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2 **Mille Lacs Band Statutes Annotated**

3 Amendments received through: DATE
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6 **REVISOR OF STATUTES**
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8

9 **Section**

- 10 **1. Purpose.**
11 **2. Definitions.**
12 **3. Appointment of Revisor.**
13 **4. Revisor's Powers.**
14 **5. Drafting Duties of Revisor's Office.**
15 **6. Other Office Duties During Legislative Session.**
16 **7. Prohibitions and Limitations.**
17 **8. Official Acts of the Non-Removable Mille Lacs Band of Ojibwe.**
18 **9. Laws of the Non-Removable Mille Lacs Band of Ojibwe; Contents.**
19 **10. Laws of the Non-Removable Mille Lacs Band of Ojibwe; Supplements.**
20 **11. Publication Powers.**
21 **12. Certificate of Correctness.**
22 **13. Sale and Distribution of Statutes and Laws.**
23 **14. Legal Status of Statutes.**
24 **15. Tribal Register.**

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26 **Historical and Statutory Notes**
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29 **§ 1. Purpose.**
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31 The purposes of this statute are to:
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- 33 (a) establish an independent Revisor's Office to ensure the annual compilation, updating,
34 and publication of Band laws and official acts;
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36 (b) provide confidential drafting services of proposed legislation and policy revisions to
37 District Representatives; and
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39 (c) establish a Tribal Register for the publication of Band statutes and policies, Executive
40 Orders, Legislative Orders, Secretarial Orders, Solicitor's Opinions, Commissioner's
41 Orders, and other official notices.
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43 **Historical and Statutory Notes**

44
45 **Source:**

46 Band Ordinance XX-21.

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49 **§ 2. Definitions.**

- 50
- 51 (a) **“Agency”** or **“Department”** means any division or section of the executive or
52 legislative branches established by statute to carry out the functions of Band
53 government, to include the departments of Administration, Athletic Regulation,
54 Community Development, Education, Health and Human Services, Natural
55 Resources, Gaming and Regulatory Authority, Mille Lacs Corporate Ventures, and
56 the Office of Management and Budget.
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- 58 (b) **“Band”** means the Non-Removable Mille Lacs Band of Ojibwe.
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- 60 (c) **“Band Assembly”** means the Band’s legislative branch, established pursuant to
61 3 MLBS § 1, and comprised of the duly elected Speaker of the Assembly and three
62 District Representatives.
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- 64 (d) **“Chief Executive”** means the elected official who leads the Band’s executive branch
65 pursuant to 4 MLBS § 6.
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- 67 (e) **“Court”** means the Band’s Court of Central Jurisdiction established pursuant to
68 5 MLBS § 1.
- 69
- 70 (f) **“Legislative Session”** means the period of time, occurring twice per calendar year, in
71 which the Band Assembly is convened for the purpose of lawmaking.
- 72
- 73 (g) **“MLBS”** means Mille Lacs Band Statutes, which is the preferred legal citation for
74 the Laws of the Non-Removable Mille Lacs Band of Ojibwe.
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- 76 (h) **“Resolution,”** as used in this statute, means either a resolution of the Band Assembly
77 or a resolution of the Joint Session of the Band Assembly.
- 78
- 79 (i) **“Revisor”** means the appointed official who leads the Band’s Revisor’s Office in
80 accordance with this statute; an official charged with the responsibility for making
81 new statutes technically consistent with the existing body of law
- 82
- 83 (j) **“Speaker of the Assembly”** means the elected official who leads the Band’s
84 legislative branch pursuant to 3 MLBS § 6.
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87 **Historical and Statutory Notes**

88
89 **Source:**

90 Band Ordinance XX-21.

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93 **§ 3. Appointment of Revisor.**

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95 The Band Assembly shall appoint a qualified individual with a federal Indian law background,
96 when feasible, to the position of Revisor of Statutes. The Revisor must be licensed to practice
97 law before the Court of Central Jurisdiction and shall have his or her salary fixed by the Band
98 Assembly. When acting as Revisor, the Revisor shall be independent of any supervisory
99 authority in the Band Assembly. The Revisor may be removed from office by a unanimous vote
100 of the Band Assembly in concurrence with the Speaker of the Assembly.

