# Ordinance 35-16

An Ordinance of Supplemental Appropriation for the Judicial Department for the Fiscal Years ending September 30, 2016 and September 30, 2017.

The District I Representative introduced the following Bill on the 28<sup>th</sup> day of April, 2016.

## Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of appropriating and authorizing an expenditure for the Judicial Department for the Fiscal Years ending September 30, 2016 and September 30, 2017.

## Title I

Section 1: Governmental Operations. The Band Assembly hereby appropriates and authorizes an expenditure for the Judicial Department for the Fiscal Years ending September 30, 2016 and September 30, 2017.

Section 1.01: Amendment to Section 1.02. The Band Assembly hereby appropriates and authorizes the expenditure of: One hundred twenty-three thousand seven hundred fifty dollars and no cents (\$123,750.00) for year one of FY16 Unspent/Net Revenue Funds for the Demonstration Project for a staff attorney to draft the Juvenile Justice statutes and a Law Clerk to assist the District Court Judge with legal research and drafting of Court Rules/Orders under **Judicial** which amends the **Total Fiscal Year 2016 Mille Lacs Band Tribal Operations** to read: One hundred seventy-seven million eight hundred seventy-five thousand two hundred fifty-nine dollars and sixty-five cents (\$177,875,259.65); and

One hundred twenty-six thousand six hundred fifty dollars and no cents (\$126,650.00) for year two of FY17 Unspent/Net Revenue Funds for the Demonstration Project for a staff attorney to draft the Juvenile Justice statutes and a Law Clerk to assist the District Court Judge with legal research and drafting of Court Rules/Orders under **Judicial** which amends the **Total Fiscal Year 2017 Mille Lacs Band Tribal Operations** to read: Eight hundred forty thousand two hundred forty-six dollars and no cents (\$840,246.00); and

Section 1.02: The Band Assembly hereby appropriates and authorizes the expenditure of supplemental programmatic funds for the following:

ισμπι
Supplemental         Amended Amount           ds         \$123,750.00           \$195,503.00           et Revenue         \$8,558,065.05

<u>Total Operational for Fiscal Year 2016</u>		\$177,875,259.65
<u>Tribal Operation Fiscal Year 2017</u> Judicial Tribal Court 100-150 of FY17 Unspent/Net Revenue Funds	Supplemental \$126,650.00	<u>Amended Amount</u>
Total Fiscal Year 2017 Judicial		\$198,650.00
Total Fiscal Year 2017 Unspent/Net Revo	enue	\$264,650.00
Total Operational for Fiscal Year 2017		\$840,246.00

Section 1.03: The Band Assembly hereby authorizes Commissioners to approve budgetary revisions within programs <u>up</u> to **\$10,000.00** provided that the revisions are allowable under grant provisions, if applicable and that sufficient funds are available for the revision. For revisions <u>over</u> **\$10,000.00**, the Band Assembly hereby authorizes the Administration Policy Board to approve budget revisions within programs of <u>up</u> to 50% of the total program's budget within a given budget line if the program is <u>under</u> **\$100,000.00** and <u>up</u> to 20% if the program is **\$100,000.00** or greater.

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

Ordinance 35-16 (Band Assembly Bill 17-01-35-16)

Introduced to the Band Assembly on this Twenty eighth day of April in the year Two thousand sixteen.

Passed by the Band Assembly on this Twenty eighth day of April in the year Two thousand sixteen.

Carolyn Beaulieu, Speaker of the Assembly

APPROVED Date: <u>april 29, 2016</u>

meline Serram

Melanie Benjamin, Chief Executive

**OFFICIAL SEAL OF THE BAND** 

# Band Assembly Bill 17-01-35-16

A Bill of Supplemental Appropriation for the Judicial Department for the Fiscal Years ending September 30, 2016 and September 30, 2017.

The District I Representative introduced the following Bill on the 28<sup>th</sup> day of April, 2016.

### Preamble

Be it enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of appropriating and authorizing an expenditure for the Judicial Department for the Fiscal Years ending September 30, 2016 and September 30, 2017.

#### Title I

Section 1: Governmental Operations. The Band Assembly hereby appropriates and authorizes an expenditure for the Judicial Department for the Fiscal Years ending September 30, 2016 and September 30, 2017.

