MN Gambling Control Board
Tribal Consultation Policy

Effective: August 1, 2024
Review Date: 12/15/2022, 1/24/2023, 3/6/2024, 3/26/2025

Policy Owner: GCB Executive Director
Policy Contact: Tribal Liaison/Roseville Associate Regulatory Supervisor

Policy Statement

Minnesota Statute § 10.65 creates standards for developing ongoing relationships between Minnesota State Agencies and Minnesota Tribal governments including consulting with Tribal governments regarding matters that have Tribal implications.

Communication Protocols (Subd, 3.(b)(c)(d)(f)(i)
The Gambling Control Board (GCB) will consult with individual Tribal governments and coordinate with groups or entities that have representation on the governing bodies of the Minnesota Tribal governments, such as the Minnesota Indian Gaming Association, in a timely and meaningful manner regarding all matters that have Tribal implications. The agency will develop and maintain ongoing consultation with Minnesota Tribal governments and consult with them at least annually, and as often as required, to address matters that have Tribal implications.

The GCB will send quarterly and annually produced publications to representatives of each Minnesota Tribal government as well as continue to publish these documents on the GCB public website to ensure all bodies have full access to these public reports and publications.

The GCB Roseville Associate Regulatory Supervisor will act as the agency's Tribal liaison; ensuring the agency's policy remains up-to-date and will serve as the agency's point of contact for Minnesota Tribal governments to facilitate open communication and consultation.

Proposed Statute or Rules Changes (Subd, 3. (e)
The GCB will consult with Minnesota Tribal governments during any sponsored legislative processes that affect one or all Minnesota Tribal governments. The results of this consultation will be utilized in the decision-making process of the agency regarding the priority of issues in time for submission into the governor's recommended budget and legislative proposals each year.

The GCB will ensure all Minnesota Tribal governments are notified of the initiation of the rule-making process to receive comments on rules updates and to enable participation during the advisory committee and throughout the entire rule-making process.

Immediate Action Requirements (Subd, 3.(h))
In the event of the need for immediate action, the GCB will take necessary action and make every effort to communicate and begin formal consultation with Minnesota Tribal governments as soon as possible.

No Consultation Required (Subd, 3. (g)
If the GCB and an individual Minnesota Tribal government agree that formal consultation is not necessary for a given year on a given matter that has Tribal implications, then a written record of this decision must be maintained by the GCB.

Tribal Relations Training (Subd, 3. (j)
The state of Minnesota has instituted Tribal-state government relations training. This training can be found under the Learning Management Tab in the Self-Service Portal by searching "TSRT". The GCB identifies that all management personnel, and all agency employees whose work is likely to include matters that have Tribal implications, will complete available training to foster a collaborative relationship between the GCB and Minnesota Tribal governments.

Reason for Policy

According to Minnesota Statute § 10.65, Subd 2, an agency must, in consultation with Minnesota Tribal Governments, implement Tribal consultation policies to comply with Minnesota statute to guide the agency's work with Minnesota Tribal governments and submit these policies to the governor and lieutenant governor.

Definitions

Consultation
Direct and interactive involvement of the Minnesota Tribal governments in the development of policy on matters that have Tribal implications. This will be a proactive, affirmative process of identifying and seeking inputs from appropriate Tribal governments and considering their interests as an integral part of the decision-making process.

Matters that have Tribal Implications
Rules, legislative proposals, policy statements, or other actions that have substantial direct effects on one or more Minnesota Tribal governments, or on the distribution of power and responsibilities between the State of Minnesota and Minnesota Tribal governments.

Minnesota Tribal Governments
Federally recognized Indian Tribes located in Minnesota including Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community; and Upper Sioux Community.

Timely and Meaningful
Actions will be completed or occur at a favorable or useful time that allows the results of the consultation to be included in the agency's decision-making process for a matter that has Tribal implications.

Applicability

All GCB employees must comply with GCB policies.

Responsibilities

GCB Executive Director (Policy Owner)

- Support and promote the GCB Tribal Consultation Policy ensuring proactive consultation of Minnesota Tribal governments.
- Work with the GCB Roseville Associate Regulatory Supervisor to ensure this policy is reviewed at least annually or as needed.

GCB Roseville Associate Regulatory Supervisor (Policy Contact)

- Assigned as agency Tribal Liaison and primary point of contact for communication with Minnesota Tribal governments.
- Develop communication lines with individual Minnesota Tribal governments to facilitate consultation on matters with Tribal implementation.
- Consult with Minnesota Tribal governments at least annually, or as needed, to consult regarding matters with Tribal implications.
- Meet quarterly, or as needed, with the Executive Director regarding policy updates and identified issues impacting Minnesota Tribal governments.
- Review this policy at least annually, or as needed, to ensure it remains up to date.
- Promote, support, and participate in the Tribal-State Relations Training.

GCB Human Resources (HR)

- Track required Tribal-State Relations Training for identified GCB personnel.

GCB Employees

- Report any issues discovered that have the possibility of Tribal impact to their supervisor or to management.
- Maintain Tribal-State Relations Training status, if applicable.

Resources & Related Information

Processes, Procedures, and Instructions

- Tribal-State Relations Training

Resources

- Minnesota Statute § 10.65

Authorization

Policy Owner
Signature: Laura E. Wade
Print Name: Laura Wade
Date: March 26, 2025