

Ordinance 49-22

An Ordinance repealing and replacing Ordinance 59-20 for disbursement of funds for an Adult Band Member Economic Support Payment for the month of October 2020 in the Fiscal Year ending September 30, 2021.

The District III Representative introduced the following Bill on the 6th day of May, 2022.

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of authorizing an Adult Band Member Economic Support Payment for the month of October 2020 of Fiscal Year ending September 30, 2021. The Coronavirus (“COVID-19”) disease has infected more than 27.8 million people worldwide, to include more than 6.4 million people in the United States and more than 81,800 in Minnesota, resulting in widespread layoffs and economic hardship directly stemming from this pandemic public health emergency that has closed down or restricted businesses in order to increase physical distancing and contain the virus. The United States number of unemployed is at 13.6 million or 8.4%, per the Bureau of Labor Statistics for August 2020, the most current data available at this time. Pre-COVID-19 US unemployment rates consistently averaged below 4% from February 2020 going back to July 2018. Per Minnesota Employment and Economic Development data available for July 2020, Minnesota’s unemployment rate is at 7.7%, compared to pre-COVID-19 rates that were consistently between 2.3 % and 3.5%. Following is a list of county unemployment rates as of July 2020, with comparison to the same month last year:

<u>County</u>	<u>July 2020</u>	<u>July 2019</u>
Pine	7.7%	4.3%
Mille Lacs	8.0%	4.0%
Aitkin	7.3%	4.9%
Crow Wing	6.9%	3.3%
Hennepin	8.9%	3.2%

The national, state, regional, and local impact of this COVID-19 pandemic has depressed the economic and employment opportunities available to Band members, and has substantially increased their basic cost of living due to the COVID-19 public health emergency.

On March 15, 2020, the Chief Executive of the Mille Lacs Band of Ojibwe (“Band”) issued an executive order declaring a state of emergency pursuant to Title 27 of Mille Lacs Band Statutes (“MLBSA”). That state of emergency resulted in Grand Casino Hinckley and Grand Casino Mille Lacs being closed effective 4 pm March 16, 2020, as a proactive measure to slow the spread of COVID-19, and reopened at a limited basis June 1, 2020. As a result of the closure of Grand Casino Hinckley and Grand Casino Mille Lacs, and subsequent partial opening at limited capacity, there has been diminished net revenues coming from the casinos to the Band to fund essential programs and services that comprise a safety net for Band members. Meanwhile, many Band members remain in economic distress due to conditions directly stemming from the COVID-19 public health emergency, with many elders and children depending for survival on adult Band members who are under-employed or unemployed and facing increased expenditures required to mitigate or respond to the COVID-19 pandemic. The additional \$600 per week in unemployment benefits provided by the Federal government, that supplemented Minnesota state unemployment benefits, expired July 31, 2020.

The Band Assembly has recognized that taking no action in response to this ongoing economic crisis would create additional financial hardship and increased stress for many Band member families. Any reduction or suspension of regular monthly Adult Band Member Economic Support Payments would have catastrophic consequences for many Band households. During these unprecedented times and circumstances, Band Assembly chooses to maintain without disruption the monthly Adult Band Member Economic Support Payments (Economic Support) in the exercise its authority under 3 MLBSA sec. 2(b) to appropriate all Band revenue regardless of source; and 2(d) to promote the general welfare of the people of the Band as Band members respond to and attempt to mitigate the effects of, the COVID-19 public health emergency and pandemic. The Band Assembly has chosen to revamp its monthly Economic Support to be an integral part of its tribal benefits program that is consistent with the I.R.S. general welfare exclusion of such Economic Support from federal individual income taxation.

The Band Assembly finds that use of a portion of its CARES Act Title V (Coronavirus Relief Fund) allocation is necessary and appropriate for the purpose of funding the Band’s emergency Economic Support program, after determining in an administratively feasible process, that individual members have generally demonstrated a need for assistance directly related to the COVID-19 pandemic. Adult Band Members may use this Economic Support to meet economic loss and other costs during this COVID-19 pandemic such as, but not limited to, cleaning supplies, personal protective equipment, telecommunications, internet access, medical care, mental health, child care, school supplies, insurance, repairs, debt service, food, shelter, health supplies and services, safety and security, education and training, subsistence activities, housing, elder and disabled care, water, sewer, electricity, gas and oil and other fuel, transportation, relocation, rehabilitation, cultural enhancement, social engagement, hunting/fishing/gathering activities, and disaster relief.

Title I

Section 1: This bill repeals and replaces Ordinance 59-20.

Section 1.01. Adult Band Member Economic Support Payments. The Band Assembly hereby appropriates and authorizes expenditures for Adult Band Member Economic Support Payments for the month of October 2020 of the Fiscal Year ending September 30, 2021.

Section 1.02: The Band Assembly hereby appropriates and authorizes the expenditure of: Six million, six hundred eighty-eight thousand dollars and no cents (\$6,688,000.00) for Adult Band Member Economic Support Payments. The Adult Band member payment is set at Two thousand dollars and no cents (\$2,000.00) each (18 years and older, on October 1, 2020); a maximum of Four hundred Sixty-six dollars and fifty cents (\$466.50) may be intercepted for Child Support purposes; and Child Support notice requirements are waived for this financial support payment.

Section 1.03: The Band Assembly hereby appropriates and authorizes the expenditure for the following:


<u>Fiscal Year 2021</u>	<u>Supplemental</u>	<u>Cross-Reference</u>
Economic Support Payments of FY2021 CARES Act Funds (100-1950-0)	\$1,162,886.70	Documents submitted by OMB (5/3/22)
of FY2021 Long Term Savings Investment Income Funds	\$5,525,113.30	

Section 1.04: All funds appropriated are maximum fund amounts and shall not be exceeded.

**Ordinance 49-22
(Band Assembly Bill 20-01-49-22)**

Introduced to the Band Assembly on this
Sixth day of May in the year
Two thousand twenty-two.

Passed by the Band Assembly on this
Sixth day of May in the year
Two thousand twenty-two.


Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: _____

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND



INTEROFFICE MEMORANDUM

TO: MELANIE BENJAMIN, CHIEF EXECUTIVE
FROM: SHELDON BOYD, SECRETARY-TREASURER
SUBJECT: PASSAGE OF BILL WITHOUT CHIEF EXECUTIVE SIGNATURE
DATE: MAY 18, 2022
CC: FILE
BAND ASSEMBLY



Pursuant to the powers listed in 3 MLBS § 17(c) "...each bill shall be personally delivered to the Chief Executive, who shall have five calendar days from the date of receipt to either sign the bill into law, or veto the bill...In the event he neither signs the bill or vetoes it, it shall become law without his signature after the expiration of five days from the date of receipt of the bill."

Band Assembly Bills 20-01-48-22 and 20-01-49-22 was delivered to the Chief Executive Office on May 06, 2022 at 1:40 p.m. and as of May 18, 2022 at 4:01 p.m. the Bills still have not been returned to the Legislative with the Chief Executive's signature nor was there a written veto message containing objections to either of the Bills. At this time, the Bill becomes law and will be forwarded to The Office of Management and Budget to be processed.