Section 1.01: Amendment to Section 1.02. The Band Assembly hereby appropriates and authorizes the expenditure of: One hundred twenty-three thousand seven hundred fifty dollars and no cents (\$123,750.00) for year one of FY16 Unspent/Net Revenue Funds for the Demonstration Project for a staff attorney to draft the Juvenile Justice statutes and a Law Clerk to assist the District Court Judge with legal research and drafting of Court Rules/Orders under **Judicial** which amends the **Total Fiscal Year 2016 Mille Lacs Band Tribal Operations** to read: One hundred seventy-seven million eight hundred seventy-five thousand two hundred fifty-nine dollars and sixty-five cents (\$177,875,259.65); and

One hundred twenty-six thousand six hundred fifty dollars and no cents (\$126,650.00) for year two of FY17 Unspent/Net Revenue Funds for the Demonstration Project for a staff attorney to draft the Juvenile Justice statutes and a Law Clerk to assist the District Court Judge with legal research and drafting of Court Rules/Orders under **Judicial** which amends the **Total Fiscal Year 2017 Mille Lacs Band Tribal Operations** to read: Eight hundred forty thousand two hundred forty-six dollars and no cents (\$840,246.00); and

Section 1.02: The Band Assembly hereby appropriates and authorizes the expenditure of supplemental programmatic funds for the following:

<b>Supplemental</b>	Amended Amount
\$123,750.00	
	\$195,503.00
ds \$123,750.00 <b>\$195,503.00</b>	
fudicial Fribal Court 100-150	\$8,558,065.05
	\$123,750.00

<u>Total Operational for Fiscal Year 2016</u>		\$177,875,259.65
<u>Tribal Operation Fiscal Year 2017</u> Judicial Tribal Court 100-150 of FY17 Unspent/Net Revenue Funds	<b>Supplemental</b> \$126,650.00	<u>Amended Amount</u>
Total Fiscal Year 2017 Judicial		\$198,650.00
Total Fiscal Year 2017 Unspent/Net Revo	enue	\$264,650.00
<u>Total Operational for Fiscal Year 2017</u>		\$840,246.00

Section 1.03: The Band Assembly hereby authorizes Commissioners to approve budgetary revisions within programs <u>up</u> to **\$10,000.00** provided that the revisions are allowable under grant provisions, if applicable and that sufficient funds are available for the revision. For revisions <u>over</u> **\$10,000.00**, the Band Assembly hereby authorizes the Administration Policy Board to approve budget revisions within programs of <u>up</u> to 50% of the total program's budget within a given budget line if the program is <u>under</u> **\$100,000.00** and <u>up</u> to 20% if the program is **\$100,000.00** or <u>greater</u>.

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

LACS	
A PARTY AND A PART	
OA OUIEWE	
CUIL	

# MILLE LACS BAND OF OJIBWE INDIANS Judicial Branch of Tribal Government

TO:	Band Assembly
FROM:	Gilda Burr, Court Administrator
CC:	Rayna Churchill, Chief Justice
DATE:	August 12, 2015
RE:	Appropriation through Demonstration Project for Staff Attorney & Law Clerk

Attached is a copy of a budget in which I am requesting appropriations of funds through (what is known as) the Demonstration Project for a staff attorney to draft the Juvenile Justice statutes and a Law Clerk to assist the District Court Judge with legal research and drafting of Court Rules/Orders.

There is a need for the Juvenile Justice statutes to be drafted as the Band currently does not have a working code; therefore a Staff Attorney is necessary to concentrate on this specific objective. As indicated by Elizabeth Rusinak-Mowers, who was instrumental in drafting the Children and Family Protection codes, the Juvenile Justice code needs to start from scratch with determining the Band's intent for the juvenile justice system. Throughout this whole process she has come to learn how time consuming and difficult it is to gather data and information, research Juvenile models and create language that support the complex legal matters, especially adapting these laws to fit the Band's unique culture, customs and traditions. As indicated by Judge Christensen, it would benefit the tribe to continue Elizabeth's role in completing the Juvenile Justice statutes as she has in-depth knowledge of the Children and Family Protection Codes, how it overlaps and may impact the Juvenile Justice area.

For year one (FY 2016): Wage for the full-time attorney position is \$57,481 with a total of benefits at \$29,666. Other expenses such as local mileage, training, travel, office supplies and IDC is \$16,867 for a total of \$104,014. Year two (FY 2017) the total is \$106,914.

The second position is a part-time Law Clerk, which if created, would allow the Judge to concentrate on larger and more difficult issues. As it stands now, with the number of cases the court has on a yearly basis and the current backlog of case, this positon would be instrumental in allowing the District Judge to concentrate fully on the broader issues that are brought to the court. Additionally, the Law Clerk could provide needed legal research for more complicated issues as they arise due to the complexity of cases being brought before the court. For this position, we would reach out to the law schools in the state of Minnesota.

