

MINNESOTA CHIPPEWA TRIBE

ORDINANCE NO. 6

WHEREAS, The Minnesota Chippewa Tribe has sovereign immunity and may not be sued without its consent on contract claims or tort claims; and

WHEREAS, The Minnesota Chippewa Tribe has subdivisions and has chartered business corporations, owns motor vehicles and has businesses and properties open to the public; and

WHEREAS, The Minnesota Chippewa Tribe, through its Tribal Executive Committee, has gratuitously decided to provide liability insurance coverages and contract bonds, performance bonds and payment bonds to cover a number of the above activities and properties;

NOW THEREFORE BE IT RESOLVED, that the following Ordinance is hereby adopted, effective the date of its enactment:

1. The Minnesota Chippewa Tribe does hereby waive its sovereign immunity up to the limits of any liability insurance coverage in force at the time of the date of an injury or the arising of a tort claim for which the liability insurance provides coverage.
2. The Minnesota Chippewa Tribe does waive sovereign immunity up to the limits of any contract bond, performance bond or payment bond that is in effect and provides coverage on any specific contract.
3. The Minnesota Chippewa Tribe does herein waive its sovereign immunity as to all workmen's compensation claims for those employees whom The Minnesota Chippewa Tribe has employed and for which it carries workmen's compensation insurance coverage. It does not waive its sovereign immunity as to independent contractors and it alone shall have the authority to determine through its Tribal Executive Committee as to which persons are its employees.
4. The Minnesota Chippewa Tribe does herewith waive its sovereign immunity to all employees of The Minnesota Chippewa Tribe who shall be eligible for unemployment compensation as long as The Minnesota Chippewa Tribe, through its Tribal Executive Committee, voluntarily agrees to participate in The State of Minnesota unemployment compensation plan.
5. The Minnesota Chippewa Tribe does not waive sovereign immunity or grant subject matter jurisdiction to any court federal, state or tribal, except as specifically provided in this ordinance or other ordinances which it may hereinafter enact.

We do hereby certify that the foregoing Ordinance was duly presented and acted upon by a vote of 10 for, 0 against, at a regular meeting of The Minnesota Chippewa Tribal Executive Committee, a quorum present, held on July 9 & 10, 1979, at Cass Lake, Minnesota.

Darrell Wadena, President
THE MINNESOTA CHIPPEWA TRIBE

ATTEST: Daniel Morrison, Sr., Secretary
THE MINNESOTA CHIPPEWA TRIBE