



# THE MILLE LACS BAND OF OJIBWE INDIANS

*Legislative Branch of Tribal Government*

**JOINT RESOLUTION 17-01-26-16**

**A JOINT RESOLUTION DESIGNATING THE GAMING REGULATORY  
AUTHORITY AS THE ENTITY RESPONSIBLE FOR CONDUCTING THE  
CRIMINAL BACKGROUND INVESTIGATIONS OF CANDIDATES FOR  
THE 2016 MINNESOTA CHIPPEWA TRIBE ELECTION ON THE MILLE  
LACS RESERVATION**

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

WHEREAS, pursuant to 3 MLBSA § 2 (d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the people of the Band; and

WHEREAS, pursuant to 4 MLBSA § 2, 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 (Revised 11/09/15) has been adopted by the TEC as the official Election Ordinance for the 2016 MCT Election to be held on the Mille Lacs Reservation; and

WHEREAS, Chapter 1, Section 1.3(D)(5). of the MCT Election Ordinance (Revised 11/09/15), entitled Conducting Criminal History Check authorizes each Band governing body to designate the entity responsible for conducting the required criminal background investigations; and

WHEREAS, Chapter 1, Section 1.3(C)(4) of the MCT Election Ordinance (Revised 11/09/15), requires that each Band governing body “...shall make its certification decision based on all information available at the time...” and that such certification decisions “must adhere” to the requirements of the MCT Constitution and the MCT Election Ordinance; and

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WHEREAS, pursuant to 24 MLBSA § 1054(j), the Solicitor General is authorized to perform background investigations for purposes of employment and election purposes, but the Band governing body wishes to designate the Gaming Regulatory Authority ("GRA") as the entity responsible for conducting the required criminal background investigations used to establish the eligibility of candidacy for the 2016 MCT Regular Election; and


WHEREAS, the results of the criminal background investigations are confidential and shall be sealed by the GRA upon completion and remain sealed until personally delivered to the 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 Executive Director of the Gaming Regulatory Authority shall also ensure that any GRA 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 Chief Executive hereby designate the Gaming Regulatory Authority as the entity responsible for conducting the criminal background investigations for candidacy for the 2016 MCT Election and require that the Gaming Regulatory Authority and staff maintain the confidentiality of these findings in a sealed envelope until delivered to the 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 regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 21<sup>st</sup> day of January, 2016 at Vineland, Minnesota by a vote of 2 FOR, 0 AGAINST, 1 SILENT.

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

  
Carolyn Beaulieu, Speaker of the Assembly

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

  
Melanie Benjamin, Chief Executive

**OFFICIAL SEAL OF THE BAND**