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102 **Historical and Statutory Notes**

103
104 **Source:**

105 Band Ordinance XX-21.

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108 **§ 4. Revisor's Powers.**

- 109
- 110 (a) **Regular staff; hiring and salaries.** The Revisor shall employ and may fix the
111 salaries of drafters and technical, research, and clerical assistants necessary to do the
112 work of the Revisor's Office.
 - 113
 - 114 (b) **Additional staff; contractors.** When full-time employees are not available to do the
115 work of the office, the Revisor may contract for drafting, technical, research, or
116 clerical services.
 - 117
 - 118 (c) **Contracting.** The Revisor may enter into contracts to provide necessary services and
119 supplies to the office.
 - 120
 - 121 (d) **Limitations of powers.** The exercise of the powers set forth in subsections (a) to (c)
122 is subject to the control of the Band Assembly.
 - 123
 - 124 (e) **Contract over \$5,000.** A contract for professional or technical services that is valued
125 at more than \$5,000 may be made only after the Revisor has consulted Band
126 Assembly. The contract is subject to the Band Assembly's recommendation as
127 provided by § 11(c).
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130 **Historical and Statutory Notes**

131 **Source:**

132 Band Ordinance XX-21.

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136 **§ 5. Drafting Duties of the Revisor’s Office.**

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- 138 (a) **Limitation.** As far as personnel and available appropriations permit, the Revisor’s
 - 139 Office shall perform the drafting duties described in subsections (b) to (d).
 - 140
 - 141 (b) **Drafting responsibilities.** On request, the Revisor’s Office shall draft bills,
 - 142 resolutions, and amendments solely for District Representatives of the Band
 - 143 Assembly. The Revisor’s work product shall be prioritized in the order received
 - 144 during that legislative session of Band Assembly, or as otherwise directed by a
 - 145 majority vote of the Band Assembly.
 - 146
 - 147 (c) **Requests for drafting services.** The District Representatives may submit to the
 - 148 Revisor’s Office requests for drafting services. A request must state briefly the policy
 - 149 and purpose of the document to be drafted. Documents must be drafted to conform to
 - 150 the instructions given in the request.
 - 151
 - 152 (d) **Drafting manual.** The Revisor’s Office shall prepare and issue a drafting manual
 - 153 containing styles and forms for drafting bills, resolutions, and amendments.
 - 154

155 **Historical and Statutory Notes**

156 **Source:**

157 Band Ordinance XX-21.

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161 **§ 6. Other Office Duties During Legislative Session.**

- 162
- 163 (a) **Advice concerning effect of bills.** The Revisor’s Office shall give members of the
 - 164 Band Assembly advice concerning the legal effect of bills or proposed bills, but only
 - 165 at the request of the members.
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 - 167 (b) **Report to Band Assembly.** As needed or at least once every two legislative sessions,
 - 168 the Revisor’s Office shall report to the Band Assembly any statutory changes
 - 169 recommended by any branch of government, including any statutory deficiencies or
 - 170 contradictions noted in any opinion of the Court of Central Jurisdiction. The report
 - 171 must include any comment necessary to clearly outline the legislative problem
 - 172 reported.
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- 174 (c) **Technical bills.** The Revisor’s Office shall prepare and submit to the Band Assembly
175 bills clarifying and correcting the statutes and executive branch policies that are
176 required by statute to be ratified by the Band Assembly.
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- 178 (d) **Preparing and presenting the bills.** The Revisor’s Office shall assist in preparing
179 any bill requested by a District Representative. In preparing a bill, the Revisor may
180 correct misspelled words and other minor clerical errors. Bills are to remain under the
181 supervision of the Parliamentarian.
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- 183 (e) **Other Services.** The Revisor’s Office shall perform other services requested by the
184 District Representatives, provided that such requests adhere to the purposes of this
185 statute.
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187 **Historical and Statutory Notes**

188 **Source:**

189 Band Ordinance XX-21.
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193 **§ 7. Prohibitions and Limitations.**

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195 The Revisor, employees of the Revisor’s Office, and persons assisting the office as part-time
196 employees or independent contractors are subject to the following prohibitions and limitations:
197

