



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT RESOLUTION 13-02-15-09

A JOINT RESOLUTION APPROVING THE SOLICITOR GENERAL'S OFFICE AS THE OFFICE RESPONSIBLE FOR CONDUCTING THE CRIMINAL BACKGROUND INVESTIGATIONS TO ESTABLISH THE ELIGIBILITY OF CANDIDATES FOR THE 2008 MCT SPECIAL ELECTION ON THE MILLE LACS RESERVATION

- 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 Chief Executive of the Band is empowered to exercise the Executive Branch powers of the Band; and
- WHEREAS, the Mille Lacs Band of Ojibwe is one (1) of the six (6) Ojibwe Bands forming the Minnesota Chippewa Tribe ("MCT"); and
- WHEREAS, Article IV of the Minnesota Chippewa Tribe Revised Constitution mandates that all tribal elections on the six (6) reservations shall be in accordance with a uniform election ordinance adopted by the Tribal Executive Committee ("TEC"), the entity recognized as the MCT governing body; and
- WHEREAS, the Secretary-Treasurer and the Chief Executive are voting members of the TEC; and
- WHEREAS, the MCT Election Ordinance #10 (Revised 11/02/07) has been adopted by the TEC as the official Election Ordinance for the 2008 MCT Special Election to be held on the Mille Lacs Reservation; and
- WHEREAS, Chapter 1, Section 3, Sub-part D., 5. of the MCT Election Ordinance #10 (Revised 11/02/07), entitled Conducting Criminal History Check authorizes each Band governing body as the entity responsible for conducting the required criminal background investigations; and
- WHEREAS, Chapter 1, Section 3, Sub-part C., 4. of the MCT Election Ordinance #10 (Revised 11/02/07), requires that each Band governing body certify the eligible candidates in accordance with the MCT Constitution and the MCT Election Ordinance; and

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WHEREAS, the Mille Lacs Band of Ojibwe approves the Band's Office of Solicitor General as the office responsible for conducting the required criminal background investigations to establish the eligibility of candidacy for the 2008 MCT Special Election; and


WHEREAS, the results of the criminal background investigations are confidential and shall be sealed by the Solicitor General upon completion and remain sealed until personally delivered to the Interim Secretary-Treasurer on the date established for certification of the candidates when the envelope(s) will be opened by the elected officials; and

WHEREAS, the Solicitor General shall also ensure that any Department of Justice employee who may handle the confidential results of the criminal background investigations of the candidates be required to maintain the confidential nature of these findings and shall ensure that no communications to third parties be made.

NOW THEREFORE BE IT RESOLVED, the Band Assembly and Interim Chief Executive hereby approve the Office of the Solicitor General as the office responsible for conducting the criminal background investigations to establish the eligibility for candidacy for the 2008 MCT Special Election and require that the Solicitor General and his staff maintain the confidentiality of these findings in a sealed envelope until delivered to the Interim Secretary-Treasurer on the date set for the certification of the candidates.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 12th day of November, 2008 at Hinckley, Minnesota by a vote of 2 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.


Sandra Blake, Interim Speaker of Assembly

IN COCURRENCE, with the action of the Interim Speaker of the Assembly, I, hereunto set my hand to this resolution.


Herb Weyaus, Interim Chief Executive

OFFICIAL SEAL OF THE BAND