



THE MILLE LACS BAND OF OJIBWE INDIANS

Legislative Branch of Tribal Government

corrected see bar
1-8-08

RESOLUTION ~~13-01-156-08~~

13-01-14-08

A RESOLUTION APPROVING THE LIMITED WAIVER OF SOVEREIGN IMMUNITY BY THE BAND IN THE LAW ENFORCEMENT AGREEMENTS.

- WHEREAS, the Mille Lacs Reservation Band Assembly is the duly elected governing body of the Mille Lacs Band of Ojibwe, a federally-recognized Indian Tribe; and
- WHEREAS, the Band Assembly is empowered by Band Statue 3 MLBSA § 2 to adopt Resolutions which promote the general welfare of the Mille Lacs Band and its members; and
- WHEREAS, the Executive Branch, acting through the Chief Executive and/or the Solicitor General and the Chief of Police, is hereby authorized to enter into agreements under Minn. Stat. § 471.59 to coordinate, define and regulate the provision of law enforcement services under Minn. Stat. §§ 626.90 and 626.93; and
- WHEREAS, any such agreements heretofore entered into by the Executive Branch, unless terminated or revoked in accordance with their terms, are hereby ratified and confirmed; and
- WHEREAS, such agreements may, among other things: (1) set forth the agreement of the Band to be subject to liability for its torts and those of its officers, employees, and agents acting within the scope of their employment or duties arising out of a law enforcement agency function conferred by Minn. Stat. §§ 626.84, subd. 1, paragraph (f), 626.90, or 626.93, to the same extent as a municipality under Minn. Stat. Ch.466; and (2) waive the sovereign immunity of the Band solely for purposes of claims of such liability.
- NOW THEREFORE BE IT RESOLVED, that this limited waiver of sovereign immunity hereby authorized shall not extend to claims by employees of the Band against the Band as an employer arising out of the employment policies or practices of the Band, including but not limited to claims due to demotion, selection, dismissal, and/or failure to promote.
- WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 5th day of February, 2008 at Hinckley, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359

DISTRICT II

36666 State Hwy 65 • McGregor MN 55760

DISTRICT III

Route 2 • Box 233-N • Sandstone, MN 55072

Resolution ~~13-01-156-08-~~

Page 2 13-01-14-08

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



Herb Weyaus, Speaker of Assembly

OFFICIAL SEAL OF THE BAND