- 198 (a) They may not reveal to any person not employed by the legislative branch the content
199 or nature of a request for drafting services. The content of the request, as well as
200 documents and communications relating to the drafting service supplied, is not public
201 and is not subject to subpoena, search warrant, deposition, writ of mandamus,
202 interrogatory, or other disclosure.
203
- 204 (b) They may not overtly urge or oppose the substantive provisions of legislation, except
205 in accordance with § 6(a).
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- 207 (c) They may not use office time to conduct legal business other than the business of the
208 Revisor’s Office.
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- 210 (d) They may not engage in outside activities that violate the ethical consideration
211 concerning independent professional judgment and interests of multiple clients
212 contained in the Minnesota Rules of Professional Conduct.
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- 214 (e) They may not engage in activities of a partisan nature.
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217 **Historical and Statutory Notes**

218
219 **Source:**

220 Band Ordinance XX-21.
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223 **§ 8. Official Acts of the Non-Removable Mille Lacs Band of Ojibwe.**
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225 No later than January 15 of each year, the Revisor shall publish, for the previous two legislative
226 sessions, in a publication called “Official Acts of the Non-Removable Mille Lacs Band of
227 Ojibwe”:

- 228 (a) Executive Orders;
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- 230 (b) Secretarial Orders;
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- 232 (c) Commissioner’s Orders;
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- 234 (d) Legislative Orders;
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- 236 (e) Solicitor’s Opinions;
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- 238 (f) ordinances;
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- 240 (g) resolutions; and
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- 242 (h) any new or revised department policy.
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245 **Historical and Statutory Notes**

246
247 **Source:**

248 Band Ordinance XX-21.
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251 **§ 9. Laws of the Non-Removable Mille Lacs Band of Ojibwe; Contents.**
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- 253 (a) **Permanent required contents.** The Revisor’s Office shall publish editions of the
254 Laws of the Non-Removable Mille Lacs Band of Ojibwe. The Laws of the Non-
255 Removable Mille Lacs Band of Ojibwe must contain the applicable constitution, all
256 general and permanent statutes in force, rules of the Court, and any other information
257 the Revisor considers desirable and practicable.
258

259 (b) **Headnotes.** The headnotes of the sections of any edition of the Laws of the Non-
260 Removable Mille Lacs Band of Ojibwe printed in boldface type are mere catchwords
261 to indicate the contents of the section and are not any part of the statute.
262

263 (c) **New laws incorporated.** No later than May 1 of each year, the Revisor shall
264 incorporate into the text of the Laws of the Non-Removable Mille Lacs Band of
265 Ojibwe the permanent general laws enacted, with amendments made to the statutes,
266 during the previous two legislative sessions. The Revisor shall also omit any sections
267 expressly repealed. The Revisor shall assign appropriate chapter and section numbers
268 to these laws and shall arrange them in proper order. After each section the Revisor
269 shall place a source note indicating the chapter and section of the ordinances or acts
270 from which the section was derived.
271

272 (d) **Form and style changes.** The form and style of the Laws of the Non-Removable
273 Mille Lacs Band of Ojibwe may be changed as necessary to improve its quality and to
274 permit the use of electronic data processing equipment, computer compatible media,
275 and other related equipment in connection with its publication.
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277 **Historical and Statutory Notes**

278
279 **Source:**

280 Band Ordinance XX-21.
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283 **§ 10. Laws of the Non-Removable Mille Lacs Band of Ojibwe; Supplements.**

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285 If the Revisor’s Office does not publish an edition of the Laws of the Non-Removable Mille Lacs
286 Band of Ojibwe in a given year, it may publish a supplement to the Laws of the Non-Removable
287 Mille Lacs Band of Ojibwe. The supplement must be identified by the year of publication and to
288 the extent possible must otherwise comply with § 9. The Revisor’s Office may not use
289 supplements for more than eight consecutive legislative sessions without also publishing an
290 edition of the Laws of the Non-Removable Mille Lacs Band of Ojibwe in accordance with § 9.
291

292 **Historical and Statutory Notes**

293
294 **Source:**

295 Band Ordinance XX-21.
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298 **§ 11. Publication Powers.**

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300 (a) **Editorial powers for statutes.** The Revisor’s Office, in preparing a printer’s copy for
301 editions of statutes, may not alter the sense, meaning, or effect of any legislative act,
302 but may:

