



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

SECRETARIAL ORDER 53-20

A SECRETARIAL ORDER RECOGNIZING MINORS UNDER THE AGE OF 16 AS INCAPABLE OF AUTHORIZING WITHDRAWALS FROM THE MINORS' TRUST FUND

- WHEREAS, pursuant to 3 MLBSA § 7, the Secretary-Treasurer shall 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; and
- WHEREAS, also pursuant to 3 MLBSA § 7, the Secretary-Treasurer shall have powers of investigations of financial irregularity and 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; and
- WHEREAS, pursuant to 3 MLBSA § 7(g), the Secretary-Treasurer may issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band consistent with the powers under § 7; and
- WHEREAS, pursuant to 25 U.S.C. § 2710 and 25 C.F.R. pt. 290, the Band may use net revenue from Class II and Class III gaming activities to distribute per capita payments to Band members only if it has adopted a revenue allocation plan that has been approved by the Secretary of Interior or his or her delegate; and
- WHEREAS, the Band adopted, and the Secretary of Interior approved, the "Net Gaming Revenue Allocation Plan" in 2010; and
- WHEREAS, the Band distributes per capita payments to all eligible Band members, including making direct per capita distributions to adult Band members and depositing per capita distributions into interest-bearing accounts collectively referred to as the "Minors' Trust Fund" on behalf of minor and legally incompetent Band members; and
- WHEREAS, 25 C.F.R. pt. 290.12 requires the Band to "make per capita payments for eligible minors or incompetents to the parents or legal guardians of these minors or incompetents at times and in such amounts as necessary for the health, education, or welfare of the minor or incompetent"; and

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WHEREAS, 25 C.F.R. pt. 290.12 further requires the Band to establish “criteria for withdrawal of the funds, acceptable proof and/or receipts for accountability of the expenditure of the funds and the circumstances for denial of the withdrawal of the minors’ and legal incompetents’ per capita payments by the parent or legal guardian”; and

WHEREAS, 25 U.S.C. § 2710(b)(3)(C) requires the Band to protect and preserve the interests of minors and other incompetent persons entitled to receive per capita payments; and

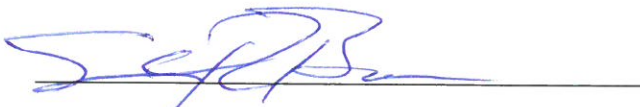
WHEREAS, a preliminary review of the application process for withdrawals from the Minors’ Trust Fund revealed that minor beneficiaries enter into legally-binding agreements with the Band Assembly when applying for withdrawals from their per capita distributions by signing such applications; and

WHEREAS, under 24 MLBSA § 106, “[a]ll persons are capable of contracting except minors under the age of sixteen”.

THEREFORE, pursuant to authority under 3 MLBSA § 7, the Secretary-Treasurer directs that:

1. Minor beneficiaries under the age of 16 are incapable of authorizing withdrawals from the Minors’ Trust Fund; and
2. Parents and legal guardians of minor beneficiaries under the age of 16 are required to authorize withdrawals from the Minors’ Trust Fund pursuant to the requirements of 25 C.F.R. pt. 290.12 and the Net Gaming Revenue Allocation Plan”; and
3. This Secretarial Order shall expire at the end of this current Secretary-Treasurer’s term of office.

Executed on May 19, 2020:



Secretary-Treasurer Sheldon R. Boyd

OFFICIAL SEAL OF THE BAND

SECRETARIAL ORDER 54-21

A SECRETARIAL ORDER AUTHORIZING ELECTRONIC AND PRE-PRINTED SIGNATURES

WHEREAS, pursuant to 3 MLBS § 7, the Secretary-Treasurer shall superintend and manage all fiscal operations, planning and budgeting of the Non-Removable Mille Lacs Band of Ojibwe as authorized by the Band Assembly; and

WHEREAS, pursuant to 3 MLBS § 7(g), the Secretary-Treasurer may issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band consistent with the powers under § 7;