For year one and two (FY 2016 & 2017): Wage for the part-time law clerk at 15 hours per week is \$15,600 with mandated benefits at \$1,561 and IDC at 2,574 for a total of \$19,736.

Both of these positions would benefit the Band and court tremendously so it is my hope that you would appropriate the request in the attached budgets. If you have any questions, I can be contacted at 7401.

Count #		roposed 16 Budget - - - - - - - - - - - - -	Pi 201 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	roposed 17 Budget - - - - - - - - - - - - - - - - - - -
3200 3210 3220 3300 3305 3310 3500 3600 3800 3000 3010 3030 4000	20 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	16 Budget	201 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	17 Budget - - - - - - - - - - - - - - - - - - -
3200 3210 3220 3300 3305 3310 3500 3600 3800 3000 3010 3030 4000	20 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	16 Budget	201 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	17 Budget - - - - - - - - - - - - - - - - - - -
3200 3210 3220 3300 3305 3310 3500 3600 3800 3000 3010 3030 4000	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	- - - - - - - - - - - - - - - - - - -	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	-
3210 3220 3300 3305 3310 3500 3600 3800 3000 3010 3030 4000	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	- - - 123,750	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
3210 3220 3300 3305 3310 3500 3600 3800 3000 3010 3030 4000	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	- - - 123,750	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
3210 3220 3300 3305 3310 3500 3600 3800 3000 3010 3030 4000	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	- - - 123,750	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
3220 3300 3305 3310 3500 3600 3800 3000 3010 3030 4000	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	- - - 123,750	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
3300 3305 3310 3500 3600 3800 3000 3010 3030 4000	\$ \$ \$ \$ \$ \$ \$	- - - 123,750	\$ \$ \$ \$ \$ \$	- - - - 126,650
3310 3500 3600 3800 3000 3010 3030	\$ \$ \$ \$ \$ \$	- - - 123,750	\$ \$ \$ \$ \$	- - - - 126,650
3500 3600 3800 3000 3010 3030	\$ \$ \$ \$ \$ \$	- - - 123,750	\$ \$ \$ \$ \$	- - - - - - 126,650
3600 3800 3000 3010 3030	\$ \$ \$ \$	- - - 123,750	\$ \$ \$ \$ \$	- - - - 126,650
38800 3000 3010 3030	\$ \$ \$ \$	- 123,750	\$ \$ \$	- - - 126,650
3000 3010 3030	\$ \$ \$	- 123,750	\$ \$ \$	- - - 126,650
3010 3030	\$	- 123,750	\$ \$	- 126,650
3030	\$		\$	126,650
4000			-	126,650
	\$	123,750	\$	
		120,100		126,650
			-	120,000
	\$	73,081	\$	74.805
100	\$	19,461	\$	20,434
106	\$	297	\$	305
107	\$	600	\$	600
108				760
109		80	\$	82
110	\$	1,026	\$	1,049
1111	\$	3,449	\$	3,552
112	\$	5,591	\$	5,723
1113	\$		\$	~
	\$	104,309	\$	107,311
300				
400	\$	500	\$	500
450	\$	1.950	\$	1,720
500				
550		ft an Routing after Construct Resolution for		
6000	\$	750	\$	500
5100				
5700				
100	\$	100	\$	100
				-
				99999000000000000000000000000000000000
900				
000				
100			3	
200				
000				
010	\$	16,141	\$	16,520
	\$	123,750	\$	126,650
			\$	
	108           109           110           111           111           111           111           111           111           111           111           111           111           111           111           111           300           400           550           000           100           700           100           120           200           300           400           550           600           668           700           720           800           900           000           100           200           000           100	108       \$         109       \$         110       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         111       \$         300       \$         400       \$         550       \$         000       \$         100       \$         120       \$         200       \$         300       \$         400       \$         500       \$         660       \$         660       \$         900       \$         900       \$         900       \$         900       \$         900       \$         900       \$	108         \$         724           109         \$         80           110         \$         1,026           111         \$         3,449           112         \$         5,591           113         \$         -           \$         104,309           300         \$           400         \$         500           500         \$         1,950           500         \$         1,950           500         \$         1,950           500         \$         1,950           500         \$         1,950           500         \$         1,950           500         \$         1,950           500         \$         1,950           500         \$         1,950           500         \$         100           100         \$         100           120         \$         100           200         \$         100           668         \$         \$           900         \$         \$           000         \$         16,141           \$         16,141	108         \$         724         \$           109         \$         80         \$           110         \$         1,026         \$           111         \$         3,449         \$           112         \$         5,591         \$           113         \$         -         \$           \$         104,309         \$           300         \$         \$         \$           400         \$         \$         \$           400         \$         \$         \$           300         \$         \$         \$           400         \$         \$         \$           500         \$         \$         \$           500         \$         \$         \$           700         \$         \$         \$           700         \$         \$         \$           100         \$         \$         \$         \$           300         \$         \$         \$         \$           400         \$         \$         \$         \$           500         \$         \$         \$         \$           668

