



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

JOINT RESOLUTION 17-01-44-16

**A JOINT RESOLUTION APPROVING THE USE OF AN AUTOMATED
BALLOT TABULATION SYSTEM 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) ("Election Ordinance") 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 II of the Election Ordinance titled Conduct of Elections authorizes the General Reservation Election Board of each Band to be responsible for the overall conduct of the election and to perform all duties assigned to it according to the Election Ordinance; and
- WHEREAS, Chapter II, Section 2.1(A)(1) of the Election Ordinance requires all elections for Band governing body positions be conducted by using an automated ballot tabulating system unless a waiver is granted by the TEC; and

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WHEREAS, Chapter II, Section 2.1(A)(1) further requires that when an automated system is used in an election, the supplier shall also be responsible for ballot security and other measures related to the integrity of the election process, and that all members of the District Election Board at each polling place must certify that any electron vote tabulator has been tested, correctly reads cast ballots, and has been returned to zero prior to opening of the polls; and

WHEREAS, Chapter II, Section 2.2 of the Election Ordinance titled "Voting Procedures" requires that the procedures of this section shall apply when the Band governing body chooses either an automated ballot tabulation system or traditional ballot box system, and that the Election Board shall apply the controls and procedures prescribed by the vendor to ensure the integrity of the process of casting and counting all valid ballots; and

WHEREAS, Chapter II, Section 2.2 further states that an electronic tabulation system must meet the standards set out in Appendix I of the Election Ordinance or be certified pursuant to voting systems standards adopted either by the Federal Election Commission or the Election Assistance Commission; and


WHEREAS, Chapter II, Section 2.3(A) of the Election Ordinance requires the District Election Board to follow the process "as may be required by an automated ballot tabulation system"; and

WHEREAS, the Chief Executive and Band Assembly believe that it is in the best interest of the Mille Lacs Band of Ojibwe to institute the use of an automated ballot tabulation system to ensure the integrity of the election process on the Mille Lacs Band Reservation for the 2016 MCT Election cycle.

NOW THEREFORE BE IT RESOLVED, the Band Assembly and Chief Executive hereby approve of the use of an automated ballot tabulation system and have formalized an agreement with Automated Election Services to assist the General Reservation Election Board with its duties under the MCT Election Ordinance.

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 4th day of February, 2016 at Chi Minising, 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.



Carolyn Beaulieu, Speaker of 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