NOW, THEREFORE, BE IT ORDERED, that the Secretary-Treasurer, as well as any employee working in direct support and at the pleasure of the Secretary-Treasurer, will accept electronic signatures from other entities, to include state or federal agencies, vendors, contractors, and other Band departments, provided that the Secretary-Treasurer, as well as any employee working in direct support and at the pleasure of the Secretary-Treasurer, can authenticate that (1) the signer both intended and consented to provide an electronic signature and (2) the document has not been altered since affixation of the electronic signature; and

BE IT FURTHER ORDERED, that the Secretary-Treasurer, notwithstanding any law, rule, or ordinance to the contrary, shall be authorized to utilize an electronic signature in lieu of a handwritten signature on any document that (s)he is reasonably required or obligated to sign in the course of his or her official duties as Secretary-Treasurer; and

BE IT FURTHER AND FINALLY ORDERED, that the Secretary-Treasurer, notwithstanding any law, rule, or ordinance to the contrary, shall be authorized to utilize a pre-printed signature on any check in accordance with internal controls and accepted practices of the Band's Office of Management and Budget.

DATED, at Vineland, Minnesota, from within the sovereign territory of the Non-Removable Mille Lacs Band of Ojibwe, this 17th day of December, 2020.

Effective Date: December 17, 2020
Expiration Date: December 17, 2040

OFFICIAL SEAL OF THE BAND


Secretary-Treasurer Sheldon R. Boyd



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

SECRETARIAL ORDER 91-21

**A SECRETARIAL ORDER ESTABLISHING A NUMBERING SYSTEM
FOR FUTURE SECRETARIAL ORDERS AND RECOGNIZING AS
EXPIRED ALL PREVIOUS SECRETARIAL ORDERS THAT DID NOT
SPECIFY EXPIRATION DATES**

- WHEREAS, pursuant to 3 MLBS § 7(a), the Secretary-Treasurer shall superintend and manage all fiscal operations, planning and budgeting of the Non-Removable Mille Lacs Band of Ojibwe as authorized by the Band Assembly; and
- WHEREAS, pursuant to 3 MLBS § 7(g), the Secretary-Treasurer may issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band consistent with the powers under § 7, provided that such Secretarial Orders shall be in uniform format, issued consecutively, and have expiration dates; and
- WHEREAS, between the dates of November 15, 1982, and August 27, 1990, the Secretary-Treasurer appears, based on Legislative Branch records, to have issued 32 Secretarial Orders, each being numbered sequentially with the first being numbered 001-83 and the last being numbered 32-90; and
- WHEREAS, between the dates of February 21, 1992, and April 20, 1992, the Secretary-Treasurer issued two Secretarial Orders, with the first being numbered 001-92 and the second being numbered 002-92; and
- WHEREAS, between the dates of March 25, 1994, and July 24, 1996, the Secretary-Treasurer appears, based on Legislative Branch records, to have issued 16 Secretarial Orders, each being numbered sequentially with the first being numbered 001-94 and the last being numbered 16-96; and
- WHEREAS, between the dates of May 30, 1997, and February 20, 1998, the Secretary-Treasurer issued two Secretarial Orders, with the first being numbered 001-97 and the second being numbered 001-98; and
- WHEREAS, between the dates of March 24, 2000, and December 17, 2020, the Secretary-Treasurer appears, based on Legislative Branch records, to have issued 38 Secretarial Orders, each numbered sequentially with the first being numbered 017-00 and the last being numbered 54-21; and

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WHEREAS, despite diligent and exhaustive search efforts conducted by Legislative Branch employees, Secretarial Orders 12-85, 14-85, 15-85, 030-88, 14-96, 24, and 34 are either missing or never existed at all; and

WHEREAS, a total of 90 Secretarial Orders appear, based on Legislative Branch records, to have been issued between the dates of November 15, 1982, and December 17, 2020, and seven of the orders remain unaccounted for, either because they are missing or because they never existed at all; and

WHEREAS, the vast majority of Secretarial Orders issued between November 15, 1982, and December 20, 2017, do not contain expiration dates as required by 3 MLBS § 7(g).

NOW, THEREFORE, BE IT ORDERED, that this Secretarial Order shall be numbered 91-21 and all future Secretarial Orders shall be numbered sequentially from 91.

