



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 21-03-40-25

**A RESOLUTION APPROVING THE AMENDMENT OF BAND
ASSEMBLY RULE 12 FOR CRITICAL NOMINATIONS**

WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe (“Band”), a federally recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and

WHEREAS, pursuant to 3 MLBS § 1(m), a “resolution” is defined as “a formal expression of the opinion, will, or intention” of the Band Assembly; and

WHEREAS, pursuant to Legislative Order 33-21, “the Band Assembly may adopt, amend, or rescind any Rule of the Band Assembly by majority vote, subject to Rule 2.2[;]” and

WHEREAS, pursuant to Band Assembly Rule 2.2, “[a]ny proposed adoption, amendment, or rescission of any Rule of the Band Assembly shall proceed as follows:

- (a) the Member shall submit to the Clerk and Legislative Counsel the proposal in writing;
- (b) the proposal shall be introduced and read at a regularly scheduled meeting of the Band Assembly;
- (c) the Clerk shall distribute a printed version of the proposal to all Members; and
- (d) the proposal shall lay on the table for at least one (1) day prior to any vote on the proposal[;]” and

WHEREAS, a written proposal to amend Band Assembly Rule 12 has been submitted to the Clerk and Legislative Counsel; and

WHEREAS, the proposal was introduced and read at the June 20, 2025 meeting of the Band Assembly at which the Clerk distributed a printed version of the proposal to all Band Assembly Members; and

WHEREAS, the proposal has laid on the table for at least one (1) day prior to any vote on the proposal.

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NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly hereby approves the proposed amendment to Band Assembly Rule 12.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Chambers, a quorum of legislators being present, held on the 25th day of June, 2025, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution.

OFFICIAL SEAL OF THE BAND




Sheldon Boyd, Speaker of the Assembly

Sponsor: District II Representative

Band Assembly Rule 2.2 Proposal

Pursuant to Band Assembly Rule 2.2, a Band Assembly member shall submit, in writing, any proposed adoption, amendment, or rescission of any Rule of the Band Assembly to the Clerk and Legislative Counsel.

Accordingly, the District 2 Representative submits the following proposal to amend Band Assembly Rule 12 on the 25th day of June, 2025.

Section 1.

Rule 12. Nominations

- 12.1 All nominations shall be handled in a manner consistent with Legislative Order No. 022 and Legislative Order ~~31-24~~38-25.
- 12.2 Upon receipt of a nomination, except for a critical nomination, the Clerk shall place the nomination on the agenda, subject to Rule 9.2
- 12.3 For any nominee other than a Judge or Justice, Upon receipt of a critical nomination letter from the Chief Executive, a cover letter signed by the Chief Executive, the contact information and resume of the nominee, and the unabridged results of a completed criminal background check pursuant to 24 MLBS § 1054(j), the Clerk shall may, with the consent of two (2) District Representatives or one (1) District Representative and the Speaker of the Assembly, place the critical nomination on the Band Assembly Agenda, subject to Rule 9.2.
- 12.4 For any nomination of a Judge or Justice, the Parliamentarian may, immediately upon receipt of the nomination materials from the Chief Executive, place the nomination on the Band Assembly agenda and the criminal background check shall run concurrently.
- 12.54 The Speaker shall request that a Member move to approve the nomination. If, after three (3) requests by the Speaker, no Member has moved to ratify the nomination, the nomination fails.
- 12.65 If a Member moves to approve the nomination, the Band Assembly, including the Speaker, may debate the nomination. If debate has ended, then the Speaker shall call for a vote. For purposes of this Rule, debate shall be considered ended when either a motion to that effect has been passed or the Members, upon inquiry from the Speaker, consent to the Speaker calling the vote.
- 12.76 All votes on nominations shall be roll call votes.
- 12.87 Debates on nominations may be held in executive session.

12.98 Once the nomination is approved or denied, the Clerk shall notify the nominating individual that the nomination has passed or failed. If the nomination failed, the Clerk shall request that the nominating individual make another nomination for the position.

12.109 If the nomination fails or is withdrawn, the Band Assembly may not consider a subsequent nomination of the same individual to fill the same position and term of office.

EFFECTIVE DATE. This rule shall take effect immediately upon majority vote of the Band Assembly, as provided in B.A. R. 2.