**,** , 2

Mille Lacs Band of Ojibwe				1				1	11			1	
FY 2016 Budget Prep Packe	+												
Salary & Fringe Benefit Calc													
Department Name:				Departmen	t Number:								
•				]									
FY 2016	4000	4106			4107		4110		4109 WORKER'S	4112		4111/4113	
↓>	SALARIES	LIFE COST		DISABILITY	cost		UNEMPLOYMENT		COMPENSATION	FICA	401 (k)	Retirement	
litie						Cost	Ê.	4			* 5	Cost	
Position Title	Salaries	Life Insurance	STD Coverage	STD Cost	LTD Coverage	otal Disabil Cost	Unemployme	Work Comp Rate	Workcomp Cost	FICA	Retirement Calculation	Retirement Cost	
	ŝ	Liffa Insu	STD Cove	ST	E S	Tot	5 5	N N	žő	Ĕ	<b>ມະ</b> ບິ	ů.	
List Full-time positions													
Staff Attorney (Juvenile cod	57,481.00	57,481	57,481	26,000	29,000		30,000	0.11	And the second	4,397	3,449	3,449	
			-	-	-			0.11	the second s				
		-		-			-	0.11	Multiple and an and a second second second	-	-	-	
		-	-	-	-			0.11	Massachin proc and in the Property of the Prop	-	-	-	
		-	-	-	-		-	0.11	-	-	-	-	
		-	•	-	•				-	-	-	-	- 1/2
Dans Gill Alma analyla	-	•		-	•		· · ·	1.		· · ·			3,449
Pera full time employees	а. С. С. С. С.	-	-				-	1.		-	-		4111
									-	-			
	S 3	-	•	-	-		-	1	-	-	-	-	
	-	-	-	-			-		-	-	-	-	
		-		-	-		-	Lange 1	-	•	-	-	
	1. · · ·	· · ·		-	·		-		·	-	· · ·		
	-		•	-	-		-	1	-		·		
							-	1			-		
			-	-			-	1	-	-	-	-	
		-	-	-	-		-	] ,	-	•	-	-	
	•	•	-	-			-		-	•	-	· ·	
	•		-		-						-	· · ·	
		· · ·	-				·		-			· · ·	·*************************************
			-	-	-							<u> </u>	
and the second second		-		-			-	1.00	-	-			
		-	-		-		-		-	-	-	-	
	· · ·	•	-	•					-	-	-		
	<u>-</u> -								-				
	-		·	· · ·	•				-	-			
			·					1		· · ·			
			· · ·				· · · ·		-				
Subtotal FT Salaries	57,481.00	57,481		26,000	29,000		30,000		63	4,397	3,449	the second se	4113
List Part-time postions								+					
List Part-time positions	15,600.00			+			15,600	0.11	17	1,193		1	
				1			-	0.11		-			
							-	0.11		-			
							-	0.11	Approximation of the state of t				
Subtatal DT Calarias	15 040 4-							-					
Subtotal PT Salaries	15,600.00	*		-	-		15,600 45,600		17	1,193	1		
Renewal Rate or Cost		\$ 0.0043		0.53	0.88		2.25%						
Renewal Rate or Cost		10		10	100		E.207	1	1				
		12		4									
Grand Total Salaries	\$73,081.00	\$297		345		\$600	\$1,026		\$80	\$5,591		\$3,449	
LINE ITEM NUMBER	4000	4106				4107	4110		4109	4112		4111/4113	
	4105	HEALTH	TOTAL		4108	DENTAL	TOTAL						
Camily Causes	HEALTH	PREMIUM	HEALTH COST		DENTAL	PREMIUM	DENTAL COST	-	1				
Family Coverage Single Coverage	1 0	1,621.77	1,621.77		1	60.35		Fami	ly Coverage				
Total FT Employees	- 0 1	561.61	- 1,621.77		0. 1	60.35	60.35	Totel	e Coverage FT Employees		+	+	
Court i Employooo				months		-		month			+	+	
	ANNUAL HEAL	TH PREMIUM	\$19,461		NNUAL DENTA		\$724		•   ·			1	
	LINE ITEM NU		4105		LINE ITEM NU	the set of	4108		+		+	+	

