

Ordinance 06-04

An Ordinance of Appropriation to appropriate additional funds for the Mille Lacs Band Elder Supplemental Income Program, to amend the Program to reduce the eligibility age to 62 years of age and over, and to ratify and provide for the future amendment of the Program rules.

The District I and District III Representatives jointly introduce the following Bill on this 23rd day of January 2004, which was vetoed by the Chief Executive on January 23, 2004. Compromise was held, and Bill is jointly reintroduced on this 9th day of February 2004.

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purposes of appropriating additional funds for the Mille Lacs Band Elder Supplemental Income Program, amending the Program to reduce the eligibility age to 62 years of age and over, and ratifying and providing for the future amendment of the Program rules.

Title I

Section 1. As used in this Bill:

- (a) "Elder Assistance Program" means the Mille Lacs Band Elder Supplemental Income Program, a needs-based supplemental income program offering financial assistance to elderly Band members; and
- (b) "Elder Assistance Program Account" means the interest bearing account that was established with an appropriation of \$16.5 million to fund the Elder Assistance Program.

Section 2. The Band Assembly of the Mille Lacs Band of Ojibwe Indians recognizes that the Band's Elders are valued members of the community; therefore, it wishes to appropriate additional funds to continue the Elder Assistance Program, to amend the Program to reduce the eligibility age to 62 years of age and over, and to ratify and provide for the future amendment of the Program rules.

Section 3. All payments to Elders under the Elder Assistance Program shall be made from the Elder Assistance Program Account. An additional \$340,000 is hereby appropriated to the Account from the Permanent Initiative Fund, which will fully endow the Account for the biennium ending September 30, 2005. The need for future appropriations to the Account shall be assessed during every biennium budget cycle, taking into consideration the number of Elders who will turn 62 years of age during the biennium.

Section 4. The determination of which Band Elders are eligible to participate in the Elder Assistance Program and the amounts to which they are entitled under the Program shall be determined in accordance with Band Ordinance 08-02 and the existing Program rules, as set forth in the document entitled "Mille Lacs Band of Ojibwe Indians, Elder Needs-Based Supplemental Income Program," which was prepared by the Band's Benefit Issuance Director, and which is hereby ratified and confirmed, except that:

- (a) As of October 1, 2003, Band members who are 62 years of age or over shall be eligible to participate in the Program, subject to the income and resource levels established in the Program rules; and
- (b) Notwithstanding any other provision in the Program rules, payments shall only be payable to an eligible, living elder; no payments shall be made to a spouse or other beneficiary.

The Band's Benefit Issuance Director is hereby authorized and directed to revise the Program rules to incorporate the foregoing provisions.

Section 5. Any future amendment to the Elder Assistance Program rules may be initiated by the Band's Benefit Issuance Director, other Program staff, or other Band officials, but must be ratified by Band Assembly before becoming effective.

Section 6. As provided in Band Ordinance 08-02, the Commissioner of Finance shall continue to deliver semi-annual reports to the Band Assembly and Chief Executive showing the balance in the Elder Assistance Program Account and amounts paid to individual Elders in each fiscal year.

Section 7. As provided in Band Ordinance 08-02, all payments made under the Elder Assistance Program shall be exempt from any administrative, court garnishment, or other legal action.

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Re-Introduced to the Band Assembly on this
Ninth day of February in the year
Two Thousand Four.

Passed by the Band Assembly on this
Ninth day of February in the year
Two Thousand Four.



Herb Weyaus, Speaker of the Assembly

APPROVED:

Date: February 12, 2004 

Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND