

Act 30-23

An Act Authorizing a Supplemental Appropriation for the purpose of authorizing expenditures and budget transfer(s)/revision(s) for the Legislative Branch for the Fiscal Year ending September 30, 2023. This bill has been drafted based on formal documents submitted by the Commissioner of Finance on April 19, 2023 and April 20, 2023; and District II Legislative Aide on April 20, 2023.

The District I Representative introduced the following Bill on the 26th day of April, 2023.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1: Governmental operations. The Band Assembly hereby appropriates and authorizes expenditures for the Legislative Branch for the Fiscal Year ending September 30, 2023.

Section 1.01: Appropriation and authorizations of expenditures. The Band Assembly hereby appropriates and authorizes the expenditures of supplemental programmatic funds for the following:

<u>Tribal Operations Fiscal Year 2023</u>	<u>Supplemental</u>	<u>Cross-Reference</u>
Legislative Branch		
Office of Management and Budget 101-2100 Of FY2023 Unspent/Net Revenue Funds	\$123,000.00	Memo from Commissioner of Finance dated April 19, 2023.
District II Legislative Of FY2023 Unspent/Net Revenue Funds	\$100,000.00	Memo from D2 Legislative Aide dated April 20, 2023.

Section 1.02: Budget revision/transfers. The Band Assembly hereby authorizes the budget revision(s)/transfer(s) of programmatic funds for the following:

FY2023 Legislative: a budget revision to move monies within the Office of Management and Budget to add funds to OMB Burial Expense to cover expenditures for the revised Burial Assistance Program as submitted (Memo from the Commissioner of Finance dated April 20, 2023):

Office of Management and Budget 101-2100 \$75,000.00 – **Total**

Section 1.03: Purposes of expenditures. All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes for which they were requested, notwithstanding any other active Band law.


Act 30-23

(Band Assembly Bill 20-03-30-23)

Introduced to the Band Assembly on this
Twenty-sixth day of April in the year
Two thousand twenty-three.

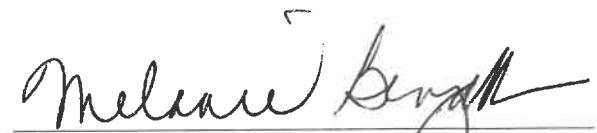
Passed by the Band Assembly on this
Twenty-sixth day of April in the year
Two thousand twenty-three.

VETO


Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 5-5-2023


Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND



MILLE LACS BAND OF OJIBWE

Executive Branch of Tribal Government

May 5, 2023

VIA DELIVERY AND EMAIL

Band Assembly
Non-Removable Mille Lacs Band of Ojibwe
43408 Oodena Drive
Onamia, MN 56359

Re: Veto of Bill 20-03-30-23

Dear Honorable Members of the Band Assembly:

By the powers vested in me by the Mille Lacs Band Statutes, I veto Bill 20-03-30-23 because the appropriations of net revenue to fund donations, program activities, hotel comps, and concert tickets potentially violates the Indian Gaming Regulatory Act and division of powers.

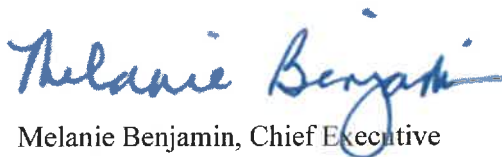
Although elected officials have made these types of expenditures for several years, it has been brought to my attention that the National Indian Gaming Commission has ruled that similar expenditures are impermissible uses of net revenue and have levied fines against tribes who have made these expenditures.

We, as elected officials, have a duty to ensure the Band complies with its obligations under the law. I have stopped all such expenditures from my budget until we conduct a legal review of permissible expenditures of net revenue under the Indian Gaming Regulatory Act. I also request Secretary-Treasurer Boyd to ensure the Band Assembly does the same.

As an initial compromise, I propose that the Band Assembly pass a separate appropriation bill to appropriate \$123,000 to the Office of Management and Budget. I also strongly support additional funding to assist families with funeral-related expenses and will also support a separate appropriation bill addressing that need.

I look forward to discussing these issues at the compromise hearing.

Miigwech,



Melanie Benjamin, Chief Executive

Enc: Vetoed Bill 20-03-30-23

CC: Darcie Big Bear, Parliamentarian
Mel Towle, Commissioner of Finance
Caleb Dogeagle, Solicitor General

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