BE IT FURTHER ORDERED, that the numbering system for all future Secretarial Orders shall be hyphenated to include the fiscal year, not the calendar year, in the same fashion as this Secretarial Order.

BE IT FURTHER AND FINALLY ORDERED, that any Secretarial Order issued prior to this one shall be considered expired if the order failed to assign itself an expiration date in accordance with 3 MLBS § 7(g).

DATED, at Vineland, Minnesota, from within the sovereign territory of the Non-Removable Mille Lacs Band of Ojibwe, this 12th day of March, 2021.

Effective Date: March 12, 2021

Expiration Date: March 12, 2021



Secretary-Treasurer Sheldon R. Boyd

OFFICIAL SEAL OF THE BAND



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

SECRETARIAL ORDER 92-21

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- WHEREAS, pursuant to 3 MLBS § 7(a), the Secretary-Treasurer shall superintend and manage all fiscal operations, planning, and budgeting of the Non-Removable Mille Lacs Band of Ojibwe as authorized by the Band Assembly; and
- WHEREAS, pursuant to 3 MLBS § 7(g), the Secretary-Treasurer may issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band consistent with the powers under § 7, provided that such Secretarial Orders shall be in uniform format, issued consecutively, and have expiration dates; and
- WHEREAS, between the dates of November 15, 1982, and August 27, 1990, the Secretary-Treasurer appears, based on Legislative Branch records, to have issued 32 Secretarial Orders, each being numbered sequentially with the first being numbered 001-83 and the last being numbered 32-90; and
- WHEREAS, between the dates of February 21, 1992, and April 20, 1992, the Secretary-Treasurer issued two Secretarial Orders, with the first being numbered 001-92 and the second being numbered 002-92; and
- WHEREAS, between the dates of March 25, 1994, and July 24, 1996, the Secretary-Treasurer appears, based on Legislative Branch records, to have issued 16 Secretarial Orders, each being numbered sequentially with the first being numbered 001-94 and the last being numbered 16-96; and
- WHEREAS, between the dates of May 30, 1997, and February 20, 1998, the Secretary-Treasurer issued two Secretarial Orders, with the first being numbered 001-97 and the second being numbered 001-98; and
- WHEREAS, between the dates of March 24, 2000, and December 17, 2020, the Secretary-Treasurer appears, based on Legislative Branch records, to have issued 38 Secretarial Orders, each numbered sequentially with the first being numbered 017-00 and the last being numbered 54-21; and

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WHEREAS, despite diligent and exhaustive search efforts conducted by Legislative Branch employees, Secretarial Orders 12-85, 14-85, 15-85, 030-88, 14-96, 24, and 34 are either missing or never existed at all; and

WHEREAS, a total of 90 Secretarial Orders appear, based on Legislative Branch records, to have been issued between the dates of November 15, 1982, and December 17, 2020, and seven of the orders remain unaccounted for, either because they are missing or because they never existed at all; and

WHEREAS, the vast majority of Secretarial Orders issued between November 15, 1982, and December 20, 2017, do not contain expiration dates as required by 3 MLBS § 7(g); and

WHEREAS, earlier on March 12, 2021, the Secretary-Treasurer issued Secretarial Order 91-21 that mistakenly assigned itself an expiration of March 12, 2021.

NOW, THEREFORE, BE IT ORDERED, that this Secretarial Order shall be numbered 92-21 and all future Secretarial Orders shall be numbered sequentially from 92.

BE IT FURTHER ORDERED, that the numbering system for all future Secretarial Orders shall be hyphenated to include the fiscal year, not the calendar year, in the same fashion as this Secretarial Order.

BE IT FURTHER AND FINALLY ORDERED, that any Secretarial Order issued prior to this one shall be considered expired if the order failed to assign itself an expiration date in accordance with Title 3 of Mille Lacs Band Statutes.

DATED, at Vineland, Minnesota, from within the sovereign territory of the Non-Removable Mille Lacs Band of Ojibwe, this 12th day of March, 2021.

Effective Date: March 12, 2021

Expiration Date: March 12, 2121



Secretary-Treasurer Sheldon R. Boyd

OFFICIAL SEAL OF THE BAND