

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:

<u>Tribal Operation Fiscal Year 2016</u>	<u>Supplemental</u>	<u>Amended Amount</u>
<b>Judicial</b>		
Tribal Court 100-150 of FY16 Unspent/Net Revenue Funds	\$123,750.00	
<b>Total Fiscal Year 2016 Judicial</b>		<b>\$195,503.00</b>
<b>Total Fiscal Year 2016 Unspent/Net Revenue</b>		<b>\$8,558,065.05</b>

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

Section 1.03: The Band Assembly hereby authorizes Commissioners to approve budgetary revisions within programs up 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 over **\$10,000.00**, the Band Assembly hereby authorizes the Administration Policy Board to approve budget revisions within programs of up to 50% of the total program's budget within a given budget line if the program is under **\$100,000.00** and up 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  
Carolyn Beaulieu, Speaker of the Assembly

APPROVED  
Date: April 29, 2016

Melanie Benjamin  
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.

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

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<b>Total Fiscal Year 2016 Judicial</b>		<b>\$195,503.00</b>
<b>Total Fiscal Year 2016 Unspent/Net Revenue</b>		<b>\$8,558,065.05</b>


<b><u>Total Operational for Fiscal Year 2016</u></b>		<b>\$177,875,259.65</b>
<b><u>Tribal Operation Fiscal Year 2017</u></b>	<b><u>Supplemental</u></b>	<b><u>Amended Amount</u></b>
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<b><u>Total Operational for Fiscal Year 2017</u></b>		<b>\$840,246.00</b>

Section 1.03: The Band Assembly hereby authorizes Commissioners to approve budgetary revisions within programs up 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 over **\$10,000.00**, the Band Assembly hereby authorizes the Administration Policy Board to approve budget revisions within programs of up to 50% of the total program's budget within a given budget line if the program is under **\$100,000.00** and up to 20% if the program is **\$100,000.00** or greater.

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



*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

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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 position 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.

<b>Mille Lacs Band of Ojibwe</b>			
<b>FY2016 &amp; FY2017 Original Budget Request</b>			
<b>Department Name:</b>			
<b>Department Number:</b>			
	<b>Account #</b>	<b>Proposed 2016 Budget</b>	<b>Proposed 2017 Budget</b>
<b>Revenues:</b>			
Fees/Fines	3200		
Private Grants	3210	\$ -	\$ -
Taxation	3220	\$ -	\$ -
Federal Grant	3300		
Self Governance Compact	3305		
State Grant	3310	\$ -	\$ -
Public Works Fees	3500	\$ -	\$ -
Interest Income	3600	\$ -	\$ -
Miscellaneous Income	3800	\$ -	\$ -
Transfer In From Program	8000	\$ -	\$ -
Indirect Cost Transfer In	8010	\$ -	\$ -
Casino Distributions	8030	\$ 123,750	\$ 126,650
<b>Total Revenues</b>		<b>\$ 123,750</b>	<b>\$ 126,650</b>
<b>Expenditures:</b>			
Salaries	4000	\$ 73,081	\$ 74,805
Health Insurance	4105	\$ 19,461	\$ 20,434
Life Insurance	4106	\$ 297	\$ 305
Disability Insurance	4107	\$ 600	\$ 600
Dental Insurance	4108	\$ 724	\$ 760
Worker's Compensation	4109	\$ 80	\$ 82
Unemployment	4110	\$ 1,026	\$ 1,049
Retirement	4111	\$ 3,449	\$ 3,552
Employer's Share of FICA	4112	\$ 5,591	\$ 5,723
PERA	4113	\$ -	\$ -
<b>Total Salaries and Fringe</b>		<b>\$ 104,309</b>	<b>\$ 107,311</b>
Consulting / Contract Labor	4300		
Local Mileage	4400	\$ 500	\$ 500
Non-local Mileage	4450	\$ 1,950	\$ 1,720
Communication	4500		
Postage	4550		
Training / Recruitment	5000	\$ 750	\$ 500
Legal Expense	5100		
Miscellaneous Expense	5700		
Office Supplies	6100	\$ 100	\$ 100
Insurance	6120		
Cultural Activities	6200		
Printing	6300		
Program Supplies	6400		
Rent	6500		
Building / Equip Maintenance	6600		
Donations	6668		
Utilities	6700		
Vehicle / Equipment Maintenance	6720		
Program Activities	6800		
Passthrough	6900		
Small Equipment (under \$500)	7000		
Equipment	7100		
Construction	7200		
Transfer to Programs	9000		
Indirect Cost Transfer	9010	\$ 16,141	\$ 16,520
<b>Total Expenditures</b>		<b>\$ 123,750</b>	<b>\$ 126,650</b>
<b>Revenues Over (Under) Expenditures</b>		<b>\$ -</b>	<b>\$ -</b>







