amounts expended;

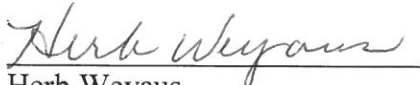
**NOW THEREFORE, BE IT ORDERED**, that any previous Secretarial Orders regulating financial data is hereby repealed and replaced.

**IT IS FURTHER ORDERED**, that the Commissioner of Finance, shall make available for inspection and/or copying (at cost) by Band members during business hours, all appropriation bills duly passed and signed into law, and gross amounts expended pursuant to each line item in such appropriation bill;

**IT IS FURTHER ORDERED**, that the Commissioner of Finance shall not release or in any way make available any information under the Commissioner’s direct control to any exterior person, entity or government without the express written authorization of the Secretary-Treasurer and the Band Assembly;

**IT IS FURTHER ORDERED**, that the Commissioner of Finance shall not in any way make available any information other than that required by this Order and Band law without the express written authorization of the Secretary-Treasurer and the Band Assembly.

Dated this 10<sup>th</sup> day of July 2003

  
Herb Weyaus  
Secretary-Treasurer

**OFFICIAL SEAL OF THE BAND**