Mille Lacs Band of Ojibwo FY 2017 Budget Prep Pa	ket	+		+									
alary & Fringe Benefit C	alculation	+									1		+
Department Name:	acculation	120010-000				COR AND THE OWNER WANTED				1			1
reput unon chame,	espectation and	The States		Departme	nt Number					1	1		1
EV 0043								1		1	1	1	+
FY 2017	4000	4106			4107		4110		4109	4112	1		+
	-					1	1		WORKER'S			4111/4113	
	SALARIES	LIFE COST	r	DISABILITY	COST		UNEMPLOYMEN	π	COMPENSATION	FICA	401 (k)	Retirement	
Title		1					E		*	1			+
Ę	5					=	Unemploymen		Cost		# 5	Cost	
Position	Salaries	Life Insurance	STD Coverage	STD Cost	LTD Coverage	Total Disabil Cost	l o	Comp	4		tion	T T	
at	a		l o ě	0		ō	de	ပီ	- Eg		ne en	Ē	
6	Sa	Life	E o	E	Cove	ost	l ē	Work Rate	orkcomp	FICA	높음	Retire	
ist Full-time positions				00	0	FO		3 2	ž	Ē	Retirement Calculation	Re R	
staff Attorney	59,205.00	59,20	5 59,205	26,000	20.00				L				1
		-		-		0	31,00		week a free commentancies of the same of t	4,529	3,552	3,552	
	1 N N N	-	-					0.11		-	-	-	
	1						· ·	0.11		-	-	-	
		-						0.11		-	-	-	
		-						0.11		-	-	-	
			+	-				0.11	and the second second second to the second	-	-	-	
								-		-	-	-	
			+	·				-	-	-	-	-	
era full time employees						+	· ·	-	-	-	•	-	3,
				1		+		-					411
						+		1.43	-	-		-	
								_		-	-	-	
							•	_		-	-		
					-		-		-	-	-		
		-		-	-		-	_	-	-	-		
				-	-		-		-	-	-	-	
				-	-		-	inter	-	-	-		
		-			-		-	1.1.1.1	-	-	-	-	
		-			-		-	1.1.1.	-	-	-	-	
				-	-		-	12.00	-	-	-	-	
	-	•		-	-		-		-	-	-		
		-	-	-	-		-	1.4.1.1	-	-	-	-	
	-	-		-	-		-	1	-	-	-	-	
				-	-		-	The second	-	-		-	
	-		-	-	-		-		-			-	
		-	-	-	-		-	1	-	-	-	the second se	
	· · ·	-	-	-	-		-	1000	•			-	
		-	-	-	-		-		-	-			
		-	-	-	-		-	1.00	-			-	
	1 - 1	-	-	-	-	1		1				-	
	1 . 1	-	-	-	-		-	1	-			•	
ubtotal FT Salaries		•	-	-	-			and -					
bolotar FT Salaries	59,205.00	59,205		26,000	29,000		31,000	T	65	4,529	3,552	-	4113
at Dart Name and						1			1	4,020	3,352	3,552	4113
st Part-time postions w Clerk								1+					
WORK	15,600.00						15,600	0.11	17	1,193			
								0.11					
							-	0.11					
	1 - 1						-	0.11					
btotal PT Salaries	15 600 00						-						
of the second se	15,600.00	-		-	-		15,600		17	1,193			
newal Rate or Cost							46,600	1 1					
newal Rate or Cost	t	\$ 0.0043		0.53	0.88		2.25%						
		10		10	100								
and Total Salaries	-	12		4									
	\$74,805.00	305		345	255	600	1,049		82	5,723		3,552	
E ITEM NUMBER	4000	4106		1		4107	4110						
V						4107	4110		4109	4112		4111/4113	
	4105	HEALTH	TOTAL		4108	DENTAL	TOTAL						
	HEALTH	PREMIUM	HEALTH COST				TOTAL						
mily Coverage	1	1,702.86	1,702.86		the second se	PREMIUM	DENTAL COST	-					
gle Coverage	0	589.69	1,702.00		1	63.36	63.36	Family	Coverage				
al FT Employees	1	505,03	1,702.86		0	63.36	-	Single	Coverage				
					1				T Employees				
	ANNUAL HEALTH	DDEMIN		nonths		T		months					
			20,434		UAL DENTAL		760	T					
	LINE ITEM NUM	BER	4105	L	INE ITEM NUN	ABER 1	4108						