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- (1) renumber section or subsections and parts of sections or subsections;
 - (2) change the wording of headnotes;
 - (3) rearrange sections or subsections;
 - (4) combine sections or subsections into other sections or other subsections, or both;
 - (5) divide sections or subsections into other sections or subsections so as to give to distinct subject matters a section or subsection number;
 - (6) substitute the proper section, chapter, or subsection numbers for the terms “this act,” “the preceding section,” and the like;
 - (7) substitute figures for written words and vice versa;
 - (8) substitute the date on which the law becomes effective for the words “the effective date of this act,” and the like;
 - (9) change capitalization for the purpose of uniformity;
 - (10) correct manifest clerical, typographical, grammatical, or punctuation errors;
 - (11) correct words misspelled in bills;
 - (12) change reference numbers to agree with renumbered chapters, sections, or subsections;
 - (13) delete the phrases “Laws of the Non-Removable Mille Lacs Band of Ojibwe” and other phrases identifying other editions of any supplements to the Laws of the Non-Removable Mille Lacs Band of Ojibwe if the phrases are used in a reference to a statutory section;
 - (14) replace gender-specific words with gender-neutral words and, if necessary, recast the sentences containing gender-specific words; and
 - (15) make similar editorial changes to ensure the accuracy and utility of the publication.
- (b) **Department Policies.** The Revisor’s Office may:
- (1) integrate department policies into the Laws of the Non-Removable Mille Lacs Band of Ojibwe;

- 349 (2) publish the policies as an adjunct to the Laws of the Non-Removable Mille
350 Lacs Band of Ojibwe; and
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352 (3) coordinate publication of the policies with the Laws of the Non-Removable
353 Mille Lacs Band of Ojibwe.
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355 (c) **Negotiated contracts.** The Revisor’s Office may negotiate for all or part of the
356 editing and printing of the Laws of the Non-Removable Mille Lacs Band of Ojibwe,
357 supplements to the Laws of the Non-Removable Mille Lacs Band of Ojibwe, and
358 Official Acts of the Non-Removable Mille Lacs Band of Ojibwe and contract with a
359 law book publisher for these services. No contract may be made until the Revisor has
360 consulted with the Band Assembly.
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362 **Historical and Statutory Notes**

363
364 **Source:**

365 Band Ordinance XX-21.
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368 **§ 12. Certificate of Correctness.**
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370 In preparing an edition of the Laws of the Non-Removable Mille Lacs Band of Ojibwe, a
371 supplement to the Laws of the Non-Removable Mille Lacs Band of Ojibwe, or an edition of
372 Official Acts of the Non-Removable Mille Lacs Band of Ojibwe, the Revisor’s Office shall
373 compare each section in the edition with the original section of the statutes or with the original
374 section in the act from which the section was derived, together with all amendments of the
375 original section. In one copy of the edition, the Revisor shall attach a certificate certifying that
376 this comparison has been made and that all sections appear to be correctly printed. The copy
377 containing the Revisor’s certificate must be filed locally within the Revisor’s Office as a public
378 record. All other copies of the edition must contain a printed copy of the certificate.
379

380 **Historical and Statutory Notes**

381
382 **Source:**

383 Band Ordinance XX-21.
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386 **§ 13. Sale and Distribution of Statutes and Laws.**
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- 388 (a) **Number of copies printed.** The Revisor shall determine how many copies of the
389 Laws of the Non-Removable Mille Lacs Band of Ojibwe, supplements to the Laws of
390 the Non-Removable Mille Lacs Band of Ojibwe, and Official Acts of the Non-
391 Removable Mille Lacs Band of Ojibwe are to be printed. Subject to the requirements
392 of subsection (b), the Revisor shall determine how the copies are to be distributed.

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(b) **Free distribution.** The Revisor shall distribute without charge copies of each edition of the Laws of the Non-Removable Mille Lacs Band of Ojibwe, supplements to the Laws of the Non-Removable Mille Lacs Band of Ojibwe, and Official Acts of the Non-Removable Mille Lacs Band of Ojibwe to the persons or bodies listed in this subsection. Before distributing the copies, the Revisor shall inform these persons or bodies of the cost of the publication and the availability of statutes and official acts on the Internet, and shall ask whether their work requires the full number of copies authorized by this subsection. Unless a smaller number is needed, the Revisor shall distribute:

- (1) one copy to the Revisor’s Office in accordance with § 12;
- (2) one copy to each elected official of the Band, to be personally owned by each official;
- (3) three copies to the Legislative Branch;
- (4) three copies to the Office of the Chief Executive;
- (5) three copies to the Court;
- (6) three copies to each Band department;
- (7) three copies to the Office of the Solicitor General;
- (8) three copies to Mille Lacs Band Member Legal Aid, or any successor organization;
- (9) one copy to each judge of the district court and court of appeals;
- (10) one copy each to other Band boards not specifically named in this subsection;
- (11) one copy to the Parliamentarian;
- (12) one copy to any educational institution under the control and jurisdiction of the Band;
- (13) two copies to the Revisor from which the Revisor shall send the appropriate number to the Library of Congress and Minnesota State Law Library for copyright and depository purposes;
- (14) two copies each to Mitchell Hamline School of Law, the Law School of the University of Minnesota, and University of St. Thomas School of Law;

- 438 (15) two copies each to the Minnesota Historical Society and Minnesota Secretary
439 of State;
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- 441 (16) one copy each to Bois Forte Band of Chippewa, Fond Du Lac Reservation,
442 Grand Portage Band of Chippewa Indians, Leech Lake Band of Ojibwe,
443 Lower Sioux Indian Community, Prairie Island Indian Community, Red lake
444 Band of Chippewa Indians, Shakopee Mdewakanton Sioux Community,
445 Upper Sioux Community, and White Earth Reservation; and
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- 447 (17) one copy each to the public library of the largest municipality of Aitkin
448 County, Mille Lacs County, and Pine County.
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- 450 (c) **Marking of Band copies.** Copies of the Laws of the Non-Removable Mille Lacs
451 Band of Ojibwe distributed to public officers, except elected officials of the Band,
452 must be marked with the words “Band Copy” and kept for the use of the office.
453
- 454 (d) **Sale.** Any foreign entity may purchase from the Revisor a copy of the Laws of the
455 Non-Removable Mille Lacs Band of Ojibwe, supplement to the Laws of the Non-
456 Removable Mille Lacs Band of Ojibwe, or an edition of Official Acts of the Non-
457 Removable Mille Lacs Band of Ojibwe. The Revisor shall fix a reasonable sale price
458 for each publication. Revenue from the sale of any publication must be deposited in
459 the general fund. With consent from the Band Assembly, the Revisor may offer any
460 publications for sale to enrolled Band members at cost. The Revisor may also
461 establish a public library containing Band laws and official acts.
462

Historical and Statutory Notes

463
464
465 **Source:**

466 Band Ordinance XX-21.
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469 **§ 14. Legal Status of Statutes.**
470

471 Any volume of the Laws of the Non-Removable Mille Lacs Band of Ojibwe, supplement to the
472 Laws of the Non-Removable Mille Lacs Band of Ojibwe, and Official Acts of the Non-
473 Removable Mille Lacs Band of Ojibwe certified by the Revisor is prima facie evidence of the
474 statutes contained in it in all courts and proceedings.
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Historical and Statutory Notes

476
477
478 **Source:**

479 Band Ordinance XX-21.
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483 § 15. Tribal Register.

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- (a) **Contents.** The Revisor shall publish an online Tribal Register containing:
 - (1) Band statutes;
 - (2) Executive Orders;
 - (3) Secretarial Orders;
 - (4) Commissioner’s Orders;
 - (5) Legislative Orders;
 - (6) Solicitor’s Opinions;
 - (7) Court rules;
 - (8) department policies;
 - (9) ordinances;
 - (10) resolutions; and
 - (11) notice of any comment period pertaining to statutory revisions.

- (b) **Publication.** The Revisor shall update the Tribal Register whenever necessary, except that no material properly submitted for publication shall remain unpublished for more than ten (10) business days.

- (c) **Submission of items for publication.** Any agency which desires to publish a Commissioner’s Order, policy, or other item shall submit a copy of the entire document, including dates when adopted, to the Revisor in addition to any other copies which may be required to be filed with the Revisor by other law.

- (d) **Distribution.** When an agency properly submits a Commissioner’s Order, policy, or other item to the Revisor, the Revisor must then be accountable for the publication of the same in the Tribal Register.

Historical and Statutory Notes

Source:
Band Ordinance XX-21.