



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

JOINT RESOLUTION 19-01-74-20

A JOINT RESOLUTION DESIGNATING THE SOLICITOR GENERAL AS THE ENTITY RESPONSIBLE FOR COORDINATING THE CRIMINAL BACKGROUND INVESTIGATIONS OF CANDIDATES FOR THE 2020 MINNESOTA CHIPPEWA TRIBE ELECTION ON THE MILLE LACS BAND 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 Band 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 12/09/19) has been adopted by the TEC as the official Election Ordinance for the 2020 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 12/09/19), entitled Conducting Criminal History Check authorizes each Band governing body to designate the entity responsible for conducting the required criminal background investigations; and

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URBAN OFFICE

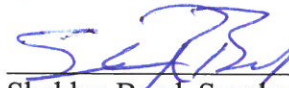
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- WHEREAS, Chapter 1, Section 1.3(C)(4) of the MCT Election Ordinance (Revised 12/09/19), requires that each Band governing body "...shall make its certification decision based on all information available at the time..." and that such certification decisions "must adhere" to the requirements of the MCT Constitution and the MCT Election Ordinance; and
- WHEREAS, the Band governing body designates the Solicitor General, as the entity responsible for coordinating the required criminal background investigations used to establish the eligibility of candidacy for the 2020 MCT Regular Election; and
- WHEREAS, the Solicitor General has the authority to use a third party to conduct the background investigations; and
- WHEREAS, the results of the criminal background investigations are confidential and shall be sealed by the Office of Solicitor General upon completion and remain sealed until personally delivered to the Joint Session 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 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, that the Band Assembly and Chief Executive hereby designate the McDowell Agency Inc., as the entity responsible for conducting the criminal background investigations for candidacy for the 2020 MCT Election and require that the Solicitor General to maintain the confidentiality of these findings in a sealed envelope until delivered to the Joint Session on the date set for the certification of the candidates.

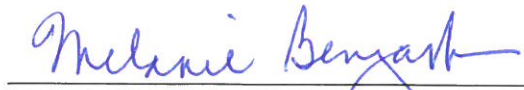
WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 28th day of January, 2020 at Minneapolis, Minnesota by a vote of 2 FOR, 0 AGAINST, and 0 SILENT.

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


Sheldon Boyd, Speaker of the Assembly

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

OFFICIAL SEAL OF THE BAND


Melanie Benjamin, Chief Executive