



**THE MILLE LACS BAND OF
OJIBWE INDIANS**
Legislative Branch of Tribal Government

RESOLUTION 14-04-75-12

A RESOLUTION APPROVING THE CHIEF EXECUTIVE AND COMMISSIONER OF NATURAL RESOURCES TO ENTER INTO AGREEMENTS WITH THE MINNESOTA COMMISSIONER OF NATURAL RESOURCES TO DEFINE AND REGULATE THE PROVISION OF LAW ENFORCEMENT SERVICES AND APPROVING A LIMITED WAIVER OF SOVEREIGN IMMUNITY BY THE BAND IN SUCH AGREEMENTS

WHEREAS, the Mille Lacs 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 acting pursuant to 3 MLBSA § 2 has the authority to enact laws which promote the general welfare of the Mille Lacs Band of Ojibwe (MLBO); and

WHEREAS, the Band Assembly finds that it would promote the general welfare of the MLBO to authorize the Executive Branch, acting through the Chief Executive and the MLBO Commissioner of Natural Resources, to enter into cooperative agreements with the Minnesota Commissioner of Natural Resources under Minn. Stat. § 471.59 to define and regulate the provision of law enforcement services under Minn. Stat. §626.94.

NOW THEREFORE BE IT RESOLVED that the Chief Executive and the MLBO Commissioner of Natural Resources are authorized to enter into agreements with the Minnesota Commissioner of Natural Resources under Minn. Stat. § 471.59 to coordinate, define and regulate the provision of law enforcement services under Minn. Stat. § 626.94; and

BE IT FURTHER RESOLVED that 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

BE IT FURTHER RESOLVED that 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. § 626.94, to the same extent as a municipality under Minn. Stat. Ch. 466; and (2) waive the sovereign immunity of the Band for purposes of claims of such liability; and

BE IT FURTHER AND FINALLY RESOLVED that the 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 12th day of October, 2011, at Vineland, 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 and forwarded to the Chief Executive for Concurrence.



Curt Kalk, Speaker of the Assembly